U.S. Congress.

Congressional Record

PROCEEDINGS AND DEBATES

OF THE

THIRD SESSION OF THE SEVENTY-FIRST CONGRESS

OF

THE UNITED STATES
OF AMERICA

VOLUME 74—PART 2

DECEMBER 20, 1930, TO JANUARY 15, 1931

(Pages 1171 to 2300)

UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON: 1931

DEPOSITED BY THE
UNITED STATES OF AMERICA
4-8-31

Congressional Record

SEVENTY-FIRST CONGRESS, THIRD SESSION

SENATE

SATURDAY, DECEMBER 20, 1930

The Senate met at 11 o'clock a. m.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

O Thou who in the long ago wast born in David's town and cradled in a manger, before whom shepherds bowed and kings did homage, bringing precious gifts, make us glad with holy joy at this blessed Christmastide as there floats upon the air the echo of the heavenly antiphon, "Peace on earth, to men good will."

Lead us by Thy guiding star to the object of our quest, that in the dimpled flesh of babes we may find the secret of God's love. Sanctify our homes and shepherd all the homeless; purify our lives and gird us with humility; quicken noble thoughts and make our hearts Thy dwelling, that Thou being born again in us, we, as Thy messengers, may proclaim to all the world that hope may spring in unstained radiance from the lowliest of lives. We ask it in Thy holy name and for Thine own dear sake. Amen.

THE JOURNAL

The Chief Clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. FESS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

APPROPRIATIONS FOR EMERGENCY CONSTRUCTION

The VICE PRESIDENT laid before the Senate the action of the House of Representatives further insisting upon its disagreement to the amendments of the Senate Nos. 11, 12, and 14 to the bill (H. R. 14804) making supplemental appropriations to provide for emergency construction of certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment.

Mr. JONES. I move that the Senate recede from its amendments numbered 11 and 12. This is a privileged motion. Those two amendments involve exactly the same principle. One relates to Alabama and the other to Georgia.

Mr. HAYDEN. Mr. President, will the Senator from Washington yield?

Mr. JONES. I yield.

Mr. HAYDEN. I ask unanimous consent for the immediate consideration of Calendar No. 1246, the bill (S. 5314) to amend the Federal highway act. I will ask the clerk to read the bill, which is very short.

The VICE PRESIDENT. Let it be read for the information of the Senate.

The Chief Clerk read the bill.

The VICE PRESIDENT. Is there objection to the request of the Senator from Arizona?

Mr. McNARY. Mr. President, we have not had a quorum call nor has morning business been transacted. It is a very important measure that we have before us. At this particular time, without any reference to the merits of the bill, I shall ask for the regular order.

The VICE PRESIDENT. Objection is made.

Mr. BARKLEY. Mr. President, I should like to inquire of the Senator from Washington with reference to the drought-relief measure, the conference report on which was agreed to yesterday. It carries only an authorization and makes no appropriation. Unless there is an appropriation bill passed before we adjourn to carry out the terms of the measure, we have not accomplished very much in the immediate present with reference to the situation. I read in a morning paper that the Secretary of Agriculture has announced that he has the machinery set up for putting the measure into effect, and I want to inquire of the Senator from Washington if it is intended to pass an appropriation bill to give him the money which we have already authorized?

Mr. JONES. Mr. President, I reached my office only a few moments ago, having had some important matters before one of the departments to which I had to attend. The clerk of the committee advised me that he has learned that the Secretary of Agriculture states that he is not quite prepared to take up the matter and that he is not quite prepared to go to the expenditure of the money. I understand he has advised the Appropriations Committee of the House to the effect that he could not use any of this money until after the holidays, so that it is not, as I understand, absolutely necessary that we make the appropriation before the holidays if it is made practically immediately thereafter. I also understand that the chairman of the House Committee on Appropriations expects to make a statement to-day with reference to it. That is all I know about it.

Mr. BARKLEY. If that is true, what is the object of the Secretary of Agriculture in giving to the press a statement that he is now ready with the necessary machinery to carry out the purposes of the Congress with reference to this money?

Mr. JONES. Of course, I can not answer a question like that.

Mr. WATSON. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Indiana?

Mr. JONES. I yield.

Mr. WATSON. I had the impression—I will not say the understanding, but the impression—that it would be carried in a deficiency appropriation bill which will be brought over very shortly.

Mr. JONES. I am stating to the Senate what the clerk of the committee, Mr. Rea, told me a few moments ago. I have not had an opportunity to confer with the chairman of the House Appropriations Committee.

Mr. BARKLEY. I hope the Appropriations Committee will look into the matter and make some provision for the money before we adjourn for two weeks. We have not accomplished much if we have simply authorized the money which we now refuse to appropriate.

Mr. JONES. I am not in favor of the Senate adjourning if it is necessary for us to stay longer to make the money available, if the Secretary of Agriculture says it is absolutely necessary that it be done before the holidays.

Mr. COUZENS. Mr. President, what the Senator said with respect to the emergency measure acted on yesterday will apply equally to the bill which the Senator now seems to be in such a rush to have passed. In other words, this is only an authorization and there is no appropriation going to be passed.

Mr. JONES. Oh, no; the emergency construction bill is an appropriation bill.

Mr. COUZENS. I thought it was merely an authorization.

Mr. JONES. Oh, no; it is a direct appropriation.

Mr. President, let me say just a word with reference to the two amendments. I think everyone appreciates the situation. We have had conference after conference. The Senate conferees have done everything they possibly could to have the two amendments agreed to by the House, but that has been impossible. The Senate is confronted simply with a situation whether we are going to allow to be held up the $116,000,000 provided in the bill for immediate relief, or not.

I regret that we have not been able to get an agreement with the House with reference to the two amendments. The Senate conferees feel that they have done the very best they possibly could. The Senate knows the situation. It is for the Senate to say whether the measure shall pass or whether it shall be indefinitely delayed because of our inability to get the House to recede from the amendments Nos. 11 and 12.

Mr. HEFLIN. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Alabama?

Mr. JONES. I yield.

Mr. HEFLIN. I want to ask the Senator if the other Senate conferees worked with the Senator to try to keep the amendments in the bill?

Mr. JONES. Yes; the Senate conferees have stood together on the matter.

Mr. GEORGE. Mr. President, I wish to ask the Senator from Washington whether the House conferees carried these two amendments back to the House and had separate votes upon them?

Mr. JONES. I do not remember seeing any account of a separate vote. They went back, of course, with the conference report, and the conference report was agreed to. I am unofficially informed that the vote was 135 yeas and 5 nays. I may say to the Senator that the last report simply involves these two amendments and amendment No. 14, so that while they may not have voted separately on amendments Nos. 11 and 12, we may say that it was practically a separate vote.

Mr. GEORGE. All the items carried in this particular bill appropriating $116,000,000 have heretofore been authorized. My inquiry is addressed to this end. Have not all the items covered by the bill been authorized heretofore by appropriate legislation?

Mr. JONES. That is correct.

Mr. GEORGE. Let me ask the Senator when the appropriation to carry out the projects which are covered by this bill would be available without this legislation?

Mr. JONES. That would depend, of course, upon the action of the Appropriations Committee and the action of Congress. In the ordinary course the appropriations would be available the 1st of next July. That is the usual custom, but we might put them, of course, in an emergency appropriation bill and make the sums immediately available.

Mr. GEORGE. So that at most the bill, if passed at this time, would have the effect of expediting the work by, say, six months if the appropriations were carried in an emergency appropriation bill and made immediately available?

Mr. JONES. That is correct.

Mr. GEORGE. Mr. President, of course the Senate knows the situation. The Senate is, of course, familiar with the fact that the two amendments were voted into the bill in the first instance and that we had a separate vote upon the amendments in the Senate when the bill was sent back to conference. I can not see why the House would lodge an objection to the amendments. I can, of course, see why the House, if it did not wish to adopt the policy expressed in the bill, might object to making any appropriation available to any State where the appropriation was made upon condition that the State matched the appropriation.

But, inasmuch as that general policy is being departed from in this bill, in fact, inasmuch as that is the primary purpose of the bill so far as the item of $80,000,000 for the construction of highways is concerned, I am at a loss to see why the House would not permit these special appropriations to the people of Alabama and Georgia to be handled in precisely and exactly the same way.

I have no disposition of course to delay action upon the bill; I am certain the Senate would not, on account of these particular items, desire to delay action upon it; but I want to ask the Senator from Washington an additional question. The Senator is aware, of course, that the appropriation for the State of Georgia, and I presume for the State of Alabama, is limitcd and will expire unless it shall be matched within the life of the appropriation. The leaders in the House announced yesterday that they would favor the continuance of these particular appropriations in the case of Georgia and Alabama at least until the States could match the appropriations. I wish to ask the Senator if that is his disposition?

Mr. JONES. Mr. President, I would certainly be in favor of that, and I want to say to the Senator, as he may know already, that in the agricultural appropriation bill that is on the way over here the House has put in a provision extending the time for another year not only in reference to Georgia and Alabama, but also with reference to South Carolina. I do not think there will be any disposition upon the part of the Appropriations Committee of the Senate to reject provisions of that kind.

Mr. GEORGE. I have been so advised, and I am further advised that the House has committed itself to the proposition that there would be a further extension if within the period fixed in the agricultural appropriation bill the States found themselves still unable to match the appropriation.

Mr. JONES. I think there is no disposition upon the part of anybody in the Senate to allow that money to come back into the Treasury simply because of the inability of the States to match it, but the disposition is to give them all of the time that may be necessary.

Mr. HEFLIN and Mr. BARKLEY addressed the Chair.

The VICE PRESIDENT. Does the Senator from Washington yield; and if so, to whom?

Mr. JONES. I yield first to the Senator from Alabama.

Mr. HEFLIN. Mr. President, I ask the Senator if any effort was made by anyone to have a separate vote in the other House on the proposition affecting Alabama and Georgia?

Mr. JONES. As I stated a while ago, I know of no such effort as that except that when the last conference report went back there these two amendments and the amendment of the Senator from Michigan [Mr. COUZENS] were the only ones involved, there was a division, as I understand, the vote being 135 to 5.

Mr. FLETCHER. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Florida?

Mr. JONES. I yield.

Mr. FLETCHER. I merely want to call attention to the fact that the Senator can read exactly what took place in the House yesterday by consulting pages 1124 and 1125 of the CONGRESSIONAL RECORD.

Mr. BARKLEY. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Kentucky?

Mr. JONES. I yield.

Mr. BARKLEY. Referring to the colloquy which I had with the Senator from Washington a few moments ago, I find in the New York Times an Associated Press dispatch dated Washington, D. C., which is as follows:

WASHINGTON, December 19.—The seed-loan machinery of the Department of Agriculture was in readiness to-night to distribute to drought-stricken farmers in proportion to their needs the $45,000,000 authorized to-day by Congress as soon as the measure is approved by President Hoover.

That is, I presume, the measure we passed on yesterday.

The department has application blanks prepared in accordance with the various State laws.

A county committee, usually consisting of the leading banker and two prominent farmers, will make recommendations to the seed-loan office.

Within 24 hours the applicant is expected to be informed whether his application has been approved; and if so, the amount available.

That dispatch is based evidently on information obtained from the Secretary of Agriculture; and yet the Secretary of Agriculture knows and every Senator knows that, based on the joint resolution we adopted yesterday, the department can not pay out 30 cents to any farmer who needs money for seed. I simply read that into the RECORD in order to emphasize the fact that unless we pass some sort of appropriation in harmony with the joint resolution before we adjourn for the holidays, this dispatch, which is evidently based on information given to the press by the Secretary of Agriculture, is holding out only the hope of an appropriation within the next two weeks, and there will be no money available unless action shall be taken.

Mr. JONES. I have the very highest regard for the newspapers and for the reports which they sent out; but it has been my experience that many of those reports are not to be treated as official.

I will say, however, to the Senator that, of course, if the Secretary of Agriculture can use this money before the holidays, whatever he can use ought to be made available, and I have no doubt, if that is the case, that the House will send to us a proper appropriation bill, and the Senate committee will certainly act promptly upon it.

Mr. BLACK. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Alabama?

Mr. BLACK. I do not care to have the Senator yield. I simply want to make a short statement in reference to the so-called Alabama amendment.

The VICE PRESIDENT. The Chair recognizes the Senator from Alabama.

Mr. BLACK. I do not care to detain the Senate more than two or three minutes. In the first place, I desire to thank the Senate for having voted twice to include the appropriation which I asked for with reference to the flood fund in Alabama. The House has passed upon it unfavorably, and it does not seem to me that we would be justified in asking the Senate at this time again to pass upon it.

I do want to call attention to the fact, however, that this so-called emergency relief is wholly inadequate. It does not scratch the surface. For instance, consider the $80,000,000 appropriation for road construction to give immediate relief and to be divided up among all the States. What good will that do within the next three or four months in the State of Wyoming, where the ground is covered with snow? What good will it do in Michigan? What good will it do in various other Northern States, where it is impossible to work at this time? In so far as immediate relief from the road emergency fund is concerned, it is foolish for anyone to deceive himself into believing that it will extend any general widespread relief throughout the United States of America.

This measure may be heralded abroad as a great immediate relief emergency bill, and if it should be defeated, of course, it would be said that it was the defeat of a great emergency measure, which would immediately put many people to work. It would put some people to work in the South; it would put some people to work in California; it would put some people to work in those States where work can be prosecuted during the winter months; but the House by its action, which is, of course, supposed to be in line with the desires of the administration, has declared that it does not favor releasing this additional flood-relief money in the South, where it would actually be of benefit to some people who desire to work. However, Mr. President, I am not going to attempt to stand in the way of the passage of this measure with the very small amount of emergency relief it will give.

I note that the junior Senator from Pennsylvania [Mr. DAVIS] has stated, according to newspaper reports, that the President is going to recommend a $500,000,000 appropriation for the benefit of the people of this country. Of course the only information we have received concerning that is from the newspaper reports of the address of the junior Senator from Pennsylvania. It would be exceedingly interesting to Congress and the people if the President intends to recommend a $500,000,000 appropriation to afford relief to our fellow countrymen in distress, if he would let the Congress know about it.

Mr. LA FOLLETTE. Mr. President, we are about to pass the second part of President Hoover's relief program. I am in favor of the passage of this bill, as I was in favor of the passage of the drought relief joint resolution; but I wish to state for the RECORD that, in so far as I am concerned, I regard this emergency program as totally inadequate to meet the existing economic conditions in the drought-stricken States as well as in the urban centers where millions of people are suffering from the prevailing economic depression and the resulting unemployment. The administration's relief program, Mr. President, will prove to be woefully inadequate, and will tragically disappoint the falsely aroused hopes of millions of men who are trudging the streets in every city in America seeking work whereby they may save their wives and children from starvation.

On yesterday the Senate, forced by the attitude of the administration and the House of Representatives, acceded to a curtailment of the total authorization for the relief of agriculture in the drought-stricken States from $60,000,000 to $45,000,000. It should be said in passing, Mr. President, that the figure of $60,000,000 as the minimum requirement to meet drought-emergency situation was arrived at as the result of much careful investigation and an official conference in Washington held under the auspices of the administration.

Furthermore, Mr. President, in spite of the evidence submitted in this Chamber when the bill was originally under discussion, evidence which I maintain has not been refuted or controverted, we struck from that relief measure the provision that in cases of dire necessity food should be provided to the starving farmers and their dependents as well as to their work animals. As a result of the heartless position taken by the administration and the House of Representatives, this legislation assumes the perfectly untenable position that the Government will afford relief to the work animals on the farm and will at the same time permit undernourishment and its resultant diseases to afflict the families on the same farms.

Furthermore, Mr. President, the measure is not an act of generosity. Not a dollar of this money is appropriated out of the Treasury of the United States for the relief of the suffering farmers and their families. It is in the form of a loan, and, as has been stated on the floor, past experience proves that the Government has been repaid at least 80 per cent of the money thus loaned by it to meet emergency conditions of a like character.

Mr. President, we are about to pass the so-called unemployment-relief measure. The bulk of the sum of money contained in this $116,000,000 bill is the item of $80,000,000 for the co.ıstruction of roads. It, likewise, is not a direct appropriation from the Treasury of the United States to assist in meeting this emergency. Every dollar of it will be saved by the Treasury, due to the reductions which the States must take in their future Federal aid for highways during the coming 5-year period.

I venture the assertion that many States, despite this emergency, will not, under the terms of this bill, desire to have a hump, so to speak, in their highway-building program. It is the experience of every State that long-time planning for the building of these highways is necessary in order that it may be done economically and scientifically. Furthermore, as stated by Senators representing some of these Western States, in their opinion many of them will not be in a position to take advantage of it.

Therefore, Mr. President, so far as the bulk of the appropriations contained in this so-called unemployment relief bill is concerned, it is, first, not a direct appropriation from the Government, and, secondly, the usefulness of this money in providing employment to people is subject to challenge.

On that very point I wish to direct the attention of the Senate to the fact that last year we increased the appropriations for Federal highway aid from $75,000,000 to $125,-

000,000; namely, an increase of $50,000,000. The additional money became available in April, 1930. Now, let us compare the figures furnished me by the Bureau of Roads under the Department of Agriculture, and let us see how many men this additional $50,000,000 appropriation actually provided with work.

In April, 1929, there were 16,200 men working upon these Federal projects. In the same month in 1930 there were 20,200; namely, an increase of 4,000 for the month of April, 1930—the first month, as I said before, in which this $50,000,000 additional became available.

In May, 1930, there were 31,400 men employed. In May, 1929, there were 26,600; namely, an increase of 4,800 in the month of May.

In June, 1930, there were 35,800 men at work. In June, 1929, there were 34,500, or an increase of 1,300.

In August, 1930, 48,513 men were at work, as compared with 40,745 in the month of August, 1929, or an increase of 7,768 men.

In September of this year there were 47,686 men at work, as compared with 38,067 in the same month in 1929, or an increase of 9,619.

In October, 1930, there were 39,787 men at work, and in October, 1929, there were 33,566 men at work, or an increase of 6,221.

I cite these figures to show that due to increased use of machinery in the construction of these Federal-aid highways, the increase in employment due to increased appropriations is, in the light of the existing situation, infinitesimal and almost futile. Only a large increase in the program could bring substantial relief. The parsimonious policy of the present administration will not appreciably help the unemployment situation.

If the experience in 1930, with a $50,000,000 increase, shows that in the peak month—September last—only 9,619 additional men were afforded work, I ask Senators how much effect they anticipate this loan or advance of $80,000,000 to the States will make upon the present unemployment situation, when I think it is extremely conservative to say that there are at least 6,000,000 men out of work?

So, Mr. President, I maintain that, in view of past experience, the $80,000,000 advance to the States for public roads contained in the measure now under consideration is worse than a futile gesture, in view of the desperate situation that confronts the country at this hour. In addition to the road-building item we find that rivers and harbors and waterway construction are given $22,500,000 in this measure.

For public buildings, as I understand, approximately $30,000,000 is made available.

Mr. President, in so far as public buildings are concerned, the figures given by Congressman Wood are that in the last year of relative prosperity in this country, the total building projects, public and private, amounted to $7,000,000,000. It must be apparent despite the claims made for this measure, despite the amendment of its title to declare that it is for the purpose of increasing employment, the bill falls so far short of making any appreciable impression upon the existing economic situation that I say it is tragic to consider it as even a gesture toward the relief of unemployment.

As I stated at the outset, I am in favor of the passage of these measures; but I could not sit idly by in this Chamber, aware as I think I am of some of the suffering that is stalking through this land to-day, not only in the farming sections but in the industrial centers as well, without raising my voice in protest and in denunciation of this niggardly gesture toward the relief of suffering upon the part of the richest Government in the world.

Mr. President, we had a very different attitude following the stock-market crash in 1929. What did the administration and the Congress do at that time? After the President of the United States and the Secretary of the Treasury had sat idly by for three or four days while stock values were crashing on the New York Stock Exchange and the small investors, lured into the market by the unsound inflation program of the Coolidge administration and by the touting of the market indulged in by both President Coolidge and Secretary Mellon, had been trimmed of their all, many of them losing the savings of a lifetime, the administration came forward with its solution for the situation; and what was it, Mr. President? It was to take $160,000,000 of the taxpayers' money out of the Treasury of the United States and to refund it to the big corporations and the rich income-tax payers in this country.

Talk about a business administration, Mr. President! After billions in values had been deflated on the stock exchange, and after signs were evident even before the "Black Thursday" of October, 1929, that business was slowing up, we found this administration recommending, as a remedy for the situation, the gift of $160,000,000 to these great corporations and to the income-tax payers!

Mr. President, signs were evident before that measure was ever proposed which any prudent executive or legislative body would have realized gave storm warnings of a business, industrial, and financial depression.

On the floor of the Senate, Senators, including myself, attempted to resist that tax reduction. We said that it was an imprudent act to take this large sum of money out of the Treasury of the United States when the country was already on notice that a depression was upon us. The Senator from Utah [Mr. SMOOT], in response to an inquiry which I directed to him, admitted that no man could say whether or not we could make that $160,000,000 tax cut without threatening to produce a deficit in the Treasury; and yet that proposition was jammed through Congress, and $160,000,000 of the taxpayers' money given to these great corporations and to the income-tax payers. The Hoover administration and a majority of Congress showed extreme generosity to great wealth when it was in distress; and yet in this critical hour, when millions of American citizens and their dependents are sitting down at the table three times a day in this country with the specter of want as their guest, we find the administration coming forward with a program which in its total does not equal the tax reductions given to these great corporations and to the income-tax payers after the stock-market crash in 1929!

As a matter of fact, Mr. President, these two measures carry $24,000,000 less than the amount suggested by the President of the United States in his message as the amount which he was willing to stand for as the total of the drought relief bill and the so-called unemployment relief bill now before us.

The President suggested $150,000,000 for expansion of public works as a measure of unemployment relief, and $25,000,000 was recommended for drought relief, making a total of $175,000,000, whereas as the result of the position taken by the House of Representatives, which every person knows is under the control of this administration, the total of these two relief bills is $151,000,000.

We are passing these bills without the Congress of the United States having given adequate consideration to the question of whether or not they are sufficient to make any appreciable impression upon unemployment conditions in the cities or adequate to relieve the suffering in the drought-afflicted States. We are about to pass this program without Colonel Woods, the chairman of the President's employment commission, having appeared before a committee of Congress for interrogation, for recommendation and report upon the situation as he views it. All we have on which to base this program are a few glittering generalities in the message of the President of the United States and a few empty platitudes and generalities uttered upon the floor of the Senate by the so-called Republican leaders in this Chamber.

On December 15 I submitted for the consideration of the Senate certain information which had been procured by President William Green, of the American Federation of Labor, through the secretaries of the central labor bodies in cities throughout the United States. Following that I addressed a questionnaire to the mayors of cities west of the Allegheny Mountains with 5,000 population and over, on the basis of the 1920 census, the 1930 figures not being available. The junior Senator from Massachusetts [Mr.

WALSH] addressed a similar questionnaire to cities east of the Allegheny Mountains with a population over 5,000. Up until this time I have received approximately a hundred replies. I do not submit them as an adequate survey of the situation, but I say that an impartial reading of these communications will indicate to any Senator whose mind is open upon the subject that the distress in this country is much greater than has been pictured by the administration and its spokesmen.

A résumé of these letters indicates the following: Replies have been received from approximately 100 cities west of the Allegheny Mountains. I submit them as being unquestionably a reliable index of what the full number of answers to the questionnaire sent out will show, should they be forthcoming, and may I say in that connection that taking the 1920 census figures, the only figures available, and addressing the mayors of cities of over 5,000 population, I found west of the Allegheny Mountains approximately 860 cities. Therefore these replies represent one-eighth of the cities addressed.

Reports have been received from 17 cities in the State of Ohio, having a total population of 1,013,435. I may say, Mr. President, that that figure is arrived at by taking the 1920 census figures and making a 10 per cent flat allowance for the increase in urban population since 1920. I think the figure is adequate. Exact figures concerning these cities are not available at this time at the census.

Mr. President, taking that figure as accurate, the reports from these 17 cities in Ohio show an average percentage of 16.4 per cent of totally unemployed. I may explain that that estimate is based upon statistics given out by the Department of Labor that 1 in 3 out of the population is employable.

These reports as a whole also show a very definite curtailment of employment in many factories. Urbana, Ohio, for example, reports some factories closed down, others working with reduced forces and on part time, merchants in all lines of business employing as few men and women as possible. All the cities report a great increase in the number of applications for help, part of this increase unquestionably being due to applications from those who are on short-time work, as well as those totally unemployed. These increases in demands for help run all the way from 100 to 500 per cent.

Fifteen of these Ohio cities favor the Federal Government giving direct assistance in this situation, one is opposed to that program, and the other does not answer. So far as the immediate future is concerned, the mayors of 14 out of these 17 Ohio cities are extremely pessimistic, expecting large increases in demands for help as the winter comes on and grows more severe.

It is also indicated that the smaller cities not only lack the financial resources to meet the demands upon them directly from their own city treasuries, but they also have a relatively small number of people to whom appeals can be made for any large contributions for charitable purposes.

One Ohio mayor, from the small city of New Philadelphia, records the fact that while calls for aid in his city have increased 200 per cent, the appropriations which they have been able to make from the city treasury for relief have been increased only 33 per cent, while the mayor of Ulrichsville says that his town was compelled to budget for the same amount this year in spite of the demands for assistance, and that the benevolent society of the town was able to collect less than half the amount this year compared with the previous year. He concludes his reply with the following sentence:

> I thank God the Senate has wakened up, but they are 12 months late. The people will starve to death before the honorable Senate wakens up.

Twelve cities in Illinois, not including Chicago, with a total population of 177,130, show an average of 10.3 per cent in total unemployment, only two reporting no increase in demands for assistance over last year. The others run from 50 per cent to 300 per cent increase in demands for assistance. The majority report that they expect still greater demands as the winter advances. The mayor of Canton, Ill., says:

> It reminds one of Cleveland régime. People are asking for aid now that two years ago were in fair circumstances as working people go.

The majority report that they are in favor of direct Federal assistance in affording immediate relief to the unemployed.

The mayor of Chicago reports that there are 250,000 unemployed in his city, which would show, on the present basis of the population of that city, over 20 per cent totally unemployed.

In Wisconsin 13 cities reporting, not including Milwaukee, show an average of 11.8 per cent totally unemployed. The total population of the 13 cities is 217,974.

Milwaukee shows exactly 20 per cent of total unemployment. Only one town reports no increase in calls for assistance this year. The balance report increases of from 300 per cent to 500 per cent over last year. The same conditions as to short-time work, or part-time work, as one may choose to call it, prevail in the cities in Wisconsin as in the other cities reporting, this in turn curtailing the amount of relief to be secured locally for the totally unemployed.

The county of Milwaukee is practically covered by the city, and the so-called outdoor poor relief is afforded by the county. The mayor of the city states that while last year the number of families which the county was forced to maintain varied between 2,000 and 4,700, it is at the present time close to 10,000 people, or, as he estimates, with their dependents, a total number of 50,000 persons in that city are now forced to look to the county for the entire sustenance of themselves and their families.

In the smaller cities, such as Watertown, there have been over double the number of persons asking for relief, while in Racine the applications for family relief have gone from 120, in 1929, to 700 on December 1 of this year.

Ten cities in Michigan, with a population of 177,368, show 15.3 per cent total unemployment. The increase in the demands for assistance is estimated in four cities as from 33 per cent to 50 per cent, and in another four cities from 100 per cent to 400 per cent. Two cities do not answer this question.

Again the added difficulty with which the smaller cities are confronted in meeting this extraordinary situation is brought out because of the number of people working on part time. Charlotte, Mich., in an example. The mayor says:

> The present conditions in this city far exceed anything we have experienced and the available funds which are raised locally from local taxes are decreasing, due to no work.

The opinions of the Michigan mayors are almost unanimous regarding the immediate future; that is, that every indication points to matters growing worse as the winter comes on and grows more severe.

Reading the replies from Indiana, I am impressed that in some cases conditions are worse even than in Ohio. Fifteen cities, with a total population of 216,619, show an average of totally unemployed of 14.5 per cent, while the increased demands for assistance are close to 200 per cent.

The mayor of Brazil, Ind., says that the city as well as the private agencies " are unable to meet the heavy demands caused by unemployment and depression."

In Indiana one meets with the same condition of much short-time or part-time employment, which not only curtails the amount of money the town can get from its own citizens for relief but is doubtless also responsible in some measure for the increased demands for assistance.

The mayor of the city of Frankfort writes:

> I have been in this community more than 60 years, and conditions are the worst right now that I have known. We have a small army of men looking for work each day, and our limited means keep us from doing things that we would like to do during this period of unemployment.

From Louisiana there are only four reports, but if they are a fair criterion they show beyond a peradventure of doubt that conditions are worse in the South than in the other States to which I have been referring. Four indus-

trial cities in Louisiana, having a total population of over 90,000, show over 25 per cent of total unemployment. This average is brought up considerably by conditions in Shreveport, where they are, according to the mayor's report, extremely bad, there being 6,000 totally unemployed in the city and within a radius of 20 miles. The minimum average is that of the city of Lake Charles, which is 14.5 per cent. The increases in calls for help run from 75 per cent to 300 per cent over last year in the cities reporting, and all four of the cities are in favor of direct Federal relief to meet the immediate situation.

In Tennessee the situation is equally distressing. The cities of Chattanooga, Knoxville, and Johnson City, having a population of about 163,039, report 12.9 per cent of total unemployment. Knoxville reports demands for assistance eight times greater than last year; Chattanooga, 100 per cent more requests for help than in 1928; and Johnson City reports 50 per cent increase over last year. The authorities of the city of Jackson, while not reporting the number of unemployed, say they have had to handle an increase of four times as many asking for assistance as last year. The mayor of Chattanooga, in presenting the situation, said:

> If war should be declared upon this country, I hardly think the Federal Government would waste months in taking steps looking to the defense of our country. It occurs to me when our people are hungry and out of work it is the same sort of emergency that would require the elimination of red tape and taking immediate action; still, authorities at Washington fiddle while the people go hungry.

There are only two cities from Texas thus far reporting. However, I think they are extremely interesting. The mayor of Fort Worth, where the totally unemployed figures show 12.8 per cent, with an increase of nearly 100 per cent in calls for assistance over last year, comments upon the necessity for Federal aid by stating that the delay in getting it would permit people to starve to death. The city of Paris, Tex., claims that one-third of the entire laboring population in that city is unemployed, with an increase over last year in demands for assistance of 100 per cent and a prophecy that the near future will increase these demands to 400 per cent.

In the State of Iowa, largely speaking, an agricultural State, there are only six cities reporting. They show an extreme variation in the amount of unemployment, from 2 per cent in Atlantic to 40.2 per cent in Oelwein. Fort Dodge and Cedar Rapids report 100 per cent increase in demands for assistance over last year, and in both cities they expect further increases as the winter progresses. The mayor of Ottumwa, speaking of direct Federal relief, shows little confidence in getting it very promptly, saying that "the time is so short to meet the crisis that the Government wheels could not get going in time."

The mayor of Oelwein states that, as the months have gone on, people who have never asked for help have been compelled to seek it. He said:

> Many have now used up their savings and face a critical situation. Authorities working incessantly and public meeting situation nobly. Poor are helping the poorer.

It is needless to say that he favors Federal aid, although he thinks his county could meet even this issue if it was not so closely restricted by law regarding the deferring of payments for its own expenses.

There are only three reports from Arkansas. The mayors of these three cities indicate that conditions are very bad in that State. The mayor of North Little Rock says:

> Unless the Federal Government comes to the rescue of the people in the municipalities I can see nothing but a dark situation confronting the hundreds of unfortunates in the months of January and February.

He reports further that there are 3,000 people unemployed in his town, which, taking into consideration that there are less than 20,000 people there, shows a condition that I consider appalling.

Fort Smith, Ark., shows 15.1 per cent of total unemployment, with an increase of 100 per cent in calls for assistance over 1929. Referring again to North Little Rock, the increase in calls for assistance over last year was 400 per cent. Even Van Buren, Ark., which shows 5.2 per cent of unemployment, records 100 per cent increase in requests for assistance over last year. This is doubtless explained by the number of workers on part time.

There are only three reports received from the agricultural State of Kansas, but they are in line with the other reports which I have given. Wichita, a town of over 80,000 inhabitants, shows 22.6 per cent unemployment, with a 400 per cent increase in calls for assistance over last year; and this condition is in spite of the fact that the mayor states, "We have not allowed any floaters to congregate here for the winter." Topeka, the capital, with a population of around 60,000, reports unemployment figures which show 10.8 per cent totally unemployed and the calls for assistance have doubled since last year. The mayor says he is certain that the number of such calls will be greater on account of the severity of the winter. The town of Newton, Kans., reports conditions as "pretty bad," and that "things will get worse as it gets colder."

There is only one report from Missouri. The town of Independence, with a population of about 13,000, shows 8.2 per cent unemployment and an increase of 50 per cent in demands for assistance over last year.

The Kentucky reports are also meager. The city of Ashland shows a 10 per cent of total unemployment, with an increase in calls for assistance of 150 per cent. Conditions are so bad there that the mayor says:

> The American Rolling Mills are helping take care of their unemployed by assessing those who are working. Conditions are very bad and I dread to think of what it will be this winter unless some relief is given.

The city of Henderson shows 13 per cent of unemployment, with an increase of 100 per cent in calls for assistance over last year, and the mayor says regarding conditions:

> It is worse now than ever before, and we are looking for this condition to last 12 to 18 months.

There are scattering replies from a number of other States, and 90 per cent of them at this time are, I think it is fair to say, in general, confirmatory of the replies received from elsewhere. There is only one report from the State of North Dakota, also an agricultural State. The city of Minot reports 12½ per cent unemployment, with such an increase in demands for assistance that the city and county have set aside four times as much money as was used last year in an attempt to meet similar demands. The mayor ends his letter with the statement that "the prospect can not be said to be very promising."

Mr. President, I submit these reports for the same purpose that I submitted the telegrams from the central labor bodies furnished me by President William Green, of the American Federation of Labor, on December 15. I think that the attempt to minimize the situation and to convince the country that "all goes well," that "there is no suffering," that "the situation is well in hand," is a cruel injustice to the millions of American citizens who, through no fault of their own, are suffering from the tragic conditions which I submit that the telegrams on the 15th presented and the letters which I shall subsequently print in the RECORD disclose.

I have in addition a few more telegrams which have come to President Green since I submitted those several days ago and which I now wish to read for the RECORD. The first one is from Omaha, Nebr., dated December 18:

> Approximately 6,000 unemployed. Soup kitchens in operation. Conditions very bad.
>
> G. LAWSON.

> SEATTLE, WASH., *December 18, 1930.*
>
> Approximately 10,000 unemployed here. Little suffering owing to mild weather. When cold weather comes undoubtedly there will be considerable hardship. Salvation Army here doubled their capacity. There are different agencies working trying to offer some relief. Unions have established an eating house feeding their own hungry members. Locals all assessing themselves and will be able to take care of their own members.
>
> C. W. DOYLE,
> *Secretary Central Labor Council.*

> NEW ORLEANS, LA., *December 17, 1930.*
>
> Approximately 30,000 unemployed in the city of New Orleans, including all workers. Actual suffering from hunger, lack of cloth-

ing, fuel, etc., exists among the workers. Relief supplied by various agencies inadequate and does not begin to touch the enormous situation. Mayor's first unemployment committee died natural death and the present mayor's committee inactive and nothing being done of any consequence to relieve situation.

No free employment bureaus established in New Orleans, and the old employment percentage bureaus no help to situation. Our earnest hope is that you will be successful in your efforts and that Congress will recognize the necessity of immediate Federal relief for the workers of the country.

A. P. HARVEY,
President Central Trades and Labor Council.

From Altoona, Pa., which, as every Senator knows, is an important railroad center, comes the following telegram dated December 16:

Unemployed, both sexes, 5,525. Thousand dependents' applications. State employment 3,310 employment periods one day to one month. Much distress and suffering. Charity groups unable to meet conditions. Approaching winter will bring more suffering. Travelers shelterless. No provision other than police station. Charity appeals in the thousands.

JOHN F. WELLER.

From Cincinnati, Ohio, dated December 15, 1930, comes the following:

Replying to your telegram as to number of unemployed in this city, I wish to state that according to the best information available, there are at present 15,000 workers out of employment and 20,000 who are only working part time.

Distress and suffering exists among them, which the city, through its welfare department, is endeavoring to relieve to some extent by furnishing free food to them. Many organizations and private individuals are donating clothing and fuel which is urgently needed in many cases.

All labor organizations are taking care of their unemployed and the Central Labor Council has created a fund for the unemployed, accumulated from contributions from local unions as well as individual donations, which is to be used for all needy unemployed workers, organized and unorganized.

O. ZOECKLEIN,
Secretary Central Labor Council.

SALT LAKE CITY, UTAH, *December 16, 1930.*

WILLIAM GREEN,
American Federation of Labor Building,
Washington, D. C.:

Estimate 8,000 unemployed; limited amount of relief supplied by unions, charitable organizations, and churches. Widespread distress and suffering exists and can be verified by local daily papers. People are suffering from lack of clothes, food, and necessities.

JOHN MULLINS,
Secretary Salt Lake Federation of Labor.

WILKES-BARRE, PA., *December 13, 1930.*

Mr. WILLIAM GREEN,
President American Federation of Labor,
Washington, D. C.

DEAR SIR AND BROTHER: In reply to your telegram seeking information as to the unemployed here, etc., we have learned that the local poor board fed 5,000 families, averaging 5 to a family, in the month of November, 1930. Indications are that the poor board will be required to feed a larger number in the month of December.

We have no definite information as to the number of unemployed at this time. However, the mine industry here is working only half time.

The building trades here are working less than half time and there is considerable idleness and destitution generally.

Regret our inability to furnish more detailed information.

Fraternally yours,

A. R. MELHUISH,
Secretary-Treasurer Central Labor Union
of Wilkes-Barre, Pa.

NEW HAVEN, CONN., *December 14, 1930.*

WILLIAM GREEN,
President American Federation of Labor,
Washington, D. C.

DEAR SIR: Your telegram approximately 9,000 unemployed. Charity and social-service organizations are to a great extent taking care of those in need of food, but still there is much suffering from lack of clothing, shelter, and fuel.

JOSEPH J. REILLY,
Secretary New Haven Trades Council.

THE CENTRAL LABOR UNION,
Newport News, Va., December 14, 1930.

WILLIAM GREEN,
President American Federation of Labor,
Washington, D. C.

DEAR BROTHER: Answering your telegram regarding unemployment situation, etc., approximate number unemployed here is 4,000 to 5,000, about 40 per cent. Relief by Red Cross, Associated Charities, which are inadequate. Distress and suffering in large numbers from all causes; no immediate prospects of relief.

Wishing you success.

Fraternally,

CHAS. E. COLLTRAN, *Secretary.*

NEW LONDON, CONN., *December 15, 1930.*

WILLIAM GREEN,
President American Federation of Labor:

About 900 unemployed in New London. About 98 per cent building-trades men unemployed. No suffering as yet. Only relief is by city charity and committee by chamber of commerce (donations).

FRED L. WILLIAMS,
Secretary Central Labor Union.

BUTTE, MONT., *December 18, 1930.*

WILLIAM GREEN,
President American Federation of Labor,
Washington, D. C.:

About 6,000 men employed part time in Butte. About 3,000 out of work. Associated Charities trying to look after distress. Joshers Club have 1,350 applications for Christmas baskets of food. No other relief work.

JOHN VICKERS,
Secretary Silver Bow Trades and Labor Council.

SAN ANTONIO TRADES COUNCIL,
San Antonio, Tex., December 16, 1930.

WILLIAM GREEN,
President American Federation of Labor,
Washington, D. C.

DEAR SIR AND BROTHER: Your telegram of December 10 asking information as to the unemployment situation was duly received, and after some foraging I find that Mayor Chambers, of the city of San Antonio, estimates that there are 25,000 unemployed here. Of course, many of these are Mexican cotton pickers that center here before and after the cotton crop has been harvested. At present these field hands here are judged to be around 20,000.

The Randolph Field development has brought in many of the skilled trades, mostly nonunion, displacing many of our home men and adding to the local unemployment situation.

There are various charity moves for relief in progress, but organized labor is digging into its own treasuries and taking care of the needs of its individual members. There are no bread lines here. The Mexicans are taken care of through political favor, contributing largely to the machine vote. The Rotary Club abandoned its usual Christmas tree and gifts, as the children responding consisted largely of Mexican and Italian citizenship.

Due to its climate the conditions in San Antonio do not appear to create the gloomy impression that would exist in other cities where the weather is colder and more disagreeable.

Business conditions in San Antonio appear to be very poor. There is some building going on that was started some months ago. Future prospects, outside of Randolph Field, are not so promising.

Building trades appear to be suffering the worst. This applies particularly to the carpenters and painters. Plumbers claim 18 idle members out of 170. Printers have about 20 out of 180 out of employment.

The city is being overcrowded with workers going and coming from the West. Most all of them "panhandle" around the labor temple. There has not been reported any cases of distress amongst the local membership that has not been taken care of by the local unions.

The printers will give a $5 gold piece to everyone of its members on the pension list. The electrical workers will give their unemployed a basket of groceries for Christmas. The plumbers will take $500 out of their reserve fund for Christmas relief amongst their members. Carpenters will have a Xmas tree for their children. We are trying to keep away as far as possible commercialized charity and refusing to cut our day's pay for any scheme that is not considered a charity.

Yours very truly,

WM. L. HOEFGEN, *Secretary.*

Mr. President, I regard this so-called relief program, sponsored by the administration, woefully inadequate to meet the situation which faces the country. While the letters and telegrams I have submitted for the RECORD must be taken as merely an indication of what conditions are in some of these communities, I submit that they are a complete refutation of the position taken by the administration and its spokesmen upon the floor of the Senate "that there is no distress and suffering stalking abroad in the country to-day."

It seems to me perfectly obvious, Mr. President, that if the Federal Government is to discharge its responsibility in this situation it must do two things: First, it must make available a sufficient sum, to be expended either through the Red Cross or through some governmental agency, to afford direct assistance to communities the citizens of which, as

these letters and telegrams show, are doing all within their power to meet present extraordinary conditions, but are, in all too many instances, utterly failing to prevent serious distress, hunger, privation, and want.

Secondly, Mr. President, it is perfectly obvious that the so-called unemployment relief which we are now about to pass is but a drop in the bucket. I think I have shown, from the figures I have quoted concerning the expansion of employment in road construction last year, that the appropriation for work on the highways is largely a futile gesture. If the Federal Government is to meet this emergency, if it is to contribute appreciably to the relief of unemployment throughout the United States, then our public-works program must be tremendously expanded.

Mr. President, I express the hope that when Senators go home, as many of them will, to their own States during the holiday recess they will ascertain for themselves the actual conditions. If they will do that, then I can not doubt, Mr. President, that they will come back when Congress reconvenes after the first of the new year determined that, in so far as this body is concerned, it will meet and discharge its responsibility to the millions of innocent victims of this economic depression, and that, at least, the Senate of the United States will not be less generous to millions of toilers in distress than it was to the great corporations and the income-tax payers when the stock-market crash occurred in 1929.

Mr. President, I ask unanimous consent to have printed in the RECORD numerous letters from mayors of cities in response to the questionnaire which I sent out, and I ask unanimous consent further that in printing the replies to the questionnaire the question contained in the questionnaire may be printed preceding the answer of the mayors in each case.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The letters referred to are as follows:

ARKANSAS

NORTH LITTLE ROCK

DECEMBER 16, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
United States Senator, Washington, D. C.

DEAR SIR: In reply to your questionnaire of December 13 relative to the economic conditions in this city, I will state that there are approximately 3,000 men out of work in this city. I am heartily in favor of the Federal Government coming to the rescue of the municipalities in this crisis.

The city government of the city of North Little Rock, Ark., is being taxed to the utmost in trying to provide food and clothing for the hundreds of destitute people who are standing around pleading for aid. The records of this city will show that the city has been called upon to increase its charity appropriations approximately 400 per cent.

Unless the Federal Government comes to the rescue of the people in the municipalities, I can see nothing but a dark situation confronting the hundreds of unfortunates in the months of January and February.

The city of North Little Rock has established a social welfare bureau and has been appropriating money out of the general fund for medical attention, groceries, clothing, and to some extent shelter.

Again let me heartily indorse your movement for the Federal Government to appropriate a sum of money that will help this city of North Little Rock feed hungry American citizens.

I trust that this is the desired information. With best regards to you.

Yours very truly,

ROSS L. LAWHON, *Mayor.*

FORT SMITH

DECEMBER 16, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
United States Senate, Washington, D. C.

DEAR SIR: Your letter of December 13 received, relative to the economic condition in our city and trades territory.

Beg to advise you that conditions, as I see them, are as follows:

1. Approximately how many people are unemployed in your community?

Answer. Approximately 1,600 men are out of employment in our community.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The increase our city government is called on for aid over last year and two years ago is about 100 per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. It has become necessary to double the appropriation for relief over and above unemployed over last year.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Without a doubt in my mind, there will be twice the number requiring relief during the winter months over what we had to take care of last year.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Assistance from the Federal Government would be greatly appreciated and would lessen the burden on the local taxpayers.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. In regard to relief that is extended by private relief agencies: The welfare association, Red Cross, Salvation Army, American Legion, community chest, and the various lodges and church organizations are all taxed to their limit, the demand being much larger than the funds available.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I am in favor of the Federal Government appropriating their share with the city and State governments if we can not get relief elsewhere.

Fort Smith is a community of business locations with few millionaires. The type of work here is that that requires and demands a nominal wage. On account of the general business depression, it is impossible for the factories to continue operating, causing a large part of the employees to be laid off indefinitely, pending better business conditions.

My opinion and suggestion is that the Government could greatly benefit this community by appropriating about $250,000 for the purpose of changing the Arkansas River channel, which has caused erosion of the banks, cutting in toward the Poteau River which furnishes the supply of water for our city.

The land lying between the Arkansas and Poteau Rivers is in the shape of a peninsula, extending about 10 miles away. The Poteau empties into the Arkansas adjoining our city. The narrowest point between the two rivers is about 10 miles from the mouth of the Poteau River where it empties into the Arkansas River. At this place they are separated only about 3,000 feet. There has been such erosion of the banks of the Arkansas that it will not be long until the Arkansas cuts through to the Poteau. If it continues as it has in the past, in the next four or five years the Arkansas will cut a channel through the bottom land and connect with the Poteau, thereby destroying our splendid soft-water supply and putting to ruin thousands of acres of as fine farm land as there is in the United States, which will be a big calamity to our community.

The appropriation I speak of would not be a charity proposition but would enable us to put the unemployed laborers to work and give them employment. I would a great deal rather the Government would make this appropriation than to give funds for charity.

One of our main highways leads through this bottom land between these two rivers. It has cost many thousands of dollars to build it and if the river cuts through it will destroy this highway completely.

If you can get us relief toward getting the Government to make this appropriation, it will be greatly appreciated by the entire community and a personal favor to me.

Yours truly,

FAGAN BOURLAND, *Mayor.*

VAN BUREN

DECEMBER 17, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
Washington, D. C.

DEAR SIR: Replying to yours of December 13 regarding assistance from the Government.

1. Approximately how many people are unemployed in your community?

Answer. About 100 unemployed.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. About 100 per cent over last year.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. About 100 per cent.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Around 150 per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Welfare association. About $125 per month, more than twice as much as last year.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Think it would be a good thing if it can be handled.

8. A brief statement of the general situation in your community.

Answer. The situation looks pretty blue, but think it could really be worse. People seem to realize the situation and are trying to make it through in the best way possible.

Very truly yours,

JOE C. MCKINNEY, *Mayor.*

ILLINOIS

LITCHFIELD

DECEMBER 14, 1930.

Hon. ROBERT M. LA FOLLETTE, JR.,
Chairman Committee on Manufactures,
Washington, D. C.

DEAR SIR: Replying to your letter of 13th instant with reference to relief for unemployed.

The following will answer your questions in the order contained in your letter:

1. Approximately how many people are unemployed in your community?

Answer. Two hundred twenty-five

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. On account of financial limitations the city government has never been able to take care of relief work. This has been taken care of by the county to the best of its ability, but its funds are hopelessly insufficient.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. See No. 2.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. See No. 2.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Any relief extended by the Federal Government will doubtless lessen the burden on the taxpayers.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Previous to this year relief was limited to what could be done by the fraternal orders and the Woman's Club. I do not know the amount of relief extended in dollars, but this year all relief is being taken care of through a central agency and I feel sure that three or four times as much value in dollars is being distributed.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. At a meeting held yesterday it was brought out that with the very best that this community could do only about half the necessary funds could be provided to adequately take care of the desperate needs of the poor and unemployed.

8. A brief statement of the general situation in your community.

Answer. We have raised $3,000 in cash in addition to clothing and other donations. We are insisting on those who are able to work working on the streets to pay for the food that is furnished, but we are without the necessary funds to give over about five men a day employment in this connection; this in addition to the regular quota of street labor. Any aid extended by the Federal Government should be made available at once.

I trust that I have given you the information desired, and if there is further information necessary please do not hesitate to write me.

Yours very truly,

H. E. KENNEDY, *Mayor.*

CHARLESTON

DECEMBER 16, 1930.

1. Approximately how many people are unemployed in your community?

Answer. One thousand.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Five hundred.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. $12,000.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Five hundred.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Five hundred per cent.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

Have furnished employment by spending $12,000 in repairing city streets.

Dr. C. H. HARWOOD, *Mayor.*

CHICAGO

DECEMBER 15, 1930.

Hon. ROBERT M. LA FOLLETTE, JR.,
Washington, D. C.

DEAR SENATOR: I am in receipt of your questionnaire of December 13, and in reply will say:

We have in Chicago about 250,000 unemployed. I have kept at work during the summer, on public improvements, 150,000 men. These improvements were finished recently, and these men are now part of the 250,000 unemployed. The people of Chicago approved bond issues, which the city council and the mayor submitted to them November 4 last, for $20,000,000 for further public improvements. I am pressing all department heads of the city to get these improvements under contract at the earliest possible date, but some of them must wait until spring.

The city government will spend about $100,000 extra on relief. Our county, which is literally the city, will do likewise. Public-spirited citizens are attempting to raise $5,000,000 and have raised $2,000,000. The Federal Government could put hundreds of thousands of men to work if it would expend the money that has been appropriated for public works. I assisted in the passing of the waterway appropriation bills and the $340,000,000 Mississippi flood control bill, both of which were signed by President Calvin Coolidge and neither of which has been expended as the act of Congress permits. Senator NYE, of North Dakota, assured me that he would join with others to cut the string on the $340,000,000 flood-control appropriation, which provides for the expenditure of this fund over a period of 10 years, and with the string cut, through an amendment to the bill, it could all be expended with great economy to the Government next year. This matter will be placed before the flood-control conference which will be held in the gold room of the Congress Hotel, Chicago, January 12 to 15, which I hope you will be able to attend and make an address. A formal invitation will be sent to you this week.

As stated above as to what private agencies are doing in Chicago and the money they are raising, it represents the increase over last year and the year before when it was unnecessary to have such a fund.

I inclose herewith copy of an editorial which I believe represents a great fundamental principle which must be decided by this Nation; or, in other words, shall we permit the vicious circle in the United States of America to create in the United States a condition similar to the dole system of England, where, if they continue it, it will wreck that nation financially, and, as I understand it, if they don't continue it, it will create a revolution.

I don't believe in misapplied charity, but I do believe in meeting these emergencies and particularly this one which I feel was carefully planned and conceived and well carried out, to milk this Nation financially white in the interest of Europe and to the detriment of our people, and, believing that this was the policy of those who controlled the last Republican National Convention, I voted my 12 delegates on every roll call for Calvin Coolidge and refused to join in the conspiracy that I believed was being carefully and forcefully assisted and promoted by the international bankers who controlled the last Republican National Convention.

I congratulate you on your stand and your able platform of principles as presented by you in the convention, but I have a bone to pick with you, Senator. I hope that some day we may be able to sit down and talk it over, and that is the position taken by the State of Wisconsin, through your attorneys general and other public officials, Wisconsin's desire to prevent the Sanitary District of Chicago from withdrawing sufficient amount of water from Lake Michigan to insure a navigable head of water in the Mississippi River at all seasons of the year. Wisconsin's contention is based, in my opinion, on falsehood, and, in my opinion, there is no engineer who lives who has or will make the statement that water drawn from Lake Michigan in the manner referred to above has lowered the level of Lake Michigan 6 inches in the 20 years that this water has been withdrawn through War Department permits. To me Wisconsin's public officials are fighting the prosperity of their own people by denying them a navigable stream to reach the seaports of the world at $7 a ton water transportation for their farm and factory products.

I believe that when the steamboat whistle from New Orleans blows in Chicago, heralding for the first time the opportunity of shipping Chicago's manufactured products by barges on a 9-foot draft canal, that Chicago will double in population, so will Illinois, and so will all the manufacturing cities of Wisconsin and so will the State of Wisconsin. It is beyond me to understand why the officials of Wisconsin will oppose that which will create for them such prosperity.

The Mississippi Valley is competent to take care of 500,000,000 people. It has in the neigborhood of 50,000,000 in population. To make that 100,000,000 is not a very hard proposition, and when you double the population of the valley, you in a large measure solve the farm problem through the consumption of the products required by this added population.

My grandfather helped build the little Illinois-Michigan Canal which made it possible to ship wheat from central Illinois and the valley to Chicago by canal boats. The arrival of this wheat by this method was the toxin for the quadrupling of Chicago's business and increased population 500 per cent in two years—1848 to 1850.

Those presenting this bunk and who are serving the Canadian water-power interests by attempting to stop the flow of the small amount of water into the Mississippi from Lake Michigan could serve those same interests more effectively if they would understand that the Federal Government could build a controlling works at the outlet of the Lakes for less than $3,000,000.

The present adversity throughout the Nation could be corrected by the proper development of the Mississippi River Valley and its tributaries, and no State in the valley would prosper more than Wisconsin, because your State not only enjoys having the Mississippi as your western border from one end to the other, but the Chippewa and other rivers give lateral access to a large part of the central portion of your State.

To be more brief, why comes the howl from Wisconsin about Chicago diverting a small amount of water, which Wisconsin claims lowers the lake levels, when these levels could be maintained at their present high stage and even higher by the Federal Government making the expenditure referred to above and controlling lake levels for all time. When this job is done, as it will be some day, please God, the jobs will hunt the men and the men will not hunt the jobs.

We recently dedicated the Damen Avenue Bridge in our city. One of the foundation piers of this bridge occupies the site on which Father Marquette camped in 1674 in his pilgrimage from Lake Michigan via the Chicago, the Des Plaines, and the Illinois Rivers, from the Lakes to the Mississippi Valley. He and Louis Joliet reached France and advised the King of France to favor this waterway upon which Chicago has spent $80,000,000 of the taxpayers' money creating a sanitary and ship canal from Lake Michigan to Lockport, the State of Illinois $20,000,000 more to build a link from Lockport to the Illinois River, or $100,000,000 all told, and we have had considerable of a struggle to secure from the Federal Government a $7,500,000 appropriation which has become necessary through the neglect of several of Illinois' governors to carry out the will of the people as indicated by their approval of the $20,000,000 bond issue over 20 years ago, and the increased cost as estimated by the original engineers, of $20,000,000, made it impossible to complete the project without help from the Federal Government to the extent of $7,500,000.

George Washington is on record favoring this waterway. Abraham Lincoln built a raft and floated down the river and, as a Member of Congress and as President, favored this waterway. Theodore Roosevelt wanted to move the machinery from the Panama Canal, when it was completed, to the Mississippi Valley to build this waterway, which effort was thwarted. President Taft was for this waterway, but it hasn't been built. Why? I believe the reason is that this water transportation of the products of the valley would be the greatest arm of defense that the Nation could create. That idea, I take it, would be displeasing to the foreigners who influence our Representatives, and I believe the answer to my question as to why it has not been done is because it would prevent the creation of the dole system in America.

The money has been appropriated for this important project, but the work is not being done in the manner in which it should be. An apology, through lack of activity, is about all that the Federal Government can show. It is said that the money is not available until next year. I have answered: "I will raise the $7,500,000 and place it at the disposal of the Government if the Government will agree to reimburse those who lend the money to make it possible to do the work now." To that there is no answer; or, in other words, the Government, in my opinion, takes the same position as the Governor of Illinois, who has $25,000,000 in the road fund and is hoarding the same, and will have $25,000,000 more within the next 60 days, and he could let contracts amounting to $50,000,000 for good road projects and put thousands of men to work, but this he does not do. In lieu thereof he begs for charity to give soup to those to whom he could give jobs if he was not in favor of the program that the Federal Government pursues—conversation, hot-air committees, and no action.

I have admired you for years for your courage and your Americanism. I would like to know you better and would welcome an opportunity for you and me to pick this bone that I feel we have and have a better understanding.

I have ridden your State many times. I have talked much with your farmers and storekeepers in the rural districts. I have asked them this question: "What is farm land worth around here?" And the answer has been: "A hundred dollars to $125, depending upon the improvements." Question: "It is a great dairy country?" The answer is: "Yes, sir." Question: "How much butter do you sell in California?" Answer: "None." Question: "Why?" Answer: "Because of transportation." Question: "If your public officials help me make the Mississippi River navigable and you could ship your butter by water to California for $7 a ton, how much Australian butter now shipped 7,000 miles do you think California would use?" "In other words, if Wisconsin butter takes the place of Australian butter in the State of California, isn't it fair to presume that land in Wisconsin will be worth $200 an acre, because of the demand for your dairy products?" Answer: "Yes." Question: "Then, why in hell do you vote for public officials who want to keep your land worth a hundred dollars an acre?" Answer: "We won't any more."

The Governor of Minnesota was opposed to the Mississippi waterway. He is a private citizen, beaten by over a hundred thousand. I want to see the La Follettes stay in office, because of the good they do the Nation. That is the reason I am speaking so frankly.

Last week, when I left the health resort at Wedron, Ill., some 95 miles southwest of Chicago, I drove in my automobile 40 miles south to Utica on the Illinois River, which is the junction of Chicago's waterway with the Illinois River. Because of the 150-foot drop from Lake Michigan to the Illinois River it is necessary to complete five locks. I visited every lock. Most of them cost a million dollars or more and can pass through, with one locking, barges with a carrying capacity of the tonnage of 12 freight trains combined, which you know is economical transportation. I was amazed to see how nearly completed this waterway is. Every lock is finished excepting the Joliet Lock, which is about half completed and this work can be finished within six months and this waterway can be in operation. The Federal Government now talks about two years. That probably means 20 years, and it could be done in six months.

Hoping that you will come to the Chicago conference in January and that Wisconsin and Illinois may cooperate in the future for the good of our people, I am,

Very cordially yours,

WM. HALE THOMPSON, *Mayor.*

MOUNT CARMEL

DECEMBER 15, 1930.

Senator ROBERT M. LA FOLLETTE, Jr.,
Chairman Committee on Manufactures,
Washington, D. C.

MY DEAR SENATOR: Yours of December 13, regard to the unemployment situation in our city, received.

Within the city limits of Mount Carmel, a population of approximately 7,000 people, there have so far been a little over 400 registered for employment.

This condition is more serious than ever before, caused by the closing down of a garment factory that worked approximately 300 people and the Big Four Railroad shops turning off possibly 250. We have been trying to get these factories to work part time, but so far have not been successful, and the demand is greater than through our regular channels we have been prepared to supply. As you mentioned, the assistance from the Federal Government would certainly be a great relief.

We are getting organized and trying to furnish as much relief as possible among our people here. While it is true that there are numerous drains on people from various sources, if the Federal Government is rendering aid, we would appreciate its assistance here.

My idea would be that a reasonable amount be appropriated each month for the months of January, February, March, and possibly April, these amounts to be turned in only if necessary; and should the Federal Government see fit to assist in this campaign, I assure you it will all be used for a good cause.

Yours truly,

JOHN COLEMAN, *Mayor.*

DIXON

DECEMBER 15, 1930.

Senator ROBERT M. LA FOLLETTE, Jr.,
Washington, D. C.

HONORED SIR: Replying to inquiry with regard to unemployed, will say that we have no exact list of the unemployed in Dixon, but by the cooperation of county and city have been able to care for everyone so far. We are in hopes of continuing to do so throughout the winter. We have a good-fellows fund and committee, many of the churches are taking care of their own needy, and on the whole we are in good shape.

Very truly yours,

FRANK D. PALMER, *Mayor.*

ELGIN

1. Approximately how many people are unemployed in your community?

Answer. Five hundred and sixty-two.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. We had no registration last year; no need.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. None last year.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Ten per cent per month.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. No; our fund is voluntary donations from citizens.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. None last year.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments

the increased relief burdens that the present emergency has necessitated?

Answer. No.

8. A brief statement of the general situation in your community.

Answer. Elgin citizens will be cared for by Elgin citizens.

DEAR SENATOR: The great floating population—tramps, hoboes, wanderers, and men looking for more suitable surroundings—together with those honestly seeking work is the problem which needs serious thought.

EARLE R. KELLEY, *Mayor.*

BEARDSTOWN

DECEMBER 15, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
United States Senator, Washington, D. C.

DEAR SIR: We acknowledge receipt of your letter of the 13th, and answering your questions according to number would say as follows:

1. Approximately how many people are unemployed in your community?

Answer. The approximate number of people unemployed in this community, as shown by registration taken by the Beardstown Chamber of Commerce, 257.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Number of persons whom the city government is called upon to aid, increase over last year, 50 per cent, and of two years ago, 100 per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The city will find it necessary to make additional appropriations over last year of approximately $1,000, and of two years ago, $500.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. The estimate of increase in number requiring relief during the winter will probably reach 50 to 60 people.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. The assistance of the Federal Government to extend relief, if given outright to the city, would aid to lessen a small increase in tax rate to the local taxpayer; but if the Federal Government offers to loan the city and expects it to be returned with interest there would be no benefit derived by such relief, nor would it aid the taxpayer.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Relief is being handled by the Chicago, Burlington & Quincy Railroad, which has large shop interests here, they furnishing groceries and coal to the unemployed formerly their employees. The city and other charitable institutions are taking care of the unemployed not formerly employees of the Chicago, Burlington & Quincy, and these demands have increased 100 per cent over last year and probably 50 per cent over two years ago.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. We favor the Federal Government appropriating a sum of money that will share with the city and State governments, such appropriation the President to have control over in the shifting of the funds from various funds, if such appropriations should be given to the city, the Government not requiring that these appropriations be repaid to the Government with interest.

8. A brief statement of the general situation in your community.

Answer. General conditions are no better than they were four months ago, and there will be very little improvement in general conditions in this community until after the 1st of July, 1931. We believe that during the months of January, February, and March will be the hardest months, and that there will be a larger delinquency in the payment of taxes in the year 1931 than shown in the year 1930.

Sincerely yours,

P. M. CONDIT, *Mayor.*

DE KALB

DECEMBER 15, 1930.

ROBERT M. LA FOLLETTE, Jr.,
United States Senate, Washington, D. C.

HONORABLE SIR: Answering your letter as inclosed by number:

1. Approximately how many people are unemployed in your community?

Answer. Only 35 as near as we can check.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. None.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Only slightly. Have a community chest in addition to other organizations that do private work. Our city as a municipal organization does not appropriate any funds for relief work.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Do not think there will be any increase.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Any relief from Federal Government would be accepted, but as far as our local conditions are concerned do not believe it would be justified unless conditions grow worse.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Salvation Army and Goodfellowship Club are helping those in need. Little increase over year ago.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. The writer would not favor Federal Government assisting State and city governments unless conditions approach a point of absolute necessity. It would involve a lot of expense and extra cost on the Federal Government that would come from the taxpayers, and the same taxpayers are carrying the State and city loads.

8. A brief statement of the general situation in your community.

Answer. Our chamber of commerce is keeping in touch with our local conditions. A thorough check-up reveals the condition that we are not as bad off as a lot of other places. Some local building has been going on most of the year, so it has helped to take up the slack. Needy families are being taken care of as soon as they are found out.

Very truly yours,

G. N. BLACKMAN, *City Clerk.*

JACKSONVILLE

DECEMBER 15, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I received your communication of December 13 with eight interrogatories relative to unemployment.

1. Approximately how many people are unemployed in your community?

Answer. We had registration extending over one week, after due notice given to all persons who desire relief or were unemployed to register. We had 282 registrations, including men and women.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The number of persons unemployed in the community is no greater than it was one and two years ago.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The city never has made an appropriation to take care of indigents and has no appropriation at this time.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. I am of the opinion that the increase over last year will be very little, if any.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. I think we will not need Government help, as our city is amply able to take care of its indigents.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. We have a social-service organization, Red Cross, and Salvation Army, who look after the indigents of this community, all working under an organization known as our "budget committee."

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I do not favor the Federal Government appropriating money to be used for work of this kind, except in cases of very extreme need.

When the framers of our Constitution gave to Congress the power to raise money by taxation, etc., for the good of the Government, I don't think it was ever contemplated that the Government would ever drift into a paternal Government and collect money for the purpose of distributing it, except in very extreme emergencies. I do not feel that that emergency has arisen.

All of the newspapers and magazines have gone wild on the question of unemployment. In a few of the big centers there is an unemployment that is bringing some distress. This sentiment has filtered down to the most sparsely populated communities, and it seems that everybody is now looking for financial assistance, instead of having a disposition to take care of themselves. If the material men and the manufacturing institutions would keep their employees going and sell their products at the minimum of profit, there is no question but that there is plenty of money in the country to buy those products; but so long as merchants will keep their stock of goods on their shelves at the old-time war prices and discharge their clerks there will be a business depression.

The Government, cities, and municipalities are contemplating a large program of construction, and it will be seen that material

men will immediately raise the price of their materials for construction above what it was last year.

It is going to be hard to break this deadlock unless, beginning at the top, it works itself down so that people will spend their money.

Yours very truly,

JOHN J. REEVE.

MATTOON

DECEMBER 17, 1930.

DEAR SIR: I think the general condition of Mattoon is not so serious as some think. Several of our business men are donating freely. The churches and lodges are doing fine. The united charities are doing a good job. If I have not answered the questions satisfactorily, write me again.

1. Approximately how many people are unemployed in your community?

Answer. Five hundred.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Two hundred.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. We can not increase.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. None.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. By donations of united charities; $3,000.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I do; I think it would be the thing.

Sincerely yours,

S. A. HUGHART, *Mayor*.

MARION

DECEMBER 16, 1930.

1. Approximately how many people are unemployed in your community?

Answer. Three hundred fifty.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Three hundred per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Approximately three times.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. One hundred per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Charity only. Only slight.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. A coal-mining community. About 25 per cent of coal miners employed. No factories or other industries to absorb excess labor due to nonemployment in mines.

E. M. THURMOND, *Mayor*.

CANTON

1. Approximately how many people are unemployed in your community?

Answer. About 350.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. About 100 per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. About 100 per cent.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. About 100 per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Sure.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Coal, clothing, and food; an increase of over 100 per cent.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. Reminds one of Cleveland's régime. People are asking for aid now, that two years ago were in fair circumstances, as working people go.

HOMER WHALEN.

DECATUR

DECEMBER 17, 1930.

Senator ROBERT M. LA FOLLETTE, Jr.,
Washington, D. C.

DEAR SIR: Your letter of December 13 inquiring about unemployment conditions here relative to financial relief measures in Congress is received.

1. Approximately how many people are unemployed in your community?

Answer. We have approximately 60,000 population and 2,000 unemployed.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The number of persons in the city government called upon to contribute toward their aid has increased approximately 100 per cent over last year.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The city has not increased its appropriations over last year; our budget is made up beginning with May 1 of the fiscal year, and we are drawing to some extent upon our contingent fund budgeted at the beginning of the fiscal year.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. We will at least have 2,500 requiring assistance before the winter months end.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. The Federal Government could aid very materially in the road building or other Federal structures, and personally I would favor an immediate payment of the soldiers' bonus by bond or otherwise. This would not only help the veteran but would stimulate business generally in the community and would consequently lessen the burden upon taxpayers generally.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Relief committees—financial, unemployment, and emergency—are cooperating with the social agencies in disbursing relief funds.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Inasmuch as most municipalities are without funds other than operating expenses and are limited by statute from greater levies and expenditures, I can think of nothing more effective than for the Government to assist in this relief program in such manner as may appear expedient.

8. A brief statement of the general situation in your community.

Answer. This city has just completed a $600,000 sewer system, which furnished considerable employment. There has been considerable business building by private persons and corporations, but the Wabash Railroad shops here and other large factories have operated on short time and in some instances nearly closed down.

Trusting this answers your inquiry, yours very truly,

O. W. SMITH, *Mayor*.

METROPOLIS

DECEMBER 16, 1930.

Mr. ROBERT LA FOLLETTE,
Washington, D. C.

DEAR SIR: In reply to your letter of the 13th instant, we have approximately 350 men out of employment in our city.

The number of people whom our city government is called upon to aid is about 75 per cent, about 50 per cent more than last year and about 75 per cent over that of two years ago.

Yes; the Government's help would sure come in handy and would lessen the burden of taxes.

We have a united charity organization and every person who has a job is giving one day's salary per month to the charity organization. We are giving out about $100 worth of groceries each week. We are buying these groceries at wholesale.

I sure do favor help from the Government. Practically all of our factories are down, and those that are working are only working about three days per week.

At present we are handling this situation fairly well, but our money is about exhausted.

Yours truly,

W. H. KARR, *Mayor*.

INDIANA

MICHIGAN CITY

DECEMBER 17, 1930.

Hon. ROBERT M. LA FOLLETTE,
Committee on Manufactures, Washington, D. C.

DEAR SIR: Your communication of the 13th instant has been delayed, not unreasonably, I trust, that information upon these points can be as fully complete as possibly may be.

1. Approximately how many people are unemployed in your community?

Answer. On December 3, in answer to a telegram from Arthur Woods, chairman, President's emergency committee for employment, Washington, I wired him as follows:

"Number of persons employed on municipal work November 15, 1929, full time, 119; part time, 6. Number of persons employed on municipal work October 15, 1930, full time, 143; part time, 40. Workers employed on city work by contractors, 30. Number of persons employed on municipal work November 15, 1930, full time, 157; part time, 32. Workers employed on city work by contractors, 20. Workers on city work paid by philanthropic and other civic organizations, none."

The above information was obtained from sources I believe to be reliable. As of December 15, 1930, we caused a survey to be made through the public and parochial schools and other sources of the conditions here as of that time. I am appending a copy of this report and marking it "Exhibit A." As this report, Exhibit A, while, of course not fully complete, was carefully compiled, it would appear reasonably certain for the additional reason that it was discussed immediately afterward in full meeting of representatives of our agencies, with perhaps one or two exceptions, and was passed upon accordingly. This would appear to answer your first question.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Increase in unemployment began early this year and has increased most materially over that of last year or two years ago. We do not appear to have any records which would allow us to state more definitely regarding the increase.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Would be as near an approximation as shows the increase of $20,000.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. At the meeting, last above mentioned, it was felt if an additional sum ranging from five thousand to seven thousand five hundred dollars is obtained, and in the event that there are no additional calls for assistance, we can probably weather the storm. I may say ways and means for obtaining this increase were thoroughly discussed at the meeting referred to and I believe will be carried out.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. The assistance of our Federal Government may well be solicited in whatever aid it can render.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. The relief extended is along the line of provisions, including food, clothing, and fuel. I am not aware that as yet we have paid any house rent.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. It does not seem necessary at the present time that the Federal Government appropriate money to share with us in what might be called pure charity. If the Federal Government could do anything to benefit the unemployment situation, well and good. The people of Michigan City, I am convinced, would be absolutely opposed to anything approaching on the dole system.

You can understand municipal improvements can only be constructed within and according to the provisions of the red-eyed law. Our municipal authorities are going forward as rapidly as the law will allow in the construction of improvement and betterments, for instance, paving, etc. We are going forward as rapidly as can be done to improve our waterworks and sewage-disposal situation.

Of course, if the legislative bodies in Washington in their wisdom should conclude best that a bunch of millions be appropriated to relieve the situation, I have no doubt we can make good representations for a slice of it, as any crowd you can find in the whole country. If the legislative bodies in Washington do make such appropriations, we will endeavor to get in on the divide.

8. A brief statement of the general situation in your community.

Answer. The situation here, of course, is bad, bad all over the country; no question about that; but I do believe it is the duty of every individual, no matter what or who he or she may be, to stick his or her toenails into the sand or clay and hang on like a pup to a rope.

It will not do the country or anybody in it any good to be constantly yelping about hard times. Everybody knows times are hard, but what in the "Sam Hill" is the use of yelping about it all the while?

Bob, I am giving you my best information with very few suggestions, and that is about all I can do.

Yours very truly,

H. B. TUTHILL, *Mayor.*

Totals of employment survey December 15, 1930

Fathers living	2,476
Fathers dead	141
Number of families registered	2,617
Mothers living	2,503
Mothers dead	98
Number of families registered	2,601
460 families having 1 child	460
654 families having 2 children	1,308
503 families having 3 children	1,509
321 families having 4 children	1,284
240 families having 5 children	1,200
169 families having 6 children	1,014
59 families having 7 children	413
116 families having 8 or more children	928
	8,116
Fathers working—	
Full time	1,275
Part time	571
	1,846
Mothers working—	
Full time	126
Part time	176
	312
Boys working—	
Full time	254
Part time	170
	424
Girls working—	
Full time	213
Part time	132
	345
Total full-time workers	1,868
Total part-time workers	1,049
Men unemployed—	
For one month	79
For three months	179
For six months	197
For nine months	67
For one year or more	61
Needing employment:	
Men	543
Mothers	116
Boys	401
Girls	160
Total	1,220

BRAZIL

DECEMBER 16, 1930.

Hon. ROBERT M. LA FOLLETTE, JR.,
Chairman Committee on Manufactures,
United States Senate, Washington, D. C.

DEAR SIR: In answer to your letter of December 13, I am glad to note that there is sentiment in the Senate toward Federal aid being extended to municipalities because of unemployment and depression. I think this move is a splendid one and that it should be put in force.

In answer to the several questions that you ask, I will state that we have approximately 600 families in this city no member of which is employed. The city has a population of approximately 9,000. There are at least ten times as many people requiring assistance now more than last year or two years ago. The city is called upon to furnish at least ten times as much assistance to the needy and unemployed as it did one or two years ago.

We estimate that the increase in the number requiring relief during the winter months will be not less than 500 families. Assistance of the Federal Government will be a great help to the needy and to the local taxpayers as well.

Private agencies are furnishing food and clothing to the extent of their ability. Some are interesting themselves in furnishing coal and in furnishing limited employment at odd jobs. These private agencies are extending every aid possible, many times as much as last year, but still are unable to meet the heavy de-

mands caused by unemployment and depression. We are in favor of the Federal Government appropriating a sum of money to assist the cities and States in meeting the burden and necessities of the times.

This is a clay manufacturing center. Practically every clay plant is entirely closed down. The very few that are still operating are doing so on a short-hour basis and with very few employees. Our yards are full of manufactured clay products. As a result of closed factories our coal mines are idle or working on a limited schedule. Assistance is needed.

Very truly yours,

LEVI LOUDERBACK, *Mayor.*

TERRE HAUTE

DECEMBER 16, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
United States Senate, Washington, D. C.

HONORABLE SIR: Your inquiry of the 13th addressed to Mayor Posey of this city has been referred to me, and I am pleased to convey to you the following information:

1. Approximately how many people are unemployed in your community?

Answer. A special committee reports to-day that there are approximately 2,800 unemployed in Terre Haute and 1,500 in Vigo County, a total of 4,300.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Terre Haute city government does not furnish any welfare aid. But the township trustee administers funds to the indigent out of tax money, and our community fund administers welfare relief from public subscriptions. These agencies report that the requirements of 1930 were double those of 1929 and more than double those of 1928.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Again, the city does not make appropriation for relief of the unemployed, but heretofore has contributed toward the maintenance of a free Federal and State employment agency, the cost of which is fixed by statute and has been the same for many years. The county commissioners, through their 12 township trustees, have appropriated more than double the amount for the indigent over last year and two years ago, and the community fund likewise, and is still further amplifying this fund for the year 1931.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. The number requiring relief during the winter months is approximately double the appeals during the summer on account of the higher living costs.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Assistance from any source will be a relief to the taxpayers now contributing funds, and assistance from the Federal Government will be appreciated, although we realize that this relief must come from Federal taxes and would be distributed over other territories. A part of the needs now comes from war veterans who, for some reason or other, can not obtain relief through the regular Government channels, and an amplification of these funds, together with a more lenient administration of their regulations, would be very helpful in this community. Government work along the Wabash River in this territory along the lines of water-power conservation and flood control are greatly needed, and engineers are now preparing a survey and recommendations which we hope will shortly furnish the desired assistance.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Private relief agencies in Terre Haute report as follows: Community fund raised $60,000 this year, as against $50,000 last year and $40,000 in 1929, covering the work of family relief, free meals and housing, public health nursing, etc. Hospitals spent more than $40,000 in 1930, as against $25,000 in 1929, for free medical service. The Rose Free Medical Dispensary spent about $13,000 this year, as against $11,000 last year and $9,000 in 1928. Salvation Army, Good Will Industry, and various other churches and societies administer unreported funds approximating $20,000 a year.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Federal Government appropriations that will assist the city, township, county, and State governments in relief work during the present emergency would be very helpful and could render very practical aid in furnishing work for the unemployed in the road and airport departments, hospitalization and medical service, and the immediate construction of a badly needed Federal building and post office which has been recommended by the Federal post-office inspector.

8. A brief statement of the general situation in your community.

Answer. The general situation in our community is probably the same as in all other parts of the United States, aggravated to some extent by the prohibition laws, which deprived several thousand men of work in our breweries, distilleries, and allied industries, coupled with the coal-mining industry, adjustment of which has been going on since the war.

Very truly yours,

BENJ. BLUMBERG,
Chairman Vigo County Unemployment Council.

HARTFORD CITY

DECEMBER 16, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
Chairman Committee on Manufactures,
Washington, D. C.

DEAR SIR: Replying to your inquiry of the 13th instant, I beg leave to make reply as follows:

1. Approximately how many people are unemployed in your community?

Answer. Approximately 300.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. One hundred over las year; 200 over two years ago.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. About $200.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. One hundred.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. All welfare organizations have combined their forces in affording relief in the way of odd jobs for the jobless, food and clothing for those deserving same. A charity basketball game is to be held December 17, the proceeds to go to the welfare organizations to further their work. It is estimated that $1,000 to $1,200 will be raised in this way. There will be double the amount of relief work over last year.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. The general condition in this community is above the average, I think. Factories are being run on about half time, affording employment to a greater number working part time. Our industries consist of glass, paper, and overhead doors, principally.

Our population is about 6,600.

Sincerely yours,

ELMER LUCAS, *Mayor.*

NEW CASTLE

DECEMBER 15, 1930.

Senator ROBERT M. LA FOLLETTE, Jr.,
Chairman Committee on Manufactures,
Washington, D. C.

DEAR SENATOR: Replying to your letter of December 13, 1930, beg to say that there are approximately 1,200 unemployed in this community.

In Indiana the cities do not handle the charity cases, but it is done under the supervision of the township trustees.

It is my opinion that the number of people needing relief during the winter months will be three times the number that have been helped during the warmer weather. The only relief agencies functioning here are the Salvation Army, which is handling a fund raised by popular subscription. The employees of the city also have raised a small fund, which is being handled by the employees of the city. This work has done much good, because of the fact that there is no expense in handling it.

The situation would have been much worse here this year except for the fact that about three or four thousand who had come here from the Southern States to work in the factories have gone back to their homes in the South, but we find that the people needing immediate relief at the present are those who have never asked for charity before. Some of them have several hundred dollars paid on homes, but are unable to float a loan on these equities.

You asked my opinion about the Federal Government appropriating a sum of money to help in this relief, and I do not feel that I am hardly in a position to express myself on this without knowing what the plan would be for handling their appropriation, but the fact remains that the Federal Government should consider the present condition as serious because it extends to all parts of the country, and while local officials in most every community are doing all in their power, unless conditions improve within a very short time it will be beyond their control.

Sincerely yours,

SIDNEY E. BAKER, *Mayor.*

BICKNELL

DECEMBER 16, 1930.

DEAR SIR: In reply to your letter of December 13, 1930:

1. Approximately how many people are unemployed in your community?



Answer. About 500 heads of families.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. As a city we haven't helped.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. City has no appropriation for relief.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. I think we are at the peak.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Private relief is extended to about 300 families by the United Mine Workers of America.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. The general situation is bad. We depend on the coal mines; there are five large mines in this field and three are working only two or three days per week.

People are losing their homes for the want of work to meet their payments.

Yours,

O. C. BUCK, *Mayor.*

VINCENNES

DECEMBER 15, 1930.

Hon. ROBERT M. LA FOLLETTE,
Chairman Committee on Manufactures,
United States Senate, Washington, D. C.

DEAR SENATOR: I am in receipt of your inquiry regarding the economic conditions in Vincennes, and will endeavor to give you the situation as it exists here, answering your questions in the order in which they were asked:

1. Approximately how many people are unemployed in your community?

Answer. There are approximately 1,000 people unemployed in this community at this time. Vincennes's population is 18,000.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Conditions last year and two years ago were practically normal. Our township trustee, under our Indiana law, has the duty of providing for the poor. In other years his disbursements have averaged around $15,000; this year (in 1930), he has disbursed more than $40,000. In addition to this, the Red Cross, Salvation Army, and several other charitable organizations, have been overtaxed in giving relief to the unemployed. The city of Vincennes has just recently created a general relief committee to supervise all relief work in this city. This committee will have to be supported from the public treasury.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. It has never been necessary in the past for the city of Vincennes to take any action whatever for the relief of the unemployed; this is our first experience. The situation as it now exists has no precedent in the history of our community.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. I would estimate that there are 3,000 men, women, and children in this community that will require food and coal during the winter months. This is an increase of about 1,000 per cent over normal conditions.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. The assistance of the Federal Government in extending relief to the needy would lessen the burden on the local taxpayers.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. The Red Cross maintains headquarters in charge of a trained secretary, and its funds are exhausted. The Salvation Army has conducted one drive for funds and to-day it has no money to carry on its work. The Tri Kappa and the Psi Iota Xi sororities are doing all they can for poor relief; considerable work is being done by churches, lodges, and other organizations.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. The situation in this community and all over this country is unusual and without precedent and, to my mind, calls for extraordinary measures if our people are to be protected from starvation. I would favor the Federal Government doing everything within its power to relieve the situation.

8. A brief statement of the general situation in your community.

Answer. Our greatest distress is among the class of people that follow common labor for a livelihood. While there is unemployment among all classes of labor, yet the distress is among common laborers who have never been able to accumulate anything for sustenance in times of depression. Our community is no different from any other, except that we have a great many coal miners in this county who have been out of employment for four years, which makes the situation more acute than it would otherwise be if our mines had been working.

There has been a great deal of talk for the past six months about the advancement of public work for the purpose of giving employment to the unemployed, but the trouble is no contracts have been let and apparently we are no nearer a solution of this problem than we were six months ago. What we need is action. If the Government ever intends to put into effect its flood-relief program now would be the opportune time to start it. The same thing is true with highway work, public buildings, and other Government work.

I can assure you that our people will support you in every effort that you may put forth toward securing employment for the millions of unemployed people in this country.

Sincerely yours,

JOSEPH W. KIMMELL, *Mayor.*

WABASH

1. Approximately how many people are unemployed in your community?

Answer. Six hundred men. Population, 9,000.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Three times as many.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Big increase.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Much greater.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

Same old story of mergers with reduced wages. All large factories shut down just now.

HORACE R. SHOWALTER, *Mayor.*

LOGANSPORT

DECEMBER 13, 1930.

1. Approximately how many people are unemployed in your community?

Answer. Three hundred fifty.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. About 300.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. $15,000.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Three hundred to four hundred.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. One hundred per cent.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. The city administration is employing at least 70 extra men with families. The county is employing at present about 36 extra men with families.

W. O. FIELDER, *Mayor.*

LEBANON

DECEMBER 15, 1930.

ROBERT M. LA FOLLETTE,
Chairman Committee on Manufactures,
Washington, D. C.

DEAR SIR: Replying to your communication of December 13, concerning economic conditions here, etc., beg to report as follows:

1. Approximately how many people are unemployed in your community?

Answer. The number of unemployed in this city is estimated at 250.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. About 50 persons were provided for last year and the year before. This year we are providing for about 250.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. We have not increased the appropriation in the city over last year. The Red Cross and the Welfare League are looking after the needy here.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. We are expecting to take care of 400 to 500 persons during January and February, 1931.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Of course, the assistance of Federal Government would help, but we believe we shall be able to take care of the needs without the extra help.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. The local Welfare League is now taking steps to provide food, clothing, and fuel for the needy and now have a lot of provisions in storage to meet the demand, also some cash.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I certainly approve the method of the Federal Government to assist, in a reasonable way, to provide for its citizens in times like we are having now.

8. A brief statement of the general situation in your community.

Answer. Our city is a small place of about 7,000 population, in a farming community. We have a few factories, most of them running on part time and some full time, thus rendering conditions better than in many places. We feel that we shall be able to cope with the conditions here unless they become more acute.

Yours truly,

JOHN C. PERKINS, *Mayor.*

CRAWFORDSVILLE

1. Approximately how many people are unemployed in your community?

Answer. Three hundred fifty.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. All of them.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Never before.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. None.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Don't need Government help.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. All united in chest fund.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. No.

8. A brief statement of the general situation in your community.

Answer. We have raised $15,000, which will be adequate to take care of situation here; the city is furnishing employment paid out of chest fund rather than distribute money and provisions, which is, however, given to few. We are able to meet all of our local needs.

THOMAS L. COOKSEY, *Mayor.*

WARSAW

DECEMBER 15, 1930.

Senator ROBERT LA FOLLETTE, JR.

DEAR SIR: I will do the best I can to furnish the required information.

1. Approximately how many people are unemployed in your community?

Answer. We have about 200 at this time. Will be near that amount in two weeks, as our factories are planning to shut down for a while.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. We usually have had at this time snow to shovel and our ice crop to take care of, which would give work for all; but no snow or ice yet.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. About double.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. If no ice or snow and the factories close down, it will be double.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. It sure would help.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Salvation Army, local guild, and trustee; also personal help.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. A number of calls have come in every day—nothing in house to eat. Have investigated same in person and find it true.

Yours,

LEWIS J. BIBLER, *Mayor.*

WASHINGTON

DECEMBER 15, 1930.

Senator ROBERT M. LA FOLLETTE,
Washington, D. C.

MY DEAR SENATOR: In answer to your very worthy communication of December 14 will say that there are about 400 unemployed in this community.

I am fully satisfied that there are about 50 per cent more persons seeking aid this year over that of 1929.

We have increased our appropriations for relief this year over last and previous years about 50 per cent.

There will be at least 35 per cent increase in the number seeking aid this winter.

Yes; the assistance of the Federal Government to the needy of this community will lessen the burden on the local taxpayers.

We have an organization in this city known as the Organized Charities, and this is supported by the good people of this city who are using every effort to reduce the cry of need.

I most certainly favor the Federal Government appropriating money toward assisting the cities and State government in the reduction of need and suffering throughout the Nation.

Yours very truly,

JOHN W. MCCARTY, *Mayor.*

HUNTINGTON

DECEMBER 16, 1930.

Hon. ROBERT LA FOLLETTE, JR.,
United States Senator, Washington, D. C.

MY DEAR MR. LA FOLLETTE: Replying to your favor of the 13th in re "unemployment and general economic depression" of the country at this time, and answering your questions as propounded, I am handing first a letter from our chamber of commerce secretary answering questions 1, 4, and 6.

DECEMBER 15, 1930.

Hon. ZACH T. DUNGAN,
Mayor City of Huntington.

DEAR MR. DUNGAN: I have copy of letter you received from Hon. ROBERT M. LA FOLLETTE, JR., of the United States Senate and am answering those questions asked which do not apply to your department:

1. Approximately how many people are unemployed in your community?

Answer. We find that we have approximately 200 unemployed in the city at the present time, most of these being seasonal laborers.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Not more than 5 per cent.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Funds raised by charitable institutions in our city this year show an increase in totals of about 10 per cent. These agencies are expending this money for the needy in the way of food, fuel, and clothing. Our opinion is that the number of families needing assistance this winter are not perceptibly greater than last year or year before, but the funds needed per family are greater this year due to the longer period of unemployment.

The other questions asked in this letter come under your jurisdiction.

Yours very truly,

DONALD S. BROWN, *Secretary-Manager.*

---

1. Approximately how many people are unemployed in your community?

Answer. Approximately 300 seasonal laborers. Our population about 15,000.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Do not believe that there is an increase for aid over 1929, but less than in 1928. We are farther from being hit with this depression than many of the surrounding cities in this part of the State.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Cities of Indiana under the law have no power to appropriate any funds for the poor. Under our law the township trustees are obliged to take care of the needy poor by a direct tax on all taxable property collected as other tax. Each township has a trustee. This township, with about 20,000 population, has raised for this year some $12,000 for this purpose. Employees of the city contribute liberally to the charitable organizations of the city.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. If an increase, will not exceed 5 per cent of last year, due to the fact that most of our factories are working all the employees on half-time instead of discharging half or more—the city does the same way—thus bringing in something each week to live on.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Charity alone is worth less than nothing. Work is better, and then let each work out his own salvation. Federal aid, of course, would help. Why not distribute some of the 40,000,000 bushels of wheat bought by the agricultural board and give it to the poor? It was this board that set the market—and I am engaged in farming—when they sold the 375,000 bushels to the mills of Milwaukee just at threshing time. Foodstuff and work would lessen the burden on taxpayers everywhere.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. (Answered by chamber of commerce secretary.) Reports from the charity organizations show quite an increase in amount raised over last year.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Money by the Federal Government, if distributed to all counties and cities, will help lift the burden.

8. A brief statement of the general situation in your community.

Answer. Considering, this community is in better shape than many other communities. All factories, charity organizations, etc., are working in perfect harmony with city and county, as well as all churches and lodges. We will have no bread lines, as the needy will be taken care of without this.

Very truly,

ZACH T. DUNGAN, *Mayor.*

FRANKFORT

DECEMBER 17, 1930.

Hon. ROBERT LA FOLLETTE, Jr.,
Washington, D. C.

ESTEEMED SIR: On another sheet I have as directed in your letter attempted to give an answer to each of your questions, and I hope that the answers may be of benefit to you.

I have been in this community for more than 50 years, and conditions are the worst right now that I have known. We have a small army of men looking for work each day, and our limited means keeps us from doing the things that we would like to do during this period of unemployment.

Very truly yours,

CLIFFORD E. CRAWFORD, *Mayor.*

1. Approximately how many people are unemployed in your community?

Answer. A recent survey shows that there are between 500 and 600 unemployed in our community, compared to a normal 150 at this season of the year.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. No help has been extended by the city government in the past, but this year the city has made part-time jobs for dozens of needy unemployed, as well as establishing a connection and helping support the Salvation Army in its work of caring for transients. We are facing the necessity of increasing the work as the colder months come.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The relief work is handled by the township, which is deluged with calls for help. No special appropriation has been made, and the part-time work has been paid for up to this time out of appropriations for the upkeep of the streets. A special appropriation for work for unemployment relief will have to be made in all probability before the winter is over.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. The increase over previous years will be enormous, at least 1,000 per cent, and the increase over the present necessity before the winter is over will be at least 100 per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. The assistance of the Federal Government is needed in every community. This need has come on after tax levies were made and appropriations all provided for. Retrenchment in other lines will help little, as retrenchment simply aggravates the general conditions which bring this condition to us. This city could use thousands of dollars in relief work and not take care of all the cases which should be taken care of.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. The Associated Charities have perfected a better organization than ever, and will increase the work from less than a thousand dollars in the winter to a probable $10,000 to $20,000 this winter. Other lesser agencies are cooperating with the Associated Charities.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. The situation is unprecedented, and the Federal Government could do no better work than to throw its resources into the battle and do what it can to help in the relief program. It is a job which needs the cooperation of every agency of the whole Nation.

8. A brief statement of the general situation in your community.

Answer. Our community is perhaps more fortunately situated than many in that it has diversified industry and diversified agriculture. Evidence of the increase in crime as well as want is already evident, and the prospects for the remainder of the winter are bad. Relief work is well organized, and a general contribution of 1 per cent of the earnings of all regularly employed persons is being made in the city. This relief fund will help, but it is going to take all we can get—and more—to handle the situation in our community.

IOWA

INDEPENDENCE

1. Approximately how many people are unemployed in your community?

Answer. 400.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. 25 per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. 15 per cent.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. 10 per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Have a welfare board operating; 25 per cent.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. If possible.

8. A brief statement of the general situation in your community.

Answer. Serious, but not alarming.

FORT DODGE

DECEMBER 15, 1930.

Senator ROBERT LA FOLLETTE, Jr.,
Washington, D. C.

MY DEAR SENATOR: Fort Dodge is a city of 25,000 population. It is estimated that there are at least 500 unemployed people in this community. The number has increased, probably doubled, during the last year.

Our chief industry in employing labor in this vicinity is the gypsum mills. Building has been interrupted and these men have been out of employment for nearly a year. Naturally the number requiring relief during the next few months will be doubled over last year.

I can not tell whether the assistance of the Federal Government will help to extend relief to the needy and lessen the burden of the local taxpayers. If I knew the form of assistance to be taken, then I could answer your question.

All the relief extended in this city comes through a well-organized welfare association, which uses the money raised by county taxes and money subscribed voluntarily. In Iowa municipalities have no funds to use for the relief of the poor. The situation in Fort Dodge is quite serious and the funds that are available will be no doubt exhausted before the winter season is over. Any organized form of assistance will be welcomed.

Yours very truly,

C. V. FINDLAY, *Mayor.*

OTTUMWA

DECEMBER 16, 1930.

Senator ROBERT M. LA FOLLETTE, Jr.,
Senate Office Building, Washington, D. C.

MY DEAR SENATOR: In answer to the inclosed letter will say that as near as we have been able to figure here in Ottumwa, a city of approximately 30,000 population, we have listed on the inclosed form about 400 that need work badly. We were building a hydro-electric plant on the Des Moines River here, which is in addition to the one we already have. We started this work early last spring, and, together with our other public work, has enabled us to take care of almost all of the unemployed until this December.

We had intended to close down about December 1, but as the weather was good and the men needed the work, we decided to deepen the river channel below the power house and take out the rock and crush it and use it on our streets. This work would have been done within two or three years anyway. We are handling the unemployment situation in this manner. We are working 100 men on Monday and Tuesday and pay them 40 cents an hour. They make $7.20 for the two days, and then we put on a different 100 men for Wednesday and Thursday, and a like amount for Friday and Saturday. That takes care of 300.

We are doing some work in our parks that could have been left until spring in the same manner, and that will take care of another 50, so we have about solved our own problem and picked up the slack. Of course, we are like almost every other municipality. We would like to get some Government aid, but the time is so short I don't think the Government could get the wheels going in time to give us the money, or anyone else. It looks to me that every community should dig up some work in parks, roads, and river-bank improvement, and could actually put these men to work on short shifts if they are so inclined.

It will cost this city about $25 000 to do this work, and that will tide over our unemployed until March 1. I hope this gives the desired information.

Yours truly,

EDWIN MANNING, *Mayor.*

CEDAR RAPIDS

1. Approximately how many people are unemployed in your community?

Answer. 1,000.

2. To what extent has the number of persons whom the county government is called upon to aid increased over the number last year and that of two years ago?

Answer. Doubled over last year.

3. To what extent has it been necessary for your county to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Takes more than twice as much money raised by taxation.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Increase in new cases about 60 per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. If it could be secured.

6. Briefly state what relief is being extended by private relief agencies.

Answer. Salvation Army.

This was handed to me by the mayor for reply. The county handles all relief work except that by Salvation Army.

L. LANDMESSER,
Overseer of Poor.

DECEMBER 15, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
United States Senator, Washington, D. C.

DEAR SENATOR: As the county is the unit handling relief in Iowa, I am asking the overseer of the poor to answer your questions in numerical order and at once.

I realize that conditions following unemployment are quite different in various sections of the country. This city is now experiencing its first mass unemployment. The building trades are hardest hit. There are probably 1,000 men and women in Cedar Rapids who need steady employment. Of course, some of these never have had and never will have constant employment.

We are unfortunate in this respect: Our largest manufacturing plants are the Quaker Oats, Penick & Ford, Sinclair Packing Co. These institutions paying a very low wage, the greater number of employees drawing less than $20 per week, many not to exceed $12 to $14; consequently, such institutions are creating a situation that will eventually develop a lot of county charges.

Such institutions, however, with the control of certain chamber of commerce officials, are always out in front as "leading citizens" to effect organization (to be financed by the public) for the relief of the unemployed. This kind of an organization has been effected and is functioning here now. At the same time and since this relief organization became active, the most prosperous of these institutions continue laying off employees.

Having a personal acquaintance with your father, having entertained him here when mayor a quarter of a century ago, I can visualize how he and you, his son, would and will view such practice.

With best wishes always, I am, very truly yours,

CHARLES D. HUSTON, *Mayor.*

ATLANTA

1. Approximately how many people are unemployed in your community?

Answer. 50.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. None.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. None

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Increased road funds would increase work next summer.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. No increase yet.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. No; except increased road appropriations.

8. A brief statement of the general situation in your community.

Answer. Has been work here for practically all this fall. This community is fortunate in having had plenty of work for common labor this fall.

Will be some suffering this winter.

W. CAREY MARTIN, *Mayor.*

OELWEIN

DECEMBER 16, 1930.

ROBERT M. LA FOLLETTE, Jr.,
Chairman Committee on Manufactures.

DEAR SIR: In reply to your inquiry of the 13th instant I have compiled the following information:

Our poor relief is handled entirely as a county project, Oelwein being the chief city. Figures are therefore for the county of Fayette, Iowa.

1. Approximately how many people are unemployed in your community?

Answer. Approximately 1,100 workers unemployed.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Number of county dependents is now 40 per cent greater than one year ago, five times as great as two years ago. Now the number of families dependent is approximately 200.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. County appropriation for relief is now exactly double that of one year ago, and now our levy is the largest possible under the law for that purpose. Twice as large as last year and four times as large as two years ago.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. It is estimated that requirements of relief will increase from 25 per cent to 40 per cent over the present before spring.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. There is no doubt that Federal aid would be beneficial, as levies can not be increased. Most rental properties are not returning fair income, if any, and taxes must be paid. Taxes for the next few years will be to some extent confiscatory.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Private relief agencies are supplying all shoes and clothing, nursing, operate a milk fund, leaving county only the food, fuel, some rent, and medical care. Activities of private relief agencies have increased 500 per cent over last year and 1,000 per cent over two years ago.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. We favor the Federal aid in the emergency, as the relief the county can offer is so closely restricted by law. We could otherwise handle the situation through deferring some payments.

8. A brief statement of the general situation in your community.

Answer. Oelwein, Iowa, is the principal city of Fayette County, population just under 8,000. Only industry Chicago Great Western Railroad shops, which have been almost entirely closed down for over a year. Many have now used up their savings and face a critical situation. Sixty or seventy empty houses in the city. Probably twice that many are being used rent free. Authorities working incessantly and public meeting the situation nobly. Poor are helping the poorer.

I am pleased to furnish this report, made by cooperation of county officials.

Sincerely yours,

LEON C. KNAPP, *Mayor.*

KANSAS

NEWTON

1. Approximately how many people are unemployed in your community?

Answer. About 50 families have no means of support.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. About 40 families.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. We have done it so far without extra appropriation, but we will soon have to. Charity has been our plan.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. A few more.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. City woodpile gives labor for a few. We have called on the well-to-do to help Salvation Army with money and clothing.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. Conditions are pretty bad. We have about 50 families needing assistance. They threaten that will live(?) or be given work. If the city had a little more money we could carry on city improvements that would keep all satisfied. Things will get worse as it gets colder.

Sincerely yours,

W. A. STERBA, *Mayor.*

WICHITA

DECEMBER 16, 1930.

Senator ROBERT LA FOLLETTE, Jr.,
Washington, D. C.

DEAR SIR: 1. Approximately how many people are unemployed in your community?

Answer. Six thousand.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Four hundred per cent.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. If weather holds good, very few.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Four times as much.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

We have not allowed any floaters to congregate for the winter. Wichita has no laws allowing us to appropriate moneys for relief except directly to perhaps one-half dozen charitable institutions which must be allowed by budget direct to them when budget for year is made. Practically all relief agencies are working through the Salvation Army, to whom we have given space in forum.

If weather is favorable we have enough work outlined, commencing next month, to relieve the situation very materially.

Yours,

H. A. HILL, *Mayor.*

TOPEKA

DECEMBER 16, 1930.

Senator ROBERT M. LA FOLLETTE, Jr.,
Senate Building, Washington, D. C.

MY DEAR SENATOR: In response to your communication of the 13th instant, relative to the unemployment situation, I beg to advise you as follows:

A registration of the unemployed in our city shows approximately 2,000 unemployed men and women. A second registration has just been completed registering those who were not registered in the first registration.

The number of persons requesting relief from the city has doubled over the number of requests last year and two years ago.

The city of Topeka has not been forced to increase their appropriation for relief as yet. The city appropriated approximately $15,000 from the contingent fund to provide hand labor in one of their large contracts this fall.

I am unable to estimate the number requiring relief during the winter months, but am certain the number will be greater on account of the severity of winter.

The assistance of the Federal Government to extend relief will lessen the burden on our overburdened taxpayers greatly.

Our social agencies and private agencies are doing their share very well and are doing all they can to provide relief. The demands made upon them have doubled in amount over that of last year.

I do favor the Federal Government appropriating an amount of money to aid the city and State governments in this emergency.

Our situation here is like that of most cities. We have a number of unemployed and are striving to do all in our power to aid them. The city has advanced all improvements in order to furnish relief. Several projects are in the course of construction and others being prepared. A registration of the unemployed was taken to protect our people from floaters from other cities, if they discovered we were attempting to aid our own unemployed.

Very truly yours,

W. O. RIGBY, *Mayor.*

KENTUCKY

ASHLAND

DECEMBER 16, 1930.

Senator ROBERT M. LA FOLLETTE, Jr.,
Washington, D. C.

DEAR SENATOR: In reply to your letter of December 13, will say that I am heartily in favor of the Federal Government sharing with the municipalities and State governments to any extent under the present conditions.

1. Approximately how many people are unemployed in your community?

Answer. City of Ashland, Ky.: population, 29,050; 1,000 unemployed.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answers to questions 2, 3, and 4. Associated charities and other local organizations report an increase of over 150 per cent over last year and two years ago. During the years of 1928–29 the city was not called upon for any appropriation to relieve unemployment; 1930 to date the city has spent approximately $20,000 and is planning further expenditures.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. One hundred fifty per cent.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. The American Rolling are helping take care of their unemployed by assessing those who are working. Conditions are very bad, and I dread to think of what it will be this winter unless some relief is given.

Very truly yours,

JOHN KOBS,
Superintendent Public Works.

HENDERSON

DECEMBER 15, 1930.

Senator ROBERT LA FOLLETTE, Jr.,
United States Senate, Washington, D. C.

DEAR SENATOR: Your letter of December 13 received and noted.

1. Approximately how many people are unemployed in your community?

Answer. We figure the number of unemployed people in Henderson at the present time is around 800.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. There are about twice as many people to be helped as there were last year or the year before.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The city up to this time has not increased its appropriation for public welfare. The private subscriptions have been increased, and the city will have to increase its help the first part of the year.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. We think the number of people requiring help would about double last year.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. There is no question in my mind but that the assistance of the Federal Government would help the local taxpayers, but whether it is the best thing to do or not I can not answer.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Up to the present time the situation is being taken care of by the local agencies, and they are doing it very nicely.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. We feel like we can take care of the present emergency with the help of local assistance, but if the United States Government appropriates a sum of money for this emergency we feel like we would like to have our proportion.

8. A brief statement of the general situation in your community.

Answer. The situation has been better here than in most places up until a few months ago. It is worse now than ever before, and we are looking forward for this condition to last 12 to 18 months.

These are the facts as best I can state them, and any further information I can give you will be a pleasure.

Very respectfully,

WM. T. BARRET, *Mayor.*

LOUISIANA
BOGALUSA

DECEMBER 16, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
Chairman of Committee on Manufactures,
Washington, D. C.

DEAR SIR: This will acknowledge receipt of your letter of December 13, in which you advised that some of the Members of the United States Senate feel very strongly that the economic conditions in the country require the Federal Government to share with the municipalities and State governments at least 50 per cent of the increased costs of financial relief being extended by the municipalities because of the widespread unemployment and general economic depression. You have asked that I answer eight questions propounded in your letter.

In reply I wish to state:

1. Approximately how many people are unemployed in your community?

Answer. There are approximately 500 able-bodied men unemployed in this community.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. It has been my observation that our city government is now being called upon to aid at least four times as many people as this time last year, which was about the same as two years ago.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. During the year that is now closing, we have appropriated approximately $400,000 for municipal improvements in order to assist the unemployed. The year before we did not make any appropriations for municipal improvements.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Judging from the number who are now seeking assistance, I am of the opinion that before the winter is over at least twice as many will be asking for relief.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. The assistance of the Federal Government will help to extend relief to the needy and lessen the burden on local taxpayers.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Most of the relief that is now being extended is handled through the local chapter of the American Red Cross and the B. P. O. E.; however, I am certain that these agencies will not be able to cope with the situation if conditions get any more serious. We are already spending twice as much for relief as we did a year ago, and I am certain that it will be necessary to call upon those who are able to help to give further contributions before the winter is over.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I am heartily in favor of the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated.

8. A brief statement of the general situation in your community.

Answer. The general situation in this city, which has a population of approximately 15,000, is as good or better than any other industrial city in the State of Louisiana; however, a serious situation has arisen, which calls for immediate relief and it would be timely, indeed, if the Federal Government would share with the city and State governments the burden of caring for the numberless poor and needy all over the country.

Very truly yours,

E. R. CASSIDY, *Mayor.*

LAKE CHARLES

DECEMBER 16, 1930.

Hon. ROBERT M. LA FOLLETTE,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I have your letter of inquiry under date of December 13, and I will undertake to answer your questions in order.

1. Approximately how many people are unemployed in your community?

Answer. Population of Lake Charles, 15,900; number unemployed, 700.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Aid extended by relief organizations of the city three times larger than two years ago. By reason of limited amounts to disburse, provision for unemployment and poor restricted to extreme cases and amounts given out limited.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The city has no authority to make appropriations for relief, and if it did have such authority its financial condition would not permit appropriations.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. My estimate of increase in number requiring relief during the winter is 50 per cent. It may be more than doubled if migrations from the North continue.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Assistance of Federal Government will greatly extend relief, as burden is too heavy to be borne entirely locally.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. For answer to this inquiry see No. 2.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. If Federal Government could place a sum of money at the disposal of the city or its relief agencies for direct and immediate use, it would prevent much suffering and distress. I, therefore, favor such appropriation, provided it can be made available in time to give assistance.

8. A brief statement of the general situation in your community.

Answer. Our State has entered upon a program of highway construction and erection of State capitol, calling for an expenditure of over $100,000,000. While effort is being made to allow only electors and citizens of Louisiana to participate in this work, it is inevitable that it will attract many from other States who will be put on the pay rolls. Permit me to say that I do not favor a wide-open policy extending relief to citizens of other States, but at the same time I desire to see the use of some latitude so that we may not appear entirely selfish in extending relief to the needy.

Trusting this answers your inquiries, I am, with expressions of appreciation of your patriotic efforts,

Sincerely yours,

LEON LOCKE, *Mayor.*

SHREVEPORT

DECEMBER 16, 1930.

Senator ROBERT M. LA FOLLETTE, Jr.,
United States Senate, Washington, D. C.

DEAR SIR: I am pleased to answer your favor of the 13th instant, and I shall attempt to answer your questions in the order in which they appear. My answers, however, will not attempt to deal with exact figures but will be largely my own estimates. They are:

1. Approximately how many people are unemployed in your community?

Answer. Possibly 6,000 within the city limits and within a radius of 20 miles around the city.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Estimated about 75 per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Approximately 40 per cent.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. At least 33⅓ per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Most certainly it will.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Recently a drive for our federated charities, having for its goal $160,000, went over the top by raising approximately $200,000. In the federated charities are found the Provident Association and the Salvation Army, whose mission is to give relief to those in need of charity. In addition to these agencies, the citizens of Shreveport, in the interest of the unemployed of this city, have organized a community welfare committee, which is at work attempting to find or create jobs for the unemployed and through which medium quite a bit of work has been secured for the unemployed. This is merely temporary but is helping wonderfully while we are waiting for a change in conditions.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I do.

8. A brief statement of the general situation in your community.

Answer. The situation in this community is similar to what you will find in all other communities of this section of the country. It is certainly bad enough to need our very best attention. We are doing all we can locally, but we need all the help that we can receive.

Sincerely,

J. G. PALMER, *Mayor.*

ALEXANDRIA

DECEMBER 16, 1930.

Hon. ROBERT M. LA FOLLETTE,
Washington, D. C.

MY DEAR MR. LA FOLLETTE: I have your letter of December 13. In three days—Saturday, Monday, and Tuesday—we have registered 1,060 unemployed.

I believe if all the cities in this State would make the same registration that we are making and pool their registrations, this would be an ideal way to get the definite number that are now unemployed in this State. We are now busy segregating our different classifications, and by Saturday we will be able to say just how many of each classification we have in this immediate vicinity who are at present unemployed. Our figures also show that each unemployed will average dependents of four persons. Our increase has been at least 75 per cent over last year, our donations to the poor have been increased to at least 50 per cent, and this winter, if we have a very severe winter, our donations will run over 100 per cent. The help of the Federal Government would be indeed welcome and would be a great benefit to our city and State, for the reason we have been sorely hit for five years over drought and flood conditions. The only agencies we have for relief are through the city, parish, and local civic organizations. I certainly favor the Federal Government appropriating sufficient money to help the cities and States in this affected territory in taking care of those in need. We are not as badly hit as other localities, but, as I have stated above, we have had five years of such, and we can not stand very much more.

We will certainly appreciate anything you may do.

Yours very truly,

V. V. LAMKIN, *Mayor.*

MICHIGAN

MIDLAND

DECEMBER 15, 1930.

Hon. ROBERT M. LA FOLLETTE,
United States Senator, Washington, D. C.

DEAR MR. LA FOLLETTE: Your letter of December 13 requesting the report on the unemployed in Midland received and I think that if anything can be done to assist the unemployed it is commendable.

1. Approximately how many people are unemployed in your community?

Answer. There are probably 100 people in Midland unemployed.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The city of Midland is called upon to furnish relief to but very few people at any time. However, we have always endeavored to furnish employment for those in need instead of giving relief outright.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Not to exceed 50.

5. Will the assistance of the Federal Goverment help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. No.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. So far as the city of Midland is concerned, we do not need outside help.

The city of Midland has a population of 8,500. We have a very high-grade personnel here. We have a county health unit, who look after the sick and those in need in the county. The city has a community fund, and the quota was $20,000. This campaign ended last Saturday night and was oversubscribed $2,500. The King's Daughters receive a substantial amount of this money. They employ a welfare worker, who puts in her whole time looking after people who are in need.

There is a Federal-aid road being constructed west of our city, and if the bridge work and grading is kept going all winter it would help materially; and if the Federal Government will do their share on this job, even though it cost more per mile to do this work in the winter, it will help to a great extent.

I believe one way to furnish employment would be to put the men into the woods cleaning up and burning all refuse on Government land. This would also help prevent forest fires; and if the Government continues to protect our local chemical industry from foreign competition and cheap labor we will be able to take care of ourselves.

Very truly yours,

JOHN A. WHITMAN, *Mayor.*

HOLLAND

DECEMBER 16, 1930.

Senator ROBERT LA FOLLETTE, JR.,
United States Senate Building, Washington, D. C.

DEAR SENATOR LA FOLLETTE: Regarding the unemployment and relief in Holland, Mich.:

1. Approximately how many people are unemployed in your community?

Answer. From the registration which was made last month, we are of the opinion that there are in the neighborhood of 600 people unemployed in our community.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The city is helping about one-third more through its welfare committee than it did a year ago. Last year was about normal.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The city has not increased its appropriations for welfare work, as at the time the appropriation bill was made up a year ago we did not see far enough ahead to do that, which means that we will run behind about $30,000 during 1930. Approximately $5,000 of this is for emergency relief for the poor and the balance is to be paid out in wages for the unemployed, but since all the work which they are now engaged in doing is work which would have to be done some time within the next two or three years, the excess over the appropriation will be carried as an overdraft and distrbuted through the next two or three appropriations.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. The number requiring relief by the welfare committee is about doubled to what it has been for several years.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. I very much doubt if the assistance of the Federal Government is needed in a community of this size. Were it possible for the Government to turn over $5,000 to a city of this size we could pretty near take care of all emergency relief without increasing the amount we normally spend. The only way the Federal Government could help us in taking care of the unemployed would be to appropriate for a Federal building program; and, except for roads, which would not be built in this community for the next several months, I do not know of any work that the Government could carry on just now or any that we need.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. There is very little private relief work being carried out, other than that which is done from year to year.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I favor the Federal Government participating in the present emergency to the extent of building where building can be done and should be done, and to the extent of providing, through loans or appropriations, a sufficient sum of money so that the destitute can be provided for.

Sincerely yours,

EARNEST C. BROOKS, *Mayor.*

BATTLE CREEK

DECEMBER 16, 1930.

ROBERT M. LA FOLLETTE, JR.,
United States Senate, Washington, D. C.

DEAR SENATOR: I received your letter of December 13, and I will try to the best of my ability to answer your questions.

1. Approximately how many people are unemployed in your community?

Answer. We have an unemployment office in our city hall, and the unemployed that register there amounted to approximately 1,500, including men and women.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. There has been about a 50 per cent increase.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The city has bonded for sewer work and for sanitary and sewage-disposal plant to employ men during the winter months. We also have increased our welfare fund in Battle Creek one-third, and some of our manufacturing plants have gone on what is known as 6-hour shifts to aid the unemployed, principally the Kellogg Co.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. There probably will be 1,000 families in Battle Creek requiring relief during the winter.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Our relief goes through our county poor superintendent, welfare department, Salvation Army. We had a meeting of the ladies of our women's clubs and organizations in the city asking them to canvass the city and have our citizens as far as possible give employment, no matter how small, to the unemployed.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. We feel that in Battle Creek we are in fairly good position regarding the unemployed situation. The city commission has appointed a civic and industrial committee, which is working in our city, and they are doing all they can to find work for the unemployed. The headquarters of this committee are at the city hall, and we feel that good work is being done by this committee. All of our industrial plants are doing all they can to help the situation, and the city is employing about 400 more men this winter than ever in an endeavor to help the situation.

Yours very truly,

WILLIAM P. PENTY, *Mayor.*

CHARLOTTE

DECEMBER 16, 1930.

Hon. ROBERT M. LA FOLLETTE, JR.,
United States Senate, Washington, D. C.

SIR: In reply to yours of the 13th, please be advised as follows:

1. Approximately how many people are unemployed in your community?

Answer. In the city of Charlotte there are 150 unemployed.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Fifty per cent over last year and tripled over two years ago.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. All appropriations for relief are made by the county; also distributed by the county poor commission, and has increased from $14,000 to $20,000, and the commissioner has advised that this will not be sufficient if the demand keeps increasing.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Fifty per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. We have a number of organizations in the city such as the Salvation Army, Red Cross, Sunshine Club, American Legion, etc., and they are drawn on more this year than ever.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. The present condition in this city far exceeds anything we have experienced. As explained above, the cost of providing for the needy is more than ever, and the available funds which are raised entirely from local taxes are decreasing, due to no work; therefore more taxes being returned.

Trusting that this is the required information, we are,

Sincerely yours,

MILTON J. KRIEG, *City Clerk.*

DOWAGIAC

1. Approximately how many people are unemployed in your community?

Answer. About 500.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. About 40 per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Poor fund was increased $2,000.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Forty to fifty per cent.

5. Will the assistance of the Federal Govenment help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. All private charity clubs have united in one drive. One hundred per cent.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated? Answer. Yes.

The city of Dowagiac isn't able to take care of the needy this winter. I got all charity clubs organized in one united charities and the citizens that are able are donating to this fund, otherwise we would be up against a bad proposition.

Yours truly,

C. C. PAUL, *Mayor.*

LANSING

1. Approximately how many people are unemployed in your community?

Answer. Four thousand.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. $100,000.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. $100,000.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. None.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

LAIRD F. TROYER, *Mayor.*

ESCANABA

DECEMBER 17, 1930.

Hon. ROBERT M. LA FOLLETTE, JR.,
Washington, D. C.

DEAR SENATOR: Replying to your letter of December 13 relative to the unemployment situation in the city of Escanaba, will say that—

1. Approximately how many people are unemployed in your community?

Answer. There are about 400 out of employment and approximately 300 in need of relief.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. No unemployment to amount to anything in 1929.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Employment has been given persons in need of relief by the city and aid to the poor which averages approximately $2,900 per week.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Expect there will be a decrease in the number of unemployed after January 1, 1931.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. I believe that the assistance of the Federal Government would help to extend the relief for the needy and lessen the burden on local taxpayers.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. The Chicago & North Western Railway Co. is assessing their employees 5 per cent of their wages, and this amount is being used to assist the unemployed employees of the above railroad. It relieves the city of Escanaba to a certain extent.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I favor the Federal Government appropriating a sum of money to share with the city and State governments, but believe that the relief mentioned, under consideration in Congress at this time, should have quick action and highway-construction money released as soon as possible.

8. A brief statement of the general situation in your community.

Answer. This city is a railway center, and the surrounding country yields considerable forest products. On account of no market for lumber and other forest products of this kind, the railroad crews have been reduced materially, and of course the wood workers are also not employed.

I am of the opinion that the people of the entire community expect that Congress should, with all possible speed, release money for highway construction which would employ a great many men, not only in this vicinity but all over the country.

Thanking you for the inquiry and hoping this information will be of benefit to you, I remain

Yours very truly,

W. H. NEEDHAM, *Mayor.*

THREE RIVERS

DECEMBER 17, 1930.

Hon. ROBERT M. LA FOLLETTE, JR.,
United States Senate, Washington, D. C.

DEAR SENATOR LA FOLLETTE: In reply to your letter of December 13, our belief coincides with that of the Members of the Senate who think the Federal Government should share in the increased cost of relief work caused by the widespread economic depression.

1. Approximately how many people are unemployed in your community?

Answer. About 10 per cent of our population of 6,837.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. About six times.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. About six times.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. About 25 to 50 per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two yars ago?

Answer. Nearly all of the relief work is given under the head of Three Rivers Associated Relief.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. We do.

8. A brief statement of the general situation in your community.

Answer. Until the past year Three Rivers was in a very enviable position so far as unemployment is concerned, but since the first of the year there has been a steady decline until at present there are approximately 700 out of work and 1,200 working part time or 1 to 3 days per week.

Most sincerely yours,

A. C. RUGGLES, *Mayor.*

WYANDOTTE

DECEMBER 16, 1930.

Hon. ROBERT M. LA FOLLETTE,
United States Senate, Washington, D. C.

DEAR SENATOR: We have for prompt reply your questionnaire of the 13th instant which was addressed to Mayor Ira J. Kreger.

The relief, welfare, and other remedial measures in this time of unusual stress, for Wyandotte, has been turned over to a central relief committee named by the mayor and approved by the common council. This committee was named in a skeleton group, termed "the executive committee," with power to appoint such subcommittee as needed. The appointments were recent and we are just beginning to function.

Applying the numbers originally used for your questions on our replies, please be advised:

1. Approximately how many people are unemployed in your community?

Answer. Approximately 850 unemployed heads of families.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. This year 100 per cent increase over the families helped last year and 150 per cent over those assisted two years ago.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. In 1928 the appropriation for the poor fund was $13,000; in 1929 it was $17,000; the appropriation this year is $25,000. The city's fiscal year opens October 1. At the date of this letter the entire year's appropriation—$25,000—has been exceeded by approximately $6,000.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. It is hard to estimate the "increase in the number requiring relief during the winter months," but it will be safe to say that the amount will be large.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. In re private relief agencies—there are no figures available as to the exact extent of increase. The major relief measure among this group is without doubt what is being done for Wyandotte who were contributors to and are being somewhat served by the Detroit community fund. Various local organizations are doing what they may and considerable financial assistance has been turned into the coffers of the central relief committee.

8. A brief statement of the general situation in your community.

Answer. Each community, seeing its own problems at closer range than general conditions feels particularly aggrieved and penalized—quite probably—and this particular city has been told that we are in better shape than many by others—still, as we delve more deeply into the situation, day by day, the total of misery is appalling. We can't foresee what the future has but are busily engaged in doing what we may in relief work of all sorts, as the need appears.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. These two questions concern the advisability of Federal aid for at least a portion of the unusual aid required and will be answered by ourselves as one. The sentiment seems divided a little, certain members being agreeable to leaving the entire matter to the judgment of President Hoover. Others feel that if aid might be devised in some manner it would be extremely acceptable provided bureaucracy or too much official supervision did not absorb a great portion of the available funds in "overhead." Still another thought was along the lines of Federal loans to the various communities, same to be tax free and payable in possible installments. These questions are answered very frankly, Mr. LA FOLLETTE, as the writer presumes you would choose to have them.

Faithfully yours,

CENTRAL RELIEF COMMITTEE,
R. J. LYNCH, *Chairman.*

YPSILANTI

DECEMBER 17, 1930.

Hon. ROBERT M. LA FOLLETTE,
United States Senate, Washington, D. C.

DEAR SIR: Your communication dated December 13 and addressed to the mayor of this city has been turned over to me for a reply. I will attempt to answer your questions in the order they have been asked.

1. Approximately how many people are unemployed in your community?

Answer. About 300 people are unemployed in this community.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Several times as many persons have required aid as compared with last year and approximately five times as many as two years ago.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Our city has a very small appropriation for poor relief in past years, the sum of $1,000. This year they will spend from $2,500 to $3,000, according to the present outlook. The local community fund has in the past practically relieved the city of the responsibility for the care of the distressed, so that in any case the amount appropriated by the city will appear small.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. We anticipate very little increase in the number of people requiring relief inasmuch as the unemployment situation here in the Detroit district is slowly improving. There will, of course, be some demand made by people whose resources may become exhausted during the winter months.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Assistance by the Federal Government would unquestionably help, but in our case is hardly necessary in the form of a direct contribution of money. Anything that can be done to help create employment is obviously the best sort of assistance.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Our local community fund through which our relief agencies receive their money increased its total budget 20 per cent, but readjusted the items in that budget so that more than twice as much money was available for relief.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. If I understand this appropriation to be in the form of a direct money contribution, I would say no. If, on the other hand, Federal appropriations are made available for construction projects, the situation would be different. Certainly we would not take a single step in the direction of a dole system. It seems to me the American people are responding admirably to the cause of relief. In fact, I am inclined to believe that here in this part of the country there is too much emphasis being put on charity. We are overdrawing the picture and we are encouraging, and I can speak from experience right here in our community, people who are more or less out of employment at all times to take advantage of the situation and lean on the community. We must take care of the unfortunate. We must prevent avoidable suffering. But business and the consuming public will have to work out the ultimate. We have an unemployment committee working in cooperation with State and Federal agencies. We are happy to be able to try to assist you in submitting this information.

Respectfully,

PAUL UNGRODT, *Secretary.*

MISSISSIPPI

CORINTH

DECEMBER 16, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
Washington, D. C.

DEAR SIR: I am herewith inclosing questionnaire that you sent me December 13, answering all questions to the best of my ability.

We have here in our city an organization, known as the Corinth Welfare Association, that is functioning as a civic organization to administer to the poor and needy of our community, but the entire city as a whole is contributing to this organization and, after all, it is nothing less than a municipal proposition, and I, as mayor, acting as one of the directors.

As stated in the questionnaire, we are just at a loss to know how to meet the emergency, and if the Government could formulate some plan of speedy relief it would be a godsend, not only to this community but nation-wide.

Trusting that I have given you the proper information and assuring you that I am willing to aid or assist in any small way that I can, I am,

Yours very truly,

W. L. SWETT, *Mayor.*

1. Approximately how many people are unemployed in your community?

Answer. Five hundred.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. One hundred per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. At least doubled.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. One hundred per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes; if done immediately.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

NORTH DAKOTA

MINOT

DECEMBER 16, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
United States Senator, Washington, D. C.

MY DEAR SENATOR: This will acknowledge receipt of your letter of December 13, stating that some of the Members of the United States Senate feel very strongly that the economic conditions in the country require the Federal Government to share with the municipalities and State governments at least 50 per cent over normal expenditures of the increased costs of financial relief being extended by the municipalities because of the widespread unemployment and general economic depression. In reply, wish to say that I am heartily in favor of such a measure as I am sure that practically every city in the United States has felt and is feeling the burden imposed and which necessarily must be borne on account of the unemployment situation prevailing at this time.

Answering the questions enumerated in your communication, wish to state as follows:

1. Approximately how many people are unemployed in your community?

Answer. Approximately 500 heads of families are unemployed at the present time.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Last year the number of unemployed was approximately 100 to 150, and two years ago there was no unemployment.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Last year the city and county expended approximately $10,000 for poor relief, while this year approximately $40,000 has been set aside for the same purpose. Two years ago approximately $2,000 was expended.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Wish to say that we have endeavored to create employment for the unemployed by letting contracts for waterworks improvements and improvements of parks and rivers so the number of unemployed should not increase over that existing at this time.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Wish to say that assistance from the Federal Government will help to lessen the burden on local taxpayers.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Wish to say that a fund of approximately $20,000 was raised by citizens of this city for charitable purposes.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Wish to say that I do favor the Federal Government appropriating a sum of money that will share with the city government the increasing relief burdens that the present emergency has necessitated. Such funds must, of course, be available for immediate relief and should be distributed by the executive officer of any city which is now carrying the extra burden imposed on account of the existing condition.

8. A brief statement of the general situation in your community.

Answer. Wish to say that the territory in which the city of Minot is located depends entirely upon agriculture for its development and with the prices of farm products as they are at the present, the prospects can not be said to be very promising.

Yours very truly,

A. J. H. BRATSBERG, *Mayor.*

OHIO

URBANA

DECEMBER 18, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
Washington, D. C.

DEAR SIR: Answering your letter of recent date will say to question No. 1, the unemployed in this city and county immediately surrounding Urbana would approximate 1,000.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The increase in the number being cared for is about 100 per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The city has increased its appropriation over last year and the year before more than 100 per cent.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Increase in those needing help as winter advances will be considerable.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes; help from the Federal Government will save Urbana's taxpayers and lessen its burdens most surely.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Private relief agencies are doing all they can and have increased their donations 25 to 50 per cent over other years.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I am strongly in favor of Federal Government aid as there is no knowing what is ahead, and some of the people are desperate.

8. A brief statement of the general situation in your community.

Answer. There is no work or prospect of work for several months for those out of employment. Some of the factories are closed down, others working with reduced forces and on part time. Merchants and all lines of business are employing as few men and women as possible.

Hoping this will give you a good understanding of our situation, I am,

Very truly yours,

C. C. CRAIG, *Mayor.*

DAYTON

DECEMBER 17, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
United States Senate, Washington, D. C.

DEAR SENATOR: Your circular letter in regard to the economic conditions in the country with specific reference to this city has been received. The eight points are covered as follows:

1. Approximately how many people are unemployed in your community?

Answer. It is estimated that there are 10,000 people unemployed in this city.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The number of persons aided by the city has increased approximately 500 per cent over the same month last year.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Because of community funds, the city has not increased its appropriations for poor relief this year, but definitely will increase same next year approximately 1,000 per cent.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. We estimate that the increase in the number requiring relief during the winter months will be approximately 1,000 per cent over normal conditions.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Undoubtedly the Federal Government can be of assistance in lessening the burden.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Relief in furnishing food, fuel, gas and light, and emergency rent is being extended by private relief agencies. This has increased approximately 700 per cent over last year and 1,000 per cent over two years ago.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. We most certainly favor the Federal Government appropriating a sum of money to share with the city and State governments in relieving the burden, and we further most heartily recommend that the Federal Government provide ways and means at once to pay the so-called soldiers' bonus, which has been owing by the Government since 1918. This in itself will go a long way to relieve the depression by putting this amount of money into circulation.

8. A brief statement of the general situation in your community.

Answer. Unfortunately at this time the situation in this community has not reached the peak, which will undoubtedly come within the next two or three months.

Sincerely yours,

EDW. V. STOECKLEIN,
Director of Public Welfare.

LANCASTER

DECEMBER 18, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
Chairman Committee on Manufactures,
United States, Washington, D. C.

DEAR SIR: Will endeavor to inform you on local relief conditions per inquiry of December 13.

1. Approximately how many people are unemployed in your community?

Answer. There are 1,000 unemployed in this city.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The number city is called upon to assist has been quadrupled over number last year and that of two years ago.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Our 1931 budget will more than double that of 1930, and civic agencies are taking a substantial part of the relief.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Our increase over 1930 needy relief will approximately be 400 families.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Any donation of funds from the Government would, of course, aid to the extent of such appropriation, but we are against a dole.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Our private relief up to this winter has been the ordinary relief which is always being given everywhere. This season we will attempt to feed 400 more families.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes; if said appropriations are for work or as loans.

8. A brief statement of the general situation in your community.

Answer. This community is going to take care of its own and are sure we will be able to do so.

Very truly,

R. U. HASTINGS, *Mayor.*

MARTINS FERRY

1. Approximately how many people are unemployed in your community?

Answer. Eight hundred depending on charity.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Six hundred.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Increased the poor fund $1,000.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Four hundred.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Soup kitchen serving 600 daily.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. Very discouraging.

WARREN

DECEMBER 17, 1930.

ROBERT M. LA FOLLETTE, Jr.,
Chairman United States Senate
Committee on Manufactures, Washington, D. C.

MY DEAR SIR: I am inclosing copies of letters from the secretary of our community fund and from the superintendent of our State-city employment service, which I requested of them upon the receipt of your inquiry of December 13.

Trusting this will give you the information desired, I am,

Sincerely yours,

W. A. LYNN, *Mayor.*

DECEMBER 17, 1930.

Hon. W. A. LYNN,
Mayor, City Building, City.

DEAR MR. LYNN: Complying with your request for a report on the unemployed and those underemployed. As there has not been a survey made recently, can give no definite figures, but would place them as follows:

Unemployed, 1,200 to 1,500.

Underemployed, 600 to 800.

Hoping this will be the information desired, I am,

Very truly yours,

GEO. J. HENRY,
Superintendent State-City Employment Service.

DECEMBER 17, 1930.

Hon. W. A. LYNN,
Warren, Ohio.

HONORABLE SIR: The suggestion contained in the foreword of the questionnaire handed me to-day—"that the Federal Government share with municipalities and State governments at least 50 per cent over normal expenditures of the increased costs of financial relief because of the widespread unemployment and general economic depression"—seems to me to be an excellent one, provided the Federal Government acts in time to meet the existing emergency and State and municipal governments are able to make appropriations.

And now to the questions:

1. Approximately how many people are unemployed in your community?

Answer. While the approximate number of unemployed is known in this office, I think it best that you have Mr. George J. Henry, superintendent of the State-city employment service, answer this question. It seems to me that he should include those who are underemployed—that is, to the extent that they are unable to support their families and must depend upon relief organizations to supplement their incomes in order to exist. It is certainly a mistake to regard men who have jobs which provide employment for only one or two days a week as being outside the problem group.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the numer last year and that of two years ago?

Answer. While the community fund has been bearing the brunt of the relief burden, due to the fact that the city government could find no additional funds, under the laws of Ohio the city government should have cared for the following families: 1928, 1,156; 1929, 1,433; 1930, 1,595; 1930 is for 11 months only. New cases increasing at the rate of seven per day. It is not fair to compare case loads of 1928 and 1929 with those of 1930. The needs of those applying in 1930 are so much greater—so much more of a permanent nature—than those of the preceding two years.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. City increased its appropriations but little in 1930, having had no funds available. The community fund met the increased demands, using all the reserve funds which it had accumulated in the seven years since its organization.

All relief agencies

City:	
1928	$12,415.88
1929	14,011.54
1930	14,171.62
Community fund:	
1928	38,623.00
1929	40,105.92
1930	83,516.00
Total:	
1928	51,038.88
1929	54,117.46
1930	97,687.62

1929 increase due to increased burden during last two months of the year.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Increasing at the rate of seven per day in December; new cases in November, 123. Estimate 100 per cent increase in case load during winter.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. It should help to extend relief to the needy. Can't say whether it would lessen the burden on local taxpayers. Burden rightfully belongs on taxes—local, State, and national.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Eighty-five per cent of the relief in 1930 was extended by private relief agencies participating in the community fund. See 3 above.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Certainly do favor the Federal Government making appropriations under this plan providing State and municipal governments are able to make appropriations. Can't agree with many who say this emergency is a problem to be dealt with entirely by each community.

8. A brief statement of the general situation in your community.

Answer. Alarming! Without substantial increases in appropriations from the city government the community fund can not hope to meet the critical conditions facing this community.

Very truly yours,

THE WARREN COMMUNITY FUND,
G. M. TREAGER, *Secretary.*

NEW PHILADELPHIA

DECEMBER 16, 1930.

Hon. ROBERT M. LA FOLLETTE,
United States Senate, Washington, D. C.

DEAR SIR: The mayor of this city has referred your letter of the 13th instance to me for reply, with his recommendations.

The following reply is numerically as your questions are propounded:

1. Approximately how many people are unemployed in your community?

Answer. We have approximately 1,000 people unemployed.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The call for aid has increased over last year approximately 200 per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago.

Answer. Thirty-three and one-third per cent over last year; about 75 per cent over two years ago.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Two hundred per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. We probably can take care of our present needy.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Community chest has just raised a cash subscription of $9,500. This was not necessary last year.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Federal aid would, of course, lighten our burden.

8. A brief statement of the general situation in your community.

Answer. General conditions as to unemployment affecting those depending upon manual labor is considered the worst for many years.

Very truly yours,

CLARENCE W. FERRELL, *City Solicitor.*

ST. MARYS

DECEMBER 15, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
United States Senate, Committee on Manufactures.

DEAR SIR: In answer to your letter of this morning, may I say the following:

At the present time there are about 400 unemployed in the city of St. Marys.

Questions No. 2, 3, and 5 I can not answer with accuracy, because in the last few years we have not made any regular appropriation from tax funds for the relief of the poor and unemployed.

The relief question in St. Marys has been handled by the St. Marys Relief Association, an organization whose officers serve without pay and whose funds are supported by popular subscription. I know that their budget this year calls for about three times as much as in former years.

I am heartily in favor of the Federal Government assuming part of the tax burden in the present emergency, as most municipalities are having enough trouble getting money to take care of the different departments of their respective cities without assuming the added expense of providing for the worthy distressed citizens.

The unemployment situation in this city is getting worse, and the factories which have never been known to curtail their time are now only working two or three days a week. We are doing as much public construction work as we possibly can, but that, of course, must necessarily be limited to our funds in hand.

If there is any further information which I can give you, I will gladly do so, and I also would like to give you my assurance, as well as that of other city officials, that I will cooperate in every way that I can to tide us over this period of economic depression.

Very respectfully yours,

WM. UETRECHT, Jr., *Mayor.*

UHRICHSVILLE

DECEMBER 16, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
United States Senator, Washington, D. C.

DEAR MR. LA FOLLETTE: In answer to your letter of December 13 in regard to Federal aid for unemployed.

1. Approximately how many people are unemployed in your community?

Answer. We have 400 unemployed.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Fifty per cent over 1920 and 75 per cent over 1928.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. We budgeted for the same amount this year as last year.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Seventy-five per cent over last year, 1929.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. We need help.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. We have a benevolent society that received $2,600 last year and only able to raise about $1,100 for this year.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. The State and Federal Governments will have to help.

8. A brief statement of the general situation in your community.

Answer. I want your committee to understand that conditions in our city of Uhrichsville, Ohio, are bad, and I thank God that the Senate has wakened up, but they are 12 months late. What can you do for the people? They will starve to death before the honorable Senate wakens up.

You ask if we increased the budget for relief of the unemployed and for the poor this year over last year. We did not, for the reason that the people can not pay their taxes for current expenses. Our city is now delinquent $77,000 and the county close to half a million dollars, and the deficit gets larger each year.

Now, I ask you gentlemen to act quick and please do not misunderstand me, as I warn you that the condition of the great middle class is far worse than you realize.

Very respectfully,

J. W. LYTLE, *Mayor.*

STRUTHERS

DECEMBER 16, 1930.

Mr. ROBERT M. LA FOLLETTE,
Chairman Committee on Manufactures,
United States Senate, Washington, D. C.

DEAR SIR: As per your request, I am herewith submitting the answers to questions asked in your communication of December 13, 1930.

1. Approximately how many people are unemployed in your community?

Answer. There are approximately 350 people unemployed in our community.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The number of persons whom the city is called upon to aid has increased just about double over the number last year.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. It was necessary to increase the appropriation by $4,000.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. We estimate there will be about 500 people asking for relief during the winter.

5. Will the assistance of the Federal Government help to etxend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes; the assistance of the Federal Government will help greatly to lessen the burden on taxpayers.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Our Struthers Community Fund is the only relief agency in this city; this fund supplies food, fuel, and clothing. Its work has increased about double over previous years.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes. I am in favor of the Federal Government appropriating money for relief.

8. A brief statement of the general situation in your community.

Answer. The Youngstown Sheet & Tube Co. and the Sharon Steel Hoop are the only mills operating in this district, and they operate on a 35 per cent schedule.

Hoping that the above meets with your requirements, I am,

Yours very truly,

T. A. ROBERTS, *Mayor.*

ALLIANCE

DECEMBER 15, 1930.

Senator ROBERT M. LA FOLLETTE, Jr.,
Chairman Committee on Manufactures,
United States Senate, Washington, D. C.

DEAR SIR: Answering your letter of the 13th instant, concerning economic conditions in this town, the following are answers to questions submitted:

1. Approximately how many people are unemployed in your community?

Answer. Approximately 1,000 to 1,500 people in the city unemployed.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Three to four hundred per cent increase over last year and also of two years ago.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. A supplementary appropriation in amount of $1,000 was passed by city council in addition to the regular appropriation for the latter half of November and the month of December.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. The number requiring relief during the winter months will be three to four times greater than during the same period of time in recent years.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. The assistance of the Federal Government would be a great help to the local taxpayer.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. The Salvation Army and Red Cross have increased their program two to three times over past years.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. If the Federal Government appropriation were available at the first of the year I would be in favor of the appropriation, otherwise it will come too late to do any particular good.

8. A brief statement of the general situation in your community.

Answer. Alliance is a city of diversified industries, several of which have been staggering their men in their employment; this has helped to a great extent in relieving the local situation, which is not nearly so bad as in some of the surrounding communities.

Yours very truly,

CARL HARI,
Mayor of Alliance, Ohio.

MARION

DECEMBER 15, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
United States Senator,
Chairman Committee on Manufactures,
Washington, D. C.

DEAR SENATOR: Your inquiry received and will endeavor to answer as follows:

1. Approximately how many people are unemployed in your community?

Answer. One thousand eight hundred unemployed.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Fifty per cent over 1929; 75 per cent over 1928.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Two thousand nine hundred in 1928; 3,400 in 1929; and 14,900 in 1930.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Estimate 2,400 out of employment by February, 1931.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Approximately the same as municipal relief.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. Things are worse as winter comes on; we are just an average community compared to other cities of the same size. Have endeavored to put forth a large sewer project and employ only those that are at present dependent upon the city, but find that there is no legal way in this State. Our hopes are that the National Government will give some immediate relief to cities that they may go ahead with some project and absorb some of the unemployment.

Hoping this answers your inquiry, and always ready to assist in any way, I am,

Very truly yours,

L. DON JONES, *Mayor.*

NELSONVILLE

DECEMBER 15, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
Washington, D. C.

DEAR SIR: Replying in point to the questions of your letter of December 13 regarding unemployment in this city:

1. Approximately how many people are unemployed in your community?

Answer. There are approximately 500 men unemployed here. (Population, 1930, 5,322.)

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The city government has extended aid to 75 per cent more persons this year than in 1929, and 100 per cent more persons than in 1928. These figures are approximately right.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Appropriations for poor relief have not been increased in the last two years, but we have not used all appropriated until this year.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. There will probably be an increase of 100 per cent in the number requiring relief during the winter months.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Assistance of the Federal Government will extend relief to the needy, but will not lessen the burden on local taxpayers.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Churches and fraternal orders in the city are giving food and clothes to a few needy cases. I estimate that relief extended through these agencies has probably increased 75 per cent over 1928 and 50 per cent over 1929.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has nesessitated?

Answer. I can hardly say that I favor Federal aid, but we do need help in this city, and before the winter months are over some outside agency must help, so whatever the Federal Government can do will be appreciated.

8. A brief statement of the general situation in your community.

Answer. Nelsonville is the center of the Hocking Valley coal-mining district. The mines have worked only part time since 1922. Many families were barely able to get along before the national depression. These families are now dependent for the most part on charity, and have greatly increased the number needing aid. Some one must feed and clothe them before winter is over. This city can not, since taxes have fallen off to the extent that there is barely enough income for the necessities of government.

If I can be of further assistance to you or your committee, kindly consider me at your service.

Very truly yours,

J. W. HICKMAN, *Mayor.*

CINCINNATI

DECEMBER 16, 1930.

Hon. ROBERT LA FOLLETTE, Jr.
United States Senator, Washington, D. C.

MY DEAR MR. SENATOR: In response to your circular letter which was addressed to the mayor of this city and which in turn was handed to me, I am inclosing the following information. The questions which you raised in your letter are being answered in the order in which they were presented:

1. Approximately how many people are unemployed in your community?

Answer. There are approximately 20,000 people totally unemployed and about 25,000 more who are working on a part-time schedule in this community.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The number of persons whom the city is called upon to aid has increased 100 per cent over the number last year and 300 per cent over that of two years ago.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. During 1928 the city department of public welfare received an appropriation of $24,000 for relief. During 1929 it received $30,000, and the expenditures for this item during the present year will probably run close to $80,000.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. There will probably be an increase of 50 per cent in the number of persons requiring relief during the winter months.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. I think that the assistance of the Federal Government, if it is wisely given, will help in extending relief to the needy and will also lessen the burden on the local taxpayer.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Most of the private relief agencies are supported through the community chest. There has been such a great demand for relief that the appropriations have necessarily been increased by $10,000 per month as compared to last year. Last year's relief expenditures were considerably larger than that of two years ago.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I think that any system which would allow for the Federal Government to share the burden of relief of the cities would require a very careful consideration. I think, moreover, that this problem of relief is to a very considerable degree a local one for each community. I would not, however, be opposed to any Federal assistance, provided that the amount of the appropriations given to each community would be somewhat proportional to the need for such relief in those cities.

8. A brief statement of the general situation in your community.

Answer. The amount of unemployment in this community has steadily increased since the first of the year, with the possible exception of a slight improvement during the spring. While this increase has been continuing, the amount of the increase each month has been getting smaller and smaller. It now looks as though there will be no improvement at least until the first of the year.

Very sincerely yours,

FRED K. HOEHLER,
Director Department of Public Welfare.

TOLEDO

DECEMBER 16, 1930.

Hon. ROBERT M. LA FOLLETTE, JR.,
Senator from Wisconsin, Washington, D. C.

DEAR SENATOR: In answer to the questions contained in your letter of December 13, 1930, please be advised as follows:

1. Approximately how many people are unemployed in your community?

Answer. Eleven thousand five hundred have registered as being unemployed. It is estimated that in addition to this number there must be in the neighborhood of 5,000 to 10,000 who are employed only 1, 2, or 3 days a week.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The number of families given relief through the central agency in November of this year was 2,881; November, 1929, 645; and in November, 1928, 228. We have opened an institution for homeless men which is taking care of about 400 men daily, giving them food and lodging.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Expenditures this year by the city for food and fuel for the poor, $475,000, as against $56,000 for 1929 and $55,000 for 1928. This does not include approximately $300,000 spent by the city for relief labor.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. We anticipate that the number requiring relief during the winter months will increase to between 4,000 and 5,000 families.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Naturally; any assistance that the Federal Government gives to extend relief will lessen the burden on local taxpayers.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. There are a large number of voluntary agencies who are doing poor-relief work, such as the Elks, Moose, Eagles, Masons, Catholic, and Jewish and other religious institutions. Most of these institutions are doing four to five times as much relief work as they did a year ago.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. If the Federal Government has any plan of extending relief which will not place too great a burden upon the present taxpayers, which term includes everybody helping to support the Federal Government, I would be in favor of the Government sharing with the city and State relief burdens; that is, if the Federal Government can spread over a number of years the cost of this relief, I think that should be done.

8. A brief statement of the general situation in your community.

Answer. Naturally, Toledo, being an automobile center, has been hit rather hard by the present industrial depression. However, we are fortunately organized to handle the situation to prevent duplication of effort. We are, however, faced with the huge task of raising money during the winter months.

Our community-chest campaign does not occur until next April. Consequently, up to date we have not been able to get any great additional help from that source.

Toledo is one of the few cities in this section of the country in which the city government has assumed the burden of the greater portion of the relief work which is being done.

Very truly yours,

W. T. JACKSON, *Mayor.*

EAST PALESTINE

1. Approximately how many people are unemployed in your community?

Answer. Two hundred fifty.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. One hundred per cent.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Same as now.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Local relief board: increase, 50 per cent.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. Factories running about 50 per cent. Retail business very bad.

CONNEAUT

DECEMBER 17, 1930.

Hon. Senator ROBERT M. LA FOLLETTE, JR.,
Chairman Committee on Manufactures,
United States Senate, Washington, D. C.

DEAR SIR: In the month of October, 1930, the city of Conneaut, through its port commission, requested the War Department to complete the west arm of the present break wall to help relieve the local labor situation by building approximately 3,000 feet extending from the west end of the uncompleted present break wall to the shore line.

The War Department acted on this request promptly by setting a date in December of this year for a public hearing.

We believe that the War Department will approve this project, as there has been built approximately 9,000 feet of break wall, dredged channels on both sides of Conneaut River, Government pier, and have modern lighthouses. The shelter made under the present break wall is entirely occupied by the United States Steel Corporation.

Under the present condition Conneaut has no opportunity to develop further shipping facilities nor has the city of Conneaut any public shipping facilities by water, although it is favorably located industrially to develop future shipping. There is no possibility of doing so unless the Government will close the gap in the present break wall so as to protect the shore line, which belongs to the city of Conneaut, and which will give them a chance to develop approximately 5,000 feet of shore line.

The immediate extension of this break wall by the Government will be an expenditure well spent, and with the city of Conneaut's anticipated harbor improvements will certainly relieve the labor situation here and the surrounding territory of Conneaut.

We believe that if an investigation of what has been done here and what the city of Conneaut is asking for is made, it will be plain to those in authority that we are asking for a project which will benefit a great number of people and that the request is not in advance of a necessity.

We hope that a proper presentation of our necessity to the War Department for break wall extension will meet with their approval and the approval of our lawmakers in Washington. Up to the present we have met with prompt action from those in authority.

Whatever assistance you may be able to render the citizens of Conneaut on above improvements and relief will be appreciated.

Hon. Senator ROBERT M. LA FOLLETTE, JR.,
Chairman Committee on Manufactures,
United States Senate, Washington, D. C.

DEAR SIR: Re: Unemployment situation.

Replying to your questionnaire of December 13 on above subject:

1. Approximately how many people are unemployed in your community?

Answer. Two thousand five hundred.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. One hundred per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. One hundred per cent.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Fifty per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes; with the assistance of Federal Government by improvements to Conneaut Harbor. (Letter on the subject inclosed.)

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Fifty per cent increase.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. No.

8. A brief statement of the general situation in your community.

Answer. Letter inclosed.

Yours very truly,

ROY A. PEASE, *Mayor.*

CUYAHOGA FALLS

DECEMBER 17, 1930.

Hon. ROBERT M. LA FOLLETTE, JR.,
United States Senate, Washington, D. C.

DEAR SIR: In reply to your letter of December 13, I am pleased to report to your inquiry by paragraphs as follows:

1. Approximately how many people are unemployed in your community?

Answer. Approximately there are 700 people, or 12½ per cent, of the population of Cuyahoga Falls now unemployed. Total population is 20,000.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. In the winter of 1929-30 relief load had tripled itself over the previous winter. Winter of 1930-31 the need of assistance has doubled over the winter of one year ago. In December of 1929 relief was given to 172 families. December, 1928, there were 69 families. December 1930, 248 families.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Relief appropriations: 1929, $2,219; 1930, $11,000; 1931, $11,000, with a possibility of a special appropriation for the coming year.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Due to the promise of the rehiring of men the first of the year in Akron rubber factories, I do not believe the increase will be exceedingly great. The relief load may reach about 300 families.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. The welfare association of this city is a member of the Better Akron Federation receiving funds from the community chest: 1929, $7,500; 1930, $10,000; 1931, $12,000.

8. A brief statement of the general situation in your community.

Answer. A statement issued by the secretary of the local chamber of commerce: "As this community is mainly residential, neither noncommercial, nor a manufacturing center, the condition may be stated as fair to bad, not fair to good. There are small concerns located in Cuyahoga Falls that have maintained some staff."

If I can be of further assistance along this line, would be pleased to hear from you.

Very truly yours,

GEORGE D. PORTER, *Mayor*.

TENNESSEE

KNOXVILLE

DECEMBER 16, 1930.

Senator ROBERT M. LA FOLLETTE, Jr.,
Senate Office Building, Washington, D. C.

DEAR SIR: Your letter of December 13:

1. Approximately how many people are unemployed in your community?

Answer. Thirty-four hundred. This has been diminished by the employment of approximately 400 men under an emergency appropriation.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Approximately eight times that of last year, which was practically the same as the previous year.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. We have made one appropriation of $150,000, which is now being used in employing hand labor in street work, and have appropriated $40,000 to our charities organization, for which all able-bodied men are working, principally on parks and playgrounds. About 100 men a day are being used through this appropriation, besides hundreds of families who are being helped where there is no able-bodied breadwinner.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. We are hoping that there will be no increase in the next three months, although we greatly fear a 20 to 25 per cent increase in the demand for relief.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. The fund proposed by economists and welfare workers, to be provided by the Government and offered to cities who would match it dollar for dollar, was, in my opinion, the most sound suggestion made for relief of unemployment, and one which I can not urge too strongly that you attempt to establish. Knoxville would be very glad to use at least one-half million dollars of such a fund, and I believe this would tide us over until we can become reorganized and business improves.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Our principal relief measures are being carried through by an unusually active relief committee, whose chairman, Mr. E. W. Ogden, a local welfare worker, is intensely interested in this class of work. He is cooperating closely with Mr. Frank Bane, President Hoover's regional director, who has been to Knoxville several times, and who has cooperated with us in helping the situation here. This is the first year we have had such a committee.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I certainly favor the Federal Government appropriating any sum that will be sufficient to meet the present emergency, and believe if this is not done not only may we expect suffering among those who are unable to obtain a job but we will have failed in our respective governmental places in the fundamental principle of government—that every man is entitled to a job.

The situation in Tennessee is probably worse at this time than any other section of the country because of two facts—one is the terrific drought of the past summer, which left the farmers suffering and without means to pay their bills, and the other is the collapse of the Tennessee investment house of Caldwell & Co., carrying with it five or six large banks and a score of small ones throughout the country. Knoxville is a city of 105,000 (Federal census), and has at this time only one national bank, due to the recent failure of one of our largest banks and the consolidation of another with the present institution.

Two things that would be of immense benefit to the South at this time would be the immediate inauguration of the Mississippi Valley river-improvement program, which includes the erection of the Cove Creek Dam and the auxiliary dams between it and Muscle Shoals, and steps to immediately begin development of that part of the Great Smoky Mountains National Park, which has already been turned over to the Government, and building roads and hiking trails and developing tourist camps throughout that tourist paradise.

Permit me to express to you my admiration of the work of your father in the Senate of the United States at a time when the ideas he advanced were not thought as sound as those same ideas you are standing for to-day.

If there is any further information I can give, do not hesitate to call on me.

Sincerely yours,

JAMES A. TRENT, *Mayor*.

DECEMBER 17, 1930.

Senator ROBERT M. LA FOLLETTE:

Most heartily approve plan to relieve unemployment as outlined by you to Mayor Trent and urge prompt action by Federal Government. City is helping, but problem too great and employment on national and State projects appears only possible means of meeting situation.

A. L. CHAVANNES,
Secretary-Manager Community Chest.

CHATTANOOGA

DECEMBER 15, 1930.

Senator ROBERT M. LA FOLLETTE:
Washington, D.C.

MY DEAR SIR: Replying to your inquiry, would say that approximately 3,500 people are unemployed in this community. The city's expense for relief will probably be more than 100 per cent as compared with two years ago. I do not believe the situation will get very much worse than it is now.

Certainly Federal assistance would lessen the local burden. General relief is being extended by private agencies; this is probably 100 per cent greater than two years ago. I do believe the Federal Government should appropriate funds and share with the city governments in the increased cost of the present burden.

This is an industrial community, but a great many of our industries are working part time, and practically all are working reduced forces. Our city government is providing work wherever possible by development of municipal improvements. So far as I know, the State of Tennessee has done nothing along this line but, along with the Federal Government, seems content to advise already overburdened municipalities what they should do.

This situation should have been faced months ago, and red tape should have been cut out and the Government at Washington should have inaugurated Federal Government work that would help take care of the people who are now unemployed. It is impossible for municipalities to suddenly develop sufficient work to take care of this emergency. Winter is upon us and there is nothing to do except to appropriate funds to feed large numbers of our people.

If war should be declared upon this country I hardly think the Federal Government would waste months in taking steps looking to the defense of our country. It occurs to me, when our people are hungry and out of work, it is the same sort of emergency that would require the elimination of red tape and immediate action. Still authorities at Washington fiddle while the people go hungry.

Trusting this is the information you desire, I am,

Yours very truly,

E. D. BASS, *Mayor*.

NASHVILLE

DECEMBER 16, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
United States Senate, Washington, D. C.

DEAR SIR: Your letter of December 13, 1930, received, and I shall endeavor to answer your questions seriative.

1. Approximately how many people are unemployed in your community?

Answer. It is impossible to state the number of unemployed in this city at this time. The number shown by the Federal census taken last April was, in round figures, 1,600, a trifle over 1 per cent of the population of 153,153.

I have heretofore estimated that not more than 25 per cent of the total unemployed in April, say, in round figures, 400, were unemployed as the sole result of the business depression. The remainder of the unemployed in April, say, in round figures, 1,200, represented those out of employment by reason of various causes, such as inventions of labor-saving machinery and processes, the application of speeding-up and efficiency methods in business and production, mergers and consolidations, and the application of the chain system in business, old age, ill health, and personal disqualifications.

It is my opinion and mere estimate that the number of unemployed due solely to the business depression has now increased to approximately 600.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The city government does not undertake directly to dispense charity or to aid the unemployed. All public work of the city, within its financial ability, is being carried on without interruption, and preparation for additional needed public improvements is going forward as rapidly as possible.

A committee composed of a large number of representative business men has been organized through our local chamber of commerce for the purpose of aiding employment. That committee, without self-exploitation or blare of publicity, is diligently seeking to help the situation by preventing the reduction of working forces in plants and industries by inducing owners and executives to begin now all contemplated improvements, extensions, and repairs of plants and properties, by urging our citizens generally to make all needed repairs of their property now, thus furnishing employment for the odd-job men and the unskilled workers, and by promoting a "buy-now" campaign to induce our citizens to make all needed purchases of goods and materials.

There is a public governmental agency for dispensing charity and furnishing relief in the city. That agency is the Davidson County Charities Commission, which is supported by appropriations made by the quarterly county court, by the city of Nashville, and by contributions from those who are charitably disposed. The commission has a general secretary and trained investigators for the performance of its functions.

For the first 11 months of 1930 the number of applications made to the commission, where relief was given, was 72 per cent greater than for the similar period in 1929 and 88 per cent greater in amount of relief for the first 11 months of 1930 than for the similar period in 1929.

The figures would show an even greater increase in number of cases relieved and amount of relief in 1930 as compared with 1928.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The city is limited by charter to a maximum appropriation of $10,000 for the use of the Davidson County Charities Commission and can make no other appropriation of its public funds for charitable purposes.

In 1928 the city appropriated $3,500 to the support of the commission; in 1929, the sum of $3,500; in 1930, the sum of $6,000; and is expecting to appropriate the maximum sum of $10,000 in 1931. The budget of the city for 1931 will be adopted December 31, 1930.

The county appropriated $25,000 to the commission in 1929 and the same amount in 1930. The fiscal year of the county runs from July 1 to June 30.

It is expected that the county court will procure legislative authority in January for the transfer of additional funds to the use of the commission, probably an additional sum of $15,000, making the total appropriation of the county for the fiscal year from July 1, 1930, to June 30, 1931, the sum of $40,000.

It is to be understood that the relief furnished through the Davidson County Charities Commission is confined to the corporate limits of the city.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Relief furnished through the Davidson County Charities Commission for 1930, where the cases were due to unemployment, were 132 in number and in amount 47 per cent of all relief, as compared with the number of 69 in 1929 and an amount of 39 per cent of all relief in 1929.

It is more or less speculative, of course, but it is estimated from the experience for September, October, and November, 1930, that the number requiring relief during the months of December, 1930, and January and February, 1931, will probably be 100 per cent greater than for December, 1929, and January and February, 1930.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. The assistance of the Federal Government would help, of course, to extend relief to the needy and lessen the burden on local taxpayers.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. I find it difficult to answer this question with any accuracy. We have had for some 10 years a community chest, with 33 beneficiary charitable organizations. Funds for the community chest are raised by subscriptions of citizens and business firms and corporations. There has been pledged to the community chest for 1931 in the campaign recently closed, in round numbers, the sum of $258,000. If my memory serves me right, that is some $25,000 more than was pledged for 1930 and for 1929.

In addition to the community chest, the Salvation Army, which is one of the beneficiaries of the community chest, is engaged in the effort to collect shoes and clothing for the relief of the distressed and needy. There is at least one local committee in one section of the city that is raising funds for relief in that particular section. There are also parent-teachers associations connected with the various public schools that do helpful work in the relief of distress and need in their several localities. Then there are the various churches and fraternal orders that are looking after the needs of such of their members as may be under stress.

There is no way of making an estimate of the amount of relief that is being or may be furnished through all these private agencies.

I am sure, however, that the amount of relief being furnished through these private agencies has quite considerably increased as compared with 1929 and 1928.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I have been, as a rule, disposed to question the wisdom of Federal Government appropriations for aiding States and cities in the relief of distress unless in the case of some overwhelming disaster or catastrophe. At last the burden falls on taxpayers. All governmental aid tends to relieve the people who are able to contribute to local relief agencies and to remove from them the discipline of heart and conscience and a quickened sense of duty to their fellows. Governmental aid that is not absolutely necessary in a great emergency tends to pauperize the spirit of individuals, of cities, and of States.

If we could be sure that the business depression would begin to disappear within the next few months, I should not favor the Federal Government appropriating a sum of money that would share with the city and State governments the increased relief burdens that the present emergency has necessitated.

On the other hand, if the business depression should continue, or get worse, then the aid of the Federal Government and the cooperation of all governmental and private agencies might be required, to the end that suffering and distress should be relieved and that helpless citizens—men, women, and children—should not perish in a land where there is an abundance of all things needful for life produced.

8. A brief statement of the general situation in your community.

Answer. The general situation in our city is probably very much better than in more populous cities whose supporting industries are at present languishing. It seems at this time that our provisions for taking care of the situation are adequate. But the difficulty is that we do not really know what the winter months ahead will disclose. In that uncertainty the wisdom of taking time by the forelock and making provision against conditions of distress that may develop would seem to be amply justified—nay, even required—on the part of our Federal Government.

Sincerely yours,

HILARY E. HOWSE, *Mayor.*

JOHNSON CITY

DECEMBER 15, 1930.

Hon. ROBERT M. LA FOLLETTE, JR.,
United States Senate, Washington, D. C.

DEAR SENATOR: Answering your letter of December 13:

1. Approximately how many people are unemployed in your community?

Answer. We have about 150 heads of families that are unemployed.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Fifty per cent increase over last year and about 25 per cent increase over two years ago.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. We make no direct appropriation for the relief of the poor or unemployed except for medical and surgical attention to and burial of the poor. Appropriations of this character have varied little during the last two years. We are now carrying on some public improvements under bond issues, totaling approximately $50,000, that we, perhaps, would not do at this time but for unemployment conditions.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. As above indicated, there will be an increase in the number requiring relief of about 50 per cent this winter over last.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. We have consolidated the means and efforts of all local public-welfare agencies in the execution of plans for relief of the poor and I have appointed a special committee on employment. Our community chest raises funds annually for carrying on the work of the Associated Charities, Red Cross, Salvation Army, and some other local institutions. They undertook to raise 50 per cent more for the community chest this year than last, but failed to raise the required amount.

We have established a community store to which our citizens contribute food, fuel, and used clothing and shoes, and, of course, funds collected for that purpose are used in the purchase of such supplies. I should say that the public is giving twice the amount they gave last year. The city is furnishing free wood to the needy who will cut it. We transport them to and from our woodland and haul the wood when cut without charge.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. No; not as a gift to be distributed in the form of charity. Yes; if the money is to be used to make needed public improvements and in that way furnish people employment and an





opportunity to earn a living. For example, I understand plans have been approved by the Government for spending almost a million dollars here in enlarging the local soldiers' home. If this work could be started soon, it would materially aid in the solving of our unemployment problem. Speeding up our Federal and State aid road projects would help wonderfully. But the greatest boon that could come to our section of the country and, for that matter, I think, the Nation, would be the early enactment into law of a bill providing for the operation of Muscle Shoals and the construction and operation of Cove Creek Dam by the Federal Government.

8. A brief statement of the general situation in your community.

Answer. To the foregoing I would add that the production of our industrial plants is below normal and bids fair to be further reduced.

I wish to commend you and other public officials for any sound remedies you may provide for the relief of our numerous public ills.

Cordially yours,

W. B. ELLISON, *Mayor.*

JACKSON

DECEMBER 16, 1930.

Hon. ROBERT M. LA FOLLETTE, JR.,
Washington, D. C.

DEAR SIR: Replying to your letter under date of December 13 in regard to the unemployment and economic conditions in our city, I desire to say that we have, at this time, about 500 out of employment. We are being called upon to furnish aid to at least four times as many as in either of the last two years. The city has not yet increased its appropriations, but our different charity organizations are attempting to raise four times as much as they have needed in past years. We know that the number needing help will increase as the weather grows colder, but it is hard to say just what this increase will be.

We have been able to take care of the situation in our city and see no immediate need of Government help unless it be to create jobs for people who want work and can not get it. We have outgrown our Federal building in Jackson and our Representatives in Congress have been trying for several years to get an appropriation for either an addition or a new building. If work of this kind could be started now where needed, it would be worth more to the Government and the people than to attempt to hand out money or goods for nothing. We have a city charity board, the Salvation Army, the Volunteers of America, the American Legion, and several lodges, all doing charity work in our city; and, as stated above, it has increased at least four times over previous years. I believe that the Federal Government should appropriate its money for purposes that will create work for the idle to do rather than to sustain them in idleness. There are more people out of employment in our city at this time than ever before, still we are not in as bad shape here as some other places. We could take care of our own people but, as this city is a railroad and highway center, we are sometimes swamped with poor from other places. If conditions continue to get worse and we should have a really hard winter, then Federal aid to charity may be needed.

Yours very truly,

LAWRENCE TAYLOR, *Mayor.*

KNOXVILLE

DECEMBER 18, 1930.

Senator ROBERT LA FOLLETTE,
Washington, D. C.

DEAR SENATOR LA FOLLETTE: Mayor James A. Trent of our city explained your plan for the relief of unemployment. Those present at the meeting were enthusiastic for it and sincerely hope that you will be able to put this bill through.

Tennessee has been hard hit in many ways: First. Drought, which has ruined many of the farmers' crops. Second. General business depression, because of which a number of men have been laid off. Third. A number of bank failures; one in Knoxville alone which it has been stated had 35,000 bank depositors.

The city has done what it could toward appropriating money for the unemployed men to work on streets, and the associated charities, but this will leave, according to the best estimate, about 2,000 unemployed men and women during the winter. It seems to us unless Federal aid is given soon there will be intense suffering during January and February. It seems to the writer that the time has come to place the welfare of human beings higher than the almighty dollar.

Wishing you great success in your good work.

Yours very truly,

E. W. OGDEN,
Chairman Advisory Employment Committee.

TEXAS

FORT WORTH

DECEMBER 16, 1930.

Hon. ROBERT M. LA FOLLETTE, JR.,
Chairman Committee on Manufactures,
United States Senate, Washington, D. C.

MY DEAR SENATOR: Your circular letter of December 13 addressed to the mayor of Fort Worth was turned over to me for reply. The reply which I make combines my personal views with those of the mayor.

Our estimate of the number of unemployed in this community now is 5,000 as against a normal unemployment of probably 2,000. These figures are furnished to me by Mr. C. W. Woodman, in charge of the Federal Labor Bureau in this city.

During the year ending September 30, 1928 (this being our fiscal year), our city welfare department handled 3,028 cases; during the year ending September 30, 1929, 5,974 cases; during the year ending September 30, 1930, 10,275 cases. New cases in November, 1928, were 19. New cases in November, 1929, were 177. New cases in November, 1930, were 421.

The year ending September 30, 1928, which is the first year in which the city of Fort Worth embarked into the welfare work as a municipal activity supported from taxation, our appropriation was $55,000. The year ending September 30, 1929, our appropriation was $65,000. The year ending September 30, 1930, our appropriation was $72,500, while the actual expenditures were $112,086. Our appropriation for the ensuing year is $100,000.

The increase in the number requiring relief during the winter months this year is largely problematical. We had anticipated that the requirements would not exceed those of last year, as last year was unusually severe here. If the unemployment situation is not relieved, there will be a material increase during the winter months as compared even with the past winter.

The question is asked, Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers? My personal view, which coincides with that of the mayor, is that the problem of local relief should remain a local problem. Each locality can best take care of its own condition. Federal aid would be too slow in reaching us to be of any real benefit.

The relief extended by private agencies is very largely financed by our community chest which takes care not only of many agencies dealing with relief work but also aids in the various character-building agencies. The amount raised last year was about $258,000. The amount asked for and which will be subscribed this year is $277,000. The poor relief taken care of through the community chest largely goes to the Volunteers of America and to the Salvation Army. Also, at the present time a used-clothes depot has been established in this city, through which already some 10,000 garments have been passed from those who no longer use them to those who are in need of these various garments.

You ask, "Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?" As above stated, our view here is that these problems are local problems and should be met by those localities. The Government can aid and materially aid by hastening the work on Federal buildings planned for this city, which plans, I believe, are all ready to carry out. As before stated, the regular delay in connection with Federal aid would permit our citizens and citizens in other parts of the country to starve to death before succor was furnished.

Our situation in Fort Worth, while bad, yet if compared with the situation in some other localities, is not so bad. The city and the county are doing a very large amount of public improvement work, and we will start in January probably projects involving an additional $600,000 outlay, which should tend to relieve the present unemployment situation somewhat and that, in my way of thinking, is the best remedy for the present condition—namely, hastening the construction of any public work which can at this time be done, whether or not the same be Federal, State, county, or municipal.

I will be very glad indeed to cooperate with you in any way which is possible.

Very truly yours,

O. E. CARR, *City Manager.*

BENTON

1. Approximately how many people are unemployed in your community?

Answer. One hundred.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Fifty per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. One hundred per cent increase.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Five hundred.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. No.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. United Charities.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. No.

8. A brief statement of the general situation in your community.

Answer. Population, 10,000.

We own our water, light, sewer, and are making improvements all along, using 75 to 100 men all the time and changing every

few days. A budget of $2,500 has been raised and turned over to me as head of United Charities, and we will handle the local situation fine and take care of the floating population the best we can.

The thing that worries me is, "Is the situation going to ever improve under present conditions?"

B. W. McKENZIE,
Mayor and Head of United Charities, Denton, Tex.

PARIS

DECEMBER 16, 1930.

Hon. ROBERT M. LA FOLLETTE, JR.,
Chairman Committee on Manufactures,
United States Senate, Washington, D. C.

DEAR SIR: Your letter of the 13th instant, with the various questions pertaining to the economic conditions of this community, is quite interesting, and wish to advise that we have studied this situation at length. I beg to answer the inquiries as follows:

1. Approximately how many people are unemployed in your community?

Answer. Approximately one-third of the laboring class of our community are unemployed.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. An increase, I believe, of over 100 per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Due to conditions the city of Paris has increased its annual appropriations $10,000 for the sole benefit of relief to the unemployed. We have placed extra men on the pay roll to do extra work that was not originally scheduled in first budget.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. No doubt there will be four unemployed this year to one of last year requiring aid.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. I truly believe it is the duty of each community, county, and city to take care of its or their own needy. This eliminates so much overhead expense to the taxpayers, in my estimation. It has to be paid, and first hand is much better and more easily done.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. There are in Paris the following charity organizations: The King's Daughters, the Red Cross, and the Children's Aid and Protective Home. (b) The increase in expenditures by these various organizations will likely mount to 400 per cent above last year's aid given.

Regarding Paris area and its unemployed, will state that we have calls every day for employment. The King's Daughters' supervisor, with office in the Municipal Building, reports three times as many calls for aid as received this time last year.

Trusting this information will be beneficial to you in your endeavors to aid the unemployed, and with best wishes for your every success, I am,

Very truly,

J. M. CROOK, *Mayor.*

WISCONSIN

WAUSAU

DECEMBER 17, 1930.

Hon. ROBERT LA FOLLETTE, JR.,
United States Senator, Washington, D. C.

DEAR SIR: I have your letter of December 13 relative to a proposition of having the Federal Government aid State and local governments in the matter of unemployment and poor relief, and in order to aid you in your position to act more intelligently you are requesting information of the various municipalities of the State of Wisconsin, of which you have the honor to be a Senator. In order to understand the situation more clearly and to what extent the various municipalities are and will be burdened on account of the general unemployment situation, I will try and answer as briefly and intelligently as I possibly can the following questions:

1. Approximately how many people are unemployed in your community?

Answer. We have approximately 400 unemployed in our community.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The number of people that the city of Wausau is called upon to aid that might be over and in excess of last year is about 20 per cent; and that of two years ago about 35 per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. We have increased our appropriation for relief to the unemployed and the poor this year to the extent of about 20 per cent; and of two years ago about 30 per cent.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. We estimate the increase in the number requiring relief during the winter months will not affect the amount of appropriation made for that purpose for 1931.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. I believe, for the present time at least, that the Federal Government should not be invited to help or extend any aid to any of the State or local governments. I feel sure that local communities are well able to master the situation with much less expense and be more successful than with having the Federal Government share in any local relief matters.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. We have a private relief agency under the title of "Federated Charities." The funds for this institution were raised this year by our first Community Chest drive, and the amount available in this fund is in excess of the amount contributed for the same purpose over the last year by about 100 per cent; and of two years ago by about the same proportion.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I, personally, and I believe that the people of Wausau, are not in sympathy with having the Federal Government appropriate any money or take any part in this matter of local relief on account of the present temporary depression. The local governments, I believe, should be left alone to work out their own salvation, and I am sure they will do it with much less expense, and be more satisfied without any dictation from the Federal Government. Personally I feel that the Federal Government has been, and is being, called upon to take part in State and local affairs that will sooner or later react and, no doubt, while your heart might be soft and sympathetic to the unfortunates of our country, yet the Federal Government, no doubt, has many other more important matters to solve, and if the State and local governments will be charged with handling this temporary relief problem it will be done to the satisfaction of all concerned.

8. A brief statement of the general situation in your community.

Answer. While the situation in Wausau is a little unusual, still I can not see any reason why we should lose heart or get panicky just because we have a little cloudy weather in the general business of our country; and the sun will again shine and, perhaps, brighter than heretofore. In general I am opposed to any Federal Government aid in connection with the temporary unemployment situation.

Yours very truly,

OTTO MUENCHOW, *Mayor.*

BEAVER DAM

DECEMBER 17, 1930.

Hon. ROBERT M. LA FOLLETTE,
Washington, D. C.

DEAR SIR: In reply to your letter of December 13, 1930, will say that I have carefully investigated the employment situation in this city and will answer your questions as follows:

1. Approximately how many people are unemployed in your community?

Answer. Approximately 200 men and women, with 800 dependents.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. An increase of 100 per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. From $1,000 to $2,000.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. All depends on the severity of the weather.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. The Associated Charities have collected over $5,000 in cash and tons of clothing and provisions, which are being given to worthy families. Church and fraternal organizations are also doing relief work.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. No. Give the World War veterans their bonus money is all the Government needs to do. The State and municipal governments can take care of their dependents.

8. A brief statement of the general situation in your community.

Answer. Everyone is cooperating to relieve the present unemployment situation. Our people do not want charity; they want work. Let the people who have enormous incomes pay a just income tax. Start public improvements of all kinds; pay living wages, not just enough for the toiling masses to exist on, for it is the purchasing power of the masses that gives us prosperity. It is not overproduction that is causing the trouble in the United States and all over the world. It is underconsumption. People are going in rags, freezing and starving, because they have not got money to purchase what they need.

Provide work at living wages for the farmer, laborer, miner, and all classes who exist upon their daily toil and they can then purchase what they need and everybody will be contented and happy, and our merchants will be doing a good business, which will keep the manufactories running to capacity. Starvation wages, high taxes, and high rents are causing the depression of to-day.

Automobiles, moonshine, and buying on the installment plan are also doing their share to wreck business.

Respectfully,

RAE WEAVER, *Mayor.*

EAU CLAIRE

DECEMBER 15, 1930.

Hon. ROBERT M. LA FOLLETTE,
Washington, D. C.

DEAR SIR: Replying to your letter regarding economic conditions, there are approximately 400 men and women unemployed in our city. The number of persons whom the city government is called upon to aid has increased 100 per cent compared to the years 1928 and 1929.

I would estimate the increase in the number requiring relief during the winter of 1930 compared with 1928 and 1929 about 60 per cent more.

Regarding relief extended by private relief agencies, we have a number of agencies extending relief and all of them have much more money for relief than in 1928 and 1929.

Very truly,

FRED. STUSSY, *Mayor.*

JANESVILLE

DECEMBER 17, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
United States Senate, Washington, D. C.

MY DEAR SENATOR: This letter is in response to your questionnaire of December 13, 1930, and covers the city of Janesville, Wis.

1. Approximately how many people are unemployed in your community?

Answer. I would say that approximately 300 people are out of work in the city of Janesville that can be classed as unemployed. In this number I have not attempted to include those seasonable workers who at all times have not worked during the winter months.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The material relief in this community is given by the county rather than by the city, but in a conference held the other day with the commissioner of Rock County, who handles this relief, he informed me that the number who are calling for aid as compared to last year is about 30 per cent higher and that last year's requisitions were normal and about the same as they had been for 8 or 10 years previous.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. In answer to this question I again call your attention to the fact that relief is handled under the county system and the county board at its meeting in November doubled their appropriation for the year 1931 over the year 1930. As I understand it, this was not done with the idea that the entire appropriation would be spent; but if the conditions got worse the money would be available. The appropriation for the year 1931 was placed at $35,000 for all of Rock County and includes all the cities and villages in the county.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. It is hard to say whether there will be any further increase in the number requiring relief during the coming winter, as most of the plants appear to be operating in good shape, although not on full capacity. From what I get from talking to these officials they say that they will operate clear through the winter. Incidentally, I might say that most of the unemployed here are a direct result of the closing down of the Rock River Woolen Mills. About a month ago they closed their plant up completely, throwing about 175 men and women out of employment. I had a conference with the president of this firm last week, and from the condition of things in the woolen industry it is very problematical when this plant will reopen.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. There isn't any question if the Federal Government steps in and helps extend relief to the county that any savings effected will be reflected on taxpayers' bills in this county.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. We have perhaps six different relief agencies operating in this community; namely, Elks' charity fund, railroad organizations, Red Cross, and soldiers' relief organizations. I have talked to all of the directors of these various relief organizations in Janesville, and we have a citizens' committee that is working with all of these organizations. Their last report, made on Monday, December 15, stated that they had sufficient funds on hand to carry them through this winter in very good shape. The funds that they have collected this year have not been increased over any of the previous years.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I do not know how to answer this question, and would hate to say offhand just what should be done. Personally, the giving of relief is very easy, but it strikes me that there ought to be some other angle at which this problem should be approached, and I have had a sneaking thought that industry should be educated up to the extent that it is their duty and part of their obligation to adjust salaries, working conditions, hours, and retirement schemes so that these things should not be made a matter of Government concern, unless there is a complete breakdown on the part of industry in doing its share. I know from experience that Government work itself can never hope to relieve this condition of unemployment, as Government and municipal workers form a small percentage of the total number of workers. I recall right here in Wisconsin the city of Racine is now putting on the largest public-building program consisting of various types of public work, and in a conference with Mayor Armstrong recently he told me that the city had never been in the condition it now is in the matter of unemployment.

8. A brief statement of the general situation in your community.

Answer. In general, conditions in the city of Janesville are a whole lot better than they are in other industrial cities of our type and size in Wisconsin. I believe the situation here is well in hand, and that all those who require help and assistance will be taken care of as they have been in the past in this community.

Very truly yours,

HENRY TRAXLER, *City Manager.*

MADISON

DECEMBER 16, 1930.

Senator ROBERT M. LA FOLLETTE,
Washington, D. C.

DEAR SIR: I have your letter of the 13th instant with reference to the economic conditions in Madison, and I am glad to submit the information requested.

1. Approximately how many people are unemployed in your community?

Answer. A survey made in June indicated that approximately 16 per cent of our 21,800 employable citizens were out of work. This includes sons and daughters who have been working at various times part time in some of our factories and whose employment represents the difference between luxuries and necessities in these families. It is my opinion that, at the present time, there are approximately 2,000 men and 800 women without employment, and I am only considering in this number those people who must be employed to insure their being able to meet the actual necessities of life.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. We have recently registered 578 men as being unemployed who have asked for aid. This is probably about 400 more than have applied for aid in previous years.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Prior to this year it has not been necessary for the city of Madison to make any appropriations of consequence to the relief of the unemployed as the budget of the Community Union, amounting to approximately $100,000, has provided ample funds. This year approximately 20 per cent more money is available through our community chest, and the city has provided work for about 50 men and expects to provide further work this winter, if found necessary. The president of the Community Union has intimated that if the city will appropriate $6,000 for the use of the Public Welfare Association, over and above the amount which this association receives from the community chest, it will enable this association to meet the demands until approximately April 1, which involves a total expense of approximately $30,000. Ordinarily a fund of $20,000 was sufficient to last the entire year, and the city will of necessity have to provide a considerable amount of money after April 1, when this fund is exhausted, which will all be in excess of the money previously appropriated for unemployment relief. The amount which the city will have to provide will depend upon the industrial and business situation.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. If we are able to limit the number of families requiring relief before the winter is over to 600 more than ordinarily require relief, I feel that we will be fortunate, and it is my opinion that in excess of 600 families more than have been provided with relief other years will have to be taken care of.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. See answers to questions 2 and 3.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. The report of the industrial commission for Madison covering 35 identical firms shows that on August 30, 1929, these firms employed 5,193 people, and that on August 30, 1930, the same

firms were employing only 4,247 people. Conditions have not improved since these figures were obtained, and I doubt whether there are more than 3,500 people employed in these 35 industries at the present time, and many of these that are employed are working on a part-time basis.

In building construction only about 75 per cent of the number of men which were employed at this time a year ago are now employed, and recent figures indicate that there are 500 building mechanics out of work as well as nearly twice that number of common laborers.

The construction work which is now being done by the city of Madison was instituted largely for the purpose of providing employment for common laborers, and hand methods are being substituted for machinery. This fact, together with the fact that the work is being done in the wintertime is increasing the cost at least 25 per cent. This work is being financed by a bond issue, and is the type of work which could logically be deferred until a later date were it not for the necessity of providing employment. We have a considerable quantity of additional work which could be done were money from the Federal Government available to pay the increased cost of this work over its cost under normal conditions.

We are strongly of the opinion that any money provided by the Federal Government should be allocated in such a way as to provide wages for men out of work rather than for pure charity relief.

Respectfully yours,

A. G. SCHMEDEMAN, *Mayor.*

RHINELANDER

DECEMBER 16, 1930.

Hon. ROBERT M. LA FOLLETTE.
United States Senator, Washington, D. C.

DEAR SENATOR: I have your inquiry of the 13th concerning the matter of Government aid in relief funds to municipalities. I will answer your questions in the order given as follows:

1. Approximately how many people are unemployed in your community?

Answer. At the present time there are approximately 200 people out of employment. Of these about 125 are heads of families.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. We operate under the county poor-relief system and I believe the demands on them over the previous two years have increased approximately 100 per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The county has not materially increased its appropriation for poor relief so it has been necessary to raise additional funds through private solicitation. The amount so raised being approximately equal to the county appropriation.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. I believe we are pretty close to the maximum number requiring relief at the present time.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Assistance of the Federal Government would not appreciably affect the taxpayers except indirectly by relieving them of private donations to poor relief.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. A citizens' committee appointed by myself has been functioning for some time and their work has consisted of raising funds and distributing supplies. This committee is taking over all surplus demands not taken care of by the county or other relief agencies. This is entirely additional to previous years.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I believe that more good can be accomplished by the Federal Government using all available funds for public-work construction and thus giving employment rather than through direct participation in relief work. Each community is better equipped to handle its own problems and the demands are not excessive. It appears that a donation of about $1 per capita covers most relief programs.

8. A brief statement of the general situation in your community.

Answer. Our community is rather highly industrialized and as a result has a rather serious problem in unemployment. However, we are not experiencing any great difficulty in handling the relief program and it is not creating any great hardship on anyone. We have had occasion to experience the benefits of the Government building program as recently our local flooring factory received a substantial order for maple flooring for a post-office building that will keep it busy for some time.

I trust this will give you the information you desire.

Very truly yours,

THEODORE M. WARDWELL, *City Manager.*

RACINE

DECEMBER 16, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
United States Senate, Washington, D. C.

MY DEAR SENATOR: Replying to your inquiry of the 13th instant, I beg to submit the following answers to your questions:

1. Approximately how many people are unemployed in your community?

Answer. From an unemployment survey which we took three weeks ago we found 3,200 registered as being without employment.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The number of persons who the city government is called upon to aid has increased from 120 families last year and 69 families two years ago to 700 families on December 1, 1930.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Our appropriation for poor relief this year is $125,000; for 1929, $25,000; and for 1928, $30,000.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. From present indications, I am of opinion that we will have a 50 per cent increase in the number requiring relief during the next few months.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Only yesterday, in reading of the appropriation bills that have been presented to Congress for drought and other relief, I had a thought of wiring you suggesting that the Government make appropriations to assist in relieving the suffering among the unemployed. Racine, for example, is an industrial community. Sixty-one per cent of the assessed valuation of real estate and buildings is on homes, and probably 90 to 95 per cent of this amount is homes of working people. The burden that is now falling upon them for relief of the unemployed will amount to probably $1.50 per thousand of assessed valuation. Many of these home owners are either working a very short time or are among the unemployed.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. The private relief agencies have had the same percentage increase that the city has had, although their efforts are devoted to partial relief; in other words, assisting families who have some earnings but not enough to pay for rent, foodstuffs, and clothing.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I will complete the answer to question No. 5 by advising that I believe the Federal Government should appropriate a sum of money that will share with the city the increased relief burden which the present emergency has necessitated. This can not be brought about by an appropriation of $150,000,000 for good roads, as but a small percentage of that total will go to labor.

8. A brief statement of the general situation in your community.

Answer. Notwithstanding the splendid efforts on the part of the industries of this community to keep as many men employed as possible by grouping them in shifts on short time, the relief situation has become so acute that I called a mass meeting the week before last of representatives from every known organization of every kind within the city of Racine. At this meeting the situation was fully discussed, with the result that a committee of 25, representing the cross-section of the town, was selected, with the writer as chairman, to take charge of all the relief work in the city in order that such work may be properly coordinated and the resources of the community used to the best possible advantage. We have taken over temporarily the building of central charities, together with their staff and the staff of the city poor department, to which we are adding, and hope that with such organization we can properly care for all who need relief. There are a great many problems connected with the present condition aside from the direct relief of unemployed, problems such as the protection of persons who have been purchasing homes on land contracts or who have purchased a home and have only a small equity, and many others, which such committee, we feel, can care for and so protect the interests of the unfortunate.

I trust that I have not gone to too great a length in trying to explain the situation as we find it here in Racine, and assure you that I will be very glad to give any further information that you find you will need.

I close by repeating the statement that I believe the Government should share the increased relief burden of the unemployed as well and as readily as it is making appropriations for other forms of relief.

Very truly yours,

WM. H. ARMSTRONG, *Mayor.*

MILWAUKEE

DECEMBER 18, 1930.

Hon. R. M. LA FOLLETTE, Jr.,
United States Senate.

Public employment office estimates number of totally unemployed at 28,000.

DANIEL W. HOAN.

MILWAUKEE

DECEMBER 16, 1930.

Hon. R. M. LA FOLLETTE, Jr.,
United States Senate, Washington, D. C.

DEAR SENATOR: In reply to your questionnaire of December 13, which reached me to-day, regarding the need of Federal cooperation with the various States and municipalities toward effectively relieving the unemployment problem, I hasten to give you the following information:

1. Approximately how many people are unemployed in your community?

Answer. The public employment office estimates that we have over 30,000 unemployed workers in Milwaukee, including those employed on a part-time basis.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Material relief to families of unemployed persons is supplied through the county department of outdoor relief, the city of Milwaukee bearing 80 per cent of the burden. Two years ago the number of families maintained by the county was 1,500, last year it varied between 2,000 and 4,700, and at the present time it is close to 10,000. At the rate of 5 people per family, this means that 50,000 people are now being supported by the county. It is also estimated by H. H. Jacobs, associated with the Central Council of Social Agencies, that an equal number are receiving partial aid from the various charitable organizations or living off their relatives.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Two years ago the appropriation for county relief was about $175,000, last year it was $180,000, but the heavy drain on the department caused by unemployment brought about a deficit which will reach from $300,000 to $400,000 by the end of this year. The appropriation asked for next year is $760,000.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. The number of families requiring relief from the county will increase up to 14,000 and 15,000, according to estimates of Mr. Willard Notbohm, superintendent of outdoor relief. About 140 families are being added each day, and the situation is steadily growing worse.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Local governments are wholly unequal to the task of coping with this unemployment problem. It is nation-wide in character and calls for remedies which the Federal Government can apply. Unquestionably, the assistance of the Federal Government is necessary. As regards new public work, Wisconsin cities are limited by a constitutional bond limit. They are all up to their bonded-debt limit or are issuing bonds this year to reach that stage.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. The work of private relief organizations in Milwaukee is well coordinated and is proceeding as well as could be expected with the resources available. The community fund was oversubscribed by over $100,000. Many independent charitable organizations are raising funds to aid in this critical emergency.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I absolutely and unqualifiedly favor any measures under which the Federal Government would share with local governments the increased burdens of caring for the unfortunate victims of unemployment. This is the worst economic crisis that our country has had to face in more than a generation and calls for heroic efforts to relieve immediate distress and make provision to prevent recurrence of a similar calamity.

8. A brief statement of the general situation in your community.

Answer. While Milwaukee, because of its diversity of industries and other factors, is less acutely affected by unemployment than other industrial centers, the situation here is serious. Since the war we have been carrying on an expansive program of public improvements; in fact, the greatest annexation and building program in our history. It has been relatively greater than that of other cities. This program is still in progress. Nevertheless, according to Mr. Notbohm, superintendent of outdoor relief, this is the most tragic crisis in the history of this community. Never before has the county been called upon to assume such tremendous burdens in providing for poor relief. Contrary to optimistic statements appearing in the press from time to time, contrary to promises of industrial leaders, conditions have been steadily growing worse, both as to the number of the unemployed and as to the number of people employed part time. The coming winter is expected to be considerably worse than last, although both the city and county are better prepared to alleviate distress.

With kindest regards, I am, yours very truly,

DANIEL W. HOAN, *Mayor*.

MENOMONIE

1. Approximately how many people are unemployed in your community.

Answer. One and thirty one-hundredths per cent.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. One and thirty one-hundredths per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Four times as much appropriated this year.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Seventy-five per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. I do not think so.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. They are cooperating.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. No.

8. A brief statement of the general situation in your community.

Answer. Can not say we are badly affected in this city.

A. MATHNESS, *Mayor*.

WAUWATOSA

DECEMBER 15, 1930.

Mr. ROBERT M. LA FOLLETTE, Jr.,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I will endeavor to answer your open letter having to do with the question of the Federal Government sharing in part the excess cost of municipalities, in affording financial relief to the unemployed.

1. Approximately how many people are unemployed in your community?

Answer. We are now making an absolute survey of the unemployed in this city of 21,000. Information at hand tends to show that we have a minimum of 200 heads of families out of jobs.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Our city government has not used any city money in the way of direct relief, except what our prorated share might be in taxes for the department of outdoor relief fund, which is raised by Milwaukee County. I understand that the budget for poor relief raised by the county and shared in by every city in the county is about 200 per cent more than it was last year. The information I had last Saturday was that we had 9,200 families on the poor-relief list, averaging five to the family.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. As stated before, this city does not raise any relief fund, but still does a good deal in the way of public work and keeping on its pay roll men that we could possibly spare now were it not for the fact that they would be down and out if they were turned loose. We have about 20, I should say, independent relief agencies in this county over and above department of outdoor relief, for whom was raised under what is called the community fund a sum of $1,325,000 on a drive staged by our citizens in this county the week of October 8.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. It is expected that the peak load of relief will be demanded by the 1st of February. I think last winter 5,200 families in the county were the maximum that were given county relief. We expect that we may hit 12,000 families before the 1st of February, 1931. Few people get the correct slant on this, from the standpoint that the laboring class, in most cases a renter, can immediately show that he is destitute when investigation is made as to the worthiness of the case. But there are thousands of families owning small homes, purchased on a mortgage land contract, or on the building and loan plan, who may have a fifth or fourth equity paid on their home; they are, in a sense, property holders; they can not sell their property, and yet a man that owns a property or an equity in it, without a job and nothing to pay taxes with, is in an embarrassing position, because poor relief does not come to him as readily as it does to the man who does not own a thing.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. The question of Federal Government assistance will depend wholly on how it is administered. I have no way of knowing just what percentage the average home owner is taxed for poor relief, because outside of actual poor relief for coal, clothing, and food, the county carries the other big load which we share in the way of the operating cost of the workhouse, county poor farm, home for dependent children, tuberculosis sanitarium, temporary and chronic insane, and all other county institutions which are operated for the sick and our indigent poor.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. I have no way of knowing just what percentage of increase private relief agencies have been asked to meet in the past several years, but increase this year and past shows a very decided upturn.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. As in the case of question 5, Federal Government financial assistance would no doubt be welcome. As to how it should be administered, that is another question; as our poor relief is handled by the county of Milwaukee, it would appear they should be the ones to receive the money. I can see no objection to doing something like this where an emergency exists; because if the Federal Government can spend countless millions on reclama-

tion work, work on the Mississippi River, and many other projects which require huge sums of money, a few hundred millions more or less in public debts would not make much difference, and it would do a lot of good, depending, of course, on plan of administration under which these disbursements may be made.

8. A brief statement of the general situation in your community.

Answer. The situation here is more acute than most people imagine. As a small boy I saw what happened in the panic of 1893, also in 1907, 1920, and 1921; but the slump in business here now indicates to me, at least, a slow recovery. In my judgment the two principal contributing reasons are the absolute crazy, wildcat, real-estate speculations that have been going on for the past 10 years, plus speculation on every kind of stock imaginable, in most cases on the part of suckers who couldn't possibly margin their stuff and often mortgaged their homes to carry their holdings.

I trust that this résumé of the situation will give you some idea of what the picture is. We are making yeoman efforts to help all possible; we have a permanent organization covering the situation, looking up work, soliciting clothes, and doing everything we can to relieve things here.

I have been invited to go to Madison to attend your brother's inauguration next month. I do not know whether I can make it or not. I have no doubt but what you will be there; and if so, I would be glad to have a chance to talk to you on 1 or 2 matters for about 5 or 10 minutes.

Hoping the foregoing will help you, I am, yours very truly,

A. C. HANSON,
Mayor City of Wauwatosa.

TWO RIVERS

DECEMBER 15, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
Chairman Committee on Manufactures,
United States Senate, Washington, D. C.

DEAR SIR: I have your letter of December 13 with reference to proposed aid from the Federal Government to State governments and municipalities for relief work during the present economic depression, I would say that the questions you ask can be answered as follows for this city:

1. Approximately how many people are unemployed in your community?

Answer. One hundred and fifty men.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Doubled this year over last year.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Appropriation for 1931, $11,500; for 1930, $7,500; for 1929, $3,695.91.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. About the same as now.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Not necessary in this city at present.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. They give all clothes and shoes—more than doubled.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. No.

8. A brief statement of the general situation in your community.

Answer. The city is taking care of its own situation in this city, and there is no one in dire need which we do not take care of. At present no one receives groceries without working for them, even if we have to have them cut wood for these groceries.

I would be glad to furnish any other information which you might like.

Sincerely yours,

E. J. DONNELLY, *City Manager.*

STEVENS POINT

DECEMBER 13, 1930.

1. Approximately, how many people are unemployed in your community?

Answer. Two hundred seventy-one registered.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Families, 45 in 1928; 53 in 1929; and 65 in 1930.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer: 1928, $8,504.21; 1929, $9,128.09; 1930, $12,086.19.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Thirty per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Private agencies have been extending about 50 per cent as much as the city in 1928 but have been called upon to give about 50 per cent more in 1929, and 1930 will show about 100 per cent increase. They have been furnishing aid along the same lines as the city.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. Just begin to feel the depression in our city.

Sincerely yours,

V. A. LANDOWSKI,
Poor Commissioner.

DE PERE

DECEMBER 15, 1930.

Hon. ROBERT M. LA FOLLETTE,
United States Senate, Washington, D. C.

HONORABLE SIR: In reference to your letter of December 13 regarding the employment and poor situation in our city, will say that up to present we, as a city, have not been called upon to do very much, if anything, in this line. We have a community chest which is operated quite effectively and that takes care of quite a number.

The unemployment situation is felt some but do not believe that there are many outstanding suffering cases. From now on, of course, there will be some, but as we do not look for a very large amount, we are quite sure that it will be handled by the local committees and that there will be very little for the city to take over—in fact, not any more than there has been in former years.

We thank you very much for the attention given the situation, and can assure you that if it changes so that there will be any burden, we will be glad to take it up with you and your committee immediately.

Very sincerely yours,

O. M. KILEY, *Mayor.*

OCONTO

DECEMBER 15, 1930.

Senator ROBERT M. LA FOLLETTE,
Washington, D. C.

DEAR SENATOR: Your letter of December 13 at hand, and in regard to the Federal Government to share with the municipalities and State governments for at least 50 per cent.

I have given your letter to our city clerk, who will go over the unemployment situation in detail, and within the next few days we will answer directly all your inquiries, and will express my personal view at that time.

I remain yours sincerely,

CARL RIGGINS.

KENOSHA

DECEMBER 15, 1930.

Hon. ROBERT M. LA FOLLETTE,
Senate Chamber, Washington, D. C.

DEAR SIR: Received your questionnaire this morning relative to the unemployment conditions in the city of Kenosha.

At the present time we are planning to hold on Thursday, December 18, a city-wide registration of the unemployed. Therefore I am delaying answering your questionnaire until the results of the registration can be obtained, so that the information you request regarding our community will be authentic.

In the meantime I will assemble some positive figures as to the poor relief, as requested in your questionnaire.

Yours very truly,

WM. E. O'BRIEN, *City Manager.*

WATERTOWN

DECEMBER 16, 1930.

Senator ROBERT M. LA FOLLETTE, Jr.,
Washington, D. C.

DEAR SIR: This is in answer to your inquiry of the 13th.

1. Approximately how many people are unemployed in your community?

Answer. We have not made a survey of the unemployed in this city and I am unable to estimate the number of unemployed.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. This city is in two counties. In one county poor relief is handled by a county official and I can not give you any information on the situation there. In the other county the poor relief is extended through the city and the number of persons in that part of the city whom we have aided has increased to about two or three times the number aided in 1928 and 1929.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The amount of money expended in poor relief has about doubled over a year ago and two years ago.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. I think that the increase will be about 200 or 300 per cent, although I have no very definite figures on which to base an estimate.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. There are two chief agencies extending relief in this city in addition to a number of smaller ones. The Family Welfare Association makes the greatest number of family contacts and their work has increased over last year, as follows:

Number of family contacts, October and November, 1929, 28; 1930, 68. Number of articles of clothing given, October and November, 1929, 355; 1930, 1,265.

This will give you a fair idea of the increase in their work, which, I believe, is far greater than is the amount of aid given by the city directly.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. It is difficult to give any very definite information about the conditions here for the reason that, as you can see from the above, all poor relief is not given by the city government. Were the private agencies not so active, the city government would of necessity be called upon to do much more than it does under the present conditions. For this reason I do not feel that the figures as shown by the city government's records will state Watertown's case.

Watertown is not a so-called industrial city, and for that reason the situation here is not as severe as it is in other communities having more factories. However, conditions are unquestionably worse than they were a year ago and two years ago.

Yours very truly,

C. LUTOVSKY, *Mayor*.

Mr. MOSES. Mr. President——

The VICE PRESIDENT. The Senator from New Hampshire.

Mr. MOSES. I wish to call up another conference report after the one pending shall have been disposed of.

The VICE PRESIDENT. The question is on the motion of the Senator from Washington [Mr. JONES].

Mr. FESS. Mr. President, will the Senator from Washington yield to me for a moment?

Mr. JONES. I have not the floor.

Mr. MOSES. There is a pending question.

The VICE PRESIDENT. The pending question is on the motion of the Senator from Washington to recede from amendments numbered 11 and 12.

Mr. FESS. Mr. President, before the vote is taken I ask unanimous consent to have printed in the RECORD an address entitled "Wake Up America," delivered by H. Ennis Jones, vice president of the Franklin Trust Co. and a director of the Philadelphia Chamber of Commerce, touching the immediate subject we have been discussing on the floor.

The VICE PRESIDENT. Without objection, it is so ordered.

The address referred to is as follows:

If I should walk into your office or place of business this afternoon and ask you that time-worn threadbare question, "How is business?" what would your answer be? Before answering this question it would be well for you to consider all factors, for it may not be as bad as you think it is. Recently I was asked this same question and this was my reply:

Since January 1, 1930, our deposits have increased about $2,000,000; we have opened more than 15,000 new accounts and our profits for the month of October and November, or since the close of our fiscal period October 1, have exceeded the same period last year.

The gentleman was a depositor, and immediately his countenance beamed until suddenly another thought struck him and he volunteered this information, Oh, yes; he had been reading in the papers that people were hoarding money in savings accounts of banks and he supposed that was the reason for our increased deposits. "No," I said, "our increase does not represent hoarding by individuals, but instead it is the result of an intensive effort on the part of our officers to obtain new business, and the majority of this favorable showing represents new contacts made and accounts secured from firms and individuals with whom we have never before done business."

Of course, our depositor left with a different frame of mind because he had received solid facts that encouraged a more optimistic viewpoint.

We are all "fed up" on that pessimistic attitude of crying "wolf" every time the leaves rustle. Why not search for a little cheer and sunshine? It can be found if we go after it. For instance, here is a small list of corporations taken from a group of 120 whose earnings for the first nine months of 1930 (according to figures recently published in a financial publication) show an increase over the corresponding period of 1929 as follows:

	Per cent
American Telephone & Telegraph Co	3
Bangor & Aroostook Railway	11
Chesapeake Corporation	42
Gulf Coast Lines	21
Gould Coupler Co. and subsidiaries	73
Pullman (Inc.), and subsidiaries	19
Bickford's (Inc.)	30
Lessigns (Inc.)	763
Coca-Cola Co	8
White Rock Mineral Springs Co	10
William Wrigley, Jr., Co	6
Cushman's Sons (Inc.)	47
National Biscuit Co	4
Amerada Corporation	59
H. F. Wilcox Oil & Gas Co	70
Cities Service	40
Public Service of Northern Illinois	13.2
United Railways & Electric	11
Memphis Natural Gas Co	65
United Gas Improvement Co	22.2
Worcester Consolidated Street Railway	34
Fox Film Corporation	21.6
Radio-Keith-Orpheum Corporation	86
Briggs Manufacturing Co	37
Yellow Truck & Coach Manufacturing Co	23
City Ice & Fuel Co	12
International Business Machines	11.1
Autostrop Safety Razor Co	86
Industrial Rayon Corporation	18

Why did these concerns forge ahead during a period in which other concerns lost ground? Various reasons may be assigned to the different cases, but underlying them all is the fact that, generally speaking, the management of these companies is in the hands of forceful and capable men who through economy, efficiency, and increased merchandising efforts have brought about these results.

Has your sales volume increased or decreased this year? Here are a few concerns taken from a list of 30 large corporations that show substantial gain for the first nine months of 1930 as follows:

	Per cent
Claude Neon Lights (Inc.)	22.6
Edison Bros. Stores (Inc.)	25.8
F. & W. Grand-Silver Stores (Inc.)	29.3
Great Atlantic & Pacific Tea Co	6.55
J. J. Newbery Co	10.7
Lane Bryant (Inc.)	39.6
Melville Shoe Corporation	13.3
Schulte-United 5 Cent to $1 Store	64.43
Scott Paper Co	10.9
Walgreen Co	16.8
W. T. Grant Co	10.3

These choice morsels of progress remind me of a recent advertisement published by the Saturday Evening Post, wherein the suggestion is made that we had all better take a good restful morning-after look at our product, our sales plan, and ourselves. The message continues with the question: "Is your selling energy at full limit?" "Are your sales and advertising plans extraordinarily gaged to extraordinary resistance?" or, "Are we cutting the power just as we are trying to make the hill?" and as to ourselves, "Have we a goodly supply of plain, old-fashioned nerve?"

There are many fair-weather executives and business men who obtained an overestimated opinion of their business ability when conditions carried them along with the tide of prosperity, while to-day these same men are almost paralyzed with fear and unable to keep an even mental balance in times of stress. Many will fall by the wayside. From now on it will be the survival of the fittest, which means that we must adjust our methods of doing business and change our product to meet present conditions.

Fear and psychology unquestionably are playing an important part in the prevailing state of business inactivity. However, to change our mental attitude requires more than talk and theory—it requires action to remove the cause.

A recent attempt toward this has been the many "buy now" campaigns started in various sections of the country, which originated right here in Philadelphia. The theory upon which these plans were exploited was that people were hoarding their money in banks and the old family sock instead of buying on a scale to which they had recently been accustomed.

The results of the campaigns were very satisfactory from a publicity standpoint, and also helped to increase the sales volume of some of our merchants.

In fact, great credit is due our local chamber of commerce for the efficient and capable manner in which the idea was put over. However, this procedure is unsound for the following reasons:

First. Individuals are not hoarding their money in savings accounts as statistics compiled by the American Bankers' Association for the year ending June, 1930, prove conclusively. The total savings deposits increased $267,000,000, but interest computed at 3½ per cent on all deposits would have been $987,000,000; thus, in reality, savings did not increase, but rather $720,000,000 in interest was withdrawn. The number of savings depositors on June 30, 1930, was 52,769,175, representing an increase of only 5,048 over the corresponding period a year previous.

This reserve of savings is in many instances the only backlog that the American workman has against unemployment and un-

foreseen circumstances. This is not the time to persuade individuals to withdraw their savings to make purchases.

"Buy now" movements should first be inaugurated and adopted by our railroads, public utilities, corporations, and individuals whose wealth and income place them in a decidedly more advantageous position to set the example and lead the procession to buy now, rather than place the burden of leadership on the "little fellow" or average citizen.

Retail merchants will find that the secret of increasing their sales volume will be to sell the consumer what he wants at a price that he can afford to pay. To do this will require closer cooperation on the part of the manufacturer.

There is no question but that incomes have been materially decreased, due to unemployment and reduction in wages, security losses, and overproduction. This is the real basis for the prevailing lack of inclination to buy.

Those whose incomes are most affected are numbered among the executives and directors of our large corporations and business enterprises, and in such positions dominate or control the leading purchasing power of America. When their confidence is restored, both individually and collectively, then corporate purchasing power will be resumed. When that occurs it will not be necessary to use forced methods to bring the little fellow in line; he will follow right along in a proportionate scale.

When will "that" time come? you ask. Well, that is a question worth trying to answer. Let's tackle it from the bottom up and endeavor to ascertain about where we are now. The old law of supply and demand governing our prosperity is infallible and is at work right this minute.

It was in the spring of 1925 that commodity prices reached their all-time peak; since then they have been falling. Their downward journey was checked in May, 1927, but in July, 1929, the definite decline was resumed and since then they have more than made up for lost time; overproduction is the cause of this condition. Reports from abroad indicate that wheat surpluses in all export countries will total about 1,187,000,000 bushels, and that allowing for the requirements of import countries there will still be a surplus of 423,000,000 bushels by the end of next July.

Unofficial estimates place the Farm Board's holdings of wheat at more than one-tenth of the United States wheat supply, which should be sufficient quantity to insure against market depressions even though there is a differential in quotations at the present time of 20 cents per bushel between Liverpool and Chicago for December wheat.

However, Russian wheat appears to still be a disturbing factor in the market, but British authorities estimate that shipments from that source will practically cease before the end of the year.

According to estimates of Dow, Jones & Co., steel activities have slackened to about 39 per cent of capacity. The trade seems to anticipate an upturn in demand after the first of the year from the automobile, building, and railroads. Leading producers have advanced prices on bars, plates, and shapes by about $1 per ton, which is similar to the steps taken by them in 1922 and 1927, which were successful in creating stability at that time and may have the same effect now.

Unemployment estimates are not authentic and range from 3,500,000 to 5,000,000. Regardless of the total it is too great and has seriously curtailed the public's buying power. In all parts of the country organizations are cooperating with Colonel Woods in Washington.

United States Steel, Bethlehem Steel, Standard Oil of New Jersey, according to reports, have definitely announced that they will not drop any more employees due to lack of work. We must, however, guard against doing anything that will lead to the disastrous "dole system" such as England is saddled with.

Conditions require emergency relief over the winter months, but the American workmen do not want alms or dole; they want jobs, and its going to be up to all of us to do our share toward furnishing greater employment.

Car loadings, which are looked upon by statisticians as the barometer of our industrial activity, are still about 75 per cent of normal, while the amount of currency in circulation has materially increased, thus reflecting some improvement in retail trade due to the approach of the holiday season and cooler weather.

Money is plentiful, because huge corporations that normally invest their surpluses in securities prefer to have cash in banks at a low rate of interest rather than speculate on what the immediate future has in store for business.

Millions of dollars are thus represented, and it is this huge buying power waiting to be released that will do more to bring back good times than anything.

The foreign situation is one that must not be overlooked because its bearing on our well-being is tremendous.

The further development of foreign markets for our products can only be done through a sympathetic understanding of the foreigner's problems. If we can not persuade him to do business our way, then we must be prepared to do business his way and on his terms—that is, if we want to be a factor in the market. Cooperation, financially as well as industrially, will govern the volume of our foreign trade in the future, and, make no mistake about it, a great deal of our future prosperity depends on a larger volume of foreign business.

The banking structure of our country has weathered the storm remarkably well with a few exceptions. This is due to cooperation all along the line, and all efforts should be bent toward keeping our finances on an even keel during the uncertainties of the next few months.

Leading bankers everywhere are agreed on this, but there is a limit to the length that the fabric of our credit structure will stretch, and this is deserving of our immediate consideration.

The picture as painted by the foregoing high spots, while not optimistically encouraging, is nevertheless one that can be made a whole lot brighter than it appears on the surface. How can we accomplish this?

First. Mentally our business men are somewhat fatigued. Some who were leaders in times of prosperity openly admit that they do not know now which way to turn; so, rather than take a chance on their own judgment, which no doubt is as good to-day as it ever was, they take the apparently safe course and do nothing. This causes business stagnation.

Most of us are our own worst enemies. Grab your imagination and will power by the back of the neck and sit down and have a talk with yourself. What are you doing to make conditions better—can you name one constructive thing that you have done to help the situation during the past week, or have you really been a slacker and depended on your fellow men to hold the front-line trenches? There isn't a person in the world whose condition or fortune, whether good or bad, could not be much worse. Just look around you now and be thankful for what you have—you might have less. Take a trip down through the slums of any large city—get your nose close to what some of your fellow men have to call living—and then just remember that after all you, too, are just flesh and blood the same as they, with desires, love, and ideals perhaps a little more refined or a little more highly developed, but just simply human after all with a heart that knows sorrow and is searching for happiness.

A professor of Yale recently estimated that the world was several million years old; compare that to the short span of a lifetime and we realize that we haven't much time in which to accomplish that which we set out to do; and, above all, for the privilege of living on this old earth we owe something to our fellow men.

Let's cooperate—give our mental attitude a thorough house cleaning—start with a new perspective and remember that we are "all in the army now" and there must be no slackers.

It has not been so long since America was embroiled in the throes of a great war for justice. To-day we again find ourselves in the midst of another war—this time it is an economic war that will decide whether the present standard of living of the American workman, which is the highest in the world, shall be continued. Our industrial supremacy is threatened by foreign competition—and to meet this we are completely disorganized.

This situation is not hopeless, but it requires immediate action to place American business back on an even keel.

If Russia, Italy, France, Germany, England, or any other world power threatens us with an economic war, let's set our own economic machine in order and fight them in true American economic fashion.

It is up to America to lead this march of progress—and our first step should be to mobilize American industry into one coordinated, well-regulated machine.

It is the old story that in "union there is strength" and individual effort without regard to effect on others is worse than none at all.

The best way to organize this effort would be for Congress to appropriate a sufficient sum to create a "bureau of business" in which labor and farming shall be equally represented. At the head of this should be a director, and that man should be one of our outstanding organizers capable of earning a hundred thousand dollars a year or more. Not a politician and with no entangling political alliances, but a fearless person whose training and ability qualifies him to coordinate all of our business and industrial activities. In other words, a man with a reputation for doing things in a big way. He should be one who would command the respect of business and also labor and farming—one in whom confidence could justly be placed. Just as in the World War, such a man may have to be drafted from industry, but big business could well afford to release him for this more important responsibility.

Once placed in charge, the director of the "bureau of business" should be responsible only to the President of the United States. He would immediately surround himself with an advisory board to be designated perhaps as the business counsel and to consist of leaders in their respective business whose duty it would be to organize each industry immediately. This could be accomplished through simultaneous conferences at which the best brains and ability in industry, farming, and labor would be present. These conferences would be asked to make definite recommendations from a practical standpoint for overcoming difficulties with which each particular business is now confronted. While these meetings are in progress the best-qualified executives drafted from business and industry would be dispatched to various foreign countries with sufficient assistants to make a first-hand survey of actual conditions that would affect American industry from an economic standpoint. Within 30 to 60 days sufficient information would be assembled at headquarters here in the United States to enable the beginning of the development of a definite foundation upon which could be firmly established a plan for the future of American business and American labor.

From this time on American business would then have a sort of clearing house for definite up-to-the-minute first-hand information because since this organization would be permanent it would always have its hands on the pulse of trade in the four corners of the world.

The whole country is now in a particularly advantageous position to welcome a real business leader that would show us how

by practical deeds and not words or theory to perpetuate American leadership. Such a man would stimulate greater industrial effort—promote and insure closer cooperation and effect great economy and efficiency and in the end create more jobs for American labor.

We have in our country many of the greatest and most capable engineers, merchants, manufacturers, bankers, and business men, all of whom should be molded into one great team or organization working with one thought in mind—the perpetuation of American leadership in all walks of life and the maintenance of the standard of living of the American workman.

To accomplish this, of course, it is assumed that our public-spirited Senators and Congressmen would have to forget politics and consider this subject from an "all-American" angle.

We are on the threshold of the greatest opportunity that this country or any of us individually ever had. The year of 1931 will most likely witness the end of the present depression if past records of similar periods may be used as a yardstick—new leaders in business, banking, and industry will spring up to take their places alongside former financiers and captains of industry, but they will be those who have the vision and courage to prepare now for those great opportunities which inevitably follow a depression.

America must wake up. Our resources should be mobilized under the competent leadership of a citizen director who will marshal our forces in such a manner as to restore confidence at home and abroad. The world is waiting for America to lead the way and there is no time for further procrastination; that is, if we value and want to keep that which we now have.

Mr. WALSH of Massachusetts. Mr. President, in conversation with the junior Senator from Wisconsin [Mr. LA FOLLETTE] and other Senators some days ago about conditions in the country, and in order that a true picture, if possible, might be obtained of the real situation so far as unemployment is concerned, we drew up a questionnaire. I sent that questionnaire, seeking certain information, to the mayors of the large cities east of the Allegheny Mountains. Up to date several replies to these questionnaires have been mailed to me. I think I have received up to the present time approximately 50 replies. Very briefly I desire to state the nature and character of the information that has come to me about the conditions in the respective cities.

The number of replies from Massachusetts up to yesterday was 15. The figures for unemployment in those cities show 9.9 per cent unemployment.

These cities report the average increase in the amount of money appropriated to relieve those who are in need of food and clothing and shelter to be approximately 200 per cent.

I desire to read from some of these reports, in order that we may have a real picture of the conditions that exist in many of the industrial communities in this country.

The first report I read from is from the city of Springfield, Mass.

Springfield has a population of approximately 150,000 people. It is the third largest city in the State, and has a diversity of industries. In fact, it is a commercial as well as an industrial city. The authorities report that the number of persons who are receiving aid from the city government welfare appropriation is approximately three times that of 1929.

In November for the past three years the number of families aided was as follows: 1928, 265 families; 1929, 353 families; 1930, 993 families.

The report shows the increases in the appropriations for outside relief made by the city.

In 1928 the amount of money expended for outside relief was $172,689.58. In 1930 it was $382,947.26—about twice as much as expended in the year 1928.

For the city of Pittsfield, which is located in the western part of the State, and is near the New York State line, the mayor's report is as follows:

About 3 per cent of our population of 50,000 people are unemployed, namely, about 1,500 people.

Our normal aid is about 80 families. In 1930 it is 280 families.

We expended in 1927, for outside poor, $38,000. The estimate for 1930 is $83,200.

The increase in demand for aid for the next few months will probably be from 7 to 10 per cent.

The board of selectmen of the town of Clinton, Mass., which is a town of about 14,000 people, report as follows:

There are approximately 2,500 unemployed in Clinton.

At the present time there are 250 families, consisting of 900 people, being aided by the town. In 1929, 90 families of 350 people were aided. In 1928, 60 families of 275 people were aided.

In 1930 the total appropriation is $62,000. In 1928 it was $32,280.

In addition, $50,000 was appropriated to construct a road, with the expectation that the same would relieve some of the unemployment.

I estimate that there will be an increase of 25 per cent of requests for aid during the winter months.

The closing of the Lancaster Mills, that once employed several hundred people, is one of the chief causes of suffering.

Just stop and think of what a burden it is to that community, with which I happen to be particularly familiar, when nearly 1,000 people are now being supported by a community that numbers about 14,000 people!

As to the city of Fall River, Mass., the mayor says:

The number of unemployed in Fall River at the present time is estimated at 13,500.

Fall River is a city of about 100,000 people. Some one from Fall River recently estimated, and it corresponds to what the mayor said here, that 45,000 people of that city are the direct victims of unemployment; that 45,000 men, women, and children have little or no income; that the 13,500 unemployed represent the heads of families in which there are probably from four to five members.

Our public welfare department is aiding about twice the number of families compared with 1929 and 1928.

I might say that Fall River has been depressed for several years on account of the unemployment in the textile business. It is not new for Fall River to have unemployment; and yet Senators will notice that the number of calls for relief is twice as many this year as previously.

Relief appropriation for 1930 is increased by 50 per cent over that of 1929 and 1928. The figures are:

1928, $423,184.

1930, $615,000.

The increase for the coming winter months it is impossible to estimate. Each week shows a steady increase. Receiving city aid now, exclusive of our city home inmates, are 2,459 families.

In the city of Taunton, Mass., there are about 1,100 unemployed at the present time. The population of Taunton is over 40,000 people. The number of families being aided is 340. The number of persons being aided is approximately 2,720. The aid to families in 1928 was $74,857.38. The aid to families in 1930 was $99,192.87. The number of families being aided now is approximately 402, and the number of persons 3,216. It is probable that the number of families—namely, 402—will be increased by one-half at least by the middle of February, making the number of families being aided 600.

I have not selected these reports with the idea of representing any particular picture to the Senate. I have selected them more or less at random.

I find now in my hand a report from the city of Reading, Pa., as follows:

In a recent census made by the city, we found approximately 3,500 people unemployed. However, Chamber of Commerce figures denote that there were 5,600 less people employed on November 1 of 1930 than there were on the same date in 1929. The number that need relief over the number of last year is about 2,000.

Of course, there are some communities where there has not been very much increased call for financial aid. These are communities where the population is largely suburban, where there are not many industries located, and where the working population is not particularly numerous.

Mr. BARKLEY. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Kentucky?

Mr. WALSH of Massachusetts. I yield.

Mr. BARKLEY. It is not precisely apropos of what the Senator is saying, but earlier in the day I put into the RECORD a statement from the New York Times, which is an Associated Press dispatch from Washington stating that the Secretary of Agriculture already had the machinery set up for the distribution of the $45,000,000 that we authorized yesterday, that the blanks were prepared for every farmer to make application, and that within 24 hours after his application had been passed on he would be in position to receive the loan provided for. I am now informed that the

Secretary of Agriculture has written a letter to the House stating that he does not want the money that we authorized yesterday until after the first of the year. Inasmuch as Congress is to adjourn, as I understand, until the 5th of January, it seems to me that our efforts to pass this emergency measure before we adjourn for Christmas have been more in the nature of a farce than anything else, in view of the attitude of the Secretary of Agriculture, who now comes forward with a letter stating that he does not want the money until after the first of the year.

Mr. WALSH of Massachusetts. I appreciate the Senator's observations.

Mr. BARKLEY. I wanted to get that into the RECORD to show the false basis of any of our hopes if we are relying upon any haste on the Secretary's part to bring relief to the farming sections of the country that have been injured by the drought.

Mr. WALSH of Massachusetts. The city of Trenton, N. J., reports that the city poor department advises the mayor that the number of applications for relief have nearly trebled over the number of applications for 1929 and 1928.

The same story comes from other sections of the country. Very little is stated in these reports about the extent of part-time employment. We do, however, get some helpful information as to the extent of that from a report that comes from Adams, Mass. This report from the officials of that community states that the mills are averaging two weeks' work in four, making the wages very small, while some plants are only working two days a week, and others are closed completely.

The mayor of Waltham, Mass., calls attention to the fact that the famous Waltham Watch Co., which had a regular force of 2,300 last June, is now, during the Christmas season, "when it should be rushing and working overtime," employing only about 200 hands, some of whom are employed on part time. Another large manufacturing company, the mayor of Waltham says, is on half time; and another company, which in prosperous times employed from 1,000 to 1,500 men, is now in the hands of receivers, and its machinery is entirely stopped.

It is also to be noted from these reports that it is rare to find a mayor who is optimistic as to the near future. The mayor of Westfield, Mass., says that conditions are growing worse steadily. So far, the opinion of Massachusetts mayors indicates almost unanimously that there will be further increases in the calls for help as winter goes on.

In examining the seven letters from Connecticut, it is significant to note that the amount of unemployment recorded is in proportion to the intensive industrial character of the town. Ansonia, for instance, records 18.5 per cent unemployment, and Hartford 12.8 per cent, while New Haven, much less industrial than Hartford, records 5 per cent. The record given for Middletown, if correct, would show 40 per cent, but it looks as if there might have been an error made in the figures given. Ansonia and Hartford both record a ten times increase in the number of persons seeking assistance now compared with 1929.

Pennsylvania: Eight cities in Pennsylvania show unemployment figures of 9.9 per cent. All figures show an increase in the number of persons seeking assistance of from 25 per cent up to 400 per cent.

New York: While only four replies have been received from New York State, the fact that Buffalo has sent in an answer to the questionnaire is valuable. This report shows that in the city of Buffalo the percentage of unemployment is 21.4 per cent. There are 40,000 people unemployed, which, according to the mayor's statement, is 32,000 more than would be in this condition in what he terms prosperous times. The mayor of that city seems to think that the condition will grow worse during the winter months.

Three cities in New Jersey which have answered the questionnaire show unemployment in one case of 11 per cent, in another of 26.7 per cent, and in another of 29.9 per cent.

From North Carolina, the report from Greensboro shows over 27 per cent unemployment, and a 100 per cent increase in the number of those seeking assistance.

The three cities in New Hampshire answering—Nashua, Concord, and Laconia—show the following figures of unemployment: Nashua, 7.6 per cent; Laconia, 6.3 per cent, and Concord, 3.6 per cent.

Four cities report from Maine. Bath shows 9.2 per cent unemployment, Biddeford 60.5 per cent, and Rockland 33.6 per cent. The latter two figures seem unbelievable, but the mayors say they are correct. They naturally all record increased calls for assistance.

These large figures may be accounted for by shutdowns at this time, as the mayor of Biddeford closes his letter by saying that conditions were never so critical, while the mayor of Bath states:

> Our box factory, shirt factory, and pants factory are closed temporarily. The Hyde Windlass Co. is working three days a week, and 300 were recently laid off at the Bath Iron Works.

The reports from Virginia are limited. However, Petersburg, an industrial city, reports 9.5 per cent unemployment, with 200 per cent increase in appeals for assistance.

From West Virginia, Morgantown reports that the number of persons requiring aid are five to six times greater than a year ago, and the requests for relief are increasing very rapidly.

I particularly call attention to the reports from Rochester, N. Y., and Erie, Pa. The increase in city charity expenditures in Rochester has gone from $157,846 in 1928 to an estimate of $1,342,643 for 1931.

I want to state that I have not presented these letters or presented this situation to the Senate for the purpose of indicating any opposition to the pending measure. I have made no objections and do not intend making any objections to that measure, or to the measure that was passed yesterday. I do desire to call attention to the fact that I consider the proposals for relief made by the administration entirely inadequate. I hope the Senators who feel that way will get together at an opportune time, either during the recess or immediately following the recess, and present some constructive proposals to the Congress, to the end that the Federal Government may show its willingness to do its part in relieving the grave conditions which exist in the country at the present time.

I ask permission to have some of the letters I have received printed in the RECORD in connection with my remarks.

The PRESIDING OFFICER (Mr. FESS in the chair). Is there objection?

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

ROCHESTER, N. Y., *December 19, 1930.*

Hon. DAVID I. WALSH,
United States Senate, Washington, D. C.

DEAR SIR: In accordance with your questionnaire, I desire to submit the following information:

1. Approximately 14,000 unemployed in the city at present.
2. In 1928 there was an increase of 486 over 1927, in 1929 an increase of 1,472 over 1928; estimated increase in 1930 of 3,000.
3. In 1929 the city charity appropriation was increased $157,846 over 1928, in 1930 the increase was $592,398 over 1929; the estimated budget for 1931 is $1,342,643, and in all probability this will be exceeded unless conditions improve. This budget covers the following charities: Public welfare, Grand Army of the Republic relief, World War relief, indigent sick and unemployment relief work.
4. It is estimated there will be an increase of $300,000 during the winter months of 1931.
5. I believe it will.
6. The community chest, which furnishes relief to the Jewish, Catholic, and Protestant agencies as well as the various hospitals, increased their appropriation $61,692 in 1930 over 1929. For the year ending March 31, 1931, it has been increased $110,000.
7. Yes.
8. Almost every club and organization in the city has raised an emergency fund for relief for present needs. The city administration is spending $250,000 for extra labor on city work during the winter months to relieve the unemployment situation.

Respectfully,

ISAAC ADLER, *Vice Mayor.*

ERIE, PA., *December 19, 1930.*

Hon. DAVID I. WALSH,
United States Senator, Washington, D. C.

MY DEAR SENATOR: I am answering yours of the 13th instant as briefly as possible, and assure you that if the United States Government is in a position to help financially in this great crisis that confronts the country it would be a godsend to the people.

1. Approximately 5,000 are now unemployed. However, a large number, probably 4,500, are only working two or three days a week, or in some shops every other week.

2. The city of Erie does not administer relief; except that it was necessary in September to appropriate $10,000 to supplement the work of the Family Service Society, which organization is regularly financed by the community chest. This was done because their funds were exhausted.

3. Answered in No. 2.

4. We can only estimate that it will be at least 300 per cent greater.

5. Yes; very much.

6. Erie's relief is administered by two agencies.

The directors of the poor receive their money from the taxes raised by the county of Erie.

The Family Service Society also administer relief and service, and they receive their funds from the community chest, except as they may be assisted, as was done by the city of Erie, as explained and answered in No. 2.

These two agencies clear all their cases through a central exchange to prevent duplication.

The figures complete for the months of October and November show that the relief given this year was 275 per cent greater than that given in either 1929 or 1928.

7. Considerable additional funds are already being required and the increasing demand is bound to continue, so that it will be absolutely out of the question for the community chest to finance the Family Service Society for the extra amount required.

The directors of the poor are expecting some increase to be granted by the county of Erie, but this also will be insufficient to meet the requirements.

It seems as though the Federal Government might very well appropriate a sum of money to be used in caring for the greatly increased relief requirements, which are caused by the present depression.

8. In addition to the increase of 275 per cent noted in answer to No. 6, a number of other organizations, also churches, are at the present time caring for a great many destitute families.

It does not seem possible that this condition will change for at least 90 days; and the number requiring help so far has been greatly reduced because of the "warmer than usual" weather. It is very certain that when colder weather comes, after January 1, there will be a great increase in the number of needy families until such a time as employment is found for the workers.

Sincerely yours,

JOSEPH C. WILLIAMS, *Mayor*.

MANCHESTER, N. H., *December 19, 1930*.

Hon. DAVID I. WALSH,
Committee on Finance,
United States Senate, Washington, D. C.

DEAR SENATOR: Favorable to your request of the 13th, we are pleased to inform you as follows:

Question No. 1: 1,945 have been registered as unemployed to date.

Question No. 2: 15¾ per cent over last year.

Question No. 3: We have begun city projects to the extent of more than $200,000 that otherwise would have been done next year or later.

Question No. 4: Approximately 25 per cent.

Question No. 5: It certainly would.

Question No. 6: All the welfare and charitable organizations are functioning 100 per cent. The city has started a relief fund of $10,000, which is being raised by solicitation by firemen. This money to be spent for fuel for those in need after proper investigation.

Question No. 7: Would refer you to a vote passed by the board of mayor and aldermen December 13.

Question No. 8: Several large manufacturers have organized relief committees. The police department is giving $1 a week per man. Fine spirit of cooperation being shown by all our citizens so that no one will suffer.

Being an industrial city, we are not looking for any material increase in employment before spring unless new work can be started now.

Very truly yours,

ARTHUR E. MOREAU, *Mayor*.

MANCHESTER, N. H., *December 18, 1930*.

To whom it may concern:

This is to certify that at a meeting of the board of mayor and aldermen held Tuesday evening, December 16, 1930, the question from the Committee on Finance of the United States Senate relative to the Federal Government sharing with the municipalities and State governments at least 50 per cent over the normal expenditures of financial relief was placed before the board.

A motion was unanimously adopted: "That it is the sense of this board of mayor and aldermen of Manchester, N. H., that the sharing of a proposed appropriation by the Federal Government for at least 50 per cent over the normal expenditures of financial relief with the municipalities and State governments meet with the approval of this board, and it will give hearty support to any action taken by the Committee on Finance toward the passage of any measure for this purpose."

Attest:

[SEAL.] WILLIAM E. GILMORE, Jr., *City Clerk*.

CITY OF TAUNTON, MASS.,
December 18, 1930.

Senator DAVID I. WALSH,
United States Senate, Washington, D. C.

DEAR SENATOR: I am sending you the information on the various questions concerning the unemployment situation.

Answer to No. 1. There are about 1,100 unemployed in the city at the present time.

Answer to Nos. 2 and 3. 1927–28: Aid to families amounted to $71,929.70. Number of families aided, 340. Number of persons not available, but an average of 6 children is a fair average, making 8 persons to a family. (340×8=2,720 persons.)

1928–29: Aid to families amounted to $74,857.38. Number of families aided, 358. (358×8=2,864 persons.)

1929–30: Aid to families amounted to $99,192.87. Number of families aided, 520. (520×8=4,160 persons.) Number of families having aid December, 1930, 402. (402×8=3,216.)

Answer to No. 4. It is probable that this number—402 families—will be increased by one-half, at least, by the middle of February, making number of families being aided 600.

Answer to No. 6. There are no definite figures for this question. There is a quickening of the public interest and sympathy, and though there is extra help given by the police officers and the firemen and many persons are giving individually, we do not have the well-organized private charities, such as the family-welfare societies, that other cities have.

Answer to No. 7. A Federal appropriation might conceivably be a good thing. It would depend on how it was raised and administered.

Answer to No. 8. The situation in this community is probably comparatively better than in most New England communities, due to the fact that there is a considerable diversity of industry, and most of the manufacturing plants are working at least on a part-time basis.

While the situation is not satisfactory and has been recently made somewhat worse, due to the removal of the division headquarters of the New York, New Haven & Hartford Railroad, and while some of the textile plants are not operating, still conditions could be much worse.

Yours very truly,

WILLIS K. HODGMAN, Jr., *Mayor*.

FALL RIVER, MASS., *December 17, 1930*.

Hon. DAVID I. WALSH,
United States Senate, Washington, D. C.

MY DEAR SENATOR: Replying to your inquiry of the 13th instant, which I am very glad to do, will say:

1. The number of unemployed in Fall River at the present time is estimated at 13,500, which is, I think, about right.

2. Our public welfare department is aiding about twice the number of families as in 1929 and 1928.

3. Relief appropriation for 1930 is increased by 50 per cent over that of 1929 and 1928. The figures are:

1928	$423,184
1929	413,182
1930	615,000

4. The increase for the coming winter months it is impossible to estimate. Each week shows a steady increase. Receiving city aid now, exclusive of our city home inmates, are 2,459 families.

5. Assistance of Federal Government would lessen the burden on local taxpayers.

6. Our private agencies are all reported swamped with appeals and short of funds.

7. I am certainly in favor of a Federal appropriation that would lighten the heavy burden thrust on city and State.

8. Labor unions, endeavoring to persuade our mills to employ three shifts instead of two, report that employers admit the low wages and prohibit such move, as work, if split up, would not provide a living wage.

Our department for the relief of soldiers and sailors, in addition to above, reports that $38,000 was expended last year, while 1930 expenditures for aid will amount to over $80,000. More than twice as many cases are being helped this year than in 1929.

With kindest personal regards and best wishes for your success, I am,

Sincerely yours,

EDMOND P. TALBOT, *Mayor*.

PITTSFIELD, MASS., *December 15, 1930*.

Hon. DAVID I. WALSH,
United States Senate, Washington, D. C.

DEAR SENATOR WALSH: Replying to your inquiry of 13th instant:

1. About 3 per cent of our population of 50,000 is unemployed (1,500).

2. Our normal aid is about 80 families. In 1929 it was about 100 families. In 1930 it is about 280 families.

3. Expended in 1927 for outside poor, $38,000; expended in 1928 for outside poor, $50,000; expended in 1929 for outside poor, $53,000; estimate for 1930 for outside poor, $83,200.

4. Seven to 10 per cent increase.

5. Yes.

6. Associated Charities, Salvation Army, St. Vincent de Paul, and a few small agencies expended in 1930 about $33,000.

7. Yes.

8. The city has appropriated all the money legally allowed, which is short of the solution.

Yours very truly,

J. P. BARNES, *Mayor*.

BOARD OF SELECTMEN,
Clinton, Mass., December 17, 1930.

United States Senator DAVID I. WALSH,
Washington, D. C.

DEAR SENATOR: In answer to your request for information with reference to the unemployed and relief aid, I beg to submit the following answers:

1. There are approximately 2,500 unemployed in Clinton.
2. At the present time there are 250 families, consisting of 900 people, being aided by the town. In 1929, 90 families of 350 people; in 1928, 60 families, 275 people.
3. During 1930 the total amount appropriated for the poor department has been $62,000; in 1929 it was $39,295.56; in 1928, $32,280. (In 1930, in addition, $50,000 was appropriated to construct a road, with the expectation that the same would relieve some of the unemployment.)
4. I estimate that there will be an increase of 25 per cent of requests for aid during the winter months.
5. The assistance of the Federal Government would help considerably.
6. Fraternal organizations are distributing baskets of food for a Christmas dinner. This year they have a list of 200 names to receive them. In 1929, 85.
8. The closing of the Lancaster Mills, that once employed 2,500 people, is the chief cause of the suffering.

Very truly yours,

JOHN J. MITCHELL,
Chairman of Selectmen.

ADAMS, MASS., *December 16, 1930.*

Senator DAVID I. WALSH,
Washington, D. C.

DEAR SIR: In answer to your letter of the 13th instant, I am sending the following facts:

1. The population of Adams is slightly in excess of 12,600. Our street superintendent estimates the number of unemployed at 500; he bases his figures on the number of men who have applied for work on the new sewer that this town has started work on this winter.
2. The number receiving assistance on December 31, 1928, was approximately 58 families; the same date in 1929, was approximately 50 families; and the number of families we are assisting to date are 108 families.
3. Our expenditures for the year 1928 was $23,976.71; for 1929 (the number was not quite as large, but the assistance lasted much longer for each case), $38,149.73. For 1930 our appropriations for relief totaled $51,000. To date we have spent $47,299.38, and I doubt if our appropriation of $51,000 will carry us through to the end of the year, as we have many outstanding bills that have not yet been presented for payment.
4. We are aiding from two to three new cases each week.
5. It certainly will.
6. None by private agencies in this town, as we have not any giving relief except the Elks, who give Christmas baskets, and the Women's Club, who have a Christmas tree for the children.
7. Yes.
8. Adams is a manufacturing town; the mills average two weeks' work in four and the wages are very small; some plants work but two days a week and others are closed completely.

Very truly yours,

ALFRED F. BAILOT,
Agent Department of Public Welfare.

ATTLEBORO, MASS., *December 16, 1930.*

Senator DAVID I. WALSH,
United States Senate, Washington, D. C.

DEAR SIR: Responsive to your letter of December 13, 1930:

The number of unemployed has been estimated at 100.

Last year the increase was 25 per cent. This year it is 100 per cent.

Total appropriations increased 48 per cent over last year. For 1929 they were about the same as for 1928.

The increase for the winter months has been estimated at 35 per cent.

It would lessen the burden on local taxpayers.

No increase by private agencies this year has been noted.

Very truly yours,

FRED E. BRIGGS, *Mayor.*

CHICOPEE, MASS., *December 16, 1930.*

Senator DAVID I. WALSH,
Washington, D. C.

DEAR SENATOR: Replying to your letter of the 13th instant relative to relief being extended by the municipalities because of the widespread unemployment and general economic depression, would say that approximately 2,000 people are unemployed in our city, according to registration taken a few weeks ago at the city hall. During 1930, 700 families received aid and in 1928, 443 families, an increase of 257 over that of two years ago.

Approximately 25 per cent increase is estimated in the number requiring relief during the winter months. The municipal employees are contributing $1,000 per month toward relieving the unemployed, and an employment office has been established in the city hall, whereby the unemployed are being taken care of with a 3-day schedule working on public improvements, such as sewer work.

I do favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated.

The city of Chicopee has appropriated the sum of $136,000 for sewer work to help to relieve the burden of unemployment and has also appropriated for a water filtration system the sum of $225,000. This will also employ more than 100 men at the time. Trusting this is the desired information and greatly oblige, I am,

Very respectfully yours,

HENRY CLOUTIER, *Mayor.*

FITCHBURG, MASS., *December 17, 1930.*

Hon. DAVID I. WALSH,
United States Senate, Washington, D. C.

DEAR SENATOR: In reply to the series of questions relating to the unemployment situation, following is the answer:

1. People unemployed, about 700.
2. Increase over the number last year, about 50 per cent.
3. To date no increase, as partial and temporary employment was substituted to compensate for the increased number of unemployed.
4. Increase in the number requiring relief during the winter months, about 20 per cent.
5. I believe it would.
6. The community chest, representing the combined agencies, has expended $36,700.64 to date.
7. I am totally opposed to anything that savors of the dole system, but I am in favor of Federal aid in so far as it will furnish employment rather than public charity.
8. I am pleased to state that while the situation in Fitchburg in so far as unemployment is concerned is quite the worst it has been for years, still, in comparison with other communties in this Commonwealth, it is much better than the average community of this size. No supplementary appropriations have been necessary in our public welfare department, the activities of which in securing temporary employment for a large number of people having made this possible. Increased programs of public works and a generous response by the citizens of the community have made it possible to minimize the unemployment situation so that the general conditions, while not good, are not oversevere.

Trusting this answers your questions satisfactorily, I remain,

Sincerely yours,

JOSEPH N. CARRIÈRE, *Mayor.*

LAWRENCE, MASS., *December 15, 1930.*

Hon. DAVID I. WALSH,
United States Senate, Washington, D. C.

MY DEAR SENATOR: In reply to your letter of December 13, 1930.

A recent enrollment of unemployed held December 6, 1930, in Lawrence there were 472 females and 1,690 males recorded. I think myself there are more people out of work, but as they, same as myself, see no prospect of "jobs" or work in immediate future, they do not want to put their condition on record. They know better than anyone else in our city that most of the jobs in our textile mills that they have lost are gone forever on account of improved machinery and speeding up.

We are aiding 543 families at the present time, exclusive of aid to mothers with dependent children (mothers' aid) and hospital and institution cases. For comparison the records of welfare department show greatest number of families aided at any time; 1926 was 195, 1927 was 217, 1928 was 345, 1929 was 357, and it is safe to say this department will be called upon to aid many more families during the next few months.

During 1928, 710 families were aided.
During 1929, 632 families were aided.
During 1930 (to date), 1,020 families have been aided.
During 1928, expenditures were $225,449.43.
During 1929, expenditures were $201,813.88.
During 1930, expenditures will be $270,000.
Unemployment will add 25 per cent to the present number of families being aided.

Assistance of Federal Government or work from any other source will help wonderfully. People want work. There are men and women coming into my office looking for work who were never obliged to do it before. They had a little money in the bank; it is gone, they are exhausted, all spent up, no work, no honest prospect of work; no rich people in our city to help much. Private relief is burdened more than ever before. It (want), they tell me, has reached an inner circle now that never applied before.

My fear is that not only a "present emergency" exists but there is no light breaking through. We have lost great mills employing 1,600 or more people. You can not sell a $1,000,000 mill property for $100,000. I attended the 3-day conference of New England council; all fine, earnest men, but no answer.

Our city last year spent $400,000 on streets to help the unemployment situation. We can not keep this up for many years. The fellow who owns a small property, with no job, does not want an increase in his tax. He can not pay what he owes now. Our city and our people have courage and are good people. We hope for improvement—but when? We have had some new industries, but the wages could be better. We want and need help in every way. There are neighboring cities worse off than we are; they have our sympathy, but we are not helped by their misfortune. Involuntary unemployment is a most dangerous situation in the richest country in the world. Glad to give further information.

Yours very truly,

MICHAEL A. LANDERS, *Mayor.*

LOWELL, MASS., *December 16, 1930.*

Hon. DAVID I. WALSH,
United States Senate Committee on Finance,
Washington, D. C.

DEAR SIR: This is to acknowledge receipt of your communication of the 13th instant, which I have already turned over to the head of our charity department, Mr. John Salmon, with the request that he give same his immediate attention.

Very truly yours,

THOMAS H. BRADEN, *Mayor.*

MARLBORO, MASS., *December 18, 1930.*

Hon. DAVID I. WALSH,
United States Senate, Washington, D. C.

HONORABLE SIR: In answer to your inquiry of the 13th instant, please be advised as follows:

1. There have been 308 males and 49 females who have registered with our unemployment committee to date. One hundred and forty-nine males have been given temporary work by this committee.

2. In 1928 welfare department provided for 884.
In 1929 welfare department provided for 900.
In 1930 welfare department provided for 1,493, approximately.

3. Expenses and receipts of the public welfare department for—

	Expenses	Receipts	Net cost
1928	$49,714.57	$6,402.83	$43,311.74
1929	56,464.60	6,915.29	49,549.31
1930 [1]	76,668.66	10,656.09	66,012.57

[1] Approximately

Soldiers' benefits:

	State aid	Military aid	Soldiers' relief
1928	$1,128.60	$1,207.60	$9,616.47
1929	1,291.00	1,055.50	8,677.20
1930 [1]	1,250.00	1,000.00	11,744.58

[1] Approximately

4. About a 5 per cent increase.

5. Yes.

6. There are no figures available of private relief agencies, but each parish in our community has organized for relief in their respective parishes, besides Red Cross, White Cross Guild, Salvation Army, and our own municipal departments and others that exist of which there are no records. Most of these come under Associated Charities.

7. I do favor having the Federal Government appropriate a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated.

8. The main industry in this city is boots and shoes. The female operators do not register. The factories here are opening their factories, and their operators are being called in, but it will be some time before they will be going full capacity. This relieves somewhat, but it is not certain if same will continue for any length of time. The unemployment committee is staggering employment on projects in the highway, water, and forestry departments, and in this way some relief is given to those who are unfortunate to be out of employment.

Trusting the above is the information which you desire, I remain,

Respectfully yours,

AMEDEE A. MARTEL, *Mayor.*

NEWTON, MASS., *December 17, 1930.*

Hon. DAVID I. WALSH,
United States Senate, Washington, D. C.

DEAR SIR: In response to your circular letter of the 13th, I beg to advise you as follows:

1. Number of unemployed in Newton, approximately 1,150.
2. Total aid in 1929, 918; in 1930, 1,663.
3. About 35 per cent.
4. Estimated increase, 75 per cent.
5. I do not believe that Newton will require the assistance of the Federal Government in this emergency. It seems to me a problem to be taken care of locally.
6. All of the relief given through the mayor's relief committee is dispensed by the Newton Welfare Bureau at the request of the committee. Relief estimated as increased about 40 per cent.
7. See question No. 5. I do not favor this project.
8. The situation in our community is much worse than would normally be expected at this time of year, but we believe that we are making progress in providing employment and in helping to eliminate distress.

Very truly yours,

SINCLAIR WEEKS, *Mayor.*

PLYMOUTH, MASS., *December 17, 1930.*

Hon. DAVID I. WALSH,
Washington, D. C.

DEAR SIR: Replying to your letter of the 13th instant anent the economic situation in this town, I am answering your questions as follows, to the best of my knowledge:

1. The best estimates made from the applications for work, and including others who we know are idle, about 400.

2. The amount of aid given by our welfare department has increased from $33,200 in 1929 to $47,000 in 1930.

3. It has been necessary to make a special appropriation in addition to this of $15,000 to furnish work for those who applied. This is of an extraordinary character and is dispensed: Single man, 2 days; man and wife, 3 days; man, wife, and child or children, 4 days per week at the regular rate of $4 per day. This has furnished a bare subsistence and has kept about 200 men from the welfare department. It is planned to continue this method until our March town meeting, when the matter will be further investigated.

4. Hard to estimate, but without doubt a considerable increase.

5. It would seem advisable for Federal assistance, as the taxpayers, many of them, are being gradually impoverished by the situation, many of them out of work themselves, others owning a house or so for which they can get no rent, and those who are at work have their hours of labor reduced and their pay correspondingly lessened.

6. The many relief organizations and lodges are doing all that they can in the way of giving fuel, clothing, etc., to the most needy cases.

7. I can conceive of no better way than for the Federal Government to appropriate a sum of money for distribution on a prorate basis to such towns and cities as are doing what proves after a proper investigation to be all they could be reasonably expected to do, having consideration for the local conditions.

There are many small communities, particularly on the Cape, where the stringency is not so acute. Here in Plymouth we are confronted by a loss of several of our manufacturing plants that have been obliged to close down permanently, while others are running on very short time owing to the condition of general business, particularly the textile mills. Mill workers when thrown out of work are not versatile and find difficulty in adapting themselves to other employment. We have about 200 of this class. And, of course, their idleness affects others. Anything that you and your colleagues in Congress can do to help the towns and cities will certainly be like water in the desert, as we all have a problem on our hands, with no solution in sight.

Yours very truly,

WILLIAM T. ELDRIDGE,
Chairman of Selectmen.

QUINCY, MASS., *December 17, 1930.*

Hon. DAVID I. WALSH,
United States Senate, Washington, D. C.

MY DEAR SENATOR WALSH: In answer to your interrogatories, may I make the following replies:

1. Our registration of unemployed totals between seven and eight hundred men at the present time.

2. The increase in relief measures is not material in Quincy over last year. We, of course, increased our budget and perhaps more people are being helped, but the average is not much above that of other years. With the coming of winter we anticipate greater demands than we have experienced so far, and this situation may greatly alter our program of relief. Quincy must not be taken as a real test of conditions, since we have had considerable employment here furnished by the city and a little by the shipyard, both operating to reduce the number of unemployed and consequently the demands of our welfare department. I am pessimistic, however, concerning the winter because I see considerable distress arising through the fact that work was not constant in the skilled trades during the summer season.

3. The city increased its appropriation by a relatively small sum, but not sufficient in amount to warrant any uneasiness over the situation. As stated above, the winter may bring decidedly changed conditions and then it may be that we will be compelled to render greater aid than we have had to at any time in recent years.

4. It is absolutely impossible for us to gage the increase in those requiring relief during the winter months. The full facts will not be gleaned until the cold strikes this section and at that time we do anticipate, as stated in the other answers, greater demands upon the city. The unfortunate part of it has been that the skilled men have been the hardest hit by the depression in this city since many of them have had only spasmodic employment for over a year. Unskilled labor has fared very well because of the city's activities in many lines, and this will mean that the relief this year will be given to a class which heretofore has never asked for assistance.

5. It is quite beyond me to answer this question. I am rather afraid that relief from Federal sources would be so involved in technique that the recipients would not receive much in the way of Government bounty. Frankly the inquiry is too complicated for me to give an intelligent answer save to say that I am quite convinced that Federal aid could only be effective if it came in a lump sum to each community in the proportion of the number of needy requiring assistance. If this plan is carried on, this will make the law rather cumbersome and I feel would hardly meet the exigency of the situation.

6. Of course, private relief has always been dispensed with in Quincy through channels of which we know but little. The only organized private relief agencies are the St. Vincent De Paul Society, the Salvation Army, and the Family Welfare Society. In addition to these it must be stated that many church societies have been doing and still are doing a wonderful work in taking care of needy families, although they are doing it so quietly that

no public mention of it is ever made. It is, therefore, impossible to estimate the amount of such or the scope which it covers.

7. In answer to this question may I refer to my answer to No. 5? If these disbursements are in lump sums based on need or on population, then I think the local bodies might possibly use the contributions to good advantage. As I stated in other answers, other municipalities are feeling the weight of the depression much more than Quincy, and consequently their plight is far more acute. This does not mean that we have no problem here. We have had this problem for years, but it is a remarkable situation that up to the present moment there has been no particular increase in the demands or the outlay for relief.

8. May I summarize and state that the situation in Quincy is typical of the situation in every large city and town of any size in the Nation. One statement which I might add is that Quincy had been suffering from the depression for three years prior to 1929, and the crash that came at that time did not visibly affect the situation as far as our city was concerned. From 1927 up to the crash of 1929 our principal industry was practically flat, but there was a very large increase in building-trade activity, and with the city's outlay for many enterprises the general average of employment was kept up to normal. With the climax of the depression in October, 1929, all who had been employed in the building trades were suddenly thrown out of work. The present year has been extremely poor in the employment which was offered to skilled building-trades men, and this unemployment has accentuated the general bad condition of the city. I feel that the only thing that has saved us has been the fact that the shipyard has been doing a little more work and that the city has redoubled its efforts to furnish work for unemployed men. These two facts have greatly helped the situation and have probably greatly lessened the hardship that might result if all efforts were suspended with the crash of last year.

Very truly yours,

THOMAS J. McGRATH, *Mayor*

WALTHAM, MASS., *December 17, 1930.*

Hon. DAVID I. WALSH,
United States Senate, Washington, D. C.

MY DEAR SENATOR WALSH: In reply to your letter of December 13, I give you below the following data:

1. Approximately 1,800 are unemployed in this city.

2. The amount of aid given this year is increased about 65 per cent over last year. Included in this estimate are the persons given temporary emergency employment since January, 1930.

3. A substantial amount (approximately $100,000) was appropriated this year for the sole purpose of relieving unemployment. There was about a 65 per cent increase to the account of "relief of poor" for poor relief. We have no other similar condition or year with which to compare this figure.

4. A further increase of 10 per cent over present figures is estimated to take care of balance of year.

5. Yes. The assistance of the Federal Government will help to extend relief to the needy and lessen the taxpayers' burden.

6. Clothing and food have been donated to private relief agencies, about 60 per cent more than previous years.

7. There are many reasons why the Federal authorities should aid. One important reason is that the Federal authorities have been indifferent to the gambling orgy allowed to go along without interruption in our stock market.

8. Our Boston Manufacturing Co., where Governor Banks was a bobbin boy in his youth and where in prosperous times from ten to fifteen hundred hands were employed, is now in the hands of receivers and the machinery entirely stopped. Our Waltham Bleachery & Dye Works has not paid its taxes for three years.

The Judson L. Thompson Manufacturing Co., makers of buckles and rivets, is running on half-time schedule.

The Waltham Watch Co. had a regular force of 2,800 last June. Now, during the Christmas season when it should be rushing and working overtime only about 200 hands are employed, some of them on part time

Further in reply to question 5, a Federal post office for which an appropriation was secured by Congressman Mitchell about 16 years ago should be built now.

We have resorted to a certain form of contract which may or may not be an evasion of civil-service rules, and we are having some work done under those forms of contract, giving work to men with families who are not on the civil-service list. We have done this in our cemetery, forestry, street, water, and sewer departments. I am attaching copy of the contract we have used.

Trusting this information will be of assistance, I remain,

Sincerely yours,

PATRICK J. DUANE.

AGREEMENT

Agreement entered into this 19th day of November, 1930, by and between the city of Waltham, Mass., hereinafter called city, and William J. Donlan, hereinafter called contractor.

Whereas President Hoover, Governor Allen, of Massachusetts, the unemployment committee of Waltham, and others, are advocating and encouraging unusual methods and efforts to relieve the present widespread distress because of the long-continued unemployment:

It is hereby agreed by and between said city and said contractor that certain sums available for water-main construction be used as ordered by the director of public works, with the approval of the mayor, under the conditions and for the reasons hereinafter set forth:

(1) That citizens of Waltham who are at present and for at least two weeks last past have been unemployed, and who have families with children, or others with dependents relying upon them for support (the number of children or dependents to be taken into consideration), shall be given preference.

(2) That the wages for such employment will be as follows: For laborers, $4 per day; for timekeeper and foreman, $6 per day; for transportation allowance to contractor, $3 per day.

(3) That said labor may not be continuous but that the laborers may be divided into groups alternating weekly, or in such other manner as may be agreed upon by the contracting parties.

(4) That applicants for work must apply at and selection of same shall be made after consulting with Rev. Descom D. Hoagland, chairman of the unemployment committee, at the Waltham Chamber of Commerce, at 613 Main Street, Waltham, Mass., and Frederick L. MacDonald, M. D., director of public welfare.

(5) That the contractor is to receive for his services the sum of 10 per cent of the labor cost. Said 10 per cent is to include the cost of insuring laborers under the so-called workmen's compensation act, chapter 152 of the general laws, and other acts and amendments made and in addition thereto.

(6) That the necessary tools and equipment shall be furnished by the city.

CITY OF WALTHAM,
By PATRICK J. DUANE, *Mayor.*
WILLIAM J. DONLAN, *Contractor.*

WESTFIELD, MASS., *December 15, 1930.*

Hon. DAVID I. WALSH,
United States Senate, Washington, D. C.

DEAR SENATOR WALSH: I am acknowledging receipt of your circular letter of December 13, 1930, this being an inquiry in reference to the unemployment situation, welfare relief, etc., in this city. Thank you for same.

Kindly notice that in reply to—

1. Approximately how many people are unemployed in your community? There are approximately 800 adults unemployed.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago? Seventy per cent above the previous year.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago? Actually 60 per cent above the previous year.

4. What do you estimate will be the increase in the number requiring relief during the winter months? One hundred per cent. Very moderate.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers? Yes; undoubtedly, especially the elderly citizens whose income has stopped and who have no source of income, only real-estate investments on which it is very difficult to collect rents. This would also apply to many of the unemployed who have equity on their property but who are really worse off because of that, having at present no source of income to provide for their loans.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago? As to the relief extended by private relief agencies this is very doubtful. Nearly all fraternal orders are doing something in that respect simply by way of Christmas charity funds for the distribution of supplies.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated? Kindly notice this would be generally favored, I believe, by our citizens. I understand that the Government has no special means for this purpose, not being in business to that end, but assuming that there is a very large surplus which has been occasioned by excessive taxation, it seems very fair to me that some part of that should be used to relieve municipalities of the terrible burden now laying upon them. Any Federal relief should be made available at the earliest possible moment.

With reference to the general situation in Westfield I regret to advise that conditions are very unfavorable and growing worse steadily. I look with much concern upon the immediate outlook as this promises to be a winter of great discouragement and hardship to the large number of unemployed.

Kindly notice I have given you this statement briefly, but I assure you that it is approximately correct, and I trust that this will be useful to you.

Thanking you again and with sincere personal regards, I remain,

Sincerely yours,

LOUIS L. KEEFE, *Mayor.*

MIDDLETOWN, CONN., *December 15, 1930.*

DAVID I. WALSH,
United States Senate, Washington, D. C.

DEAR SIR: Answering your letter of December 13, I would answer the questions tabulated as follows:

1. About 2,000 less employed in local industrial plants than two years ago.

2. More than three times.

3. Fiscal year appropriation exhausted and six months more to provide for.

4. No doubt a considerable increase.

5. Any outside assistance will be a relief to our taxpayers.

6. A committee of citizens for the relief of unemployed are providing employment to some 175. No relief of this kind before.
7. Question.
8. Right now the industrial situation is steadying just a bit. Two factories are working double shifts; one, a shift and a half. Along mercantile lines trading is brisk; the volume in some lines is as great this year as last, although the percentage of credit is higher. Other factories all running half time.

Trusting this information will be of benefit to you, I am,

Yours truly,

FREDERICK J. BIELEFIELD, *Mayor*.

BRISTOL, CONN., *December 15, 1930*.

Senator DAVID I. WALSH,
Washington, D. C.

DEAR SIR: Replying to your inquiry of December 13 relative to my attitude on the Federal Government sharing with municipalities and State government at least 50 per cent of over normal expenditure of increased cost of relief, I shall try to answer your questions in the order asked.

1. There are approximately 500 people unemployed in the city of Bristol and of this number about 150 are in extreme need.
2. The number of persons whom the city government is called upon to aid has increased about 150 over two years ago.
3. During the fiscal year 1929–30 the city of Bristol spent approximately $47,000 additional to relieve unemployment, and the fiscal year 1930–31 it is estimated will call for an expenditure of approximately $75,000 additional.
4. We have made arrangements and are now caring for about 120 people through giving them work rather than through charity, and anticipate that we will have to take care of approximately 150 during the winter months.
5. The assistance of the Federal Government will be very greatly appreciated by the city of Bristol as we have a real problem in trying to make a reasonable tax rate during the present unemployment.
6. Private agencies are extending about 50 per cent more relief than they did last year and the year before. I am unable to give you a definite figure on the amount being spent by these agencies.
7. I very definitely favor an appropriation of a sum of money by the Federal Government to share with the city and State governments the increased relief burden.
8. In the city of Bristol various private agencies are working in conjunction with the city to provide employment where possible and to relieve the needy where it is impossible to give them employment. We have had a combined committee representing each agency working in cooperation since October, 1929. We are working on, first, the principle that as little publicity should be given the work of these agencies as possible; secondly, that no one should make political capital of the unfortunates; and, thirdly, that the morale of the workman is much better if given work rather than charity. Working along this line, the city has provided the necessary work and is obtaining about 50 cents on the dollar of actual value from it. This work is in the form of widening roads and other public improvements which would not be undertaken were it not for the present unemployment situation.

Very truly yours,

W. R. CRUMB, *Mayor*.

NORWICH, CONN., *December 15, 1930*.

Hon. DAVID I. WALSH,
United States Senate, Washington, D. C.

MY DEAR SIR: Answering your letter of December 13:

There are approximately 500 unemployed persons in this city, and I should think that those requiring aid are at least twice the number as compared to last year, and probably three times as many as two years ago.

We have the dual form of government and all relief for the poor is handled by the town, and consequently I can not answer your question No. 3. I estimate some increase during the coming winter, without doubt three or four times as many as normal.

Any assistance will help extend relief to the needy and will lessen the burden to the taxpayers.

Although we happen to have an extremely well-endowed private charity which saves this city and town much expense for aid to the poor, local relief agencies are doing everything they can, and it is safe to say are doing twice as much as last year along this line and three or four times as much as they were called upon to do two years ago.

I do not think that our community needs any assistance from the Federal Government to meet local burdens, although I am not personally opposed to the idea. Conditions in Norwich are not extreme, as may be indicated by what I have said.

Thanking you very much for your letter, I remain,

Very truly yours,

LEE R. ROBBINS, *Mayor*.

HARTFORD, CONN., *December 15, 1930*.

Hon. DAVID I. WALSH,
Senate Office Building, Washington, D. C.

DEAR SENATOR WALSH: Acknowledging your circular letter of December 13, please be advised:

1. About 6,500.
2. Ten times.
3. 1928–29, $49,618.48; 1929–30, $101,495.13; 1930–31, $250,000.
4. About 70 per week; now assisting approximately 1,000 families.
5. No.
6. One hundred and fifty thousand dollars; same figure past year; have reached approximate limit of resources.
7. Decidedly not. I believe that there is too much Federal-aid tendency. The New England Yankee has never asked quarter from the rest of the country. We had no Federal assistance to build our resources and we developed our character through fighting our own battles. Every emergency seems to be an excuse for some Senator or Representative to pamper localities by Government coddling. The quicker this Federal-aid idea is cut out the sooner people will develop the backbone to help themselves. This is, I believe, the general opinion of residents of the city of Hartford.
8. Conditions are not what we wish they were. We are not going to let anyone starve nor are we going to let them suffer any more than we can help from the cold. We are going to take care of ourselves and we are going to pay our own freight.

Very truly yours,

WALTER E. BATTERSON, *Mayor*.

NEW HAVEN, CONN., *December 15, 1930*.

Senator DAVID I. WALSH,
United States Senate, Washington, D. C.

MY DEAR SENATOR: In response to your letter of December 13, I would state that we have just held an enrollment of the unemployed and approximately 3,000 people registered. This registration was absolutely unrestricted and probably included many who were not particularly interested in the securing of a job.

In order to provide work the city has authorized a bond issue of $200,000 to be used on street development and in cooperation with the city. Yale University has advanced their development program to provide for the expenditure of $200,000 at once.

I can not definitely answer your question as to numbers, because the statistics are not available without considerable research. In a general way, the private agencies report a considerable increase over previous years. The 37 agencies in the city are grouped together in a community chest which recently had a drive and secured an increase of $60,000 over previous community-chest funds.

We have fairly diversified industries here in New Haven, and while all of them are suffering from the depression and practically all are working part time, I personally don't regard the situation as serious.

We should, of course, be very glad to have the Federal Government help us share this burden which I am afraid shows signs of growing greater as the winter progresses.

Very truly yours,

THOMAS A. TULLY, *Mayor*.

ANSONIA, CONN., *December 16, 1930*.

Hon. DAVID I. WALSH,
United States Senate, Washington, D. C.

DEAR SIR: Am returning questionnaire, and in response to question 8, would say:

Ansonia is an industrial community. Two largest concerns, American Brass Co. and Farrel-Birmingham Co., unusually slack for more than a year. Other shops, smaller, have done pretty well, but in every instance they are operating with reduced force and only part time.

City has, since last August, been engaged in helping by having storm-water and domestic sewers put in. This was made possible by $75,000 bond issue, which the January legislature is expected to approve.

Conditions made it necessary to increase appropriation for relief more than 100 per cent over two years ago.

Several fraternal and civic organizations, as well as many church societies, are lending aid to many people.

Favor Federal aid in the event that the same could be applied to public work in the several States and municipalities.

Very truly yours,

MICHAEL J. COOK, *Mayor*.

UNITED STATES SENATE,
COMMITTEE ON FINANCE,
Washington, D. C., December 13, 1930.

MICHAEL J. COOK,
Mayor.

DEAR SIR: Some of the members of the United States Senate feel very strongly that the economic conditions in the country require the Federal Government to share with the municipalities and State governments at least 50 per cent over normal expenditures of the increased costs of financial relief being extended by the municipalities because of the widespread unemployment and general economic depression.

Will you let the undersigned know at once:

1. Approximately how many people are unemployed in your community? One thousand two hundred entirely; 3,000 part time.
2. To what extent has the number of persons, whom the city government is called upon to aid, increased over the number last year and that of two years ago? Ten times as many.
3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago? More than 100 per cent.
4. What do you estimate will be the increase in the number requiring relief during the winter months? One hundred per cent.
5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local tapayers? Yes.

6. Briefly, state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago? Increase very great.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated? Yes; in providing work.

8. A brief statement of the general situation in your community.

Please furnish us with this information without delay.

Sincerely yours,

DAVID I. WALSH.

NEW LONDON, CONN., *December 16, 1930.*

Senator DAVID I. WALSH,
Committee on Finance, Washington, D. C.

DEAR SIR: Your letter of December 13, making inquiry as to conditions of employment in the city of New London, was referred to me by the council for reply.

From the best information available there are about 500 to 800 unemployed in this city of 28,000 at the present time.

The demands for aid through our charity department have substantially increased this year over last year and the year before. Our charity commissioner reports a hundred more applicants for relief at this time than in the corresponding month of last year, and an increase of 130 over the same month two years ago.

Our appropriation for our charity department, outside poor, has been increased this year $7,000 over the appropriation for 1929–30 and $17,000 over the amount appropriated for 1928–29.

It is estimated that there will be an increase of applications for relief during the winter. This is customary, and this year will probably be greater than in ordinary years. Possibly we may have an increase of 25 to 30 applicants during the months of January and February.

The question as to assistance from the Federal Government was not understood by council in that no definite information was given by you as to the form the relief would take. The city of New London expects to be able to take care of its own as it always has. The situation does not seem to be one that would require appeal to the Government for financial aid.

As to the relief extended by private agencies in this city:

Not a great deal of information is available, no figures being given to city officials. We believe that they have approximately $9,000 for use in their own channels, which I understand is an increase over what they have had for the last two years.

Question 7 has been generally answered above. If the Government should elect to erect a new post-office and Government building in this city, which is very much needed, and arrangement could be made whereby local labor would have an opportunity to share in the work, such action would be very much appreciated.

The situation, generally, in New London is about the same as that of most New England cities of similar population. All industries are working on a reduced schedule and mercantile business is quiet. The fact that New London is not largely industrial is shown by our smaller number of unemployed.

Very truly yours,

WM. A. HOLT, *City Manager.*

AUBURN, ME., *December 17, 1930.*

Hon. DAVID I. WALSH,
Committee on Finance, United States Senate,
Washington, D. C.

DEAR SIR: In reply to your circular dated December 13, regarding your first paragraph, I am not entirely in favor of the Federal Government share with municipalities 50 per cent over normal expenditures on account of the present crisis. I am afraid that any move along this line might result in a dole system being started, which we all recognize as an evil. The answer to your other questions are as follows:

1. There are probably a hundred heads of families with no means of support out of work. There are more who have property and savings or are not heads of families and can finance themselves for some time.

2. So far as our board of charities is concerned, we are running about the same as last year and two years ago; increase not over 5 per cent.

3. We will possibly spend $2,000 on work directly connected with unemployment, which will partly take care of heads of families out of work. These men are to be put at work cutting brush and other similar jobs. This is entirely aside from our regular routine, and it is possible that we may bond for public work in early January to provide for more funds.

4. We do not anticipate conditions much worse than they are now.

5. Personally, I do not feel that Federal money comes from any source different than municipal money. The taxpayer pays in either case. I think local government should function as much as possible.

6. There are many relief agencies, and steps have been taken to coordinate their efforts—have them function under the central committee sponsored by the Red Cross. There has been some increase in activity, but probably not over 5 per cent.

7. I do not favor Federal assistance other than through the usual channels on highway and public work, for reasons first mentioned.

8. Auburn is a shoe town, and our local manufacturers advise that there is a seasonal slackness, which will gradually be overcome as the new year approaches. If this is true, we should be able to get through the winter without serious difficulties.

Yours very truly,

LLOYD H. MCFADDEN,
Mayor of Auburn.

BATH, ME., *December 17, 1930.*

UNITED STATES SENATE,
Committee on Finance, Washington, D. C.
(Attention of Hon. DAVID I. WALSH.)

DEAR SIR: I am pleased to acknowledge your letter of the 13th instant regarding the unemployment situation, along with the general economic depression.

1. The approximate number of unemployed is 500.

2. The number of persons whom the city government is called upon to aid has increased 450 each year for the last two years.

3. Our city has increased its appropriation for the relief of unemployed $15,000 this last year.

4. The increase in number requiring relief during the winter months will be 200.

5. The assistance of the Federal Government will bring relief to the needy and lessen the burden of local taxpayers.

6. Very little relief is being extended by private relief agencies.

7. I do favor the Federal Government appropriating at once a sum of money that will share with the city and State governments, etc.

At this time our box factory, shirt factory, and pants factory are closed temporarily. The Hyde Windlass Co. is working three days a week, and 300 were recently laid off at the Bath Iron Works.

Yours very truly,

HAROLD P. SMALL, *Mayor.*

BANGOR, ME., *December 15, 1930.*

Hon. DAVID I. WALSH,
United States Senate, Washington, D. C.

DEAR SENATOR WALSH: Your letter of December 13 relation to the unemployment situation, etc., in this city, received. This city is not a manufacturing city and there are not very many more people here unemployed than is usually the case at this time of year. There has been some increase in the number of persons being assisted by the city over that of a year and two years ago, I should say that the increase by way of financial appropriations would be some $3,000 more than last year, and I think that the increase in number requiring relief during the winter months will be perhaps 5 per cent more than last year.

I do not see how the assistance of the Federal Government would lessen the burden on our taxpayers. I would favor Federal Government appropriations to be shared with city and State governments.

Yours very truly,

R. W. BLUEHAIL, *Mayor.*

BIDDEFORD, ME., *December 17, 1930.*

Hon. DAVID I. WALSH,

MY DEAR SENATOR: Your letter of inquiry relative to economic conditions in Biddeford, Me., I have before me. Offhand some of the queries are difficult to answer, since sufficient records are not available to me. However, the answers are given below from the best information to be had, viz:

1. About 4,000 more than normal.

2. Thirty-five per cent.

3. Our poor department will need $50,000. Last appropriation was $30,000.

4. We are now caring for 1,152. This number will be increased by two to four hundred most likely.

5. Depends on when available and how administered. Fear the aid would be so long delayed as not to be of much help in this emergency.

6. Public committee made up of representatives of churches, service clubs, civic societies, chamber of commerce, and welfare organizations are raising funds and giving aid to those who have always been able to maintain themselves. One local corporation will use $2,000 to assist operatives out of work and will help tide over the coming Christmas.

7. So long as the Federal Government is buying wheat to keep the price up for wheat holders and make the cost of bread higher for the unemployed, it seems to me a fair proposition that some Government moneys be diverted to help the needy and unemployed.

8. This city has about 18,000 inhabitants. Industries: Cotton mills, cotton machinery, shoe factories, and summer boarders. The latter are as profitable during the winter as most of the industries have been for three years. Conditions were never so critical.

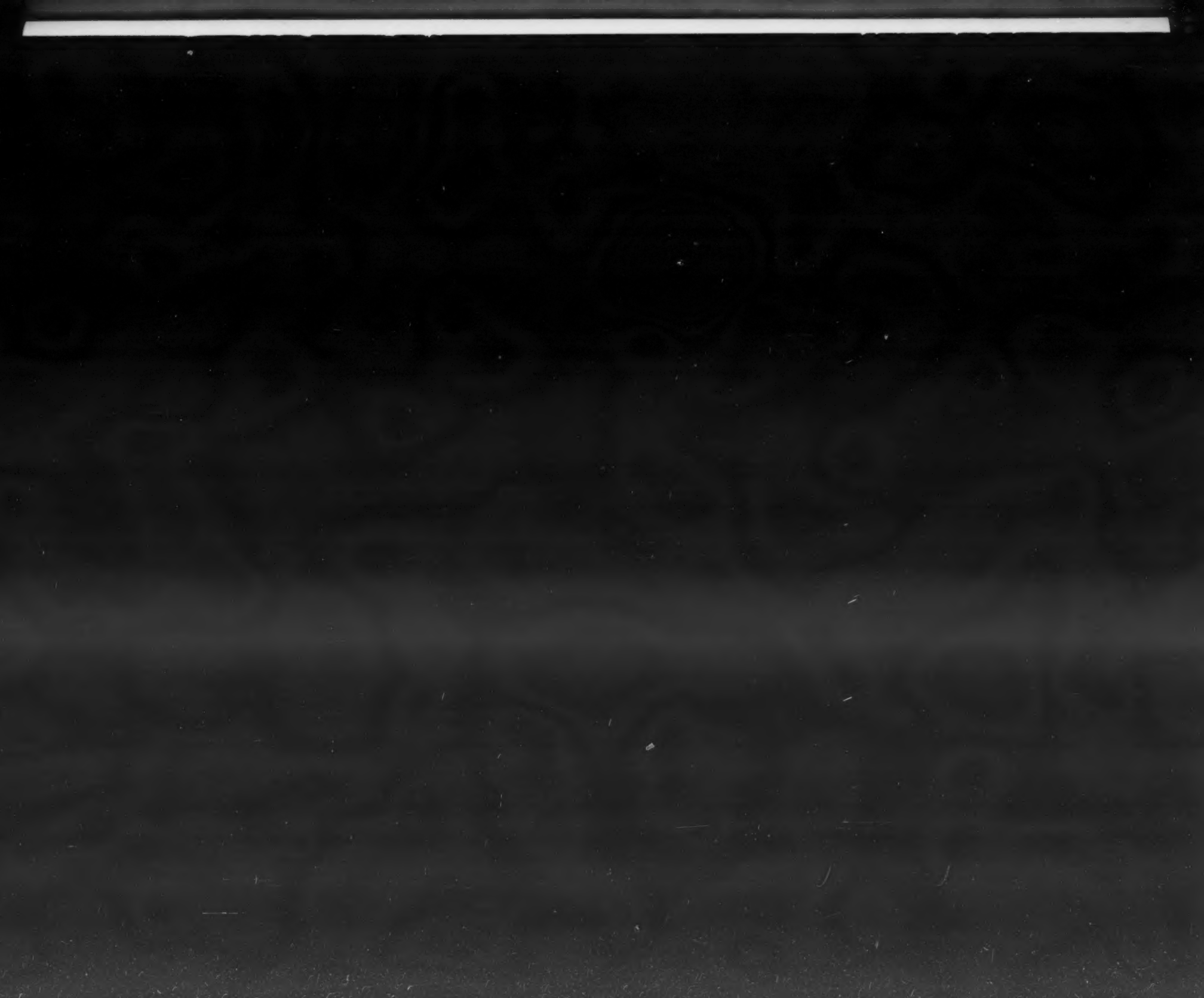
Respectfully yours,

CORNELIUS HORIGAN, *Mayor.*

ROCKLAND, ME., *December 15, 1930.*

Hon. DAVID I. WALSH,
Committee on Finance, United States Senate,
Washington, D. C.

DEAR SENATOR: Replying to your questionnaire, which you will find inclosed with answers to it, I am very heartily in favor of Federal Government help during this general economic depres-



sion and widespread unemployment which seems to be confronting our country at this time.

In question 6 of your questionnaire I presume this to mean the charitable institutions in our community and their increase as compared with last year and two years ago. In taking this matter up with the heads of the Salvation Army, American Legion, Red Cross, and Women's Club we have the information that they are doing about 50 per cent more than last year and perhaps 75 per cent more than two years ago.

Under the head of statement 8 in your questionnaire I will give you a brief outline of the general situation in our community. Our main industry here in Rockland is the burning and quarrying of lime. The plant practically shut down, laying off about 500 a few weeks ago. Near by us there is quite extensive granite quarries where mostly paving is cut. They are all closed down at the present time, giving us a very bad unemployment situation to cope with. When I speak of these two major industries, that is practically all of the industrial life of our city, the population of which is about 10,000, it puts us in a very acute situation.

I am sure that should there be relief forthcoming from our Government we could not measure the good and benefit that it would be to us.

Sincerely yours,

C. M. RICHARDSON, *Mayor.*

UNITED STATES SENATE,
COMMITTEE ON FINANCE,
Washington, D. C., December 13, 1930.

DEAR SIR: Some of the Members of the United States Senate feel very strongly that the economic conditions in the country require the Federal Government to share with the municipalities and State governments at least 50 per cent over normal expenditures of the increased costs of financial relief being expended by the municipalities because of the widespread unemployment and general economic depression.

Will you let the undersigned know at once:

1. Approximately how many people are unemployed in your community? One thousand.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago? Seventy-five per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago? Fifty per cent last year and 25 per cent two years ago.

4. What do you estimate will be the increase in the number requiring relief during the winter months? Seven hundred.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers? Yes.

6. State briefly what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago? See letter.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated? Yes.

8. A brief statement of the general situation in your community.

Please furnish us with this information without delay.

Sincerely yours,

DAVID I. WALSH.

LACONIA, N. H., *December 15, 1930.*

The Hon. DAVID I. WALSH,
United States Senate, Washington, D. C.

MY DEAR SENATOR: In reply to your letter of December 13 requesting information in reference to the employment situation in this city, I answer as follows:

1. Two hundred and fifty.
2. One hundred per cent.
3. Double.
4. Two hundred per cent.
5. Yes.
6. Twenty-five per cent.
7. Yes.
8. The manufacturing industry in this city consists chiefly of hosiery and hosiery machines. Business along these lines has been very poor for some time, with no prospects of increased business in sight.

Very truly yours,

CHARLES E. CARROLL, *Mayor.*

CONCORD, N. H., *December 15, 1930.*

DAVID I. WALSH,
United States Senator, Washington, D. C.

DEAR SIR: In reply to your letter and questionnaire dated December 13, I beg to answer the same as follows regarding the unemployment situation here in Concord, N. H.:

1. Approximately 300 people who have filed with the unemployed committee as out of employment here in Concord.

2. The increase in aid of persons by the city government during the years 1930 and 1929 has been about the same, and in connection with this I beg to advise that we expend here approximately $30,000 per year for the aid of persons.

3. There has been no increase in the amount appropriated for the poor for the last two years.

4. As to the estimated increase during the coming winter months, this is rather hard to answer definitely, but I feel that it will be only a slight increase in Concord, as this is not an industrial city.

5. Up to the present time the burden has not been excessive to the taxpayers.

6. I have no way of knowing the amount of money which is spent by private relief agencies here in the city, but I assume, of course, they are doing all that is required of them.

7. Probably it will be of great assistance to some cities to have aid from the Federal Government appropriation.

8. I believe that in answering the above questions I have given you a brief statement of the situation here in Concord.

We have here in Concord a local unemployment committee, consisting of representatives from the chamber of commerce, Rotary Club, Kiwanis Club, and the city government. This committee is functioning and has the list of some 300 persons, as I previously stated, who have registered as unemployed, tabulated, and at the present time we are starting an investigating system, whereby the case of each of these applicants will be investigated.

What most of these people want more than anything else is work, and any assistance that the Federal Government or any other local government can give to stimulate work for the people will be far better than the giving out of money.

Truly yours,

ARTHUR E. ROBY, *City Clerk.*

NASHUA, N. H., *December 16, 1930.*

Hon. DAVID I. WALSH,
United States Senator, Washington, D. C.

MY DEAR SENATOR: Yours of December 13 regarding unemployment relief received.

I am replying in the order of questions.

1. Eight hundred.
2. Seventy-five per cent.
3. Fifty per cent.
4. About the same as above; 75 per cent.
5. Yes.
6. All agencies are doing extra work for the relief. Their work, I believe, has increased in the same proportion as city and county aid.
7. As a general proposition, no; as the specific need, yes.
8. Our situation is comparable to the textile and industrial cities of New England.

Sincerely yours, WILLIAM F. SULLIVAN, *Mayor.*

P. S.—Greetings of the season.—W. F. S.

RUTLAND VT., *December 16, 1930.*

Hon. DAVID I. WALSH,
United States Senate, Committee on Finance,
Washington, D. C.

DEAR SENATOR: Replying to your circular letter of December 13, would reply to the questionnaire as follows:

1. Would estimate that we have 300 men unemployed and about 600 working 2, 3, and 4 days per week.

2. The city has been called on to help twice as many as two years ago.

3. The city appropriation December 31, our fiscal year, will be, I should judge, increased 50 per cent over two years ago.

4. I expect a large increase in the number asking for help as the winter proceeds.

5. I feel that there is plenty of wealth in each community, so that each should be able to take care of its unfortunates.

6. National and private relief associations are working to the utmost of their financial ability. The mayor is at the present time endeavoring to raise a sum sufficient to help such associations to carry their work on during the winter.

7. I feel that there is plenty of wealth in each community, so that each should be able to take care of its unfortunates.

8. The situation in our community is hard owing to many of our factories running only 2, 3, and 4 days per week during the summer, but I believe we can take care of our people with local contributions and municipal aid.

Trusting this is the information you desire, I am,

Very truly yours,

ARTHUR W. PERKINS, *Mayor.*

PROVIDENCE, R. I., *December 17, 1930.*

Hon. DAVID I. WALSH,
Committee on Finance, United States Senate,
Washington, D. C.

MY DEAR SENATOR WALSH: At the request of the mayor of the city of Providence I am attempting to answer the questions which you have sent to us. As you undoubtedly know, it is almost impossible to give exact figures on some of these questions (one of the most valuable sources of information which I might refer you to on this entire matter is the department of statistics of the Russell Sage Foundation, 130 East Twenty-second Street, New York City), especially as to the number of unemployed in the community, also the amount of assistance given by the private organizatitons.

1 The Brown University bureau of business research has estimated the unemployed of the State of Rhode Island at 30,000. We have no more exact figures on this question available.

2. Number of persons assisted in 1928, 6,076; 1929, 6,752.

Figures are not available at this time for 1930. The department is now assisting 100 per cent more than one year ago.

3. Appropriations, support of the poor, 1928, $103,900; 1929, $125,100; 1930, $165,000.

4. The increase in number of requests for aid during the winter months as compared with last summer are approximately 100 per cent.

5. Obviously any assistance the Federal Government would appropriate to the city would extend greater relief to the needy, and consequently would to a great extent lessen the burden on the local taxpayer.

6. There are about five societies in the city who are giving temporary relief due to the present situation in addition to the department of public aid, which handles practically all of the cases of straight unemployment. The largest of these private organizations has reported that it has spent $35,000 more this year than last. It is impossible to estimate the amount expended by the other societies, inasmuch as they do not report to any of the organizations giving these statistics.

7. In answer to this question I would quote the central relief committee, appointed by the Providence unemployment committee:

"We reaffirm former statements and policies of long standing, that the city and voluntary agencies are prepared to meet the needs for relief in the present emergency. By relief we mean the furnishing of food, fuel, clothing, and shelter to families and individuals found to be in actual need.

"This committee believes that the existing charitable agencies of the city of Providence and the department of public aid are able to take care of the actual distress in Providence, and it believes that the proposal that the Federal Government appropriate money for relief is unwise and unnecessary at the present time."

8. Undoubtedly the unemployment situation in this community is acute and the applications for aid are increasing greatly from month to month. Many men are on part-time work in the city. City and private agencies appear to be able to meet the situation, at least at the present time.

Respectfully submitted.

EDWARD P. REIDY,
Director of Public Aid.

MORGANTOWN, W. VA., *December 15, 1930.*

Senator DAVID I. WALSH,
Senate Finance Committee, Washington, D. C.

DEAR SIR: We are pleased to give you the following information in answer to questions asked concerning the unemployment situation in our community, as outlined in your letter of December 13:

There are at the present time approximately 300 and 400 persons in the city of Morgantown who are unemployed, and for Monongalia County, W. Va., the number will probably exceed twice this figure, with a very large number employed part time and making barely enough to get along. This is particularly true with regard to coal mining.

The number of persons who will require aid will run from five to six times that of a year ago, which will require both the city and county governments to spend twice what has been spent in previous years, with outside agencies taking care of a great many cases. Requests for relief are increasing very rapidly as we go into the winter months. Private relief agencies are active and do a very considerable more than they have ever done before.

Federal appropriations would certainly help the situation, if such funds are used in supplying work in the construction of needed public improvements.

Hoping this will give you the desired information, I am,

Sincerely yours,

W. E. BROOKS, *City Manager.*

FAIRMONT, W. VA., *December 18, 1930.*

Hon. DAVID I. WALSH,
United States Senate, Committee on Finance,
Washington, D. C.

MY DEAR SENATOR: Your letter of December 13 at hand relating to the matter of extraordinary economic conditions in this "prosperous" country.

Answering, categorically, your questionnaire:

1. Eight hundred and fifty. That is, such number is a conservative estimate of the number qualified legally to work. This would indicate about 2,000 directly and adversely affected. Population is 23,159. Therefore 9 per cent of population feels with force unemployment. It is believed that this is an average ratio for the country.

2. Double the number of 1929, and three times the number of 1928, or more.

3. Difficult to answer in dollars; but ratios are approximately as indicated above. This city has a well-coordinated general-relief system which has been in effect for many years. It is organized to collect clothing and foods, as well as money. Dollars available not much in excess of 1929, but other values much higher. Our charitable functions operate in conjunction with the central unit called Family Welfare Association and formerly called Associated Charities. This central unit, the Salvation Army, and church organizations and other welfare societies associate to avoid duplications and to permit of investigation of individual needs. The city itself operates its charity division in conjunction with the Family Welfare Association.

4. One hundred and fifty, bringing total to 1,000. A bank failure locally (The Union National Bank) this week, of course, makes for adversity because of the large number of small depositors, but it is still too soon to take definite statistics.

5. Yes.

6. See answers above. Relief agencies well organized due to a far-seeing policy adopted by city and leading citizens many years ago. Absolute coordination of private and public relief, which now stands us in good stead.

7. I do not like to advocate such practice, but if the necessities of the situation increase measurably such course is indicated.

8. The evils, economically, from which we suffer as a community can be largely laid to one single item, to wit, the price of bituminous coal. Were this price a fair and reasonable one this community would never need a cent of outside help. This city and this section of the Monongahela Valley almost from the time of its establishment as a living center for people has been prosperous and happy. While it has other industries, such as glass, aluminum, foundry, machine, and the like industries, its chief industry is and has been coal; and coal of the finest sort. The economic upset and the freight discriminations against our region has tended to impoverish us. Millionaire coal operators of a few years ago are now paupers, so great have been these adverse factors. If Fairmont could get even 50 cents more a ton for its coal, it would soon regain its prosperity and happiness for its people. And on such a bulky product as coal the additional decent 50 cents would permit the payment of a living wage to coal miners, a fair profit to operators, and work and employment for all classes of people, and still not work oppressively on the consumers of the coal in the rest of the country. It is this little difference which makes or breaks us, as a community, offering fine bituminous coal to the country. A stabilization of coal markets, either voluntary or under some ægis of the Government, would leave us free to work out our own economic salvation without recourse to the General Government. But, I should hasten to add, that the discriminations in freight rates are a terrific burden to us. Senator-elect Matthew M. Neely has told our story forcibly on the floor of the Senate when formerly a Member of that great body from this State. Relieve Fairmont and West Virginia of freight discriminations and the natural wealth of this great State would bless the Nation, and at prices not shocking to the conscience.

I hope I am not discussing this matter in too narrow a manner. I have tried to be broad, but the questionnaire seeks local information. Things ought not to have been permitted to get in the "mess" they are (borrowing from Andy, of Amos and Andy). Wrong policies for the years that have passed have brought on what now confronts us as a Nation. In the midst of plenty the people are crying for bread. There is a terrific air of panic in the minds and hearts of the people. Locally that is accentuated because of our recent bank failure, involving thousands. But I suppose, under the present trend of things, a little thing like a bank failure has become commonplace. Thousands have gone that way in the past few years in this "prosperous" country. The country was fed the pap of "prosperity" talk so diligently that the great gaming fever has seized upon us. Overworked imaginations. In this region four years ago we had six prosperous banks. Now, we have but one.

And I believe that even at that this section is about an average of the country.

These are times for statesmanship, and I appreciate the onerous burdens now to be borne. I know that it will tax the ingenuity of the best men in our public life, of whom I esteem you personally to be one, along with that other outstanding public man of the same surname, the great Senator from Montana.

With kind regards, I am, sincerely,

A. G. MARTIN, *Mayor.*

SAVANNAH, GA., *December 18, 1930.*

Hon. DAVID I. WALSH,
United States Senator from Massachusetts,
Senate Office Building, Washington, D. C.

MY DEAR SENATOR WALSH: In reply to reply to your letter of December 13, 1930, in re unemployment and relief for the destitute: We have organized an unemployment commission, of which I am the chairman, and we are now closing a census of the unemployed here. Our population is 85,000 people.

1. Seven hundred and fifty-eight white and 993 colored unemployed have registered. These figures include male and female.

2. The city of Savannah appropriates to certain private agencies which relieve the destitute. The increase for families where assistance is necessary for 1930 over 1929 is 60 per cent. In 1929 there were 506 families being assisted. As of November 1, 1930, there were 1,157 families being assisted. I look for a 50 per cent increase in this during January, February, and March, 1931. December, 1930, reports indicate the heaviest number of new cases, both white and colored, in our history.

3. We have had to increase our appropriations to the agencies doing this relief work 30 per cent for 1930 over 1929.

4. I think we will have a 50 per cent increase in January, February, and March, 1931—probably running as high as 1,600 families, white and colored.

5. Yes. Assistance will be appreciated during January, February, and March, 1931.

6. Private and quasi public agencies are now extending relief in foodstuff, fuel, and sometimes rent. I think it is easily a 50 per cent increase over last year.

7. In the absence of flood, fire, epidemic, or some similar or extraordinary catastrophe, I do not favor appropriations by the Federal Government to share with cities and State governments

relief burdens, and would only agree to this as a proper Federal function if it be determined there is a real emergency for relief; and then only with the assurance that such relief measures will not be continued by the Federal Government.

8. We are in very good shape here. A number of people, both white and colored, have come to the city of Savannah from our immediate surrounding territory and from northern sections of the country seeking work, and this influx has increased our burdens but not, as yet, to the extent that we can not handle the situation ourselves. Of course, if the Federal Government is going to extend aid, relieving the burden on the taxpayers at this time, it is very proper that Savannah should have her proportionate share of these funds.

Hoping this information will assist you to arrive at a just conclusion, I am,

Sincerely yours,

GORDON SAUSSY, *Mayor.*

PETERSBURG, VA., *December 17, 1930.*

Senator DAVID I. WALSH,
United States Senate, Washington, D. C.

DEAR SENATOR: I am inclosing you the information that you asked in your letter of December 13, and I hope will be of some service to you.

1. Approximately how many people are unemployed in your community? One thousand and seventy-seven.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago? One hundred per cent over last year.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago? Two hundred per cent.

4. What do you estimate will be the increase in the number requiring relief during the winter months? Two hundred.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers? Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated? Yes.

Sincerely yours,

I. VAL. PARHAM, *Mayor.*

ANDERSON, S. C., *December 15, 1930.*

Hon. DAVID I. WALSH, *Senator,*
Washington, D. C.

DEAR SIR: Replying to your letter of 13th instant, city of Anderson, S. C., county seat of Anderson County: City population and immediate mills, 25,000; county population, census, 81,000.

Question 1: City unemployed, estimated, 2,000; county unemployed, estimated, 4,000.

Question 2: City extended relief in 1928 to 100; city extended relief in 1929 to 100; city extended relief already in 1930 to 1,500. The 1930 relief has been furnished by the city and its citizens.

Question 3: The chief of police, W. W. Driskell, has made call on all the citizens for help and has received generous response in way of clothing and some food. The city employees, for instance, as a whole responded with 5 per cent of their meager salaries as long as needed. The city has furnished four paid helpers and expects to be called upon for heavy money contributions later in the winter.

Question 4: We expect to help about three or four thousand during the winter; maybe more.

Question 5: It would, of course; but I can not recommend direct Federal relief now.

Question 6: Read answer No. 3. The Salvation Army and Community Chest have not been able to increase their assistance. In fact, their collections have almost ceased. The relief is now being organized and is all practically coming from volunteer subscriptions given through the chief of police at the city hall.

Question 7: Not now in a money form. But, for instance, our city needs badly a Federal building for holding the Federal district court, and also as a post office. At present the Federal court is being held in the county courthouse, which is entirely too small for even the county. We have been threatened with the calamity of removal of holding of the Federal court here on account of the inconvenience and lack of accommodation. The United States post office here is out of date and too small. The building of a Federal building here at this time would serve a real need and furnish work, which, I believe, is the real want of the people.

Question 8: The farms are unable to take care of their hands during the winter. A great many of the farmers themselves need help in the form of work. The cotton mills, of which this city and county are well supplied, through necessity have discontinued the night shift and are running on curtailed time. This has thrown out of work their most dependent help—those who can not except in the best of times find work. This in turn has lessened business in all lines and the helpless have been cut loose.

Yours sincerely,

G. T. MCGREGOR, *Mayor.*

ATLANTA, *December 17, 1930.*

Hon. DAVID I. WALSH,
United States Senate, Washington, D. C.

DEAR SENATOR WALSH: This refers to your letter of December 16 to Mayor I. N. Ragsdale in connection with the unemployment and business situation in Atlanta.

I will answer your questions in the order given by the same number:

1. There are approximately 8,000 to 8,500 people unemployed in this community, according to our last survey.

2. We feel that there is about twice as much distress at the present time as there was two years ago, and that this distress will increase during January and February, due to the lack of work and prospects.

3. The city has not yet been asked to increase its relief appropriation, but will be asked after the 1st of January, when the new administration takes hold. We will ask for practically double, or maybe treble, the present appropriation.

4. We estimate that there will be about five times the number requiring relief this year during January and February as previous years.

5. The Federal Government can certainly help, and would certainly lessen the burden on local individuals and taxpayers by offering to assist in this relief work.

6. The emergency committee is raising money by personal subscription and in every other manner possible. None of this has been necessary last year or in previous years.

7. We do favor Federal Government appropriation to help out in the relief work.

8. The general situation in Atlanta is not bad for December, but after the holiday trade we expect a great many unemployed from the retail and mail-order establishments here and the building trades particularly, as Atlanta is just completing three large buildings and no other buildings are in prospect. We expect our greatest strain to be in January, February, and March.

Trust this is the information you desire.

Yours very truly,

FRANK H. NEELY,
Chairman Atlanta Better Business Commission.

BRUNSWICK, GA., *December 16, 1930.*

Senator DAVID I. WALSH,
United States Senate, Washington, D. C.

DEAR SIR: Data requested in your circular letter of December 13 respecting Brunswick, Ga., are furnished herewith:

Question 1. Answer: About 300, which is 2 per cent of the population.

Question 2. Answer: Approximately the same as 1929 and about 50 greater than 1928.

Question 3. Answer: Practically no increase over 1929, about 30 per cent increase over 1928, and about three times the amount of 1927.

Question 4. Answer: Possibly 20 per cent.

Question 5. Answer: Yes; if it come in the way of jobs and not dollars.

Question 6. Answer: No data available, though generally private agencies conduct relief work in close cooperation with city welfare department, so the same increases might be used with safety.

Question 7. Answer: I do not believe the disaster stage has been reached which would warrant Federal aid in the form of cash gifts.

Question 8. Answer: There is acute suffering in isolated cases. I believe an opportunity to earn a living is more necessary than out-and-out gifts to able-bodied persons.

Yours truly,

E. C. GARVIN, *City Manager.*

AUGUSTA, GA., *December 16, 1930.*

Hon. DAVID I. WALSH,
United States Senator, Washington, D. C.

DEAR SIR: I have your favor of December 13 asking for information on the unemployment situation. Answering your questions serially:

1. Number of persons unemployed, approximately 2,500.
2. Approximately 75 per cent.
3. One hundred per cent.
4. Fifty per cent.
5. Yes.
6. See clipping inclosed.
7. Yes.
8. The general situation in Augusta is not considered to be extremely acute. While many persons are not employed, they are practically all in touch with some relief organization, and while their rations will be considerably cut down there is no danger of anyone starving.

Yours respectfully,

W. B. BELL, *Mayor.*

ROCKY MOUNT, N. C., *December 16, 1930.*

Hon. DAVID I. WALSH,
United States Senate, Washington, D. C.

DEAR SIR: Your very interesting inquiry of the 13th instant, addressed to our mayor, has been handed to me for reply, and I wish to apologize for not being able to give more accurate information than I have. However, I shall state the facts as best I can:

1. Three to five hundred (our population, 21,409).

2. Our test date has not come yet. Two years ago we were very near normal; last year the city government assisted some 200 to 250, as will be explained in No. 8.

3. This will be explained in No. 8. As to the poor, we are limited to 25 per cent of our poll-tax collections, which we always contribute.

4. See No. 8. Our test date has not yet arrived.

5. Yes.

6. Our Associated Charities and the Salvation Army do right extensive work; in fact, actually handle all the charity cases, the city government supplying the funds, together with all the religious organizations.

7. Yes.

8. This is a tobacco market of right considerable size, having sales warehouses and factories; these places employ heavy during the season; they close about the middle of January. We found it necessary last season to take steps to assist the unemployed, and did the job with our regular construction and maintenance appropriations in this way: Bought rations in wholesale lots, put up packages, under the direction of medical men, that would feed a man 1 day, 2 days, 3 days, and so on up to a 7-day package. A man with 3 in family would work about one day in three; we would pay him with these packages. This is the way we handled the situation and got value received. We had about 200 men on our list and only had about 20 working at the time, but took care of the 200.

I am frank to say to you, sir, that any estimate I should make of the future would be a blind guess, and that I am not inclined to make. I would say frankly, too, that it is my belief that your inquiry will bring very largely, or, I might say, to a large extent, exaggerated reports.

I think that our vicinity is not far if any different from the general state of affairs. My experience is that a large percentage of the unemployed are to some extent holdouts—that is, for their price.

I trust you may have some use for the foregoing, and if there might be further information that I could give you I shall be glad to have you command me.

Yours very truly,

L. B. AYCOCK, *City Manager.*

GREENSBORO, N. C., *December 15, 1930.*

Senator DAVID I. WALSH,
United States Senate, Washington, D. C.

DEAR SIR: Your letter of December 13 addressed to the mayor has been handed to me for a reply.

Your questions are answered as follows:

1. Two thousand.
2. One hundred per cent.
3. Fifty per cent.
4. Fifty per cent.
5. Yes.
6. Relief being extended by the Salvation Army, Family Service Agency, and the City-County Welfare Board, all of who operate under the budget or the community chest plan, which organization is furnished aid by the city; also by subscriptions; and this relief has increased in the last two years about 100 per cent; in the last year about 50 per cent.
7. Yes.
8. Labor unions of this locality have lately opened an employment bureau, and there has also been opened by the city and county jointly an employment bureau, both of which are doing all in their power for the unemployed. About 85 per cent of the registration for employment is by unskilled laborers, and there is, as you will see, about 15 per cent of the calls for skilled laborers.

Very truly yours,

E. G. SHERRILL, *City Clerk.*

READING, PA., *December 18, 1930.*

Hon. DAVID I. WALSH,
United States Senate, Washington, D. C.

DEAR SIR: I am in receipt of your inquiry relative to unemployment conditions in Reading.

In a recent census made by the city we found approximately 3,500 people unemployed. However, chamber of commerce figures denote that there were 5,600 less people employed on November 1 of 1930 than there were on the same date in 1929. The number that need relief over the number of last year is about 2,000.

At the present time we are raising a fund of $100,000 for relief. We anticipate that the relief requirements will double over the remaining winter months.

Assistance from the Federal Government should be given to lessen the burden on municipalities. The only relief agencies that were operating here were those connected with the local community chest, which raised $450,000 in their last drive.

Hoping this is the information you desire, I am,

Very truly yours,

J. HENRY STUMP, *Mayor.*

NEW CASTLE, PA., *December 15, 1930.*

DAVID I. WALSH,
United States Senate, Committee on Finance,
Washington, D. C.

HONORABLE SIR: In answer to your letter of December 13, beg to reply that, in question No. 1, we have practically 1,500 unemployed people in our community.

No. 2. This has more than doubled during the last year.

No. 3. It has been necessary to increase our appropriations for relief many times over our last year, which was practically nothing.

No. 4. The increase in the number that require relief during the coming months will materially increase, as those who have enough for the present will run short before the spring weather opens to give them outside labor.

No. 5. The assistance of the Federal Government would most certainly lessen the burden on the local taxpayers.

No. 6. The mayor's relief committee, the community chest, and the Associated Charities are doing their best to care for the situation at the present, and their burden is largely increased over last year.

No. 7. I favor the Federal Government appropriating a sum of money to be shared with the cities of the United States.

No. 8. The situation in our community at the present time is not as bad as it will be later on and the different charities are exercising care that they do not go too far at the start. In other words, that this relief may be spread out over as long a period as possible.

Thanking you for your inquiry, I am, very truly yours,

WILLIAM H. GILLESPIE, *Mayor.*

MONESSEN, PA., *December 16, 1930.*

Hon. DAVID I. WALSH,
United States Senate, Washington, D. C.

DEAR SIR: Replying to your communication of December 13, I submit the following information:

1. About 1,500 unemployed, with an additional 2,500 averaging two days' employment per week.
2. The number of unemployed has increased about 400 per cent over that of 1929.
3. Relief appropriations have been increased approximately 66⅔ per cent.
4. We estimate that relief requirements during the winter months will increase 400 per cent over 1929.
5. Federal Government relief will decidedly lessen the burden on local taxpayers.
6. About 300 families are now being furnished with groceries and fuel, they being practically destitute as result of industrial depression, relief being extended by the local community chest, civic relief committee, and municipal government. Salvation Army and Red Cross are also assisting and their requests for assistance has increased about 400 per cent.
7. I am in favor of the Federal Government sharing with the city and State governments the burdens that the present emergency has necessitated.
8. Local steel industries are operating about 40 per cent, with several departments entirely idle. Numerous family heads have not worked for one to four months; others' average earnings are only $8 to $12 during a pay period of 15 days.

Trusting that this information will prove of assistance.

Sincerely yours,

CARL WOODWARD, *Mayor.*

JOHNSTOWN, PA., *December 16, 1930.*

Hon. DAVID I. WALSH,
United States Senator, Senate Office Building,
Washington, D. C.

DEAR SENATOR: At the request of Hon. O. W. Saylor, mayor of the city of Johnstown, I am replying to your letter of December 13, 1930, addressed to him.

Approximately 2,000 persons are unemployed in this community at the present time, and an additional 15,000 are on part-time employment.

Under an opinion by the city solicitor to the effect that Pennsylvania law does not permit cities of the third class to appropriate money for the direct relief of the needy, our city does not extend direct financial relief for the unemployed. It is impossible, therefore, to give an aswer to questions 2 and 3.

In our opinion, the number of persons requiring relief in this community is at the present time confined to 1,000 families, and we do not anticipate that this number will be greatly increased during the winter months.

Unquestionably assistance by the Federal Government would lessen the burden on the people of this community, not directly as taxpayers but as contributors to the various welfare agencies and the emergency relief fund which is now being administered by a special committee appointed by the mayor.

The emergency relief committee referred to is extending direct relief to the needy, and in this work is receiving the cooperation of local established welfare agencies which do the follow-up work and continue to give aid to those in need of it. Demands on the established agencies referred to have very greatly increased as compared with last year and two years ago, necessitating the raising of an emergency relief fund to handle the immediate and pressing demands of the situation. Demands for relief have increased more than 100 per cent over last year, and approximately 125 per cent over two years ago.

We do favor the appropriation of money by the Federal Government to assist city and State governments in the present emergency.

The situation in Johnstown may be summarized as follows:

The great steel mills of this community, which are, of course, the predominating factor in our industrial life, are now working at about 40 per cent of their normal capacity, which means that their complement of about 15,000 workmen are on a part-time

basis. Most of these employees, fortunately, are able to earn enough to sustain themselves without recourse to charity.

The city government is now contemplating appropriations for public improvements to be made during the winter months in an effort to bring some measure of relief to the unemployment problem confronting this community, and any Federal funds that might be allocated to Johnstown for this purpose would permit the city government to broaden its program and thereby correspondingly reduce the number of unemployed.

May I express the hope that such assistance will be forthcoming at an early date.

Very truly yours,

HARRY HESSELBEIN,
Managing Secretary Johnstown Chamber of Commerce.

ALTOONA, PA., *December 16, 1930.*

DAVID I. WALSH,
United States Senate, Washington, D. C.

MY DEAR MR. WALSH: In answer to your correspondence of December 13, beg to advise the following:

1. Approximately 1,500 men are unemployed.
2. Twice as many unemployed as last year and year before.
3. Twenty thousand dollars.
4. Unable to state this.
5. Yes.
6. Bureau of Charities, Red Cross, Rescue Mission, and Salvation Army. Has increased twice as many.
7. Yes.
8. We are affected about the same as other cities and are trying to do our best to aid the unemployed.

Hope this is satisfactory.

Sincerely yours,

JOHN J. MCMURRAY, *Mayor.*

POTTSTOWN, PA., *December 16, 1930.*

Hon. DAVID I. WALSH,
United States Senate, Washington, D. C.

DEAR SIR: Referring to your letter of the 13th, there are approximately 1,000 unemployed in our community at the present time.

The local government has not been called upon as yet for any aid, and consequently has not found it necessary to increase the appropriation for relief to the unemployed.

During the winter months there will no doubt be an increase of 25 per cent in the number requiring relief. The assistance of the Federal Government would, of course, tend to lessen the burden on the local taxpayers, as all relief work which has been done was accomplished by individual subscriptions of our citizens and was dispensed through the medium of our various charities. Their work has increased about three times over the previous year or two.

Yours very truly,

J. K. KLINK, *Burgess.*

TRENTON, N. J., *December 19, 1930.*

Hon. DAVID I. WALSH,
Member of the Senate, Washington, D. C.

MY DEAR SENATOR WALSH: I beg to acknowledge receipt of your questionnaire dated December 13, 1930, and in reply thereto I beg to report as follows:

1. I have been advised by Mr. Fred J. Kroesen, secretary of the Trenton Citizens' Committee on Employment, a body appointed by me to care charge of unemployment-relief conditions in Trenton, that his estimate of the total number of unemployed persons in Trenton is between 7,000 and 8,000. There has been no official survey of the number of unemployed, but the above figures have been verified by the city poor department as being substantially correct.

2. The city poor department finds that within the past few weeks, especially the last two weeks, there has been a marked increase in the number of applications for city relief over those of any other period of this year, of 1929, or of 1928. This department advises that the number of applications for relief have nearly tripled over the number of applications for 1929 and 1928.

3. The appropriations for the city poor department—that is, the department that relieves the distress of resident families but has no connection with the home for the aged which houses the homeless poor—for the year 1928 was $78,150, for 1929 was $82,650, and for 1930 was $101,216. However, as I have stated, the situation is becoming more acute as we get further into the winter season. For the week beginning December 8, 1930, the city poor department expended the sum of $4,000 for outside relief, the highest weekly sum we have ever expended, so that you can readily see that if the demands on us continue at this ratio, we would be expending at the rate of over $200,000 a year for outside poor relief.

4. I do not believe there will be a decrease in the number applying for relief, and the probability is there will be an increase unless there is a marked change in the existing economic situation. However, our local employment campaign may be able to take up considerable of the unemployment slack. We are bending every effort to do this.

5. Undoubtedly the assistance of the Federal Government by monetary appropriations to the municipality would help to extend relief to the needy and lessen the burden of the local taxpayers. The increased cost for poor relief has nowhere to fall except on the local taxpayers.

6. Private relief agencies are doing their utmost to give relief, but as their regular contributors in many cases are affected more or less by the economic depression, these agencies have not sufficient funds to cope with the situation, much as they would like to do so.

7. I am heartily in favor of the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated.

8. The general situation in Trenton is, I presume, a great deal similar to that of other industrial cities in which there has been some let down in production. Within the past two weeks the Trenton Citizens' Committee on Employment has effectuated its plans for the employment of unemployed citizens on public work. On Monday, December 15, 1930, the number of unemployed men put to work on this class of labor was 295, and this number will be increased up to 500 as the funds become available. For the financing of this project the sum of $200,000 is being raised by the citizens' committee, of which amount $100,000 will be subscribed by the industrial and business interests and the remaining $100,000 by the voluntary contributions of municipal employees and employees in private industry and business, amounting to a 1 per cent assessment on the salaries and wages of such employees. The plan of the citizens' committee is to provide work for 500 unemployed men for a period of 20 weeks, work to be four days a week at a per diem wage of $3. First preference will be given to heads of families in which there are children.

Very truly yours,

FRED'K W. DONNELLY, *Mayor.*

BUFFALO, *December 15, 1930.*

Senator DAVID I. WALSH,
Committee on Finance,
United States Senate, Washington, D. C.

MY DEAR SENATOR: Replying to your inquiry of December 13, wherein you propose that the Federal Government shall share with municipalities and State governments at least 50 per cent of the increased cost of welfare and unemployment relief over and above normal expenditures, I inclose herewith copy of a letter addressed to Governor Roosevelt on October 11, together with copy of a communication forwarded to the governor's committee on stabilization of industry for the prevention of unemployment. You will note that the communication of October 10 suggests that the State make a temporary grant of aid to political subdivisions charged with local relief obligations to the extent of 50 per cent of the excess expenditure over and above the 5-year average annual expenditure. Inasmuch as the State does not extend relief directly, the burden falls upon local governments, chiefly municipalities and counties.

The average annual expenditure over a 5-year period for welfare relief as administered by the city of Buffalo is as follows:

Department of social welfare	$586,592.52
World War Veterans' relief	104,284.31
G. A. R. and Spanish War Veterans' Relief	61,743.50
	752,620.33

These expenditures do not include any salaries or overhead, nor do they include any expenditures for care of the aged in institutions. You will note that the average annual expenditure for the three municipal agencies is $752,620.33. On the experience of July, August, and September, the first quarter of our current fiscal year, it was estimated that the expenditure of these agencies would amount to $1,615,964.21, an increase of 115 per cent over the 5-year average. Since this estimate was computed the situation has changed so that it is quite apparent that the increase will be more than here indicated, but as yet it is too early to hazard a definite estimate. In all probability the city will be called upon to expend at least $1,000,000 over and above the average for the last five years.

The consensus of opinion based on surveys by several agencies estimates the number of unemployed in Buffalo at the present time at 40,000, of whom approximately 8,000 would be shown as unemployed even in prosperous times. In other words, the excess amount of unemployment is between thirty and thirty-five thousand.

I am inclosing herewith clipping from the Buffalo Sunday Times of December 14 analyzing the situation in Buffalo, which can probably be accepted as an honest recital of local conditions.

With relation to your question No. 5, naturally funds from any source would lessen the burden which owners of real estate are forced to bear. Under the tax system existing in New York State, real estate is the only flexible source of revenue, and therefore is forced to bear the brunt of welfare relief. Such a situation works a hardship on small-home owners, a large percentage of whom are hard hit by depression, and it was chiefly for that reason that I have appealed to the governor, inasmuch as the State controls sources of revenue other than real estate. However, you may rest assured that the city of Buffalo will meet its situation effectively and mercifully. I do not regard assistance from the Federal Government or any other source as necessary to stimulate our efforts, but I do think that the State of New York should use available sources of revenue other than general property tax for assisting local governments in this emergency.

Now, with relation to your question No. 7, I am not disposed to favor a grant of aid by the Federal Government, because I

believe that our State has sufficient resources to handle its own situation; and it is my honest conviction that each State should meet its responsibility in this matter.

If there is any further information that you desire, we shall be glad to answer it to the best of our ability.

Yours sincerely,

CHARLES E. ROESCH, *Mayor.*

Mr. GILLETT. Mr. President, I wish to say a word because the Senator from Wisconsin [Mr. LA FOLLETTE] cited, among his telegrams, as one of the arguments for Federal relief, the conditions in my home city of Springfield, and my colleague has also cited the same.

Unquestionably, conditions of unemployment are serious in Springfield, as they are elsewhere. There is a very large number of individuals and families who are dependent upon charity or upon the municipality for relief. That is so all through Massachusetts and all through the country. I do not wish to minimize the depression. But it does not seem to me that that is an argument which should greatly impress us, for the Federal Government to do any more than expedite and enlarge, as far as it can, necessary public works and make all reasonable and possible expenditures in that way which will give employment. It ought not, however, to use the present exigency as an excuse for embarking on unwise and needless expenditures.

My city of Springfield is a substantial, well-to-do city. Just at present it shares with all the other cities and towns of the country a serious business depression. Its factories get few orders, and so production and employment are sadly curtailed. But it is able to support its poor, as it always has. Its community chest was never so large as it was this year. The municipality is able, and I am sure is willing, to take care of the unemployed within its precincts, and I think that is true of all the Massachusetts cities. Some of them are in a much less favorable condition than my city.

I was favorably struck by the action of one of the Massachusetts towns the other day. When they were asked to appoint a relief committee, as is being done all through the State, the selectmen said they did not wish to be singular and refuse to cooperate with other towns in establishing such a relief committee, but that it was not necessary because they, as selectmen, had always every winter supported a great many who could not support themselves; that this year there were many more than usual, but that they had always done their duty, and expected to do it this year whether there was a relief committee or not.

They show what seems to me to be the normal American spirit, that each community shall look out for itself and each individual, as far as possible, look out for himself. That is the spirit on which we have grown and flourished. The less we have of Federal participation and assistance the better, and the less we cultivate the idea that we shall appeal to Federal help and not be satisfied with our self-help the better it is for the country.

I recognize that there is in some communities a very different state of affairs. I recognize that in the drought-stricken area there are whole communities which are almost bankrupt, which have to depend on outside assistance. But in these cities in Massachusetts which my colleague has cited and which the Senator from Wisconsin has cited, although there is distress, although there is very extraordinary and unusual unemployment, and although it is going to impose a great burden upon them, yet they are able, and I believe they are willing, to bear the burden, and the less Federal aid is called upon the better it is both for the present and for the future, the less it undermines that spirit of self-reliance which has been our great characteristic, and on which we must depend for our future prosperity.

I do not think my home city of Springfield is an illustration of the need of Federal assistance. Of course, as far as the Federal Government can go to anticipate future needs, to start employment on projects which are worthy in themselves and which sometime must be accomplished, that is desirable and helpful, and we ought to go the limit along that line; but as far as my section of the country is concerned, I think that is as far as the Federal participation ought to go or is requested.

Mr. WALSH of Massachusetts. Mr. President, in view of the references made by my colleague to the city of Springfield, Mass., I ask that the letter of the mayor and the agent of the department of public welfare be read at the desk.

The PRESIDING OFFICER. Without objection, the clerk will read.

The Chief Clerk read as follows:

SPRINGFIELD, MASS., *December 16, 1930.*

Hon. DAVID I. WALSH,
Washington, D. C.

MY DEAR SENATOR: The inclosed report was presented to me by the agent of the public welfare department of the city of Springfield. I think it gives fairly the local condition; if, however, you would like me to secure for you more information, I shall be pleased to do so.

Yours truly,

DWIGHT R. WINTER, *Mayor.*

SPRINGFIELD, MASS., *December 15, 1930.*

Hon. DWIGHT R. WINTER,
Mayor City of Springfield, Mass.

DEAR MR. MAYOR: Facts in relation to the inquiry of Senator DAVID I. WALSH, as far as we can answer them, are:

1. It is very difficult for this department to estimate the number of unemployed from any figures which this office has on file. Personally, I think that there are probably at least 7,000 or 8,000 wage earners who are unemployed.

2. The number of persons who are receiving aid from the city-government welfare appropriation is approximately three times that of 1929. In November the number of families aided were as follows: 1928, 265; 1929, 353; 1930, 993. The approximate number of individuals benefiting by this relief in November, 1930, was nearly 4,000 persons. Of this total of 993 cases there are approximately 700 wage earners out of employment.

3. The following table shows the increase in outside relief expenditure which has been necessary during the past three years:

1928	$172,689.58
1929	198,659.81
1930	382,947.26

You will note that the increase in 1930 over 1929 is 92 per cent, and that practically the entire increase can be charged to the unemployment situation.

4. For the past three months the increase in the number asking and requiring relief has been about 100 new cases per month. We feel that that figure would probably be increased somewhat during the winter months, running from 125 to 150 new cases each month.

5. The assistance of the Federal Government would certainly lessen the burden on the local taxpayers in a situation that the Federal Government should certainly be willing to share.

6. 1927, $27,207; 1928, $45,609; 1929, $29,000; 1930, $51,414. Since the unemployment distress became acute arrangement was made whereby the public department assumed the responsibility in the unemployment cases. The bulk of the unemployment relief in this city is being provided through the public agency.

7. We would certainly favor any appropriation by the Federal Government that would assist in lifting the heavy burdens now being placed on local real estate on account of the unemployment relief.

The general situation as regards unemployment in this city is a good deal the same as exists in industrial centers. The mayor and the city government, however, have provided considerable building activity and considerable construction work, which has helped to reduce the acuteness of the situation. The mayor and the city government have also planned public improvements that are being handled as welfare activities, the labor being furnished by the men who are receiving aid through the welfare department. The aid extended is in return for the labor performed.

Very truly yours,

JOHN F. MADDEN, *Agent.*

Mr. GILLETT. Mr. President, of course, if the Federal Government should appropriate, it would lessen the strain on Springfield, as on every other city; but it does not follow necessarily that the Federal Government ought to do it, and just because a welfare agent would welcome it, it does not show that it is wise.

I think the city of Springfield is able and is willing to take care of its own poor. Of course, nobody denies that there is extraordinary unemployment and that there is a great stress upon that, as upon every other city, but I do not believe that that city, which has always taken care of its own poor, as all the towns in Massachusetts do and have always been able to do, has reached the point of debility and desperation that they pray the Federal Government to step in and help them.

I believe they are fully able to cope with and handle their own problem. I think it is a great deal better for them and for the country that that spirit should be maintained. A great deal of weight should not attach to the fact that the agent for the poor said he would welcome an

appropriation from the Federal Government, as undoubtedly most of the citizens of that city or any other city might thoughtlessly say; it looks like manna from heaven—as if the Federal Treasury was a limitless reservoir that filled itself without cost to anyone. But if they stopped and gave the question serious consideration I believe they would not favor the Federal Government undertaking their support. I think it is a bad principle and a bad policy, contradicting the self-reliant, resourceful spirit which has characterized all our municipalities, and I do not think that as they reflect on it the people of Massachusetts would favor it.

The PRESIDING OFFICER. The question is on the motion of the Senator from Washington that the Senate recede from its amendments numbered 11 and 12.

The motion was agreed to.

Mr. JONES. Mr. President, I desire to move now that the Senate recede from its amendment numbered 14.

Mr. LA FOLLETTE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	George	King	Simmons
Barkley	Gillett	La Follette	Smith
Black	Glass	McGill	Smoot
Blaine	Glenn	McKellar	Steiwer
Blease	Goff	McNary	Stephens
Borah	Goldsborough	Morrison	Swanson
Brock	Gould	Morrow	Thomas, Idaho
Brookhart	Hale	Moses	Thomas, Okla.
Broussard	Harris	Norbeck	Townsend
Bulkley	Harrison	Norris	Trammell
Capper	Hastings	Nye	Tydings
Caraway	Hatfield	Oddie	Vandenberg
Carey	Hawes	Patterson	Wagner
Connally	Hayden	Pittman	Walcott
Couzens	Hebert	Ransdell	Walsh, Mass.
Cutting	Heflin	Robinson, Ark.	Walsh, Mont.
Davis	Howell	Robinson, Ind.	Waterman
Dill	Johnson	Schall	Watson
Fess	Jones	Sheppard	Wheeler
Fletcher	Kean	Shipstead	Williamson
Frazier	Kendrick	Shortridge	

Mr. NORBECK. I wish to announce the unavoidable absence of my colleague [Mr. McMASTER]. I ask that this announcement may stand for the day.

Mr. MOSES. I wish to announce the absence of my colleague the junior Senator from New Hampshire [Mr. KEYES] on account of a death in his family, and will ask that this announcement may stand for the day.

The PRESIDING OFFICER. Eighty-three Senators having answered to their names, a quorum is present.

Mr. JONES. Mr. President, I have moved that the Senate recede from its amendment numbered 14, known as the Couzens amendment to the relief bill. As I have said, personally I have a very friendly feeling toward the principle of the amendment and would like to see something worked out along its lines as a general legislative policy or otherwise. We have done everything we could to sustain and get the amendment adopted on the bill now before us. We proposed to the House conferees a compromise along the lines talked of the other day; but they would not consider any compromise. They are unalterably opposed to the provision going into this particular bill at any rate. What the personal views of the House Members may be upon it as an independent legislative measure I am not advised and can not say.

But we are confronted with the situation to which I referred in connection with the two amendments just disposed of. The bill will be held up indefinitely unless the Senate recedes from the amendment. I do not think we can afford to hold up the bill. It makes immediately available $116,000,000 for relief along the lines everybody is so anxious to have followed.

It may not be an adequate sum, but it is a step we all want to see taken. For that reason I think the Senate should recognize the situation and face it as it is. While we might want to retain the amendment, yet I think the wise thing for us to do is to recede so the $116,000,000 may be immediately available for the relief it will bring.

Mr. COUZENS. Mr. President, would the Senator mind reading the compromise proposed in conference or letting me see it so I may discuss it?

Mr. JONES. I am perfectly willing for the Senator to see it. I can read it better for his information, however.

Mr. COUZENS. I would be glad if the Senator would read it, because it demonstrates to my mind the unreasonableness of the position taken by the House and the absolute uselessness of having conferences with the House when they "stand pat" and the Senate has to recede.

Mr. JONES. We proposed a compromise so the amendment would read as follows:

Provided, That every contract made under the provisions of this bill to which the United States, any Territory, or the District of Columbia is a party, and every such contract made for or on behalf of the United States or any Territory or said District, which may require and involve the employment of laborers or mechanics, shall contain a provision that the contractor or any subcontractor contracting for any part of said work contemplated shall—

Then we proposed to leave out the provision printed in the amendment which related to employing as laborers and mechanics only persons who had been living for at least 90 days, and so forth, and insert the following:

Shall pay to each laborer or mechanic so employed the current standard rate of wages in the vicinity where the work is being performed, and such laborers and mechanics shall work in accordance with the other provisions of the 8-hour law, and the penalties provided in sections 1 and 2 of the act of June 19, 1912, commonly known as the 8-hour law, as to penalties, reports of violations by inspectors, etc., shall apply in all cases to the violations of this act.

Nothing in this act shall apply to contracts made for the construction of Federal-aid highways.

Mr. COUZENS. Mr. President, in view of the discussion that took place prior to the Senate insisting upon the amendment, I think the Senate conferees have done a very good job in trying to effect a compromise. The discussion which took place when the Senate insisted upon the amendment which is now under discussion was to the effect that certain provisions of the amendment might be unconstitutional. At least, when inquiry was made of some of the House conferees, the only objection they were willing to argue was the constitutionality of the requirement that local labor be used. The conferees on the part of the Senate, in the discussion prior to going back for a further conference, evidently got the idea that the Senate would be willing to waive perhaps that feature of the amendment which required the employment of local labor and which might in fact be unconstitutional, and accept a provision which insisted upon the maintenance of wages.

So far as I am personally concerned, I would be perfectly willing to have the bill defeated in preference to giving contractors $116,000,000 for the purpose of depressing wages. In other words, the $116,000,000 is only a drop in the bucket, but it is enough to enable them to go out and tempt thousands of unemployed to surrender their self-respect and accept whatever wage the contractor sees fit to pay. If it is necessary in this country for conditions to get worse in order to have them get better, I am for making them just as bad as it is possible to make them in order to accomplish that result. If that sort of thing is necessary to waken the employers, the Federal and State Governments to the necessity of maintaining standards of wages, then we had better go the limit and find out just how far the State and Federal Governments are willing to go in the depression of wages.

I have made this argument time and again. I have been preaching the principle for years, but it would seem that we might as well abolish the Senate when it comes to accomplishing our desires in a disagreement between the Senate and the House.

However, it appears that we might just as well abolish the Senate when it comes to a disagreement between the Senate and the House, for the Senate is always confronted with a statement from the conferees that the House is adamant and refuses to yield, and, therefore, the Senate must yield. That situation never seems to be presented in the House of Representatives. It seems that about the only thing we can do when we get into a controversy of this sort

is to insist that the House Members be permitted to vote on the individual amendments; but in this case even that has not been done.

Mr. FLETCHER. Mr. President, will the Senator from Michigan yield to me?

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Florida?

Mr. COUZENS. I yield.

Mr. FLETCHER. According to a newspaper report, the Ford plant, which has been employing men for three days a week, is now closed down for the purpose of taking an inventory. It is further reported that other plants in Detroit have closed for the present. Can the Senator from Michigan give us an idea about how many employees such action would probably throw out of employment?

Mr. COUZENS. I should say that an estimate as to the closing down of the Ford plant——

Mr. FLETCHER. And also the closing down of the other plants.

Mr. COUZENS. I do not know much about the other plants; but I should think the closing down of the Ford plant alone would result in the throwing out of work for three or four weeks of at least 125,000 men. That is only an estimate, because contingent upon that plant closing down will, of course, be the closing down of other plants that make parts and supply materials. As to the result of the closing down of such other plants I have no way of arriving at an estimate. However, entirely outside of the speech made by the Senator from Wisconsin [Mr. LA FOLLETTE] this morning, conditions are getting worse, and we are going on for the first three or four months of 1931 with perhaps the worst economic condition this country has ever seen. Yet we quibble about a few million dollars; we quibble about whether or not we are going to help maintain a standard of wages and decide to throw out a crumb or two here and there to be used by the contractors as they see fit, with the result, in all probability, of depressing wages beyond the point of a decent living wage.

I have nothing further to say, for I think I know when I am licked, and I certainly am licked in this case.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Washington [Mr. JONES] to recede from amendment No. 14.

The motion was agreed to.

MODERNIZATION OF BATTLESHIPS

Mr. SWANSON. Mr. President, Senate bill 4750 has been pending here for some time on a motion made by the Senator from Utah [Mr. KING] to reconsider the vote by which it was passed. The Senators opposed to the measure, the Senator from Iowa [Mr. BROOKHART], the Senator from North Dakota [Mr. FRAZIER], and the Senator from Utah [Mr. KING], have agreed to let the motion go over if it may be made a special order for 2 o'clock January 6, 1931. I ask unanimous consent that the order may be now entered.

Mr. JONES. The unfinished business, the maternity bill, is not yet disposed of.

The PRESIDING OFFICER. The proposed order will be read by the clerk.

The Chief Clerk read as follows:

SPECIAL ORDER

Ordered, by unanimous consent, that the motion to reconsider the vote on the passage of the bill (S. 4750) to authorize alterations and repairs to certain naval vessels be made a special order for 2 o'clock p. m. on Tuesday, January 6, 1931, and that the unfinished business then pending, if any, be temporarily laid aside for the consideration of the above motion.

The PRESIDING OFFICER. The Chair will state for the information of the senior Senator from Washington [Mr. JONES] that the unfinished business would retain its position under the proposed unanimous-consent agreement. Is there objection to it?

Mr. DILL. What is the unanimous-consent proposal?

The PRESIDING OFFICER. It will again be read for the information of the junior Senator from Washington.

The Chief Clerk again read the proposed order.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the House had passed a bill (H. R. 15256) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1932, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED JOINT RESOLUTIONS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled joint resolutions, and they were signed by the Vice President:

S. J. Res. 211. Joint resolution for the relief of farmers in the drought and/or storm stricken areas of the United States; and

H. J. Res. 253. Joint resolution to provide for the expenses of a delegation of the United States to the sixth meeting of the Congress of Military Medicine and Pharmacy, to be held at Budapest in 1931.

PETITION

Mr. NORBECK presented the petition of James O. Berdahl and sundry other citizens of Sioux Falls, Spencer, and Salem, S. Dak., praying for the ratification of the World Court protocols, which was referred to the Committee on Foreign Relations.

RELIEF OF DISTRESS WITH A GIFT

Mr. CARAWAY. Mr. President, I send to the desk and ask to have read a letter. It came to me a moment ago with a check for $5. It comes from Albert Weldon, sr., of 306 East Two hundred and sixth Street, Bronx, New York City, N. Y.

Of course, I do not know this gentleman. I never heard of him. I only know what he says in this letter; and the check for $5 that he incloses indicates the gentleman he wants to receive it.

Of course, I am grateful to him. He shows a fine spirit. I hope he will not feel offended when the check is returned to him, because I do not feel that private individuals ought to take care of any situation that primarily rests with the Government. I desire, however, to have the letter read and incorporated in the RECORD.

The PRESIDING OFFICER. Without objection, the letter will be read.

The Chief Clerk read as follows:

DECEMBER 14, 1930.

Senator T. H. CARAWAY.

DEAR SIR: After reading the inclosed I was unable to sleep, thinking of the poverty of our dear fellow citizens way out there in Arkansas. How I wish I could send $5,000 instead of $5. However, I hope you can give a little cheer to a couple of those dear families, particularly the man with the eight children living at Cash.

Not knowing just how to proceed, I copied your name from the clipping. I trust you will pardon my presumption in detailing you to attend to this little love gift from our family. We do hope something can be done. Sometimes a small snowball, if rolled, becomes quite large. Oh, how we hope this will be the case with you and your people.

Sincerely,

ALBERT WELDON, Sr.,
306 East Two hundred and sixth Street,
Bronx, New York City, N. Y.

Mr. CARAWAY. Mr. President, I know of no more touching tribute to the spirit that somebody said made all mankind akin than the generous contribution of this unknown man in New York City to somebody out in my State whom he never knew and never will see.

NAVAL ACADEMY BAND—PAPERS

Mr. GOLDSBOROUGH presented papers to accompany the bill (H. R. 10380) adjusting the grades and ratings of the Naval Academy Band, which were referred to the Committee on Naval Affairs.

REPORT OF PUBLIC LANDS AND SURVEYS COMMITTEE

Mr. NYE, from the Committee on Public Lands and Surveys, to which was referred the bill (S. 3073) to amend the act of April 9, 1924, so as to provide for national-park approaches, reported it with amendments and submitted a report (No. 1211) thereon.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LA FOLLETTE:

A bill (S. 5475) for the relief of the George C. Mansfield Co. and George D. Mansfield; to the Committee on Claims.

By Mr. SIMMONS:

A bill (S. 5476) for the relief of Rufus J. Davis (with accompanying papers); to the Committee on Claims.

By Mr. TYDINGS:

A bill (S. 5477) to extend the benefits of the employees' compensation act of September 7, 1916, to Dora M. Jeffery (with accompanying papers); to the Committee on Claims.

A bill (S. 5478) for the relief of William H. Purkins; to the Committee on Naval Affairs.

A bill (S. 5479) granting an increase of pension to Annie E. Porter (with accompanying papers); and

A bill (S. 5480) granting an increase of pension to Elizabeth D. Wise (with accompanying papers); to the Committee on Pensions.

By Mr. HASTINGS:

A bill (S. 5481) to authorize the presentation of a medal of honor, posthumously, to the late Henry Clay Drexler; to the Committee on Naval Affairs.

By Mr. THOMAS of Oklahoma:

A bill (S. 5482) to amend subdivision (7) of section 202 of the World War veterans' act, 1924, as amended, in respect to persons suffering from tuberculosis; to the Committee on Finance.

A bill (S. 5483) to grant increased pensions to certain survivors of the Indian wars; and

A bill (S. 5484) granting an increase of pension to Elizabeth Williams (with accompanying papers); to the Committee on Pensions.

By Mr. NORBECK:

A bill (S. 5485) granting an increase of pension to Eugene Little; to the Committee on Pensions.

By Mr. CAPPER:

A bill (S. 5486) to amend section 115a of an act entitled "An act to establish a Code of Law for the District of Columbia," as amended; to the Committee on the District of Columbia.

By Mr. WALSH of Massachusetts:

A bill (S. 5487) granting a pension to Albert E. Sullivan (with accompanying papers); to the Committee on Pensions.

By Mr. HALE:

A bill (S. 5488) granting an increase of pension to Mary L. French (with accompanying papers); and

A bill (S. 5489) granting a pension to Flora E. Mosher (with accompanying papers); to the Committee on Pensions.

By Mr. HAWES:

A bill (S. 5490) for the relief of Ashley C. McKinley; to the Committee on Military Affairs.

A bill (S. 5491) granting an increase of pension to Anna Glynn (with accompanying papers); and

A bill (S. 5492) granting a pension to Willie T. Pry (with accompanying papers); to the Committee on Pensions.

By Mr. McKELLAR:

A bill (S. 5493) granting a pension to Margaret Kent (with accompanying papers); to the Committee on Pensions.

By Mr. ROBINSON of Indiana:

A bill (S. 5494) for the relief of Allen A. North; to the Committee on Military Affairs.

A bill (S. 5495) granting an increase of pension to Margaret Treadway (with accompanying papers); to the Committee on Pensions.

By Mr. HARRIS:

A bill (S. 5496) for the relief of Karl J. Howe; to the Committee on Military Affairs.

By Mr. GILLETT:

A bill (S. 5498) to restore to the active list of the Marine Corps the name of Albert Hamilton; to the Committee on Naval Affairs.

A bill (S. 5499) to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes; to the Committee on Post Offices and Post Roads.

APPROPRIATION FOR DROUGHT RELIEF

By Mr. CARAWAY:

A bill (S. 5497) making an appropriation to carry out the provisions of the joint resolution for the relief of farmers in the drought and/or storm stricken areas of the United States, approved December 20, 1930.

Mr. CARAWAY. This is a bill appropriating $15,000,000 under Senate Joint Resolution 211 for drought relief. I hope in some way that some help may come out of it to those who are so sorely in need. I move that the bill be referred to the Committee on Appropriations. The motion was agreed to.

HOUSE BILL REFERRED

The bill (H. R. 15256) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1932, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

HEARINGS BEFORE THE LOBBY INVESTIGATION COMMITTEE

Mr. CARAWAY submitted the following resolution (S. Res. 382), which was considered by unanimous consent and agreed to:

Resolved, That in accordance with paragraph 3 of section 2 of the printing act approved March 1, 1907, the Committee on the Judiciary of the Senate be, and is hereby, empowered to have printed for its use 450 additional copies of part 9 of the hearings held before its subcommittee on lobby investigation.

LOANS BY FEDERAL FARM LOAN BOARD

Mr. HEFLIN. I submit a resolution which I ask may be read, lie on the table, and go over under the rule.

The PRESIDING OFFICER (Mr. LA FOLLETTE in the chair). The resolution submitted by the Senator from Alabama will be read.

The Chief Clerk read the resolution (S. Res. 383), as follows:

Resolved, That the Federal Farm Loan Board is requested to submit to the Senate, within 20 days after the date of adoption of this resolution, the following information: (1) By States, the number of loans now outstanding made by banks under the supervision of the board, for purchase of land, and the total amounts so loaned; (2) the names of the persons to whom such loans have been made, specifying the number of such persons who are meeting their payments, and the number failing to meet their payments; and (3) what disposition is made of the lands foreclosed because of the failure to repay money so borrowed.

The PRESIDING OFFICER. The resolution will go over under the rule.

EXECUTIVE MESSAGES AND APPROVAL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries, who also announced that on December 19, 1930, the President approved and signed the act (S. 4400) to legalize a pier constructed in Chesapeake Bay at Annapolis Roads, Md., and to legalize an intake pipe in Warren Cove, at Plymouth, Mass.

BOUNDARY LINE BETWEEN THE CANAL ZONE AND REPUBLIC OF PANAMA

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was read and, with the accompanying papers, referred to the Committee on Military Affairs:

To the Congress of the United States:

I inclose a communication from the Secretary of State recommending a modification of the boundary line between the Panama Canal Zone and the Republic of Panama, so far as it affects the parcel of land in the Panama Canal Zone known as the Paitilla Point Military Reservation.

I recommend that the Congress enact the necessary legislation authorizing and empowering the Secretary of State to effect the modification of the boundary line as recommended by him.

HERBERT HOOVER.

THE WHITE HOUSE, *December 20, 1930.*

NATIONAL MOTORWAYS

Mr. FRAZIER. Mr. President, I ask permission to print in the RECORD a statement by Lester P. Barlow, a well-known authority, with reference to national motorways, published in the Stamford (Conn.) Advocate of December 19, 1930.

The VICE PRESIDENT. Without objection, it is so ordered.

The statement is as follows:

[From the Stamford (Conn.) Advocate, December 19, 1930]

The paramount issue before the Federal Congress and the various State legislatures is the reestablishment of national prosperity on a sound and lasting basis. The American people are done with prosperity periods of skyrocket characteristics which flash brilliantly at the top only to fall back into agonizing depressions and despair.

The Federal and State governments must cooperate in the development of a permanent, stabilizing, economic governor for the Nation's industries. It must be self-sustaining and not dependent on Federal or State appropriations from taxes. Such an economic governor must be established in the immediate future.

Regardless of what may happen in other parts of the world, no reasoning can explain why the United States should experience a depression such as is now upon us.

The present business depression in America is a perfect indictment of the whole people of this Nation. Our natural resources are bountiful. The mountains of this country are bursting with useful minerals. Our valleys and our plains are capable of supplying food and clothing for hundreds of millions of people. We are people of great intelligence and skill. The inventive genius of our citizens is unmatched by any other nation. We are ambitious, we are energetic, we are capable of great vision. We are decendants of pioneers of great resourcefulness and courage. We can revive within ourselves the courage of our forefathers. We will throw off this national depression and prevent similar conditions in the future.

To admit that the welfare of this Nation is depending upon the rest of the world—to adhere to the theory that depressions are a natural phase of the business cycle, is to concur with the superstitious.

The United States is a $400,000,000,000 Nation. We must not rest until every able-bodied man and woman may be usefully employed if they so desire and their place in industry must provide them with the accepted American standards of living. Charity and help for the needy, for the present, must be provided. All political factions must cooperate to meet the immediate needs of unfortunate people, but we insist that in the immediate future and thereafter, able-bodied men and women must not again be compelled to seek relief through charity.

With the widespread industrial depression throughout the Nation, all practical and legitimate effort should be applied to relieve the misery of millions of unemployed people. From the President down, the officials of our Nation and States must not forget for a second that these unemployed people are facing an emergency and a chaotic condition hourly. They are to a great extent hungry and hopeless, and feel that this great Commonwealth of ours, with its gigantic wealth, has no interest in their well-being.

As our industrial mergers and bank mergers become greater and greater, with some valued at over a billion dollars and with a prediction of mergers to come of two, three, four, or five billions, we find all over this Nation men and women going out of employment to the extent of one, two, three, four, and five millions. This is all out of harmony. With the creating of the great financial and industrial mergers, employment must go up with the rise of the financial powers of industry. The day of reckoning is here. Honest discussion must prevail. Politics must be suspended. Human interest must be at the helm, not greed. Great as we are in America, we are no greater than our ability to think in terms of human interest.

Congress is now debating ways and means for relieving the business depression. On June 4, 1929, during the special session of Congress called by the President, Members of Congress and present leaders within the administration group introduced in Congress the Phipps-Robsion joint resolution. This resolution, when introduced, was bulletined throughout the Nation by the Chamber of Commerce of the United States as important legislation proposed. The resolution calls for the creating of a Federal commission to be known as the United States motorways commission. The motorways commission is to be authorized and directed to study proposals for the establishment of a national system of express motorways with a view to making recommendations to Congress with respect to the establishment and maintenance of such a system.

When the stock market crash of October, 1929, threw the Nation into a business depression, three prominent administration leaders had a conference at the White House with the President. They asked him to support the motorways commission bill.

The men above referred to who conferred with the President were Senator LAWRENCE C. PHIPPS, Representative John M. Robsion, and Representative JOHN Q. TILSON, majority leader of the House. I attended that conference as engineering advisor.

They told the President that the motorways commission would go far in helping to stem the depression and would provide plans for the useful employment of hundreds of thousands of people. The President failed to give his support to the measure in spite of the plea of prominent men within the administration circle. In the Senate, the bill was before the Post Office and Post Roads Committee, of which Senator PHIPPS is chairman. He succeeded in getting a unanimous report from his committee, favoring the passage of the bill. A portion of the United States Senate committee's report is as follows:

"* * * Recently there has arisen an increasing demand for more trunk roads or express motorways, so as to relieve congested traffic conditions and expedite travel. This is not a matter of pleasure but of business. The demand comes on account of the increased importance of a network of good roads for industry, for the farm, for the transportation of freight, including foodstuffs, and for travel on the part of the general public.

"With this problem may be linked the solution of the unemployment situation. The proposal of a great network of express motorways connecting the East, West, North, and South offers a program of improvement which is especially susceptible of expansion and contraction to meet fluctuations in employment. Such a program means that the Nation will seek labor and not labor seek employment.

"The commission authorized by the pending resolution should go a long ways in solving these difficulties and in helping to straighten out the national traffic tangle. Its members would consist of representatives of the public and of all interested Government departments, including the House and Senate. They would make a thorough and impartial inquiry into traffic needs, having the immediate future in mind, and would suggest methods of working out the important problems involved. * * *"

The Senate body passed the bill by unanimous vote and without debate, and without President Hoover's requested encouragement. It was clear to all of the Senators if not to the President the vast importance and need for such a Federal agency.

Under pressure of the railroads and major banking interests, the administration leaders on the House side have held the bill locked in the Committee on Rules. The House Rules Committee should report this bill out favorably at once. The House should pass it and the President should sign it without delay. With the motorways commission in existence, it will be possible for the first time for the many worthy suggestions for a national system of express motorways to be presented to a Federal agency with authority to coordinate the interests of all the Federal branches and the various agencies of the States and municipalities and make a comprehensive and thorough report to Congress. The motorways commission bill has been before Congress for a year and a half.

At the time of the introducing of the motorways joint resolution in Congress, Senator PHIPPS, in a public statement, expressed himself as follows in regard to the proposed motorways commission:

"In introducing the joint resolution with Representative Robsion for the creating of a United States express motorways commission, I believe we are offering a measure which will save years of haphazard investigation as well as hundreds of millions of dollars to the taxpayers of this Nation.

"If this commission is created, it will handle the problem in scope which will be nation-wide. The plans will call for a great system of express motorways, the initial projects will be put into operation where traffic conditions most demand.

"It is time to consider the feasibility of public-owned express highways, especially in view of the recent efforts to obtain private concessions of this nature. Roadways upon which faster and more direct travel will be permitted are becoming a necessity. The question involved is whether the United States should take a hand. The proposed investigation will aid Congress to determine that matter with a view not only toward solving the traffic problems but also the question of unemployment. * * *"

Representative Robsion made a similar statement as follows:

"We propose in the resolution the creating of a Federal commission to study the subject of national express motorways and to propose ways and means for meeting the problems involved. * * *

"There are many valuable suggestions and plans and, beyond a doubt, practical ways and means of working out an express motorways system adequate for the needs of the American people. The plan should be nation-wide, and although the initial projects put into operation should be where traffic conditions most demand, these should be carefully planned as a part of a national hook-up scheme before construction starts * * *."

The citizens of the United States look to President Hoover to solve the unemployment situation, and they also expect him to straighten out the national traffic tangle.

We could tackle the problems of unemployment and national express motorways as a joint problem, and we could prepare to meet at the same time all of the problems relative to the subject.

The financing and creating of a national system of express motorways would relieve practically all unemployment in this country. There would be increased property valuation in the United States of several billions of dollars. A long period of prosperity would be guaranteed, and the express motorways would be one of the greatest achievements in our history.

The majority leader, Representative JOHN Q. TILSON, telegraphed State Senator W. W. Westall, of New York, last April as follows:

"* * * The present unemployment situation, in my opinion, warrants immediate action in the direction of highway improvement along sound lines. I believe the New York Legislature has a great opportunity to do a national service by passing this bill and making a start on a national express-motorways system. If a New York-Boston express highway is built I hope it will be a model for the Nation."

The American motorists are now paying annually in gasoline taxes over a half billion dollars. That means that all of the streets and highways in America are toll highways. Furthermore, this toll is popular with the American people, as it goes far in paying the highway-construction costs. We should not hesitate now to inaugurate a program of a national system of toll express motorways. Such a program could be developed through the policy of "Let those who use them pay for them."

The Holland Tunnel in New York, a $44,000,000 toll project and owned by the public, has proven highly popular. The $33,000,000 public-owned bridge at Philadelphia and Camden is another popular toll project. The new $66,000,000 Fort Lee Bridge across the Hudson River, a public-owned toll project, is a construction that the people of the East point to with pride. There is no doubt but what the American people are now ready to extend a national plan of construction which will create a high order of efficiency of motor transportation through the traffic-congested districts throughout America.

Staid tradition has always been the archenemy of progress, and the energy expended in overcoming tradition often leaves the victor without energy or resources to do what progress demands. In time the ever-mounting rebellion in the mind of the public against tradition severs the leashes and makes possible the accomplishing of the requirements of advancing civilization. The people of the United States have now reached the state of mind which will support a program of a basically new national motorways system.

This Nation is entitled to boast great national motorway trunk lines. We must have them. We have reached the end of the trail. "Detour" will no longer get us by; neither can we longer "detour" our responsibilities relative to motor highways.

The ever-mounting automobile casualty list has become colossal, carrying with it widespread grief and terrific economic loss. The present situation is a 24-hour catastrophe, going on 365 days a year. Our so-called national highways are murder traps, more destructive of American lives and property than any enemy has ever been. We stand ready always to meet foreign enemies, yet we peacefully submit to destruction at the hands of a ruthless enemy within our midst.

The economic loss to the motorist because of inadequate motorways is beyond comprehension. The loss amounts to hundreds of millions of dollars annually, not figuring the losses due to wrecked cars and lives. Figuring the loss of waste gasoline, oil, tires, and wear and tear on the car proper, the total becomes staggering, but when the loss of time, due to the loss of car-miles, is added we run out of figures. We then realize to some extent how frightful the loss really is.

Consideration of the foregoing indisputable facts makes it imperative that, without delay, a remedy be sought which will check the enormous waste and capitalize the saving by using it for the purpose of building adequate motorways.

As an evidence of the tremendous revenue-earning possibilities of motor-toll projects when publicly owned, the Holland Tunnel in New York is an excellent example. This project is paying annually 11 per cent on a $44,000,000 investment. The bridge at Camden and Philadelphia, owned jointly by the States of New Jersey and Pennsylvania, cost $33,000,000 to construct. It is paying off its entire cost of construction and interest on the debt in a period of 13 years. The new Fort Lee Bridge across the Hudson River at New York is costing $66,000,000 to construct. It is expected that this bridge will pay off its entire cost of construction within a period of 10 years.

These projects are financed by bonds, 80 per cent of the security of the bonds being the property of the projects themselves, yet the bonds were sold without effort and are considered A 1 investments.

These projects have all been opposed by the railroad interests, and the Phipps-Robsion resolution before Congress to-day, calling for the creating of the express motorways commission, has its principal opponents in the railroad groups. President Atterbury, of the Pennsylvania system, has publicly stated that when the express motorways are built they will be built by the railroads and operated under the railroad traditions.

President Pelley, of the New Haven Railroad, has recently stated in the presence of a group of business men and directors of that railroad that it is to the interest of the railroad that the highways are congested. "The New Haven Railroad is opposed to the building of the express motorways to-day, to-morrow, and forever. We doubt the necessity for such motorways, but even if there is a necessity we shall block the construction of express motorways just as many years as we can. If the public does not like the congested highways, let it ride the railroads." This is the old spirit of Vanderbilt, "Let the public be damned."

When the express motorways develop in America, they must be publicly owned at the start and always remain the property of the general public.

The railroads should be extended every possible consideration, and wherever possible the express-motorway system should be blended with the railroad facilities. The various railroad organizations which have long served the communities of the Nation should be protected. The express motorways should not be operated in competition with the railroads through the medium of small bus and truck companies which have no responsibilities to the public. Neither should the railroads be allowed to monopolize the express-motorway system at the expense of the general public, but the motorways commission should propose ways and means whereby both the general public and the railroads would benefit by the coordination of the public service through railroads and motorized transportation.

This railroad problem offered here for consideration is an illustration of the colossal problems facing the people of this Nation and which can not be met other than through a Federal constituted commission of the broadest scope.

We do not advocate the abandonment of the present State highway systems nor do we propose that the States surrender jurisdiction over their roads. We propose, in addition to the present State and municipal highways, a great system of Federal express motorways. We are for the continuance of the Federal-aid program for improving State roads as they must be the feeders of the Federal express motorways to come.

I have been assured by many of the so-called western independent Senators that they will give their support to companion legislation to the motorways commission providing for the cooperation by the Federal Government with the States in guaranteeing of any interest on any portion of financing bonds for the express-motorways projects which have been approved by the Federal motorways commission.

Here is an offer from western Senators to help the industrial East. Where are the Connecticut Senators? I'll tell you—they are with the "railroads" and "high finance."

As an evidence of the magnitude and possibilities of motorways which present themselves to the American people at this time, we suggest the building of a nation-wide express-motorways system to be built to a national coordinated plan, the first units to be built in the heavily populated districts and later these districts to be hooked up by connecting links through the open country, the completed system to cost between five and six billions of dollars.

We propose as a possible 5-year program to be initiated immediately that the first units of the national system be planned in the following localities. With these localities we set up a table of mileage and the proposed cost of construction. This initial construction would be through heavily built-up sections, and would naturally result in an expenditure per mile greatly in excess of expenditures required in open country between the cities. In most of the cities the cost of construction would average approximately $4,000,000 per mile. From engineering data available to us we believe that the construction in heavily congested districts would be kept within the $4,000,000-per-mile estimate. This could be accomplished by building over the tops of specially constructed buildings through the cities rather than over the streets of the cities. Under this plan the traffic would not be visible from the streets and could be made practically soundproof. The buildings beneath the motorways, which would be constructed of concrete and steel, would provide excellent housing facilities for families and business. New York and other cities may find through this suggestion the solution for the removal of thousands of antiquated tenement buildings and their replacement by pleasant and healthful modern structures, with storage space on their roofs for tens of thousands of motor cars, as well as the space required for the express motorways tracks. We suggest the following cities for the initial construction. Other cities may be added.

District	Mileage	Cost of project
1. New York and New Haven Motorways	65	$200, 000, 000
2. New York metropolitan district	50	600, 000, 000
3. Chicago	50	200, 000, 000
4. Detroit	30	120, 000, 000
5. Boston	30	120, 000, 000
6. Cleveland	20	80, 000, 000
7. Pittsburgh	20	80, 000, 000
8. Philadelphia	20	80, 000, 000
9. Baltimore	15	60, 000, 000
10. St. Louis	15	60, 000, 000
11. Los Angeles	30	120, 000, 000
12. San Francisco	20	80, 000, 000
13. Minneapolis and St. Paul	15	60, 000, 000
14. Omaha	10	40, 000, 000
15. Atlanta	10	40, 000, 000
	400	1, 940, 000, 000

Although our proposals for the construction of a national system of express motorways calls for huge expenditures, these expenditures do not affect the treasuries of the various States or the Federal Government other than that which applies to possible interest during construction periods. The billions of dollars which will be required in the building of the national express motorways will be derived from their own earnings.

These projects may be financed by bond issues secured by the property of the particular motorways projects authorized constructed, the interest on the bonds to be guaranteed for 10 years at 4½ or 5 per cent per annum, the interest guaranteed to be equally divided between the Federal Government and the State or States affected. The bonds would be retired by the toll earnings of the motorways projects. The interest which may be advanced as guaranteed by the Federal Government and the States would constitute a loan which would be equivalent to a small part of the actual construction cost and would be returned to the Federal Government and the States from the first earnings of the motorways projects.

Taking into consideration the number of men employed and the production of materials for these projects, such as steel, cement, sand, gravel, lumber, and other commodities, it would be safe to estimate the average number of employed at 1,000 men per mile during the construction period. In the preliminary 5-year program that would mean 400,000 people, either directly employed on

the construction or in the creating of the materials for the projects. Because of the increase in land values due to the development of the motorways from one to three times as many people in addition would be employed in other related activities. Geared into the proposed self-amortizing motorways plan could be all State and Federal public works, such as waterways, flood control, harbors, Muscle Shoals, and other hydropower projects, highways, public buildings, airway improvements, and irrigation developments.

Now, if the building of these projects were speeded up or retarded in direct relation to the conditions of private industries we could balance the general industrial plan indefinitely. Also in a few years' time the toll income from the express motorways would develop into enormous proportions, thus rapidly paying off the construction costs of the motorways projects and providing a continuous profit to the Federal and State Governments. If the toll should be maintained over a period of 100 years, with the understanding that all surplus earnings would go into the financing of highway projects only, we would have this self-supporting program to stabilize the Nation's industries and employment for almost a century into the future and at the same time we would be greatly reducing the Nation's tax burdens relating to highway construction which must come.

A heroic plan, yes; but this is a $400,000,000,000 Nation, and it can not be affected in any way by a 5 and 10 cent program. It will take tall figures from now on to get this Nation on its feet and keep it there. This we sponsor as a sound policy for the relief of industrial depression and insurance against similar future depressions.

Industry is now riding in the same boat as agriculture. The welfare of both is necessary to establish and maintain a high national confidence.

Another thing we must keep in mind is that within 10 years the entire world will be choosing between our form of government and the socialistic form now on the rise in Europe and Asia. If we are to guarantee our high standard of living for the future, we must raise the standard of living of every great industrial power which may develop in Europe and Asia. Whether we like it or not, the Soviet 5-year program will materialize in 1932. That is our presidential election year, and unless we set our house in order in the immediate future we are bound to come out of the 1932 election with a very radical Congress.

We should not only set up our own economic industrial program in a positive and effective way but we should invade with our principles all of the major industrial centers of Europe and Asia in order to raise the standard of living of the people in those nations, so that we will not be competing in a few years with their present low-wage standards. We are now in an economic race as a Nation with a new order of a national industrial program being followed by Soviet Russia. We must prove our type of government as superior to the rest of the world or we will find ourselves standing alone against the whole world in less than 10 years, a decidedly disadvantageous position to contemplate. It is time for us to face the music and by our own superior energies and intelligence write the tune that the rest of the world will dance to willingly.

The greatest period of prosperity and happiness is ahead of the American people, and we must take the world with us.

MONETARY CONDITIONS OF THE WORLD

Mr. PITTMAN. Mr. President, I have here an article published in the Financial Times of Montreal, Canada, by a very distinguished economic writer, on the monetary conditions of the world to-day as affecting depression. It is a very able article, which I would like to have printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The article is as follows:

[From the Financial Times, Montreal, Canada, December 12, 1930]

ANOTHER DANIEL COMES TO JUDGMENT

By P. A. O'Farrell

Sir Charles Stewart Addis, chairman of the Hong Kong and Shanghai Bank, is on a mission to the United States to enlighten its citizens as to how world-wide panic may be ended. "All that is necessary," Sir Charles says, "is to swing American public opinion to enthusiastic support of the World's Bank at Basle."

Of course, the World Bank would like, first of all, to have a billion or two of America's gold placed in incubators in its cellars to be hatched after the manner of the fabled goose golden-egg production.

So long as yellow metal is stored in the United States Treasury it is sterilized, but transplanted to the banks of the Rhine under the ægis of European bankers it at once becomes fruitful like the garden of Adonis which "One day bloomed and fruitful was the next."

Sir Charles scorns the thought that underconsumption has anything to do with what he calls "the worst slump in more than a hundred years."

"Such a thought," he declared, "was too subtle for him." It is not too subtle, however, for great captains of industry like Henry Ford, Owen D. Young, or Walter Teagle. He also insists the catastrophic fall in the value of silver did not cause the slump.

The Hong Kong Bank has made untold millions selling unstabilized silver bullion at enormous profit.

The restoration of stabilized metallic silver is the last thing on earth which the Hong Kong and Shanghai Bank wishes to see.

So Sir Charles Addis can not comprehend why the 90 per cent drop in the purchasing power of silver has had anything to do with the bankruptcy of the Orient and with the phenomenal slump in the purchasing power of more than half the people of the earth.

He would have us believe that overproduction, swollen inventories, and $20,000,000,000 of frozen capital have nothing whatever to do with this world-wide depression.

He claims the worst slump in a hundred years will vanish like Prospero's ghosts, provided American public opinion swing to the support of the cosmopolitan bank, whose destiny is being shaped under the wing of the goose that lays the golden eggs.

Sir Charles sorrowfully confesses that, unless currency be stabilized to a "reasonable extent," even the high priests of finance will fail in their efforts to rescue the world from the doldrums of the worst slump since Waterloo.

It did not need a Daniel from Hong Kong or a ghost from the grave to tell the American or the Canadian people that the high road to economic salvation lies in the stabilization of the price of gold, or, in other words, the stabilization of currency.

To a large gathering of American bankers Sir Charles preached a new gospel when he informed them that: "True wisdom lies in the masterful administration of the unseen."

George Bernard Shaw could not have surpassed that subtle thought.

Masterful administration of the unseen and unknown is something the American bankers know nothing about. They leave the unseen and unknown to the great bankers of London and Berlin who assassinated the world's stabilized silver and gold monetary system which had so efficiently served the human race for some six or ten thousand years.

One extraordinary thing about the masterful administrators of the unseen and unknown is their unwillingness to look facts in the face. They talk about stabilizing the price of gold and immediately declare that the single gold standard must not be abandoned.

GOLD STANDARD IS FRAUD

If the price of gold is not stable, the gold standard is a fraud "a living lie."

If it is necessary to stabilize the price of gold after 60 years of unstable gold price levels, then the initiation of the single gold standard was a monumental swindle.

It might be well for the world if Sir Charles and his colleagues in the World Bank and his associates in the Bank of England would give some consideration to these facts and leave the masterful administration of the unseen and unknown to George Bernard Shaw and G. K. Chesterton.

Tradition and history tell us that in the age of Homer, Solomon, and Ossian there were great supplies of gold and silver. "Silver," says the Bible, "was as common as stones in the streets of Jerusalem when Solomon was king."

In the Third Book of Kings we read: "The weight of the gold that was brought to Solomon every year was 666 talents of gold. A talent was 1,500 ounces troy.

As an ounce of gold had at least more than fortyfold the purchasing power in Solomon's time it has now, his yearly tribute in gold must have been something like $720,000,000.

Solomon must have had a superabundance of gold, for the Bible reads: "He made 200 shields of the purest gold. He allowed 600 shekels of gold for the plates of 1 shield. And 300 targets of fine gold; 300 pounds of gold covered 1 target. And the king put them in the house of the forest of Lebanus. King Solomon also made a great throne of ivory and overlaid it with the finest gold. Moreover, all the vessels out of which King Solomon drank were of gold and all the furniture of the house of the forest of Lebanus was of most pure gold.

"For the king's navy once in three years went with the navy of Hiram by sea to Tharsis and brought from thence gold and silver and elephants' teeth and apes and peacocks."

In the account of the Queen of Sheba's visit we read:

"Entering into Jerusalem with a great train and riches and camels that carried spices and an immense quantity of gold and precious stones she came to King Solomon.

"And she gave the King 120 talents of gold and of spices a great store and precious stones."

Even in these days a present of 180,000 ounces of gold might gladden the heart of a king. In our currency its value would be in excess of $200,000,000.

FOOD FOR THOUGHT

These facts relative to 3,000 years ago afford much food for thought.

People who think that pomp, splendor, and civilization began with the Bank of England or the discovery of Wall Street will find much to learn in the story of Solomon.

In all probability Europe and Asia produced more gold and silver in ancient times than the western world, Australia, and South Africa have produced since their discovery.

All that wondrous wealth of gold and silver has vanished. It had vanished practically before Columbus set out on his great adventure.

Since 1492 silver and gold production is estimated at 1,100,000,000 ounces of gold and 15,000,000,000 ounces of silver.

Inaccuracies and duplications are of course unavoidable in such estimates. Much of this silver and gold was looted from the temples where it had rested for thousands of years.

All the gold and silver mined since 1492 has gone with the gold and silver mined before, save less than 4,000,000,000 ounces of monetary silver and 500,000,000 ounces of monetary gold.

Where is all the gold of King Solomon? Where are the snows of yesterday?

Only children and never-grown-ups prattle about abundant gold and silver supplies. The supplies of both gold and silver are tragically inadequate.

The bankers who scuttled stabilized silver money did, so they claimed, through fear of inflation. Just the same old tale told by the serpent in Eden.

If bankers had allowed the Roman parity of silver and gold to stand, we might have to-day $13,000,000,000 of gold and $12,000,000,000 of silver in circulation, or a total of $25,000,000,000 of metallic money. That would be $12.50 per capita of metallic money. France has $50 per capita, Argentina $41, United States $35, and England $15 per capita money.

Instead of the $10,000,000,000 of metallic money now in the world there should be at least $50,000,000,000 of stabilized silver and gold. That would mean $25 per capita for the human race, or half the per capita metallic money now in use in France.

FAMINE IN METALLIC MONEY

In the world of to-day there is an actual famine in metallic money. On the other hand, there is a deluge of inflation paper credit currency of all kinds amounting to probably $500,000,000,000.

The high priests of central banks, to whose administration democracy has turned over the minting of currency and the control of gold supplies, as well as the printing of hundreds of billions of inflation money, display a far more decided preference for fluctuating metal and paper currency than for stabilized gold or for stabilized silver money.

It is through the agency of unstable currency and unstable gold that great bankers win their fabulous fortunes.

Nineteen hundred years ago money changers were referred to as a "Den of thieves," and likened to a "Whited sepulcher, fair to the outside and full inside of dead men's bones and all filthiness."

Plutocracy has usurped the fabrication of counterfeit money, not worth 10 cents on the dollar. It has forged a species of currency which has impoverished the producers and wage earners of all nations.

Plutocracy has robbed the widow and the orphan. It has wrecked the orderly production and distribution of the necessaries of life and it has caused hundreds of millions of God's creatures to die of hunger, want, and disease.

It did this when it altered and adulterated the parity of the precious metals, and when finally it made gold the sole currency by assassinating the world's stabilized monetary system it committed as infamous a crime as murder or the sins of Sodom.

Defrauding the laborer of his hire and oppression of the poor, the Bible tells us, call to heaven for vengeance. Plutocracy, however, no longer believes there is a God in heaven, or if there be, banking and usury are not His concern.

However, banking, usury, counterfeit and soap-bubble currency concern democracy. Unfortunately, democracy is like Balaam's ass. Balaam was the priest, prophet, politician, and financier, who rode his ass to death. So does every upstart, for Shakespeare tells us: "The beggar on horseback rides his nag to death."

Balaam typifies plutocracy and the ass democracy. The patience of Balaam's ass has become a proverb. The ass had more sense and vision than the master he tried to save from perdition. But the master would not be saved and would not turn aside from his evil ways. Instead, he kicked and whipped his ass to death, but not before the gift of speech was given to the ass, and he told Balaam what he thought of him.

WAVE OF BOLSHEVISM IN MAKING

Democracy has allowed plutocracy to ride it to the brink of ruin. A tidal wave of Bolshevism is in the making. Already it has submerged almost half the Old World and it will soon submerge the rest unless democracy gets rid of the old man of the sea that is on its back. Democracy must not wait, like Balaam's ass, to sing its swan song. It must get rid of the false prophets and high priests who have wrecked the world's stabilized metallic money.

In stabilized metallic money democracy will find the gospel of economic salvation.

An international monetary congress must stabilize the price of 23 grains of fine gold and 276 grains of fine silver at $1. It must also stabilize 4.6 grains of platinum and 9.2 grains of palladium at a parity to 23 grains of gold. Also it must stabilize 2.5 grains of silver alloyed with 57.5 grains of bronze at 1 cent. This accomplished, the world will once more have a supply of stable and perfectly honest money.

Money, like density, momentum, and space, is relatively not matter.

Some may say this reconstruction of the world's monetary system is unnecessary, since paper money is so convenient and so cheap. In a few hours a billion dollars can be printed by a day laborer, but a billion dollars of silver, gold, and platinum costs a billion dollars in wages, supplies, and transport.

When Armageddon comes, paper money will go up in smoke like the Kaiser's billions of bonds and currency, but stabilized metallic money will outlast Bolshevism and will serve a new world and a new civilization when they are born again.

The man who prefers a Bolshevik or Hindoo gold-paper certificate to a stabilized silver rupee or ruble is little better than a fool.

It is time to call a spade a spade, and time to talk out loud and bold and not wait, like Balaam's ass, until it is too late.

Plutocracy, swollen with insolence and pride, and hopelessly blind to the ruin it has wrought, will go on like Balaam to perdition rather than repent and sue to be forgiven.

Like Milton's Satan, its swan song will be, "Better reign in hell than serve in heaven."

In the following table is outlined a stabilized metallic currency for all nations.

Density	
Silver	8.5
Gold	19.3
Palladium	12
Platinum	21.45
Valuation	
Silver	1
Gold	12
Palladium	30
Platinum	60

Gold currency 23 grains as unit or one gold dollar. Monetary gold is 23 grains of fine gold alloyed with 2 grains of bronze or one dollar.

25 grains of monetary gold	$1
5 grains of monetary gold	1 franc, drachma, or lira
250 grains of monetary gold	$10 or £2
125 grains of monetary gold	$5 or £1
500 grains of monetary gold	$20 or £4

Silver 276 grains fine and 24 grains of silver-bronze alloy also one dollar.

300 grains of sterling silver	$1 or 1 tael
75 grains of sterling silver	25 cents
72 grains of sterling silver	A shilling or mark
60 grains of sterling silver	20 cents, drachma, franc, or lira
150 grains of sterling silver	A ruble, rupee, or yen
180 grains of sterling silver	A half crown

2.5 grains of silver, alloyed with 57.5 grains of bronze, one cent.

60 grains of silver bronze	1 cent
120 grains of silver bronze	2 cents or an English penny
300 grains of silver bronze	5 cents
Platinum	
23 grains	$5
230 grains	50
460 grains	100
Palladium	
23 grains	2.50
230 grains	25.00
460 grains	50.00

Only $100 platinum and $50 palladium coins should be minted. The platinum money might have the image of a bear to show its Russian origin. The palladium coin might be half-moon currency.

The ruble, rupee, and yen might have the image of a tiger on the reverse side regardless of the nation which issued it. The eagle would naturally be the $20 gold piece. The shilling and mark should be changed to a 25-cent coin, and a harp on the reverse side would be a suitable engraving.

The 20-cent silver coin might have the image of Homer, since the drachma and franc are of Greek origin.

The dollar, tael, and crown should be made equal and have the image of a lion engraven on each.

Gradually all nations would come to know the different coins by the image they bore.

NO DIFFICULTY IN STABILIZATION

A world's monetary conference need have no difficulty in stabilizing metallic money for all nations at the parity given. That accomplished, some six billions of debased bronze, silver, and brass currency would be scrapped and replaced by bronze and silver money equal to its face value.

The replacement money would not increase the silver and bronze currency of the world. It would, however, stabilize its value at six billion dollars, or 60 per cent of the world's stabilized gold money.

In a century the sum of stabilized silver, platinum, and palladium would not equal the stabilized gold currency which will then be in existence.

Thus the stabilization of silver, gold, and platinum money will not increase the metallic money now in the world, although it will stabilize its value and its usefulness.

Stabilized metallic money will drive out of circulation the filthy microbe currency now in use in all countries, but especially in India.

Half-civilized peoples serve for wages paid in real money and not for cigarette-paper currency. The savage will give 12 hours daily service for a beautifully engraved silver-bronze penny.

Engraved metallic money is the advance guard of civilization in lands now far beyond its frontiers.

Hence, stabilized finely engraved bronze, gold, silver, palladium, and platinum is nature's own hand-painted money.

Let it not be forgotten that stabilized bronze currency, worth its face value in gold, is a thousandfold more serviceable to the human race than stabilized gold currency.

Bronze is the common currency of beggars and millionaires, and it is the currency which should be worth its face value in every mart, jungle, desert, and customhouse on earth.

So should every silver coin in circulation. In other words, 100 bronze cent pieces should be accepted from China to Peru as change for one gold dollar. In like manner, 25 silver francs should be the exchange in all nations for the louis d'or, a sovereign, or a 5-dollar gold coin. When that is done gold can be called standard money, but until it is the gold standard is not honest money.

The aim of monetary reformers is not to abolish gold as the standard of value, but to make it standard money. Gold is now as unstable as water, or as a reed shaken by every wind.

But when gold is linked with silver, platinum, and palladium at their relative marginal value, and when that relative marginal value has become an accepted convention or covenant by all civilized countries, the gold standard will cease to be a deceitful superstition and will become perfectly honest money.

Unstabilized gold and credit currency has wrought unparalleled misery and woe, and as certain as night follows day it will destroy the world's civilization unless it is ended, and that soon.

Stabilized bronze, silver, palladium, platinum, and gold, as already stated, are nature's or rather, with all due reverence, "God's own hand-painted money."

Unstabilized gold and unstabilized credit money, on the other hand, is the currency of his Satanic Majesty.

If democracy is to endure it must choose the money which has been so bountifully stored in the world's mines for the use and benefit of mankind, or else its doom is sealed and it will perish with the false prophets and high priests of finance who preferred the worship of mammon to the service of justice and truth.

CANDOR AND COMMON SENSE—ADDRESS BY JOHN BASSETT MOORE

Mr. BORAH. Mr. President, on the 4th of December, 1930, the distinguished international jurist, John Bassett Moore, delivered an address before the Association of the Bar of the City of New York. I ask permission to insert in the RECORD portions of that address. I will indicate to the clerk the portions which I desire to have printed.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

CANDOR AND COMMON SENSE

* * * * * * *

At the present moment, while our gunmen go unpunished, and our Treasury officials are trying to ferret out the amounts of the individual incomes of our capitalistic princes of blackmail, divertingly known as racketeers, strenuous efforts are being made to excite the public on the subject of communism. This certainly is a most interesting development. Many years ago I read a book by Charles Nordhoff, a great Washington newspaper correspondent, on communistic societies in the United States. We have had, in times past, many of them; some have survived, but many have perished. In their disappearance they may, in the language of an old play, be said to have died "unhonored and unhung"; but neither in their appearance nor in their disappearance did they excite our special wonder. As time has gone on our country has grown richer and richer, and the number and proportion of persons having an individual interest and stake in the maintenance of the principle of private property has steadily increased.

Let us take, for illustration, the single business of life insurance. Examining the figures as of December 31, 1929, we find (1) that the total number of holders of life insurance policies in the United States was 67,000,000, (2) that the total amount of life insurance in force, including ordinary, industrial, and group insurance, was $103,146,000,000, and (3) that the total admitted assets of life insurance companies amounted to $17,600,000,000. These assets represented investments in a great diversity of securities, including railway bonds and shares, the bonds and shares of what are generically known as public-utility companies, and mortgages and loans on lands and buildings in the cities as well as in the country. It is manifest that every one of the 67,000,000 policyholders has a stake in the maintenance of the right of private property.

It is also worthy of notice that the total number of farm owners in the United States, as of 1925, was 3,868,000, of whom 3,313,000 were full owners and the rest part owners; and that the total number of homes owned, not on farms, in 1920, as was shown by the census of that year, was 7,041,283.

In 1927 the number of shareholders in our corporations was estimated at 3,300,000, receiving dividends amounting to $4,300,000,000; and, according to recent estimates which are considered trustworthy, there are now between 4,500,000 and 5,000,000 shareholders, and some put the estimate as high as 16,000,000. The number of persons having a proprietary interest in unincorporated businesses must also be enormous.

In view of this wide distribution of direct personal interests in private property, it is no wonder that the United States is to-day reckoned the most "capitalistic" country in the world.

The most striking contrast with this condition of things is found in the attempt now going on in Russia to apply the principle of communism. No one believes less in communism than I do, or has less interest in justifying it in principle or applying it in practice. On the other hand, I am not ambitious to figure among those who ignorantly assume and rabidly declare that either the people of Russia or their political leaders have deliberately adopted the communistic system with the fell and devilish intention of raising themselves upon the ruins of the rest of the world. The lightning is, as far as I know, the only thing that can be said to come to us out of a clear sky, but even the lightning is not wholly self-created.

The Russian mind was not unprepared for communism for the simple reason that under the czarist government, clear down to 1906, the so-called allotment land—that is, the land received by the peasants on the emancipation of 1866 as distinguished from land privately owned—was held either in communal or in family (podvornor) tenure; and the proportion of private owners, including all classes, was exceedingly small. In 1892, out of a total of 11,071,100 owners of land, 10,589,900, or more than 19 out of 20, were peasants farming the so-called allotment land, held, as we have seen, in communal or family tenure as distinguished from private individual ownership. In 1905, according to the census of that year, the situation remained essentially unchanged, the privately owned estates and farms, including those belonging to corporations and institutions, numbering 827,500, while the estimated peasant holdings numbered upward of 12,000,000.

At the end of 1906 Stolypin undertook to abolish the communal and family tenures and to substitute for them private individual ownership. But the authorities state that, on the eve of the revolution of 1917, approximately only one-half of the peasant holdings in European Russia had freed themselves from the previous archaic forms and had adopted more modern methods of agriculture, and that to a very great extent the private individual holdings were not sufficient to cause the owners to be greatly enamored of the new system. My authority for these statements will be found in Russian Agriculture During the War, a volume published this year by the Yale University Press for the Carnegie Endowment for International Peace in its series of works covering the economic phases of the late war.

Let me also commend to those who are inclined to approach all foreign questions in a passionate spirit and to discuss them in terms of denunciation, the reading of the series of illuminating essays Approaches to History, written in a broad and candid spirit by a learned man of Russian lineage, my friend and former colleague, Vladimir G. Simkhovitch, and now in course of publication in the Political Science Quarterly. Like all wide surveys of human history, these essays serve to admonish us of the importance of studying the causes of the conditions with which we are confronted, and endeavoring, as reasonable and honest men, to understand them before we begin furiously to exhort others vicariously to gird on their armor and take up the sword.

In the United States there are, as has already been shown, comparatively few who may be said to have no individual interest in maintaining the system under which we have lived and prospered, and yet there are among us to-day those who are suddenly affrighted by the very mention of the word "communist." I do not share this feeling of alarm, and most certainly do not share it to the extent of believing that it is advisable to make new laws further to curtail freedom of thinking or suppress freedom of speech. I was born in the belief and was taught in my childhood that, in the free exchange of opinions and the calm discussion of issues, the truth would emerge and survive, and I still cherish that faith to-day.

There is, in my opinion, no better way to nourish and diffuse erroneous opinions than to persecute and advertise them; and this conviction was confirmed by a recent incident.

Late in July last I had occasion to spend a night in the city of Poughkeepsie. The air was still and warm and the demeanor of the inhabitants was tranquil. The police, probably feeling the heat, were little in evidence, while plain citizens like myself walked the streets unconscious of the need of protection. In the course of my stroll I refreshed myself at an ice-cream parlor long kept by the makers of a well-known cough drop. The place was crowded, and the occupants evidently were intent upon cooling their bodies rather than their minds.

The next morning, however, there appeared in the excellent local newspaper the announcement that some communists were enjoying a picnic in a neighboring grove, and that they were likely to be honored with the visit of a congressional committee. The local reporters then promptly visited the local district attorney, who had so little imagination as to say that he saw nothing he could do; that he had not been advised of any infraction of law or of anything requiring unusual measures to assure the safety of the community. But the case with the communists was altogether different. Like the indolent colored waiter, who when he heard a brass band "quickly came to life," they rose handsomely to the occasion. It was evident that the picnic had previously been a rather dull affair, so dull, indeed, that the picnickers in their drowsiness had not even bayed the moon with their futile cries; but now, with the prospect of becoming national figures, they suddenly felt that, in the immortal words of the Marseillaise, "the day of glory had arrived." As Longfellow says in his famous lines on Paul Revere's ride, "You know the rest." The country has been temporarily but only tentatively saved, and we must await, perhaps not without misgivings, the possible legislative proposals that may follow.

Having taken as my subject "Candor and Common Sense," I should not live up to my title, or perform what I feel to be a very solemn duty, if I were to refrain from mentioning a question of the first importance, the need of the full and intelligent discussion and understanding of which daily becomes more and more apparent. A year ago the American people were suddenly reminded of the fact that for a long while they had had no diplomatic relations with Russia, a vast country, embracing an immense population, with which our relations were once thought to be

traditionally friendly. The immediate occasion of the jolt was the tender by our Government to the Soviet Government, through a third party, of advice peacefully to settle a controversy with China. When it is difficult to explain an act by ordinary considerations we are accustomed to ascribe it to idealism; but, in the present instance, it was idealism and something more. We had entered into an international agreement commonly called the Kellogg pact, to which the Soviet Government, upon the solicitation of one of our cosigners, had, with our full knowledge and acquiescence, been permitted to adhere. By this act we necessarily recognized the Soviet Government; for, by the hornbooks—the very primers of the kindergartens—of international law and diplomacy, recognition may be implied as well as express, and one of the stock examples of implied recognition is the entrance into conventional relations. But, as we had refused to establish regular diplomatic relations with our cocontractant, we offered our peaceful advice through a third party; but the response we got was such as even peace-loving peoples do not specially relish. It breathed indeed a sense of resentment that we should presume to offer advice, through a third party, to a government to which we refused to speak directly. Our Government and people did not, I believe, congratulate themselves upon the reply, but, at the same time, did not see a way to prolong an interchange of views for which a third party, in view of the turn the matter had taken, might not have been eager to continue to lend its good offices.

On the other hand, we have lately been startled by an impulsive and heated outburst on the part of certain of our own officials over the importation into this country by some of our steel manufacturers of a cargo of Russian manganese and a short sale by the Soviet Government of some wheat on the Chicago Grain Exchange. It was hastily charged that the manganese was mined or delivered by convict labor, and that the wheat was "dumped" on the exchange with a view to depress the price of wheat in the United States market. An investigation promptly established the fact that the outcry was not justified; but language had been used and declarations had been made which necessarily raised the question whether our foreign relations were to be conducted constitutionally by the President and his legal agent, the Secretary of State, or chaotically by the subordinates or heads of other executive departments.

During my early service in the Government of the United States, in the first administration of Grover Cleveland, there was an opinionated comptroller who was disposed to disturb the orderly administrative procedures. Cleveland invited him to a conference; but it had not gone far when the comptroller somewhat curtly remarked, "Mr. President, under the law my opinion is final." President Cleveland quietly replied, "Yes, Mr. Comptroller, I am aware of that; but the law vests in me the power to make and unmake comptrollers." The trouble ended.

A sound and becoming rule regarding utterances by public officials was laid down in an Executive order issued on the outbreak of war between Russia and Japan in 1904, when Theodore Roosevelt was President and John Hay was Secretary of State. In this order, which was addressed to "all officials of the Government, civil, military, and naval," it was declared that, while it was always "unfortunate * * * by speech or conduct to excite anger and resentment toward our Nation in friendly foreign lands," it was pointed out "in a Government employee, whose official position makes him in some sense the representative of the people, the mischief of such actions is greatly increased." The order concludes with these golden words: "A strong and self-confident nation should be peculiarly careful not only of the rights but of the susceptibilities of its neighbors; and nowadays all the nations of the world are neighbors one to the other. Courtesy, moderation, and self-restraint should mark international, no less than private, intercourse." (Executive order, March 10, 1904, For. Rel. 1904, 185; Moore, Digest of International Law, vol. 7, p. 868.)

* * * * * * *

Let us now consider for a moment what was and still is, for practically all the world except ourselves, the established rule; or, in other words, the legal principle regarding the recognition of governments. It is clearly enunciated in an instruction which Thomas Jefferson, as Secretary of State, addressed to Gouverneur Morris, our minister to France, on March 12, 1793, in these words:

"We surely can not deny to any nation that right whereon our own Government is founded—that every one may govern itself according to whatever form it pleases—and change these forms at its own will; and that it may transact its business with foreign nations through whatever organ it thinks proper, whether king, convention, assembly, committee, president, or anything else it may choose. The will of the nation is the only thing essential to be regarded."

From that time down to 1913 this was the rule by which our Government was guided. It is true that, while Seward was Secretary of State, there were certain instances in which recognition was withheld because the new government was of revolutionary origin; but this was only a temporary and politic attitude suggested by our own Civil War, and is to be classed with Seward's protests against the recognition by foreign governments of the belligerency of the Confederate States—protests in principle expressly abandoned by the United States in 1869, and not since revived.

But on March 11, 1913, President Wilson, under whom I later had the honor to serve, enunciated, in a public statement called a "Declaration of Policy with regard to Latin America," a novel principle. This statement, incorporated in a circular telegram, was sent the next day by Mr. Bryan, as Secretary of State, to all our diplomatic officers in Latin America; but it had already been spread broadcast through the press. The text was as follows:

DECLARATION OF POLICY WITH REGARD TO LATIN AMERICA

DEPARTMENT OF STATE,
Washington, March 12, 1913.

To the American Diplomatic Officers in Latin America:

In view of questions which are naturally uppermost in the public mind just now, the President issued the following statement to the public, March 11, 1913:

"One of the chief objects of my administration will be to cultivate the friendship and deserve the confidence of our sister Republics of Central and South America, and to promote in every proper and honorable way the interests which are common to the peoples of the two continents. I earnestly desire the most cordial understanding and cooperation between the peoples and leaders of America and, therefore, deem it my duty to make this brief statement.

"Cooperation is possible only when supported at every turn by the orderly processes of just government based upon law, not upon arbitrary or irregular force. We hold, as I am sure all thoughtful leaders of republican government everywhere hold, that just government rests always upon the consent of the governed, and that there can be no freedom without order based upon law and upon the public conscience and approval. We shall look to make these principles the basis of mutual intercourse, respect, and helpfulness between our sister republics and ourselves. We shall lend our influence of every kind to the realization of these principles in fact and practice, knowing that disorder, personal intrigues, and defiance of constitutional rights weaken and discredit government and injure none so much as the people who are unfortunate enough to have their common life and their common affairs so tainted and disturbed. We can have no sympathy with those who seek to seize the power of government to advance their own personal interests or ambition. We are the friends of peace, but we know that there can be no lasting or stable peace in such circumstances. As friends, therefore, we shall prefer those who act in the interest of peace and honor, who protect private rights, and respect the restraints of constitutional provision. Mutual respect seems to us the indispensable foundation of friendship between States, as between individuals.

"The United States has nothing to seek in Central and South America except the lasting interests of the peoples of the two continents, the security of governments intended for the people and for no special group or interest, and the development of personal and trade relationships between the two continents which shall redound to the profit and advantage of both and interfere with the rights and liberties of neither.

"From these principles may be read so much of the future policy of this Government as it is necessary now to forecast, and in the spirit of these principles I may, I hope, be permitted with as much confidence as earnestness to extend to the governments of all the Republics of America the hand of genuine disinterested friendship, and to pledge my own honor and the honor of my colleagues to every enterprise of peace and amity that a fortunate future may disclose."

BRYAN.[1]

This declaration constituted a radical departure from our previous policy and practice, and also from the established practice and policy of all other governments, in the following particulars:

1. In declaring that cooperation with other governments was possible only so far as it was supported by the observance in their own affairs of orderly processes free from the exercise of arbitrary or irregular force.

2. That it was our purpose to make these principles the basis of mutual intercourse, respect, and helpfulness between our sister republics and ourselves.

3. That we should "lend our influence of every kind" to the realization of those principles in fact and in practice by the other governments of the hemisphere.

4. That there could be "no lasting or stable peace" between us and those who sought to seize the power of government "to advance their own personal interests or ambition."

5. That we should "prefer" in our friendships those who acted in the interest of peace and honor and who respected the restraints of constitutional provisions.

It is to be observed that there was no intimation that we should leave it to our sister republics to determine whether they were behaving in an orderly way and respecting the restraints of their constitutions. On the contrary, there was a clear implication that we would determine this question for ourselves; and manifestly this was a logical necessity, as the question whether our own attitude should be friendly could not be left to the determination of others.

As a useful illustration of how this declaration of our superiority might have struck, and in fact did strike, at least some of our sister republics I may mention the circumstance that when I had occasion, as a representative of the United States, to spend several months in 1910 in Buenos Aires, while the great journals of that progressive city published European news, particularly from France, Italy, and Spain, by the column and the page, the most spacious attentions paid to the United States were an account of the attempt to assassinate Mr. Gaynor, then mayor of New York,

[1] Foreign Relations of the United States, 1913, p. 7.

and the story of a scandal involving one of our educational institutions. Well may we invoke the immortal lines of Robert Burns:

Oh wad some power the giftie gie us
To see oursel's as others see us!
It wad frae monie a blunder free us,
And foolish notion.

It is a legal maxim that hard cases make bad law. To those familiar with the conditions then existing it is superfluous to point out that the declaration of March 11, 1913, was inspired by a feeling of repugnance to the newly established government of Huerta in Mexico, which, although installed with formal observance of the provisions of the Mexican constitution, was alleged to have been brought into power by abhorrent acts and manipulation. The application of the new principle to Mexico, then and thereafter, I can not on this occasion undertake to review. I am now concerned only with the more far-reaching consequences of the attempt since made to apply it to all the independent countries of America, and even to extend it to the rest of the world.

Upon its very face it furnishes us with no tangible or consistent rule of action whatever. It makes the question of international relations in each instance altogether problematical, not unlike the meeting of two canines, one of whom, as Burns in his "Twa Dogs" has sagely remarked, may be a mere

"ploughman's collie,
A rhyming, ranting, roaring billie,"

while the other, as his trappings show, may be "the gentleman and scholar." They sniff each other. If nothing specially offensive is detected, they may even wag their tails and briefly play with each other. If, on the contrary, their olfactories are offended, they draw their tails between their legs, growl at each other, and may even fight, although both may show a lack of wisdom in so doing.

Our experience with the innovation has clearly demonstrated its ineffectiveness. It has repeatedly been shown that a frown or scowl on the countenance of the United States is not a cure for revolutions. If it were so, should we to-day have military forces, as indeed we long have had, in Haiti and Nicaragua? Nay more, would the various revolutionary governments in South America, which we have, with an alacrity suggestive of commercial and political competition, lately been hastening to recognize, have come into existence?

But this is not all. Not only does our recent departure keep us in an attitude of intervention in the domestic affairs of other countries but it has indoctrinated our people in the preposterous and mischievous supposition that the recognition of a government implies approval of its constitution, its economic system, its attitude toward religion, and its general course of conduct. Not only is this supposition contrary to elementary principles of international law, which assure to each independent state the right to regulate its domestic affairs, but it is flagrantly at variance with the facts. It is, for instance, inconceivable that the Government of the United States has at any time approved all the governments with which it held diplomatic relations. Even at the lowest ebb of our fortunes I believe we should have resented such an imputation. As I speak I hear, in the words of Ossian, "The voice of the days that are gone; they roll before me with their deeds." I hold in review the motley procession—governments liberal and governments illiberal; governments free and governments unfree; governments honest and governments corrupt; governments pacific and governments even aggressively warlike; empires, monarchies, and oligarchies; despotisms decked out as democracies and tyrannies masquerading as republics—all representative of the motley world in which we live and with which we must do business. Nor are these other peoples always given to admiring us as much as we admire ourselves. Even in the most recent times we can not be unaware that we are often denounced as a nation of money grabbers; that our Uncle Sam is caricatured and spoken of as Uncle Shylock; and I have even seen our people depicted as a herd of swine. Misunderstanding is something of which no nation can have a monopoly, and the perception of this fact should induce us to be circumspect, deliberate, and tolerant, even charitable, in our judgments.

But I will be more specific. The original and correct enunciation of principle by the United States on the subject of recognition, as heretofore quoted, related to the revolution in France. Not long afterwards there arrived at Philadelphia, then the capital of the United States, a new minister from France, Edmond Genêt. Genêt had first landed at Charleston, S. C., and, gurgling with the fermentation of the revolution, had on his way to Philadelphia, made speeches and committed acts, not unauthorized by his government, which were disturbing to the United States and not in harmony with its foreign policy. Nevertheless, the Government of the United States unanimously decided to receive him as minister. Who, one may ask, were the men who then composed the Government of the United States? At the head of the Government was George Washington, to whom we all may bow in reverence as the first and greatest of our Presidents—warrior, statesman, and administrator—who stands before the world as one of its greatest examples of character and the very incarnation of common sense; Thomas Jefferson, author of the Declaration of Independence, masterly in his grasp of principles, distinguished for his broad intelligence, founder of the University of Virginia, and author of the bill of rights; Alexander Hamilton, soldier, statesman, profound lawyer, great administrator, and founder of the financial system of the United States, of whom it was aptly said that he struck the rock of credit and it gushed forth; General Knox, Secretary of War, who served his country with equal ardor and efficiency in peace and in war; and Edmund Randolph, Attorney General, in one of whose opinions we find the first clear enunciation of the legal principle underlying the doctrine of territorial jurisdiction over bays. Having passed through the long and arduous struggle for independence, these men may still have been somewhat lean of body, but their nerves were strong and steady; and I am prepared to pit them against any government we have ever had, no matter how numerous its members may be, for aggregate wisdom, sagacity, and common sense.

When Genêt was received as minister the Reign of Terror in France was in full swing. The government of Louis XVI, our friend in our struggle for independence, had been overthrown and Louis had himself been beheaded; the goddess of reason had been enthroned and the streets echoed with hoarse cries for hanging at the lamp-posts the prelates of the dethroned church; the guillotine had been installed and heads were daily rolling into the basket; the Place de la Concorde was incrimsoned with blood, and the Jacobite government was conducting abroad what Edmund Burke called an anarchic propagandism. In these things there must have been much to offend the sensibilities of our sober rulers at Philadelphia and much to excite their strong disapprobation.

The rule the administration of Washington applied to France it applied in all other cases. They applied it even to the Barbary powers, popularly known, because of their lawless depredations on commerce, as the Barbary pirates, with whom they established diplomatic relations and concluded treaties, one of which, the treaty with Tripoli, declared that, as the Government of the United States was "not in any sense founded on the Christian religion" and had "in itself no character of enmity against the laws, religion, or tranquillity of Musselmen," no pretext arising from religious opinions should ever produce an interruption of the harmony existing between the two countries. With the omission of the introductory recital a similar declaration was inserted by the United States in the treaty with Tripoli of 1805, and in the treaties with Algiers of 1815 and 1816. This was but an enunciation of the principle of religious liberty.

* * * * * * *

It seems evident that, if the strange notion that recognition of a government implies approval of it, and, furthermore, that approval carries a pledge or justification of material support against its enemies is to be maintained, the joint resolution of 1922 should be either repealed or substantially amended. The war-making power under the Constitution of the United States is vested not in the President but in the Congress of the United States, and from this it would seem to follow that the war-making power should not be delegated to the President generally and indefinitely over a vast part of the earth's surface, embracing many peoples and many governments.

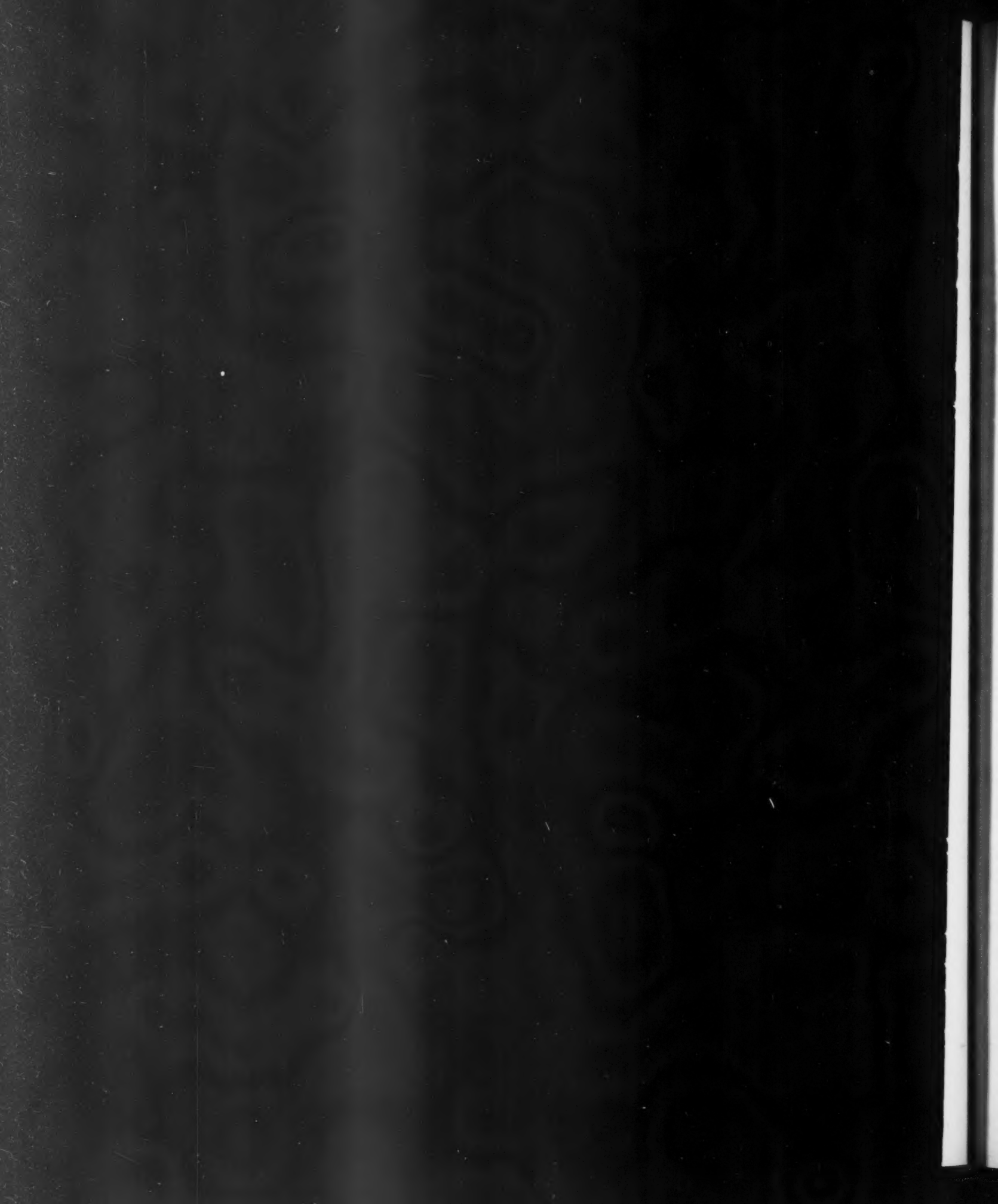
Yet, another fallacy that has come to prevail is the supposition that recognition and the establishment of diplomatic relations imply the relinquishment of claims. Nothing could be more contrary to the truth, or, when coupled with the Kellogg pact, more nearly approach the limit of human incoherence; for, while the pact declares we will not fight over our differences, they can not be peacefully settled without resort to diplomacy. While international law classes the severance of diplomatic relations among nonamicable methods of procedure, pointedly implying dissatisfaction and protest, it is equally true that the maintenance of such relations does not involve the abandonment of any claim or difference but only keeps open the channel of discussion. As for commercial nonintercourse, those who are acquainted with history know that this has often proved to be a prelude to war, of which, if war actually comes, it is an incident and characteristic.

We sometimes hear the question mooted as to the usefulness of establishing diplomatic and consular relations with this, that, or the other country, be it great or small. As one often and long connected with our Foreign Service, I am not predisposed to spend time in discussing a question which implies that the presence of our diplomatic and consular officers in a foreign country with which we do business or wish to do business is either worthless or worth less than it costs us. I shall be more disposed to discuss this rather foolish question when it is proposed to abolish the service altogether.

Finally, we hear it said that we must preserve our "ideals"; but we show little faith in them when we assume that they can not stand contact or competition with different ideals. Washington and his Cabinet certainly cherished their ideals, but they believed in propagating them in the modest and self-respecting way so well expressed in the Scriptural injunction: "Let your light so shine before men, that they, seeing your good works, may glorify your Father which is in Heaven." We do little to propagate our ideals when we tell those who differ with us that because of this fact we can not speak to them, but must, in the words of Kipling, regard them as "lesser breeds without the law." Moreover, the "idealistic" theory can not be squared with the insistence of nations upon diplomatic intercourse, even at the cannon's mouth. It was not identity of ideals that induced the western powers to compel the nations of the Far East to establish diplomatic relations. In China the necessary force was used first by Great Britain and then by France. In the case of Japan, the cannon were borne as a visiting card by the naval forces of the United States under Commodore Perry.

I will conclude this review of the subject of recognition by quoting from that immortal document, Washington's Farewell Address, these wise and solemn injunctions:





"Observe good faith and justice toward all nations. Cultivate peace and harmony with all * * * The nation which indulges toward another an habitual hatred or an habitual fondness is * * * a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. * * * Harmony, liberal intercourse with all nations are recommended by policy, humanity, and interest."

To these weighty words I will only add the famous apothegm of Jefferson in his first inaugural, "Peace, commerce, and honest friendship with all nations, entangling alliances with none."

To those familiar with diplomatic history and to those who know the story of the dark days through which we passed in the crisis of our own Civil War, it is needless to say that there is no nation, great or small, whose friendship, present or future, is to be reckoned as negligible or to be spurned with contumelious words.

* * * * * * *

ATTITUDE OF DEMOCRATS—ARTICLE FROM THE NEW REPUBLIC

Mr. BLEASE. Mr. President, I ask unanimous consent to have printed in the RECORD an article from the New Republic of December 17, 1930. I do not care to comment on the article, but I wish to state that I am glad that my friends on this side of the Chamber came over to my position and voted to seat the junior Senator from Pennsylvania [Mr. DAVIS], as I voted to seat Mr. Vare and Mr. Smith, of Illinois.

The PRESIDING OFFICER. Without objection, the article will be printed in the RECORD.

The article is as follows:

WASHINGTON NOTES—THE DEMOCRATS GO CONSERVATIVE—NO COALITION WITH PROGRESSIVES

Perhaps the most interesting development of this session of Congress so far is the turn of the Democrats toward conservatism. I do not mean all of them, because there are individual Members in the Senate who insist upon doing their own thinking and who will follow no leadership. But so far as the majority are concerned, the trend is clear and unmistakable. Also, it is calculated, it is part of a policy, the outcome of "conferences," and not in the least accidental. The fact of the matter is that since the recent election the conviction is pretty generally cherished among leading Democrats here and in New York that if the party makes no big mistakes between now and 1932, and can nominate a candidate who will appeal to the business interests of the country as well as the wet sentiment, its chances of winning are at least even. This is a good deal more than could be said of the Democratic chances in the last three campaigns.

Within the last few weeks several of the literary party aides have, in their carefully prepared pieces planted here and there, stressed the idea—and as I see it, the perfectly sound idea—that it is completely impossible to win without New York. To carry New York the Democratic Party has not only got to be wet, but its platform, ticket, and general disposition must instill confidence rather than distrust in the breasts of the larger industrial and financial leaders, who have heretofore backed the Republican Party with discouraging regularity and unanimity.

This idea has seeped into the minds of most of the more important Democrats here in Washington. It is nursed and encouraged by Mr. Shouse, the modest executive chairman of the national committee, and his even more modest publicity director, assistants, advisers, counselors, and friends, journalistic, financial, and political. I might further add that it is wholly in accord with the feelings and views of those two Democratic angels, Mr. B. M. Baruch and Mr. John J. Raskob. Between them, Mr. Baruch and Mr. Raskob, as the records show, did practically all the financing of the party in the recent campaign. Each of them contributed, in one way and another, considerably more than a hundred thousand dollars. This does not include what each has done toward decreasing and "funding" the deficit left over from the Smith campaign or the underwriting of the committee expenses in Washington, which Mr. Raskob, I am told, has "taken care of" personally.

Naturally, these two gentlemen have considerable influence among party people here in Washington, and it is no secret that they believe that from now on the party should conduct itself in such a way as to "inspire business confidence." In brief, it is striving to create a reputation for safety. To this end word has gone out that there will be no alliances, combinations, coalitions, or partnerships, either during this short session, or during a special session should there be one, or during the first session of the Seventy-second Congress, between Democrats and Progressive Republicans.

The notion now, however, is that the industrial East, where control of the Electoral College is lodged, frowns upon such alliances and that the making of them will mar the prospects of Democratic success. There is no longer any political nourishment to be obtained by identifying the Democratic Party with the liberal side, except so far as prohibition is concerned. On the contrary, the confidence of the business element of the North Atlantic States is the asset it is out to accumulate. That is the way the wise men of the party have argued the thing out, and that undoubtedly is the present policy of the party as demonstrated in the Senate.

One evidence of this was recently given in the refusal of the Democrats to join with the progressives in holding up JAMES J. DAVIS, the newly elected Senator from Pennsylvania, now charged with having benefited by a campaign fund in excess of a million dollars. Regardless of the merits of the really important question of Senate procedure in cases of this sort, the interesting thing is that the Democratic policy toward DAVIS was exactly the reverse of its policy in the Vare and Smith cases. The point I make is that the difference is due to the change in party policy determined upon right after the election, the first indication of which was given in that remarkable "cooperation" statement of the seven so-called Democratic leaders.

It will be interesting to see, as the weeks go by, how far they will go in this policy and how effective it will be. My feeling is that it can not be followed for a very long period or carried to a very great extent, for two simple reasons: First, that it is an unnatural attitude for the minority party to assume; and, second, that although they are "going along" now, a good many Democratic Senators, particularly from the South, are doing so reluctantly. Before the end of the session I think the Democrats in the Senate will inevitably drift back to their position of last session of consistently hammering at Hoover and making common cause with the Progressives against the administration program.

That they will carry this to the point of forcing a special session is, of course, not likely, and on the World Court, curiously enough, the Democratic position is that of Hoover. On most other matters, however, they are bound to disregard this sweet harmony, and "nothing must be done to scare business support away" because it is not natural and not self-respecting, and can't be made to stick.

PROHIBITION AND ITS ENFORCEMENT

Mr. SHEPPARD. Mr. President, I desire to have inserted in the RECORD an excerpt from the Washington Star of the 18th instant, being an Associated Press dispatch from Newark, N. J., in which Thomas A. Edison, in answer to a questionnaire, states that prohibition has helped the industrial and economic life of America and that its enforcement is improving daily.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

EDISON SAYS AMENDMENT HAS BEEN HELP TO NATION—INDUSTRIAL AND ECONOMIC LIFE BENEFITED TO GREATER EXTENT THAN REALIZED, WIZARD DECLARES IN QUESTIONNAIRE

NEWARK, N. J., December 18.—Thomas A. Edison expressed the opinion yesterday that prohibition has helped the industrial and economic life of America and that its enforcement is improving daily.

His belief was set forth in answer to a questionnaire submitted to him by Rev. James K. Shields, superintendent of New Jersey Anti-Saloon League.

The six questions and answers:

Q. Do you approve of the eighteenth amendment to the Constitution of the United States? If so, why?—A. Yes. It is a necessary aid to permit practical enforcement of prohibition all over the country.

Q. Has it helped the industrial and economic life of America at home and strengthened the industrial standing of our Nation abroad?—A. Yes; and to a greater extent than realized.

Q. In your judgment are children better fed and clothed and educated since the coming of national prohibition than they were before?—A. In my judgment I would say decidedly, yes. Let me cite my experience as a manufacturer, similar to that of other manufacturers. On pay days before prohibition hundreds of pale-faced women, shabbily dressed, some with faded shawls around their heads, appeared at our factory at West Orange. They were waiting to get some of their husband's money before he got to a saloon. Within a year after the amendment not a single woman appeared. Surely we Americans do not want a return of this state of affairs. Undoubtedly the condition of the mother indicates the condition of the children, although they are perhaps a little better off than she, because she will do anything even to giving up her life to protect them.

Q. What attitude should the womanhood of America hold toward prohibition, and why?—A. Woman is the custodian of the home and the children. She certainly, if a normal woman, does not desire the introduction of narcotics into her home, which in many cases changes a humane man into a brute.

Q. Are the boys and girls of America more likely to develop a higher degree of physical and mental fitness and become in every way better and more useful citizens under national prohibition of the liquor traffic or under the old licensed system or any form of State or Government control?—A. Yes; they certainly can not develop on alcohol and other narcotics.

Q. Should the eighteenth amendment be retained as a blessing to our American homes to-day and to those of future generations?—A. Yes; enforcement is getting more practical day by day. We now attack the large manufacturer right in our midst instead of men with flasks and home brews.

ORDER OF BUSINESS

Mr. COUZENS. I move that the Senate proceed to the consideration of executive business.

Mr. ODDIE. Mr. President, will the Senator yield to me in order that I may make a request?

Mr. COUZENS. I have made a motion.

Mr. ODDIE. But will the Senator withhold his motion for just a moment?

Mr. COUZENS. I will.

Mr. ODDIE. Mr. President, I should like to ask permission to have considered out of order House bill 6603, a bill to provide a shorter work week for postal employees, and for other purposes. I do not think it will lead to any debate.

Mr. SMOOT. Mr. President, if we are going to take up any bill for consideration I want to go on with the consideration of the Interior Department appropriation bill.

Mr. COUZENS. I must object, because we are working under unanimous-consent agreement to proceed to the consideration of executive business.

The PRESIDING OFFICER (Mr. LA FOLLETTE in the chair). Under the unanimous-consent agreement the Senate will now proceed to the consideration of executive business.

Mr. MOSES. Just a moment. Of course, under the unanimous-consent agreement conference reports are excepted, and there is one which I should like to call up; but under that unanimous-consent agreement I wish to have a perfect agreement with the Senator from Michigan.

Mr. COUZENS. I yield to the Senator from New Hampshire.

Mr. MOSES. I want to say to the Senator from Michigan that I understand perfectly the parliamentary situation, and conference reports are exempt from any unanimous-consent agreement under which we may be operating. I do not want to embarrass the Senator from Michigan in his desire to have an executive session, because I know the purpose which he has in mind is of very great importance; but I am sure that the conference report which I wish to call up, and which is privileged, under all the circumstances, including even the unanimous-consent agreement, can be disposed of in a very short time.

Mr. COUZENS. I am perfectly willing to withdraw my motion until that has been accomplished; but the Senator from New Hampshire as President pro tempore was in the Chair when I rose.

Mr. MOSES. Yes.

Mr. COUZENS. And I did not know that he would be ready to proceed with the conference report.

Mr. MOSES. The President pro tempore recognized the Senator from Michigan.

Mr. COUZENS. For that reason, I withdraw my motion to enable the Senator from New Hampshire to bring up his conference report.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the Speaker had affixed his signature to the enrolled bill (H. R. 14804) making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment, and it was signed by the Vice President.

TREASURY AND POST-OFFICE APPROPRIATIONS

Mr. MOSES. I now ask that the conference report on the Treasury and Post Office appropriation bill may be laid before the Senate.

The Senate proceeded to consider the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14246) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1932, and for other purposes.

(For conference report see Senate proceedings of yesterday, page 1118.)

Mr. MOSES. Mr. President, with reference to the conference report which has already been printed in the RECORD which has been read to the Senate, I wish to call attention to the fact that, while the number of amendments dealt with in the conference report seems to be excessive, as a matter of fact they are very simple because so many of them deal with a single class of subjects. For example, amendments numbered 6 to 27, inclusive, 31 to 41, inclusive, and 45 to 59, inclusive, and amendment numbered 67 all deal with the question of salaries; amendments numbered 64 and 65 have to do with appropriations for the carrying of the air mail; and amendment 68 has to do with leases for garages. While the report shows the two Houses to be in disagreement upon three amendments, amendment numbered 21 and amendment numbered 24 relate to matters which went out under a point of order in the House, and which necessarily have to be carried back to the House, and therefore are not really in disagreement, which leaves amendment numbered 66 in disagreement, and from that at the proper time I shall move to recede.

Before proceeding, Mr. President, to speak of the amendment which might be regarded as controversial, I want to express my complete sympathy with what has been stated by the Senator from Michigan [Mr. COUZENS] regarding conferences. Every time that I sign a conference report in the stated language of the formula, namely, that a "full and free" conference has been held, I know that I am subscribing to a perjury, because the situation is such that we are immediately confronted in a conference by an adamantine attitude on the part of the conferees appointed by the House.

While it is true that the House thinks it has a larger control of the national purse strings than has the Senate, that as a matter of fact is not correct, and I have felt the irksome character of the situation in conferences over and over again. However, so far as the principal items in controversy on this particular bill are concerned, I may say, Mr. President, that the Senate conferees, by one way or another, were able to wrangle out of the House conferees a much better situation than we had thought we could secure when the conference opened.

It is well known, Mr. President, that the administration and the Budget Bureau sent estimates to the Congress providing for the complete fulfillment of the different statutes which have been enacted in recent years with reference to the equalization of salaries and promotions in the Federal service. Those are the enactments known as the Welch bill and the Brookhart bill, the latter enactment having been found to be necessary because of some confusion in the terms of the earlier legislation. The administration and the Budget Bureau, however, determined that, in view of all the circumstances of financial depression in the country, it was not feasible to undertake now to provide for all the step-ups and all the equalization in salaries which the legislation contemplated.

I may say in passing, Mr. President, that that is not a unique situation with reference to legislation of this character. We frequently have provided by statute that a salary shall be such-and-such or that the force of people employed in a given branch of the Government service shall be so-and-so in number, but we do not make appropriations to carry out fully such provisions, and sometimes we make appropriations and the executive departments for some reason or other decline to go forward under them. However, the purpose of the Budget estimate was to divide the entire step-up necessary for the equalization of these salaries into a period of three years and to make the estimate this year for one-third of the sum necessary. The total sum necessary to produce everything contemplated by the Welch Act and the Brookhart Act was $14,500,000, in round numbers, of which estimates came here for $4,500,000. That sum, Mr. President, comprehended the entire Government service. This bill, however, deals only with the governmental force in the Treasury and Post Office Departments, and the fact remains that as against $4,500,000 which the entire Federal service would have received in salary benefits this year, this bill alone carries $2,273,800, divided thus: $836,000 of lapsed funds which are available under ordinary practice for the equalization of salaries. When I say that I must say something about the Wood amendment, so called. The Wood amendment has been stricken out.

If the Wood amendment had remained in the proposed legislation there would have been complete stagnation of all promotions of any character within the Government service. However, having been able to strike that out—that is to say, the House having receded on that proposition—we were enabled to add automatically by that process $836,000 to the salary money available during the next fiscal year.

In addition to that, there are sums of money available in this bill by increases under the Brookhart Act totaling $1,437,800. So, whereas the entire amount would have been in round numbers four million and a half, we still have in this bill alone $2,273,000.

Mr. President, the Senate conferees did not yield plastically, if I may say so, to the conferees on the part of the House. We attempted to glare at them as fiercely as they glared at us. The exchange of language across the table probably was a little more pointed from the Senate side than it was from the House side; but we did find ourselves in exactly the situation that the Senator from Michigan has just described, to wit, we were up against an adamantine attitude on the part of the House conferees, and, inasmuch as I am one of those who believe that legislation has to advance by wise compromise, and being willing at the minute to characterize this action as either wise or unwise; at any rate, we did come to a compromise, so that, instead of getting into the bill $4,464,000, which would have been there if the Senate amendments had all been agreed to, we did get in substantially two-thirds of that amount, and, under all the circumstances, I at least thought that to be a very satisfactory solution of the matter.

Mr. BROOKHART. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Iowa?

Mr. MOSES. Yes.

Mr. BROOKHART. On that proposition I can not understand the "two-thirds" figure. The Senator says there is $4,500,000 if we got it all, and $2,200,000, which we did get, is less than half——

Mr. MOSES. I said "in round numbers," if the Senator will remember.

Mr. BROOKHART. It seems to me those are rather square or triangular numbers, when they work out that way.

Mr. MOSES. Whatever geometric term the Senator wishes to apply to them, I will accept.

Mr. BROOKHART. This conference business seems to be a hold-up game according to the description of the Senator, which I do not doubt is a true description. I should like to ask him if the House committee is looking for an extra session of Congress this spring.

Mr. MOSES. That particular subject did not arise in the conference. The only thing I can say to the Senator about the conference is that the Senate conferees were by no means tongue-tied. They were by no means modest in expressing the opinion of the Senate. They did not lack vigor in making known what the Senate thought of the situation; but having come to what we regarded as a complete impasse, there seemed to be nothing else for us to do, and we thought we had done a fairly good job under all the circumstances in getting the $2,273,000.

Mr. BROOKHART. Is there any reason why this legislation should go through before the holidays? Would it not do just as well before the 4th of March?

Mr. MOSES. Mr. President, there are 11 appropriation bills to come, and this is the first one. If we are going to begin to delay on appropriation bills, and begin with the first one that comes in, of course, that may create a set of circumstances under which we might have to change a lot of plans.

Mr. SMOOT. Mr. President, I want also to suggest to the Senator that there are deficiencies here that are made immediately available, and that ought to be at once enacted into law. Outside of that, of course, they could go over; but that is necessary here in order to take care of some very, very important matters.

Mr. MOSES. I am very much obliged to the Senator from Utah for reminding me of that, because there are some items in the Treasury section of this bill for construction where the sums are made immediately available, where the plans are all ready, and where the work can begin at once.

Mr. SMOOT. Just as soon as this bill passes.

Mr. BROOKHART. How great are those sums? Let us see about them, and see what they look like.

Mr. MOSES. One is for the Coast Guard Academy at New London, concerning which I remember we had a considerable discussion in the committee—$1,640,000 in a single item, Mr. President.

Mr. BROOKHART. What is the total of all the items?

Mr. MOSES. Well, now, wait just a minute. Does the Senator from Iowa wish me to indulge in a lot of arithmetical exercises for his benefit, or will he do them and give me the result?

Mr. BROOKHART. No; I do not care so much about the details as I do about averages and totals. I should like to know something about the total of this amount that is going to be immediately available.

Mr. MOSES. I should say it probably was eight to ten million dollars of items that I immediately can think of.

Mr. SMOOT. I hardly think it is quite that amount, but no matter whether it is five millions or six millions.

Mr. BROOKHART. We are going to reduce the wages of the Government employees $2,300,000.

Mr. SMOOT. No; we are not reducing the wages at all, Mr. President. We are giving increases. This begins in June.

Mr. MOSES. No, no; as a matter of fact we reduce nobody, but we increase them $2,273,000.

Mr. SMOOT. Every employee of the Government will get exactly the same wages that he is getting and has been getting.

Mr. MOSES. Some of them will get more.

Mr. BROOKHART. They would get that just as quickly if this bill were passed in February as now, would they not?

Mr. MOSES. I am not sure about that.

Mr. BROOKHART. I have a strange feeling that we can reduce some of that iron blood down to a more humane mixture if we will wait over until about February to meet these conferees again.

Mr. MOSES. Then, I beg the Senator from Iowa to apply his policy of dilution to the agricultural bill, which comes before a committee of which he is a member.

Mr. BROOKHART. The Senator is mistaken. I am not a member of the Agricultural Committee.

Mr. MOSES. No?

Mr. BROOKHART. No; I am not, I am sorry to say.

Mr. MOSES. Since when?

Mr. BROOKHART. I never was.

Mr. MOSES. Never?

Mr. BROOKHART. Never.

Mr. MOSES. That accounts for the Senator's interest in agriculture, not being a member of the committee dealing with the subject.

Mr. BROOKHART. It was not because I did not try to be a member, but it was because the Senator's rule of this body in favor of certain stand-pat, reactionary ideas did not want a fellow like me on a committee like the Agricultural Committee.

Mr. MOSES. Oh, the Senator's adjectives are dreadful!

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Tennessee?

Mr. MOSES. I had already yielded to the Senator from Iowa. If the Senator from Iowa wishes to get back from agriculture to the Post Office Department, I will meantime yield to the Senator from Tennessee.

Mr. BROOKHART. On that point, I must call attention to the fact that it was the Senator from New Hampshire who got over into the Agricultural Committee, and not myself.

Mr. MOSES. Very well; then I will come back to the post-office bill.

Mr. McKELLAR. Mr. President, what I wanted to ask the Senator—and I have just come into the Chamber—was

this: I see that Senate amendment 69, the last amendment, was agreed to.

Mr. MOSES. Yes.

Mr. McKELLAR. What was the other provision agreed to by the conferees affecting the employees?

Mr. MOSES. Having stricken out the so-called Wood amendment, which absolutely froze all salaries into the sum where they now are, we were able to secure the release of $836,000 from lapsed appropriations.

Mr. McKELLAR. Where is that provision?

Mr. MOSES. That does not show, except in the fact that we have not changed the substantive law as it now is. That is to say, without the Wood amendment it has been possible to use these lapsed appropriations—a process which the Senator from Tennessee will understand—but with the Wood amendment in the bill that could not be done. Having gotten the Wood amendment out, we released $836,000 for use in making promotions. In addition to that, we have literally put into the bill $1,437,800 to provide for increases which are authorized under the Brookhart Act.

Mr. McKELLAR. That is a little over $2,000,000?

Mr. MOSES. Two million two hundred and seventy-three thousand eight hundred dollars.

Mr. McKELLAR. What would have been the effect if we had proceeded under the Brookhart amendment?

Mr. MOSES. The Senator must take the Welch Act also.

Mr. McKELLAR. Yes.

Mr. MOSES. He must take all the step-ups. It would have been $4,464,000.

Mr. McKELLAR. In other words, it cuts the promotions in half.

Mr. MOSES. Yes.

Mr. BROOKHART. Mr. President——

Mr. MOSES. I now yield again to the Senator from Iowa.

Mr. BROOKHART. The Senator said that these new improvements authorized would amount, roughly, to $8,000,000; but the reduction in wages of Federal employees—the Senator will not call it a reduction, but a failure to increase them as they should be increased under the law—amounts to $2,300,000.

Mr. MOSES. No; $1,190,000.

Mr. BROOKHART. Four million five hundred thousand dollars, with $2,200,000 off of that, leaves——

Mr. MOSES. I see that I must correct the Senator's arithmetic; $2,273,800 plus $1,190,380 amounts to $3,464,180 in any school.

Mr. BROOKHART. That is all right, I believe, since the Senator has corrected the figures on his paper; but I do not see the fairness in reducing these appropriations here before a holiday to start some eight millions of improvements that will be started, anyway, when we are going to take over $2,000,000, or about $2,000,000, away from the advances due to the Federal employees under the law.

Mr. MOSES. We are not taking anything away from them. We simply are not giving them what the law would permit us to give them.

Mr. BROOKHART. That is what I said.

Mr. MOSES. The Senator will remember that we have had legislation of this character for many, many years. The Congress would provide for a given office in a given executive department at a given salary, and then the Congress would appropriate a smaller sum for the payment of that salary; and under an amendment which contains the word "hereafter," and thereby made it continuing legislation; an amendment offered by Mr. Randall, of Pennsylvania, many years ago—it was provided that the sum appropriated by Congress should be in full consideration of the services rendered; and that is the law to-day.

Mr. BROOKHART. That law does not prevent these advances being made if later appropriations provide enough money to advance them.

Mr. MOSES. That is quite true; but it does inhibit the setting up of any claim on the part of an officer of the Government.

Mr. BROOKHART. I have not said anything about any claim on the part of an officer.

Mr. MOSES. The Senator came very near to intimating it.

Mr. BROOKHART. I am simply talking about the construction of the law as we intended it when we passed it. I do not like to pass a law with a plain intention and then have all that intention juggled out by some appropriation bill passed to carry out the law.

Mr. MOSES. Neither do I, Mr. President; and I will point the Senator from Iowa to an instance which I think has been more glaring than the one to which he is now referring.

The Railway Mail Service, for instance, which is covered in this bill, is set up upon a given theory of so many miles of service and so many men in the service; and yet we have not had a Postmaster General for 18 years who has lived up to the statute and maintained the service on the basis that Congress designed it to be.

Mr. BROOKHART. That is another evil that I think we will have to look into. I do not think that is any argument against doing our duty in this case.

Mr. MOSES. Mr. President, I am not trying to evade the duty, and as a conferee I did not try to evade the duty.

Mr. BROOKHART. I will say that I would have lots more confidence in the Senator's ability as a conferee if it were over in February than now, before Christmas.

Mr. MOSES. Of course I perceive the drift of the Senator's suggestion, but I can not accede to it.

Mr. KING. Mr. President, has the Senator from Iowa concluded?

Mr. BROOKHART. Yes.

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Utah?

Mr. MOSES. Yes.

Mr. KING. May I ask the Senator a question?

Mr. MOSES. Yes, indeed.

Mr. KING. Perhaps it is not relevant at the present time, and should have been asked when the bill was under consideration in the Senate; but having so much confidence in the Senator from New Hampshire, I believe that whatever was contained in the appropriation bill for the post offices must be entirely satisfactory and just.

Mr. MOSES. O Mr. President, I can not accept that responsibility. There are many items in this bill that I do not think are just, and certainly they are not satisfactory to me. We have done the best we could with it.

Mr. KING. On page 61, this language appears:

> For transportation of foreign mails by steamship, aircraft, or otherwise, including the cost of advertising in connection with the award of contracts authorized by the merchant marine act of 1928 (U. S. C., title 46, secs. 861–889; Supp. III, title 46, secs. 886–891x), $36,600,000: *Provided*, That not to exceed $7,345,000 of this sum may be expended for carrying foreign mail by aircraft under contracts which will not create obligations for the fiscal year 1933 in excess of $7,345,000.

I want to ask the Senator if the greater part of that appropriation is not a pure subsidy, and is in excess even of the operating expenses of the ships?

Mr. MOSES. Mr. President, the latter part of that question I can not answer, and I do not think anybody in the Post Office Committee of either House or Senate can answer it.

As to the first part of the question, undeniably a certain portion of this sum is in the nature of a subsidy. I have never sought to conceal my view about that, but inasmuch as the Congress has apparently determined that this is the method in which it will undertake to encourage ocean-borne commerce, I accept it, although for myself I would much rather frankly appropriate money for a subsidy, and call it such.

Mr. KING. Mr. President, will the Senator let me have the floor for a few minutes?

Mr. MOSES. I yield the floor to the Senator.

Mr. KING. Mr. President, I have a letter written me by one of the most distinguished Senators upon the floor, one who has perhaps given more attention to merchant-marine problems than any man in public life. I refer to the senior Senator from Florida [Mr. FLETCHER]. In that letter he directs my attention to an important publication presented by the Senator from Tennessee [Mr. McKELLAR] on June 30,

1930, and printed as a public document. The publication is entitled "The Truth About the Postal Contracts." In the letter to which I referred this appears:

The facts revealed in this Senate document relate to a field with which I am fairly familiar, and the document itself has been carefully examined by me. It is a splendid piece of work, and the author has rendered a fine public service. The abuses not only obviously possible under the present law but which have been actually committed in existing contracts are so flagrant that we should be prompted to review and give consideration to all legislation employing postal contracts as an aid to our merchant marine. I am speaking as a friend of the merchant marine, and it is needless to mention to a colleague that I have been a firm supporter in the Senate for many years of measures in aid of our merchant marine.

When we find, for instance, such contracts on the Atlantic as that with the Munson Line, between New York and Buenos Aires, where the company not only received an initial subsidy of many millions in being sold four magnificent vessels for about one million each, which cost the Government over seven million each to build, and is then given a mail contract which will yield it over $13,000,000, and without any obligation whatever to build a single new vessel in return for this munificent bonus from the Public Treasury, and when we find a still worse illustration—in dollars, though not in principle—on the Pacific in two contracts with the Dollar Steamship Co. for services between the Pacific coast and Manila, P. I., from which that company will reap over $27,000,000, and also without any contract obligation to build any new vessels, you will understand why I consider the matter so important and as calling for prompt action.

Mr. JONES. Mr. President, will the Senator permit me a word there?

Mr. KING. I yield.

Mr. JONES. I think it is fair, in connection with the statement the Senator has just made and read, and which I am not questioning, as far as that is concerned, to state that I am sure the Senator knows that we had quite a controversy over the Dollar contracts and after a long controversy they were approved, and while they were not required under the contract to build new ships, I think I ought to put into the RECORD the fact that they are building two of the finest up-to-date ships to engage in that Pacific trade that we will have.

Mr. KING. But they borrowed the money from the Government at 1½ per cent or less for a period of 20 years.

Mr. McKELLAR. One and one-eighth per cent.

Mr. JONES. They are probably taking the same course others have taken. I am not excusing any of those things, but I am just calling attention to the fact that they are actually building two fine, new, up-to-date ships.

Mr. McKELLAR. Mr. President, will the Senator from Utah yield to me?

Mr. KING. I yield.

Mr. McKELLAR. While that is true, that is just a means of getting another subsidy from the Government to pile on that which they already have.

Mr. MOSES. Mr. President, will the Senator from Utah yield to me.

Mr. KING. I yield.

Mr. MOSES. Before the Senator leaves the subject of the ocean mail pay to steamships, I think it wholly pertinent to say that much of the difficulty in which we found ourselves regarding the problems which the Senator from Utah now presents has come from the fact that two different departments of the Government have been dealing with this question. We had the Fleet Corporation and the Shipping Board on the one hand, and the Post Office Department upon the other. The result was that Congress has found itself confronted by mail contracts made in pursuance of the statute, and unless Congress intends to repudiate the acts of executive officers, which are carried forward under statutes supposedly deliberately adopted by Congress, there is no recourse for us except to make these appropriations.

I want to make this suggestion to the Senator from Utah in connection with this matter. There happens to be at the minute in existence in the Committee on Post Offices and Post Roads a subcommittee which is dealing with another branch of postal transportation, and the functions of that subcommittee can be readily enlarged in the Committee on Post Offices and Post Roads so as to take up this other question also. If that were done, I think without question we could then secure a set of facts upon which in another year, when the post-office appropriation bill comes here, we will have a structure of information upon which to base our action.

Mr. McKELLAR rose.

Mr. MOSES. I am glad to see the Senator from Tennessee on his feet as I make that suggestion, because he knows the subcommittee to which I refer; he knows the proposal before the committee upon which that subcommittee is to act; and he, with his great experience in the committee and his knowledge of all these matters of postal transportation, I think will readily see the point of the suggestion which I am making.

Mr. McKELLAR. Mr. President, I want to say to the Senator from New Hampshire, if the Senator from Utah will yield, that I do see the point of that suggestion. I think it is a very wise suggestion, and I hope the Senator will enlarge the motion he has heretofore made, which has already been passed, so as to give the subcommittee jurisdiction over these mail contracts, and all mail contracts, to examine and report to the next session of Congress.

Mr. MOSES. Mr. President, I chance to be chairman of that subcommittee, the Senator from Tennessee is the ranking minority member of the subcommittee, and I have no doubt that he and I can readily agree upon a form of words which will make possible a complete and accurate informative study of this whole subject.

Mr. McKELLAR. I will be very happy to cooperate with the Senator from New Hampshire.

Mr. KING. Mr. President, the work which will be done by that subcommittee, however, does not cover past transactions. It will not invalidate, and can not, perhaps, invalidate, some of the long-term contracts under which subsidies have been and are being paid, far in excess of what would be legitimate subsidies, even though we believed in subsidies and adopted their payment for the purpose of aiding the development of a merchant marine.

Mr. MOSES. That is true, Mr. President, but, of course, the Senator from Utah recognizes that situations like that are constantly arising; and while we may not be ex post facto in what we do, we certainly can close the door against abuses in the future.

Mr. KING. Mr. President, I want to ask the Senator whether this large appropriation of $36,000,000 carried in this bill was investigated by the committee with a view to determining whether the contracts under which subsidies are paid are valid; whether the contracts were in harmony with the spirit of the law, even though perhaps they may have been in most instances in harmony with the technical construction of the law? My information is that some contracts were entered into wherein shipping lines had been established, and where no subsidies were required under the claim that they were necessary in order to build up operating lines.

Mr. MOSES. Mr. President, in answer to that I can say only this: That the whole question of the manner in which these contracts should be made occupied the attention of Congress something like three years ago. I will ask the Senator from Washington whether it was not three years ago?

Mr. JONES. In 1928.

Mr. MOSES. Something like three years ago it occupied a great deal of the time of Congress, and a determination was then reached, since which time all contracts under the legislation have been in uniform words. Therefore we had to take those contracts as conforming to the legislation, and as being in form of words in accordance with the decision of Congress.

Mr. KING. Mr. President, an examination of the contracts reveals the fact. It is claimed by some who are familiar with the matter here that those making the contracts did not sufficiently guard the interests of the public, as a result of which improvident and unfair contracts were entered into, under which huge and indefensible profits have been made by shipping interests. Some of these contracts, it seems, can not be defended; they are one sided and the Government and the taxpayers are the victims.

In examining the document referred to I perceive that there are cases where a legitimate charge would be perhaps

three or four hundred dollars for carrying the mail and the contract calls for several hundred thousand dollars.

Mr. MOSES. That seems a spread that is incredible.

Mr. KING. To illustrate the point: It is shown that the normal rate of compensation to the New York & Cuba Mail Steamship Co. for a certain number of voyages would be $1,360, but the New York & Cuba Mail Steamship Co. received under their contract $242,000. The New York & Cuba Mail Steamship Co. normal rate would be $35; under the contract $224,000 was paid. I will ask leave to put into the RECORD reference to a number of contracts indicated on pages 36 and 37 of this public document.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

THE MAIL IN FACT TRANSPORTED

The following information for the voyages indicated was obtained from the Post Office Department. The term "at normal rates" means the amount which would have been payable for all the voyages at the poundage rates prevailing generally under the International Postal Union. The term "amount in fact paid" is the amount paid under these contracts for the same service of transportation. The difference is the extent the contract compensation exceeds the commercial value of the service as a mere item of transportation:

American Scantic Line (p. 42), compensation for 28 voyages: At normal rates, $2,600; amount in fact paid, $260,000.

American South African Line (p. 42), compensation for 8 voyages: At normal rates, $375; amount in fact paid, $165,000.

American West African Line (p. 43), compensation for 12 voyages: At normal rates, $735; amount in fact paid, $195,000.

Dollar Steamship Line (p. 43), compensation for 15 voyages: At normal rates, $13,500; amount in fact paid, $728,000.

Dollar Steamship Line (p. 44), compensation for 15 voyages: At normal rates, $5,950; amount in fact paid, $650,000.

Eastern Steamship Line (p. 44), compensation for 78 voyages: At normal rates, $1,400; amount in fact paid, $147,000.

Export Steamship Corporation (p. 44), compensation for 66 voyages: At normal rates, $1,770; amount in fact paid, $820,000.

Grace Steamship Co. (p. 45), compensation for 20 voyages: At normal rates, $30,000; under this contract, $390,000.

Lykes Bros.' Steamship Co. (p. 45), compensation for 34 voyages: At normal rates, $165; under this contract, $157,000.

Munson Steamship Line (p. 46), compensation for 20 voyages: At normal rates, $33,200; under this contract, $920,000.

New York & Cuba Mail Steamship Co. (p. 46), compensation for 33 voyages: At normal rates, $35; under this contract, $224,000.

New York & Cuba Mail Steamship Co. (p. 46), compensation for 30 voyages: At normal rates, $1,360; under this contract, $242,000.

Oceanic & Oriental Navigation Co. (p. 47), compensation for 8 voyages: At normal rates, $535; under this contract, $113,000.

Oceanic & Oriental Navigation Co. (p. 47), compensation for 7 voyages: At normal rates, $145; under this contract, $123,000.

Pac-Argentine-Brazil Line (p. 48), compensation for 6 voyages: At normal rates, $3; under this contract, $102,000.

States Steamship Co. (p. 49), compensation for 14 voyages: At normal rates, $145; under this contract, $230,000.

States Steamship Co. (p. 49), compensation for 8 voyages: At normal rates, $133; under this contract, $122,000.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. KING. I yield.

Mr. McKELLAR. Of course those are subsidies, and, as everybody knows, under the law which has been passed, subsidies to which I never agreed and do not agree now, but they were subsidies nevertheless. In that connection I want to ask the Senator from New Hampshire, if I may in the time of the Senator from Utah, whether he can give any estimate as to about how much these subsidies paid by the Post Office Department amount to. The purpose of the question is this: As the Senator knows, there was a very large deficit in the Post Office Department for the last two or three years, perhaps for several years. How much of that deficit is due to the subsidies granted to the steamship and aircraft carriers, just in a general way?

Mr. MOSES. Mr. President, I can not answer that in terms of dollars, and even at the risk of stimulating the Senator from Utah to another line of inquiry, I can only recall to the Senator from Tennessee an episode which took place as the conferees were discussing the items in this bill, when the allegation was made and pretty well supported by some of the House conferees, that at least 70 per cent of one item of appropriation in this bill constituted a subsidy.

The Senator from Tennessee will forgive me if I try to state his position; he and I, who had been actively cooperating at the beginning of the appropriation for air-mail service, took the position that we had to encourage the aircraft industry.

Whether the percentage of encouragement under these appropriations for the ocean-borne mail is too great or not I do not know. But I am firmly convinced that the Congress ought to have the information, and I hope that in view of the ready acquiescence which the Senator from Tennessee has indicated in the suggestion which I advanced a few minutes ago, we may have that information before another Post Office Department appropriation bill comes here.

Mr. McKELLAR. Mr. President, my recollection is, if the Senator will permit me, that we fixed a limit for the Postmaster General in fixing a rate both as to air mail and as to steamship companies, and that he has given a limit in making the contract.

Mr. MOSES. That is my recollection.

Mr. KING. Mr. President, I have an engagement and am compelled to now leave the Chamber. There are further points I should like to discuss, but can not do so at this time. I ask permission to insert in the RECORD as a part of my remarks excerpts from page 3 of this public document (No. 210) entitled "Monopoly in Bidding," and from pages 8, 9, and 10, under the heading "Subsidies very Excessive."

The PRESIDING OFFICER. Is there objection?

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

II. MONOPOLY IN BIDDING

COMPETITION WAS EXCLUDED, INTENTIONALLY EXCLUDED, BY SPECIFICATIONS, COMPLIANCE WITH WHICH WAS POSSIBLE BY ONE PERSON ONLY

The monopoly in bidding resulted, primarily, from the certifications made by the Shipping Board relative to kind, size, and speed of vessels "required" for the postal route involved. The exclusion of all bids other than the preferred line was perfected by two limitations imposed by the Postmaster General, viz: (a) The short time allowed within which to present a bid and (b) the very early date by which the operation of the service was required to commence.

Under section 403 the Postmaster General is required, before he invites bids for the proposed ocean route, to ascertain from the board—

"* * * the type, size, speed, and other characteristics of the vessels which should be employed on each such route; the frequency and regularity of their sailings; and all other facts which bear upon the capacity of the vessels to meet the requirements of the service proposed by the Postmaster General."

The text of this mandate clearly intends that, prior to the certification being made by the board, a careful investigation should be made of the trade route involved, both with reference to the competition by foreign vessels there to be met and to the commercial needs of the route irrespective of such competition.

Even if there was no foreign-vessel competition on the particular route, important inquiries remained desirable to determine the adequacy, efficiency, and rate factors required to promote American commerce by that route in its competition with the transportation of similar commerce between other countries and the same point.

The transportation problem is greater than securing to American vessels the transportation of the commerce, in fact, enjoyed by the United States; it has an important part in the increase and extension of that commerce. To illustrate: Importers of copra from the Philippine Islands, through our Atlantic ports, have been unable at times to secure cargo space, with the result that imports normally belonging to the United States for processing, etc., have not only moved in foreign vessels, but to foreign countries, there to be processed and exported.

Now, the investigation of these matters is not reposed in the Post Office Department; it rests on the Shipping Board as a necessary preliminary to the certification it is required to make.

Instead of having an investigation made, the board in most instances simply ascertained the vessels and the number of voyages a favored line was operating and made its certification to conform to the service maintained by the fortunate line. To illustrate:

The board was asked by the Postmaster General to certify appropriate vessels on the route from New York to Mediterranean ports. Having confirmed that the service then and there operated by the Export Steamship Co. was with 10-knot vessels of about 4,000 gross tons, and that it had a sufficient fleet to make 84 voyages per annum, its certification conformed to these facts, and that line was the only and the successful bidder, and at maximum rates.

Had ample time been given other bids would have at least been possible; but it was not, for the Postmaster General required, first, that bids must be submitted within 30 days—a time wholly insufficient for new interests to survey the field and determine whether a bid by them would be justified; and, second, had other persons decided to bid provided time was given to acquire equip-

ment, adequate time was not given; it was required that operation should commence within 30 days of the award of the contract, and no one but the then operator could meet this condition.

The undertaking by new interests would have involved not only the acquisition (possibly by new construction) of at least 18 vessels, but also securing terminal facilities at many foreign ports, and also other important commercial and financial arrangements.

While the text of the law, if intended as a subsidy, is in many respects defective, its provisions made wholly unnecessary the undue speed attending the award of these contracts; for instance: The law provided (sec. 414f) as much as 12 months from June 30, 1928, through which investigations could have been made, wise procedure developed, and reasonable time given prospective bidders to examine and consider the matter, within a reasonable time limit for bidding.

The commencement of operations under the contract could also have been fixed to allow prospective bidders time within which to secure necessary equipment, etc., with which to perform. The text reads (sec. 403), "Performance under any such contract shall begin not more than three years after the contract is let * * *," a provision clearly contemplating that an award may be made to a company which may have to build new vessels for performance.

The following is a sample of what in fact was done: The act was approved May 22, 1928. On May 24, two days later, the Post Office Department immediately adopted a group of routes for certification; they were in fact routes which had been previously recommended by the board. On May 29 the board certified the vessels' requirements, in the manner and on the basis we have described.

The advertisements inviting bids were then immediately inserted, viz, on June 9, 1930; they required bids to be presented by July 9, 1930, or within less than 30 days from the first appearance of the publication. More serious than these, however, was the requirement that performance of the contract should commence on August 1, 1930.

This speed seems to have been unjustified from every point of view. Prompt movement of the mails was not involved, not only because the new act provided for the extension of the existing contracts for a term not exceeding one additional year, but also because, if such contracts were not extended, the steamship services were there and in the absence of any contract, their legal obligations to convey the mails was definite and certain—at the poundage rates.

Such a system is not only prejudicial to the Treasury of the United States and the rights of other citizens, it is prejudicial also to the development of our merchant marine, as illustrated in the contract awarded.

* * * * * * *

IV. Subsidies Very Excessive

THE SUBSIDIES GREATLY EXCEED THE HANDICAP OF AMERICAN VESSELS IN FOREIGN TRADE; THEY GREATLY EXCEED ALSO THE OPERATING DEFICITS OF THE SUBSIDIZED LINES

A ship subsidy is an extension of the protective tariff system; it is justified by similar economic conditions, and legal requirements relative to the operation of vessels further augment the handicap.

Among the normal economic items are the facts that it costs much more to build a vessel in the United States than in foreign yards; also, the wages paid the crew are higher. The legal handicap mentioned results from our seamen's laws. As a result, the cost of operating a vessel under the American flag is greater than operating a similar vessel under foreign flag.

We refer to these differences in the aggregate as the "handicap" of American vessels when in competition with foreign vessels. A subsidy, therefore, should not be awarded vessels operating in coastwise trade, including, of course, our intercoastal trade, as foreign vessels are not permitted by law to operate on those routes.

The most ardent advocate of a ship subsidy would not expect the enactment of a law which would yield to any vessel or line a subsidy greater than the sum of these items: (a) The operating deficits; (b) a proper annual deduction for depreciation in value of the vessel; (c) reasonable interest or dividend on the money invested. When the "compensation" is greater than these the excess is not a subsidy in a normal sense; it is a gift from the Public Treasury.

It may be challenged whether all the factors we have mentioned above should be recognized, unless qualified by a proviso that the operating deficit, if any, must not exceed the amount it would be under efficient and economical operation. To illustrate:

A deficit resulting in part from the payment of $100,000 annual salary to the president, as has been done by the Export Steamship Co., obviously does not deserve recognition nor can it be justified by the depletion of revenues to the profit of a subsidiary corporation, as also done by that company, to the extent of $250,000 in a single year, when such "profits" certainly might (and we think, certain should) have been retained by the parent company, as a reduction of its costs of operations. The profits accrued to the subsidiary mainly, if not solely, from the activities of the parent company. More extended references to this line will be found at page 24.

Among the contracts which have been made are a number which yield "compensation" greatly in excess of either of the subsidy tests mentioned. They exceed not only the competitive handicap but also the amount of the deficits actually sustained, as shown by the company's own statements, respectively. To illustrate:

THE GRACE STEAMSHIP CO.

The contract awarded this company, dated July 13, 1928, is for 10 years and provides for 26 voyages on the route from New York to the west coast of South America. The initial service required by the contract is substantially the same service the company has maintained for many years. The "compensation" exceeds $645,000 annually.

On the basis of its own financial statements the Grace Line is not entitled to the subsidy it has obtained. It is, of course, entitled to reasonable compensation for the transportation of mails in fact carried by any of its vessels; it is entitled to pay on that basis irrespective of its total earnings or its wealth. When this test is abandoned and a subsidy is proposed, the operating deficits or earnings of the line involved become an important factor.

An examination of its financial statements reveals that its operating income for 1927 not only exceeded operating expenses, but yielded also a substantial dividend. These statements are based on strictly business computations. The amount labeled "earnings" is the amount remaining, not only when "out of pocket" voyage expenses are deducted, but when there have been also deducted administrative expenses, also insurance, and also a proper percentage for depreciation.

Now a deduction for "depreciation" is an amortizing of capital investment. In other words, the statement shows that the earnings were large enough, not only to pay all expenses and yield substantial dividends, but also to yield funds for replacements on a scale proportionally sufficient to meet the cost of new vessels when the present vessels are scrapped. The following is based on the statements referred to:

Financial items of the Grace Steamship Co., 1927

Gross revenues incident to operations	$5,019,000
Total expenses incident to operations	3,950,000
Net revenues (excluding depreciation)	1,069,000
Depreciation: Deduct for depreciation on vessels involved; this deduction being the equivalent of amortization or replacement	[1] 449,000
Net profits, incident to the operation of 4 vessels whose book value was less than $3,000,000	620,000

The fact the agreement is in form a contract for the transportation of mails does not change the basic fact that it is a subsidy. The Grace Line was not dependent on Government aid to assure maintenance of the service, and yet it has a subsidy exceeding $24,000 for each outward voyage, even with the vessels it is now operating, not one of which was built because of this contract having been awarded. As a minimum of 26 voyages per year is authorized, the compensation aggregates and exceeds $600,000 per annum.

That such compensation is excessive, for the mere transportation of mail, is revealed by the fact that from August 1, 1928 (the date the terms of the contract commenced), to September 30, 1929, a period of 14 months, the total mail transported on the outward voyage involved, was as follows:

	Letters	Prints	Parcel post
	Pounds	*Pounds*	*Pounds*
United States mails	106,750	929,718	730,050
Foreign mails	39,191	760,430	5,272
Total	145,941	1,690,148	735,322

[1] This amount is the company's computation and is in fact excessive.

The compensation fixed by the International Postal Union is less than 27 cents per pound for letters, and less than 4 cents per pound for prints and parcel post, hence the strictly commercial value of the compensation, tested by the amount which would have been paid a foreign vessel, is less than $137,000.

Our law, however, quite apart from this 1928 act, authorizes a higher payment per pound to American vessels. It authorizes 80 cents per pound for letters and 8 cents per pound for prints and parcel post; which rates themselves are subsidizing rates, because greatly in excess of the strictly commercial value of the transportation; but even on this basis, for the United States mails, the total amount earned for all mails carried, would have been less than $260,000. The total amount, in fact, received under the contract, for the sailings involved, was $763,000, hence that part of the $763,000, which thus constitutes a subsidy, is more than $625,000, for the brief period of 14 months.

When the beneficiary is earning good dividends without Government aid, obviously the subvention is unnecessary, even when subventions, in proper cases, are authorized by law. The figures cited demonstrate that the Grace Steamship Co. was not entitled to a subsidy for this route, certainly not so large a subsidy as the one granted, if any. It secured this unusually lucrative contract under circumstances substantially as follows: An advertisement of the postal route was inserted, the terms of which were such that one, and only one, company could comply, viz, the Grace Steamship Co. Knowing this, a bid was presented by that company naming the maximum compensation the law authorizes for the class of vessels involved. The Post Office Department then apparently reasoned: The route has been advertised; a bid has been received; it is the lowest bid; let the "contract" be awarded! The

fact that it was the only bid, and the bidder knew with practical certainty, in advance of the bid, that it would be the only bid; the fact that it was for the maximum authorized by law, and for an amount greatly in excess of reasonable compensation for the act of transportation rendered; and the fact that, even from the viewpoint of a subsidy, the earnings were so large that such Government aid was unnecessary to assure its maintenance, all appear to have been regarded as uncontrolling.

The award of maximum rates, under the circumstances mentioned, can not be upheld merely by the fact that the law mentions such rates; they are mentioned only as the maximum; it does not intend and the law will not permit the Government to be cornered, merely because bids are invited, and there is but one bid! A bid based on specifications with which only one person can comply, is not a competitive bid. The bidder, under such circumstances, is not the "lowest bidder." To award the contract to such a bidder, under such circumstances, at the highest rate of compensation possible, and without applying either the test of reasonable compensation or the test of the financial necessities of the service, presents a seemingly incredible situation; yet, a document has been signed, purporting thus to bind the Government for a period of 10 years. Through that period, should the contract be continued that long, there will be paid to the company more than $7,000,000.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. KING. I yield the floor.

Mr. VANDENBERG. Before the Senator yields the floor I should like to invite his attention to one other phase of the subsidy question before we leave it. The subsidy to which he refers may be a matter of argument, but there can be no argument regarding the intention of Congress originally or now that the shipbuilding loans should not cost the Government money. It certainly was the intention of Congress that the credit of the Government should be loaned without profit or loss under the Jones-White Act, but due to the cheapness of public money on short-time loans at the present time we are loaning at as low as 1⅞ per cent interest for a period of 20 years. We are loaning public money which, if history teaches us anything, will cost the Government 3½ per cent average during that period.

Mr. KING. I hope the Senator's bill will be speedily passed.

Mr. VANDENBERG. I invite the Senator's attention further to the fact, as proving the necessity for Senate action, that there are three loans now pending before the Shipping Board which total $18,000,000. Unless the pending bill (Calendar No. 520) is passed, and passed with reasonable promptness, the Government in the course of the next 20 years will probably lose $5,600,000 upon these three loans, to say nothing of many others. The legislation tending to correct that matter needs only the consent of the Senate in the next calendar hour to pass it.

Mr. KING. I shall be very glad to join the Senator in asking to have it passed.

Mr. FLETCHER. Mr. President, I certainly hope the Senate will take up the bill to which the Senator from Michigan has referred and act upon it promptly. It was not the intention, when the legislation under which they are now proceeding—the act of 1928—was enacted, that the Government should be called upon to suffer any loss. The bill to which the Senator from Michigan refers proposed to correct that situation, so as to let the shipbuilders have the funds at practically what those funds cost the Government, but without any loss to the Government. I certainly hope the bill will pass.

On the question of subsidies and aid to shipping, let me say that it is a very important matter. At some other time I may take occasion to go into it in extenso. At present I shall not delay the action promised immediately on the conference report by any lengthy discussion of the subject. I want to invite attention, however, to certain features of the situation.

I do not entirely agree with the conclusions of Mr. Nicolson regarding subsidies. I have opposed direct subsidies. When the act of 1928 was passed I did not understand that we were providing for a real subsidy, a subsidy whereby private individuals operating ships anywhere, tramps and otherwise, would be entitled to come in and get money from the Government. It was represented, when we had the hearings on that bill, that to a very large extent the increase in postage and the other credits to this fund would probably equal about what we were paying for carrying the ocean mail, and that the Government very likely would not be out of pocket at all. Of course, it was an estimate. It was felt that with the increase in mails and otherwise the revenue derived would probably equal about what we were paying for carrying the mails. That was the supposition at the time. But evidently thus far that condition has not been reached, if it ever will be. The fact is, I think, it is going the other way. The first appropriation for ocean mail carrying provided something like $18,000,000. Now in two years we have reached $36,000,000, and it may be that next year there will be even an increase over that amount, which is alarming.

Senate Document No. 210, to which attention has been invited, contains many of the facts about which I knew; in fact, I called attention to some of them in the Senate heretofore and to some of the sacrifice sales that have been made. I protested, but my protest did not attract much consideration or apparently do much good. This document gives additional information upon the subject, and I regard it as very important information which the Senate ought to have. It is a most enlightening document and gives facts which I have no right to question from a gentleman who was formerly director of several bureaus of the United States Shipping Board, charged with promotional work in aid of private lines, and who likewise was counsel to the committee on legislation of the Shipping Board. He is in a position to know the circumstances of the transactions and the facts which have not been heretofore available to us. The facts stated in this document would appear almost ex cathedra. I do not mean they were concealed, but I mean they were not before us.

I felt that this is a document which ought to be brought to the attention of the Senate because, in the first place, while I do not favor his conclusions as to subsidies and am not in favor of direct subsidies, and never have been, yet I believe he is correct in the claim that unless we change or modify the existing law under which the practices which he mentioned have been indulged in, we will be obliged eventually to repeal the present law, because the country will not stand for the kind of dealing which is pictured in the document.

We can not afford to indorse the discriminations, the terrible expense, the piling up of expenditures, and so forth, in connection with the transactions which are set forth. Ultimately we must repeal that law, or modify, or change it in some way so as to correct the outrageous conditions that are set forth in the document. We ought not to endure it ourselves and the country itself would be shocked, I am sure, if it understood just what has been taking place. I protested against giving away the ships. I maintained that it was an effort to get the Government away from private enterprise entirely, and from shipping operations or ship construction or anything of that sort, and to get the whole thing into private hands. In doing this the Shipping Board and the administration, I might say, general have emphasized the provision made in the first section of the act of 1920, that the purpose ultimately would be to have the ships pass to private hands, instead of the provision of it that the purpose was to establish and maintain an adequate American merchant marine. That was the object, the primary object of Congress in all we have done. It was not the purpose to get the ships out of the Government and into private hands, and make their operation a matter entirely a private enterprise primarily, and regardless of all consequences. That is a secondary consideration. But the administration and the Shipping Board, it seems, since 1920, or at least very soon after that time, have set about disposing of the ships, apparently determined to get rid of them, because they sold some of the ships to the Dollar Line and other lines at about 10 per cent of what they originally cost. I protested that sale; I protested against that policy; and now comes this document which gives more details and more information on the subject which I think every Senator ought to consider very seriously with the view, not so much perhaps of preventing the carrying out of contracts already

made or failing to provide for the carrying out of those contracts, but to have the making of contracts of that kind cease and to provide a different plan for taking care of the American merchant marine than that which has been pursued under the act of 1928.

The act of 1928, however, it will be borne in mind, provides for pay on a mileage basis for carrying the mails, so much for a certain type of ships, so much for another certain type of ships, and so on—seven different types as I recall—and provides that the rates shall not exceed the rates named in the act, leaving it to the Postmaster General and the Shipping Board to determine, first, what was in the mind of Congress, which was that this aid to American ships engaged in foreign trade should be comparable to the difference between the cost of operating ships under foreign flags and the cost under our flag, and taking into consideration that the cost of building ships in American yards is considerably greater than if built in foreign yards. It was to neutralize that handicap that the aid was intended for American shipping.

But they have let contracts without any regard to taking care of that handicap to American ships. They have let the contracts for the very highest rates provided in the law. They have simply accepted the maximum rates for all the contracts. When we said they should not exceed, for instance, $1.50, they have always made the rate $1.50, and so on through.

I think it has been largely a question of administration thus far. The administration is making it very costly. In the first place, they sell the ships at a tremendous sacrifice. There is an aid at once in the very beginning to the ship buyer. In the next place, they give the ocean mail contracts at the maximum rates without investigating or considering whether the rates would not be reasonable at less than those named in the act as maximum rates. In that way it has proven a very expensive proposition for the Government. We must some time, and as soon as possible, enact a law which will set forth the purpose of Congress in the act, so that there can not be transactions of this kind always at the expense of the Government.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Tennessee?

Mr. FLETCHER. I do.

Mr. McKELLAR. In addition to the benefits enumerated by the Senator from Florida, there is another benefit that is almost if not quite as great, and that is the Government furnishes the money with which to build new ships at a very small rate of interest—something like 1⅛ per cent.

Mr. FLETCHER. Precisely; and that is one of the things we are going to try to correct very shortly. It is undoubtedly true that we have done a great deal in the law; we have gone the limit in assisting the American shipping interests; and in the administration of the law we have gone, I think, far beyond what was contemplated.

Mr. President, I do not know exactly what the Senator from Utah had inserted in the RECORD from this document, and I do not care to duplicate what he may have inserted, but I should like to have printed in the RECORD Title V, Vessels Subsidized Twice, which is found on page 25 of the print I have, the language of which is the same as that in the official document.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

V. VESSELS SUBSIDIZED TWICE

A DOUBLE SUBSIDY IS RECEIVED BY THOSE LINES WHICH WERE PURCHASED FROM THE BOARD, AND THEN AWARDED A "POSTAL CONTRACT"

Certain favored lines not only enjoy a subsidy under the new law, which, in some instances, is itself excessive and unjustified, even if the only subsidy granted the vessels, but an earlier subsidy is also enjoyed by the lines purchased from the board. This double subsidy results as follows:

The sales prices of the lines sold were on a level far below their normal, conservative market value; this concession having been made solely as a subsidy, to promote the use of the vessels in foreign trade; the difference in price offsetting their handicap, as American vessels, when in competition with foreign vessels, and the concession was regarded as adequate for that purpose. However, when the subsidizing postal contracts were awarded the vessels became the beneficiaries of two separate subsidies.

The present law, if treated as a subsidy, must have regarded the maximum rates named in it as ample, if not more than ample, to cover the handicap involved; otherwise, as a subsidy, the plan would have been abortive. When such "contracts" were awarded lines previously sold by the board the "compensation" or subsidy granted should have been coordinated with the value of the earlier subsidy granted in the form of the low sales price, so that the sum of the two would at most not have exceeded the maximum rate named in the law. There was no such coordination. In awarding the second subsidy the maximum rates were awarded precisely as if the contractor was burdened with the capital charge of brand-new vessels.

In such cases, therefore, the Government, in large measure, has paid and is continuing to pay the same bill twice. This is true of practically all subsidies awarded to purchasers of lines from the board; the extent of such concessions varied somewhat, depending on the trade route involved and the competition between bidders for the purchase of the line. An illustration of the extent of the concession is reflected in the sale to and the "postal contract" with the Munson Steamship Line.

We will first present facts relating to the postal contract, and then data relating to the purchase price of the line in the sale to it by the United States Shipping Board.

Subsidy in the postal contract

The contract awarded this company, dated July 13, 1928, is for 10 years and provides for 26 voyages on the route from New York to Buenos Aires, Argentine Republic, with stops at Rio de Janeiro, Brazil, and Montevideo, Uruguay. The service required by the contract is substantially the same as that maintained by the company when the contract was awarded and which it has "guaranteed" to maintain in return for the low sales price of the vessels.

The "compensation" under the postal contract exceeds $1,300,000 annually, and will therefore exceed in the aggregate $13,000,000. In return for this great subsidy, the Munsons are not obligated to increase the American merchant marine by building even one new vessel; nor is it required even to replace its present vessels, by which the service is performed. The contract will therefore result in a net loss to our merchant marine—not merely in money but in ships.

When this contract was made the four vessels involved were substantial assets to the American merchant marine—commercially as potential naval auxiliaries; they then had 12 more of the usual 20 years allotted for efficient service by a vessel.

Provision should, of course, have been made for their replacement, at least, during the term of the contract. However, even had this been required, the subsidy would still have been very excessive.

Not only will the net loss result from the age of the vessels, even if current repairs are faithfully made, but long before then they will probably have become obsolete for competition in foreign trade, so rapid has been the movement in recent years for new types of vessels, both in speed, capacity, and general efficiency, especially in the development of Diesel engines.

The explanation given a committee of Congress (see "Hearing," H. R. 8715, p. 97) by the chairman of the Shipping Board for the omission of new vessel requirements from this contract is as follows:

"We did not require it * * * because they were practically new boats, and you could build in the next 10 years just as well as now.

This explanation is not convincing. The point is: Not only is the subsidy excessive even had new construction been required, but that at no time, either now or "in the next 10 years" or at any other time, are the Munsons required to build new vessels in return for the multimillions to be received from the Federal Treasury.

If the construction of new vessels had been required, with the privilege to the contractor of building them any time during the life of the contract, and the question had been why they were not required to be built at once, the chairman's "explanation" would be relevant, viz, that they were not required at once, and therefore "you could build in the next 10 years just as well as now."

In the same paragraph containing this "explanation," the chairman had made it clear to the committee that the contract had no requirement whatever "for replacements or new construction"; hence there was no confusion of facts. The relevancy of the comment quoted is not apparent, notwithstanding it was made with a finality as if it should silence all criticism of the failure to require new vessels. We are reluctant to assume that the comment was intended to persuade the committee that although the beneficiary of the Government was not required to build the physical fact remained the vessels could be built—by somebody.

This possible interpretation would not be mentioned, but for the fact that many of the contracts reflect such an attitude. There has been unjustified zeal to give the favored lines the maximum possible under the law and to require only a minimum of return either in services, new construction, or otherwise.

Mr. FLETCHER. I next desire to have inserted the matter under the headline "Subsidy in the Sales Price," which is found in this document on page 29, down to the bottom of page 30.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

SUBSIDY IN THE SALES PRICE

The Munson Steamship Line, known also as the Pan America, purchased these vessels from the Shipping Board in November, 1925. The vessels were built in 1921–22.

The prices at which sold to Munson, and their respective costs of construction, were as follows:

Name of vessel	Purchase price	Cost to build
S. S. Pan American	$1,026,000	$5,682,174
S. S. Western World	1,026,000	4,963,161
S. S. American Legion	1,026,000	7,160,088
S. S. Southern Cross	1,026,000	7,163,632
Totals	4,104,000	24,969,055

As the vessels were built by the United States, the above statements of their cost does not include any interest accumulating during their construction, although such interest is a well-recognized factor in computing the cost of a vessel. But even with interest ignored we find the cost of these vessels to have been substantially $25,000,000.

The total purchase price for the four vessels was only $4,104,000. The sales price, or, rather, the price at which the vessels were sold to Munson, was thus more than $20,000,000 less than their cost; that is, it was only about one-sixth of their cost!

The cost of construction is not a final test of their market value in 1925. There must be deducted the usual annual allowance (5 per cent) for depreciation, but this would not exceed, say, $5,000,000 for the whole time to date of sale. These vessels are high-grade, combined passenger and cargo steamships, each of 13,700 tons, gross, with speed of 16½ knots. With liberal concessions for depreciation in market value, the sales price was not nearly one-half of their normal market value.

The price concession therefore, made solely to enable the buyer to operate the vessels in foreign trade, substantially exceeded $1,000,000 per vessel, or a total sales-price subsidy exceeding $4,000,000. If the same ratio is applied to these vessels which is applied in the contract of sale to the vessels of the Export Steamship Co., the sales-price subsidy in the Munson sales will exceed $8,000,000.

Mr. FLETCHER. The next extract from this document I desire printed in the RECORD begins on page 33, under the headline "List of Sales Price Concessions," and goes down to the bottom of page 35.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

LIST OF SALES-PRICE CONCESSIONS

Subject to the same general comment elsewhere submitted (p. 56) concerning the relation of sales price to cost of construction, the following list, relating to lines sold by the board since January 1, 1925, shows the sales price and the cost to the United States of building the vessels:

1. Admiral Oriental Line (year of sale, 1926): Number of vessels, 5; total sales price, $4,500,000; cost to build, $31,939,000; cost exceeded sales price by $27,439,000.

2. American Scantic Line (year of sale, 1927): Number of vessels, 10; total sales price, $572,670; cost to build, $16,960,000; cost exceeded sales price by $16,387,330.

3. American South African Line (year of sale, 1926): Number of vessels, 5; total sales price, $777,900; cost to build, $9,297,000; cost exceeded sales price by $8,519,100.

4. American West African Line (year of sale, 1928): Number of vessels, 10; total sales price, $2,261,240; cost to build, $18,123,000; cost exceeded sales price by $15,861,760.

5. Dollar Steamship Line (year sold, 1925): Number of vessels, 5; total sales price, $5,625,000; cost to build, $32,478,000; cost exceeded sales price by $26,853,000.

6. Export Steamship Corporation (year sold, 1925): Number of vessels, 23; total sales price, $1,299,000; cost to build, $42,105,000; cost exceeded sales price by $40,806,000.

7. Munson Steamship Co. (year sold, 1925): Number of vessels, 4; total sales price, $4,104,000; cost to build, $24,989,000; cost exceeded sales price by $20,885,000.

8. Oceanic & Oriental Navigation Co. (year sold, 1928): Number of vessels, 21; total sales price, $1,981,700; cost to build, $40,311,000; cost exceeded sales prices by $38,330,128.

9. Pacific Argentine Brazil Line (year sold, 1929): Number of vessels, 8; total sales price, $396,285; cost to build, $15,084,000; cost exceeded sales price by $14,687,715.

10. States Steamship Co. (year sold, 1928): Number of vessels, 13; total sales price, $1,199,400; cost to build, $27,490,000; cost exceeded sales price by $26,290,643.

The 10 subsidized lines enumerated above represent 104 vessels sold. The total sales price for these vessels was less than $23,000,000. The total cost of construction for the 104 vessels was $258,000,000. Their cost of construction, therefore, exceeded the total sales price by more than $225,000,000. In other words, the sales price in the aggregate was not 10 per cent of this cost of construction.

Mr. FLETCHER. These items will be very instructive, I am sure, and I have no reason, as I have stated, to question the facts upon which they are based.

Next, I should like to have printed, beginning on page 60 of the print I have, the matter under the heading "The Present Law Is Defective." I think it is important to put that in because that is one thing we must look after. Undoubtedly there are some defects in the present law which ought to be corrected.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

IX. THE PRESENT LAW IS DEFECTIVE

RESPONSIBILITY FOR THE KIND OF "CONTRACTS" MADE IS CHARGEABLE EITHER TO THE TEXT OF THE LAW OR TO ADMINISTRATIVE OFFICIALS—WHICH?

Responsibility for the contracts which have been made is primarily with the administration of the law, for the text contains no mandate that a single contract be made under it. As the making of each of the contracts was wholly discretional with the Postmaster General, the amount of compensation was under his control, for the contract need not have been made if the bidder would not accept the amount tendered. The fact that there was an advertisement inviting bids; that a bid was tendered; that it was an only bid and at the maximum rate imposed no obligation, legal or moral, to accept the bid nor to award a contract. These transactions, furthermore, were not demanded by the requirements of the Post Office Department.

As between the text of the law and the officials who administered it, viz, the Post Office Department and the Shipping Board, the responsibility for the grave and costly errors which have been committed is that of the officials.

However, as between the text of the law and the rights of the people and of the Federal Treasury, the law is responsible unless certain contracts are voidable, as in violation of the law, because of their terms and because of the circumstances under which they were awarded. The fact is, the law contains ambiguities and contradictions which may explain, though not justifying, some of the awards made. The following are illustrations:

First. An elaborate classification of vessels is laid down in section 408 (a), under which the compensation is presumptively controlled by two factors, viz, the size and the speed of the vessels involved. This having been done, it is then promptly nullified by paragraph (b) of the same section, which provides the rates named can be paid vessels having the speed named, irrespective of size! As a result, a contract has been made (New York & Porto Rico Steamship Co.) for a service between Porto Rico and San Domingo (only 222 miles) in performing which a comparatively small motor boat can be used—yet the compensation is $4 per mile for a 13-knot boat, irrespective of size, whereas the classification as first stated would have required an 8,000-ton vessel!

The quantity of the mail can be readily handled in the smaller motor boat, with a very small crew, and yet over $800 per trip for 52 trips annually has been promised for a service which can be rendered by a motor boat between sunrise and sunset!

Second. It is required by section 405 that plans and specifications of new vessels shall be approved by the Secretary of the Navy, in accord with the much-published fact that subsidies are justified in proper cases, because the vessels will be of value in our national defense. And yet the requirement that the plans, etc., shall be approved by the Secretary of the Navy are nullified by clause (2) of the paragraph, which makes acceptable, without the Secretary's approval, every vessel "which will be otherwise useful to the United States." This qualifies for the ocean mail service every vessel complying with the specification, having commercial value, though having no value as a "naval auxiliary," for they would be "otherwise useful," as commercial vessels.

Third. More serious in their possibilities than these are the provisions of paragraph (e) of section 409, authorizing the Postmaster General to "allow additional compensation in amounts to be determined by him" if airplanes are "used in conjunction with vessels."

Thus far the maximum rates granted have been limited to the rates printed in the law, and these rates are the maximum if airplanes are not used "in conjunction with the vessel." But if airplanes are thus used it may be claimed that there is no limit whatever on the Postmaster General's discretion; that he is not limited to the extra expense of the airplane service only; and that he could allot $20 per nautical mile for a vessel otherwise limited to $10 per mile.

Presumptively, the law has reference to a vessel physically equipped for planes to land on or depart from its decks, but the language used is not limited to that interpretation. An airplane dropping mail to the deck may be claimed as "used in conjunction with the vessel." If this interpretation should be applied (though we think it should not) would the contract be a legal obligation of the United States?

Fourth. The qualification of vessels to be used are given in section 405 of the law, the dominant requirement being that they shall be "American built and registered * * *" and the whole theory of a subsidy applies to American-built vessels only Notwithstanding this fact, item (3) of the first paragraph makes also acceptable vessels:

"• • • actually ordered and under construction for the accounts of citizens of the United States, prior to February 1, 1928, and registered under the laws of the United States during the entire time of such employment."

This clause was inserted in the bill chiefly at the instance of the Grace Steamship Co. because it was building two new vessels at the time, in a European shipyard, intended for its service between New York and the west coast of South America.

It is an interesting fact that at the very time this company placed orders for new vessels in a foreign yard, it was enjoying a subvention from the United States, under section 24 of the merchant marine act, 1920, this fact is emphasized elsewhere (p. 23).

Whether the exception should have been introduced solely to accommodate the foreign-built vessels of the Grace Line need not be further considered; we think it should not. Having qualified under the law, there was nothing in the law justifying the award of maximum rate for them.

In fixing maximum rates Congress did so on the basis of construction costs in American yards; and yet the Grace Line not only has the benefit of the lower construction costs in foreign yards, but enjoys the maximum rate applicable, if otherwise justified, only to the higher construction cost of American yards.

The 1928 act should not have qualified these vessels; having done so, however, the Postmaster General was under obligation to fix a lower maximum rate, to offset the fact they were built abroad.

Another aspect of the law subject to criticism, if this law is to be applied as a subsidy, is the fact that it expressly modified section 24 of the 1920 act and omitted, intentionally omitted, that clause which clearly made that section a ship subsidy by indicating that "postal contracts" under that section were not to be regarded as mere contracts of transportation; we refer to the following provision, which was omitted from the 1928 law: "The board and the Postmaster General, in aid of the development of a merchant marine adequate to provide for the maintenance and expansion of the foreign" commerce, shall determine the compensation to be paid the vessel.

Now the deliberate omission of this clause clearly implied that computations under the 1928 act were not to be primarily "in aid of the development of a merchant marine."

The fact is, in planning and phrasing Title IV of this 1928 act, every sentence and word susceptible of criticism in debate that it was a subsidy, was carefully and intentionally avoided.

Mr. FLETCHER. From page 81 I desire to have printed in the RECORD the matter under the heading, "The Mail in Fact Transported," down to the end of page 83, which shows the actual operation under the present law and contracts.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

THE MAIL IN FACT TRANSPORTED

The following information, for the voyages indicated, was obtained from the Post Office Department. The term, "At normal rates," means the amount which would have been payable for all the voyages at the poundage rates prevailing generally under the International Postal Union. The term, "Amount in fact paid," is the amount paid under these contracts for the same service of transportation. The difference is the extent the contract compensation exceeds the commercial value of the service as a mere item of transportation.

American Scantic Line (p. 96): Compensation for 28 voyages: At normal rates, $2,600; amount in fact paid, $260,000.

American South African Line (p. 97): Compensation for 8 voyages: At normal rates, $375; amount in fact paid, $165,000.

American West African Line (p. 98): Compensation for 12 voyages: At normal rates, $735; amount in fact paid, $195,000.

Dollar Steamship Line (p. 100): Compensation for 15 voyages: At normal rates, $13,500; amount in fact paid, $728,000.

Dollar Steamship Line (p. 101): Compensation for 15 voyages: At normal rates, $5,950; amount in fact paid, $650,000.

Eastern Steamship Line (p. 102): Compensation for 78 voyages: At normal rates, $1,400; amount in fact paid, $147,000.

Export Steamship Corporation (p. 103): Compensation for 66 voyages: At normal rates, $1,770; amount in fact paid, $820,000.

Grace Steamship Co. (p. 104): Compensation for 20 voyages: At normal rates, $30,000; under this contract, $390,000.

Lykes Bros. Steamship Co. (p. 106): Compensation for 34 voyages: At normal rates, $165; under this contract, $157,000.

Munson Steamship Line (p. 107): Compensation for 20 voyages: At normal rates, $33,200; under this contract, $920,000.

New York and Cuba Mail Steamship Co. (p. 108): Compensation for 33 voyages: At normal rates, $35; under this contract, $224,000.

New York and Cuba Mail Steamship Co. (p. 109): Compensation for 30 voyages: At normal rates, $1,360; under this contract, $242,000.

Oceanic & Oriental Navigation Co. (p. 111): Compensation for 8 voyages: At normal rates, $535; under this contract, $113,000.

Oceanic & Oriental Navigation Co. (p. 112): Compensation for 7 voyages: At normal rates, $145; under this contract, $123,000.

Pac-Argentine-Brazil Line (p. 114): Compensation for 6 voyages: At normal rates, $3; under this contract, $102,000.

States Steamship Co. (p. 116): Compensation for 14 voyages: At normal rates, $145; under this contract, $230,000.

States Steamship Co. (p. 117): Compensation for 8 voyages: At normal rates, $133; under this contract, $122,000.

Mr. FLETCHER. From page 124 of this print I desire to have inserted in the RECORD all of section 409 of the act and what follows under the heading "Compensation Under Contracts," showing that the law itself provides that the rates shall not exceed those mentioned, and in every contract, so far as I am advised, the rate has been fixed at the maximum.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

COMPENSATION UNDER CONTRACTS

SEC. 409. (a) The rate of compensation to be paid under this title for ocean-mail service shall be fixed in the contract. Such rate shall not exceed: For vessels of class 7, $1.50 per nautical mile; for vessels of class 6, $2.50 per nautical mile; for vessels of class 5, $4 per nautical mile; for vessels of class 4, $6 per nautical mile; for vessels of class 3, $8 per nautical mile; for vessels of class 2, $10 per nautical mile; and for vessels of class 1, $12 per nautical mile. As used in this section the term "nautical mile" means 6,080 feet.

(b) When the Postmaster General is of opinion that the interests of the Postal Service will be served thereby, he may, in the case of a vessel of class 1 capable of maintaining a speed in excess of 24 knots at sea in ordinary weather, contract for the payment of compensation in excess of the maximum compensation authorized in subsection (a), but the compensation per nautical mile authorized by this subsection shall not be greater than an amount which bears the same ratio to $12 as the speed which such vessel is capable of maintaining at sea in ordinary weather bears to 24 knots.

(c) The Postmaster General is of opinion that to expedite and maintain satisfactory service under a contract made under this title, airplanes or airships are required to be used in conjunction with vessels, he may allow additional compensation, in amounts to be determined by him, on account of the use of such airplanes or airships. Such airplanes or airships shall be American built and owned, officered, and manned by citizens of the United States.

(d) The Postmaster General shall determine the number of nautical miles by the shortest practicable route between the ports involved, and payment under any contract made under this title shall be made for such number of miles on each outward voyage regardless of the actual mileage traveled.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. MOSES. Mr. President, I discover that the Senator from Iowa is a far better mathematician than any of the experts connected with the Committee on Appropriations or the Senator now in charge of the bill, because he discovers that the total increase, if the Senate amendment should prevail in the bill, will be $3,464,000 instead of $4,464,000, which makes my argument just $1,000,000 better.

Mr. JONES. Mr. President, I should like to ask the Senator from New Hampshire a question. It does not relate to what we have immediately before us, but I understood the Senator to say that he proposed to move that the Senate recede from a certain amendment?

Mr. MOSES. Yes. That was amendment numbered 66, relative to the air mail.

Mr. JONES. Having relation to the air mail route along the northern part of the country?

Mr. MOSES. Yes.

Mr. McKELLAR. Mr. President, before the vote is taken, may I ask the Senator from New Hampshire what effect will this proposed reduction of the amount available for promotions in salaries have on the similar question arising in the case of other departments? Will the appropriations for the other departments be reduced?

Mr. MOSES. If the framers of the legislation affecting the other departments have as good a knowledge of conditions in the departments as the committee had which framed the Treasury and Post Office bill, I should say that the situation would be exactly the same in all the departments; that is to say, we have here $2,273,000, as against $3,464,000, which we would have had; in other words, they would benefit two-thirds, just the same as do those who come under this bill.

Mr. FLETCHER. May I ask the Senator what is involved in the motion to recede?

Mr. MOSES. The question now is on agreeing to the conference report, and there will then be left one amendment from which I shall move to recede, as to which the conferees could not agree.

Mr. FLETCHER. Which one is that?

Mr. MOSES. That is amendment numbered 66.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. BLAINE. Mr. President, I desire to have a separate vote upon amendment numbered 68.

Mr. MOSES. Is that the garage amendment?

Mr. VANDENBERG. On what page is that found?

Mr. BLAINE. It is found on pages 66 and 67 of the bill.

Mr. MOSES. May I ask the Senator is that the garage lease amendment?

Mr. BLAINE. Yes; I desire to discuss the proposition involved at some length.

The PRESIDING OFFICER. The Chair will inform the Senator from Wisconsin that that is not possible, inasmuch as it is embraced in the report, which must be accepted or rejected in its entirety.

Mr. MOSES. I may say to the Senator by way of explanation of the action of the conferees with reference to that amendment that the conferees knew the whole subject of postal leases is now before the select committee of which the Senator from Wisconsin is chairman, and, as this particular amendment involved only some garages, the conferees felt that it was much better to leave the whole matter in the energetic hands of the Senator from Wisconsin, knowing that presently we would have a complete statement of all the activities involved in the making of leases in the Post Office Department.

Mr. BLAINE. Mr. President, I appreciate the great compliment of the Senator from New Hampshire, but I think the committee of conference is playing with a proposition that is very serious. The whole question of leases, both as to postal stations and garages, the select committee finds up to this point in its investigation, has involved a veritable raid on the Treasury of the United States from beginning to end, and the action of the conferees in receding from amendment No. 68, if concurred in by the Senate, will merely perpetuate that sort of thing.

I want to call the attention of the Senate to the fact that this question was of such great importance that even the President of the United States took occasion to discuss it in his annual message. I am going to read that portion of the President's message, as it is very short. The President says in his last annual message to Congress:

> Due to deferment of Government building over many years, previous administrations had been compelled to enter upon types of leases for secondary facilities in large cities, some of which were objectionable as representing too high a return upon the value of the property. To prevent the occasion for further uneconomic leasing I recommend that the Congress authorize the building by the Government of its own facilities.

Those are the words of the President of the United States, and they apply with equal force to garages as part of the post-office facilities.

I am not going to discuss the information the committee has obtained as the result of its investigation, but I wish to review briefly some of the leases with respect to garages, which I think ought to convince the Senate that the opportunity to continue raiding the Treasury of the United States should cease.

Mr. President, of the 400 or 500 leases, including postal stations and postal garages, I doubt if in more than one or two instances there has not been an excessive rental paid, ranging all the way from a 12 per cent return on the actual value of the property to as high as 60 per cent, the average of the return under such leases being about 25 per cent.

The Postmaster General has acknowledged under his own signature that 8 per cent is a reasonable return and that 10 per cent is excessive, and yet notwithstanding the position of the Postmaster General with respect to a certain type of leases it is proposed by the conference committee to permit the Postmaster General to enter into such leases for garages as a part of the postal facilities, without any bids, without any competition, and to bind the Government for a period of 10 years, without any opportunity whatever for future administrations to cancel them. It is proposed to bind the Government of the United States for 10 years to pay rentals many times in excess of a fair rate of return upon the investment.

Mr. BROOKHART. Mr. President, I understood there was a cancellation clause in the leases. Is not that true?

Mr. BLAINE. Those cancellattion clauses in practically every instance under every Postmaster General who has served since 1922 have been eliminated. I mean cancellation with respect to the item which I set forth in the amendment proposed and adopted by the Senate.

Mr. BROOKHART. That was one of the achievements of the Will Hays's administration, was it not?

Mr. BLAINE. It was one of the achievements of the Will Hays's administration and of Postmaster General New's administration——

Mr. MOSES. Mr. President, it goes much farther back than that.

Mr. BLAINE. And of Postmaster General Doctor Work, and is now proposed to be continued by Postmaster General Brown.

Mr. BROOKHART. Is there anything in the law which compels them to eliminate that clause from the leases?

Mr. BLAINE. As the Postmaster General has construed the law, he has perfect freedom to enter into these leases without bids, without competition, without any reservation whatever; he has freedom to bind the Government for the period of 20 years in the case of post-office leases and binding the Government for a period of 10 years in the case of post-office garages. That is a situation that has brought about favoritism. I have not any doubt that fraud has been involved; I have no doubt that certain political contributions have entered into the consideration of those leases. I am not going to discuss that aspect of the case at the present time, but I wish to call the attention of the Senate to what will continue to be the policy under the present administration if the Senate recedes from its position.

I have compiled data on a few post-office garages. For example, I have taken the post-office garages that have been leased by one of the so-called professional bidders, and what is true in this case is true in every other case.

I call attention to this item: A garage lease running for 10 years, the actual value of the property being only $38,000. Under the lease for that garage $15,000 annually is exacted from the Government. The amount that is paid in rentals on that one garage alone for less than three years would buy the property and build identically the same type of building, and yet the Government is bound under its lease for the term of 10 years.

Talk about raiding the Treasury! Never in the history of our country has there been such an attempt to raid the Treasury as there has been with respect to these post-office leases, and with respect to the proposition which the conferees are attempting to eliminate from this bill.

I will take a few more examples. I have not picked these out. I have simply taken them as they appear in the tabulation of post-office substations and leases, making no attempt to pick out the most aggravated cases.

Here is another case that is not quite so bad: A property value of $450,000, with an annual rental of $66,600, a return of 13 per cent upon the value. That is 5 per cent above the amount the Postmaster General has declared in writing as a reasonable return.

Here is another case: Total value of the land and building, $17,000. Under the lease the Government is paying $6,400 a year, or 35 per cent return upon the value.

Here is another case: A property value of $200,000, carrying an annual rental $40,000, or 20 per cent. Why, Mr. President, in 5 years the rent alone would pay for the land and the building in that case; and yet the Government is bound to contribute $40,000 a year for 10 years, or $400,000 during the period of the lease, which is twice as much as the actual value of the property.

I am going to point out one or two more instances.

Here is a case that is not quite so bad. The actual value of the property is $232,000. The rental is $28,000 a year. Under that lease the return is 12 per cent on the value of

the property, or 4 per cent in excess of the amount that the present Postmaster General has declared to be a reasonable return. His proposition with respect to an 8 per cent return includes on the part of the lessor the furnishing of heat, light, water, and power. In those cases, even with the furnishing of all those facilities, he has declared 8 per cent to be a reasonable return, while in the case of every one of these garages there are no facilities whatsoever offered—no heat, light, power, or water. So 8 per cent, taking the standard fixed by the Postmaster General, is an excessive return. But just assuming that to be a reasonable return, I am endeavoring to give the Senate information with respect to these specific postal garages.

Mr. BROOKHART. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Iowa?

Mr. BLAINE. I do.

Mr. BROOKHART. I should like to ask the Senator if it would be proper to amend the provisions of this bill so as to cover the matters he is now discussing.

Mr. BLAINE. The Senate has already amended it. I offered an amendment which provides that no part of said sum—that is, the amount appropriated—should be used for leasing buildings for the housing of Government-owned automobiles.

Mr. BROOKHART. And the Senate adopted the amendment?

Mr. BLAINE. The Senate adopted the amendment unanimously, on the suggestion of the chairman of the Committee on Post Offices and Post Roads, who recognized that there ought to be these restrictions thrown about the leasing of these post-office facilities.

Mr. BROOKHART. And now the conference committee recedes from that amendment?

Mr. BLAINE. The conference committee recedes from that amendment.

Mr. BROOKHART. Then this conference report ought to be defeated.

Mr. BLAINE. The whole conference report ought to be defeated. The proposal to recede on this item alone justifies the Senate of the United States in defeating the entire report.

Why, Mr. President, the raid that is being made upon the Treasury of the United States in these matters runs all the way from ten to fifteen million dollars a year—no small sum. In most of these cases the Government could have purchased the land and erected the buildings and paid therefor out of five years' rental. On an average of all these leases, including the postal substations and garages, every one of those stations—land and building and equipment—could have been purchased out of the rentals that the Government has paid in six years; and yet the Government is bound to continue to pay that rent under those leases as affecting post-office substations for a period of 20 years and in the case of garages ordinarily for a period of 10 years.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. BLAINE. I yield.

Mr. McKELLAR. I recall an illustration of what the Senator says that took place at Memphis. There the Post Office Department had a lease for 10 years on a certain garage for its post-office vehicles. It canceled the lease in the midst of the term without rhyme or reason, except that apparently it desired to give the contract of lease to some one else, and entered into another contract of lease for another period of 10 years at a largely increased rental—such an increased rental that while I am not absolutely sure of the figures, I am substantially right in saying that it provides for a 25 per cent investment instead of an 8 per cent investment. That took place at Memphis, Tenn.

Mr. BLAINE. We have an analysis of that lease. I have not the data before me at this time, but I am rather inclined to the opinion that the Senator has stated the proposition approximately correctly, as nearly as any man could state a proposition without the data before him.

Now, Mr. President, I want to call attention to some more of these leases.

Here is one. I can give the places where these leases are held. I am not going into those details this afternoon. We will furnish all of this information to the Senate in great detail at a later time. Here is a lease for 10 years. I do not mean that these leases are to run for 10 years from this day. I am speaking of the 10-year lease period from the date of the lease.

Here is a lease that carries a rental of $15,400 a year for 10 years. The actual value of that property is $50,700. That is the actual value. That means a return of 30 per cent under that lease. In three and a half years the rentals under that lease would pay for the property, land, and building and equipment, if there is any equipment.

I mentioned at the opening that these leases yielded a return to the lessor up as high as 60 per cent. There are a number of those cases. I find here—and this has to do with only a few of the leases held by one of the professional bidders—a lease for a garage for 10 years which carries an annual rental of $20,100. Now, Senators, note: The actual value of that propery is only $37,000, and yet it bears an annual rental of $20,100! That garage happens to be situated in the city of Indianapolis, Ind., from which came very powerful political influences. That may explain why some friend of a Postmaster General was given a lease for a garage with such a handsome return.

The President talks about Members of the Congress attempting to raid the Treasury. Here is one of the greatest raids that ever was proposed upon the Treasury of the United States, and the Congress of the United States is asked to compromise and compound that sort of an offense against our Government.

All the amendment proposed which was adopted by the Senate was that there should be included in the original lease a provision that whenever the Government has available a Government-owned building for the housing of Government-owned automobiles, the lease might be canceled. That clause, which has been contained in the printed form of these leases, has been in practically every instance stricken from the lease, so that under the leases now prevailing it is impossible for the President to carry out his proposal for the authorization of building by the Government of its own facilities. The Government has these leases on its hands all the way from 10 to 20 years, and when that cancellation clause has been eliminated from practically all of these leases, of course it is impractical for the Congress of the United States to authorize a Government-owned building for identically the same purpose, and at the same time continue to pay these exorbitant exactions by the way of rentals.

The amendment also proposes that no lease for such purpose shall be entered into until there have been bids submitted under the same terms and conditions as far as applicable as competitive bids are now required for the construction of Government buildings under the jurisdiction of the Treasury Department.

In scarcely any of these cases has there been a proposal advertised. I do not recall a single one. There may have been some out of the four or five hundred leases involved. In many cases, in scores of cases, the proposal for a lease has not been submitted even to the professional bidders. Favorites have been selected, who have become the beneficiaries under the policy which has prevailed in the last eight years, and there will be other favorites if Congress approves the continuance of that policy for another year.

These buildings for substations and garages have been leased by the Government of the United States without any regard whatever to the taxpayers of this country and the Treasury of the United States. So far as the Postmasters General have been concerned, the Treasury of the United States has been an open bag into which they permitted the favored individual to put his hands and extract therefrom these unconscionable, extortionate rentals, ranging all the

way, as I pointed out, from 12 per cent to 60 per cent as a return upon the actual, true investment.

There is nothing unreasonable about this amendment. Generally it is in the cases of substations and post-office garages that this policy has been pursued. I can not understand, under the representations made by the present Postmaster General to the President of the United States, why a committee of Congress would eliminate this amendment from the bill. I can not understand what excuse can be made, unless it is the view of the committee that favorites of the present Postmaster General and future Postmasters General may have the opportunity to put their hands into the Treasury of the United States without any limit whatever.

Abuses have been gross. It has not been a case of an abuse here and there through some mistake. The abuses must have grown out of a designed purpose, because they are so general, and the abuses are so great, that that sort of thing could have prevailed only where there were two parties aiding in a conspiracy to defraud the Government of the United States.

Mr. President, in the case of the commercial postal station at St. Paul, I call attention to the fact that the Government, under the lease for that station, is paying $120,000 a year. Commissioners selected under the law last summer or last spring valued that property at three hundred and seventeen thousand and some hundred dollars, in round figures, $317,000. An appeal was taken from that award by the commissioners to the United States district court. That appeal was tried before the court and a jury. The jury rendered its award, and allowed three hundred thirty-four thousand and some few hundred dollars additional, in round figures, $334,000.

There have been a number of competent governmental agencies which have passed upon the value of that building, and in no case, outside of the Postmaster General's Department, has that property been appraised at higher than the value fixed by the jury, $334,000. Yet the Government of the United States has been paying $120,000 a year as rental. Three years' rent would pay the entire value of the land and building in the case of that station.

As I said, such leases are usually for a 20-year term. The leases for garages for Government-owned automobiles are usually for a 10-year term. But the fraud upon the Treasury of the United States, upon the people of this country, is identically the same whether with respect to substations or garages. The only difference is that in the case of garages the Government is not wronged for as long a period as it is with respect to the substations.

These facts are not controverted, can not be controverted; they are part of the official records, some of them records of the Post Office Department. Yet, in the face of these records and these facts, the Senate conferees have agreed to recede from this amendment merely upon the excuse that a select committee is now considering this whole subject; and, therefore, that Congress will have full information upon this matter when the committee reports.

That is not a good excuse, that is not a valid excuse. The amendment, which was adopted by the Senate, does not tie the hands of the Government at all. It permits the Government to continue to rent these garages until we have outlined a plan for Government-owned facilities, but it requires that the leases executed for the garages shall contain a clause providing that when the Government of the United States has a Government-owned building in which may be housed Government-owned automobiles, then the Postmaster General shall be permitted to cancel the lease.

It also provides that in the making of these leases, in order to protect the Government against fraud which grows out of favoritism by the departments of the Government to individuals, in order to prevent that favoritism and that fraud, that the bids shall be competitive bids, that there shall be advertising of the proposal for these leases.

There is nothing unreasonable about that, nothing that ties the hands of the Government. The Government can continue to lease the garage facilities until the Government has enacted a program for the building of Government-owned buildings. Yet the conferees on the part of the Senate, it seems to me in total disregard of the best interests of our country, in total disregard of the many instances of extortion in the past on the part of lessors, have assumed the usual supine attitude of submitting to the House conferees.

I have presented these facts so that the Senate at least may be advised, not of theories but of conditions as they are and as they have existed for the last eight years. I have endeavored to call the attention of the Senate to the facts without any condemnation of anyone. The responsibility for the conditions which have existed will be called to the attention of the Senate at a later date. It is sufficient now for us to know what the policy has been, what the practice has been, and what we may assume it will continue to be if we, by legislation, permit such a practice to continue.

I am not asking that the Government do not rent any garages. I am not contending that we should await the outlining of a program. All I have asked for and all the Senate demanded when it adopted this amendment was that the proper protection should hedge about the Government of the United States, that when the Government of the United States had a Government-owned building it should have the right to cancel a lease, that before any such lease should be executed there should be open, competitive bids submitted under the same terms and conditions, as far as applicable, as competitive bids are now required for the construction of Government buildings under the jurisdiction of the Treasury Department.

Why should there be a special exception in these cases?

Mr. President, with the facts that are before us, I can not understand why there should be a special exception made in these particular instances. Why should the Postmaster General be permitted to enter into leases without offering to the public proposals for bids, so that all might have an equal opportunity to bid therefor, with the advertising that the Government requires with respect to all other projects? Why should all such requirements be waived, in the face of the fact that the practice and the policy which I have been discussing indicates clearly that the Government of the United States has been defrauded out of millions upon millions of dollars? I dare say, Mr. President, that the total amount of rentals which have been paid upon postal substations, garages, parcel-post terminal facilities—upon all such leased facilities—since the adoption of this policy up to July 1, 1930, would amount to a sufficient sum to have purchased every foot of land and constructed every building of which the Government of the United States now is the lessee, and yet there are 8 or 10 years to run in most of these cases.

Oh, it is not just $10,000,000. These sums for the whole period amount to an aggregate of over $150,000,000, and about half of it constitutes unjust exactions as against the Government of the United States; and yet the conferees propose to close their eyes and to perpetuate the policy which has brought about these veritable raids upon the Treasury of the United States, and which will continue to constitute raids upon the Treasury of the United States.

Mr. President, this matter, in my opinion, is of such great import, it is so vital, that I am disposed to ask for a rejection of the conference report and to let the conferees take the matter back to conference and insist that amendment numbered 68 shall remain in the bill. I think it is so vital that there is justification for a roll call, if one could be obtained. I want to say that there is no need for any great haste in the matter. The final solution can await the holiday recess, if Congress takes one, but there is no need even for that delay. The conferees can bring the bill back within a short time from the time the result of the roll call is announced, should that roll call disclose that to be the temper of the Senate. Therefore, Mr. President, I ask for the yeas and nays.

Mr. VANDENBERG. Mr. President, may I ask the chairman of the committee and of the conferees to explain the composition of amendment No. 28? The question I have in mind, if the Senator will permit me to amplify it, is this: The Coast Guard Service recommended two Coast Guard stations in the order of their importance. The Coast Guard

station at Grand Island, on Lake Superior, which is the greatest commercial lane in the country, was No. 1 in order of necessity. It was recommended by the Budget, has been authorized by Congress, and now it is stricken out by the conferees in favor of No. 2 on the list of the Coast Guard recommendations, a station in Oregon.

Mr. MOSES. Mr. President, I will say to the Senator that in studying the testimony given with reference to the Coast Guard stations there was developed before the conferees the fact that the distance between the two nearest stations on the coast of the Great Lakes is 70 miles; in other words, that this particular point is only 35 miles distant from any station, while there is 200 miles of Oregon coast without any station whatever. In view of the record of disasters which was submitted to the committee, I think in the form of a memorandum, it seemed to the conferees that the Oregon station was of more importance and more urgent than the station on the Great Lakes.

Mr. VANDENBERG. Does the Senator think the opinion of the conferees better than the opinion of Admiral Bullard?

Mr. MOSES. The conferees thought so.

Mr. VANDENBERG. The Senator from New Hampshire will permit me to say that I quite disagree with him.

The PRESIDING OFFICER. The question is on agreeing to the conference report, upon which motion the Senator from Wisconsin [Mr. BLAINE] has demanded the yeas and nays.

Mr. BLAINE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum having been suggested, the clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	George	King	Simmons
Barkley	Gillett	La Follette	Smith
Black	Glass	McGill	Smoot
Blaine	Glenn	McKellar	Steiwer
Blease	Goff	McNary	Stephens
Borah	Goldsborough	Morrison	Swanson
Brock	Gould	Morrow	Thomas, Idaho
Brookhart	Hale	Moses	Thomas, Okla.
Broussard	Harris	Norbeck	Townsend
Bulkley	Harrison	Norris	Trammell
Capper	Hastings	Nye	Tydings
Caraway	Hatfield	Oddie	Vandenberg
Carey	Hawes	Patterson	Wagner
Connally	Hayden	Pittman	Walcott
Couzens	Hebert	Ransdell	Walsh, Mass.
Cutting	Heflin	Robinson, Ark.	Walsh, Mont.
Davis	Howell	Robinson, Ind.	Waterman
Dill	Johnson	Schall	Watson
Fess	Jones	Sheppard	Wheeler
Fletcher	Kean	Shipstead	Williamson
Frazier	Kendrick	Shortridge	

The PRESIDING OFFICER. Eighty-three Senators having answered to their names, a quorum is present. The question is on agreeing to the conference report.

Mr. BROOKHART. Mr. President, I desire to ask the Senator in charge of the bill a few more questions. It now appears there was a million-dollar error in his figures, but since they were against him I can not accuse him of any corruption in that.

Mr. MOSES. Oh, no; the error being corrected, I was much better placed.

Mr. BROOKHART. Is the $2,273,000, which is simply the total of what is in the bill, and another $1,190,000, all that is required to make up the pay advances under the Welch Act and the so-called Brookhart Act?

Mr. MOSES. No. The total sum required to take care of the provisions of the Welch Act and the Brookhart Act for all branches of the Federal service is about $14,000,000.

Mr. BROOKHART. I understand that. For this fiscal year what would be required to take care in full of the sum required so far as this appropriation bill is concerned for it all?

Mr. MOSES. Does the Senator mean if we did everything?

Mr. BROOKHART. Yes.

Mr. MOSES. I would have to make some computations in order to answer the Senator's question, but the proposition before both branches of Congress was to deal with it in three steps, and to provide for one-third of it this year.

Mr. BROOKHART. Under the Senate proposal it would require how much?

Mr. MOSES. That is all we had before us I will say to the Senator. We did not have the total proposition before us in any sense; neither House sent it to us.

Mr. BROOKHART. As the bill passed the Senate it did not include the total amount?

Mr. MOSES. It did not; it included one-third under the program submitted by the Budget Bureau.

Mr. BROOKHART. And that would be $3,464,000?

Mr. MOSES. The total sum for all the departments would have been $4,500,000 in round numbers. The total amount which would have gone into this bill, if the action of the Senate as originally taken up, the 3-year program, had prevailed, would have been $1,190,000 additional.

Mr. BROOKHART. More than is provided in the conference report?

Mr. MOSES. More than is provided in the conference report.

Mr. BROOKHART. That makes a total, then, of $3,464,000 which it is necessary to appropriate in order to carry out the provisions of the law.

Mr. MOSES. The Senator is so much better as a mathematician than I am that I admit his figures are correct.

Mr. BROOKHART. In the first place, Mr. President, it seems to me that the law ought to have been carried out, and it seems to me that since the Senate has cut it down one-third or practically that——

Mr. MOSES. The Budget Bureau did that before the Senate did it.

Mr. BROOKHART. The Budget Bureau had no business to do it. The Budget Bureau ought to have read the law and followed the law, and if the Budget Bureau does not follow the law, I think it is the duty of the Senate to follow the law anyway. Furthermore, I think it is the duty of the conferees to follow the law.

So, in this situation, I think the conference report ought to be defeated on this proposition to begin with, and I think perhaps there is even stronger reason for defeating it as set forth in the argument advanced by the Senator from Wisconsin [Mr. BLAINE]. I can not understand how any conference committee could recede from a proposition that protects the Government from fraud, and that is what the Blaine amendment seeks to do.

Mr. MOSES. Mr. President, there were two lines of reasoning which actuated the conferees, in addition to the general situation which the Senate conferees always confront. One was that the whole subject matter was before a select committee, from which committee we are going to have suggested remedial legislation for the entire situation. In addition to that, we were of the opinion that the fact that the amendment had been adopted by the Senate would serve notice upon the Post Office Department that the department had better watch its step.

Mr. BROOKHART. But it was the chairman of the select committee who came to the Senate and offered the amendment which was adopted by unanimous vote of the Senate. So it is quite apparent that this much legislation is deemed immediately necessary by the special committee, and I can see no reason why anybody who desires to protect the rights of the Government at all in either House or the Senate should object to that. I feel quite certain if the report shall be rejected and sent back to conference that by February, anyway, the House conferees will recognize the merit of this proposition and accede to it.

Now, Mr. President, I want to know a little more about the emergency appropriation in this bill. The Senator from Utah mentioned first that there are some appropriations which were emergency appropriations. I should like to know something more of the details and the amounts of those appropriations that are going to be used during the holidays and during the proposed recess of Congress.

Mr. SMOOT. Mr. President, I do not know that any of the amounts will be used during the recess, but they will be used just as soon as the bill is signed by the President. Of course they can not be used before that time.

Mr. BROOKHART. If the bill is signed by the President on Monday would the amounts be used on Tuesday or anything of that kind?

Mr. SMOOT. I have never asked the question whether they would be used on the next day or not, but they would not have to remain unexpended until June 30 next.

Mr. BROOKHART. No; but if we agree to this report in January or February, that will be soon enough so far as the use of the funds is concerned, will it not?

Mr. SMOOT. Yes; before June 30, but if the bill should be passed earlier it would allow that much more time to make arrangement as to the money to be expended.

Mr. BROOKHART. Then, in fact, all of the appropriations in this bill are effective after June 30.

Mr. SMOOT. Certainly.

Mr. MOSES. Oh, no, Mr. President. The general line of the legislation is effective at the beginning of the new fiscal year, but there are certain items in this bill which are made immediately available.

Mr. SMOOT. That is not the question the Senator from Iowa asked me, as I understood him.

Mr. BROOKHART. Perhaps I did not ask the question clearly. Some of these funds are to be immediately available; but I am more interested in the question as to whether they are immediately needed. Are they going to be used immediately?

Mr. SMOOT. Certainly; the reason for the provision that they shall be immediately available is that they may be used by the Government as soon as the bill becomes a law.

Mr. BROOKHART. Does the Senator know that any portion of the funds will be used in January?

Mr. SMOOT. I can not say whether they will be used in January, but they will be used at the very earliest date possible and they will be used before June 30.

Mr. BROOKHART. Well, Mr. President, it seems to me that is an exceedingly hazy reason for surrendering important amendments as has been done in this conference report.

Mr. SMOOT. We have provisions as to certain sums being made immediately available in nearly every appropriation bill. There is one in the Interior Department appropriation bill; in fact, there are three items of appropriation in that bill which are made immediately available.

Mr. BROOKHART. I understand that, but I do not understand any of these to be so urgent that we need to be in a hurry in the next hour or two to adopt the conference report and surrender other important amendments that we ought not to surrender.

Mr. SMOOT. That is another question.

Mr. BROOKHART. That is my position on this matter. In the first place, what is proposed to be done by this conference report is not fair to the Government employees, and, in the next place, its adoption will permit a very vicious practice in reference to post-office leases to continue. There is still a further amendment from which the Senator from New Hampshire has already announced he will move to recede as soon as the report shall have been adopted. So I think every Senator ought to join in defeating the conference report. Then we can have a real consideration of these questions under such conditions that the Senate ought to succeed in having its view prevail and secure the legislation as the Senate passed it and as the Senate evidently believes to be right.

I am not sufficiently familiar with all the details of this measure, but I presume it is true that the figures of the Senator from New Hampshire are correct and that two-thirds of the amount that we ought to have or about that amount is allowed to the Government employees; but they are still denied one-third of the advances which the law has already prescribed they should have.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. BROOKHART. I yield.

Mr. McKELLAR. Mr. President, unquestionably the Wood amendment is out if the conference report shall be adopted. What objection could there be to providing in a deficiency bill the additional million dollars, which I understand it will take to carry out the provisions of the Senator's bill which has previously been passed? I believe the necessary amount could be added in a deficiency bill if the Senate saw fit to do it. In other words, the important thing is that the Wood amendment is out of the bill if the conference report shall be agreed to.

Mr. BROOKHART. The Wood amendment has no further terrors for me, anyway, because the House has rejected it in the other appropriation bills, as I understand. What assurance does the Senator have——

Mr. MOSES. But the House has done so because of its understanding of what was going to be done here on this bill.

Mr. BROOKHART. What assurance does the Senator from Tennessee have that we could add the necessary million dollars to a later deficiency appropriation bill?

Mr. McKELLAR. I do not have any assurance at all. I refer the Senator to my distinguished friend from Washington [Mr. JONES], the chairman of the Committee on Appropriations.

Mr. SMOOT. Mr. President, I can say to the Senator that there will be all the chance in the world when the deficiency bill comes here, because we will not then, of course, be considering a conference report, a vote of the Senate can be taken, and whatever amendment the Senate favors can be incorporated in the bill. The Senator said, I think, that as to the Treasury Department the total would be $1,173,000. That amount could be added to a deficiency appropriation bill, as has been suggested by the Senator from Tennessee.

Mr. McKELLAR. It is authorized by law, and naturally an amendment providing such an appropriation would be in order and a vote on it could not be prevented.

Mr. SMOOT. A point of order could not be made against it. The amount for the Treasury Department is $1,349,000. That amount is authorized by law and it could be added to the first deficiency appropriation bill. So far as this bill is concerned, the appropriation will not take effect until the first of July, but when a deficiency bill shall be passed by the Senate more than likely it will take effect immediately after its passage.

Mr. JONES. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Washington?

Mr. BROOKHART. I yield.

Mr. JONES. If it is contemplated to put an amendment of the kind referred to in the deficiency bill, why not put it in this bill where it properly belongs, and then let every appropriation bill that comes before the Senate for consideration hereafter follow the provisions of the Treasury Department appropriation bill. I do not think that we ought to depend upon taking care of this matter in a deficiency bill. If we are going to take care of it, this is the bill where it ought to be provided for.

Mr. SMOOT. The Senator knows that the amount was placed in the bill by an amendment adopted by the Senate, but the House conferees would not agree to it, and the Senate conferees have submitted a report here to that effect. If this report shall be accepted, then all the appropriations in the bill, especially that are made immediately available may be used at once, but the other appropriations of course will not be available for expenditure until July 1, 1931.

Mr. JONES. If this matter is sent back to conference——

Mr. SMOOT. Yes; the Senate can send it back to conference.

Mr. JONES. Let us send it back to conference, and let the House have an opportunity to get the expression of its Members on this one-third, or one out of three years, proposition.

Mr. SMOOT. They have had it on one other bill.

Mr. JONES. No; they have not had it, as I understand, on this particular phase. They have had it on the Wood section so far, and they voted it out; and in my judgment if they get an opportunity on this money proposition they will take care of the one-third belonging to the clerks. If we send this bill back to conference, in my judgment the



matter will be taken care of properly, and the House will have to yield on that, as they had to yield on the Wood section.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Tennessee?

Mr. BROOKHART. I yield.

Mr. McKELLAR. All I have to say is that it is immaterial to me which way it is done, but if it is not done in this bill unquestionably it would be in order for any Senator to put the amendment on the deficiency bill whenever it comes up.

Mr. BROOKHART. I think the Senator is correct in that proposition, beyond any doubt. Nevertheless, it seems to me that the more appropriate way is to follow the suggestion of the Senator from Washington and put it in this bill. However, if it does go over I shall surely see that the amendment is offered and considered by the Senate in the deficiency bill. But what about this question of fraud in post-office leases, this very important amendment that seemed to have the unanimous approval of the Senate?

If the Senator from Utah can point out any instance where delay of this matter over the holiday is going to cause distress and unemployment and trouble of that kind, that would be a different thing; but I have been unable to elicit any such description from the appropriations made in this bill. Therefore I think the report ought to be rejected.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. DILL. Mr. President, before the Senator from Iowa sits down, I desire to ask him a question. If this item is left out of this department bill for the increase of the wage for the lower-paid employees, it becomes a precedent for all the other department bills—to be left out then—does it not?

Mr. BROOKHART. It seems to me it will; and that is another important reason why it should not be left out.

Mr. DILL. Certainly the Congress could not think of depriving the Post Office and Treasury employees of this increase and then give it to other employees in other departments.

Mr. BROOKHART. It would seem so to me. Of course, if they should turn around and put these items in the other bills, that would be an extraordinarily strong reason for making it up in a deficiency bill. I can see that. Nevertheless, it is a bad precedent to set here at this time.

Mr. DILL. Mr. President, I do not want to take much time; but it does seem to me that this is a parsimonious policy—a policy that the Congress should not indulge in just at this time. Much as I dislike to vote against the conference report, I know of no other way in which I can vote to give the poorly paid clerks of the departments of the Government the increases to which they are entitled under the law. For that reason I shall vote against the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. WALSH of Montana. Mr. President, before a vote is taken upon this matter, I desire to say a word upon a feature of the conference report. I refer to the item for air mail contracts.

Mr. MOSES. Mr. President, will not the Senator permit us to have a vote. I propose to move to recede on that item, and to bring it promptly before the Senate, if we can adopt the report aside from that.

Mr. WALSH of Montana. Does the Senator intend to tell why he would like to recede?

Mr. MOSES. I will when I get a chance to make the motion.

Mr. WALSH of Montana. Very well.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. BLAINE. I call for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. GEORGE (when his name was called). On this question I have a pair with the senior Senator from Colorado [Mr. PHIPPS]. If he were present, I am advised that he would vote "yea." If at liberty to vote, I should vote "nay."

Mr. HAWES (when his name was called). I have a pair with the senior Senator from New Jersey [Mr. KEAN]. Not knowing how he would vote, I withhold my vote.

Mr. ROBINSON of Arkansas (when his name was called). On this question I have a pair with the Senator from Pennsylvania [Mr. REED]. That Senator is absent, and I do not know how he would vote. I therefore withhold my vote. If I were at liberty to vote, I should vote "yea."

Mr. TYDINGS (when his name was called). On this question I have a general pair with the senior Senator from Rhode Island [Mr. METCALF]. Not knowing how he would vote, I withhold my vote. If at liberty to vote, I should vote "nay."

Mr. WAGNER (when his name was called). On this question I am paired with the junior Senator from Missouri [Mr. PATTERSON]. I am not informed how he would vote. Therefore I withhold my vote. If I were at liberty to vote, I should vote "nay."

Mr. WALSH of Massachusetts (when his name was called). On this question I am paired with the Senator from Vermont [Mr. DALE], who is attending the funeral of his colleague. Not knowing how he would vote, I withhold my vote.

The roll call was concluded.

Mr. MORROW. I have a pair with the senior Senator from New Mexico [Mr. BRATTON]. I do not know how he would vote on this question. I transfer that pair to the Senator from Delaware [Mr. HASTINGS] and will vote. I vote "yea."

Mr. GEORGE. Permitting my announcement to stand, I transfer my pair to the junior Senator from Utah [Mr. KING] and will vote. I vote "nay."

Mr. FESS. I desire to announce the following general pairs:

The Senator from Connecticut [Mr. BINGHAM] with the Senator from Virginia [Mr. GLASS];

The Senator from Illinois [Mr. DENEEN] with the Senator from Iowa [Mr. STECK];

The Senator from Rhode Island [Mr. HEBERT] with the Senator from New York [Mr. COPELAND];

The Senator from New Hampshire [Mr. KEYES] with the Senator from Mississippi [Mr. HARRISON];

The Senator from Maine [Mr. GOULD] with the Senator from South Carolina [Mr. BLEASE]; and

The Senator from Colorado [Mr. WATERMAN] with the Senator from Virginia [Mr. SWANSON].

The result was announced—yeas 24, nays 43, as follows:

YEAS—24

Capper	Goff	Morrow	Smoot
Carey	Goldsborough	Moses	Sneiwer
Fess	Hale	Norbeck	Thomas, Okla.
Fletcher	Hatfield	Oddie	Townsend
Gillett	Johnson	Robinson, Ind.	Walcott
Glenn	McNary	Simmons	Watson

NAYS—43

Ashurst	Couzens	Kendrick	Shipstead
Barkley	Cutting	La Follette	Shortridge
Black	Davis	McGill	Smith
Blaine	Dill	McKellar	Stephens
Borah	Frazier	Morrison	Thomas, Idaho
Brock	George	Norris	Trammell
Brookhart	Harris	Nye	Vandenberg
Broussard	Hayden	Pittman	Walsh, Mont.
Bulkley	Heflin	Ransdell	Wheeler
Caraway	Howell	Schall	Williamson
Connally	Jones	Sheppard	

NOT VOTING—28

Bingham	Gould	King	Robinson, Ark.
Blease	Harrison	McMaster	Steck
Bratton	Hastings	Metcalf	Swanson
Copeland	Hawes	Patterson	Tydings
Dale	Hebert	Phipps	Wagner
Deneen	Kean	Pine	Walsh, Mass.
Glass	Keyes	Reed	Waterman

So the conference report was rejected.

EXECUTIVE SESSION

Mr. COUZENS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER laid before the Senate messages from the President of the United States transmitting nominations, which were referred to the appropriate committees.

REPORTS OF COMMITTEES

Mr. MOSES, from the Committee on Post Offices and Post Roads, reported sundry postmaster nominations favorably.

Mr. MOSES. Mr. President, when the calendar is reached, I want to ask unanimous consent with reference to all of these postmaster nominations.

The PRESIDING OFFICER. That may be done.

Mr. JOHNSON, from the Committee on Commerce, reported favorably the nomination of Kenyon Spaulding to be a temporary ensign in the Coast Guard of the United States.

Mr. ASHURST, from the Committee on Public Lands and Surveys, reported favorably the nomination of Henry A. Morgan, of Arizona, to be register of the land office at Phoenix, Ariz.

The VICE PRESIDENT. If there be no further reports of committees, the calendar is in order.

TREATY BETWEEN THE UNITED STATES OF AMERICA AND NORWAY

The Chief Clerk proceeded to read Executive C, Seventy-first Congress, third session, a treaty between the United States of America and Norway, signed at Oslo on November 1, 1930, which was considered as in Committee of the Whole, and is as follows:

[Ratified and made public December 20, 1930]

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to its ratification, I transmit herewith a treaty between the United States of America and Norway, signed at Oslo on November 1, 1930, exempting from liability for military service or any other act of allegiance during a temporary stay in the territory of the other party, all persons born in the territory of one party of parents who are nationals of the other party, and having the nationality of both parties under their laws.

As explained in the accompanying report of the Secretary of State, this treaty has been concluded in pursuance of the joint resolution of Congress approved on May 28, 1928, and omits, for the reason stated by the Secretary of State, any reference to naturalized citizens.

HERBERT HOOVER.

THE WHITE HOUSE, *December 15, 1930.*

The PRESIDENT:

The undersigned the Secretary of State has the honor to lay before the President with a view to its transmission to the Senate to receive the advice and consent of that body to ratification, if his judgment approve thereof, a treaty between the United States of America and Norway, signed at Oslo on November 1, 1930, exempting from liability for military service or any other act of allegiance during a temporary stay in the territory of the other party, all persons born in the territory of one party of parents who are nationals of the other party, and having the nationality of both parties under their laws.

This treaty was negotiated in pursuance of the joint resolution of Congress, approved May 28, 1928, reading as follows:

That the President be, and he is hereby, respectfully requested to endeavor as soon as possible to negotiate treaties with the remaining nations with which we have no such agreement, providing that persons born in the United States of foreign parentage, and naturalized American citizens, shall not be held liable for military service or any other act of allegiance during a stay in the territory subject to the jurisdiction of any such nation while citizens of the United States of America under the laws thereof.

In view of the provisions of the existing naturalization treaty between the United States and Norway it was deemed unnecessary to enter into a new agreement concerning natives of either country who, after acquiring naturalization in the other, desire to visit their native country.

Respectfully submitted.

HENRY L. STIMSON.

DEPARTMENT OF STATE,
Washington, December 12, 1930.

The President of the United States of America and His Majesty the King of Norway, being desirous of regulating the liability for military service and other acts of allegiance for persons who are nationals of both countries, have decided to conclude a treaty for that purpose, and have appointed as their plenipotentiaries: The President of the United States of America, Laurits S. Swenson, envoy extraordinary and minister plenipotentiary of the United States to Norway.

His Majesty the King of Norway, Johan Ludwig Mowinckel, His Prime Minister and Minister for Foreign Affairs; who having communicated their full powers found in good and due form, have agreed as follows:

ARTICLE I.

A person born in the territory of one party of parents who are nationals of the other party, and having the nationality of both parties under their laws, shall not, if he has his habitual residence—that is, the place of his general abode—in the territory of the State of his birth, be held liable for military service or any other act of allegiance during a temporary stay in the territory of the other party.

Provided, that, if such stay is protracted beyond the period of two years, it shall be presumed to be permanent, in the absence of sufficient evidence showing that return to the territory of the other party will take place within a short time.

ARTICLE II.

The present Treaty shall be duly ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by His Majesty the King of Norway, and shall enter into effect after the exchange of ratifications at Washington.

It shall thereafter remain in force for a period of ten years. If neither party shall have given the other 6 months' previous notice of its intention then to terminate the same, it shall further remain in force until the end of 12 months after either of the contracting parties shall have given notice to the other of such intention.

In witness whereof, the respective Plenipotentiaries have signed the present Treaty in duplicate in the English and Norwegian languages and have thereunto affixed their seals.

Done at Oslo this first day of November in the year of our Lord one thousand nine hundred and thirty.

JOHAN L. MOWINCKEL [SEAL]
LAURITS S. SWENSON [SEAL]

Mr. BORAH. Mr. President, this treaty was reported unanimously by the Committee on Foreign Relations. It is designed to exempt from military service or other act of allegiance during a temporary stay in the territory of the other party all persons born in the territory of one party of parents who are nationals of the other party, and having the nationality of both parties under their laws.

The treaty was reported to the Senate without amendment, and the resolution of ratification was read, as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive C, Seventy-first Congress, third session, a treaty with Norway exempting from military service or other act of allegiance certain nationals, signed at Oslo, November 1, 1930.

The resolution was agreed to, two-thirds of the Senators present voting in the affirmative.

DIPLOMATIC AND FOREIGN SERVICE

Mr. MOSES. I ask unanimous consent that in the consideration of the calendar we shall begin with Calendar No. 619 and proceed through the calendar, and then return to the nominations upon which we were acting under the unanimous-consent agreement.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The Chief Clerk read the nomination of Henry H. Balch to be consul general.

The VICE PRESIDENT. Without objection, the nomination is confirmed, and the President will be notified.

The Chief Clerk read the nomination of George D. Andrews, jr., to be secretary, Diplomatic Service.

The VICE PRESIDENT. Without objection, the nomination is confirmed, and the President will be notified.

THE JUDICIARY

The Chief Clerk read the nomination of Paul H. Creswell to be United States marshal, southern district of Ohio.

The VICE PRESIDENT. Without objection, the nomination is confirmed, and the President will be notified.

RECORDER OF DEEDS, DISTRICT OF COLUMBIA

The Chief Clerk read the nomination of Jefferson S. Coage, of Delaware, to be recorder of deeds.

The VICE PRESIDENT. Without objection, the nomination is confirmed, and the President will be notified.

REGISTERS OF THE LAND OFFICE

The Chief Clerk read the nomination of Richard P. Imes, sr., to be register of the land office, Billings, Mont.

The VICE PRESIDENT. Without objection, the nomination is confirmed, and the President will be notified.

The Chief Clerk read the nomination of Murdock D. Nicholson to be register of the land office, Great Falls, Mont.

The VICE PRESIDENT. Without objection, the nomination is confirmed, and the President will be notified.

POSTMASTERS

The Chief Clerk proceeded to read sundry nominations of postmasters.

Mr. MOSES. I ask unanimous consent for the confirmation en bloc of all postmaster nominations on the calendar.

The VICE PRESIDENT. Without objection, the nominations are confirmed, and the President will be notified.

Mr. MOSES. Mr. President, I ask further unanimous consent for the confirmation of such nominations of postmasters as have been reported to-day. I make that request because several Senators, in handing to me the slips containing the nominations, have said that they desired to propose unanimous-consent requests on behalf of nominations in their own States, and I have assured those Senators that I would make the request for the committee as to all nominations which have been made to-day.

Mr. ROBINSON of Arkansas. Mr. President, I inquire of the Senator from New Hampshire whether these several nominations have all taken the usual course and been presented to the Senators?

Mr. MOSES. Each individual report which has been made to-day bears the initials of the Senators from the States where the nominees reside.

The VICE PRESIDENT. Without objection, the nominations are confirmed, and the President will be notified.

IN THE NAVY

The Chief Clerk proceeded to read sundry nominations for promotions in the Navy.

Mr. HALE. Mr. President, I ask that the nominations in the Navy be confirmed en bloc and the President notified.

The VICE PRESIDENT. Without objection, the nominations are confirmed, and the President will be notified.

FEDERAL POWER COMMISSION

Mr. COUZENS. Mr. President, under the unanimous-consent agreement, the first thing to be taken up was the nomination for membership on the Power Commission of George Otis Smith.

The Chief Clerk read the nomination of George Otis Smith, of Maine, to be a member of the Federal Power Commission.

Mr. WAGNER. Mr. President, will the Senator yield for a unanimous-consent request? I do not think it will involve any discussion.

Mr. COUZENS. I yield.

Mr. WAGNER. I ask unanimous consent that the Senate take up the consideration of the confirmation of Eugene Meyer——

Mr. COUZENS. Mr. President, I would have to object to that. There is going to be considerable discussion of that nomination.

Mr. WAGNER. I do not mean now; the Senator has not heard my request. I ask that we take up the nomination the first day the Senate goes into executive session after the Christmas recess. I have consulted the Senator who is opposed to this nomination, and the request is agreeable to him.

Mr. BROOKHART. It is agreeable to me, and I presume also to the Senator from Michigan, providing we succeed in concluding the consideration of the nominations for the Power Commission.

Mr. WAGNER. Of course, the Power Commission nominations have precedence.

Mr. BARKLEY. The Senator from New York will be reminded that we have already entered into a unanimous-consent agreement to take up the nominations for the Tariff Commission on the 9th of January, and if that should be the first executive session we hold after the recess the request of the Senator from New York would interfere with that.

Mr. WAGNER. That will come on Friday of the week we meet, and I dare say we will have an executive session before that day.

Mr. BARKLEY. I think the Senator would have to modify his request so that if that was the first session it would not interfere with the unanimous-consent order already entered.

Mr. WAGNER. I ask that there be included in the request the provision that in the event the first executive session should come on January 9, the consideration of the Meyer nomination follow immediately the consideration of the Tariff Commission nominations.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. COUZENS. Mr. President, for the purpose of informing the Senate briefly as to how far the Interstate Commerce Committee went in examining Mr. George Otis Smith, a nominee for appointment on the Federal Power Commission, I wish to point out, on page 1 of the hearings, which were held on December 11, that the chairman of the committee propounded the following question:

> Mr. Smith, will you tell us, to begin with, what your occupation has been for, say, the last 20 years?
>
> Mr. SMITH. Mr. Chairman and gentlemen of the committee, I have been in the Government service ever since I left the university, and in connection with the United States Geological Survey, first, from 1896 to 1907 as a geologist, and after that date as the administrative head of the survey, Director of the United States Geological Survey, with the exception of one year when I was a member of the United States Coal Commission. From that year's leave of absence from the Geological Survey I went back to my former position and now hold that position.

That, briefly, summarizes the activities of Mr. George Otis Smith. In the hearings there will be found a record of many questions propounded and answered with respect to his views as to the regulation of power transmitted in interstate commerce.

The committee reported Mr. Smith's name unanimously, with the exception of the junior Senator from Washington [Mr. DILL], and I understand the Senator from Washington has something to say in regard to the matter. Therefore I will defer any further statement at this time.

Mr. DILL. Mr. President, before I discuss my objections to Mr. Smith, I want to call attention to what the situation under the laws now on the statute books is regarding the disposition of the power sites covered by the statute and the regulation provided for in the statute.

When Congress passed the water power law some years ago it followed the principle that the Government would perform the administrative act of leasing or disposing of the use of the power sites over which it had control through the administrative branch of the Government.

All of our public lands, and all of the resources connected with them, have always been disposed of through the Presi-

dent or his departments. So, in providing for the disposal of this resource, the water power, Congress, in my judgment, wisely provided that that should be done through a commission composed of certain members of the President's Cabinet, and thus ex officio that commission existed at all times, and whatever it might do was directly chargeable to the President of the United States.

Because of that, in my judgment, the commission which has handled these resources has been extremely careful in the granting of power permits. Their action directly reflected upon the President of the United States, and they have been quite slow to do anything which would in any way make it appear that the President of the United States was disposing of the use of these resources in any way except in the best interest of the public as a whole.

Because that commission has failed to perform one part of its duties the President of the United States recommended that the disposal of the use of the water-power sites of this country should be placed in a commission, and he would be freed from the responsibility. So, the Congress enacted a law providing that this work in the future shall be done by what is known as the water power commission, appointed by the President and confirmed by the Senate.

I need not discuss here the matter of responsibility to the people on the part of the commissions of the Government. They are a hybrid creation, in that their duties partake of the nature of the administrative, the judicial, and almost the legislative itself. They are responsible to nobody directly. Nobody is directly chargeable except themselves. The President names them and the Senate confirms them, and thereafter they hold office until the end of their terms. Their records are never submitted to the people of the country and nobody can be held directly responsible for what they do.

Congress having taken that step, the President sends here the names of the men who are to act as commissioners on this great body. I submit there is no problem confronting the American people to-day which so concerns their future welfare as the disposal of the water-power resources of the United States. Certainly no body of men should be of a higher order of ability, should be more free from even the suspicion of sympathizing with the great power monopoly which is reaching out its tentacles all over the Republic and seeking to grapple into its control the great power companies of the Nation. I submit that no body of men should be more free from suspicion of connection with the Power Trust than this great commission.

It has duties of two kinds to perform. One is the granting of permits. Under the decision of the Attorney General, if it were to be followed, the commission would find that in its discretion it could grant minor permits for a large percentage of the power sites, because they are not upon streams which would be considered navigable in the full sense of the word, and under those minor permits there is no regulation and no control except as to the matter of the flow of water. However, I think that was a strained construction and I do not believe the courts will sustain it when it comes to the courts.

The second kind of work is fixing the amount of net investment which shall be determined at the end of 50 years finally in case the Government desires to recapture the power sites and power plants. It is the failure of the present commission to do that work concerning the accounts which have already been submitted that has brought about the change in the law to have a power commission appointed by the President and confirmed by the Senate. I shall not go into these problems in detail other than to say that the decision, particularly on some of those questions now before the commission, will affect the entire future policy of the country, probably as to taking over the power sites in the years to come, and will also fix a rate basis upon which rates may be regulated.

When the name of Mr. Smith was sent to the Senate, knowing his record as Director of the Geological Survey, I thought that he was well qualified for the position. It was a matter of disappointment to me to find in his answers to the questions asked him that, in my judgment, he would not be fair to all the interests concerned before the commission. I have known him for many years. While I was in the House of Representatives my association with him was most pleasant. Since I have been in the Senate I have found him an able and efficient administrator.

But when he was before the committee and questions were propounded to him as to his attitude regarding these matters, it seemed to me that the man was so anxious to prove that he was not in favor of municipal ownership that he leaned over backward on the proposition; that if he is on the commission he will be primarily concerned about proving that he is not interested in municipal ownership. The fact of the matter is that in answer to a question propounded by the junior Senator from New York [Mr. WAGNER] he stated clearly that he would place the burden of proof upon the municipal applicants. I want to read what he said about it, and then I want to show also the opportunity we gave him to clear up that point and how he still clings in his own mind to his prejudice against the idea of municipal ownership.

Let me say that I have no desire to see a commission made up wholly of men who believe in municipal ownership. The fact of the matter is, I do not believe that such a commission could be secured and I doubt if it would be good for the country if it were secured. But the law under which the commission is to act gives preferential rights to municipal applicants or applicants municipally owned, and that law should be carried out in the intent and spirit of Congress.

In the midst of the hearings, on page 30, the Senator from New York [Mr. WAGNER] asked Mr. Smith this question:

SENATOR WAGNER. Take our own State of New York. Suppose there were an application before the commission for the diversion of water, which is authorized under a treaty, both by the State of New York, which wanted to go into the venture of generating electricity itself, and therefore establishing its own plants, and by a private company seeking the same diversion. Do you suppose, because of your convictions on the subject generally, as I heard them this morning, that subconsciously, perhaps, you would be likely, because of your aversion to public operation, to favor the granting of a license, rather, to the private companies, as against the State?

Mr. SMITH. As I understand the law, I do not believe I would be permitted to do it, and whatever I did I would do consciously, one way or the other. But I think the law favors, and expects the commission to favor, the publicly operated plant.

Senator WAGNER. Do you understand the law to be absolutely mandatory, if there is an application by both a State and a private company?

Mr. SMITH. It says, "preferentially."

Senator WAGNER. I appreciate that but in view of your own convictions, that it would be for the welfare of the State to have private interests operate, rather than the State itself, do you think that your own views would be very persuasive in deciding the question as to whether an individual or the State should receive the license, as I think it is termed?

Mr. SMITH. I think that matter would be before the commission, and I would not ask to be excused by reason of previous prejudices. I find, Senator, that it is easier to change my mind than it was some years ago.

Senator WAGNER. I am quite confident that you would express a view one way or the other, but I say, in view of the opinion you hold, would you be inclined to favor private operation?

Mr. SMITH. Other things being equal. All those conditions would have to be shown in the consideration by the commission of such a proposal. I would expect that the burden of proof in my mind would be on the publicly operated plant.

Remember, he does not say that he would construe the cases as they were brought to him, but says the burden of proof would be upon the publicly operated plant.

Senator WAGNER. That is, you would have to be convinced?

Mr. SMITH. Yes; but against that would be the fact that the law states the preference the other way. Possibly those two would offset each other.

By his own statement he does not go on this commission as a fair-minded man, but he goes there prejudiced. The law must be strong enough to overcome his prejudice.

Senator WAGNER. Where the law is not absolutely mandatory, these so-called preferable considerations, I find, have very little influence upon any public body as against a view held. The reason I ask is because we probably will come right up against that question in the consideration of the St. Lawrence development.

Then I interrupted and asked if I might read the statute, and I read it as follows:

SEC. 7. That in issuing preliminary permits hereunder or licenses where no preliminary permit has been issued and in issuing licenses to new licensees under section 15 hereof the commission shall give preference to applications therefor by States and municipalities, provided the plans for the same are deemed by the commission equally well adapted, or shall within a reasonable time to be fixed by the commission be made equally well adapted, to conserve and utilize in the public interest the navigation and water resources of the region.

I invite attention to the language of the statute. It not only provides for preference as between two applicants, the one representing a municipality or State, and the other private, but it says that if in the judgment of the commission the application of the municipal or State plant is not equal, the commission shall give the State or municipality the opportunity and time to make their proposition equal. Congress has been not only lenient, but it has gone as far as the law can go to see to it that the commission shall give preference wherever possible to the municipal or State plant which is an applicant, and if they are not equal when the applications are made, then it gives the commission the right to permit the municipal or State applicant to make the conditions equal.

Then I added:

I wondered if you had clearly in mind that wording when you answered Senator WAGNER that the burden of proof would be on the publicly owned company, or the publicly owned applicant.

Mr. SMITH. Of course, I offset that by the fact that I would give consideration to that preference in the law. That preference is more explicit there.

Senator DILL. It is mandatory, is it not? It says "shall give."

Mr. SMITH. Yes; and it states the conditions.

Senator WAGNER. There is a discretion left there. There is no doubt about that.

Senator DILL. Yes.

Mr. SMITH. But it contemplates, if conditions are not equal, making them equal. There is a definite course of action set forth there.

Senator DILL. There is no question of the intent of the law. Congress discussed it for 10 years. There is no question about the intent of the law, that preference shall be given, and they will be given every opportunity to show that they are equal. That is why I am very much concerned about your answer.

Mr. SMITH. I think my individual slant with regard to the burden of proof would be to demand, if I have the authority, that those conditions be equal.

Senator SMITH. Mr. Smith, do you interpret what Senator Dill has read as being an order from Congress, embodying those words, and do you consider that Congress looked upon granting that preference to municipalities and States as being the medium through which the public could be best served? Is that your interpretation of it?

Mr. SMITH. Of course, that is the purpose of putting that into the law.

Senator SMITH. What I was trying to get at was this: Congress, after having discussed this thing for half the time I have been here, has finally worked out a statute in which it has declared that in the allocation of these water sites the public—that is, municipalities and States—shall be given the preference. Now, it is natural to suppose that Congress thought that these municipalities and States could better serve the public than could private interests. That seems to be contrary to the position you took this morning, in that you thought, perhaps, that, everything being equal, the private interests could the better serve the public in the distribution of the benefits of these water concessions.

Mr. SMITH. That was my general position then, and it is my general position now. But, of course, you must in both cases insert the proper degree of regulatory control, which is vested in some governmental body. Without that, neither can give the best results.

Senator DILL. Mr. Smith, I do not see how a member of this commission can allow his opinion as to the relative value of public or private ownership and operation to have any influence. His only right, under this law, is to determine whether the public application offers equal basis of for conservation and development of these resources.

I invite attention to the fact that even after all this discussion Mr. Smith still insisted that his personal opinion must be overcome by the law. He will not be on the commission to give fair consideration as such, but says that he will give preference only because the statute says so, and then he would make the applicants be equal and his belief that private ownership and development is better than public ownership will still be in his mind and it must be overcome either by the burden-of-proof theory or by the language of the statute.

Mr. SHORTRIDGE. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from California?

Mr. DILL. I yield.

Mr. SHORTRIDGE. Does not Mr. Smith in effect sum up the whole matter that regardless of his individual views he will follow and carry out the law? Does not he say that in sum and substance?

Mr. DILL. Senator WAGNER answered that better than I can; so I am going to read what he said:

Senator WAGNER. You may think we have gone into a foreign arena in our discussion but I do not think so. I think it is very important to know the philosophy a particular candidate entertains in dealing with a subject as important to the public welfare as this; and with your antipathy toward public operation, I was somewhat concerned.

That is the reason why I wanted to develop that thought. That is my answer to the Senator from California. If a man is willing to say he would lay aside all his opinions, all right, but Mr. Smith does not say that.

He says he will carry out the law where it is mandatory, but if he goes on this commission he will go with the belief that it is better for the people of the United States to have private ownership wherever possible, and that means that he is going to carry out the theory of private ownership so far as he dare do so under the law.

Mr. PITTMAN. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Nevada?

Mr. DILL. I yield to the Senator.

Mr. PITTMAN. There is a question of discretion under that act. At the time we had this same provision under discussion before the Secretary of the Interior in the matter of the allocation of the power at Boulder Dam the direct question came under consideration there. The legal adviser to the Department of the Interior held that a municipality would have no right at any time to distribute any power outside of the borders of the municipality. He also held that a private corporation would have the right to sell power both in and outside of the municipality, and that the provision as to the plans being equally beneficial did not mean plans for dam and power house alone but that there might be taken into consideration also which would supply the largest community. So it was held a private corporation having ability to supply the people of a municipality and those in the country surrounding it and a municipality having the power to supply only within its own borders, that the plan of the private corporation was better than that of the municipality.

That question was raised where the State of Nevada claimed it had a prior right over a private corporation to use power, the plans being the same, and that it had the right to sell power outside of the municipality when there was no demand for it by the municipality; but the adviser of the Department of the Interior said they could not sell any power outside. He was then asked if a private corporation supplying power inside a municipality could supply it on the outside at the same time. His answer was "Yes." Of course, if that interpretation is maintained, and the number to be supplied with power is the determining factor of the benefit to be derived in every case, in the event of conflicting applications between a private corporation and a municipality, the private corporation is bound to prevail, because it has, under that opinion, the right to sell both in and outside, and therefore serve a larger community.

I do not agree with that construction at all, but that construction has been adopted by the Department of the Interior on the advice of counsel for the department. If the same advice were given to the Power Commission, then Dr. George Otis Smith could hold, in the event of conflicting applications as between a municipality and a private corporation, that the plan offered by the private corporation was better because it not only expected to furnish the municipality with power but the people on the outside of the municipality.

I simply refer to that to show how the discretion may be used.

Mr. DILL. Mr. President, I thank the Senator for his illuminating statement. I want to read a little further from what the Senator from New York [Mr. WAGNER] said:

> If you read the opinions of judges upon the bench upon questions involving great public interest, public policy, police powers, and so forth, in nearly every opinion the philosophy which the particular judge entertains toward those questions is reflected, and it determines the result. So we are not getting into a philosophical atmosphere at all. It is a very practical inquiry, I think, that I wanted to make of you.

Then he went into a discussion of the situation in New York State, which I will not take the time to read.

Mr. President, I do not want to delay action on the nomination unduly, but I remind the Senate that Mr. Smith is appointed for a 5-year term, and is to be chairman of the commission. For my part, the only chance I have to do anything about giving away the use of the power sites for the next five years, so far as Mr. Smith is concerned, is now. If he were going on the commission for just a year, I do not think I should oppose his confirmation; I should think that at the end of one year we would have sufficiently found out his tendency and his bent of mind in passing on these great questions; but he is to go on the commission for five years, and, because he has been the head of a Government bureau, he has a bureaucratic attitude and the bureaucratic spirit of being arbitrary in his decisions. I think he is an unfit man to take this place, unfitted by his temperament, unfitted by his attitude, unfitted by the viewpoint of the position he is to hold regarding the granting of permits for the development of hydroelectric power.

I want to call attention to the fact that some years ago, when the fight was on in the State of Maine—the Senator from Montana [Mr. WHEELER] has developed this point—and the people there were voting on the question of whether or not they would enact a law to prohibit the exportation of power beyond the borders of Maine, Mr. Smith wrote a series of articles to persuade the people that they should vote against that proposed law and that they should permit the power made in their States to be distributed throughout New England and throughout the country. The people of Maine, however, voted the other way, and as the result Maine is building up a great line of industry within her own borders. When Mr. Smith took this position I doubt not that he was honest; I doubt not that he was fair in his own mind; but it shows his bent of mind; it shows that in his bent of mind, and in his tendencies he has grown stronger and stronger, and every opinion he expresses is as fully in harmony with the desires of those who are building great power projects in America and trying to extend over the world as though they had chosen him themselves. For my part, I shall not vote for the confirmation of any man of such bent of mind for appointment to the Federal Power Commission, which I think is the most important commission in the whole country so far as the future development of hydroelectric power is concerned.

Now, Mr. President, I want to call attention to another phase of this subject. The present Power Commission has had as its executive secretary a man by the name of Bonner. Mr. Bonner appeared before the Interstate Commerce Committee at earlier hearings, and I do not think I have ever seen a man who was as unfair in his view of the public interest and as little concerned with the effect upon the future public interest in connection with the great power companies and the power sites as was Mr. Bonner. His whole management of the work of the Power Commission has been one of suppression and pushing aside of the views of his subordinates and of those under him and trying to keep away from the commission anything that would cause it to decide the questions that came up in the interest of the public.

I am not going into the details of any one of these things; there is a whole series of them; but a few days ago he made a speech in New York before some engineering society in which he took the position that the Federal Government should relinquish, so far as possible, its control of the great power sites and its control of power in every way and turn it over to the States, going back to the old theory of letting the States have the power sites and use them as they have done with other resources, and the people lose them. When we questioned Mr. Smith on that proposition he immediately dodged by rising in his dignity and saying he never made a pledge to anybody and he could not make a pledge now; and so he dodged that question.

Then when I tried to get his viewpoint as to the practices of some of the power companies in connection with their accounting which has to be approved by the commission, he immediately dodged again and said he did not know the conditions.

Not until I presented the supposititious case—of a company that has a power permit and in financing the building of the project leaves the financing to a subordinate company and pays that subordinate company an immense commission, and it is later found that the subordinate company to which the financing contract was let is owned by the original company, and I asked him whether if such an account came before the commission he would be willing to allow the commission thus paid as a part of the expenses of the undertaking—did he reply, and then he said: "Well, on that bald statement, I would not, but there are always conditions and surrounding circumstances." He began to hedge to try to get away from it.

The whole attitude of the man is that of a bureau chief who proposes to take this position and run it as he pleases, interpreting the law to suit himself, and I doubt not if he is confirmed in this office he will do that. For my part, if he becomes the chairman of the Federal Power Commission I do not expect to see the public given anything that the law does not compel the commission to give them, so far as he is concerned. His years of study and action on this question have caused him to take the side that the great power companies of America want the members of the commission to take, and, in my judgment, his whole attitude will be, whenever he can, to resolve the doubt against the public and in favor of the great power companies. He will be found against the public interest. For that reason I have opposed his nomination.

I wanted to state these facts before the Senate because this is the only chance that the American people have to know what is to be done with their power sites. Heretofore if the President, through his Cabinet, gave them away, the people could take care of the President at the polls; but the Federal Power Commission has within itself the power to be administrator and judge and make the final award as a jury, and the opinions of the commissioners as they hold them, when they are prejudiced, as Mr. Smith's opinions clearly are, must necessarily affect the action they must take. For my part, I shall vote against his confirmation, and I hope a majority of the Senate will do likewise.

Mr. CUTTING obtained the floor.

Mr. KING. Mr. President, will the Senator yield for a moment?

The VICE PRESIDENT. Does the Senator from New Mexico yield to the Senator from Utah?

Mr. CUTTING. I yield.

Mr. KING. I wish to ask the Senator from Washington a question before he concludes. I want to ask the Senator whether the law—I have forgotten many of its terms—gives to the commission unrestricted discretion to award the power sites to whom they please?

Mr. DILL. No; it does not. I read that section of the statute; the Senator may not have been present at the time. It is section 7, and, in a word, it provides that the preference shall be given to municipal applicants or a State; and that if the conditions are not equal, then the State or municipality shall have opportunity to make them equal.

Mr. KING. Upon the theory that the commission abused their discretion, would an appeal lie to the courts?

Mr. DILL. I doubt it. I doubt if an appeal would lie, except possibly in the case of such a very grave abuse of discretion that it was clearly in defiance of the law, but certainly not in any case of ordinary abuse of discretion.

Let me say just one other word, since I have been asked the question. We talk much about regulation of rates of electricity in the country. Practically every State in the

Union has some kind of a commission to regulate rates, but the fact of the matter is that the really effective regulation of rates for the people of this country comes from the competition of municipally owned plants. Even the most ardent opponent of municipal ownership as a principle must recognize that where the municipally owned plants in towns and cities exist they act as the real regulators and protectors of the people against high rates even for those in cities that have private companies furnishing them electricity. There is no regulation that compares with them; and the provision of the law that guarantees to a municipality the right to come to the commission and secure a preference to build its own plant is, in my judgment, the most valuable provision in the entire water power act. The very fact that it exists is a club that makes the private companies treat the consumers more fairly. Talk about having commissions that will regulate rates on the basis of values! When we remember what the Supreme Court of the United States has been doing about public utilities we can recognize how little real protection there is in any such method of regulation.

In my State there is more undeveloped water power, I think, than in any equal area in the world, because the Columbia River falls 1,300 feet from the time it enters the State at the Canadian border until it reaches the ocean. There are seven dam sites on that river, any one of which will produce half a million horsepower at low water.

The real regulators of rates are the municipal plants at Tacoma and Seattle. The fact that there are municipal plants in those cities, which keep down rates, acts as a regulator beyond anything our public-service commission ever has done or ever will do.

The fact that our towns and since the last election the people in the country districts, too, of our State may form municipal districts and build power plants or establish their own distribution systems is a protection to them that can not be had from the courts or from any public officials. Unless the Power Commission, that has charge of the granting of the use of these power sites, in the future is willing to carry out the intent and purpose of the law you will be taking from the whole people of the United States the power to have these little municipal plants here and there throughout the country that will in effect be their protection against exorbitant rates for electricity.

I need not remind you that electricity has become, next to food and water, clothing and shelter, and clean air, the greatest necessity of mankind. We are just in the beginning of the use of electricity; and it seems to me Congress ought to be especially vigilant in having on this commission men who will guard the interests and rights of the public in connection with the use of power.

Mr. CUTTING. Mr. President, I do not intend to make a speech or to discuss this nomination in any particular way. I have nothing personally against Mr. George Otis Smith. I have known him for some time, and my relations with him have been exceedingly pleasant. What I do want to emphasize is the danger of the Senate confirming nominations of this kind with the slight information which seems to be before us.

There are no positions which the President can fill which may be of such vital importance to this country as these positions which we are now confirming in a hurry at the last moment of the session.

It is not necessary for any of us to go into the record of the power trust during the last few years; but I desire to call the attention of the Senate to the evidence which has been submitted in the last few days before the committee headed by the junior Senator from North Dakota [Mr. NYE], which shows the power trust taking an active hand in the election of Members of this body.

They have gone so far as to use the services of the executive director of the Republican National Committee in order to elect a Democratic Senator running against a Republican. I doubt if any analogy to that situation exists in the entire history of American politics.

I see sitting before me the distinguished Senator from Ohio, the chairman of the Republican Committee; and I should like to ask the Senator whether there is any foundation to the rumor that Mr. Lucas has handed in his resignation.

Mr. FESS. Mr. President, is the Senator serious in that inquiry?

Mr. CUTTING. I am.

Mr. FESS. I have no information whatever in that matter.

Mr. CUTTING. Does the Senator intend to take any stand in the matter of Mr. Lucas?

Mr. FESS. The Senator does not.

Mr. COUZENS. Mr. President, will the Senator yield?

Mr. CUTTING. I yield.

Mr. COUZENS. Is not that a demonstration that if you want to get any real good job done, all you have to do is to go to the Treasury Department to get it done?

Mr. CUTTING. I am inclined to agree with the Senator; but I think this situation is an exceedingly serious one.

Mr. SHORTRIDGE. Mr. President, I ask the Senator to suffer a question.

Mr. CUTTING. I yield to the Senator.

Mr. SHORTRIDGE. What relevancy have the remarks of the Senator to the matter before us? Will he have the goodness, as a logician and scholar, to point out the relevancy or materiality of his observations as bearing upon this nomination?

Mr. WHEELER. Mr. President, a point of order.

The VICE PRESIDENT. The Senator from Montana will state his point of order.

Mr. WHEELER. I was going to ask the Chair to require the Republicans to air their differences a little louder, so that we can hear them over here.

Mr. CUTTING. Mr. President, in reply to the Senator from California, I will say that he must be aware, as everyone else is aware, that the money which was put up to elect a Democratic Senator in Nebraska came in large measure, at any rate, from the power interests and people allied with them. The evidence to that effect is too strong for anyone to deny. It seems to me entirely relevant, when we are asking or seeking confirmation for these appointees, to find out whether they, in turn, may not have been as closely connected with the Power Trust as the executive director of the Republican National Committee apparently has been.

Mr. SHORTRIDGE. Mr. President, will the Senator permit me a brief rejoinder?

Mr. CUTTING. I yield.

Mr. SHORTRIDGE. It appears here by the evidence and by the statement of the thoughtful Senator from Washington that Mr. Smith under oath substantially, if not literally, but at any rate as a gentleman before a committee made up of gentlemen, asserted again and again that he would observe the law and endeavor to carry out the law in its true spirit as reflected in its very words, and as emphasized, perhaps, by the proceedings in the Congress which enacted that law. Now, if he is an honorable man and a capable man, is it suggested that he would be approachable by any of the companies referred to by the Senator from New Mexico?

The Senator from New Mexico entertains well-defined views in regard to public questions. If he were named for a given position, I might not agree with his views; but would I vote against him if he asserted, as I know he would assert, that if confirmed and occupying a given office he would observe and carry out the law according to its true spirit and purpose? If Mr. Smith be of the character I have attributed to him, may we not rely upon him to do his duty fixed by the law and under his oath?

Mr. CUTTING. Mr. President, may I ask the Senator from California whether he would expect Mr. Smith, or any other nominee to any position, to go before a senatorial committee and state that he did not intend to administer the law according to its meaning?

Mr. SHORTRIDGE. Why, certainly not; but it is conceded that he is an honorable man, and I can not assume that he would commit perjury or do what an honorable man would not do.

Mr. CUTTING. The trouble, of course, as the Senator is entirely aware, is that in all these matters the question is

one of the interpretation of the law, upon which honorable men may honorably differ.

Mr. GLENN. Mr. President, will the Senator yield?

Mr. CUTTING. I yield to the Senator from Illinois.

Mr. GLENN. Referring to the statement made by the Senator from New Mexico about the failure of the executive director of the Republican National Committee to support a Republican nominee in Nebraska, I desire to call the attention of the Senator to the fact that it was also publicly stated throughout the press of the United States that the Democratic National Committee, being called upon to aid in the election of the Democratic candidate for the Senate in Nebraska, failed and refused to do so because the Republican nominee had supported the Democratic candidate for the Presidency. Does the Senator from New Mexico think that the action of the Republican official was any worse than that of the Democratic official?

Mr. TYDINGS. Mr. President——

The VICE PRESIDENT. Does the Senator from New Mexico yield to the Senator from Maryland?

Mr. CUTTING. Yes; I yield to the Senator.

Mr. TYDINGS. I know that the Senator from Illinois does not wish to make a misstatement, but he has inadvertently made one.

I happen to have been chairman of the Democratic senatorial campaign committee during the last election. I sent word to former Senator Hitchcock that if he wanted any of Senator NORRIS's record we would be very glad to send it to him.

Mr. NORRIS. He did not want that.

Mr. TYDINGS. Some time after that there was a statement put in the paper that the Democratic committee was helping Senator NORRIS, and was opposing Senator Hitchcock. In order to show that we were with all Democratic nominees, I sent Senator Hitchcock a check for a thousand dollars to help in his campaign. Senator Hitchcock returned my check, stating that he always believed in limiting campaign funds; he was able to finance his own campaign; he thanked us for supporting him, and had no further call upon the services of the campaign committee. So, instead of helping Senator NORRIS, we made no gesture, financial or otherwise, to assist in his election; and we did for Senator Hitchcock, or offered to do for him what we had done for every other candidate on the Democratic ticket.

I will say, however, that many Democrats felt that, in view of Senator NORRIS's support of candidate Smith—and I might number myself among that group—we were in a very delicate position. We did not want to appear to be ungrateful to Senator NORRIS or to stab him in the back after he had made such a magnificent gesture; but when we were confronted by the fact that we had to have parties, and here was our party nominee, we determined finally that we would render to Senator Hitchock all the proper aid that the committee could render to him.

Mr. GLENN. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from New Mexico yield to the Senator from Illinois?

Mr. CUTTING. I do.

Mr. GLENN. I think the Senator from Maryland confirms the fact which I stated, that wide publicity was given to the failure, at least for a time, of the Democratic National Committee to get enthusiastically behind the candidacy of the Democratic nominee in Nebraska. I think, perhaps, the publicity to which I refer may have had something to do with the final decision of the Democratic managers to come to the support, or at least to offer to come to the support, of the nominee in Nebraska.

I can appreciate, of course, the embarrassment which the Democratic Party felt in opposing the distinguished Senator from Nebraska, because I think we all know that no one in this Chamber has rendered the Democratic Party more aid during this administration, at least, than the distinguished and able Republican Senator from Nebraska.

Mr. TYDINGS and Mr. HOWELL address the Chair.

The VICE PRESIDENT. Does the Senator from New Mexico yield; and if so, to whom?

Mr. CUTTING. If there is going to be this discussion, I will ask the Senator from Maryland to speak in his own time.

The VICE PRESIDENT. The Senator declines to yield.

Mr. CUTTING. My only interest in this matter was to bring up this point at this time, when nominations for the Power Commission are before us. While the Senator from California asserts that this is irrelevant to the issue, it seems to me exceedingly relevant; and in view of the statement just made by the National Republican chairman, the Senator from Ohio [Mr. FESS], I really think there is no need for me to elaborate the relevancy of the point.

Mr. HOWELL. Mr. President, it has been suggested by the able Senator from Illinois that there might be some reason for the Democratic Party to have supported the Senator from Nebraska [Mr. NORRIS] in the last campaign, and for that reason we should not complain of the attitude of Mr. Lucas, who was the acting head of the Republican National Committee during the campaign. But let us consider the facts.

I have not before me at this time copies of the literature that was sent to Nebraska, but I am sure there is not a Senator here who in a campaign would want to father any such anonymous literature.

Mr. Lucas as an individual did not want to father it. But he testified that he spent $800 of his own money to provide this literature and send it to some one in Nebraska, who could not be located, though it finally reached the hands of the so-called Democratic-Republican committee, and that committee, after it had visaed that literature, refused to send it out. Yet Mr. Lucas, who was practically the head of the Republican National Committee, would have sent out that kind of literature, and he does not see any impropriety in his attitude. Moreover, he "heroically" defends his attitude as worthy of the titular head of the Republican national organization.

I have served on the Republican National Committee. I was a member of that committee for 12 years and a member of the executive committee for 8 years. I have never known of a case of this character before, and it seems to me that if the Republican National Committee has any respect whatever for its record, for its responsibilities, it will ask for Mr. Lucas's resignation immediately. The impropriety of his conduct is sufficient; but when we come to consider ethics and fair play, that throws so dark a shadow upon the whole transaction that there is no question as to what ought to result.

Mr. NORRIS. Mr. President, I had not expected to get into this debate. I had no knowledge that this question was to be raised. If I had, I would have had on my desk not only some of the literature but some of the sworn testimony that has been developed before the Nye committee. At some future date, when all the testimony is in, I expect to read to the Senate some of that testimony. I expect to show beyond a doubt that some high officials, some with reputations nation-wide, and some of them of a lesser grade, are guilty of perjury under their own sworn admissions. This literature, which the Senator from Illinois seems to think it was all right to send out——

Mr. GLENN. Now, Mr. President——

Mr. NORRIS. Is not only damnably false and malicious but it would be a disgrace to the meanest criminal if he had wanted to send it out under anybody's name.

Mr. GLENN. Mr. President, will the Senator yield?

Mr. NORRIS. Yes; I yield.

Mr. GLENN. I did not say the literature was all right at all. I have not seen any of it, and I do not thoroughly approve the action of the executive director. I say it is no worse for him to do what he did than it was for other people, Democrats, to stand back of the Senator from Nebraska. I doubt also the propriety of the Senator from Nebraska, after opposing everything which this Republican administration has endeavored to do, after fighting the Republican administration at every step in the line; after opposing the Republican national candidate for the Presidency two years ago and going over the country stumping against him, to pose as a Republican in the last election.

Mr. NORRIS. Mr. President, the Senator can have his opinion. I do not care for it. I think when we analyze his positions we find they are not entitled to respect. I have no objection to anybody holding that opinion. I acted aboveboard. I did not creep under an assumed name. Nobody saw me cover up anything. I made an honorable fight, and I am not ashamed of it; I am not apologizing for it. I would do it again under the same circumstances.

History has demonstrated that I was right. My opposition to the Republican nominee came from two things, and I opposed him honorably. I never cast any aspersion upon him. I did not agree with him in regard to two issues which seemed to me to be the paramount issues of that campaign, namely, farm relief and power. History has demonstrated since that time that I was right in my position with regard to each of those matters. I grant to the Chief Magistrate, as I always do, sincerity of purpose, I grant to him the right to hold the views he holds, but it is demonstrated now that power is coming more and more to be one of the necessities of our modern civilization, and under my theory the President belongs to the other crowd, the Power Trust. He believes in it, as other honorable men do.

The President was opposed to farm relief, in which I believed. He had his own way later on with the bill he wanted, and we know what the result has been. I feel that I was justified, that history has demonstrated not only that I was justified but that I was right.

I am not objecting to anybody opposing me. I do not care if the Republican national chairman opposes me. I concede to him the privilege of doing so. But I want him to do it in the light of day. I do not want him to sneak around under cover and put out some literature to which he would not dare attach his name. That is what this man did, the testimony shows, under another name, concealing his identity. He paid the bill in currency, he says. I wonder whether anybody who heard him testify believes that. If it had been his money, he would not have paid it that way. He carried hundreds of dollars, six and seven hundred dollars, whatever the amount was, in his pocket, and he paid the bill that way.

Mr. DILL. Mr. President, I know the Senator wants to get that correct. It was $4,000 in cash.

Mr. NORRIS. Four thousand in cash! That is the way this man Lucas carries his money. He is like Cunningham, up in Pennsylvania, who carried the money in his pocket, and who said it was his own. Every man who heard him testify knew that he was not telling the truth, and I doubt whether there is a single one who heard Lucas testify who believed what he said. That is not the way business is done, under an assumed name. He said he had not any objection to anybody knowing it, and yet this committee was scouring the country to find out who sent that money, who paid that bill.

The committee had on the witness stand in Nebraska the treasurer who was the real manager, of the Hitchcock Republican Club. I have no objection to that club. I concede that those Republicans had a right to organize it to support my opponent. I find no fault with them. But the treasurer testified that there came to him, as I remember, 150,000 copies of this literature, without any name attached to it, scurrilous literature, some of it false in fact, some of it false through innuendo, without anybody fathering it. He did not know who sent it. He had no idea where it came from, he said under oath. They commenced to circulate it over the State; but, of course, in a country where I was somewhat known the ordinary person resented that, and the treasurer said he stopped the circulation because he thought it was doing more harm than good. There was no name signed to it—literature coming anonymously. That is the sin.

Why did not Lucas have the courage to send the literature around under his own name? He had it put on the books over here that this money was paid by another man. The committee has not been able to locate such a man. His address was given. Inquiry in Nebraska disclosed the fact that there was no such man in the building named, and never had been. All the time they were hunting for him this man Lucas knew the truth, he knew the committee wanted the truth, but he remained silent.

Is that what an honest man would do? Is that the position an honorable man would take? No; no honest man would do that. Public money was being spent in an endeavor to find out who it was that had contributed this money; but Lucas never did tell until the investigation got to the point where he could not help himself. When they were putting the witnesses on the stand how they hemmed and hawed, how they avoided giving an answer to the questions. It happened that there was present at the hearing a man who knew about the matter, saw what they were doing, whose conscience commenced to prick him—although he himself had covered it up before that—and he came out and told the truth; and then this man Lucas admitted it. That is the sin of it, that is the crime of it, a disreputable, a dishonorable, a damnable method, going before the people with a proposition of deception such as that.

On the face of it that letter purports to have been written on the letterhead of an organization down in New York, which in reality never existed, but part of the name was "Tammany"—"Young Tammany Scouts," or something of that kind. I understand that there never was such an organization. Nobody has been able to locate it. The letter was written to a supposed voter in the State of Nebraska—a typewritten letter. The voter's name, however, can not be deciphered, and if you think it just happened in that one copy get another one of the thousands that were sent and you will find the same blur on each one. Nobody knows the name. There was no name. There was no person to whom the letter was sent. There was no such organization as that appearing on the letterhead. It was intended to arouse the prejudice and the ire of prohibitionists and of religious people. I doubt if there is such a name in existence as that which was signed. It was supposedly sent to a Democrat, asking him to vote for me in the primary, stating that I had supported Smith and probably would again two years from now, and they needed my help.

There was a photostatic copy of this counterfeit letter, which never existed, scattered through the mails, sent to ministers and prohibitionists and Protestants to prejudice them and to mislead their minds and their hearts with a falsehood, a lie, and this man who paid for it admitted under oath that he did not know anything about whether such a letter actually had been written or anything about this organization. There was no investigation made to see whether it was genuine. The man who received it testified under oath that he did not know where it came from, but he circulated it, and never made any investigation. They did not care about it being false; they did not care about it being a malicious lie; no. That was the kind of politics this man who is supposed to be one of the leaders of the Republican Party was indulging in. That is what makes it damnable.

Now we come into the Senate and the Senator from Illinois says: "Why, that is no worse than somebody else has done." Suppose it is not? If that is a good defense every man who was ever tried for stealing would be freed if he showed that somebody else stole. That is the way in which corrupt politicians always try to get out from under a charge. They say: "Somebody else did something else just as bad." Hell is filled with such criminals. That is no defense. I repeat, I make no charge and no accusation against any man, whatever his reason may be, who opposes me if he does it like a man instead of like a snake in the grass.

Senators, I have only told you a little of the story. That is the kind of a campaign that went on in my State. I never charged my opponent with participating in it. I do not think he did so. But that is only one item. I could go on and enumerate others. If the authorities do their duty there will be a lot of men who have been prominent leaders at one time who will be communicating with their friends through the bars. That is where they will go. They have committed perjury. I think they have violated the law in

sending some of this damnable stuff through the mails. Never once did it appear over their own name; not in a single instance; not once. Who is the man that can defend it? No honest man can defend it, whether he is in the Senate or outside of the Senate. No defense can be made for it. It goes beyond good citizenship. It goes beyond loyalty to our country. It is not my purpose even to defend myself. I do not think that is involved. I only say that incident is enough to show what was resorted to—a little bit of what took place. It is only a sample of the entire campaign that went on in the State of Nebraska.

There never were such damnable methods undertaken by any party or any individual so far as I have ever heard. I would like to see the man who pretends to be a good citizen and who is honest who wants to raise his voice in defense of those methods. Carry them to their logical conclusion, and we will destroy our liberties and our country. Carry them to their logical conclusion, and we will have no freedom; we will have no country. That is the way bolsheviks are made. That is the way criminals are encouraged to steal and rob. That is the way to organize an army of unpatriotic citizens who will hate law and who will always be opposed to government—to let the bigger men of the country go out with these damnable methods and control our country. What can we expect of the common citizen? What is the ordinary man in the street going to say?

It was illustrated in this very case. First, there had been circulated over the State, so the testimony before the Nye committee showed, something like one-half or three-quarters of a million copies of three little circulars signed "Loyal Republican League." That is a fine name—"Loyal Republican League." There was no other identification except a postscript on every one of the pieces of literature, which said that if anyone wanted some more he could send to a certain lock box in the post office. I suppose that is the way the committee found out who it was. At least I happened to be in the city of Lincoln when they had on the witness stand two men who had that box rented.

One of them testified under oath that he was president of the Loyal Republican League and the other man was secretary, and that they were the only members in the organization. That was an organization composed entirely of officers and no privates. They got it up themselves. They sent the circulars out through the mails. One of them at least was couched in language which I know, from the testimony of these men, neither one of them could compose. They were under oath. The president of that organization composed of two men with this big name sent the literature all over the State. I met the literature everywhere. They testified they were the only members of the organization.

One of those circulars was a little one asking certain questions. One question, in substance, as I remember it and speaking from memory, was: "How much did Senator NORRIS get for supporting Al Smith?" Another one said, "How much did Tammany pay Senator NORRIS?" or something to that effect. The chairman of the committee, when he had that man under oath—and this will show the intelligence of the man—asked, "What is Tammany?" The president of that great organization composed of two men, with the great name "Loyal Republican League," answered by saying that he did not know definitely, but he thought it was "some kind of a religious organization somewhere in the East." [Laughter.] He thought possibly it might be in Philadelphia. Yet he was the man who was the artist and who had the intellectual genius to write all of these circulars, as he said.

Then the chairman of the committee said, in effect: "You have charged Senator NORRIS with supporting Smith for money. We are investigating to find out about the expenditure of money. Tell us what evidence you have that Senator NORRIS received any money." He had to admit that he did not have any. Then the chairman said, "How do you justify this charge which you have sent out over the country?" He said, "Well, Senator NORRIS's support of Smith was worth something; it was valuable. He is a good business man and therefore I concluded he must have been paid for it."

There is the idea going to the ignorant man on the street. Where did he get it? He got it because he learned that men high up in official life are not true to their trust, that men who are running the great political parties of the country are not honest, but were resorting to practices which the committee has developed in the last day or two have been going on in the city of Washington. Naturally he said, "If the big man can sell out, if the big man can lie under oath, if the big man can practice deception, why can not I?"

Senators, I want to tell you that the evidence disclosed in the oil scandal when Fall and Doheny and Sinclair, with one exception, were vindicated at the hands of juries, when everybody knew they were guilty, has done more to encourage in the ordinary person a feeling of desperation and crime than any other one thing that could have happened. That is what is going on in politics. When the Republican Party will permit a man like this man Lucas to do the things he has done under cover, under disguise, under a false name, it throws out the intimation to every common citizen that it does not pay to be honest. "You had better lie, you had better be a perjurer; you will get along better."

That is what I condemn about it. That is what every honest citizen ought to condemn about it. We will, if we keep on, get a public conscience that will be seared, that can not be penetrated, and that will look with complacency upon crime and debauchery. That is where we get our anarchy. That is where we get our bolsheviks. The men who stand by complacently, the men in public life who will not condemn it, are the men who are guilty—innocently perhaps, unconsciously perhaps, but they are guilty of helping along this sentiment which overlooks crime and wrong and sin in high places. That is the objection I have and it is the only objection I have to the dirty work, the dishonorable work, the perjured work, that was going on in the last campaign.

I do not see how any man in the Senate can rise in his place and say it is justifiable, or give out any intimation that makes it justifiable, because I, in his judgment, am not a good party man. The people of the country are tired of "good party men." They know that is where crime and wrong get into high places. "Good party men," as ordinarily understood, are men who will cover up sin and debauchery and crime in their own party and disclose it only when they find it in the other party. That is doing more damage and more hurt to our Government and our civilization than any other one thing. "Conceal your own criminals" is the slogan. "Do not condemn the criminal who says he is a Republican or Democrat. Save the man from punishment, from condemnation, if he is a member of your party."

Senators get up here and say as a defense, "Senator NORRIS is not a good Republican." That is their judgment. I am the kind of a Republican who believes in exposing wrong and evil when I find it in my party just as quickly as though I found it in any other party. I can see no difference, not a particle of difference. I want to purify my party. I want to wash my own dirty linen. If we want the respect of the people, that is what we have got to do. Unless we do it we can not have the confidence or the respect of the honest men and women, and we will not deserve it.

That is what has made me a bad Republican. That is what has brought upon me condemnation. I could have avoided it many times. I have spoken out when I might have been silent, but I think one of the worst sins that can be committed, especially by a public official, is to remain silent when it is his conscientious duty to speak.

If that makes me a bad Republican, then I glory in being a bad Republican; I am not ashamed of it, and I shall live and die as such. Public office is not so sweet that it must be retained at a sacrifice of one's conscientious objections.

Why am I a bad Republican? Because I believed—I may be wrong—that farm relief and power were the major issues in a campaign and refused to support for President a man who, in my judgment, was wrong on both those issues; and, privately and confidentially, every man who knows the facts will, according to my viewpoint, admit that he was. A Power Trust man will, of course, think differently. After

all—and I am not going to take the time now to go into it, but I am going to read some of the evidence here some day—anyone who will get down to the bottom underneath the dirty campaign that has gone on in my State will find ninety-nine times out of a hundred that the real wolf in sheep's clothing was the Power Trust which is fighting me, but not because they cared a continental whether I was a Republican or Democrat. The same influences, the same powers, the same contributors that operated in my State went into Colorado and fought Costigan, who was running on the Democratic ticket, on the ground that he was not a good Democrat. They do not care what a man's politics may be; but they are delighted when they can secure the election of men who are blind to the political situation and to what we ought to have in the way of honest government, so blinded that they honestly think, as the Senator from Illinois [Mr. GLENN] evidently thinks, with perfect conscientiousness and perfect honesty, that a man who will bow the knee and bend the back and bare the head to the lash of a political boss and vote as he tells him is not a good party man. Men can believe that; many of them do, and they may be right; but if they are right, then I am wrong.

As to the Republican nomination in Nebraska, did any man ever say that I got it by a dishonorable act? Has it ever been charged that I did a single thing in the primary that was unlawful or dishonorable? I have not heard such a charge. Under the law I entered the campaign as every other man had a right to do. We fought it out. I won.

Will the verdict of the Nebraska voter be set aside by the man who sits in the Republican headquarters, in a swivel chair, doing the bidding of his masters? Will they let him override the verdict of the people and say, "this nominee is not entitled to the nomination," without even charging that he ever did anything wrong to get it? Who is going to determine whether one is a good Democrat or a good Republican? The opposition to me in the primary was dishonorable; that is conceded; it was as disreputable and dishonest as was the opposition to me in the election, and the election was conducted in the main by the same men and on the same issue that was foremost in the primary, so far as my opponent could make it so. The issue in the campaign was that I was not a good party man. Our people met the issue and decided it. Is the Senator from Illinois going to overrule their decision? Is he going to set himself up as a judge against the voters of the State who under the law selected a candidate for public office? If he is, he ought to go into Nebraska and make his fight; he ought to see how much headway he can make against an intelligent and patriotic people. It will be no defense to say, "You did not vote with Hoover," or "You voted against Hoover." If I were Hoover, if I occupied his place, and I thought there was a Member of this body who was so servile that he was willing to abdicate his convictions and do whatever I wanted him do to, willy-nilly, I would not have any respect for him, and if the President entertains a similar view, there are some men here whom he will not have any respect for, yet that seems to be the attitude that is demanded.

I refuse; do your worst; drive on your old apple cart; take any step you please. I care not. You may be conscientious, perhaps; but I refuse to be driven out of my party by a renegade or a band of renegades—men who are afraid to let their identity be known before the people; men who creep along under an assumed name; men who make false charges under an anonymous name that they would not dare make in the open forum.

I want to say, Mr. President, that I believe the American people are waking up to the fact that under the guise of partisanship many a crime has not only been committed but covered up after it was committed, and an intelligent people are not always going to suffer under the theory that it is their business always to vote the ticket straight, yellow dog and all. They will not do it; they do not do it.

I say I was the issue in my State in the recent election so far as my opponents were able to make me the issue, and the campaign was not fought out on a false ground. Senators heard the Senator from Maryland [Mr. TYDINGS] say that they offered to furnish my opponents my record. That is something they did not want. They had no use for my record. They were not able to puncture it; they would not dare tell the people what it was, and from every stump I challenged them to do it. I asked, "What is it that makes me a bad Republican? Tell the people concretely what have I voted against that is right; what have I voted for that is wrong. I have had a public service of 28 years. Every word I have ever said, every vote I have ever cast is a public record; bring it forth if there is anything wrong." The answer so far as my opponent was concerned was silence. He was as silent as the grave. He only charged NORRIS is not a good Republican, the same charge the Senator from Illinois makes. It is nothing new to me; I have heard it again and again, and I have not any respect for it, I do not care who makes it. They had a right to make it, but we fought it out in my State, and the verdict was against those who say a man must always be a regular.

Do we have elections? If the theory of the Senator from Illinois is right, we could have a short ballot with a vengeance. All we would have to do would be to have printed on the ballot, Republican ticket, Democratic ticket; and if some of those who are yelling against that should succeed there might be a communistic ticket. It would not take up the width of one finger on the ballot. All the people would be allowed to do would be to vote for one party or the other, and then the successful party would swear in its nominees. That is party loyalty; that is party spirit carried to its logical conclusion.

My theory is that every man who occupies a public office, particularly such a one as we occupy here, in every vote he casts, in every official act he performs, ought to be guided solely and only and exclusively by his own conscientious convictions as to what is right and what is wrong. So far as my State at least is concerned, that doctrine has been vindicated, and I am here to defend it, and I am here to condemn, whether it be in my party or any other party, the disgraceful methods that were practiced in the last campaign and that have only been partially exposed by the investigating committee.

Mr. GLENN. Mr. President, the Senator from Nebraska has devoted a large portion of his remarks to the Senator from Illinois. I desire to reply but briefly.

In the first place, he tried to put words in my mouth which were entirely unwarranted, to the effect that I approved the material which had been circulated against him, but, of course, I rose and denied that he had any warrant for such a statement. I have never seen the circulars. I do not know what is in them; I do not know what inspired them; but, no matter how bad they may be, how unwarranted they may be, and although I never believed in anonymous circulars, I would not be one to stand upon this floor and make of myself a great martyr because in the middle of a campaign an anonymous circular had been circulated against me.

If I had been inclined to make a martyr of myself, unusual in American politics, I could bring here a hundred circulars which have been circulated by the ton—both in the primary and in the general election campaign in which I was a candidate. The Senator from Nebraska is in no unusual situation, no matter how severe and how unwarranted and how untrue the articles may have been. If he had been called a Tammanyite, a Ku-Klux Klan follower, a robber, a burglar, and a thief, or anything else, he would only be in the same situation in which almost everyone of us here has been who has engaged in a hotly contested political campaign.

Mr. CUTTING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield?

Mr. GLENN. I yield.

Mr. CUTTING. Were the circulars the Senator mentions as having been sent out against him sent by the Republican national chairman?

Mr. GLENN. I do not know by whom they were sent; there were so many of them I do not know who sent them. I do not justify, and so stated, the action of the officer of the Republican National Committee, but I did say that his action was somewhat in line, I thought, with the fact that the Senator from Nebraska [Mr. NORRIS] had had too much Democratic support.

I respect the courage of the Senator from Nebraska, I respect his ability and the independence which he parades before us so dramatically here to-day and of which he is so proud. I respect him for it, but I do not have great admiration for his Republicanism.

He says that any party man, any leader of the party, any true party man, as I understood him, must stoop to and approve all sorts of wrongdoing in his party.

I do not think so at all. I have not said so. I think there are a lot of true, loyal party men on both sides of this Chamber who believe that there should be in this Nation and in the Senate 2 parties, or 3 parties, possibly, but not 96 individual parties. The Senator from Nebraska would have each one of us a political party in himself. He would have an organization here of 96 different parties to run this Government. That is his idea. He is honest in it, just as I am honest in believing that there is not room in this Chamber and in the Congress of the United States for 96 different parties, all going in opposite directions. That is what I feel about it; and I said—and I said it not under cover, and I believe the Senator is right when he says that he fights aboveboard, and that is the way I fight—that I did not believe that the Senator from Nebraska was a good Republican. I do not say he is not a good man; but, in my judgment, he is not a good Republican. He believes in 96 parties—not in the Republican Party; not at all. He believes that there should be 96 parties in this Chamber. He says, however, that he is a good Republican, vindicated by the Republican Party in Nebraska.

Is he a good Republican? What constitutes a good Republican in his mind and in my mind are altogether different things. I lay down the principle that a man who does not believe in the platform of his party, adopted in its national convention, and does not believe in and support the presidential candidate of his party, is not a good party man; and I say that the man who wraps the robe of Republicanism around himself only once in six years, and that at election time, is not a good Republican.

Mr. NYE. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. FESS in the chair). Does the Senator from Illinois yield to the Senator from North Dakota?

Mr. GLENN. Yes; I yield.

Mr. NYE. I have listened with interest to what the Senator has said to us, and have been tempted upon several occasions to speak; but I knew, by reason of my connection with the committee making this investigation, that it would be very unwise to speak before our inquiry is completed and before a report has been prepared and brought into the Senate. I am particularly anxious to know, however, and I think it altogether fair that I ask the Senator from Illinois what constitutes real Republicanism. Who is a good Republican and who is not a good Republican?

Mr. GLENN. I should say that the Senator from North Dakota is not a good Republican. I should say that a man who goes into a national convention of his party, participates there, has his name presented as a candidate for the Presidency, is defeated in a fair convention, and then goes out and openly fights the nominee who defeated him in the convention and opposes the planks in the platform, is not a good Republican. I do not say he is not a good man; I say he is not good Republican. I have learned this in my political life: When I go into a convention or into a primary in an open, fair fight, and I am defeated, I take my medicine and I support the nominee who defeated me. That is something that has not been done by other so-called Republicans.

Mr. GLASS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Virginia?

Mr. NYE. I desire to propound another question to the Senator. Does the Senator feel that the President of the United States is a good Republican?

Mr. GLENN. Yes; and I think he is getting to be a better Republican all the time when he sees the combinations that are being made against him. He was not such a stalwart Republican when he came into his office; but when he sees the sort of combinations that are being made against him, and when he sees so-called Republicans fighting him day after day not upon one plank but upon every plank in the Republican platform and upon the Republican program, even at the expense of human misery, as we say, then he has come to see and to learn that there is something in party life and in true Republicanism. I think he is a good Republican.

Mr. NYE. I desire to call the attention of the Senator from Illinois to the fact that in 1918 our Republican President was among those standing by the Democratic President, urging the election of a Democratic Congress. Did that make him a poor Republican?

Mr. GLENN. Well, as I told the Senator, I did not think so much of his Republicanism a few years ago; but he has learned and learned and learned, and I think he is a great Republican now.

Mr. GLASS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Virginia?

Mr. GLENN. I do.

Mr. GLASS. Let us get this terminology right—the real meaning of it. It used to be said that "a good Indian is a dead Indian." Does that apply in this case, as to good and bad Republicans? [Laughter.]

Mr. GLENN. I think that might apply all around; and if so, there are a lot of good Indians on both sides of this Chamber, I think.

Mr. BORAH. Mr. President, what is the question before the Senate?

The PRESIDING OFFICER. The confirmation of George Otis Smith.

Mr. BORAH. Mr. President, I do not desire to delay this matter; but I think I am under obligation to have inserted in the RECORD a telegram from Mr. Clark, mayor of Idaho Falls, Idaho. He said:

> Am writing you to-day why appointment of George Otis Smith should not be confirmed as chairman of Federal Power Commission, and requesting that you use your influence to prevent.

I received this telegram last night. Of course, I know nothing about the contents of the letter which is coming. I do not feel that I am quite justified in asking for a delay of this matter. If it is sufficiently serious, perhaps we can deal with it in some other way; but I desire to put the telegram in the RECORD, and to state that Mr. Clark is a responsible gentleman.

The PRESIDING OFFICER. The question is, Shall the Senate advise and consent to the nomination of Mr. George Otis Smith?

Mr. DILL. I call for the yeas and nays. Let us have a record vote on it.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. GLASS (when his name was called). I have a general pair with the senior Senator from Connecticut [Mr. BINGHAM]. In his absence I withhold my vote.

Mr. HAWES (when his name was called). I have a pair with the senior Senator from New Jersey [Mr. KEAN], and therefore withhold my vote. I am informed that if the Senator from New Jersey were present he would vote "yea," and if I were at liberty to vote I should vote "yea."

Mr. MORROW (when his name was called). I have a general pair with the senior Senator from New Mexico [Mr. BRATTON]. Not knowing how he would vote, I withhold my vote. If at liberty to vote, I should vote "yea."

Mr. SHEPPARD (when the name of Mr. ROBINSON of Arkansas was called). The senior Senator from Arkansas is paired on this question with the Senator from Pennsyl-

vania [Mr. REED]. If present and at liberty to vote, the Senator from Arkansas would vote "yea."

Mr. TYDINGS (when his name was called). On this question I have a general pair with the senior Senator from Rhode Island [Mr. METCALF]. I understand that if he were present he would vote in the same way that I shall vote. I therefore feel at liberty to vote, and vote "yea."

Mr. WAGNER (when his name was called). Upon this question I am paired with the junior Senator from Missouri [Mr. PATTERSON]. I have not been able to learn how he would vote on this question, and I therefore withhold my vote.

Mr. WALCOTT (when his name was called). I have a pair with the junior Senator from Tennessee [Mr. BROCK]. I understand that if he were present he would vote "nay." If I were at liberty to vote, I should vote "yea."

The roll call was concluded.

Mr. GEORGE. I have a pair with the senior Senator from Colorado [Mr. PHIPPS]. Not knowing how he would vote, I withhold my vote.

Mr. WALSH of Massachusetts. I am paired upon all questions for the day with the Senator from Vermont [Mr. DALE]. Not knowing how he would vote, I withhold my vote.

Mr. ROBINSON of Indiana (after having voted in the affirmative). I voted in the affirmative, and that is the way I should want to be recorded; but I have a general pair with the junior Senator from Mississippi [Mr. STEPHENS], who I understand has not voted. In his absence I withdraw my vote.

Mr. FESS. I desire to announce the following general pairs:

The Senator from Illinois [Mr. DENEEN] with the Senator from Iowa [Mr. STECK];

The Senator from Rhode Island [Mr. HEBERT] with the Senator from New York [Mr. COPELAND];

The Senator from New Hampshire [Mr. KEYES] with the Senator from Mississippi [Mr. HARRISON]; and

The Senator from Colorado [Mr. WATERMAN] with the Senator from Virginia [Mr. SWANSON].

The result was announced—yeas 38, nays 22, as follows:

YEAS—38

Ashurst	Glenn	McNary	Steiwer
Barkley	Goff	Morrison	Thomas, Idaho
Broussard	Goldsborough	Moses	Townsend
Bulkley	Hale	Oddie	Tydings
Capper	Hastings	Ransdell	Vandenberg
Carey	Hayden	Schall	Walsh, Mont.
Couzens	Howell	Shortridge	Watson
Davis	Johnson	Simmons	Williamson
Fess	Jones	Smith	
Gillett	Kendrick	Smoot	

NAYS—22

Blaine	Frazier	McGill	Shipstead
Borah	Harris	McKellar	Thomas, Okla.
Brookhart	Hatfield	Norbeck	Trammell
Connally	Heflin	Norris	Wheeler
Cutting	King	Nye	
Dill	La Follette	Sheppard	

NOT VOTING—35

Bingham	Fletcher	McMaster	Robinson, Ind.
Black	George	Metcalf	Steck
Blease	Glass	Morrow	Stephens
Bratton	Gould	Patterson	Swanson
Brock	Harrison	Phipps	Wagner
Caraway	Hawes	Pine	Walcott
Copeland	Hebert	Pittman	Walsh, Mass.
Dale	Kean	Reed	Waterman
Deneen	Keyes	Robinson, Ark.	

The PRESIDENT pro tempore. The Senate advises and consents to the nomination, and the President will be notified.

Mr. JONES. Mr. President, I understand that it is the desire to confirm the other nominations for the Power Board. I also desire to state that I shall consider it imperative that we act before the holidays on the $150,000,000 appropriation to carry out the marketing act. So I am going to do everything I can to secure action on that measure before we adjourn.

FRANK R. M'NINCH

Mr. COUZENS. Mr. President, the next nomination on which the Senate is to act is that of Frank R. McNinch, of North Carolina.

The PRESIDENT pro tempore. The question is, Does the Senate advise and consent to this nomination?

Mr. HAWES. Mr. President, the power act specifically requires that not more than three of the members of the Power Commission shall be appointed from the same party.

Nearly 50 years ago, in 1883, the Congress, in creating the Civil Service Commission, provided for minority representation on that commission. In 1904 the same principle was embodied in our organic law as to the Merchant Marine Commission, and at various times since the same action has been taken with regard to the Federal Trade Commission, the Compensation Commission, the Interstate Commerce Commission, the United States Shipping Board, the World War Debt Commission, the Federal Farm Loan Board, the Joint Committee on Internal Revenue Taxation, the Radio Commission, the Tariff Commission, and Congress even provided for minority representation on the United States Customs Court of Appeals.

I ask that a statement of the various acts be inserted in the RECORD at this point as a part of my remarks.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

ACTS OF CONGRESS PROVIDING FOR BIPARTISAN COMPOSITION OF COMMISSIONS, BOARDS, ETC.

Act of January 16, 1883 (22 Stat. 403, ch. 27, sec. 1; U. S. C. 5: 632). Not more than two civil-service commissioners to be adherents of same party.

Act of April 28, 1904 (33 Stat. 561, ch. 1813, sec. 1). At least two of five members from each House on the (temporary) merchant marine commission to be members of minority party.

Act of May 7, 1906 (34 Stat. 171, sec. 5; 172, sec. 6; U. S. C. 48: 137, 138). Not more than two of three election judges in each precinct in Alaska to be of same party; clerks to be of different parties.

Act of September 26, 1914 (38 Stat. 718, sec. 1; U. S. C. 15: 41). Not more than three Federal trade commissioners to be members of same party.

Act of September 7, 1916 (39 Stat. 748, sec. 28; U. S. C. 5: 778). Not more than two employees' compensation commissioners to be members of the same party.

Act of February 3, 1917 (39 Stat. 873, ch. 27; U. S. C. 28: 412). Jury commissioner to be well-known member of principal party opposing that to which the clerk or deputy clerk of the court belongs.

Act of February 28, 1920 (41 Stat. 497; U. S. C. 49: 11). Not more than six interstate-commerce commissioners to be appointed from same party.

Act of June 5, 1920 (41 Stat. 989, sec. 3; U. S. C. 46: 804). Not more than four commissioners of United States Shipping Board to be appointed from same party.

Act of February 28, 1923 (42 Stat. 1327, ch. 146, sec. 2; U. S. C. 31: 805). Not more than four appointed members of the (temporary) World War foreign debt commission to be from same party.

Act of March 4, 1923 (42 Stat. 1473, sec. 301; U. S. C. 12: 652). Not more than three appointed members of Federal Farm Loan Board to be appointed from one party.

Act of February 26, 1926 (44 Stat. 127, sec. 1203 a; U. S. C. Sup. 26: 1274). Joint Committee on Internal Revenue Taxation to consist of three majority and two minority party members each, from the Committees on Finance and Ways and Means.

Act of February 23, 1927 (44 Stat. 1163, sec. 3; U. S. C. Sup. 47: 83). Not more than three Federal radio commissioners to be members of same party.

Act of June 17, 1930 (46 Stat. 697, sec. 330; U. S. C. Sup. 19: 1330). Not more than three United States tariff commissioners to be members of same party; appointments to be made from different parties alternately.

Same (p. 737, sec. 518; U. S. C. Sup. 19: 1518). Not more than five judges of the United States Customs Court to be appointed from same party.

Mr. HAWES. Mr. President, I am not concerned with the situation in North Carolina, nor am I concerned particularly with the political opinions of the nominee for this position, Mr. McNinch; but I am very greatly concerned in knowing whether the clear spirit of this law, understood by men on both sides of the Chamber, written into the law after discussion, the Executive is to be permitted to violate the spirit of the law, only complying with the law so far as it appertains to the party in power, or whether the spirit of that law is to be maintained.

We have confirmed three of the nominees for this commission who belong to the Republican Party. There is another commissioner, Mr. Garsaud, who we know belongs to the Democratic Party. The nominee now under consideration, according to his own statement, does not belong to the Democratic Party.

I concede that the President might exercise his choice and name a man from any other party whose name was upon the official ballots in several elections, or he might name a man who on one occasion had exercised that prerogative and that judgment which the distinguished Senator from Nebraska [Mr. NORRIS] exercised. But that is not the situation in this case. It was not the exercising of a single vote, not the private expression of opinion for a candidate in opposition to a candidate; nor was it the expression of opinion by Mr. McNinch in one campaign; it is his conduct in two campaigns. So it is not at all analogous with a case where one man in one election expresses his opinion. This was a man who led, who organized, who raised and collected $30,000 and spent it to defeat the Democratic candidate for President, Mr. Smith, and the Democratic candidate for Vice President, Mr. ROBINSON.

He spoke with some pride of the distribution of a million speeches in opposition to the Democratic national ticket. A million speeches cost a large sum of money. He was called upon to make a report by the attorney general of his State, of the amount of money collected and spent, and finally when he came before our committee he disclosed the fact that it exceeded $30,000.

I draw a distinction between the exercise of individual judgment in a campaign and the taking of a commanding position in a campaign.

That was not all. In the next succeeding election Mr. McNinch, in his own congressional district, voted against the Democratic candidate for Congress. He had participated in a senatorial primary in that State, and having had his right of expression in that primary, he refused to vote for the Democratic candidate for United States Senator selected in a Democratic primary.

We have heard to-day the discussion concerning Mr. Lucas, Mr. Lucas who is the executive chairman of the Republican national committee. It is said that he was made the chairman of that executive committee at the request of the President. Mr. Lucas is a high authority in politics. Selected for that important position, he is assumed to know the difference between a Democrat and a Republican. Yet this chairman of the Republican committee states that Mr. NORRIS, the great Senator, is not a Republican; that he is a Democrat, because he did not support Mr. Hoover in the last campaign. If we follow the logic of the statement of Lucas, the spokesman of the President, under what category can Mr. McNinch come?

We asked the Senator from North Carolina in the committee how many Republicans there would be on the commission should Mr. Smith be confirmed, and he humorously replied, "Three and a half." So the question is not McNinch; it is whether in this great commission some man who has performed a special service to the President may be called a Democrat when he is not a Democrat, or, if we change the complexion of our Government and Democrats come into power, whether they shall appoint as representing the minority men who are known to be Republicans or men who have openly organized opposition to the Republican Party.

I find a great difference between the conduct of a man in one campaign through his vote and the conduct of another man who organizes a committee, raises and spends money, and then repeats the same thing in the next succeeding election.

Mr. McNinch says that in the national campaign he supported the State candidates of the Democratic Party, but the significant thing is that he has been selected for a Federal position, and in two campaigns he supported the Republican Party. In two campaigns he supported the Republican Party. He is appointed as a Democrat.

Some one in our committee propounded a question to Senator-elect Bailey. I want to read the question and the answer. Senator-elect Bailey, elected in the recent election, appeared in active opposition to the appointment of Mr. McNinch. He was questioned by the Senator from Illinois as follows:

Senator GLENN. Do you take the position that any person, whether a former Democrat or not, who voted against Governor Smith in 1928, is not entitled now to term himself a Democrat?

Senator-elect BAILEY. I am glad you asked that question. No; I do not take any such position.

Senator GLENN. Therefore you would exclude from this situation Mr. McNinch's conduct in voting against Governor Smith?

Senator-elect BAILEY. No, sir; I do not exclude it, but I let it stand for what it is; for what light it may throw upon his subsequent acts.

Senator GLENN. Do you repudiate as Democrats those who voted in that 1928 election against Governor Smith?

Senator-elect BAILEY. I do not.

Senator-elect Bailey led this fight and said distinctly that it was not Mr. McNinch's voting against Smith that caused his opposition, or all of it, but it was his leading the fight against Smith, using Republican money against Smith, and then in the very next election voting against his own candidate for Congressman, and refusing to vote for his candidate for the United States Senate. It was continuous conduct in the last four years that brought this protest.

Mr. KING. Mr. President, will the Senator yield for a question?

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Utah?

Mr. HAWES. I do.

Mr. KING. Did it appear before the committee that in using Republican money and opposing the Democratic national candidate, he was jeopardizing the success of the Democratic Party in the State election, and jeopardizing the success of the Democratic nominee for the House of Representatives, and thus contributing to the Republican victory and turning over control of the House to the Republicans?

Mr. HAWES. It would have that natural result; but Mr. McNinch, to be perfectly fair about it, voted in that Smith election for the Democratic candidate for Congress and for his State ticket. But when it comes to defining who is a Democrat and who is not a Democrat in North Carolina, I think I would be quite unfair, simply because he has passed away, not to say that I for some years listened with great interest to the opinions of former Senator Overman, who recently passed out of this Chamber. The Governor of North Carolina should know whether a man is a Democrat. The attorney general of that State should know. Each one of the eight Congressmen from that State should know. The supreme court judges of that State should know.

Mr. Hoover was wrong, provided he sends this man's name here as a Democrat. If he sends his name here as that of an independent Democrat, as he describes him, there can be no complaint. If he wants to charge him to some other party, that is the President's privilege. If he wants to put him down as one-half Democrat and one-half Republican, he does not fill the requirement. I am concerned with the philosophy of this law. If throughout the Nation wherever the law provides for minority representation, the President may define who are and who are not members of the minority party, we should so understand it.

I remember a similar instance in our own committee where a brilliant, capable man was nominated for the position of radio commissioner. He impressed me with his learning. He impressed me with his knowledge. But he was sent in as a Democrat. He frankly said he was not a Democrat, but that he was an independent Democrat, and he was rejected.

Understand, Mr. President, this case can not be confused with a temporary act. It was not an expression of opinion by one man at the polls. It was the leader of an organized movement raising and spending money in one national campaign and then in a succeeding campaign refusing to support his candidate for the United States Senate and voting against the party candidate for Congressman in his own district.

Senator-elect Bailey has made this fight, the Governor of North Carolina has made the fight, and eight Congressmen in North Carolina have made the fight. He has said it is

not a single vote against Smith that controlled his judgment. No one wants to draw the line there. It is as a representative of a political organization and who twice did the same thing.

Mr. President, I have stated the facts. It is very unpleasant for me to state them, but it is the only way I can make my case in showing that the spirit of the law, the clear intent of Congress, has been violated. Unless I am mistaken, there may be Democrats who say that a man can vote against his party in one national campaign and continue that course in another national campaign and still remain a member of the minority party. It is the continuation of conduct, not a single act. There is no analogy between the situation discussed here this afternoon in relation to the distinguished Senator from Nebraska [Mr. NORRIS] and this situation. This man represented a political organization. He gave as a reason for opposing Smith that Smith was a wet and he was a prohibitionist. That was his right; it was his high privilege to take that position. But in the very next campaign two years later he voted against his candidate for Congressman, who is a prohibitionist, and he refused to vote for his candidate for the United States Senate, who is also a prohibitionist.

I wish this case had not arisen from North Carolina, with its embarrassments. But we must pause. There comes a time when this thing must stop or else let us be frank about it, let us be perfectly honest about it, and appoint five members of the majority party on the other commissions; let us eliminate the qualifications entirely and give the President the right to appoint from any party where he can find merit and virtue and capacity. Let us give him the power without restriction, except the right of confirmation by the Senate, or give him the right with the restriction that all the appointees shall be from his party. But when we give him the power with the restriction that not more than three men shall be members of the same party, we have the right to expect that the President of the United States will comply with the clear intent and purpose of that limitation.

Mr. MORRISON. Mr. President, I wish to intrench for a few minutes upon the attention of the Senate. As much in justice to Mr. McNinch as in justice to myself, I must ask for a few moments.

The law which the Senator from Missouri [Mr. HAWES] has discussed is this:

> Not more than three of the commissioners shall be appointed from the same political party.

As a Senator from North Carolina I am entirely willing to vote that my friend Mr. McNinch is not a regular Democrat in good standing with the party organization, but I can not stand here and vote that he is a Republican and therefore causes the President to violate the law in putting upon the commission four Republicans instead of three. If the Democratic Party has taken the position in North Carolina in the last campaign that the Hon. Frank McNinch was a Republican, Senator-elect Bailey would not soon be a Member of this body, in which I am sure he will render his country great service.

I do not think the issue has been squarely or fairly presented by those who oppose Mr. McNinch. The issue is not, is he a Democrat? The issue is, is he a Republican? I know he is not. Everybody in North Carolina knows he is not. If he is not a Republican then his appointment is not repugnant to the plain letter of the statute. I have known Mr. McNinch many years. Before this trouble in 1928 among the Democrats over their nominee for President, he was known as a Bryan Democrat.

There was not in all my State a more brilliant and respected advocate of the Democratic Party under the leadership of Bryan and Wilson than the Hon. Franklin McNinch. In 1928 he became profoundly and conscientiously troubled over the nomination of Governor Smith, as millions of Democrats throughout the Republic did, and as conscientiously as any man ever acted, and forfeiting a political career as brillant as that which stood before any gentleman in my State, as I firmly believe, in devotion to his principles, he actively opposed the election of Governor Smith.

The senior Senator from my State [Mr. SIMMONS] asked me about my attitude. In that campaign I fought Mr. McNinch to the utmost of my capacity, and when my colleague's conscience caused him to lay down the leadership of the Democratic Party in my State, and resign as national committeeman, the party in North Carolina did not select my friend, Mr. Bailey, but it did me the very great honor unanimously to choose me to succeed the senior Senator from North Carolina as a member of the Democratic National Committee. I did what I could to carry the State for Governor Smith, and after the election was over we commenced to try to heal up the difficulties, to get together; and men of the type and kind of Mr. McNinch, men who had bolted, elected Senator Bailey to the Senate and Major Bullwinkle to the House of Representatives, went over the State begging Democrats to come back to their party, calling them Democrats and all that.

Now, Mr. President and gentlemen of the Senate, it is not to the interest of the Democratic Party to declare that Frank McNinch is a Republican. He is not and he never will be. There are not offices sufficient under our Government to make him a Republican. I know him; I know him much better than do gentlemen from my State who live in distant parts of it. He is controlled by his conscience. He did not admire Mr. Bailey; he did not vote in the primary at all. He did vote against Major Bullwinkle. Those are the only two Republican votes he ever cast in his life. I do not think that makes him a Republican. I differed with him; but on the State ticket in 1928 he voted a ticket about that long [indicating], all Democrats, the legislative and county tickets. In my opinion, at least three of the congressional delegation from North Carolina would have been defeated except for the very able, loyal support that Frank McNinch, as leader of the anti-Smith Democrats, gave them. I hope that my Democratic friends will not vote against Mr. McNinch on the idea that it is going to help the Democratic Party in North Carolina. We are all united down there except some of the extreme folk who want to keep on. This fight on Mr. McNinch is purely political, and, in my opinion, is not wise politically. I know him. While with his party standing, of course, I could not vote to nominate him on the Democratic ticket for any office—I broke with a man whom I love better than I ever loved any other public man in North Carolina because he could not longer adhere to the party—but for an office like this I do not think it is necessary to have a man's partyism certified to by the chairman of the party to which he belongs.

In the basic principles of government Mr. McNinch, Senators, is a progressive, liberal-minded Democrat who worshiped William Jennings Bryan and Woodrow Wilson.

Mr. WALSH of Montana. Mr. President, I entertain no doubt at all that the spirit of the law has been violated by this nomination. It is really a matter of no great consequence whether one calls this man an independent Democrat or any other name; the purpose of the law was, of course, to provide representation on this commission of the two great political parties, and it seems to me that the President of the United States ought to set an example of scrupulous adherence to the law, both in its spirit and in its letter.

I say this much, Mr. President, although I think the requirement of the law is a perfectly senseless one and never ought to have been incorporated in the law. When we come to select members for a commission of this kind the President ought not to be restricted in his selection. Nevertheless, that is the law, and of course it ought to be observed. I say this much because I equally condemned the practice of a Democratic President of the United States, when he was called upon to fill commissions of this character, picking out a member of the minority party who was not in harmony with the party at all and who had supported the Democratic candidate for President. In either case the practice is reprehensible, but this is a matter of very small consequence, so far as I am concerned, Mr. President, and I

should not allow it at all to swerve my judgment concerning the propriety of this nomination, if there were not other considerations here that, to my mind, are vastly more important.

No one has thus far acquainted us in detail with the information that was given to the committee in respect to this man. I have before me, however, a copy of the Raleigh News and Observer, which, as will be recalled, is published by former Secretary of the Navy Josephus Daniels, from which I read as follows:

Senator MORRISON largely put his action—

Referring to the support of the junior Senator from North Carolina of the nominee—

On the ground that he is "member of the Presbyterian Church in which McNinch is an elder," denied McNinch "had any connection with power interests except through me, I being a heavy stockholder in the Duke Power Co., which is almost a religious and benevolent organization, which would not corrupt anything and which is doing great good in North Carolina," and adding: "I can not imagine why my friend McNinch wants the post," evidently forgetting the $10,000 salary. These comments indicate that Senator MORRISON did not properly appraise the gravity and national import of the issue. Nobody cares about McNinch's church relations or whether the Duke Power Co. is "almost a religious organization" or the Duke's gifts mean to North Carolina. These are matters not remotely related to whether the Power Commission has been packed with men who may think it all right to transfer natural resources to private interests for their profit, or who will continue the indefensible policy of the old power commission.

These it seems to me, Mr. President, are the matters that chiefly concern us rather than the question of whether Mr. McNinch is really an honest-to-God Democrat or only an independent Democrat, although, as I say, that is not altogether irrelevant.

However, there is another matter, Mr. President, that is of consequence here. Not only as I understand—and I shall be glad to be corrected if I state the facts erroneously—did Mr. McNinch organize and head the opposition within the Democratic Party to the election of a Democratic candidate in 1928—and I find no particular fault with that—but he raised, as is shown here, some $30,000, which he expended in that campaign and despite what seems to be the plain requirement of the statute of the State of North Carolina he never made a report as to where he got the money or what he did with it, as I understand, and when called upon by the attorney general declared that he did not propose to do so.

Mr. MORRISON. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. RANSDELL in the chair). Does the Senator from Montana yield to the Senator from North Carolina?

Mr. WALSH of Montana. I yield to the Senator.

Mr. MORRISON. Has the Senator read the statute of North Carolina?

Mr. WALSH of Montana. I have the statute before me.

Mr. MORRISON. It was decided that he could not be made to do it. It is true that the attorney general thought otherwise, but I do not think we could make him submit a report. If we could have done it, we would have.

Mr. WALSH of Montana. Whether it could be done or not, the testimony is, as I understand it, that the nominee actually refused after an opinion had been rendered by the attorney general of the State that under the law he was required to file a report. Likewise, as I understand the matter now—and I shall be glad again to be corrected if I am wrong—he refused to tell the committee where $6,000 came from. I speak only from memory.

Mr. WHEELER. Mr. President, the Senator is certainly mistaken——

Mr. BARKLEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield, and if so, to whom?

Mr. WALSH of Montana. I yield to my colleague.

Mr. WHEELER. The Senator is entirely mistaken about that.

Mr. WALSH of Montana. Will my colleague tell us what the facts are about the matter?

Mr. WHEELER. The facts are that Mr. McNinch came before the committee and made a full disclosure as to where he got the money. He said that Mr. ———, I will have to give the name from recollection, because I have not the testimony before me——

Mr. BARKLEY. Mr. Morehead.

Mr. WHEELER. That he got $6,000 from Mr. Morehead. He said he made every effort to find out where Mr. Morehead got the money, but he had not been able to do so, but that Morehead was the man who paid it to him. He made a full and frank statement.

Mr. WALSH of Montana. Who was Morehead?

Mr. WHEELER. He was a former Congressman some one suggests, but I do not know as to that.

Mr. WALSH of Montana. However that may be, Mr. President, let me read the statute of the State of North Carolina.

Mr. BLEASE. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from South Carolina?

Mr. WALSH of Montana. I yield.

Mr. BLEASE. Would it not be well to establish who Mr. Morehead is and what his politics is before the Senator goes any further?

Mr. WALSH of Montana. I would be very glad if the Senator could give us the information. I ask for it.

Mr. MORRISON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from North Carolina?

Mr. WALSH of Montana. I yield to the Senator from North Carolina.

Mr. MORRISON. Mr. Morehead is an attorney at law in the city of Durham. He is a man of very high character and is related to——

Mr. WALSH of Montana. Let me inquire if Durham is not the seat of the Duke operations?

Mr. MORRISON. No, sir; they have some interests there, but it is not their headquarters or anything like that. Mr. Morehead was related to——

Mr. WALSH of Montana. I had supposed that Durham was the original home of Durham tobacco.

Mr. MORRISON. Yes.

Mr. WALSH of Montana. And that the Duke people are controlling a great interest in the American Tobacco Co.

Mr. MORRISON. Except for one woman who lives in the locality and a young girl, the Dukes are all dead.

Mr. WALSH of Montana. Their estate is there still, is it not?

Mr. MORRISON. No, sir; not much of it. Mr. Duke gave most of it to hospitals and colleges.

Mr. WALSH of Montana. We have some information about that here.

Mr. MORRISON. I should like to tell the Senator a little further about Mr. Morehead. He is a Democrat and voted the Democratic ticket at the last election for State and county offices, and has always been a Democrat, though distantly related to the former Representative and Republican leader of North Carolina, Mr. John M. Morehead.

Mr. WALSH of Montana. I did not understand the Senator from South Carolina [Mr. BLEASE] was inquiring partcularly as to his politics.

Mr. MORRISON. I thought he was.

Mr. WALSH of Montana. He is perhaps more interested in his business relations. Perhaps the Senator from North Carolina will tell us about those.

Mr. MORRISON. Yes, sir. He has no relations of that character to my knowledge, sir, at all. I am sure that he is a general practitioner of the law.

I do not think he has ever had any sort of business connection with the power people.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from North Carolina?

Mr. WALSH of Montana. I do.

Mr. SIMMONS. I desire to say to the Senator from Montana that we have several power trusts in North Carolina,



and I do not think any of them have their offices in Durham. I know none of them have their plants there. The headquarters of one of these trusts, known as the Southern Power Co., I think, is in Charlotte. Their activities are in that section of the State. The headquarters of what is known as the Carolina & Tidewater Power Co. is in Raleigh, N. C., as I understand.

Mr. Morehead lives in Durham. Durham is a tobacco-manufacturing city of great growth and prosperity. A great university has been built up around and with the money contributed by Mr. Duke, at one time the head of the American Tobacco Co., and at the time of his death I think at the head of the Southern Power Co. in North Carolina. The money that he left for educational purposes was spent very largely—not altogether, but very largely—in the erection of that wonderful physical plant now known as Duke University.

Mr. Morehead, who lives there, as my colleague has said, is a lawyer of great prominence in that prosperous city, but is not a man of fortune. He is a man of very moderate means, I am advised. He has never had any connection whatsoever, so far as I have ever heard charged or intimated, with the Power Trust; but, like Mr. McNinch, he was an ardent prohibitionist and had been all his life an ardent prohibitionist. Upon the question of prohibition and immigration, I know from conversations I have had with Mr. Morehead, that he separated himself upon the presidential election in 1928 from the Democratic Party and opposed Mr. Smith with all of the zeal that he had. He did raise some money. He gave some of his own funds to the campaign; and finally he sent to the treasurer of the anti-Smith organization in that State a contribution of $6,000. He did not explain in his transmittal the source from which that money was derived.

Mr. McNinch was canvassing the State. He was speaking in nearly every county in the State, making one of the most brilliant campaigns that ever has been made in North Carolina against Mr. Smith. He had nothing to do with the collection of these funds. They were paid over to the treasurer, Mr. Ireland; and Mr. Ireland accounted for them, after the election, to Mr. McNinch.

In looking over the statement sent to him by Mr. Ireland, Mr. McNinch discovered this item of $6,000, with nothing to indicate the source from which it had come; and he at once demanded its source from Mr. Ireland. He did not know. He then demanded of Mr. Morehead the source of that contribution.

Mr. Morehead flatly declined to give him the names of the persons who contributed it upon the ground that the men contributing it were business men, they had no connection with politics, some of them were living outside of the State, they were deeply interested in the question of prohibition, and that he had made them a solemn promise according to their request not to divulge their names; and he refused to divulge them to Mr. McNinch.

That is the reason why Mr. McNinch did not make his report immediately after the campaign. He was getting ready to make it. He wanted to make it. He tried to get this information, and he felt that he ought to have that information before he made the report. When the Attorney General ruled that he should make it, Mr. McNinch declared that in his judgment as a lawyer—he is one of the best lawyers in North Carolina—under his own view of the law he was not a political party, and not required to make a statement. He was heading an organization that was opposing one man, gotten together for the purpose of opposing him upon a particular ground and for a particular reason; and when it accomplished that purpose, his organization disbanded.

That is the view that he took about the matter. Our statutes required a party, the chairman of the committee of every political party participating in the election, to make a statement. Mr. McNinch said he was not required to do it in law; but he said in the newspapers, "When I get sufficient information as to one particular item which by reason of its size has aroused some suspicion on my part, I will make a voluntary disclosure and statement, and publish it in the newspapers in North Carolina."

I know that Mr. McNinch went repeatedly to Mr. Morehead. Finally it culminated in a demand, and Mr. Morehead refused to give him the information; but Mr. Morehead gave him a letter in which he said that, while he would not disclose it, the rumor that was circulated in North Carolina that this fund—this was in the last campaign, not in 1928—came from power interests, was utterly false, and that not one dollar of that money came from any power interest in this country or in North Carolina.

Mr. WALSH of Montana. Of course, the Senator from North Carolina is speaking by courtesy from myself. I did not suppose that he was endeavoring to reply to the argument I was trying to make.

Mr. SIMMONS. No; if the Senator will pardon me, I was not doing that.

The PRESIDENT pro tempore. The Senator from Montana has the floor.

Mr. SIMMONS. Will the Senator yield to me?

Mr. WALSH of Montana. I yield to the Senator.

Mr. SIMMONS. He asked the question, Who was Mr. Morehead; and I was just trying to give him the information as to who he was, and as to how he was drawn into this controversy.

Mr. WALSH of Montana. Mr. President, with the remarks of the Senator from North Carolina—for whom I have the most profound respect—I have no particular quarrel so far as they relate to the Duke estate. The Duke estate has doubtless been devoted to very commendable purposes; but those of us who have been here in the Senate and have paid any attention to these matters in recent years need not be told that Mr. Duke during his lifetime was one of the great figures in the power world, and that a vast portion of his estate was invested in power enterprises in various parts of the country. The records of the Senate are replete with information upon that subject.

Mr. WHEELER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Montana yield to his colleague?

Mr. WALSH of Montana. I yield.

Mr. WHEELER. Let me say to my colleague that so far as I have been able to discover, Mr. McNinch has had no connection with the Duke estate or with the Duke interests. I challenged every man who brought protests to me against Mr. McNinch, and said to him, "If you can show me where he is connected with any power interest under any circumstances or conditions, I shall be against him"; but not one scintilla of evidence was produced before the committee.

Mr. WALSH of Montana. Except that he comes from their town.

Mr. WHEELER. Yes; simply because of the fact that he comes from their town. I come from Butte, Mont., owned and controlled politically by the Anaconda Co.; but I hope by reason of that fact nobody will charge that they dominate my votes or my actions in this body, or at any other time.

Mr. WALSH of Montana. No; much less the Senator's colleague anyway. But, Mr. President, we were considering the question of the failure to report by Mr. McNinch.

The record on this matter is enlightening, and we have not had it yet. I want to read from the testimony of Senator-elect Bailey, at page 203, as follows:

Senator-elect BAILEY. Mr. McNinch promised in the 1928 campaign, prior to the election, to disclose after the campaign the sources of his financial contributions and the disposition of those financial contributions. The law required that a report should be made both prior to the election and subsequent to it.

Senator GLENN. On the part of a political party or by anybody?

Senator-elect BAILEY. In the case of a political committee. Of course, it contemplated that anybody receiving money in politics should disclose it to the State, and he was at the head of that campaign.

Senator BARKLEY. Have you got a copy of the law as it applies in North Carolina?

Senator-elect BAILEY. I do not have it. I think the attorney general of North Carolina has filed a letter here from which you

can get the law. Mr. WARREN, a Member of Congress from the first district, can produce it.

The CHAIRMAN. Please proceed.

Senator-elect BAILEY. I was just saying that instead of complying with the law, which requires a statement of his contributions prior to election, Mr. McNinch made announcement to the people of North Carolina that he would disclose the contributions after the election. After the election was over he refused, and he refused notwithstanding a formal demand was made upon him by the secretary of state, and notwithstanding the attorney general of the State of North Carolina ruled that the law included Mr. McNinch and his committee.

Senator SMITH. Right there let me get this clear. Did the law consider that Mr. McNinch, having collected and disbursed those funds in the interest of the party, came under the law, and he was required to make a return of them?

Senator-elect BAILEY. Yes; that was the ruling of the attorney general.

Senator WHEELER. Did it carry any penalty with it?

Senator-elect BAILEY. Yes; there is a general penalty in the law.

Senator WHEELER. Why didn't the attorney general prosecute him if that is the case?

Senator-elect BAILEY. I do not know. That is a matter that has caused debate.

Senator BARKLEY. Under the North Carolina law the attorney general has no right to begin a prosecution except by direction of the governor.

Senator-elect BAILEY. He was not the man to institute it, as I understand. You asked me the question and I can not tell you why he was not prosecuted, for I do not know.

The CHAIRMAN. Proceed, please.

Senator-elect BAILEY. Now, that is the status of the matter. Now, Mr. McNinch makes no report, notwithstanding his promise to the voters that he would. Now, since November, 1928, more than two years have elapsed. The President of the United States appoints Mr. McNinch to this office, and he comes before this committee and says that he has recognized all the time he was under a moral obligation to make that report but that he had not made it. Very well. Now, what is his excuse for not having made it? I bring this forward, Mr. Chairman and Senators, for one purpose: It throws a flood of light upon the type of the man's character. He says he did not make that report because he could not find out the individuals who had contributed to Mr. J. L. Morehead's fund of $6,000 and Mr. Ward Wood's fund of $11,000.

Mr. SIMMONS. Mr. President, that is a misprint which was corrected in the committee. I ask the junior Senator from North Carolina whether I am not right about that.

Mr. BARKLEY. Mr. President, if the Senator will yield there, I corrected Senator-elect Bailey, as appears in the record, by reminding him that that was $2,000 instead of $11,000, and he agreed to it.

Mr. WALSH of Montana. I continue the reading:

I think it is, although I have not the figures. That is not an excuse. All that the law should require of him is that he report that he received these sums from Mr. Morehead and from Mr. Wood.

Of course, there can be no controversy at all about it. If Mr. Morehead refused to tell him where the money came from, he was to report having received it from Mr. Morehead. That is no excuse for not filing any report at all, and nobody can contend that it is, with any degree of reason or logic. I continue the reading:

Senator BARKLEY (interposing). Who are Mr. Morehead and Mr. Wood?

Senator-elect BAILEY. I will come to that.

Mr. SIMMONS. Mr. President, will the Senator yield to me again?

Mr. WALSH of Montana. I yield.

Mr. SIMMONS. I think Mr. McNinch testified to the committee that when he accepted this position of chairman, the head of the anti-Smith committee, a large number of anti-Smith leaders were present, and that he accepted it upon two conditions, and notified those present that if those conditions were violated, he would retire as chairman of the committee. One of the conditions was that no Republican money was to be received.

Mr. WALSH of Montana. Mr. President, I think in fairness the Senator should not make his speech in the midst of mine. I am glad to answer any questions, but I would like to continue with my discussion.

The PRESIDENT pro tempore. The Senator from Montana declines to yield further.

Mr. SIMMONS. Mr. President, if the Senator will give me one moment, I will say what I wanted to say.

Mr. WALSH of Montana. I yield to the Senator.

Mr. SIMMONS. Another of the conditions was that no money should be received from a doubtful source.

Mr. WALSH of Montana. I want to read a little further from this testimony.

Mr. GLASS. Mr. President, may I interrupt right there?

Mr. WALSH of Montana. I yield to the Senator from Virginia.

Mr. GLASS. I want to say that he did not comply with his own conditions, because I notice from the report of the testimony that he received $5,000 from the anti-Smith committee of Richmond, Va., which was received from Mr. Jamison, a Republican in New York, upon the advice of Mr. Slemp, the Republican national committeeman from Virginia.

Mr. WALSH of Montana. He made no report at all, and, of course, did not include that.

Mr. GLASS. He did not observe his own requirements.

Mr. WALSH of Montana. That is, he got $5,000 from the Virginia anti-Smith organization.

Mr. GLASS. Which had been supplied by Mr. Jamison, of New York, upon representations made by Mr. Slemp.

Mr. WALSH of Montana. Then, with reference to that particular contribution, he was in the same situation he was in with reference to Morehead's situation; he did not follow the requirement.

Mr. SIMMONS. Mr. President, if the Senator will pardon me for just one moment——

Mr. WALSH of Montana. I yield, if I am in error.

Mr. SIMMONS. That money was received from an organization in another State engaged in the same enterprise he was in, and for the same reason that he was fighting, and he had no knowledge, and there is nothing in the testimony that shows that he had any knowledge, as to where the Virginia committee received this money that was contributed on behalf of the North Carolina campaign.

Mr. McKELLAR. Mr. President, will the Senator yield to me?

Mr. WALSH of Montana. I yield.

Mr. McKELLAR. I read from page 159 of the record:

Senator BARKLEY. Do those three include the ones from Richmond?

Mr. MCNINCH. No, sir; no, sir. That is four, including that. That is right; four, including the one from Richmond. Two more came from David H. Blair to W. H. Wood.

David H. Blair is certainly a Republican. Mr. McNinch certainly violated his own terms, according to that testimony.

Mr. MORRISON. Mr. President, will the Senator yield to me?

Mr. WALSH of Montana. I yield.

Mr. MORRISON. I know the Senator wants to get the matter straight, and I want the Senate to have the facts.

Mr. McNinch explained that, as to those practicalities of the campaign, he had nothing to do with them, except that he told them not to do these things. Afterwards he found they had done them. But the parties involved were men of very high character. He was an orator, and off on the stump, and I was fighting him day and night. He never had anything to do with those things except to take the responsibility.

Mr. WALSH of Montana. The Senator from North Carolina will understand that his colleague introduced this matter, and told the conditions under which Mr. McNinch assumed the position he occupied, namely, that no contributions whatever were to come from Republican sources, and the Senator from Tennessee is calling attention to the fact that if there was any such agreement, it was violated.

Mr. MORRISON. But he also explained that he did not know it, and never handled 5 cents of the money. He was probably 150 miles away when most of it was going on, campaigning, and the practical parts of the campaign I know—I live in that city—were run by other people. The responsibility was his, as the head of it, because they did not comply with it. These men tell frankly that he told them not to do it; but they took the money anyhow.

Mr. WALSH of Montana. But another condition under which he accepted the appointment was that no contribu-

tions were to be accepted from questionable sources. It appears that in one instance at least the condition was violated, namely, that he was not to accept any contributions from Republicans.

Mr. MORRISON. He never accepted them at all, Senator, except for his responsibility as head of the committee. He says he did not, and I am sure he never had one cent of the money in his hand or in his custody in his life.

Mr. SIMMONS. Mr. President, will the Senator yield to me further?

Mr. WALSH of Montana. I yield to the Senator.

Mr. SIMMONS. The contribution about which the Senator speaks was made by Mr. Wood. He sent the check, or whatever it was, to Mr. Ireland. Mr. Wood is a Democrat. Mr. Wood is an ardent prohibitionist and was very active in that campaign. Mr. Ireland, the treasurer, made a report to Mr. McNinch, the chairman, after the election, and, so far as the record shows, this $2,000 came from Mr. Wood. Some question was raised as to where Mr. Wood got that money. Mr. McNinch went to him and told him that he was present when he made the statement that there must be no Republican money taken and no money taken from suspicious sources, and he said, "I want to know where this $2,000 came from if you did not subscribe it yourself." He told him that he knew one of the men who sent it but did not know his politics. He was the head of a movie concern out in California but an ardent prohibitionist.

The other he said he did not have in mind and had no record of his name. And Mr. Blair was a Republican. It was Mr. Ireland who said Mr. Blair turned over this money. Mr. Blair turned this money over to Mr. Wood. Mr. Blair was a Republican. I understand that Mr. Blair said that he got a part of the money from this movie man, and he says he does not remember who gave him the balance of it. There is no evidence whatsoever that that money came from any power source or from a Republican.

Mr. WALSH of Montana. I continue reading the testimony of Mr. Bailey:

Senator BARKLEY (interposing). Who are Mr. Morehead and Mr. Wood?

Senator-elect BAILEY. I will come to that. I bring that to the committee by way of suggesting that Mr. McNinch did not act in good faith with this committee when he appeared before you.

Senator HASTINGS. You say he is a man of good character, don't you?

Senator-elect BAILEY. Of good standing; yes, sir.

The CHAIRMAN. Senator HASTINGS, Senator-elect Bailey has already testified to that.

Senator-elect BAILEY. I raise no question of his standing as a man.

Senator BARKLEY. I think you misunderstood the statement as to the amount of $11,000. I think that was $2,000 instead of $11,000.

Senator-elect BAILEY. All right; however, that may be. My point is that that was a pretext. He did not have to tell who were the contributors to Mr. Morehead or to Mr. Wood. All that the law would require of him would be to put in his report: I received $2,000 from Wood and I received $6,000 from Morehead. Now he states that he spent two years withholding his report from the public, nothwithstanding he knew he was morally obligated to make it, all because he could not find out who the contributors were to Morehead and to Wood. Any child knows better than that.

Senator BROOKHART. That was not his interpretation of the law. He claimed that he was not required by law to make any report.

Senator-elect BAILEY. I understand. He also admits he was morally obligated to do it.

Senator BROOKHART. As to this other matter, he said he wanted to show exactly who contributed that money and could not find out.

Senator-elect BAILEY. Perhaps he did. But, even so, that did not justify him in delaying making a report for two years. He could have made a report and said: Later on I will give you the details. I am addressing this to the substantial value of his statement.

Senator BROOKHART. The committee got the value of his statement. He did not hold back anything.

Senator-elect BAILEY. He submitted nothing until the matter of the filing of this report was made a test of his confirmation.

The CHAIRMAN. We can go into all of that when we go into executive session.

Senator DILL. Did Mr. McNinch make any report to anybody publicly about where he got this money until he came before this committee?

Senator-elect BAILEY. Never until it was made a test of his qualifications here.

Senator DILL. All right.

Senator-elect BAILEY. Now, as to the gentlemen who contributed: Mr. Word H. Wood is a very fine citizen, an influential banker, the president of the American Trust Co. at Charlotte, which is the depositary for the Duke estate funds, the Duke Power Co. He is very close to those institutions. Mr. R. B. Gossett, and this is in the list of his contributions, is the vice president of the American Trust Co., a director of the Turner-Halsey Co., the Southern Investment Co. of New York City, the Piedmont & Northern Railroad, an exclusive Duke Power Co. concern in North and South Carolina.

Now, let me state what this Piedmont & Northern Railroad Co. is: It is a railroad that is projected from Charlotte to Winston-Salem, our two most populous cities, one in the northern section of the State and the other in the southern section of the State, and the Duke Power Co. proposed to build this road in order to consume its power. They made application, and you can find a record of it here in the Interstate Commerce Commission, for leave to build the road. But the application was denied on the ground that it paralleled the Southern Railway and was unnecessary.

Mr. BROOKHART. Mr. President, will the Senator yield to me?

Mr. WALSH of Montana. I yield.

Mr. BROOKHART. I call the Senator's attention to the fact that he has not noticed the testimony of Senator-elect Bailey about his own connection with the Power Trust.

Mr. WALSH of Montana. That would be quite immaterial.

Mr. BROOKHART. That was the big Power Trust. That might have been a motive why he was fighting this man McNinch, because his connections were certainly quite intimate with the big Power Trust, and this Duke Power Trust seems to be quite a little one in North Carolina, not connected with the big national organization at all.

Mr. SIMMONS. Mr. President, will the Senator pardon me further?

Mr. WALSH of Montana. I imagine that Senator-elect Bailey's connection with the Power Trust is quite immaterial in connection with the question of the fitness of this particular nominee.

Mr. SIMMONS. Mr. President, will the Senator yield to me for one more interruption?

Mr. WALSH of Montana. I yield.

Mr. SIMMONS. I agree that it is quite immaterial, except from the standpoint that he may be representing the Power Trust and opposing Mr. McNinch. He admitted that his father-in-law had for many years been the general counsel of one of these great power companies in North Carolina. He admitted that after he withdrew from the partnership with his father-in-law, having continued for years after the knowledge of his connection, he then formed a copartnership with another man who was an attorney for the Power Trust.

Mr. WALSH of Montana. Mr. President, I ask that there be incorporated in the RECORD chapter 164 of the laws of North Carolina for the year 1913.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is as follows:

CHAPTER 164

AN ACT TO PREVENT CORRUPT PRACTICES IN THE PRIMARY, SPECIAL, GENERAL, AND OTHER ELECTIONS

The General Assembly of North Carolina do enact—

SECTION 1. That any person who shall hereafter, in connection with any primary, special, general, or other elections held, being held, or about to be held in the State of North Carolina, do any of the acts and things declared in this section to be unlawful, shall be guilty of a misdemeanor and, upon conviction, shall be fined or imprisoned, or both, in the discretion of the court. It shall be unlawful for any person,

(a) To fail as an officer or as a judge or registrar of election, or as a member of any election or canvassing board, to prepare the books, tickets, and return blanks which it is his duty under the law to prepare, or to fail to distribute the same as required by law, or to make the returns, or perform any other duty within the time and in the manner required by law;

(b) To continue, or attempt, to act as a judge or registrar of election, or member of any election board, after having been legally removed from such position, and after having been given notice of such removal;

(c) To break up or by force or by violence stay, or interfere with, the holding of any election, or with the possession, by the proper officers, of any ballot boxes or election books, or tickets, or return sheets, by those entitled to the possession of the same under the law, or to interfere in any manner with the performance of any duty imposed by law upon any election officer or member of any election or canvassing board;

(d) To be guilty of boisterous conduct so as to disturb any member of any election or canvassing board, or any judge or registrar of election, in the performance of his duties as imposed by law;

(e) To bet or wager any money or other thing of value on any election;

(f) To directly or indirectly discharge or threaten to discharge from employment or otherwise intimidate or oppress any legally qualified voter on account of any vote such voter may cast, or consider casting, or intend to cast or not to cast, or which he may have failed to cast;

(g) To directly or indirectly spend or contribute any money or other thing of value to aid in the campaign or election of any candidate for any office in a primary or in a general election unless the same be reported immediately to such candidate, to the end that it may be reported by him in the reports required of him by law, or unless such contribution shall be reported to the campaign committee of such candidate within the meaning of "campaign committee," as herein defined. The term "campaign committee," as used in this subsection, shall embrace only such committees as are designated by candidates for office before primary elections and reported to the secretary of State at least 30 days before such primary election by those who are candidates for any office embracing a greater territory than a county, and reported to the clerk of the superior court in the county of the candidate at least 30 days prior to the primary election by those who are candidates for any office to be voted for only by the electors in a particular county or subdivision thereof. It shall be the duty of each candidate to receive from such campaign committee, and of each campaign committee of each candidate to give to the candidate appointing such committee, all the information they may have, and for such campaign committee and candidate to embrace such information in the reports required of them by law, and it shall be unlawful for the candidate and the members of his campaign committee to fail to do so;

(h) Who is a candidate or member of the campaign committee to fail to report under oath, within the time required by law for the report from such candidate, the amount of money received in connection with or in aid of his campaign, and the sources thereof, and for what purposes the same has been applied. That the report to be made by the campaign committee of any candidate before the primary shall be made in duplicate, one copy thereof to be filed with the candidate and one copy to be filed with the officer to whom said candidate is required to report, and is to be made within the time required for a report from such candidate;

(i) Who is a candidate for any political office before a primary to expend or knowingly assent to or permit the expenditure of more than 50 per cent of what the annual salary of such person will be if elected to the office for which he is a candidate, except that a candidate for governor and a candidate for the United States Senate may spend or allow others to spend a total amount which shall not be greater than the annual salary would be if the candidate were elected to such office, and such candidate may lawfully pay in addition his transportation expenses and board and lodging bills while campaigning for such office.

(j) Who is a member of any executive committee or managing committee or other committee of any political party within the State of North Carolina for any county or subdivision of any county in said State, to fail to report to the clerk of the court of such county not more than 15 nor less than 10 days before any general election the amount of money received by such committee for campaign purposes, and within 20 days after the election to make a similar report of money received and from whom, and the purposes for which the same was used; such report is to be made under oath by the secretary or chairman of such committee, who has full knowledge of all the details of the committee's affairs; or for any chairman or secretary of such committee of a political party having a territory embracing more than one county to fail to make, within the time required by law, similar reports to the Secretary of State.

(k) For any person to publish in any newspaper or pamphlet, or otherwise, any charge derogatory to any candidate, or calculated to affect the candidate's chances of election to office, unless such publication be signed by the party giving publicity to and being responsible for such charge.

(l) For any person to publish or cause to be circulated derogatory reports with reference to any candidate known by the person publishing or circulating such report to be false, when such report is calculated or intended to affect the chances of such candidate for such office.

(m) To give or promise, in return for political support or influence any political appointment or support for political office.

SEC. 2. That any person who shall hereafter, in connection with any primary, special, general, or other election held or being held, or to be held in the State of North Carolina, do any of the acts and things declared in this section to be unlawful, shall be guilty of a felony, and upon conviction shall be imprisoned in the State's prison for not less than four months or fined not less than $1,000 dollars, or both, in the discretion of the court.

It shall be unlawful for any person—

(a) To fraudulently cause his name to be placed upon the registration books of more than one election precinct, or to fraudulently cause or procure his name, or that of any other person, to be placed upon the registration books in any precinct when such registration in such precinct does not qualify such person to legally vote in such precinct, or to falsely impersonate another registered voter for the purpose of voting in the stead of such other voter.

(b) To give or promise or request or accept at any time before or after any such election any money, property, or anything of value whatever, in return for the vote of any elector or electors.

(c) Who is an election officer or a member of the canvassing or election board or other officer charged with any duty with respect to any election to knowingly make any false or fraudulent entry on any election book, or any false or fraudulent return, or to knowingly make, or cause to be made, any false statement on any ticket, or to do any fraudulent act, or knowingly and fraudulently omit to do any act or make any report legally required of such person.

(d) To knowingly and falsely swear with respect to any matter pertaining to any such elections.

(e) To falsely make or present any exemption from poll tax, or any tax receipt, or certificate, or other paper to fraudulently qualify any person as an elector, or to attempt thereby to secure to any person the privilege of voting.

SEC. 3. That any person subpœnaed by the State to testify shall be required to testify, but such person shall be immune from prosecution and pardoned for any violation of law about which such person is so required to testify.

SEC. 4. That this act shall be in force and effect from and after its ratification.

In the general assembly read three times and ratified this the 12th day of March, 1913.

Mr. WALSH of Montana. Section 1 of this act provides:

That any person who shall hereafter, in connection with any primary, special, general, or other elections held, being held, or about to be held, in the State of North Carolina, do any of the acts and things declared in this section to be unlawful, shall be guilty of a misdemeanor and, upon conviction, shall be fined or imprisoned, or both, in the discretion of the court.

It shall be unlawful for any person—

And so forth.

Subdivision (j) reads as follows:

Who is a member of any executive committee or managing committee or other committee of any political party within the State of North Carolina for any county or subdivision of any county in said State, to fail to report to the clerk of the court of such county, not more than 15 or less than 10 days before any general election, the amount of money received by such committee for campaign purposes, and within 20 days after the election to make a similar report of money received and from whom, and the purposes for which the same was used; such report is to be made under oath by the secretary or chairman of such committee, who has full knowledge of all the details of the committee's affairs; or for any chairman or secretary of such committee of a political party having a territory embracing more than one county to fail to make, within the time required by law, similar reports to the secretary of state.

Mr. MORRISON. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Montana yield to the junior Senator from North Carolina?

Mr. WALSH of Montana. I yield.

Mr. MORRISON. I ask the Senator, great lawyer that he is famed to be throughout the Republic, if Mr. McNinch gathered together a few Democrats who may have contributed and helped toward a common purpose, whether or not that in his opinion constitutes a political party within the meaning of that act?

Mr. WALSH of Montana. What constitutes a political party is rather a troublesome question at any time or at any place.

Mr. MORRISON. And if that has not been the interpretation of the best lawyers of North Carolina who were considering that question under the law of North Carolina.

Mr. WALSH of Montana. We may differ entirely from one another, but the language of the statute is perfectly plain. That a lot of people get together and raise money and spend money for the election of a candidate for office, and then escape upon the ground that they do not represent a political party, is rather an attenuated technicality upon which to evade the plain requirements of the law.

Mr. President, the situation is simply this: Mr. McNinch before the election, evidently recognizing not only the obligation of the law but the moral obligation in the premises, promised the people of the State of North Carolina that when the election took place he would then report the contributions he had and the disposition he made of them. After the election was had, he again failed and neglected to do so, not only disregarding the provisions of the law but disregarding his own promise to the electors of the State of

North Carolina. Then when he is called upon by the attorney general of the State, who construes the law as requiring him to do so, he seeks to get out of it upon what ground? Not upon the ground now advanced by his advocate here, the junior Senator from North Carolina [Mr. MORRISON], not upon the ground that he was not the chairman or the representative of a political party, but upon the ground that he was unable to find out who gave the $6,000 to Mr. Morehead and the $2,000 to Mr. Wood. That was the reason he offered for failing to file his report.

Now we find him continuing in his failure to make any disclosure whatever of the source from which these funds came until he is called upon here, and the only reason he can now give for failure to file the report is because he suspects that the $6,000 he got from Morehead did not belong to Morehead, but that somebody else gave it to him and he could not find out who gave it to Morehead. That does not excuse him. All he had to do was to state he got the $6,000 from Morehead. That is a lame excuse for failure to file the report.

These considerations, however they may address themselves to anyone else, convince me that this man ought not to be appointed to this responsible position.

Mr. MORRISON. Mr. President, I listened to the speech of the great tribune of the people this morning with great pleasure; but there was, in my opinion, one omission which, if he had not made it, would have made it a very great speech, and that is that there are power companies and power companies, just as there are different men. As to the so-called Power Trust and the evil practices in which it seems there is some evidence that it indulges over the country I stand ready to do battle with him in this body against them in every possible manner. But there are power companies who are doing good and noble things, and not wicked and corrupt things.

The Duke Power Co. has its headquarters in my city. Mr. Duke, who founded it, died without ever having drawn 5 cents from that great development. Before he died he created the Duke Foundation, giving $40,000,000 to charitable and educational purposes. When he died he left two-thirds of all he had remaining to that foundation; the other one-third to a lovely young daughter, the remainder of which one-third, if she should die without issue, would go with the rest of it to this foundation. Whatever Mr. Duke may have done which people may criticize as to the way in which he accumulated that wealth, he certainly left it to a good cause. When we are talking about the Duke power interests and the Dukes, we are but attacking men who live only in their deeds. They are all gone.

The Duke Power Co. in my State belongs very largely to humanity. There is not an organization upon this earth, unless it be purely religious, which is doing a nobler or better work than the Duke Power Co. and the Duke Foundation.

I would scorn to stand in this body and hear this noble man traduced by anybody. I deny that that power company or anybody connected with it did anything corruptly for anyone in the election of 1928. If anybody connected with it contributed a few hundred dollars to Mr. Hoover's campaign it would be no reflection upon the Hon. Frank McNinch to have received it and would constitute no evidence of any corrupt relation between him and the power company.

That is the trouble about this matter. It is all right to assail the wicked, but it should be done in such terms as not to create prejudice against the innocent and the good. I stand in the Senate of the United States ready to vote, so far as I know, with the progressives in the country upon the Democratic platform for the proper regulation and control of the power industry. I have advocated on the stump, and in the very city where this power plant is situated, the completion of Muscle Shoals and its operation by the Government. I think the power people have made a monumental mistake to oppose the proposition that that shall be done. But it is all wrong to create a prejudice against any legitimate industry of the country until the hearts of our people are filled with hate of any group of men who contribute to the glory and power and strength of our people.

In my State they are just completing a contribution for this year of $1,300,000 to humanity through the hospitals of North Carolina and South Carolina. That is an annual thing. There is no institution in the world coupled with business doing more for the suffering and the distressed than the Duke Power Co. in North and South Carolina. If the people of my State desire a demagogue here for fear that some uninformed person may think that their Representative stands here for some Power Trust, I do not want to be here in that way.

They are just finishing the construction of a university which will bear Mr. Duke's name. I do not care how he got his money. That is not the question here. I do not care what he did to make it. He made it. They are finishing the construction of a university there which in physical magnificence and completeness will rival any in the world. The men who are doing this and the other things to which I have referred are giving hundreds of thousands of dollars to the broken-down and disabled Methodist preachers of North and South Carolina.

Mr. WALSH of Montana. Mr. President——

The PRESIDENT pro tempore. Does the Senator from North Carolina yield to the Senator from Montana?

Mr. MORRISON. I yield.

Mr. WALSH of Montana. I recall that we were often regaled with the munificent charities which characterized the life of Edward L. Doheny.

Mr. MORRISON. Yes; and when the Senator compares James B. Duke with him, he is doing that, if the Senator please, which he should be sorry to do.

Mr. WALSH of Montana. I merely interposed the remark to show that it is entirely irrelevant to the question before us.

Mr. MORRISON. I understood, and that is the trouble with such statements as that one.

J. B. Duke passed away leaving as a vast monument for his regard of humanity the institutions in North Carolina to which I have referred. I know it is said that he was ruthless in business, but whatever he accumulated by ruthlessness he gave more of it to humanity than any capitalist who ever walked the soil of the United States in proportion to his wealth. I hurl back at these gentlemen proudly the declaration that there is not a man, woman, or child in North Carolina who thinks of Duke and the Duke Foundation as they do.

The Duke people in North Carolina are not in politics. I say to the Democratic Senators who are here about me, honoring me by listening to me, that they may be pleased to have my brilliant friend, Mr. Bailey, the Senator from North Carolina, here instead of me. They may talk about him as being the leader, if they will. He is brilliant and able. But every one of those people who live in North Carolina, except two Republicans who are being attacked, helped to send Mr. Bailey here.

Those people are not in politics. Mr. Wood is to be blackened. I know him. He will be hurt. There is not anybody on earth who can control his conscience. If it could have been done in the election of 1928 I would have done it. But as honestly as I worked for Smith, he fought him. He made a contribution of $1,800 out of his own money. I stand here to defend him from any insinuation that there was any dirty thing about it.

Mr. Gossett contributed $500. What if he did contribute it? The Senator refers to my interest in the power company. I spent more money for Smith than all of them spent against him. I spent it honestly. Five hundred dollars from Mr. Gossett! Where did he get the money? It was loaned money, as was the whole amount of it in that great State, $30,000. Why was it not reported? Mr. McNinch told you, and whatever is in that record that he told you is the truth.

Reference has been made to my having referred to him as being an elder of my church. What has that to do with it? His character has this to do with it, that if he is a man of character, if he is a man of principle, he has the first

great qualification to hold this delicate and responsible public office. I fought him all over North Carolina, until our sweet personal and neighborhood relations were well-nigh broken. He is an honest man, and no man in the county or city where he lives would dare assert to the contrary and face that upright community, for his character towers there as brightly as that of the finest citizen in it.

It is said he did not make a report of campaign expenditures. If he were not required by law to do it, that ends it. As a matter of fact, I know how gentlemen who do not know the parties would be suspicious about it. Mr. McNinch, however, had about as little to do with the practicalities and finances of that campaign as anyone could have had and been connected with it at all. He was the orator of the campaign, leading the intellectual debate, and practicalities were being run by other gentlemen. He did not dominate them either, and he could not dominate them, for they were strong, virile men themselves. The name of Mr. C. H. Ireland is synonymous with uprightness and character throughout North Carolina. He was greatly aroused over Governor Smith's nomination; but, Democratic Senators, may I say when I closed my speech in the last campaign, before a great crowd in Greensboro, he was the first man to throw his arms around me, and we had a reunion of our Democratic spirits? He is an honest man; he is no man's creature; his character is as spotless as any man's within my State. I stand here to defend him, my friend of a quarter of a century. He has been connected with well nigh every civic, religious, and righteous movement that has stirred my State in my day. Yet the attempt is made to show that somebody who swapped dollars with the Duke Power Co. contributed a few hundred dollars. He, however, never got a dollar; he never handled a dollar; but when the campaign was over he wanted a report made. Mr. Wood states that he was advised he did not have to do it. He collected the money. He stated that McNinch told them not to get any money from Republicans, but he did not agree with him, and had done so; that he would not tell him where he got it, and he would not give it to him.

As to Mr. Morehead, he contributed powerfully to our success in the great county of Durham. He is a young lawyer of high character. Mr. McNinch could not pull him around by the nose. They gave the money to C. H. Ireland and not to McNinch.

Senators may not like some aspects of that situation, but a little circumstance like that, considered by itself away from the environment and the surroundings, ought not to be permitted in this high body to drag down the character of refined people such as inhabit my State.

Mr. President, Mr. McNinch is a very intelligent man. I have not liked many of the appointments which have been made to Federal boards from my section of the country. McNinch is the best appointment the President has made. He is intelligent, honorable, upright, and steadfast in his opinions. He is not a Republican and never will be. However, he is an independent man who things for himself and grants other people the same privilege. He has no connection with the power interests, and when the Senator reads from the record what they recorded me as there saying and tries to connect him in any way improperly with me, I am sure he does not understand the facts.

I said that Mr. McNinch had not even personal friendships or close relationships with anybody who had any stock in the company or connected with it except me. He lives immediately across the street from me; we are friends but have no business relations whatever. I would as soon undertake, if I were dog enough to do that sort of thing, to approach any honorable justice on the highest courts of this land as to try to touch the white life of my neighbor and friend for any corrupt purpose.

This is a political fight upon Mr. McNinch, pure and simple. It is made by my friends, whom I love, because they think we are voting that he is a Democrat. There is not one of them who themselves would vote that he was a Republican if they really understood the issue. There is some difference about it, but I know they are my friends. However, I want to say, in all sincerity, that this is a serious matter from the standpoint of justice to a good and able man, and also from a party standpoint. All the other questions will be overlooked. Down in my section of the country the question will be that the Democracy of this country holds that a Democrat who scratches his ticket twice is a Republican. If that be so, North Carolina is Republican by 100,000 majority; and there are few States in this Union where a majority of the members of both parties at times have not scratched their tickets.

I am a party Democrat. I am going to cooperate with my party here just as far as my conscience will let me, and I hope I shall not follow them one step farther. I am a national committeeman as well as a Senator from North Carolina, and I will tell Senators that if the Democratic Party says to followers in North Carolina of Frank McNinch and the Hon. F. M. SIMMONS, notwithstanding 130,000 of them came back and helped us carry the State by an unprecedented majority, that they are Republicans, they are not acting in the interest of the party, and such action will not help the party anywhere. All of these other little things will be forgotten.

Now, as to the Raleigh Observer, I have been swapping fur, to use a vulgarism, probably unbecoming to this high place, with its editor for many years. He is looking for some opportunity to jump on me, and always has done so; but I ask him no odds before the conscience of North Carolina over whether Frank McNinch is a Republican or not. If he wants to put it to a test before the Democrats of North Carolina in a senatorial contest, I invite him forward, and promise to entertain him to the best of my ability.

He has been attacking the Dukes; he commenced it before Mr. Duke died, and although Mr. Duke is dead he can not quit it. He does not yet know that Mr. Duke is dead and has gone. He tries in the article in his newspaper to connect me with the Power Trust. My record will show, when the progressives of this body get into action, where I stand on a proper regulation and control of the power industry in this country.

However, Mr. President, Frank McNinch is a clean, honorable man, and I could not withhold my indorsement of him. I want to say furthermore that while I am a Senator upon this floor I shall take pleasure in helping confirm any North Carolinian of character and capacity for any position with which the President of this country may see fit to honor my State.

One newspaper in North Carolina said that I opposed Senator SIMMONS and was largely responsible for his defeat, and yet I was supporting McNinch or his party, not differentiating between a nonpartisan commissioner and the leadership of my party.

I want to say, in reply to that fallacious and foolish piece of smartness, that I criticized the President in the late campaign as severely as a good man ought to criticize the President of his country, because he did not recognize the South, but continued the sectional policy, as I saw it, of his party in discriminating against the South, declaring that there were many able Republicans in the South who would have even adorned his Cabinet, but he did not recognize them; that if he could not find Republicans of the caliber which he sought, he certainly could find among the Hoover Democrats who helped make him President somebody who would be competent to sit around his presidential conscience and enlighten him as to conditions and desires of the southern people. Now when he has appointed one of the ablest men in my State to a high position, I could not be guilty of hypocrisy, for political reasons, by not trying to confirm him. I am ready to vote to confirm any competent man from my State, and it would give me great pride if the President would call into his highest council another great Hoover Democrat in North Carolina, as they are called, who could serve the country with ability, and I know would serve it with fidelity.

Mr. President and Senators, it has been a source of great regret to me that I had to trespass upon the attention of this body in almost the hour of my entrance; but conditions

there made it necessary for me to do it. I could not help it. I do not want you to think that I did not desire to respect what I understand the traditions of this great body require, that I should wait a while; but this matter is a great storm down there, a political storm. Mark my words: My vote here was necessary to keep from insulting a hundred thousand of the best people in North Carolina who honor McNinch, and believe he is fit and worthy.

I hope, Senators, that we will advise the President that we consent to his confirmation.

Mr. BARKLEY. Mr. President, I hope no Senator will conclude from what I am about to say that I am in any way attempting to influence his vote upon this nomination. I am utterly indifferent, as far as I am concerned, how any Senator votes; but having made up my mind how I am going to vote, I wish the RECORD to show the reasons why I expect to cast that vote.

In the first place, I wish to say that I never heard of this man McNinch until he was appointed to this position by the President; and if I had been compelled to cast my vote upon the nomination by reason of what I heard about him from rumor before we held the hearing, I should probably have voted against him. But I heard the testimony, as a member of the Committee on Interstate Commerce, of these various appointees of the President to the Power Commission; and I am frank to say that after hearing Mr. McNinch make his statement before the committee I reached the conclusion that I would have made a mistake if I had voted against him without further knowledge.

I am not enthusiastic about Mr. McNinch any more than I am about any of the rest of these appointees, because with reference to all of them I am somewhat in the attitude of the man who was sentenced to death, and, when asked whether he preferred to be hanged or electrocuted, replied that he was not enthusiastic about either plan.

This man McNinch was not an applicant for this place. I think in all fairness we ought to state the real facts about the matter. I am not concerned about him one way or the other. I do not care whether you confirm him or reject him; but he was not an applicant for this place. It was offered to him in July, and he declined it on the ground that his circumstances were such that he did not desire to accept the place. The appointment was not filled until a couple of weeks ago, I think, two or three weeks ago, when the President again offered him the appointment; and upon reconsideration he decided to accept. So his name was sent in, and he came at the invitation of the committee, as all the other nominees did, to be examined by the committee.

Personally, I regret, as a member of the committee—and I am as guilty as anybody else—that we did not go further into his views about the question of the great power interests of the country. The reason why the committee did not do that was because the opposition to his nomination was largely political; and the committee went off after that phase of it, and did not really go into the question of his views, except more or less incidentally.

Mr. COUZENS. Mr. President, will the Senator yield?

Mr. BARKLEY. I do.

Mr. COUZENS. May I draw to the Senator's attention the fact that during the hearings of Mr. McNinch we went very intimately into his administrative ability.

Mr. BARKLEY. I am coming to that. I think it is fair that that ought to be stated.

As a member of the committee I cross-examined Mr. McNinch rather severely; not only on this phase of his activities but with reference to this report which has been the subject of comment here, which he failed to file in North Carolina. I say frankly to the Senate, as I said to him, that I think his reason for not filing that report was not sufficient. It did not satisfy me. I took the position with him that in view of the natural suspicion that would be aroused by his failure to disclose the names of these contributors, he owed it to himself to make the report.

The truth of the matter is, that was rather a hot campaign down there. I imagine everybody got mad, and Mr. McNinch may possess as much stubbornness as a good many other people, and he got the notion that they were trying to make him do something that the law did not require him to do. I think, in all frankness, he was a little stubborn and bullheaded about not making the report; but, while that is true, I do think the man made an honest effort to find out who these men were who contributed the money to Mr. Morehead and to Mr. Wood. I do not think that offers a sufficient reason for his failure to file the report, because it would have been an easy matter for him to have justified himself by filing the report and then stating that as to these items he had been unable to obtain the information which he was seeking.

Mr. WALSH of Montana. Mr. President——

Mr. BARKLEY. I yield to the Senator from Montana.

Mr. WALSH of Montana. Let me inquire what reason he had for supposing the money did not come from the persons who gave it to him? What reason had he for supposing that the amounts were contributed by some one other than Morehead and Wood?

Mr. COUZENS. Mr. President——

Mr. BARKLEY. I am not certain how that information came to him, but it did come to him. The Senator from Michigan can enlighten the Senator.

Mr. COUZENS. I think the testimony will show that the transmittal of the checks to the committee said that they were collected from miscellaneous persons.

Mr. BARKLEY. Yes; that is true.

Mr. COUZENS. He wanted to know who the miscellaneous persons were.

Mr. BARKLEY. Morehead did not send this amount to McNinch personally. He sent it in to this committee at Raleigh, and in the letter of transmittal it was stated that it represented amounts collected from various individuals whose names were not given. Later, when Mr. McNinch called upon Mr. Morehead for the list of the contributors, as has already been stated, he said that the amounts had been contributed from business men who were not interested generally in politics, and, like many business men, do not want their names identified with political campaigns, and he had accepted the contributions under the condition that he would not reveal their names.

As I say, I do not justify Mr. McNinch on that ground for not filing the report. I think he ought to have filed it; but, not having filed it, is that in itself or is that as a contribution a sufficient reason for refusing to confirm him here, unless in the contributions there is something sinister or something that would connect him in some way with an industry or an institution that would make him unfitted for this place?

In all frankness, I do not think the failure to disclose the names or the circumstances of their contribution or collection offers justification for rejecting Mr. McNinch as a nominee, in spite of the fact that I do not think his reasons were sufficient.

With reference to the names, this man Wood is a big banker in Charlotte; and the testimony shows that he has no connection with any power company, but as a banker his bank accepts the deposits of one of the Duke institutions down there. I do not know of any banker in my State who would turn down a deposit like that; and I do not know of any banker who, by reason of the acceptance of that deposit as a banker, interested in the welfare of his bank and in the dividends of his stockholders, would turn it down. I do not see how that can connect McNinch with the power company, and I do not think it does.

Mr. WALSH of Montana. Mr. President, will the Senator suffer an interruption?

Mr. BARKLEY. Yes.

Mr. WALSH of Montana. Will the Senator tell us what the fact is about the statement made in the Josephus Daniels article, as follows:

> Senator MORRISON largely put his action on the ground that he is "member of the Presbyterian church of which McNinch is an elder. Denied McNinch vote had any connection with power interests except through me, I being a heavy stockholder in the Duke Power Co., which is almost a religious and benevolent organization."

Mr. BARKLEY. I imagine that the Senator from North Carolina could explain that better than I can; but my understanding of what he meant was that they lived across the street from each other, and if that could be interpreted as any connection, simply as a neighbor and friend, that was the only connection he had. I do not understand that it represented any business connection.

Mr. WALSH of Montana. Are we to understand that the junior Senator from North Carolina testified that he was himself a large stockholder in the Duke Power Co.?

Mr. BARKLEY. He did testify that his wife is; yes. I think the Senator frankly says that his wife is a stockholder; but I will say further that I do not think the editorial referred to in the Raleigh Observer correctly quotes the Senator from North Carolina.

Mr. BROOKHART. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Kentucky yield to the Senator from Iowa?

Mr. BARKLEY. Just a moment.

So I do not think the testimony by any fair inference can connect this man with any power industry or the Duke interests; but he has held office down there, and I think his conduct as an officer at least is a fair indication of how he may feel in an official capacity about power.

Charlotte—all North Carolina, so far as that is concerned—is a large headquarters of power activities. We know that the State of North Carolina has been one of the pioneers in the development of water power and hydroelectric power. I imagine it would be difficult to find any large business man or any eminent lawyer in the State who at one time or another had not had some professional or business connection with somebody interested in a public utility; but it so happens——

Mr. MORRISON. Mr. President——

Mr. BARKLEY. It so happens, according to the testimony, that this particular man, although one of the ablest lawyers in the city of Charlotte and at one time a member of one of the largest law firms there, has never even represented them in a lawsuit in the courts of North Carolina. He was, however, elected mayor of the city of Charlotte, and on three occasions he did have occasion to deal with this question as an official, and those three occasions were when the Southern Power Co. and the Southern Public Utilities Corporation and the Bell Telephone Co., two of which are owned by the Duke interests, undertook to raise electric-light rates and gas rates and telephone rates in the city of Charlotte. On all three of those occasions this man, as mayor, fought them, not only in the city council, in the local legislative branch of their city government, but he fought them through the highest courts and even went to New York and employed an expert to come down there and make a survey of their conditions in the city of Charlotte, and, based upon the report of that expert, fought these interests through the courts of that State in opposition to the increase in the light and gas and telephone rates in the city of Charlotte.

In his testimony before the committee he said that not only did he do that as mayor of the city but he did it in conformity with his own personal views on the subject. So I think, in all fairness, that the effort to connect this man with any power interest has collapsed. In my judgment, it has collapsed.

Now, what about the political phases of it?

Mr. MORRISON. Mr. President——

Mr. BARKLEY. I yield to the Senator from North Carolina.

Mr. MORRISON. I understood that the Senator from Montana asked about me. I never said that I owned a lot of stock; but, in justice, and that the Senate committee might understand all about it, I said that my wife owned some stock in the Duke Co.—not a large amount, though substantial—and that I thought they ought to know it, and that Mr. McNinch had no friends even among anybody connected with it, except that he and I were neighbors and friends, and I had this stock; that is all.

Mr. BARKLEY. That is the way I understood the reference of the Senator, and I think the committee understood that; but if the Duke interests in North Carolina were the crookedest aggregation of men that ever got together in any business enterprise, unless it can be shown that this man has been in some way connected with them, it certainly has no bearing upon his qualifications.

Now, as to the political phases of this nomination. We all feel more or less embarrassment in reference to any fight that is made on a man because of his political record. I think I have the right to speak on that subject, because in the convention which met in the city of Houston, which nominated Governor Smith, I seconded his nomination as a delegate from the State of Kentucky. I was his campaign manager in the November election which followed, for the State of Kentucky. While I was in the city of San Francisco on vacation I was called up over the telephone from the city of New York by long-distance telephone and asked to take a place on the executive committee of the campaign in 1928, to come to New York, and sit in a quiet and safe place in the General Motors Building, to help run the campaign in behalf of Governor Smith. I accepted that invitation and agreed to go. And I was preparing to join the committee in New York to help conduct the campaign. But within a few days after that the State committee in the State of Kentucky met, and, without my knowledge or consent, and without ever notifying me about it, appointed me as the campaign manager for Governor Smith in the State of Kentucky. I did not thereafter go to New York to occupy a safe place far from the scene of battle, where probably I would have been subject to no criticism. I went directly to my State of Kentucky and assumed charge of the campaign in the State in favor of Governor Smith. Not only did I do it in headquarters, but almost every day I worked in headquarters until late in the afternoon, then frequently rode by motor 75 to 125 miles to make a speech in his behalf and back to headquarters before retiring for the night. I did that for two months. I never apologized for it and would do it again under the same circumstances. So I think I am qualified to speak as a Democrat who supported, to the extent of his ability, the candidacy of Governor Smith. I worked harder for his election than I ever worked for my own election in any campaign in which I ever engaged in the State of Kentucky.

The result of that campaign was that the State, normally Democratic, went for Mr. Hoover by 178,060 majority, and I say frankly, on account of the bitterness of that campaign, that if I had been a candidate the next day for any office in the State of Kentucky I could not have been elected, and I am not certain yet that I can be. But for two years in the State of Kentucky, ever since that campaign, I have been seeking to harmonize all the elements of the Democratic Party in Kentucky, regardless of how they ever voted in the past, and so has every other Democrat who has had any sense of responsibility.

We have a law in the State of Kentucky, which has been on the statute books for 16 years, which provides that if any man in any political party in any general election votes against any candidates of his party, he can not vote in the next primary election held by that party. I went before the State Democratic committee in Kentucky and made a speech, and not only went before that committee but elsewhere in the State of Kentucky, urging every election officer in the State of Kentucky to ignore that statute, not to bar any Democrat because of the way he had voted in the campaign in 1928 or any other campaign.

No question was raised in the next primary as to how any man had voted. We had county elections all over the State. We elected a State legislature, and, by reason of our efforts at party harmony, we were able to elect a Democratic legislature by a majority of 2 to 1, and we elected our party tickets all over the State, and, by the same process, we have been able to send to this body two Democratic United States Senators to succeed a Republican.

In every campaign we make we go out and urge Republicans to vote for us, but if now and then they do it, we do

not say that they are for that reason Democrats. Out in the State of Illinois on the 4th of November, I imagine that anywhere from 500,000 to 750,000 Republicans voted for Senator James Hamilton Lewis against the Republican nominee. Oh, we thought that was a wonderful thing to get all those Republicans to vote for the Democratic candidate. But I ask any Democrat if he regrets the fact that that many Republicans in that State voted for the Democratic candidate. They still believe they are Republicans, and I dare say that the junior Senator from Illinois [Mr. GLENN], who this morning severely castigated the Senator from Nebraska because of his political record, will not go back into Illinois and tell those 500,000 Republicans that they are not Republicans.

Why not be frank about this? Why boast of a Democratic accomplishment if we can persuade some Republicans to vote for us when we are running for office, but say it is a sin against the Holy Ghost if a Democrat now and then strays off and votes for some Republican. I am not willing to occupy any such position, as far as I am concerned.

Aside from that, however—and I do not contend that one bad example justifies another, but the Republican Presidents have not been the only Presidents who have violated the so-called rule of propriety with reference to appointing weak-kneed members from the minority party to bi-partisan commissions.

There is no man whose memory I worship more profoundly than I do the memory of Woodrow Wilson, but I recall that in the campaign of 1916 the Hon. Victor Murdock, of the State of Kansas, voted for President Wilson against Charles Evans Hughes, and thereafter President Wilson appointed Mr. Murdock as a member of the Federal Trade Commission, and no Democratic Senator then raised a question of its propriety or voted to reject Mr. Murdock because he did not represent the outstanding element of the Republican Party.

Mr. William Kent, of California, was a Republican Representative in Congress, who, according to my recollection, voted with us Democrats in the passage of the Underwood tariff bill and later supported Woodrow Wilson against Charles E. Hughes in 1916. President Wilson appointed him as a minority member of the Tariff Commission. He was confirmed by the votes of Democrats in this body. You did not raise the question of party regularity against him.

We are going to have here after the 4th of March Mr. Edward Costigan, an outstanding and able citizen of the State of Colorado as a Democratic United States Senator, and we will all welcome him with open arms; but up until 1916 he had been a Republican, but in that campaign he voted for President Wilson. Thereafter Mr. Wilson appointed him as a minority member of the United States Tariff Commission, and he recently was nominated for United States Senator by the Democratic Party and is coming here as a Democratic United States Senator. We rejoice at this.

In 1893, when Grover Cleveland was inaugurated President of the United States for the second time, he appointed a man from Indiana by the name of Walter Q. Gresham, who had up to that time been a Republican but supported Cleveland in that campaign against Benjamin Harrison, and Mr. Cleveland made him Secretary of State. I do not recall that any Democrat objected to his confirmation on that account.

Mr. President, let us be consistent. Let us not take the position, after 15 or 20 years of the record of all Presidents, Democratic and Republican, where there has been no serious objection on account of the way the men voted at a previous election—let us not pick this man out, and I am not willing to pick this man out, for punishment and chastisement when we have not administered the same type of punishment to others. If the Democratic Party ever gets control of this Government again, we must appeal to men and women who have heretofore voted as Republicans. I am not willing to punish a Democrat under these circumstances for doing once or twice what we seek to persuade Republicans to do all the time.

A year or so ago the President sent here the name of former Governor Colquitt, of Texas, for membership on the Board of Arbitration and Conciliation, who, though having been a former Democratic governor of that State, stumped Texas in behalf of Mr. Hoover in 1928. But he was confirmed even without a roll call, because no Democrat on this side objected to him.

The time may come when we Democrats may become suddenly virtuous on this subject, but we have not followed this virtuous rule heretofore—and I do not think this is the time to begin, and for that reason I am going to vote for the confirmation of this nominee.

Mr. WHEELER. Mr. President, if Senators are talking about punishing some Democrat, it might be well to start in on me, because I bolted the ticket in 1924, when John W. Davis was a candidate for President. That matter was made an issue in Montana in the next campaign, the statement being that I was not a Democrat, that I had bolted the ticket, and I pleaded guilty to the charge. Notwithstanding that fact, the candidate who was running against me in Montana was defeated almost 4 to 1.

Not only that, but I have been requested to go into many States to make campaign speeches for Democrats since that time, and two years ago, when Governor Smith was a candidate for the presidency, the Democratic National Committee sent for me to come to New York, and asked me to make a campaign over Minnesota, North Dakota, South Dakota, Montana, and as much of the western country as I could. I devoted all my time up until within about 30 days of the election, neglecting my own campaign, in order to campaign for Governor Smith.

Let me remind some of the Democrats on this side, who are now thinking of voting against Mr. McNinch because he is not a Democrat, of the fact that Mr. Woodlock was nominated to be a member of the Interstate Commerce Commission. He testified before the committee, I think, that he did not vote for Woodrow Wilson. He voted for Calvin Coolidge, I know. That matter was brought to the attention of the Senate, and Mr. Woodlock was placed on the Interstate Commerce Commission with the Democratic votes on this side, and by the votes of some of the men who are now opposing McNinch for this particular position. Not only that, but in the case of Woodlock he was put upon the Interstate Commerce Commission, if you please, notwithstanding the fact that he was a director of two railroads, and notwithstanding the fact that the law provided that no man should be placed upon that commission who was a director, officer, stockholder, or bondholder of a railroad corporation. Yet Democratic votes put Mr. Woodlock upon the Interstate Commerce Commission.

I went into the Committee on Interstate Commerce, like the Senator from Kentucky [Mr. BARKLEY], prejudiced against McNinch. I had been told, it had been whispered about, that he was connected with the power interests. I sat there and listened to this man's testimony, and, as one who has had a good deal of experience in prosecuting, in examining witnesses, in trial work, I want to say that I have never in all my experience seen a man who was more frank, who was more open, and who was more honest in his answers made before the committee than Frank McNinch was. I can not find it within my conscience to vote against him because of the fact that he may be a Presbyterian elder any more than I could find it within my conscience to vote against Governor Smith because of the fact that he did not belong to the same religious faith to which I belong. I voted for Governor Smith, and if he is nominated again two years from now I will vote for him again, and I still think he would have been a better President than the Republican President in the White House at present. But I am not going to vote to punish McNinch because his conscience bothered him and he felt he could not vote for Governor Smith because he differed from him on prohibition or anything else. I am not going to vote against him because he is a Presbyterian or because he is a prohibitionist and disagrees with me upon that.

The only question in which I am interested and the only question in which I was interested in the committee was, is he connected with the power interests? I challenged those who came before that committee and who came to see me, whispering in private, as to whether or not he was connected with the power interests, and everyone of them told me that they could not bring forth one particle of testimony that he was in the slightest way connected with the power interests; that he had ever been employed by them; that he had ever received a dollar from them. On the contrary, if you please, they said he had been the poor man's attorney, and I think that Senator-elect Bailey said: "Yes; he has been a poor man's lawyer because of the fact that he could not get any of the corporations to employ him." There are some men who could have gone to work for some of the corporations who have not done so. I do not think the fact that a man is not employed by the great corporations of this country should be used disparagingly against him.

What has been the record of the man while he was in public office? He testified before the committee—and it was not controverted and nobody challenged it—that when the question of the reduction of power rates came up he went and fought for a reduction in telephone rates; he fought for a reduction in power rates; he fought to get the street-car companies to recognize the unions. As a matter of fact, he is the one man who came before the committee who has shown any inclination to be against the power interests.

Now, let me call the Senate's attention to another fact. We hear talk about fighting him on the ground that he is connected with the power interests. I never saw the man, except when he was before that committee, and I have not seen him since. I never heard of him before he was appointed by Mr. Hoover; but that is true of all these appointees. On the other hand, if you please, we find that Mr. Garsaud, for whom most of the Democrats voted in the committee, as a matter of fact owed his appointment on the dock board down in Louisiana to Mr. Hecht, who was the president of the public-service corporation, and the public-service corporation was controlled by the Electric Bond & Share Co.

Not only that, but we find that he owes his position to that man, and we find him recommending him for the position he has here to-day. We did not find these Democrats opposing Garsaud, not at all. They were not interested as to whether he was connected with power interests. They were only interested as to whether he was a Democrat or a Republican.

What is the attitude of the Democrats on the power question and where do they differ from the Republicans on that question? Will some one tell me that? That is the matter in which I am interested. What is this man's interest going to be upon the Power Commission? Is he going to be on the side of the people or on the side of the power interests? His whole public record shows, if you please, that he is the one man out of the whole group who has shown any inclination to be against the power interests and on the side of the people wherever the fight came up in that particular State. Much as I was prejudiced against him when I went into the committee, I can not find it within my conscience to oppose him and I do not propose to do so. I am going to vote for him.

I think the Democratic Party is making a serious mistake if it makes an issue out of the question as to whether this man voted for Governor Smith in the last election. If the only issue the Democratic Party has is as to whether or not somebody bolted the ticket in 1928, the Democratic Party will not survive very long. My friends, when there is unemployment in the United States, when the farmers of the country are suffering, the Democrats, flushed with victory, if you please, now want to turn around and punish somebody because he bolted Governor Smith in 1928. Flushed with victory, if the Democratic Party, because of that fact, wants to punish everybody who bolted the ticket, then I say the party will not deserve to win in the next election and will not win in the next election if that is the kind of issue that is going to be made.

Mr. GLASS. Mr. President, it does not surprise me that the Senator from Montana [Mr. WHEELER] takes the view he has just expressed.

Mr. WHEELER. I have made it quite clear that I could not do otherwise very well.

Mr. GLASS. The Senator is not proposing to punish a man because he bolted. Naturally he would take that position because he himself bolted. But I do not think that by bolting he accentuated the attachment which all of us feel for him. I do not think he increased our affection for him by bolting the Democratic ticket in the face of the election of 1924.

We have heard a good many reasons here why this nominee should not be rejected, but we have not heard a single reason why he should be confirmed. There has not been a word said, except in the nature of personal panegyrics, as to the capabilities of this man and his peculiar fitness for this highly responsible position—not one word. We are told that we should not consider the nomination from a political point of view and yet the nomination was made from a political point of view. What Senator is there on either side of the Chamber who would search himself and say in conscience that this man McNinch would have been nominated for this very responsible position had he voted the Democratic ticket in 1928?

I am not in favor of punishing anybody who, in conscience, felt that he could not vote for the Democratic nominee in 1928. My own brother felt that way and acted accordingly. I am not reproaching him nor the tens of thousands of other Democrats in the State of Virginia who felt that they must pursue that course in the election. But I am not in favor of rewarding any one of them because he did pursue that course. The sole question involved here, so far as I see it, is whether we are called upon to reward party defection.

This gentleman was not known outside of North Carolina. I venture the conjecture that he never would have been known to the President of the United States had he not left his party and made himself active in behalf of the candidacy of Mr. Hoover. So, say what you will, and I venture it will not be denied, his nomination in the last analysis is nothing in the world but the reward for party defection and we are asked to confirm that sort of thing. I shall not vote to do it.

The condition in Virginia was not and is not different from the condition in North Carolina. Tens of thousands of Virginians declined to support the nominee of the Democratic Party in 1928 and the State, for the second time since the Civil War, cast its electoral vote for the Republican candidate. Nobody in Virginia is upbraiding or reproaching those tens of thousands of Democrats for exercising their right of independence of the party. Every one of them was cordially invited to return to the party and to participate in the succeeding Democratic primary, and they accepted the invitation and they are just as good Democrats as I am. In the bitterness and tempestuous nature of that campaign they were threatening to turn me out of the Senate, but they did not even nominate a candidate against me, so that I would be very foolish and very ungrateful to undertake here or elsewhere to reproach them for their action on that occasion. But I am not in favor of rewarding any one of them for their action. Whether it be viewed from a Democratic or a Republican standpoint, the sole proposition here is whether we shall confirm this nomination as a reward for the nominee's political action. That is all there is to it.

The Senator who has just addressed us said the other day that all four of these men put together would not make one first-class man on the power commission. There is not one whit of evidence in the hearings nor, as I said, one word upon the floor, except the personal panegyrics to "the elder of my church and my neighbor," to indicate that Mr. McNinch is peculiarly fitted or fitted at all for the discharge of the duties of this honorable and responsible office.

Mr. WHEELER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Virginia yield to the Senator from Montana?

Mr. GLASS. I do.

Mr. WHEELER. I agree that there is not a man in the whole group; but the thing is simply this: If we send him

back, we can not expect to get anybody appointed by President Hoover who will have any peculiar fitness.

Mr. GLASS. At least we might get somebody nominated not as a reward for political action and solely that. We might get somebody nominated not as a reward for party defection.

Mr. McKELLAR. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Virginia yield to the Senator from Tennessee?

Mr. GLASS. I yield.

Mr. McKELLAR. I merely wish to say to the Senator from Montana that that was exactly the same argument used in the Parker case, and yet we got a splendid Supreme Court judge after Mr. Parker was defeated.

Mr. WHEELER. We might differ on that point.

Mr. BARKLEY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Virginia yield to the Senator from Kentucky?

Mr. GLASS. Certainly.

Mr. BARKLEY. There is as much evidence before the committee and as much evidence before the Senate as to this man's ability as there has been as to the other three whom we have already confirmed, and against whom nobody raised any question on account of lack of ability.

Mr. GLASS. No one has urged the objection to any one of the other three that his nomination was due solely and only to the fact that he was guilty of party defection.

Mr. BARKLEY. But if it is the Senator's statement that the sole question ought to be his qualifications, it ought to be raised as to the other three regardless of their party defection or otherwise.

Mr. GLASS. I do not undertake to say that these men are of the type the Senator from Montana [Mr. WHEELER] says they are. I do not know anything about it. With the exception of Mr. Smith, I never heard of one of them before; but here in this bitterly contested case, where if any one of the four should have been prepared to demonstrate his fitness to his friends Mr. McNinch should have been, we have no word to indicate that he is a fit nominee and that he is peculiarly capable of discharging the high functions of this very responsible position. It seems to me, in view of the fact that it was well heralded that this nominee was to be opposed, that it was incumbent upon him to justify his appointment if it could be done. It has not been done as to his fitness. So I say that with myself the sole consideration is as to whether I am willing to reward party defection and whether I would be willing to punish it or not.

Mr. SIMMONS. Mr. President, I want to make this observation. Up to this time I have not heard the qualifications of Mr. McNinch questioned. I do not think any member of the committee who heard his statement questioned his qualifications. If any of them did, they did not make it known and they have not made it known since.

Mr. GLASS. The Senator is mistaken as to that. The Senator from Montana [Mr. WHEELER] who is a member of the committee——

Mr. SIMMONS. No; he is not a member of the committee.

Mr. GLASS. Nevertheless, he said that he is a man of mediocre ability.

Mr. SIMMONS. No; he did not say that. He said that he is the best man of the group.

Mr. GLASS. He said that all of them are men of mediocre ability.

Mr. SIMMONS. Yes; he said that, but there was no question of Mr. McNinch's qualifications, as I assume there was not any question as to the qualifications of those we have already confirmed. No Senator rose here and told the Senate about the three whom we confirmed being eminently qualified and fitted, and nobody raised the question which the Senator from Virginia is now raising against the confirmation of Mr. McNinch.

Mr. President, so far as the World War is concerned, I cast scores of votes in the Senate during the eight years Wilson was in the White House in favor of the confirmation of Republicans appointed by Wilson to office because they had voted for him.

Mr. GLASS. Of course, it was the privilege of the Senator to do that.

Mr. SIMMONS. That is exactly what the Senator says President Hoover did, that he appointed this man—a Democrat—to office because he voted for him. It was a common practice, though censured by the Republicans, during Woodrow Wilson's term for the President to appoint certain Republicans who had bolted their party and voted for him.

The PRESIDENT pro tempore. The question is, Does the Senate advise and consent to the nomination?

Mr. McKELLAR, Mr. ASHURST, and Mr. SMOOT called for the yeas and nays, and they were ordered.

The legislative clerk proceeded to call the roll.

Mr. BLEASE (when his name was called). I have a pair with the Senator from Maine [Mr. GOULD]. Not knowing how he would vote, I withhold my vote.

Mr. GEORGE (when his name was called). I have a general pair with the senior Senator from Colorado [Mr. PHIPPS]. I am advised that he would vote as I expect to vote on this question, and I therefore shall vote. I vote "yea."

Mr. GLASS (when his name was called). I have general pair with the senior Senator from Connecticut [Mr. BINGHAM], and therefore withhold by vote. If permitted to vote, I should vote "nay."

Mr. HASTINGS (when his name was called). On this question I have a pair with the junior Senator from Texas [Mr. CONNALLY]. Not knowing how he would vote, I withhold my vote. If permitted to vote, I should vote "yea."

Mr. HAWES (when his name was called). I have a pair with the senior Senator from New Jersey [Mr. KEAN]. If he were present, he would vote "yea," and if I were permitted to vote, I should vote "nay."

Mr. SHEPPARD (when the name of Mr. ROBINSON of Arkansas was called). The Senator from Arkansas [Mr. ROBINSON] is paired on this vote with the Senator from Pennsylvania [Mr. REED]. If the Senator from Arkansas were permitted to vote, he would vote "nay."

Mr. WAGNER (when his name was called). Upon this vote I am paired with the junior Senator from Missouri [Mr. PATTERSON]. I transfer that pair to the junior Senator from Kentucky [Mr. WILLIAMSON] and vote "nay."

Mr. WALCOTT (when his name was called). I am paired with the Senator from Tennessee [Mr. BROCK]. Not knowing how he would vote, I transfer my pair to the Senator from West Virginia [Mr. HATFIELD] and will vote. I vote "yea."

Mr. WATSON (when his name was called). I transfer my general pair with the Senator from South Carolina [Mr. SMITH] to the Senator from Colorado [Mr. PHIPPS] and vote "yea."

The roll call was concluded.

Mr. TYDINGS. I have a general pair with the senior Senator from Rhode Island [Mr. METCALF]. Not knowing how he would vote, I withhold my vote.

Mr. ROBINSON of Indiana. I have a general pair with the junior Senator from Mississippi [Mr. STEPHENS]. In his absence I withhold my vote. If permitted to vote, I should vote "yea."

Mr. CARAWAY. My colleague [Mr. ROBINSON] is unavoidably detained. If present, he would vote "nay."

Mr. FESS. I desire to announce the following general pairs:

The Senator from Illinois [Mr. DENEEN] with the Senator from Iowa [Mr. STECK];

The Senator from Rhode Island [Mr. HEBERT] with the Senator from New York [Mr. COPELAND];

The Senator from New Jersey [Mr. MORROW] with the Senator from New Mexico [Mr. BRATTON]; and

The Senator from Vermont [Mr. DALE] with the Senator from Massachusetts [Mr. WALSH].

Mr. SHEPPARD. I desire to announce the following pairs for the evening:

The Senator from Virginia [Mr. SWANSON] with the Senator from Colorado [Mr. WATERMAN];

The Senator from Mississippi [Mr. HARRISON] with the Senator from New Hampshire [Mr. KEYES]; and

The Senator from Florida [Mr. FLETCHER] with the Senator from Oklahoma [Mr. PINE].

Mr. GEORGE. Mr. President, the Senator from Alabama [Mr. BLACK] is necessarily detained from the Senate. If present, he would vote "yea."

The result was announced—yeas 46, nays 11, as follows:

YEAS—46

Barkley	Gillett	McGill	Smoot
Blaine	Glenn	McNary	Steiwer
Borah	Goff	Morrison	Thomas, Idaho
Brookhart	Goldsborough	Moses	Thomas, Okla.
Bulkley	Hale	Norbeck	Townsend
Capper	Harris	Norris	Trammell
Carey	Heflin	Nye	Vandenberg
Couzens	Howell	Oddie	Walcott
Cutting	Johnson	Ransdell	Watson
Davis	Jones	Sheppard	Wheeler
Fess	Kendrick	Shortridge	
George	La Follette	Simmons	

NAYS—11

Ashurst	Dill	King	Wagner
Broussard	Frazier	McKellar	Walsh, Mont.
Caraway	Hayden	Pittman	

NOT VOTING—38

Bingham	Glass	Metcalf	Smith
Black	Gould	Morrow	Steck
Blease	Harrison	Patterson	Stephens
Bratton	Hastings	Phipps	Swanson
Brock	Hatfield	Pine	Tydings
Connally	Hawes	Reed	Walsh, Mass.
Copeland	Hebert	Robinson, Ark.	Waterman
Dale	Kean	Robinson, Ind.	Williamson
Deneen	Keyes	Schall	
Fletcher	McMaster	Shipstead	

The PRESIDENT pro tempore. The Senate advises and consents to the nomination, and the President will be notified.

NOMINATION OF MARCEL GARSAUD, OF LOUISIANA

The legislative clerk read the nomination of Marcel Garsaud, of Louisiana, to be a member of the Federal Power Commission for the term expiring June 22, 1932.

Mr. COUZENS. Mr. President, I desire merely to make a very short statement concerning this nominee. I should hesitate to take the time of the Senate at all except for the few remarks made by the junior Senator from Montana [Mr. WHEELER] in discussing the previous nominee. Mr. Garsaud, in my judgment, is probably the ablest technician who has been appointed to the Power Commission. The only office he has held is a municipal one in New Orleans, and, of course, he has his profession of engineering. His employments have been outside of any power-company connection. When the so-called dock board of New Orleans desired to obtain the services of an engineer, after studying the available men for the position of superintendent of docks at New Orleans, they selected Mr. Garsaud. It is true that the dock board in many cities is made up of prominent officials; and among those prominent officials in New Orleans was Mr. Hecht, who was also the head of the so-called utilities company there. However, when he was acting as a member of the dock board he was acting in the capacity of a public citizen, his company not having any connection with the dock board except it sold them light and power, as any other private utility company would sell to a municipality light and power. After Governor Long was elected, he removed Mr. Garsaud from the dock commission, because he desired, as many new governors do, to control all the patronage in the State. There was no charges ever made against Mr. Garsaud that he had ever had any connection whatsoever with any power corporation. He had performed his duties in an efficient and competent manner. Nobody found any fault with that.

Then, after he was removed from the position of superintendent of the dock board, he was employed by Tulane University to do some special work in the way of investigating certain power and engineering problems. It happened that Mr. Hecht is also a trustee of Tulane University. I submit, however, that there are many of us in the Senate who have had men indorse us whom we perhaps are not particularly glad to have as indorsers. It does not mean because one man indorses another that the latter ordinarily agrees with the views of the particular indorser.

I make these few remarks because, as I have said, from my observation and from listening to the testimony of all the nominees, I reached the conclusion that Garsaud, from an engineering standpoint, was, perhaps, the best fitted technician who could possibly be appointed on the Power Commission.

I do not desire to take up any more time of the Senate for I know my good friend the Senator from Montana [Mr. WHEELER] is going to tell us all about Mr. Garsaud's power connections, which I am quite sure do not exist.

Mr. WHEELER. Mr. President, I am not going to take very much time of the Senate; I know it is getting very late, but I am going to try to read from a statement that was made before the commission by a prominent lawyer from New Orleans, Mr. A. D. Danziger. He said:

Mr. DANZIGER. My name is A. D. Danziger. I am a practicing attorney in New Orleans, and I am here for two purposes. One is because this matter is a matter of great public interest, and is attracting a great deal of attention in our section of the country, as well as in other sections, as I am informed; and the second reason is that I was requested by Governor Long, Senator elect, to present my views to this committee.

Senator KEAN. Did Governor Long appoint you to your present job?

Mr. DANZIGER. I have not stated, Senator, that I have any present job. I have, as a matter of fact, no office of profit under the State. I have never been an officeholder, and am not now.

Senator WHEELER. Are you connected with any civic organizations down there?

Mr. DANZIGER. I was president last year of our chamber of commerce in New Orleans, and I have been president of several of the other civic organizations. I said I had never occupied any position where a salary was involved. That is correct. I am an appointee of the governor as chairman of the executive committee of the State flood control commission, and I have one or two other appointments, such as a member of the highway advisory board, but none carrying any salary.

The CHAIRMAN. Proceed.

Senator BARKLEY. Are there many people in Louisiana who work that way?

Mr. DANZIGER. We have a few. * * * At any rate, this question has attracted a great deal of attention. I suppose the gentlemen of the committee know that there is a referendum of the Chamber of Commerce of the United States, referendum No. 57, with reference to the national water-power policies. That referendum contains some reference to the United States Supreme Court's decisions on the legal principles involved that, I believe, hit some of the points that were brought up in the committee yesterday.

The primary reason why I am here, gentlemen, is this: I have read the water power act of 1920 and the amendment of 1930. I have a copy of it before me. The question as to who would administer the water power of the country in the interest of the public, it seemed to me, was a question of grave importance. Weighing the importance of that, just as we lawyers would weigh the naming of men on a jury to try the case as between the people of the country and the water-power interests, I looked rather closely into the qualifications of Mr. Garsaud, who is from New Orleans also, and I reached the conclusion that he was not the correct timber for a position of that kind, and I thought I should come up here and state to the committee why I was of that opinion.

Senator KEAN. Governor Long asked you to come up here, didn't he?

Mr. DANZIGER. I gave one of the reasons, Senator, that he had asked me, and I also gave as a reason the great interest that this subject is exciting in my part of the country.

Weighing those qualifications, in the first place, I did not know of any background of experience that Mr. Garsaud had that would qualify him on a question of as great importance, or with as many ramifications as the question of administering the water powers of the country in the interests of the public.

Mr. Garsaud came into the public notice down there in New Orleans principally at the time that he became engineer of the Orleans Levee Board. The information that reached us in making this little inquiry as to the background of Mr. Garsaud was that he had been named to that position at the request of one of the former mayors of our city

He occupied that position from 1924 to 1926, and on the next day after he left the levee board he was named as general manager of the dock board, correctly named the Board of Port Commissioners of the Port of New Orleans. We call it the dock board for short.

At that time the president of the dock board was Mr. Hecht. When Mr. Garsaud was asked yesterday what position that gentleman occupied, he said first that he was president of the dock board, and president of the Hibernia Bank. He was also at that time either president or chairman of the board of the New Orleans Public Service, which is a subsidiary of the Electric Bond & Share Co.

One of the Senators asked Mr. Garsaud whether he did not know that this gentleman was active in the New Orleans Public Service, and Mr. Garsaud's answer was that he believed he was

a member of the board. The gentleman who was president of the dock board is a very prominent member of the board. As I say, he had the office either as president or chairman of the board.

Senator WHEELER. You mean Mr. Hecht?

Mr. DANZIGER. Yes.

Senator WHEELER. He was very prominent and active in the affairs of the Public Service Corporation, which is a subsidiary of the Electric Bond & Share Co.?

Mr. DANZIGER. Yes, sir.

Senator WHEELER. Let me ask you this: Is it a fact that Mr. Garsaud has been generally recognized as being lined up absolutely with Mr. Hecht in the Public Service Corporation of New Orleans, or Louisiana, whichever it is?

Mr. DANZIGER. Senator, it is a fact that he has been aligned with Mr. Hecht. Whether he had any direct connection with the New Orleans Public Service is something that I do not know about. I do not think he did.

Senator WHEELER. I said with Mr. Hecht.

Mr. DANZIGER. But Mr. Hecht has a very active and prominent part in the New Orleans Public Service.

Senator WHEELER. And the New Orleans Public Service and Mr. Hecht are very active in politics in New Orleans, are they not?

Mr. DANZIGER. Let me separate that question, if you will, Senator? I would say that the New Orleans Public Service is the largest corporation in our city, and one of the largest in the South. While they do not openly take any active part in politics, we frequently find that there is some part being taken, and as far as Mr. Hecht is concerned, he has never held any public office with compensation, but he takes a very active interest in public affairs.

There was a good deal of testimony in the record, Mr. President, by a number of other witnesses who came here from New Orleans at their own expense, and who testified that in their opinion Mr. Garsaud should not be appointed to this position because of the fact that he was so closely identified with Mr. Hecht, the president of the Public Service Corporation of New Orleans, which in turn is owned or controlled by the Electric Bond & Share Co. After he left—after Governor Long fired him, as he said, from the dock board, as it is commonly called—he immediately went to work for Tulane University, and on Tulane University are three members of the Power Trust; and Mr. Hecht, as I recall, is one of the members of the board of trustees of Tulane University. If I am wrong about that, I hope the Senator will correct me.

Mr. BROUSSARD. Mr. President, the Senator is wrong. Mr. Hecht is not on the board of Tulane, nor is he the president of the Public Utilities.

Mr. WHEELER. Well, he is on the board of directors of the Public Service Corporation of New Orleans, which in turn is controlled by the Electric Bond & Share Co.; and Mr. Hecht, as president of that board, selected Mr. Garsaud as the head of the dock board, or as the engineer for the dock board; at least, that is the testimony that was before the committee.

Mr. BROUSSARD. Will the Senator permit me to interrupt him?

Mr. WHEELER. Yes.

Mr. BROUSSARD. The testimony is that the five members of the dock board, which is a State institution, unanimously agreed on Mr. Garsaud.

Mr. WHEELER. I shall have to correct the Senator, because of the fact that the testimony also was that Mr. Hecht was the man who selected him; and then he was confirmed, as I recall, and approved by all of the members of the dock board.

When I called attention to the fact that Mr. Garsaud had gone to work for Tulane University, somebody resented the idea or the statement or the indication that Tulane University was in any wise connected with the Public Service Corporation. The fact of the matter is, however, that for a long time one of the professors who was acting with Tulane University as publicity man was also acting as the publicity man for the power interests throughout the South; and, as the hearings of the Federal Trade Commission here in Washington will disclose, there is a long record before the Federal Trade Commission showing how the power interests of the South work, and how, as a matter of fact, one of the professors or one of the persons who was working for Tulane University was at the same time receiving a salary from the power interests for the purpose of circularizing and getting up propaganda in favor of the power interests.

Personally, I never saw Mr. Garsaud in my life until he appeared before the committee. I listened to these four or five gentlemen who appeared before them, including this lawyer who was formerly president of the chamber of commerce, who came here and protested because of the fact that, he said, "If I were selecting a jury to try a case as between the power interests on the one side and the people on the other, I could not conscientiously"—this is in substance what he said—"select Mr. Garsaud to sit upon that jury and weigh the evidence as between the two, because of his affiliations with Mr. Hecht and the power interests."

I merely submit that statement to the Members of the Senate, so that in voting for Mr. Garsaud they will know who they are voting for; and because of the record that was made there I propose, for my part, to vote against him. I want to say also that the RECORD shows that Mr. Hecht and several other members—I may be mistaken about it, but I think others connected with the power interests—wrote letters commending Mr. Garsaud, and recommending that he be confirmed by the Senate.

Mr. RANSDELL. Mr. President, I shall detain the Senate but a very few moments.

Mr. President and Senators, there is not one scintilla of proof or evidence of any kind connecting Mr. Garsaud with the power interests. The Senator from Montana has told you about the evidence given by a New Orleans lawyer to the effect that Mr. Hecht, who is the head of one of the largest banks in New Orleans, and who at one time was president of the New Orleans Dock Board, and whose bank was supposed to have some interests with the power companies, had, in his capacity as president of the dock board, employed Mr. Garsaud.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. RANSDELL. Let me make my statement, and then I will yield. Therefore, Mr. Garsaud having been employed by Mr. Hecht, and Mr. Hecht having some interest in the power company, Mr. Garsaud must be a power man. That is the whole story; and instead of there being four or five people here to testify, there was this one lawyer, Mr. Danziger, and a Mr. Shushan, who is the president of the levee board in New Orleans and the man who succeeded Mr. Garsaud on the dock board.

I now yield to the Senator.

Mr. WHEELER. Let me say this to the Senator: I think he is hardly fair. Probably only two men testified. There were at least four men who came into my office. Two of them testified, and the others said that their testimony was the same as that of those who testified.

Mr. RANSDELL. Of course, I do not know what people may have told the Senator in the privacy of his office. I know the three men who testified before the committee, and that is all I know.

Senators, this man is one of the highest-grade men in the South, one of the ablest men in the South. He is a young man who, when the war broke out, volunteered, and rose to the rank of lieutenant colonel of engineers. He has gone up steadily. He started as a poor boy, raising himself by his own merit and splendid character to a high position, the highest position in the engineering world in New Orleans. He was cordially indorsed by my colleague and myself because we believed him to be eminently qualified, eminently fair-minded, eminently able, and a man of the most independent character.

I could read you here, but I will not take the time, testimony in the record from four of the biggest lawyers in my State testifying to Mr. Garsaud's splendid character and his independence. One of them, Mr. George Terriberry, said he never had the slightest connection with the power interests. One of them is Chief Justice O'Neil, of the supreme court, testifying as to the high character of this man. I have here the testimony of four of the ablest engineers in the South. One of them is Frank Coleman, president of the American Society of Civil Engineers, who says Mr. Garsaud has never had any connection with the power interests, and no man stands higher in the South or in the Nation in engineering matters than Frank Coleman.

Here is the testimony of three bankers, heads of great banks there, Mr. O'Keefe of the Whitney, Mr. Hecht of the Hibernia, and Mr. Butler of the Canal. They all testify to the high character and independence of the nominee.

I have the testimony of four of the leading business men of the city, two of the biggest real-estate men, and a splendid letter from ex-Gov. John M. Parker, of whom all of you have heard and whom many of you know personally.

Senators, there is nothing in the world against this man but innuendo, not a scintilla of proof, and I say now as one of your colleagues who has been with you for 18 years, as one who has known this nominee, that I honor him, and if there is an abler man among the five nominees, I do not know of him.

I have known this man well, and I know that he will make a splendid member of this commission. He will do justice. If he has ever had the slightest connection of any kind or sort with the power interests, I have not been able to find any evidence to that effect, and I have tried to find it, because having recommended him on my personal knowledge of him, and on what was told me by others, if I had made a mistake, I was determined to find it out and acknowledge it like a man. But I have made no mistake. This nominee is a splendid man, and Senators will make no mistake in confirming him.

Mr. BROUSSARD. Mr. President, I would like, if I can, to correct certain statements made by the Senator from Montana. One witness who testified against the confirmation of Mr. Garsaud was Mr. Danziger, and the other Mr. McKay, and the latter did not go into anything at all with reference to power.

One of the editorials read by Mr. Danziger was from the New Orleans Item, which is edited by Mr. James Thomson, and from that editorial I read two lines:

> The governor intimates a connection between Colonel Garsaud and power interests. So far as we recall Colonel Garsaud's relations with power interests, if any, are not a matter of public record.

Mr. Garsaud has testified that the only time he was employed at all where power was involved or in controversy was when he appeared as a witness against the power company.

Mr. Hecht, often referred to as being the man who selected him, was president of the State Port Commission in Louisiana, which owns all of the water front and the docks in the city of New Orleans. There were five members of that commission at the time—Mr. Hecht, Mr. E. S. Butler, Mr. E. Carrere, Mr. Theo. Grunewald, and Mr. Neal Leach. After Commander Walsh accepted a position on the Shipping Board and resigned as general manager of the dock board in New Orleans, a position which pays $15,000 a year, these five gentlemen took six months to survey the whole field in order to find the most efficient man to replace Commander Walsh, and selected Mr. Garsaud.

We vouch for him, and I know he will make a good member of this commission.

The PRESIDING OFFICER (Mr. FESS in the chair). The question is, Shall the Senate advise and consent to the nomination?

Mr. NORRIS. I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. GEORGE (when his name was called). On this vote I have a general pair with the senior Senator from Colorado [Mr. PHIPPS]. I understand that if present he would vote as I expect to vote on this nomination, and I therefore vote. I vote "yea."

Mr. HASTINGS (when his name was called). I have a pair with the junior Senator from Texas [Mr. CONNALLY]. I transfer that pair to the junior Senator from Rhode Island [Mr. HEBERT] and vote "yea."

Mr. HAWES (when his name was called). I have a pair with the senior Senator from New Jersey [Mr. KEAN]. I have been informed that if he were present he would vote "yea." I vote "yea."

Mr. ROBINSON of Indiana (when his name was called). I have a general pair with the junior Senator from Mississippi [Mr. STEPHENS]. I transfer that pair to the junior Senator from Missouri [Mr. PATTERSON] and vote "yea."

Mr. TYDINGS (when his name was called). On this vote I have a general pair with the senior Senator from Rhode Island [Mr. METCALF]. I am informed that if he were present he would vote as I shall vote, and I therefore am at liberty to vote. I vote "yea."

Mr. WAGNER (when his name was called). I have a pair with the junior Senator from Missouri [Mr. PATTERSON]. I am informed that if he were present he would vote as I intend to vote, and I therefore vote. I vote "yea."

Mr. WALCOTT (when his name was called). I have a pair with the junior Senator from Tennessee [Mr. BROCK]. Not knowing how he would vote, I transfer that pair to the junior Senator from West Virginia [Mr. HATFIELD] and vote. I vote "yea."

Mr. WATSON (when his name was called). I have a pair with the senior Senator from South Carolina [Mr. SMITH]. I transfer that pair to the senior Senator from Colorado [Mr. PHIPPS] and vote. I vote "yea."

The roll call was concluded.

Mr. HAYDEN. My colleague the senior Senator from Arizona [Mr. ASHURST] is necessarily absent. If present, he would vote "yea."

Mr. KING. I have a pair with the junior Senator from Minnesota [Mr. SCHALL].

Mr. BARKLEY. My colleague the junior Senator from Kentucky [Mr. WILLIAMSON] is unavoidably detained. I do not known how he would vote on this nomination.

Mr. GLASS. I have a general pair with the senior Senator from Connecticut [Mr. BINGHAM]. Not knowing how he would vote, I withhold my vote.

Mr. FESS. I desire to announce the following general pairs:

The Senator from New Jersey [Mr. MORROW] with the Senator from New Mexico [Mr. BRATTON];

The Senator from Illinois [Mr. DENEEN] with the Senator from Iowa [Mr. STECK];

The Senator from Vermont [Mr. DALE] with the Senator from Massachusetts [Mr. WALSH];

The Senator from Rhode Island [Mr. HEBERT] with the Senator from New York [Mr. COPELAND];

The Senator from New Hampshire [Mr. KEYES] with the Senator from Mississippi [Mr. HARRISON];

The Senator from Colorado [Mr. WATERMAN] with the Senator from Virginia [Mr. SWANSON]; and

The Senator from Oklahoma [Mr. PINE] with the Senator from Florida [Mr. FLETCHER].

Mr. CARAWAY. My colleague the senior Senator from Arkansas [Mr. ROBINSON] is absent. He has a pair with the senior Senator from Pennsylvania [Mr. REED]. If present, he would vote "yea."

The result was announced—yeas 42, nays 14, as follows:

YEAS—42

Barkley	Glenn	McNary	Thomas, Idaho
Broussard	Goff	Moses	Thomas, Okla.
Bulkley	Goldsborough	Oddie	Townsend
Capper	Hale	Pittman	Tydings
Caraway	Harris	Ransdell	Vandenberg
Carey	Hastings	Robinson, Ind.	Wagner
Couzens	Hawes	Sheppard	Walcott
Davis	Hayden	Shortridge	Walsh, Mont.
Fess	Johnson	Simmons	Watson
George	Jones	Smoot	
Gillett	Kendrick	Stelwer	

NAYS—14

Blaine	Dill	La Follette	Nye
Borah	Frazier	McGill	Wheeler
Brookhart	Heflin	McKellar	
Cutting	Howell	Norris	

NOT VOTING—39

Ashurst	Fletcher	Metcalf	Shipstead
Bingham	Glass	Morrison	Smith
Black	Gould	Morrow	Steck
Blease	Harrison	Norbeck	Stephens
Bratton	Hatfield	Patterson	Swanson
Brock	Hebert	Phipps	Trammell
Connally	Kean	Pine	Walsh, Mass.
Copeland	Keyes	Reed	Waterman
Dale	King	Robinson, Ark.	Williamson
Deneen	McMaster	Schall	

So the Senate advised and consented to the nomination of Marcel Garsaud to be a member of the Federal Power Commission.

FEDERAL FARM LOAN BOARD

The PRESIDENT pro tempore. In connection with the calendar in executive session the nomination of Floyd R. Harrison, of the District of Columbia, to be a member of the Federal Farm Loan Board has not been submitted to the Senate, nor has any action been taken upon it.

Mr. GLASS. I move that the nomination be confirmed.

Mr. HEFLIN. I understood the Chair to say that no action had been taken upon it. By whom was it reported?

The PRESIDENT pro tempore. It was a reappointment, and it has been on the calendar for some days.

Mr. GLASS. It was reported by me.

The PRESIDENT pro tempore. It was passed over from day to day. Without objection, the nomination is confirmed, and the President will be notified.

This completes the Executive Calendar.

LEGISLATIVE SESSION

Mr. JONES. Mr. President, I move that the Senate proceed to the consideration of legislative business.

The motion was agreed to; and the Senate proceeded to the consideration of legislative business.

AGRICULTURAL MARKETING

Mr. JONES. Mr. President, I ask that the Senate proceed to the consideration of the bill (H. R. 15359) making an additional appropriation to carry out the provisions of the agricultural marketing act, approved June 15, 1929.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the Senate proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That to provide an additional amount for carrying into effect the provisions of the agricultural marketing act, approved June 15, 1929 (46 Stat. 11–19), including all necessary expenditures authorized therein, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $150,000,000, which amount shall become a part of the revolving fund to be administered by the Federal Farm Board as provided in such act.

Mr. McKELLAR. Mr. President, will the Senator from Washington yield to me to make a request for unanimous consent?

Mr. JONES. I yield.

PARCEL-POST RATES

Mr. McKELLAR. Under the present law the Postmaster General, with the approval of the Interstate Commerce Commission, has the right to change rates for parcel post. He has recently signified his intention to do so. There is a bill before the Committee on Post Offices and Post Roads to repeal that provision of the law, and I have a resolution here, indorsed by a large majority of the members of the Committee on Post Offices and Post Roads, asking the Postmaster General and the Interstate Commerce Commission to postpone action on that matter until it is passed on by the Committee on Post Offices and Post Roads.

I will say that if these rates are adopted it will virtually do away, in my judgment, with the Parcel Post System. I hope that the resolution may be unanimously agreed to.

The PRESIDENT pro tempore. The Senator from Tennessee asks to submit a report from the Committee on Post Offices and Post Roads upon a poll of the committee. Is there objection?

Mr. SMOOT. That does not mean he is asking for consideration of the resolution now?

Mr. McKELLAR. Oh, yes.

Mr. SMOOT. Then I must object.

Mr. McKELLAR. If objection is made I ask unanimous consent that the proposed resolution, with the names of the members of the Committee on Post Offices and Post Roads attached to it, may be printed in the RECORD.

Mr. SMOOT. I have no objection to that.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, to which was referred the resolution (S. Res. 373) submitted by Mr. McKELLAR on the 16th instant, requesting the Postmaster General to withdraw his request for a change in certain postal rates, reported it without amendment.

The resolution (S. Res. 373) is as follows:

Whereas the postal act approved May 29, 1928, contains the following provision in section 7 thereof:

"The classification of articles mailable, as well as the weight limit, the rates of postage, zone or zones, and other conditions of mailability under this section, if the Postmaster General shall find on experience that they or any of them are such as to prevent the shipment of articles desirable, or to permanently render the cost of the service greater than the receipts of the revenue therefrom, he is hereby directed, subject to the consent of the Interstate Commerce Commission after investigation, to re-form from time to time such classifications, weight limit, rates, zone or zones, or conditions, or either, in order to promote the service to the public or to insure the receipt of revenue from such service adequate to pay the cost thereof."

And

Whereas recently the Postmaster General has called on the Interstate Commerce Commission to raise the rates established in said act under such provisions; and

Whereas it is believed that a raise of the rates submitted by the Postmaster General will greatly injure the parcel-post service and work to the advantage of the express companies: Now, therefore, be it

Resolved, That the Postmaster General be, and he is hereby, requested to withdraw his request for a change in said rates until the Congress shall pass upon the bill repealing the provision under which said rates may be changed by the approval of the Interstate Commerce Commission; and that the Interstate Commerce Commission be, and is hereby, requested to take no further steps in said rate matter until the matter is passed upon by the Congress.

The poll of the Committee on Post Offices and Post Roads is as follows:

THOMAS D. SCHALL, K. McKELLAR, P. H. DALE, L. J. FRAZIER, S. G. BRATTON, J. THOMAS HEFFLIN, PARK TRAMMELL, T. L. ODDIE, CARL HAYDEN, COLE. L. BLEASE, and GEORGE McGILL.

The PRESIDENT pro tempore. The resolution will go to the calendar under the rule.

AGRICULTURAL MARKETING

The Senate resumed the consideration of the bill (H. R. 15359) making an additional appropriation to carry out the provisions of the agricultural marketing act, approved June 15, 1929.

The PRESIDENT pro tempore. The bill is in the Senate and open to amendment.

Mr. McKELLAR. Mr. President, I offer the following amendment.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 1, after line 11, insert:

To provide for carrying into effect the provisions of the act for the relief of farmers in the drought and storm stricken areas passed by the Congress December 20, 1930, and sent to the President, including the necessary expenditures authorized therein, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $45,000,000, which amount shall be available immediately upon the signing of said relief of farmers act by the President.

The PRESIDENT pro tempore. The bill being before the Senate and open to amendment, the question is upon agreeing to the amendment offered by the Senator from Tennessee. The Senator from Washington [Mr. JONES] is recognized.

Mr. JONES. Mr. President, I made no objection to the Senator having the amendment read, though I did want to make a brief statement about the bill before any amendment might be offered.

As Senators know, we authorized the appropriation of $500,000,000 for the Federal Farm Board to carry out the marketing act. We have appropriated $250,000,000 of that $500,000,000. The House committee in its report sets out very clearly the conditions, and I desire to read just a line or two from that report.

As of December 13, 1930, the board had made commitments against the fund totaling $376,013,974.40, under which moneys had been advanced totaling $338,996,504.71. The balance in the revolving fund as of that date was $39,128,197.67, of which $37,017,465.69 was obligated by commitments approved by the board, and the free balance available for new commitments was only $2,110,731.98.

I invite especial attention to that last statement with reference to the free balance available.

The Appropriations Committee called Chairman Legge before it and he described the situation. Near the close of his testimony, after he had gone into various details with regard to the operations of the board, I asked him this question:

Mr. Legge, is it imperative that you have this $150,000,000 right away?

Mr. LEGGE. Apparently. Now, the opposition, without throwing any bricks at anybody, I will say are carrying on a very exhaustive campaign, Mr. Chairman. Here is a letter of December 15 which came into the office to-day:

"The holder of May wheat futures is confronted with a very big risk, due to the fact that while the stabilization policy may at this time have the assurance of carrying it through, yet there is nothing binding about it, and with Congress in session, and the disposition on the President's part to conserve the Treasury, something might happen by which such a continued stabilizing program might be upset, and if for any reason it were, the effect upon May wheat would be very bad."

Then I asked him this question:

What I had in mind was, do you consider it very important that we have this appropriation before the holiday season is over?

Mr. LEGGE. I think it is. We may be able to carry on, but here is what happens: This week—

I think it was yesterday we had him before the committee—

This week so far we have had a bad time because of the decline in the cotton market and the heavy variations in wheat—$9,000,000 in cold cash. Cotton had to have $6,000,000 and wheat $3,000,000 just within the current week; and, of course, as you can see from our balance sheet, we can not carry on very long if those things are to be repeated, and the only alternative would be to sell out the wheat and cotton, and, of course, that would create chaos in the market if we were forced to do that.

That briefly presents the situation that confronts us.

Mr. FESS. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Ohio?

Mr. JONES. I yield.

Mr. FESS. Has the House acted upon this measure?

Mr. JONES. Oh, yes; it is a House measure.

Mr. FESS. Then any amendment would send it to conference?

Mr. JONES. Oh, yes; any amendment would send it to conference and would delay our adjournment until next week, if we hope to pass the measure before we adjourn.

Mr. CARAWAY. Mr. President, will the Senator yield?

Mr. JONES. Certainly.

Mr. CARAWAY. That is nothing new about this particular bill. The Senator asked that same question before about other measures. It is the universal rule. Everybody knew that, did they not?

Mr. JONES. I think so. I do not think he wanted to convey the idea that this was a new proposition.

Mr. CARAWAY. Oh, yes; I think he did.

Mr. JONES. I think he merely wanted to suggest the idea.

Mr. CARAWAY. I know what he wanted to do, and the Senator from Washington knows, too.

Mr. JONES. Then why did the Senator ask about it?

Mr. CARAWAY. I was afraid the Senator from Washington did not realize it.

Mr. JONES. I may be pretty dull about these matters, but once in a while something trickles through my brain.

Mr. WHEELER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Montana?

Mr. JONES. I yield.

Mr. WHEELER. I think on yesterday or the day before we authorized an appropriation of several million dollars for the purpose of furnishing seed to the farmers, and now we are about to appropriate $150,000,000 to carry out the Farm Board plan. The primary object of their plan is to get the farmer to increase his acreage. On the one hand we are appropriating money to get the farmer to reduce his acreage, and on the other hand appropriating money to get him to increase his acreage.

Mr. JONES. I hardly understand that to be the fact, and I doubt seriously if the Senator does. Everyone knows what the situation is. Everyone knows what is necessary to be done now. If we expect the board to proceed, of course, we must provide the money. If we wanted to suspend its business, of course, we can very quickly bring about that result. We may differ, of course, as to the methods pursued by the board, as to the means it has adopted and followed to carry out the objects and purposes desired. I do not think it is for us to go into detail and tell the board how to carry on its business. We will put ourselves in a very awkward position if we do that. I think we will simply hinder the possible success which we hope may come from the board's activities.

Mr. DILL. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to his colleague?

Mr. JONES. I yield.

Mr. DILL. I want to ask the Senator how much money the Farm Board has on hand now?

Mr. JONES. According to the statement I read from the House committee's report, under date of December 13, they had available for cash demands only a little over $2,000,000.

Mr. DILL. How much have they spent altogether?

Mr. JONES. They have obligated or committed, according to the House report, $376,013,000 plus, under which moneys have been advanced totaling $338,996,000 plus. They have obligated, really, more than we have actually appropriated.

Mr. DILL. We appropriated $250,000,000 last summer.

Mr. JONES. We appropriated that much, altogether; first $150,000,000 and then $100,000,000.

Mr. DILL. How much of the $250,000,000, if the Senator knows, has been spent in speculation on the grain exchange and cotton exchange?

Mr. JONES. I do not know how much. I think Mr. Legge in his testimony told us something about it. At least he gave the different amounts at different dates, but I can not tell the Senator exactly the amount. We had the hearings yesterday afternoon.

Mr. DILL. Did the Senator find out how much of this money was being spent for $10,000-a-year men who are handling these funds through the different States?

Mr. JONES. I confess we did not go into that matter.

Mr. DILL. The Senator knows that some of these men are acting as agents for the corporation and at the same time engaging in the buying and selling of wheat for themselves.

Mr. McKELLAR. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Tennessee?

Mr. JONES. I yield.

Mr. McKELLAR. I want to say to the junior Senator from Washington [Mr. DILL] that Mr. Legge testified that Mr. Creekmore has a basic salary of $25,000 a year and, as I remember, 4 per cent on certain income or profits, which would make it amount to about $75,000 a year all told.

Mr. JONES. May I read what he said? I think the Senator is about right, but I have it right here.

Mr. McKELLAR. All right; I will be glad if the Senator will do so.

Mr. JONES. Mr. Legge said:

I think he receives a salary of $25,000, or some such figure, and some additional amount based on earnings of the cooperative. I am speaking from memory.

He represents some cooperatives, I think, down South.

Mr. McKELLAR. I think Mr. Legge changed his testimony about that. Here is what he said:

I think he has a salary of $25,000, or some such figure, and, based on the earnings, it may run up to $75,000; that is, based on the earnings of the cooperative. I think that is the maximum.

But Mr. Legge changed his testimony and, in pencil, struck out "based on earnings it may run up to $75,000," and it now appears in the printed hearings as the Senator has just read it:

I think he receives a salary of $25,000, or some such figure, and some additional amount based on earnings of the cooperative.

Mr. JONES. That is the way it is in the hearings as printed.



Mr. McKELLAR. In other words, Mr. Legge answered differently, as he did in another case which I will point out in a moment when the Senator from Washington finishes. He answers differently to the committee from what he finally puts in the printed record of the hearings.

Mr. JONES. And yet the Senator does not think there is any especial difference, does he?

Mr. McKELLAR. Oh, yes; I think that he thought that to show that Mr. Creekmore received a salary of something like $75,000 would not possibly be the best thing to do.

Mr. JONES. That may be.

Briefly, Mr. President, that is the situation: The committee took the attitude that this is work which the Congress has authorized. It is under way. We are not prepared to stop it. The only way to keep it going is to appropriate the money that is necessary. If the matter needs real investigation and the proceedings of the board need thorough investigation, I think that could be done in a separate way and by separate examination.

Mr. BROOKHART. What was the figure actually expended?

Mr. BORAH. It was $276,000,000.

Mr. BROOKHART. Was it $276,000,000 or $376,000,000?

Mr. JONES. As I read the House report, $376,013,974.40 were obligated against the fund, and moneys have been advanced totaling $338,996,508.71.

Mr. BROOKHART. We have only appropriated $250,000,000 up to date.

Mr. JONES. Yes.

Mr. BROOKHART. How did they get the remainder of the $338,000,000?

Mr. JONES. I suppose they considered the $500,000,000 we have authorized, and probably thought that Congress, of course, would appropriate the necessary money to meet the obligations of the board. I so assume.

Mr. BROOKHART. They checked on the Treasury for the additional amount, did they?

Mr. JONES. They have obligated for it, but I do not know that they have drawn any checks on the Treasury as yet. They have, however, advanced three hundred and thirty-odd million dollars.

Mr. BROOKHART. They got that from somebody.

Mr. JONES. I might say, however, that it is a revolving fund, and very likely there was some money in the fund on which the board might draw.

Mr. HOWELL. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Nebraska?

Mr. JONES. I yield.

Mr. HOWELL. Does not the fact suggest that certain sums have been borrowed upon the wheat which has been carried and added to the $250,000,000 in order to make the $338,000,000?

Mr. JONES. I do not so understand.

Mr. HOWELL. Where did they get the money over and above $250,000,000?

Mr. JONES. Possibly some of it came out of the revolving fund.

Mr. HOWELL. But the revolving fund is made up of $250,000,000.

Mr. JONES. Yes; that is true, but some of that is returning to the fund. For instance, if it is used and repaid, it goes back into the revolving fund again.

Mr. HOWELL. But there has never been more than $250,000,000 in the revolving fund.

Mr. JONES. That is right.

Mr. HOWELL. And they have expended $338,000,000, which would suggest that they have borrowed on the wheat carried the difference between $250,000,000 and the $338,000,000 and have used that money.

Mr. JONES. I do not suppose that anything of that kind has occurred.

Mr. WALSH of Montana and Mr. McKELLAR addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Washington yield; and if so, to whom?

Mr. JONES. I yield first to the Senator from Montana.

Mr. WALSH of Montana. It suggests to my mind that some of the loans made to cooperatives have been returned.

Mr. HOWELL. But the total loans can not exceed $250,000,000, because that is all that has been appropriated up to the present time.

Mr. SMOOT. Mr. President——

Mr. JONES. I yield to the Senator from Utah.

Mr. SMOOT. The figure represents, in addition to the $250,000,000, the amount of money which has been expended to purchase additional wheat.

Mr. McKELLAR. Then, do I understand that certain sums have been paid in by the cooperatives and that they have been added to the $250,000,000?

Mr. SMOOT. The figures show the total purchases that have been made.

Mr. JONES. The total business of the board.

Mr. McKELLAR. Mr. President, will the Senator from Washington yield?

Mr. JONES. I yield.

Mr. McKELLAR. I call the Senator's attention to the fact that Mr. Legge testified that there is a loss of about seventy-odd million dollars to the Government under present condition. So if we regard that as an obligation, the expenditures have gone a good deal over $250,000,000.

Mr. JONES. Mr. Legge also testified that the loss is an uncertain quantity, depending upon the rise and fall in the price of wheat. I think he estimates that the possible loss on wheat under present conditions, if they had to close up, would probably be only about $30,000,000, but, of course, if the price of wheat should go up, they would get more for it, and the loss would be less, whereas if the price should go down the loss would be greater. As to the general effect of the action of the board, he said he thinks that had been decidedly beneficial. He thinks that the price of wheat would have gone lower had it not been for the action of the board. Of course, that is a matter of opinion.

I wish to say, Mr. President, that Mr. Legge impressed me—it was the first time I ever saw him—as a very conservative man. He made his replies in a very conservative way. He recognizes, I think, the situation, what the board is up against, what may result, and what may not result. He does not make any wild prophecies or prognostications as to what the outcome may be, but he impressed me as a business man who is carrying this work on in the very best way that he possibly can, and seeking to bring out of it the best possible result to the Government and to the people.

Mr. McKELLAR. Mr. President, the Senator from Washington referred to Mr. Legge's testimony, where he said that the loss would be less if the market went up, and that the loss would be greater if it went down. To my mind, that is the vice of the whole proceeding. What the board is doing is gambling in cotton and in wheat on the future market. Of course, if the price goes up the Government wins, and if the price goes down the Government loses. I repeat, that is the vice of this whole situation. I do not believe it is proper to appropriate the people's money to any board to enable it to gamble in wheat or cotton.

Mr. SMOOT. Then, Mr. President, the Senator should not have voted for the original legislation.

Mr. McKELLAR. If the Senator from Washington will pardon me further, Mr. Legge himself stated in answer to a question by me that when the board first started out it bought only the actual product, but it had not been in business long before it found everybody else gambling on the market—that was the substance of what he said, everybody was dealing in the future market—and the board felt that it had to do the same thing. So there is an entirely different program being carried on now from what was anticipated when the bill was passed.

Mr. JONES. Mr. President, I think it will be concluded from the testimony of Mr. Legge that he has tried to handle this activity in a businesslike way, to the best interest of the people of this country. I want to say that, so far as I am concerned, I know nothing about stock futures or stock speculations and all that sort of thing. The Senator from

Tennessee and other Senators may be thoroughly familiar with that system of business, but I confess I know nothing about it. However, I want to read what Mr. Legge said with reference to a suggestion which, as I understand, was embodied in an amendment submitted by and printed at the request of the Senator from Alabama [Mr. BLACK].

Senator MCKELLAR. Do you not think it would benefit the cotton market a great deal more to buy actual cotton and deal with the cotton itself rather than to buy in the future market?

That same question, of course, would apply to wheat. As I understand, that is what is meant by "futures" when they are referred to. Mr. Legge answered that question as follows:

We started our operations wholly on that basis, Senator; but the facts are that this system of trading in the future markets is so thoroughly established that we found it more practicable. We do both.

Of course, if they had not done that and had lost a lot of money, I would expect to hear loud condemnation on this floor because of such action.

We buy actual spot cotton and also futures, whichever is cheapest. To illustrate that in wheat, these wheat futures which we have recently purchased on the stabilization account will result in wheat being delivered to-day at 2½ to 4 cents a bushel less than it cost to buy the wheat and to have carried it in the warehouse until the futures were delivered. The futures were cheaper in that way.

That is the answer of a business man, a man who, I suppose, was thoroughly familiar with the system before he came into the service of the Government and, of course, is familiar with it since he has been in its service. I was impressed by the idea that Chairman Legge was doing the very best he feels can be done, from his business experience and his business knowledge, to work out the situation in the very best possible way for the Government and for the interests that are involved.

Mr. TYDINGS. Mr. President——

Mr. BLAINE. Mr. President, will the Senator yield for a question?

The PRESIDENT pro tempore. To whom does the Senator from Washington yield?

Mr. JONES. I yield to the Senator from Wisconsin, who desires to ask me a question, although I may not be able to answer it.

Mr. BLAINE. I should like to have some information. I want to inquire how much of the $250,000,000 appropriation made by Congress was used for dealing in futures in any commodity?

Mr. JONES. I do not know.

Mr. BLAINE. Does the Senator know how much of that fund was used in marginal transactions?

Mr. JONES. I do not.

Mr. BLAINE. Does not the Senator think, then, that Congress ought to be advised with respect to the administration of the law before it takes another step and grants another appropriation?

Mr. JONES. No; Congress took the vital step when it authorized the appropriation of $500,000,000 and provided for the Federal Farm Board and put it into operation. If we want to go into the details of the operations of the board, and all that sort of thing, I think that should be done independently of making the necessary appropriations to enable the board to carry on. If we do not give the board this money it will stop its operations; but if we give it the money, that will not prevent us in another investigation from going into the details of its operations; and that is the way I myself think it should be carried on.

Mr. BLAINE. If the Senator will yield for just one other question——

Mr. JONES. I yield.

Mr. BLAINE. Has the board engaged in marginal transactions in any commodity?

Mr. JONES. As I said, I know nothing about marginal and future operations, but I gather from what Mr. Legge said they have engaged in futures. I assume that they have used the regular business methods in their work, and possibly they have engaged in marginal transactions; but I do not know.

Mr. SMOOT, Mr. BORAH, Mr. TYDINGS, and Mr. KING addressed the Chair.

The PRESIDENT pro tempore. To whom does the Senator yield? The Chair intends to have some kind of order in this colloquy. The Senator from Washington has the floor, and here are four Senators asking him to yield to them. To whom does the Senator yield?

Mr. JONES. I yield to the Senator from Utah [Mr. SMOOT], who is more familiar with matters of this kind than I am, and he will give an answer to the Senator from Wisconsin.

Mr. SMOOT. I want to say to the Senator from Wisconsin that unless the board did deal in futures it would be absolutely impossible to regulate the market even with the amount that they have expended, or to hold the market as high as it has been held. They could not do it in any other way. If they are going to hold the market up now they have got to have more money in order that they may purchase the grain whenever there is a depression in the market, and keep up the price. The Senate ought to have known that, and I think it did know it when it authorized the appropriation.

Mr. BORAH. Mr. President——

Mr. MCKELLAR. Mr. President, will the Senator yield to me to reply?

The PRESIDENT pro tempore. To whom does the Senator from Washington yield?

Mr. JONES. I think I shall yield the floor to the Senator from Idaho.

Mr. TYDINGS. Mr. President——

The PRESIDENT pro tempore. The Senator from Idaho has the floor.

Mr. BORAH. Mr. President, we met this morning at 11 o'clock; it is now 9.30 p. m., and the Senator from Washington is proposing, at this late hour, when we are in haste to get away, to appropriate $150,000,000. That would be a scandal in any body except the Senate of the United States.

Mr. JONES. Let me say to the Senator that I have been advised that the House passed this bill in five minutes.

Mr. BORAH. I am not called upon to defend the House.

Mr. JONES. Neither am I, so far as that is concerned.

Mr. BORAH. Mr. President, when, on yesterday, I asked that this bill go over, I was hopeful that we would have some real explanation of what the board proposes to accomplish by the additional expenditure of $150,000,000. They have had appropriated now $250,000,000; if we appropriate the amount now proposed the total will be $400,000,000, and they are asking for another $100,000,000 in the independent offices appropriation bill, which will make a total of $500,000,000. The question is, Where have we arrived?

Last spring they undertook to peg the price of wheat, as the saying is, at $1.10; and after buying some 69,000,000 bushels of wheat they ceased operations along that line. Why they ceased is not explained anywhere, and I do not think it ever will be explained to the public.

Mr. SMOOT. The price went down, Mr. President.

Mr. BORAH. Yes; exactly. When the price immediately began to fall they permitted the operations to go in their natural course, until a short time ago they again undertook to peg the price; and now they say that it is absolutely necessary to have this $150,000,000 in order to hold the price where it is now.

I want to call attention to the price at which they are now pegging wheat for the benefit of the farmer. I read from a telegram to me:

Average price paid to farmers for wheat on prairie during last 10 days, 43 cents per bushel, base No. 1 white bulk; 3 cents more per bushel for sacked wheat; cost of sack to farmer, 11 cents each.

Mr. WATSON. Where?

Mr. BORAH. That is in Lewiston, Idaho.

Nez Perce business men buying warehouse wheat $9 ton for fuel in place of coal $16.50 ton and wood $10 ton. Grain quoted there 36 cents bushel, less dockage and warehouse charges. Relative price per hundred as fuel gives at Nez Perce 82½, wheat 45.

Another telegram from Lewiston says:

Average price of wheat, 40 cents.

Mr. President, it would be interesting to me to know why the board centered upon the effort to stabilize the price of wheat at $1 and $1.10, and immediately ceased operations, and did not undertake again to deal with the matter until wheat had reached a price where it is impossible for the farmer to live under the price. It may mean that they are now holding wheat, as they say, 20 cents above the Liverpool price; but the thing I have been unable to understand is why the same heroic effort was not made to maintain the price of wheat at a time when the price was reasonable, and one under which the farmer could possibly thrive. At the present price obviously the farmer must be destroyed, even if the price is maintained at the present figure. If the Senator from Utah can tell me why it was that they centered upon stabilization last spring, and discontinued it the day after Julius Barnes reached the city of Washington, I should like to know his explanation.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Utah?

Mr. BORAH. I do.

Mr. SMOOT. I know nothing about Julius Barnes in connection with this matter. I do know that the board undertook to stabilize the price of wheat. They did everything they could with the amount of money that was appropriated. The offer of wheat was such, not only in this country but in every country in which wheat is grown, that the demand could not take it. When the demand was not sufficient to take the amount that was offered on the market the price began to decline.

The board held that price as long as they could possibly hold it. If we had appropriated a billion dollars for this purpose, Mr. President, I doubt very much whether they could have maintained the price at the figure that they undertook to do in the beginning.

Mr. BORAH. Why did they enter upon stabilizing it at that price if it was apparent that they could not do so with a billion dollars?

Mr. SMOOT. I do not know that anybody thought it was apparent at that time; but the offers of wheat now, not only from Russia but from other countries and this country, have developed the fact that there is more wheat than can possibly be consumed; and whenever that condition arises there is some one that wants to sell. There is somebody that forces wheat upon the market; and as they force it on the market, if there is not a purchaser there for it, the price of wheat declines, just the same as the price of every other commodity.

The Farm Board has tried to maintain the price. They have spent the $348,000,000 that they paid out. They have obligated themselves for $376,000,000. They are asking now for $150,000,000 more, so that they can maintain this policy, and keep the price as high as possible.

Mr. BORAH. Does the Senator think that with $150,000,000 they can maintain the price of wheat?

Mr. SMOOT. I do not know. I have my doubts whether they can. They can at least maintain the price a little longer; but it all depends upon what the surplus of wheat in this country and the world may be.

Mr. BORAH. In other words, there is no assurance that we are doing anything except postponing the day of wrath?

Mr. SMOOT. That may be the case, as far as the Government is concerned; but as far as the farmer is concerned, if he is getting a higher price, he gets that benefit. It may be that the Government will lose the money; and I said in the beginning that I thought that would be the result—not the whole of it, perhaps, but a great part of it. I had not any doubt but that that would be the final result.

Mr. BORAH. What is the ultimate benefit to the farmer of pegging wheat at 43 cents a bushel?

Mr. SMOOT. That is not what we are trying to do—peg it at 43 cents a bushel.

Mr. BORAH. I know it is said that they are pegging it at 76 cents; but what it means is 43 cents to the farmer of the entire Northwest, so far as that is concerned.

Mr. SMOOT. That is true.

Mr. BORAH. But at the present price they are buying it for fuel.

Mr. SMOOT. I am perfectly aware of that. I am not saying that the price will be higher, and I can not say that they are going to make it any higher on account of the world price for wheat; and they are selling it upon the market. I said on the floor of the Senate—the Senator from Iowa [Mr. BROOKHART] will remember it very well—that I thought $500,000,000 would enable the board, or any organization that the Government might undertake, if it were a private organization, to regulate at least the price of wheat; but the product was more than we anticipated. The yield has been greater than was ever thought possible; and of course they have not been able to maintain the price that they thought they would maintain in the beginning.

Mr. THOMAS of Idaho. Mr. President——

The PRESIDENT pro tempore. The senior Senator from Idaho has the floor; to whom does he yield?

Mr. BORAH. I yield to my colleague.

Mr. THOMAS of Idaho. I merely want to call the attention of the Senator from Utah to the fact that they have not used the entire $500,000,000 for wheat. They have used only a little over $100,000,000 in the stabilization-of-wheat program.

Mr. BORAH. Yes; in the stabilization of wheat alone.

Mr. SMOOT. Where does the Senator say the other $276,000,000 has gone?

Mr. THOMAS of Idaho. That has been used in other products.

Mr. SMOOT. Cotton, of course, has used up the great amount.

Mr. THOMAS of Idaho. The catalogue shows a great number of different products on which they have advanced money; but wheat has taken a little over a hundred million dollars.

Mr. SMOOT. They are asking now for $150,000,000 more.

Mr. THOMAS of Idaho. But that is for everything—not for wheat alone.

Mr. SMOOT. Oh, certainly; but wheat and cotton are the items that amount to most.

Mr. BORAH. Mr. President, I want to read a few lines from Mr. Legge's testimony, to see how assuring it is. The chairman says:

> We ought to have some information so we can answer those questions.
>
> Mr. LEGGE. As to what the final outcome will be we do not know. You can not say until the final close of your operations what your gains or losses may be. That is particularly true of grain. The grain market to-day is fully 20 cents above the world parity, or what wheat would bring if it were exported. At the close of the market on Saturday, Liverpool wheat was 69⅜, while the Chicago market was 70⅛, and the transportation cost is 15½ cents. It may be that in the end the taxpayer will lose. As I say, we do not know what the outcome will be. In the meantime we are consuming 17,000,000 bushels per week.
>
> * * * * * * *
>
> The CHAIRMAN. Of course, that is dependent on world conditions, on transportation conditions, and other things. This thing is supposed to be built up on the theory that we will not sustain any considerable losses in its operation. Can you look into the future somewhat and tell us what the probability is with reference to these loans?
>
> Mr. LEGGE. It will be just anybody's guess.

Again the chairman says:

> I take it that the great inexorable law of supply and demand controls the price, and that the low price of wheat is largely due to the fact that there is more wheat in existence than there is a demand for.
>
> Mr. LEGGE. Yes, sir; absolutely. From the export standpoint, I do not see any hope for the American wheat producer in competition with the peon labor of Argentina and the practically serf labor of Russia, with their lower standards of living.
>
> The CHAIRMAN. If we have lost hope for it, what is the remedy?
>
> Mr. LEGGE. The remedy, so far as the wheat grower of America is concerned, except in instances where he can profitably use it for feeding livestock, is to reduce the production to the domestic consumption basis.

Mr. President, the sum total of the wisdom derived from this experience is that the American farmer must save himself by producing less wheat. If Mr. Legge were called upon to-night to tell the American farmer to what extent he should reduce his acreage, it would be impossible for Mr.

Legge to advise him to what extent he should go; yet the only information derived from this experience for the benefit of the wheat grower of the United States is the general statement that he must reduce his acreage. If that is all that is to come from this, we can certainly get that kind of advice cheaper than $500,000,000.

Again Mr. Legge was asked:

Mr. BYRNS. How much wheat does the Grain Stabilization Corporation have on hand?

Mr. LEGGE. It has 64,000,000 or 65,000,000 bushels of actual cash wheat in elevators and storage, and probably 60,000,000 bushels under futures contracts.

Mr. BYRNS. Has the board come to any conclusion as to what it proposes to do with that wheat?

Mr. LEGGE. A portion of that wheat is going to be required in the domestic trade before the new crop comes in but not all of it.

In other words, Mr. Legge and his compatriots are buying and piling up wheat in the sight of all the world, where all the world knows that the wheat is there, and it is bound to have its depressing effect upon the market when the new wheat does come in. So you are traveling constantly in a vicious circle. They are not proposing any way to work off this wheat, to get rid of it, but there it is piled up, as much of a depressing factor on the market as anything that can possibly be done in order to depress the market.

Mr. WATSON. Mr. President, may I ask the Senator a question?

Mr. BORAH. I yield.

Mr. WATSON. Does the Senator believe that the fact that the Farm Board has purchased and taken out of the market 116,000,000 bushels of wheat has affected the price to the American farmer?

Mr. BORAH. Possibly it has, but when they began operations wheat was a dollar a bushel, and now it is down to 43 cents, so it has not been of very great benefit.

Mr. SMOOT. Just one moment. The Senator must take into consideration the world price of wheat. The world price of wheat has fallen just as much as the price has fallen in the United States, and a little more.

Mr. BORAH. That is true; but what I am trying to get from this situation is what is going to be the ultimate result if they can not control the situation any better than they have controlled it?

Mr. SMOOT. That is one of the great questions to solve.

Mr. BORAH. I do not think it is a great question to solve. I think they have solved it. Mr. Legge says they can do nothing; that there is no hope except to reduce the acreage.

Mr. SMOOT. I rather think that is correct. It will be exactly the same as with wool. We produce more wool now than we can possibly use, and therefore wool is almost as cheap now as it ever was in the history of the United States. Why? Because the demand for wool is not sufficient to consume the amount of wool that is produced in the world.

Mr. BORAH. Mr. President, I do not desire to-night to argue that question, but I take no stock in this question of overproduction. I noticed last summer that an economic conference in Europe estimated that there were 500,000,000 bushels of wheat surplus in the world, and at the same time and in the same report, although they did not seem to recognize that it had any connection with it at all, they said there were 900,000,000 people who were hungry for bread.

Mr. SMOOT. Of course, the question of overproduction depends upon the demand. What the demand may be, what sales are possible, is the basis on which we have to figure whether there will be overproduction or underproduction.

Mr. BORAH. In other words, there is an underconsumption.

Mr. SMOOT. That states it in one way, that is true. But the world demand for wheat is what counts and what figures in the price of the wheat. We produce more wheat in this country than we can possibly consume, and therefore the price of the wheat in this country is based largely upon the overproduction, and what wheat will bring in the world market.

Mr. BORAH. The Senator is a farmer, Mr. President, and he has been in association with the Farm Board. Could the Senator give any estimate as to how much wheat the farmers should sow next year?

Mr. SMOOT. I do not know how it would be distributed.

Mr. BORAH. Does the Senator know how much they should sow?

Mr. SMOOT. I doubt very much whether it could be estimated. Every farmer is a law unto himself, necessarily so, and rightly so, and if he wants to plant wheat, there is no power on earth to prevent him from doing it.

Mr. BORAH. Let us suppose that the farmers should obey orders, and that they would sow just the amount of wheat Mr. Legge and the Senator from Utah should tell them to sow. How many acres, as compared with the acres of this year, would the Senator tell them to sow?

Mr. SMOOT. If it were possible to do so, I would say to plant the amount of wheat that would be consumed in the United States, and if that were done, of course, then we would get the advantage of the duty on wheat.

Mr. BORAH. That illustrates what I had in mind. Mr. Legge and these gentlemen are telling the farmers to sow less wheat, to have less acreage, and yet if it was to save their lives, they could not give the farmer an intelligent rule of conduct in regard to that.

Mr. SMOOT. They do know what the production was this year, and they do know what the consumption was.

Mr. BORAH. But they do not know how many chinch bugs will come along, or what drought there may be, or what Divine Providence will have to say before it is reaped.

Mr. SMOOT. That is true; nobody can say that, and it has to be an estimate.

Mr. BORAH. Of course it has to be an estimate, and if Mr. Legge were sowing the United States himself, he would not know what acreage to put in in order to feed the people of the United States next year. Yet he is going about over the country telling the farmer that his only salvation is to produce less wheat.

Mr. SMOOT. Mr. Legge does know this, and everybody else knows it, that there has been more wheat produced in the last few years than could be consumed, and that is the trouble with the situation to-day. I think Mr. Legge would say that, and that in order that there should be a smaller production, there has to be less acreage, taking for granted that the average of the two or three years past would be the average for the coming year, and in that case, if it were an average, they could say how many acres should be employed in the production of something else.

Mr. WATSON. Mr. President, I started to ask the Senator from Idaho a question or two. One was this, whether or not in his opinion the fact that 116,000,000 bushels had been taken off the market had had any appreciable effect on the price, and he said he thought it had.

Mr. BORAH. I said possibly it had.

Mr. WATSON. Wheat in Chicago is worth 20 cents plus more than in Liverpool. Has the fact that they have taken 116,000,000 bushels off the market had anything to do with that?

Mr. BORAH. Possibly it has; but the day of reckoning has to come.

Mr. WATSON. Wait a moment.

Mr. BORAH. The wheat is off the market; it is piled up in the granary. The purchasing world knows it is there, and ultimately the farmer will have to pay the bill.

Mr. WATSON. Let me ask the Senator this further question: We have 116,000,000 bushels in storage?

Mr. BORAH. Yes.

Mr. WATSON. If that were suddenly thrust into the market it would crush the price tremendously, would it not?

Mr. BORAH. I suppose it would. I am thinking of that day.

Mr. WATSON. What does the Senator propose to do with this 116,000,000 bushels? I agree with him that it is a menace. It is a menace in this respect, to my mind, that it had driven the speculator entirely out of the market. There is no speculator any more, and it is a fact that in the past the speculator has had very much to do with fixing the price. He will not speculate now; first, because wheat

here is worth 20 cents plus more than in Liverpool, the world's market; and, secondly, because if he did speculate as against the future and the price began to go up, he would always be afraid they would throw in this 116,000,000 bushels which they have and destroy him and crush the market down to a very low level. Under those conditions, what does the Senator say the board is to do with the 116,000,000 bushels?

Mr. BORAH. I do not know what the board is to do with it.

Mr. WATSON. Neither do I. I wanted the Senator's view about it.

Mr. BORAH. But what I would like to know is, what is going ultimately to happen by this continual appropriation of $150,000,000, if they are going to continue to buy wheat and tie it up where it will continue to depress the price of the farmer. It is now down to 48 or 50 cents, and not a western farmer can survive under that price.

Mr. WATSON. I agree. Suppose, however, having embarked upon this policy, they could go on and take great quantities off the market. That would raise the price, would it not?

Mr. BORAH. It would temporarily.

Mr. WATSON. And would involve hundreds of millions of dollars and store away hundreds of millions of bushels of wheat, probably. Then the Senator's answer would come. But my understanding of the whole situation is this, that through the stabilization corporation they were to attempt to stabilize the price of wheat by taking wheat off the market by actual purchase in the market with money from the Treasury, and, secondly, through the cooperative, by an intensive organization, they were to attempt to curtail production in the United States.

Of course, I can understand, as the Senator says, that it is exceedingly difficult to curtail production, because if the farmer sows 40 acres in wheat this fall he does not know how much he is going to reap next June and July, whether it will be 40 bushels to the acre or 5 bushels; but if every farmer could be induced to sow 10 per cent less than he sowed last year, they might in some way or other arrive at a curtailment of the production in that way, although that would be very uncertain, I know.

I want to ask this, and then I will sit down: What does the Senator propose shall be done to raise the price of wheat?

Mr. BORAH. I proposed last year the debenture, and the Senator voted against it.

Mr. WATSON. I proposed the equalization fee, and the Senator from Idaho voted against that.

Mr. BORAH. I did not intend that the farmer should pay for his protection when the American manufacturer was getting his for nothing.

Mr. WATSON. But the farmer was entirely willing to pay for it.

Mr. BORAH. No; he was not.

Mr. WATSON. If he could get, say 40 cents a bushel, and it would cost him but 9 or 10 cents to get it, he certainly would be willing to pay the price.

Mr. BORAH. That was the dream which was painted for the farmer. There was no assurance that it would come true, and I was opposed to putting the farmer upon an inequality with the manufacturer, and compelling the farmer to pay for his protection, while giving the manufacturer his free.

Mr. McKELLAR. Mr. President, will the Senator yield to me?

Mr. BORAH. In just a moment. I have read Mr. Legge's report, and I have read his testimony before the two committees. One can come to but one conclusion in regard to Mr. Legge's testimony, and that is that the day of disaster is simply being postponed. He gives no way of escape from the fact that we have this wheat on our hands, that we can not get rid of it, that it is there depressing the market, and ultimately the farmer will have to take care of it in a depressed price. That is the situation we are facing after these nine months of working of this board.

Mr. SMOOT. Unless he decreases his production.

Mr. BORAH. He has no means of decreasing his production. He does not know how much to decrease it. Mr. Legge does not give him any rule of conduct or any guide by which to be governed. There is nothing that seems to me so absolutely absurd as to go out and tell the farmers that they must reduce their acreage, when there is no power on earth which can assure them that they will get half the crop which is sowed.

Mr. McKELLAR. Mr. President, will the Senator yield to me now?

Mr. BORAH. I yield.

Mr. McKELLAR. In substantiation of what the Senator has just said, and to show how wrong Mr. Legge and my distinguished friend the Senator from Indiana [Mr. WATSON] and my distinguished friend the Senator from Utah [Mr. SMOOT] are in this matter of reduction of acreage, in 1914 or 1915, as I recall it, the years are immaterial, we planted 45,000,000 acres of cotton, and our crop was something like 16,000,000 bales. The next year we planted 48,000,000 acres of cotton and got only 14,000,000 bales. In other words, we produced 2,000,000 bales less on 48,000,000 acres than we produced on 45,000,000.

It depends on Divine Providence. It depends on the seasons as to what crops are going to be produced. Talk about reduction of acreage! In my judgment it is wholly without any merit whatsoever. The relation between acreage and production of cotton is in no real sense fixed.

Mr. WATSON. Mr. President, may I interrupt the Senator once more?

Mr. BORAH. I yield.

Mr. WATSON. Suppose we do not appropriate this $150,000,000 to carry out the authorization we made a year ago when we appropriated $500,000,000, and the operations of this board shall cease now because of lack of funds. Then where are we?

Mr. BORAH. I think we are where we will be in six months from now. It is postponing the day of judgment, that is all. If the Senator will tell me how we are going to get out ultimately from this situation by appropriating the $150,000,000, I will feel a great deal better; but there is no avenue of escape. Mr. Legge does not offer us any. He gives us no assurance. He takes to shelter the minute the question is asked, and says, "That is any man's guess." We are taking the $150,000,000 and appropriating it, knowing it is only a temporary relief we are getting at most, and the temporary relief is a very poor relief when under that relief every wheat farm in the Northwest would ultimately be sold. If they can not put a price on wheat different from what it is, the farmer is gone anyway.

Mr. WATSON. How can they do it unless they take larger sums from the Treasury and buy a larger number of bushels of wheat?

Mr. BORAH. They can not do it then, except temporarily.

Mr. WATSON. This is emergency legislation.

Mr. BORAH. I do not care to continue the discussion. I simply want to say, in conclusion, that in my judgment the showing that is before us means that we are simply appropriating $150,000,000 for a temporary condition. Let no farmer believe that any permanent solution of the farm problem has been found by the Farm Board. We are just as far from a solution of the farm problem as we were when we met a year ago to solve it, and we propose to go home upon the 4th day of March and stay away for a year without attempting to do anything whatever in the way of solving the farm problem, and it is conceded that it is not solved by this board.

Mr. BROOKHART. Mr. President, once upon a time I took a lesson on the question of handling wheat. I took it from the greatest administrator in handling wheat in the history of the world, Mr. Herbert Hoover himself.

Mr. KING. What about Pharaoh and Joseph?

Mr. BROOKHART. That was a long time ago. That was before history got down to figures.

About the 15th day of July, 1917, Herbert Hoover wrote a letter to President Wilson. Now, I admonish the Democrats to keep quiet, because this was when he was a good Democrat. He said that England, France, and Italy were combining together and appointing one buyer to buy all their wheat; that they had decided to offer only $1.50 a bushel for No. 1 Northern wheat at Chicago; that the farmers could not afford to produce wheat at $1.50 a bushel under the war conditions; that in the year 1916 they received $1.51, but the speculator sold it as high as $3.25, and the price of flour was fixed upon the basis of $3.25. He said the speculation must be stopped and the farmers must be given a price that would cover their cost of production and a reasonable profit on that cost of production. He suggested that a Government corporation must be organized to do these things.

President Wilson got that law passed on the 10th of August, 1916. Four days later he appointed the Farm Board. Sixteen days later the board completed its deliberations and fixed the price of wheat. Talk about price fixing! It fixed the price of wheat. There were no "ifs" or "ands" or anything else about it. It fixed the price of wheat at $2.20 for No. 1 Northern wheat at Chicago, raising the European bid at Chicago 70 cents.

Mr. Hoover then bid that price for all the wheat that was offered, not for 65,000,000 bushels or 116,000,000 bushels or any other little bite in the wheat crop but for all that was offered. The board of trade and its futures went out of business that same day and they never sold another bushel of wheat on futures during the next three years while the wheat corporation existed. They did not come back into the gambling business until two or three months after the wheat corporation was discontinued.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER (Mr. FESS in the chair). Does the Senator from Iowa yield to the Senator from Utah?

Mr. BROOKHART. I yield.

Mr. SMOOT. That is true at $2.50 a bushel, and Mr. Hoover and everybody in the world knew that under the war conditions existing at that time wheat would bring $2.50 a bushel or more. He was perfectly safe in it.

Mr. BROOKHART. I am going to tell in just a little while what everybody knows about conditions now if they will just think about them. Mr. Hoover knew that our only buyer in the world was going to bid only $1.50 a bushel. The only bidder we had under those conditions was the combined allied countries. They had agreed upon that plan and appointed one buyer. But Mr. Hoover held the wheat. He did not sell it back through the board of trade into the markets and then buy it out again. There was no gambling about it. He held it and announced to the world that he would hold it until he got his money back.

That is what is lacking in the present situation. There is no policy about it. There is nothing of the kind pronounced here. The 116,000,000 bushels of wheat stands as a menace not only to the market of the United States, but to the whole market of the world. Nobody knows what the policy is, and that condition has done more to break down the world price of wheat than any other cause in the present situation.

Congress gave Mr. Hoover $150,000,000 to buy the surplus wheat, but authorized him to borrow more if he needed it. He needed $385,000,000 more and borrowed that much more. He bought and held $535,000,000 worth of wheat alone, and held it until he got his money back. There was no gambling about it. The gamblers had gone clear out of business.

Then 1918 came along and President Wilson, who said that bread would win the war, and that we needed more bread, called upon the farmers to plant more wheat; so they sowed about 18,000,000 acres more in wheat. Then the armistice was signed after that winter wheat had been sowed, and it looked like we might not need all of this big surplus of wheat. That crop went through the winter. By the first of March the department was predicting 1,200,000,000 bushels of wheat, and 800,000,000 is about our ordinary crop. Mr. Hoover was a little bit alarmed about handling the financing of that great prospective surplus of wheat and was afraid he might not be able to get the banks to loan him enough money to do it. Then he sent Julius Barnes to Congress. He said, "Give us a thousand million dollars, one billion dollars to handle this surplus of wheat."

The Senator from Idaho [Mr. BORAH] thought the $150,000,000 was an extravagant thing, but without the slightest hesitation on the 1st of March, 1919, $1,000,000,000 was handed over to him, a whole billion dollars with which to handle the wheat alone. The season came on, but it was a short crop. They got 968,000,000 bushels instead of the 1,200,000,000 they expected. That was still more than the ordinary crop. Hoover went out of the corporation on the 31st day of May, but Barnes went on with his policy and bought 138,000,000 bushels of the 1919 crop at $2.26—6 cents more going on because the railroad rates went up. They bought all of that wheat and held it until they got their money back and turned the profit into the Treasury of the United States. They made a profit on it of $59,000,000, and that was turned into the Treasury of the United States, and Mr. Mellon sits tight on that to-day and will not even let us have it for a debenture for agriculture.

That is the only way to handle the surplus. It is of no benefit to handle it by little bites or in little pieces. Any other system than by buying the whole surplus means a menace to the whole crop. That is the way the big industrials are handling their exportable surpluses right now. I hold in my hand a case of pens. That case of pens is a part of a surplus production of 10 or 15 per cent. That surplus is not even offered in the local market. It is boxed up and sold in the foreign markets, sold for the best price they can get and usually for a less price than is obtained in the United States. United States Steel under the tariff act is doing the same thing. Aluminum is doing the same thing. Every one of the industrial surpluses is handled as Hoover handled wheat.

Let us take cotton. I want to review the cotton situation a little bit. In 1926 we had the biggest surplus of cotton in the history of the country, about 8,000,000 bales, as I recollect. Suppose we had had a farm board operating with that cotton as Hoover did with wheat. Suppose the Farm Board had fixed the price at 23 cents a pound at the principal markets. It ought to have been something like that. That is my suggested figure. Suppose the Farm Board bid that price for all the cotton that had been offered. They would have had to buy $400,000,000 to $600,000,000 worth of cotton to maintain that price. Cotton is a bigger export item than is wheat, and Hoover bought and held the lot of wheat to which I have referred. It was a small investment compared with the size of the proposition, and 1927 and 1928 would have used up that surplus cotton without the loss of a dollar. Instead of a price of 23 cents, which would have meant 17 or 18 cents out in Oklahoma, they got 6 cents and hardly got more than 10 cents a pound anywhere in the United States. It sent farmers by the thousands and tens of thousands into bankruptcy all over the Northern States. It ruined the other business of the South.

Let us turn right around and consider the situation. If they had gotten 23 cents a pound, the farmers of the South would have been prosperous, and that would have made prosperous every other business in the South. The South would have bought immensely more from the North and that would have added to the prosperity of the North and of the whole country. But instead of providing the means to handle this exportable surplus in that sensible way and in the way every other industry that is succeeding handles its exportable surplus, we turned it over to a few speculators, about 50 of them altogether, and they brought this disaster upon the South and partly upon the whole Nation as a result of that situation.

Now they come along and say that if we use this sensible way of handling the surplus we would have an overproduction. What is the history of production? The National Industrial Conference Board has reviewed that question of production in the most scientific way of anybody in all the country. What do they say about it? They say the agri-

cultural plant is in full operation in the United States now; that we are using our available soil for crops or pasture now; that all we could do would be to shift from one to the other. They say the per capita growth of the people is far greater than the growth of agricultural production can be made. That is the situation in the United States. There is no danger of an ultimate exorbitant surplus that can not be handled.

Everybody has been looking at the wheat problem as though this year and this condition are the last year and the last condition for wheat in the United States and in the world, when it is well known that there may be a shortage next year which will make wheat go to two or three dollars a bushel. Nobody can tell about it. All the Farm Board has to do to make safe upon that proposition is to announce that it will buy all of the surplus that is offered. They can certainly raise the price to the top of the 42-cent tariff, and then if they will announce that they will not sell it this year, or the next year, or any other year until they get their money back, the world will know that that policy exists and that there is enough money back of it to carry it out—although there is not, of course, and $500,000,000 is not enough to do it for all products. Knowing that it is securely financed, however, we would be in a safe condition to protect that price.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Tennessee?

Mr. BROOKHART. I yield.

Mr. McKELLAR. On that very line I asked this question yesterday of Mr. Legge, and I want to give his answer:

> Senator McKELLAR. If you will permit a suggestion, if you fixed the price at which you would sell, and you were not going to sell it until that price was reached, that would be an entirely different situation. For instance, suppose you stated publicly, and let the whole cotton trade know, that this cotton was bought, say, at an average of 14 cents, and that you were not going to sell it until the market went back to 14 cents; why would not that have the very opposite effect on the price of cotton that your present position has, which is that next August you may have to put this cotton on the market?

Here is Mr. Legge's answer, and I am going to give his answer just as he gave it to the committee and not as it was printed in the hearings after he had changed it:

> Mr. LEGGE. The best advice we can get in the cotton trade, from men like Clayton and McFadden, and all these operators, is, they all advise against making a fixed figure, because they think that would have a more depressing effect, probably, on cotton prices, whatever the figure was, than to simply leave open the question of the time that this cotton will be sold, stating that it will not be sold within that length of time.

In other words, instead of fixing a price and saying they are going to hold the 1,300,000 bales which they have taken off the market until that price is reached, they would simply hold the 1,300,000 bales as a continuing threat to the cotton market, with the result that instead of raising the price or even stabilizing the price of cotton, the Farm Board, in my judgment, has been depressing the price of cotton ever since it has been in existence.

Mr. BROOKHART. Who are these dealers? Are they the speculators and dealers from whom Chairman Legge has taken advice?

Mr. McKELLAR. As I understand it, Anderson, Clayton & Co. are probably the largest cotton dealers in the country, and next to them is McFadden.

Mr. BROOKHART. Instead of handling that surplus as Hoover did when the Democrats authorized him to do it, Mr. Legge is consulting men who are opposed to that sort of control and who would lose their business if we should establish that kind of control in the United States.

I happen to know about one other situation in relation to cotton. I know that the Soviet Government wanted to buy a large order of cotton and the Farm Board refused them credit for it, so their representative told me was the fact. At the same time the International Harvester Co. sold vast quantities of machinery to the Soviet Government on credit.

I should like to support the Farm Board; I should like to be with them all the way through, but I do not know whether they are working for the farmers or are working to break down agriculture and reduce the farmers to a condition of peasantry, where it seems they are headed at this time.

Mr. President, I do not blame Mr. Legge for not buying all of the agricultural surplus; we did not give him enough money to enable him to do it. I think the $500,000,000 would have probably bought all the surplus of cotton and of wheat, corn, and oats. There is not any surplus of corn, and the purchase of almost any quantity of corn would bring the price up to the top of the tariff; there is no doubt whatever about that. There is not much of a surplus of oats, and a very small purchase would have taken care of that surplus. Those things might have been done with the $500,000,000; but livestock and other large products would require another $500,000,000 or $600,000,000 to handle properly.

We are going to lose this $500,000,000, and it is going to do us no good. If the Farm Board had bought all the surplus and raised the prices of farm products up to where they ought to be, then we would have had some compensation, even if a loss should occur.

I wanted the debenture turned over to the Farm Board; I wanted it issued to them instead of to the ordinary exporter. That would take out of the debenture all the argument, that the farmer would not get the benefit of it, and the speculators could not prevent it going to him. The Farm Board could then afford to raise the price by the amount of the debenture, and, in addition, would have the proceeds of the debenture as a fund with which to buy and hold farm products in the way I have outlined and indicated to-night. In that way the debenture would serve a double purpose, and I believe it would do more good than the mere amount involved in it. It seems to me such would be the effect.

Suppose the Farm Board had a loss on these products, does the Treasury of the United States owe the farmers anything? What is it that brought this condition upon the farmer? It is partly, and to a considerable degree, due to the railroad law. I refer to the law that sold the railroads of the United States to the people for $18,900,000,000 when their market value was only $11,750,000,000. That railroad law not only allowed $7,000,000,000 of watered value, but prescribed a rate of return of 5¾ per cent upon that value, although the American people each year produce only 4 per cent of new wealth with all their labor, all their capital, and everything. The railroad law not only did all that, but a guaranty provision was put in the law to guarantee war-time profits for six months after the roads were turned back to their owners on the 1st of March, 1920.

It was during that same six months that the Federal Reserve Board deflated the farmers of the United States; and as soon as the railroads got the guaranty of their war-time profits they padded their accounts enormously. Operating expenses were increased $1,485,000,000 in 1920, the year of the 6-month guaranty, and they made a deficit. That would make a deficit in anything. Then we wrote checks on the Treasury of the United States for $529,000,000 in order to pay that deficit, a cash subsidy to the owners of the railroads right out of the Treasury of the United States, despite conditions which I have described.

Under that situation, where is the man who can come into the Congress and say that the Treasury of the United States does not owe something like a similar measure of relief to the farmers of the United States? I say to you, Mr. President, that if we would give—to say nothing about the $7,000,000,000 of watered value that we allowed the railroads by law—the farmers as much in proportion, considering the number of people in the farming business and the railroad business, we would give them over $3,000,000,000. If they had that much, I say to you that the interest on it forever would pay the loss on the handling of the exportable surplus of all farm products under the method which I have described.

Mr. TYDINGS. Mr. President, I shall vote against this bill and against all other measures to appropriate more money to the Farm Board. First of all, I believe that the

very name of the proposition as a "farm relief" measure is a misnomer; I do not believe it is applicable any more than putting men, women, and children at an economic disadvantage and calling it philanthropy would be an accurate characterization.

Mr. JONES. Mr. President, let me suggest to the Senator that there is nothing in the act to indicate that it is a "relief measure." It is to carry out the agricultural marketing act, approved June 15, 1929.

Mr. TYDINGS. I understand that, but nevertheless during the last campaign in 1928 I remember on many occasions hearing many distinguished Senators on the other side of the aisle—and I do not wish to be partisan; I do not wish to reduce this debate to a Republican and Democratic standpoint—but I remember hearing over and over again the words, "Put this great engineer in the White House, and, ladies and gentlemen, he will solve this farm problem." It was not stated how it was to be done; there was no plan offered; but I remember my good friend from Iowa, who has just spoken, went up to see the President, and when he left there appeared on the front pages of all the metropolitan newspapers in 4-inch headlines the words, "Brookhart is pleased with Hoover's stand on agricultural problem."

Mr. BROOKHART. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Iowa?

Mr. TYDINGS. I yield.

Mr. BROOKHART. That was at the time when Mr. Hoover gave me the record that I have described to you to-night, which is the proudest record for the farmers in the United States in all their history. I supposed that after he became the Republican President that record would be continued. I think I was warranted in that supposition, but it has not been continued.

Mr. TYDINGS. I do not mean to say that the Senator did not act in good faith.

Mr. CARAWAY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Arkansas?

Mr. TYDINGS. I should like to be allowed to finish my statement. I have not interrupted anybody and have been sitting here two hours and a half and should like to make a continuous statement.

Mr. CARAWAY. I am not asking the Senator to yield, but, rather, I desire to make a point of order. I do not think such unpleasant experiences as these gentlemen have had ought to be the subject of debate here on the floor. [Laughter.]

Mr. TYDINGS. Mr. President, I do not mean to say that the Senator from Iowa was not sincere, for I believe he was, but it taught me the lesson that I must not take his leadership on farm problems too seriously.

Mr. President, the Farm Board has bought 124,000,000 bushels of wheat. I have heard much discussion on the floor about what is going to be the final outcome. Let us assume that the price of wheat has been raised 20 cents by the purchase and taking off the market of this 124,000,000 bushels of wheat; what is going to happen when the 124,000,000 bushels are put back on the market and sold? If it added 20 cents to the purchase price when the 124,000,000 were taken off the market, by the same logic it must depress the price 20 cents when they are put back on the market. I venture to say when the farmers of Iowa ascertain that the Farm Board is commencing to unload 124,000,000 bushels of wheat, no matter what the prevailing price may be at that hour, they will protest to the Senator from Iowa and to the President of the United States, "For heaven's sake do not put this wheat on the market now." The day will never come when the farmers themselves will be willing to have the price depressed 20 cents a bushel, whether there be hard times or whether there be good times.

Mr. BROOKHART. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Iowa?

Mr. TYDINGS. I yield.

Mr. BROOKHART. I think the purchase of 116,000,000 bushels has depressed the world market more than it has raised the American market.

Mr. TYDINGS. Yes; and it has depressed the taxpayers of the country a whole lot to put up the $250,000,000 which, in my humble judgment, has been wasted. Most of it will never find its way back into the Treasury of the United States.

Mr. BROOKHART. I am not shedding any tears over the big taxpayer.

Mr. TYDINGS. I believe if you are going to hold a man up it is more in the line of honesty to get a gun and do it in that way than it is to sneak around and take it out of his pockets through the artifice of unfair taxation.

Mr. President, the whole economics of this enterprise is as askew—that is the fit word for it—as one side of an isosceles triangle is square with the other. What are we going to do if there should be five good years of wheat production? Where is the money coming from to buy the surplus of two or three or four boom years in succession? Where are we going to store the wheat when we buy it, and who is going to pay the insurance on it and keep it from moldering? Who is going to pay the rent on the warehouses it will be necessary to use? These are items that are apparently left out of consideration. The Senator from Iowa seems to assume that, as there is a surplus this year, next year there will be a lean year and the surplus can be sent back into the market.

Mr. BROOKHART. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Iowa?

Mr. TYDINGS. Yes; I yield.

Mr. BROOKHART. There has never been a time in the history of the world when five years did not use up all agricultural products, cotton, wheat, and all.

Mr. TYDINGS. Yes; and there never has been a time in the history of the world when we had such a silly farm policy to encourage overproduction, so that the surpluses can not be consumed.

Mr. BROOKHART. We have always had a larger exportable surplus than we have right now. It is getting less all the time.

Mr. TYDINGS. Ever since the Senator's visit to Candidate Hoover I view a little askance all his predictions about what will happen in the future.

Mr. President, I want to be fair also to the Farm Board. We have all been criticizing Mr. Legge and the other members of the board, and I think that is partially unjust. I think we ought to begin by criticizing ourselves. The Farm Board did not make the farm policy; we made it for them, or, rather, the administration made it and we indorsed it by enacting it into law. Because it has failed we are not men enough to stand up and take our reasonable share of the responsibility, but are protesting about Mr. Legge and the other members of the Farm Board.

Mr. BROOKHART. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Iowa?

Mr. TYDINGS. I yield.

Mr. BROOKHART. I think the Farm Board ought to have done like Julius Barnes and come to us and told us what they needed to handle this enterprise. That is what we appointed them for as experts, and they certainly neglected that duty.

Mr. TYDINGS. The way the Senator quotes statistics on all occasions I thought he was certainly the expert who could give us the last word on this great economic problem without recourse to anyone.

Mr. BROOKHART. I have told the Senator what I know about it, whether he learns anything from it or not.

Mr. DILL. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Washington?

Mr. TYDINGS. I yield.

Mr. DILL. I want to remind the Senator that a majority of the Senate did not want the farm bill; they did not take it until they were driven by the administration to take it.

Mr. TYDINGS. I appreciate that. I do not want to excuse myself, entirely, for I acknowledge now I am somewhat culpable for my share in this experiment; but I may say, by way of extenuation, that many of my colleagues on this side know I was very much opposed to the measure when it was passed, and said so, but any number of my colleagues said to me: "Well, you will be the only Member of the Senate to oppose it, and, furthermore, President Hoover ought to have his chance to put it over; give him his chance, and then if it fails it will not be your responsibility." I listened, but I am not going to plead limitations or any other excuse now. My vote was my responsibility; it was not the President's, although the scheme was his, and what the Farm Board has done is within certain elastic limitations of the law. It has carried out generally the policy which Congress declared and with the money which Congress appropriated for its use.

I am not going to blame the Farm Board altogether. There was only one thing they could do to stabilize the price of wheat, and that was to buy wheat and take it off the market, in order to decrease the supply and thereby make the available supply more comparable to the demand. That is all anybody could do. If the Senator from Iowa, whatever his scheme may be, can suggest any way by which the price of wheat can be raised without following that sound law of economics, I would be very glad to listen to his proposed plan. That is all the Farm Board did; and yet we want to know what the ultimate outcome will be.

Well, the ultimate outcome, so far as I am concerned, has already been reached. We have invested $250,000,000 unwisely, and, for my part, I am not going to vote to throw another $150,000,000 after it. We might as well take our loss of $70,000,000 or $100,000,000 or whatever it is and get back to a sound policy as soon as we can. I venture to say that if we continue to appropriate additional sums until we have $500,000,000 invested in this business, when the day comes to sell the surpluses the board has bought and taken off the market, the farmers of this country will rise in angry protest. Unless the Senate and House of Representatives or the Farm Board have plenty of courage, so great will be this protest against the sale of the surpluses that the Congress is likely to pass resolutions stating that surpluses be kept off the market. Such time limits are likely to be extended from time to time.

If these acts of the Farm Board have resulted in increasing the domestic price of wheat or cotton or corn, the day of reckoning will come when those surpluses will have to be sold back into the market; and then the price of wheat and corn and cotton will go down. What good does it do agriculture if you stabilize over a period of years the price of an agricultural commodity so that the stabilization price is below the cost of production? If it costs 10 cents a bushel to produce corn, and you stabilize the price over a period of three years at 9 cents a bushel, that stabilization does no good to the farmer. We have the country on stilts with the tariff; and, instead of recognizing our error, we are trying to rig up other elevating machinery in the rear of the seacoast to take care of the depression which is in part the economic reaction of our tariff policy.

Mr. BROOKHART. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Iowa?

Mr. TYDINGS. Yes; I yield.

Mr. BROOKHART. Does the Senator think it is all right by law to rig up the railroads, and then by law to rig up the banks and give them a Federal Reserve Board, and by law to rig up the protected industries and then the patent industries, and then by law create great corporations to combine them, and do nothing for agriculture by law? Is that his theory?

Mr. TYDINGS. I should like to answer the Senator's question, and I hope I may have his attention. May I ask the Senator first if he thinks that is right? May I ask the Senator to answer his own question "yes" or "no"?

Mr. BROOKHART. It is all past and gone. Regardless of whether it is right or wrong, it is done.

Mr. TYDINGS. Will the Senator answer his own question?

Mr. BROOKHART. It having been done, there is no way to meet it except to bring agriculture up to the level or to bring those other things down to the level of agriculture.

Mr. TYDINGS. Does the Senator think it was sound to do the things he mentioned?

Mr. BROOKHART. As an original proposition, I would not have done any of them; but that day is past and that argument is past.

Mr. TYDINGS. The Senator makes the argument—I use this only by way of illustration—that if 50 other men in his community steal it is all right for him to steal also.

Mr. BROOKHART. That sounds to me like an antiprohibition argument.

Mr. TYDINGS. That is what I am trying to do; and this time I am on the side of the prohibitionists to try to prohibit the ruthless waste of public money.

I hope there will be a record vote on this $150,000,000. We are not in the experimental stage now. We have definite acts by which we can test the probabilities of success of this Farm Board policy in the future. It will be a mighty good political document to use two years from now when the final reckoning will have to be made and the farmers have had the veil of deceit torn from their faces.

Here is our country in the throes of a great depression. We have appropriated, through many different channels, millions of dollars to take care of relief in one form or another. This is not a relief measure. The $150,000,000 which we will appropriate in this bill is not to take care of any emergency. It is to carry on what purports to be a fixed, definite policy of this Government, for all time, for the marketing of agricultural products. I say now that if this $150,000,000 appropriation passes at this session of Congress, at the next session of Congress we will be called upon to pass another bill for one hundred, two hundred, or three hundred more million dollars. We are likely to get so deep into this thing that it will result eventually in the greatest farce, the greatest failure, that any of us have seen in a long, long time.

That is all I have to say about it, Mr. President.

Several Senators addressed the Chair.

Mr. TYDINGS. I want to have just a word more. I have not yielded the floor yet. I just want to say now that I accept my full share of responsibility for having been a party to the passage of the act originally. I did not want to vote for it, but I did, and I will not plead excuse. I have seen enough of the actions of this board, however, to know that even Mr. Hoover's plan can not change the law of economics, and that if we take agricultural produce from the market and store it away and thereby raise the price we will have to put it back on the market some day and depress the price.

If we store up enough surpluses, and the farmers of this country are organized, the Senate and the House will resolve from now until doomsday telling the Farm Board not to dump their surplus upon the market now, because tottering agriculture can not stand the load.

Mr. WALCOTT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Connecticut?

Mr. TYDINGS. Yes; I yield to the Senator.

Mr. WALCOTT. I should like to ask the Senator a question in order to clear up something that seems to me ambiguous.

The report makes this statement:

As of December 13, 1930, the board had made commitments against the fund—

That is, against the $500,000,000 fund—

totaling $376,013,974.40, under which moneys have been advanced totaling $338,996,508.71.

That indicates that out of the $150,000,000 now asked for $128,000,000 have been actually pledged; so that if their request is not granted now are we not compelling the Farm Board to repudiate its obligations? I suppose these are wheat contracts. I think we ought to clear up that point before we do anything else.

Mr. TYDINGS. I have thought about that, and I believe that the Farm Board will be able to clear up that situation without an additional appropriation; and let me explain how:

For the wheat and the cotton and the other things which they have now bought and paid for they have expended money. In place of the money they have the commodities. It is my idea that after those commodities are resold again in the market a part of the original investment, at least, will come back into the fund of the Farm Board, with which it will have enough money remaining out of the $250,000,000 originally appropriated with which to discharge its obligations for its future contracts. If there should not be enough money to take care of the Government's pledged word, I, for one, would vote for a sum which at least would permit the Farm Board to keep faith with its customers, although I do not want to do that unless it is absolutely necessary.

Have I answered the Senator's question?

Mr. WALCOTT. With this exception: It seems to me that if we deny the $150,000,000, or part of it, we are denying the Farm Board a chance to create a revolving fund unless they sell a very substantial portion of their present wheat holdings, because they have contracts, as I understand, which are still obligations unpaid for to the extent of $128,000,000. In order to realize the money for that they would have to sell wheat that they now have in storage, which I should think would be a distinct disaster to the present price of wheat.

Mr. TYDINGS. I think the Senator's point is well taken there; and may I say that I believe the correct way to solve the problem which he visualizes would be, after the holidays, for testimony to be taken on that particular point, and then for a bill to be drawn which would give the Farm Board exactly enough money to carry out its future pledges, and no more.

I, for one, believe that the system is not sound, that it is bound to fail, and that the sooner we face the failure the better off we will be; and I am ready to face it now.

Several Senators addressed the Chair.

Mr. TYDINGS. I yield to the Senator from Tennessee.

Mr. McKELLAR. Mr. President, I just want to call attention to the fact that the board are selling cotton all the time. They keep an average amount of 1,300,000 bales on hand, but they are constantly selling the cotton and buying futures against it. The result is that it just leaves that 1,300,000 bales, which may be put on the market, as Mr. Legge says, next August, as a constant menace to the price of cotton.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. SMOOT. Well, Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Utah?

Mr. CAPPER. I yield.

Mr. SMOOT. The Senator must admit that the board can not go any farther in buying cotton unless they are furnished with more money than they have.

Mr. McKELLAR. Yes; but Mr. Legge says they do not intend to buy any more. They do not intend to change the condition at all. They have done all they can do, and they will not promise to hold this 1,300,000 bales, except until next August. The spinners will understand from that that all they have to do is to wait until next August, and they will get cotton at a still lower price. In other words, instead of stabilizing the price of cotton by taking the 1,300,000 bales temporarily off the market, they are constantly depressing the price; and the result has been that since the Farm Board has been in existence cotton has gone down from 18 cents to about 8½ cents.

Mr. SMOOT. I want to say that if that is the case, the Senator takes the position that all that has been done in the past by the Farm Board has been a detriment rather than a benefit.

Mr. McKELLAR. I think so. The Senator from Idaho [Mr. BORAH] said a while ago that he did not know but that some good had been done wheat. I am not enough of an expert on wheat to express an opinion about it; but, in my judgment, what the Farm Board has done for cotton has been a detriment from the very beginning, and we would have gotten an infinitely better price if it had never been in existence.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator yield?

Mr. CAPPER. I yield.

Mr. SMOOT. I do not know what they would have done, what the price of cotton would have gone to, if the amount of cotton that has been purchased by the board had been thrown upon the market over and above what is still on the market and held outside of the board.

Mr. McKELLAR. Here is the answer to that. The purchase of that amount of cotton by the board has done no good, because the board has kept it in storage, has not taken it off the market. They have just kept it there, and there is a constant threat in that great number of bales.

Mr. SMOOT. If the board had not purchased it, it would have had to be sold, and if that amount of cotton had been forced upon the market, the prices never would have been what they have been while the board was purchasing this cotton.

Mr. McKELLAR. I doubt that very much.

Mr. CAPPER. Mr. President——

Mr. BLEASE. A point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. BLEASE. The Senator from Maryland had the floor.

The PRESIDING OFFICER. The Senator from Kansas has the floor.

Mr. BLEASE. I beg the Chair's pardon; the Senator from Maryland had the floor and was speaking. He yielded the floor to the Senator from Tennessee.

The PRESIDING OFFICER. The Senator from Kansas has the floor.

Mr. BLEASE. As I understand the rule——

The PRESIDING OFFICER. The Senator from Kansas has the floor.

Mr. BLEASE. A Senator can yield only for the purpose of asking a question. The Senator from Tennessee proceeded to make a speech. The Senator from Maryland still had the floor. I want to know if a Senator can yield to whom he pleases and bar another Senator from the floor who was standing in his place, as was the Senator from Alabama, who had already been recognized by the Chair.

The PRESIDING OFFICER. A Senator can not yield the floor to some one else.

Mr. BLEASE. Very well.

The PRESIDING OFFICER. The Senator from Kansas has the floor.

Mr. BLEASE. I would like to have the Chair tell me how he got it.

The PRESIDING OFFICER. He has it in his own right, after being recognized by the Chair.

Mr. BLEASE. I would like to know how he got it by any rule of the Senate. I stick to my point of order. How did the Senator from Kansas get the floor when the Senator from Maryland yielded to the Senator from Tennessee and the Senator from Alabama was on his feet asking recognition?

The PRESIDING OFFICER. The Senator from Kansas addressed the Chair. The Chair recognized him after the Senator from Maryland took his seat.

Mr. BLEASE. The Senator from Maryland did not take his seat, because the Senator from Tennessee was still speaking.

The PRESIDING OFFICER. The Chair will ask the Senator.

Mr. BLEASE. He has gone from the Chamber.

Mr. CAPPER. Mr. President——

Mr. BLEASE. Wait a moment. I would like to have a ruling as to whether a Senator can yield to whom he pleases, and leave the Chamber.

The PRESIDING OFFICER. The Senator from Kansas has the floor.

Mr. CAPPER. Mr. President——

Mr. BLEASE. Mr. President, I rise to a point of order. The Senator from Kansas has not the floor in his own right. The Senator from Alabama was recognized.

The PRESIDING OFFICER. Does the Senator from Kansas yield?

Mr. CAPPER. I yield to the Senator from South Carolina.

Mr. BLEASE. The Senator from Alabama had been recognized by the Chair. How could the Chair change his recognition to another Senator?

The PRESIDING OFFICER. The Senator from South Carolina is out of order.

Mr. BLEASE. I know I am out of order according to the present occupant of the chair, but I am not according to parliamentary law.

Mr. CAPPER. Mr. President, when Congress passed the agricultural marketing act it gave the Federal Farm Board about the most difficult task that ever was turned over to a Government agency. The board has been criticized, and possibly some of the criticism is justified. The board no doubt has made mistakes, but I believe that Chairman Legge and the members of the Farm Board are thoroughly sympathetic with agriculture, and that they have in good faith been trying to make the best possible use of the program which was given to them by Congress. I think the board should be commended and encouraged instead of condemned; at least it should have a fair chance to go on with its program.

Before we undertake to deprive the Farm Board of the financial support it must have if it is to go ahead with the program, I think we should give serious consideration to expressions of those who are most vitally interested, such expressions, for instance, as that which comes from the American Farm Bureau Federation, adopted two weeks ago at its annual meeting at Boston. The Farm Bureau makes this appeal to Congress:

> We renew our previous pronouncement in support of and cooperation with the Federal Farm Board in its efforts to administer the agricultural marketing act. The Federal Farm Board has wisely established a number of national commodity sales agencies and correctly refuses to create more than one such agency for any one commodity. It is equally important that competitive regional agencies be not established. As necessity arises it is expected that national sales agencies will be created for other commodities.
>
> The stabilization activities of the Federal Farm Board in wheat and cotton have demonstrated the usefulness of this feature of the agricultural marketing act. However, these activities should be extended into more crops, not alone those which have great surpluses, but others which can be aided by the use of lesser portions of the revolving fund. A revolving fund of whatever amount necessary for stabilization and other activities should be made available by Congress.

Here is another appeal which I got from my own State. Mr. Thomas Bragg, an executive officer of one of the largest and most important cooperative wheat growers' associations in that State, an association which owns a large number of cooperative elevators, addresses me in these words. The letter was received this morning.

> The old-line grain elevator people are fighting the Farm Board and the producer, the latter as they always have.
>
> I am pleased, indeed, to see the local farmers' cooperative organizations, so many of them, taking stock in the Farmers' National Grain Corporation, sponsored by the Farm Board. Personally, I have been hopeful and confident from the first that a right move has been made by our Government in the interest of a far more equal opportunity for agriculture in our farm-marketing problems as compared with other industries.
>
> Sincerely yours,
>
> THOS. BRAGG.
> *Dodge City, Kans.*

There comes to my desk this morning a communication from the National Cooperative Milk Producers' Federation, informing me of the adoption of this resolution at their fourteenth annual convention, held at Des Moines, Iowa:

> *Resolved*, That we voice our appreciation of the work of the Federal Farm Board in assisting farmers to build and strengthen cooperative marketing associations, and we urge all farmers to give their utmost support to such efforts.

The president of their federation, Mr. Hartke, of Covington, Ky., is quoted as saying:

> It is to be regretted that powerful business interests are now seeking to emasculate the law by striking out the provisions of the agricultural marketing act that permit the Federal Farm Board to loan funds to farmers' cooperative marketing associations.

Mr. President, I listened to the testimony of Chairman Legge before the Committee on Appropriations in support of the pending measure and was very much impressed by his sincerity and by his earnestness. I think he is entitled to great credit for his efforts to organize the farmers and stabilize prices.

I was impressed by the information he gave the committee as to the price levels on the various markets of the world showing that, so far as major commodities are concerned, particularly as to wheat, the prices in the grain markets of the United States are now on a much higher level than the markets of any other country. He pointed out especially that the Winnipeg wheat market this week was 22 cents under the Chicago market, and that the Liverpool market is from 10 to 20 cents under the Chicago market. We should give the Farm Board credit for the higher prices in the American markets.

Since hearing Mr. Legge's testimony there has come to my attention an illuminating statement of the prices of farm products in three countries which have been competitors of the United States in world markets for many years. This statement compares the United States with Canada, with Argentina, and with Australia, as to major farm products, and in almost every instance the prices in the markets of the United States are materially above the prices in the markets of the other countries. The Farm Board and the recent tariff law are entitled to the credit for the higher prices in the American markets at this time.

These reports have been made within the last 30 days by the division of statistical and historical research of the Department of Agriculture, and I ask unanimous consent that they may be printed in the RECORD.

The PRESIDENT pro tempore. Is there objection? There being no objection, the matter was ordered to be inserted in the RECORD, as follows:

Comparative prices in Canada and the United States for October, 1930

[Division of Statistical and Historical Research]

Commodity	Unit	Canada			United States		
		Description	Market	Price	Description	Market	Price
Wheat	Bushels	No. 3 Manitoba northern	Winnipeg	$0.68	No. 1 dark northern spring	Minneapolis	$0.83
Oats [1]	do		do	.33	No. 3 white	Chicago	.36
Barley [1]	do	No. 3	do	.32	No. 2 special	Minneapolis	.54
Rye	do	No. 2	do	.37	No. 2	do	.49
Flaxseed	do		do	1.29	No. 1	do	1.80
Cattle	Hundredweight	Steers, good, over 1,050 pounds	Toronto	7.27	Steers, good, over 1,100 pounds	Chicago	10.26
Hogs		Bacon	do	11.66	Butcher, bacon and shipper, 180–200 pounds	do	9.63
Butter	Pound	Creamery, finest	Montreal	.33	92° creamery	New York	.40
Eggs	Dozen	Fresh, extras	do	.52	Fresh extras	do	.34
Wool	Pound	Western range, ⅓ blood, semi-bright.	Toronto	.15	Ohio and Pennsylvania Delaine	Boston	.31
		Eastern bright, ¼ blood	do	.17	Fleece, ¼ blood combing	do	.52

[1] September price.

Comparative market prices for specified commodities in Argentina and the United States for certain dates in November, 1930

Commodity	Date	Unit	Argentina		United States		
			Market	Price	Description	Market	Price
Wheat	Nov. 8	Bushel	Buenos Aires	$0.68	No. 2 Hard Winter	Kansas City	$0.69
Corn	do	do	do	.35	No. 3 Yellow	Chicago	.71
Oats	do	do	do	.18	No. 3 White	do	.32
Flaxseed	do	do	do	1.17	No 1	Minneapolis	1.67
Beef steers, chilled special	Week ended Nov. 8	100 pounds	do	4.90	1,100-1,300 pounds	Chicago	10.92
Hogs	do	do	do	6.47	Heavy	do	9.26
Wool, medium crossbred	Nov. 19	Pound	do	.11	56's strictly combing-grease basis.	Boston	.28

Argentina prices: Grains from Times of Argentina, dated November 10, 1930; Livestock from Review of the River Platte 69:59, November 14, 1930; Wool from cabled Reports Circular of Anglo Saxon American Bank (Ltd.), dated November 22, 1930. United States prices from records Division of Statistical and Historical Research.

Comparative market prices, specified commodities in Australia and United States for certain dates, October–November, 1930

Commodity	Date	Unit	Australia			United States		
			Description	Market	Price	Description	Market	Price
Wheat	Oct. 27	Bushel	New, bagged lots	Sydney	$0.65	No. 1 Western White, sacked	Seattle	$0.77
Do	do	do	New, bulk parcels	do	.73	No. 2 Red Winter	St. Louis	.86
Corn	do	do		Brisbane	.79	No. 3 Yellow	Chicago	.79
Oats	do	do	Feed	do	[1].42	No. 2 White	do	.36
Barley	do	do	Feed, English	do	[1].60	No. 2 Special	Minneapolis	.51
Do	do	do	Malting, English	do	[1].72	Shipping	San Francisco	1.20
Steers, beef	Oct. 30	100 pounds	Durham, prime average yearlings (about 500 pounds).	Sydney	[2]10.79	Good, 600-900 pounds	Chicago	[3]12.10
Sheep, wethers	do	do	Merino, good quality, 56 pounds	do	[4]4.49	Medium to choice yearlings, 90-110 pounds.	do	[5]5.92
Sheep, ewes	do	do	Merino, good quality, 52 pounds	do	[4]3.90	Medium to choice, 90-120 pounds	do	[5]3.22
Wool	Nov. 26	Pound	Clean, delivered Bradford, 70's warp.	do	[6].50	Scoured basis, territory, 64's, 70's, 80's, strictly combing.	Boston	.73
Do	do	do	Clean, delivered Bradford, 60's super.	do	[6].38	Scoured basis, territory, 58's, 60's, strictly combing.	do	.68
Butter	Oct. 25	do	Choicest quality	do	.36	92 score	New York	.40

[1] Average of price range.
[2] "Yard yearlings," weight about 500 pounds each, are quoted at 11/2 per head. On this basis we have calculated the price per 100 pounds.
[3] Average for week ended Nov. 1, 1930. Price, beef steers, 600-900 pounds, is used as being more nearly comparable with the available Australian quotation than our more usual 1,100-1,300 pounds.
[4] Wethers, weight 56 pounds per head, are quoted at 10/4 each, and ewes, weight 52 pounds per head, are quoted at 8/4 each. On this basis we have calculated the price per 100 pounds.
[5] The Sydney price is quoted as price delivered at Bradford. The cost of shipping wool from Australia to England is between 1 and 2 cents per pound.

Australian prices: Grains from Sydney Morning Herald, p. 11, Oct. 28, 1930; livestock from (Sydney) Country Life and Stock and Station Journal, p. 20, Oct. 21, 1930; wool from Wool Record and Textile World, Bradford, England, 38:1378, Nov. 27, 1930; butter from Prescott (Ltd.), Farm and Dairy Produce, Butter Circular, Oct. 25, 1930. United States prices from records Division of Statistical and Historical Research.

Mr. BROOKHART. Mr. President, I would like to ask the Senator a question. The Senator has shown that the prices in the United States are now higher than the world prices. Last year the condition was exactly the reverse, was it not?

Mr. CAPPER. In several instances it was.

Mr. BROOKHART. Last year, instead of getting us 18 or 20 cents more for wheat, we got about that much less for wheat when the farm act was passed.

Mr. CAPPER. I think the action of the Federal Farm Board in its recent attempt to peg the price, as far as wheat is concerned, has been very helpful.

Mr. BROOKHART. It has pegged it some recently, but last year it could have pegged it 20 cents higher, as it did this year; but it did not do that.

Mr. HEFLIN. Mr. President, the work of the Farm Board has not been satisfactory to any of us, I believe. In many particulars it has been very disappointing to me. But I am aware of the fact that this is a new and an untried agency of the Government, and I am aware of the further fact that all of the old agencies operating upon the speculative exchanges have been seeking from the outset to destroy this governmental agency. They are organized. They have unity of purpose and concert of action. They are all hammering upon this governmental agency.

That this governmental agency has made mistakes we all well know, and one of the mistakes it has made was in going into the speculative business. It was my purpose, when I voted for the law, voted to create this board, to have them buy actual cotton, take it off the market, and hold that cotton until the price of cotton advanced. It was my purpose that they should buy actual wheat and take it off the market and hold the wheat until the price of wheat advanced.

Mr. President, when these speculative concerns saw this board about to go into the market to buy wheat and cotton and to hold them, they were alarmed, but when they saw them coming to the exchange to engage in their own game of speculating, they said, "It is all over. We have them now where we want them." And that is the truth. The board made a mistake in going in upon the exchanges to speculate in cotton and in grain.

We can not afford, however, to throw the board down at this stage. I repeat, we are not satisfied with what has been done and what has been accomplished. But it will not do to leave the board empty handed, without money to hold the contracts they have, to hold the actual cotton they have and the actual wheat they have. We must help a little more and trust to the future.

None of us seems to be able to tell just what is going to become of all of this. We are hoping for the best. I submit, as the Senator from Idaho has said, that it is a rather strange thing to bring in a bill carrying such an amount to be put over in a few minutes in the closing hours of the session. But it looks as if that is all we can do, or put this appropriation over until after the recess; and if the board has but $2,000,000 now I do not know what might happen by the 5th of January.

I am very reluctantly going to vote to provide this fund. I want to tell the Senate and the country that there are other things with which we have to grapple, as well as these agencies, which are operating directly against this Farm Board; and one of them is the stock exchange, which is the mother of all the crime on all the exchanges. It is the controlling force not only upon the speculative markets of the country but upon the spot markets of the country.

Let me read the Senate a report fresh from the cotton market to-day:

NEW YORK, December 20.—A steadier tone prevailed in cotton to-day as the direct result of the improvement in stock and bond prices.

Senators, do you get the full significance of that? The grain exchange waits upon the whim and caprice of the stock exchange. The cotton exchange waits upon the action of the stock exchange. If the stock exchange has a crash, there is a crash in wheat and a crash in cotton, and they have not much farther to crash before they will be on the ground. If there is an advance in price of stocks upon the stock exchange, there is a little advance in cotton and a little advance in wheat.

So, Mr. President, I am going to give those Senators who are quarreling so bitterly with the farm situation and the Farm Board an opportunity to pass on the question of regulating the New York Stock Exchange. I introduced a bill, which was referred to the Committee on the Judiciary, to limit the interest rate on call money in New York and to prevent speculating in margins on the stock exchange. If we will do that, we will solve the biggest problem before the American people. But when we undertake to do that we are going up against the greatest stock gamblers of all the world, with the wealth of the richest men of the world against us. Stock gambling is a great pastime with them in New York City. Everybody is looking to New York. It is the all-absorbing and all-powerful force in the Nation to-day. Banks are breaking everywhere. Why? Because bank presidents and in many instances bank cashiers are speculating with money belonging to their depositors. Banks are breaking back in the States. Money is being drawn out of the channels of legitimate business. The body of business is being paralyzed. The volume of money in circulation is decreasing every month. We have the smallest volume in circulation now that we have had since 1923, and yet we wonder what is the matter with American business.

The New York Stock Exchange is the all-dominating force. Big business men in the Nation are as afraid of that place as they are of death. I am getting letters from them all over the country saying that my bill ought to pass; that I am on the right track. A business man of Boston, as soon as he learned that I had introduced the bill, wrote me, "I will be in Washington to-morrow morning to talk with you." He came and showed me letter after letter from some of the best business men in New England saying that their business is being affected daily by operations on the stock exchange, that business is tied up, that building construction is being postponed until the situation gets better on the stock exchange.

I want to say in conclusion, because I am not going to detain the Senate at any length to-night, that we must battle with these big questions; we must aid the Farm Board in every way we can. If they are not doing the thing right, let us point out to them what they ought to do. I for one am going to make some suggestions to them immediately after the holidays as to what they should do with reference to cotton. But while we are undertaking to find out what to do let us take the wolves of Wall Street off of their trail; let us dispose of the stock gamblers. They are the ones we have to regulate.

Senators, until we regulate the New York Stock Exchange, and until we put a greater volume of money in circulation, we are not going to have prosperity in the country. If I were President I would put $4,000,000,000 more into circulation just as fast as I could provide the money to do it. What have we in circulation now? Including the currency in the United States, paper and other money, and all that is abroad in foreign countries, it is only $4,500,000,000 for 120,000,000 people!

I stated here the other day a sound proposition. The greatest economists of the world have said that there ought to be in circulation $1 for every $25 of national wealth. That would give the Nation $10,000,000,000 in circulation. Mr. President, if we had $10,000,000,000 in circulation in the United States we would not hear of a surplus of wheat, we would not hear of a surplus of cotton, we would not hear so much about people being unemployed. The principal thing from which we are suffering is a dearth of money in circulation. We need more money circulating among the people of the United States. When we have that, when we have put more money into circulation, and then lay our hands upon the New York Stock Exchange and put an end to its gambling activities—letting it sell stocks and other securities and the like, but doing away with the gambling features—we will have solved two of the greatest problems which now confront the American people.

Mr. GEORGE. Mr. President, I had not the slightest intention of making a speech at this late hour, and yet the Senate, called upon to appropriate $150,000,000, ought not to hesitate to give to the matter such consideration as it deserves. I do want to say, without any appeal to partisanship whatever and without sounding the note of partisanship, that it strikes me and ought to strike the country, and ultimately it will, that any charge that anybody in this Chamber has undertaken to play politics or make raids upon the public Treasury comes with bad grace from the head of an administration whose chief legislative proposal—and I measure my words—whose chief legislative proposal since he took office has been his insistence upon the farm relief bill which calls for an appropriation out of the public Treasury of $500,000,000. I do not say that is a raid upon the Treasury as the President has used that expression with reference to relief legislation, but I do say it is a draft upon the Treasury, and the debate in this body to-night is convincing to any mind that the judgment of the American people is not as one concerning the wisdom of this major legislative proposal of the President of the United States.

Mr. President, it is perfectly familiar to the Senate and to the country that the farm-relief program which many of us desired to see enacted was in no sense akin to the pending piece of legislation. Some of us voted for the equalization fee and many of us for the export debenture provision. Most of us voted for the measure because it represented the thought of the administration with reference to the major problem before the people of the United States, to wit, the relief of agriculture. We did it because we believed the President was entitled to have his chance at the solution of the problem, to the solution of which he stood pledged in his campaign for election.

Mr. President, we are now asked to appropriate an additional $150,000,000 to the Farm Board. I do not think it becomes us to criticize the board. The board in point of personnel is worthy of confidence. We may not have approved all of its members at the time they were appointed, but the membership of the Farm Board certainly measures up to the responsibilities of the legislation in my judgment. If there is any failure, the failure rests not upon the board, because the board has devoted itself conscientiously to the major agricultural problems in the country. The fault is with the legislation and the board can not be expected to accomplish anything beyond the limitations of the power reposed in it under the act.

I invite the attention of the Senate to the fact that the First Annual Report of the Farm Board, which was filed in this body at the beginning of this session, is one of the most remarkable official documents ever filed in the archives of our Government. I suggest to Senators that if that document be read it will be found that the board itself has dealt with its own problems, its own efforts to solve the agricultural problem, and has pronounced its own conclusions with an admirable and astounding frankness. The board, as the Senator from Idaho [Mr. BORAH] has pointed out, has practically reached the conclusion that, so far as the board is concerned, the solution of the agricultural problem does not lie within the confines of the marketing act under which the board is created, but that the solution of the problem lies with the farmers of the United States, and that all the board can do is offer its good advice to the farmer.

I have no disposition to read that report to the Senate, but I earnestly invite Senators to read it. I want to read just a few sentences from it. This is the conclusion of the board:

> In a major stabilization operation with a commodity such as wheat, it is inevitable that a large quantity of the commodity must be taken in order to exert any material effect on the market. Furthermore, the accumulation of a substantial volume, the most of which necessarily must be in the visible supply, has a some-

what depressing effect upon prices. Announcement that such accumulations will not be sold is not sufficient to reassure buyers unless the quantity thus held renders difficult the purchase of supplies adequate to the demand. Even then the demand is curtailed or limited to immediate requirements, and forward buying in anticipation of future needs is lessened.

Among its other conclusions is the following:

Purchases in the cash market alone are inadequate to sustain prices and do great injury to legitimate operations in the option market by throwing cash prices out of line with the futures. This being true, a stabilization activity must be conducted along the entire line with the inevitable result that large purchases for future delivery must be made.

Again I invite the attention of the Senate to this suggestion:

Transactions in the futures market having been entered upon, there is no good place to stop, even within the limits of a single crop-marketing period.

Thousands of bankrupt organizations can attest to the truth of that conclusion reached by the board.

Option prices are published covering a period of from six to nine months in advance, and as soon as any future option is abandoned or militated against, that option gets out of line with the cash market and other options. This imposes considerable hardship upon processors whose customary practice of hedging or insuring their purchases is conducted through the futures market.

The Farm Board has made a notable contribution to some other problems which have been pressed upon the Congress, to wit, the proper regulation of the grain and cotton exchanges. It has been repeated upon this floor time after time that those exchanges did not fix the price of the actual commodity, whether grain or cotton. Here is an admission by the board that it is absolutely necessary to trade not alone in the cash market, but in the futures market, because trading alone in the cash market or trading alone in the futures market will throw the price of the cash market or the futures market out of line.

So the board has gone into the futures market and it has done so because it is necessary in order to control the cash market. That is exactly what those of us who have made an earnest plea for the regulation and the prohibition of gambling operations upon the cotton and grain exchanges have said here, that such exchange operations did control the cash market; that is to say, that they did fix the price of the farmer's product. Now the Farm Board has reached that conclusion, and has submitted it to this body as its deliberate conclusion which is contained in its first annual report.

Not only that, Mr. President, but the board has indicated by its further conclusions, which I shall not read, that, while it believes it has a function and a field under the marketing act, the possibilities of benefit to agriculture are far more limited than the farmers of the country themselves have been led to believe as indicated by the demands upon the board of the farmers or those who represent the farmers. Read frankly and candidly, the First Annual Report of the Farm Board is an admission that ultimately the farm marketing act must break down and become one of the most colossal failures of any economic piece of legislation ever proposed by any administration or enacted by any Congress.

I am not speaking as a partisan. If it were not for a condition to which I shall direct the Senate's attention in bringing to a conclusion what I am now saying, I would not vote for the appropriation asked for by the board. We face facts, not theories; we face a condition and not a theory. What are the facts? As to cotton, for instance, the Farm Board itself through a stabilization process or effort has accumulated a million and a quarter bales of cotton. It holds that cotton or against some actual spot sales it holds hedging contracts.

The cooperative marketing associations themselves which are engaged in handling cotton have on hand approximately 2,000,000 bales of cotton, making a total of some three and a quarter million bales of cotton which are now held by the Farm Board or by the cooperative associations, which are absolutely dependent upon the Farm Board. If we shall withhold this appropriation——

Mr. CARAWAY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Georgia yield to the Senator from Arkansas?

Mr. GEORGE. I yield.

Mr. CARAWAY. I am asking the question for information. Is it true that the Farm Board itself has ever bought any spot cotton or ever had any spot cotton?

Mr. GEORGE. The board, through its operations, has accumulated an amount of cotton.

Mr. CARAWAY. My information was that the board never put the cotton stabilization corporation into operation, and if it ever bought any cotton, it was futures.

Mr. GEORGE. I do not think that is correct, I will say to the Senator.

Mr. CARAWAY. That is the understanding of the Senator from Utah.

Mr. GEORGE. But I want to finish what I was saying, because I was drawing my remarks to a conclusion.

The board is responsible for the three and a quarter million bales of cotton either held by itself or held by the cooperative associations, either in actual spot or in spot and futures contracts. If the board should be denied this appropriation for which it is asking, and which is wholly within the limits of the original authorization, it is difficult to conceive what would happen to the cotton market to-morrow; and in the present situation of business and commerce and of the financial institutions of the country I do not think that any man could foresee what the effect would be upon the conditions in the United States the day after to-morrow.

Whether the Farm Board has done much good for wheat or whether it has done much good for cotton, whether it has done any good at all, it stands as the effective and responsible agency of a large part of the present cotton crop. At this juncture of affairs its immediate withdrawal from the market or repudiation by Congress would, in my judgment, result in a major calamity in the United States. I think the same may be said of the other major crop—wheat—with respect to the operation and responsibility of the board in that field.

I may not place my reason for supporting this bill upon a very sound basis, and yet I am convinced that the only practicable, feasible course to take in the circumstances is not to stand in opposition to this appropriation but to grant it to the board. Certainly, immediately, the passage of the bill will be of immense benefit not alone to agriculture but to the whole business structure of the United States, while the refusal to pass the bill will unquestionably affect the whole business structure including agriculture.

Mr. WHEELER. Mr. President, I shall take only a very few moments of the Senate's time, but I do wish to explain my vote in this instance. I am going to vote for the appropriation of $150,000,000, but I want to go on record first as saying that, in my judgment, the Farm Board will not and can not solve the problem of the wheat farmers of the United States. I voted against this bill when it was originally before the Senate of the United States. I voted against it because of the fact that I conceived at that time that it would not be effective in solving the problems of the farmers of the Northwest. I also voted against the confirmation of some members of the Farm Board because of the fact that when they were appointed upon the board they said that the prime object of the bill was to get the farmers of the United States to reduce their acreage.

Mr. President, it ought to be perfectly apparent to anybody who knows anything about wheat farming in the United States—and I assume that the same statement applies with respect to cotton farming—that as a practical proposition it is an impossibility to get the wheat farmers of the United States to come out en masse and reduce the acreage of wheat. The Senator from Idaho [Mr. BORAH] covered some phases of that aspect of the subject. I had intended to discuss this question at some length, but on account of the lateness of the hour, I shall simply say that I am going to vote for the bill, notwithstanding the fact that I neither approve of the legislation nor of the policies

the board has adopted, because of the fact that if it should be defeated I feel that it probably would cause a serious disturbance in the business world and likewise, if you please, Mr. President, it would give to the opposition party an opportunity to say they did not have a fair chance to work out their plan of farm relief and that Senators on this side of the aisle defeated it when the party in power were on the verge of making it a success. Notwithstanding the fact that I do not believe in this bill and the policies of the Farm Board, I want to give the administration the fullest opportunity to try the experiment. I hope it will succeed, but I can not for the life of me see how it is possible for it to do so.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Tennessee.

Mr. JONES. Mr. President, I shall say just a word. I think the junior Senator from Montana [Mr. WHEELER] has stated the proper course of action that we should take. I do not think any of us know whether this is going to be a genuine success in the end or not, but it is a proposition that can be tested only by trial.

I am not going to take the time further of the Senate. We have discussed the wisdom and the unwisdom of the legislation. It is the duty of the Appropriations Committee to bring in the appropriation necessary to carry out the existing law. This we have done, and, as the Senator from Montana suggested, if we cut the appropriation off now I think it will simply mean a chaos in the industrial world, and what the effect may be nobody can tell.

The amendment of the Senator from Tennessee as I understand is designed to carry out practically the relief act we have just passed. I think I can assure the Senator that as soon as the Department of Agriculture is ready to use the money in order to go forward with the relief program the money will be provided. I hardly believe that the amendment of the Senator from Tennessee should be put on this bill. We have been held in session a long time to-day in order to get through. I am not interested in getting through so as to have a vacation next week, in so far as I am individually concerned. I have to be here anyway and be at work just as much whether the Senate is in session or not. But I do not believe that we ought to put an amendment onto this bill. I think we ought to vote this money or refuse to vote it, one way or the other, without change. As I said, I think we are safe in assuming that the $45,000,000 under the drought-relief program will be provided by Congress just as rapidly as it can be used by the Department of Agriculture.

Mr. McKELLAR. Mr. President, will the Senator permit me to interrupt him?

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Tennessee?

Mr. JONES. I do.

Mr. McKELLAR. I think after all the haste to provide relief we ought to make it actually effective by voting the money, because we all know that nothing can really be done until the department has the money to lend to the farmers for making crops and for feeding stock. However, I am not going to insist upon a yea-and-nay vote. I am willing to let the Senator have the amendment voted down if he sees fit.

SEVERAL SENATORS. Vote!

Mr. CARAWAY. Mr. President, I want just a few moments of the time of the Senate. I hope that no one who is interested in cotton is deluding himself by believing that the money now proposed to be appropriated is for the cotton grower.

I regret very much, Mr. President, that personally, like several other Members of the Senate, I am precluded from quoting what Mr. Legge said before the Committee on Agriculture. Suffice it to say it is exactly opposite to what he said before the Committee on Appropriations when he was asking for the appropriation. If he wants to relieve those of us who know what he did say before the committee from the obligation of not revealing his testimony before the Committee on Agriculture, we will be very glad to tell the country what he said.

Mr. KING. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Arkansas yield to the Senator from Utah?

Mr. CARAWAY. I yield.

Mr. KING. I may not have apprehended the statement of the Senator, but, as I interpreted it, Mr. Legge made certain statements before the committee in executive session which may not be revealed to the other Members of the Senate.

Mr. CARAWAY. That is true.

Mr. KING. How may we proceed intelligently to act with respect to matters concerning which he testified when we do not know what he said?

Mr. CARAWAY. I do not know, Mr. President. I regret that the situation is such as it is. I wanted to call the attention of the Senate to the fact that the prices of wheat sagged, and the board immediately rushed to peg the price of wheat. The stabilization corporation for cotton never was put in operation, Mr. President; and as for the statement that the board was buying spot cotton, I am curious to know on what fact it rests. I do not know what agency purchased it. It has been loaning money to the cooperatives, and they have been in turn loaning it to farmers; but the cooperatives have been compelled to take their losses if it fell upon cotton.

If they have been buying spot cottons, I do not know. I do know that Mr. Stone said at first the other day, when he was not in executive session, when we were talking about another matter, that they did not have the power to buy cotton and afterwards changed that opinion. Which he stands on now, I do not know.

I do know, as several Senators know, who were present when they talked about it, that it was admitted that they could put up the price of cotton, and it was a question whether it should be done or not. That I am not at liberty to discuss.

I did not vote for the farm bill, Mr. President. Therefore, the charge of the Senator from Maryland that we are guilty of this rests not upon us all. I knew that it was not a fulfillment of the promise that had been made the farmers in the platforms and in the campaign speeches of both the major parties in 1928. It was not carrying out the program of the Republican platform, nor was it carrying out the President's speech that he made as a candidate in 1928 in St. Louis, Mo. It was not keeping faith with the farmers, and I voted against it. My opinion as to whether or not it was a wise measure has not changed at all; but I am going to vote for the $150,000,000 appropriation because the Farm Board is in what it is pleased to call the midst of an experiment. I do not want it to have an alibi. I want to give a reason when all this money is gone. I think some members of it would be entirely happy if it could find some pretext now for not going forward with this experiment, and I do not want to afford it or any member of it that opportunity.

As to the member who went on the board for cotton, Mr. Williams, I think I might confess that his confirmation was opposed by most of the people from the cotton-growing section of the country. I had a bad guess. I defended his nomination. I did it in spite of the fact that when he was before the Committee on Agriculture and Forestry he showed absolutely no information at all about the subject. He had the language that is usually employed by somebody in making a loose talk about a theory of farm legislation and farm relief. It has ended there, Mr. President. He is a dismal failure as a representative of the cotton industry. That is the kindest thing that anybody has said about him, and I shall hasten to repeat it: He is a dismal failure as a representative of the cotton industry.

Since he who has pretended to speak for our industry has proved such a lamentable failure, nobody else on the board has taken any interest in cotton, and cotton has gone its way from 15 or 16 cents a pound down to 9 or 10 cents now. I would not say that the Farm Board aided it, but if it

were not for the inability to tell what some people said, I think I could establish the fact that that is one of the troubles of the Farm Board.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Tennessee [Mr. McKELLAR].

The amendment was rejected.

Mr. BLAINE obtained the floor.

Mr. TYDINGS. Mr. President, I have an amendment at the desk.

The PRESIDENT pro tempore. The Senator from Wisconsin addressed the Chair first, and therefore is entitled to the floor.

Mr. BLAINE. Mr. President, in the First Annual Report of the Federal Farm Board for the year ended June 30, 1930, the Federal Farm Board states what it considers to be "the mandate of Congress" in this language:

> The intent of Congress in passing this legislation is expressed in the declaration of policy contained in section 1 (a) of the act. The broad objective, the goal to be achieved, is the placing of the industry of agriculture on a basis of economic equality with other industries.

Continuing to read from the report, the board states:

> Two general lines of action are indicated: (1) To promote the effective merchandising of agricultural commodities in interstate and foreign commerce, and (2) to protect, control, and stabilize the currents of interstate and foreign commerce in the marketing of agricultural commodities and their food products. Four methods to be employed in the execution of this policy are specifically set forth.

The board, in enumerating those policies in order, indicates the first method to be by minimizing speculation. That is the first method indicated by the board in the execution of this law in order to carry out the mandate of Congress which has been defined by the board.

Mr. President, on December 19 the junior Senator from Alabama [Mr. BLACK] offered an amendment which he intended to propose to this bill. The junior Senator from Alabama was unavoidably called away, and asked if I would offer this amendment in his behalf. I am carrying out the promise I made to the Senator; but I carry out that promise not as a mere formality but in accordance with my own judgment of what ought to be done in the premises—that is, to minimize speculation.

The first method set forth by the Federal Farm Board is designed to carry out the mandate of Congress; and this amendment which the junior Senator from Alabama drafted, and which I shall offer in his behalf, does not limit this $150,000,000 appropriation for the legitimate purposes designed by the law; but it does exactly what the Farm Board said is the object of the law, namely, first to minimize speculation. Therefore this amendment provides that—

> No part of the amount hereby appropriated shall be expended and no loan shall be made out of such amount for the purpose of dealing in futures or indulging in marginal transactions or any transaction whereby contracts are made for the purchase of agricultural commodities or food products thereof where no delivery of such commodity or food product is intended.

The amendment which the Senator from Alabama [Mr. BLACK] proposed to offer is directly in line with the declaration of the Federal Farm Board of its duty and its mandate, and that is to minimize speculation. Therefore, Mr. President, I offer the amendment on behalf of the junior Senator from Alabama.

The PRESIDENT pro tempore. The Senator from Wisconsin, on behalf of the Senator from Alabama [Mr. BLACK], offers an amendment, which will be stated by the clerk.

The CHIEF CLERK. It is proposed to insert, at the end of the bill, the following:

> No part of the amount hereby appropriated shall be expended, and no loan shall be made out of such amount for the purpose of dealing in futures or indulging in marginal transactions or any transaction whereby contracts are made for the purchase of agricultural commodities or food products thereof where no delivery of such commodity or food product is intended; and no cooperative association or stabilization corporation shall make any expenditure for any such purpose from the proceeds of any loan made out of such amount.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Wisconsin on behalf of the Senator from Alabama.

Mr. JONES and Mr. HEFLIN addressed the Chair.

The PRESIDENT pro tempore. The Senator from Washington.

Mr. HEFLIN. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Alabama?

Mr. JONES. I yield to the Senator.

Mr. HEFLIN. Mr. President, the principle set out in the amendment of my colleague is the same one that was embodied in the Caraway bill, and one that a good many Senators here supported. I voted for it myself. I think it is a sound proposition, and hope it will be adopted.

Mr. JONES. Mr. President, I take it that this amendment is the plan of procedure referred to by Mr. Legge in this answer to a question by the Senator from Tennessee:

> Do you not think it would benefit the cotton market a great deal more to buy actual cotton and deal with the cotton itself rather than to buy in the future market?

I take it that that is the principle that this amendment is intended to carry out, not only with reference to cotton but with reference to wheat, and so on.

Here is Mr. Legge's answer:

> We started our operations wholly on that basis, Senator; but the facts are that this system of trading in the future markets is so thoroughly established that we found it more practicable. We do both. We buy actual spot cotton and also futures, whichever is cheapest. To illustrate that in wheat, these wheat futures which we have recently purchased on the stabilization account will result in wheat being delivered to-day at 2½ to 4 cents a bushel less than it cost to buy the wheat and to have carried it in the warehouse until the futures were delivered. The futures were cheaper in that way.

That is the expression of a practical man as to what should be done, and is also the expression of a practical man as to practical application that he thought was the right course to follow. I think that is sufficient to justify us in rejecting this amendment.

Furthermore, I am in favor of rejecting the amendment on this ground: I do not want to take any of the responsibility away from this board of administering this law. When we go to detailing what they shall do and what they shall not do, we furnish them excuses for failure to do this, that, or the other.

We have created this board. We have invested it with certain responsibilities. I think we want to leave those responsibilties with them, and not by detailing relieve them of responsibility. So I think this amendment should be defeated.

Mr. BLAINE. Mr. President, it is the Federal Farm Board itself which says that under the mandate of Congress its first duty was to minimize speculation. That is contained in the report for the year ending June 30, 1930. That is a deliberate declaration by the Federal Farm Board after considerable experience with the law and after full study and consideration of the law.

In my opinion, when the Federal Farm Board has given an interpretation to the law and declared that in its opinion that interpretation constitutes a mandate from Congress, and then the Federal Farm Board changes its rule of action and its procedure, is it not the duty of Congress to expressly provide, in language which can not be mistaken or misunderstood, the original mandate intended by the Congress?

Mr. President, in all good faith I ask the Senator why Congress should not inform the Federal Farm Board that they can administer this fund within the terms of the law as Congress and they originally understood the law to be? That was in the first instance to minimize speculation.

Mr. JONES. Mr. President, I do not know what the intention of Congress was. Of course, the board, as Mr. Legge said in this statement, started out on that basis. But that did not fix the law. They changed their opinion as to what was wise and what was practicable and what they ought to do. I do not think we ought to relieve them of any responsibility now, and I hope the amendment will be rejected.



The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Wisconsin [Mr. BLAINE] on behalf of the Senator from Alabama [Mr. BLACK].

The amendment was rejected.

Mr. TYDINGS. Mr. President, I have a short amendment which I will send to the desk and ask to have read. Then I would like to have about two minutes.

The PRESIDENT pro tempore. The Secretary will state the amendment.

The CHIEF CLERK. On page 1, line 10, add the following proviso:

Provided, That no contracts to purchase any additional commodities authorized by the act of June 15, 1929, shall be made unless there be at the time money appropriated for the payment of said commodities.

Mr. TYDINGS. Mr. President, that would take care of the contention raised by the Senator from Connecticut. This $150,000,000 may be needed to carry on the contracts already made by the board, but certainly I think Congress should go on record now as telling the board it should not pledge the faith and credit of the United States unless the money is actually appropriated. That is all this amendment is intended to do.

Mr. JONES. I hope the amendment will be defeated.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was rejected.

The PRESIDING OFFICER. The bill is in the Senate and open to amendment. If there be no further amendments to be offered, the question is on the third reading of the bill.

The bill was read the third time.

The PRESIDENT pro tempore. The question is, Shall the bill pass?

Mr. TYDINGS. I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. TYDINGS. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Barkley	Gillett	King	Thomas, Idaho
Blaine	Glass	La Follette	Thomas, Okla.
Blease	Glenn	McGill	Townsend
Borah	Goff	McKellar	Trammell
Brookhart	Goldsborough	McNary	Tydings
Capper	Hale	Moses	Vandenberg
Caraway	Harris	Nye	Wagner
Carey	Hastings	Oddie	Walcott
Couzens	Hayden	Pittman	Walsh, Mont.
Davis	Heflin	Robinson, Ind.	Watson
Dill	Howell	Sheppard	Wheeler
Fess	Johnson	Shortridge	
Frazier	Jones	Smoot	
George	Kendrick	Steiwer	

The PRESIDENT pro tempore. Fifty-three Senators have answered to their names. A quorum is present.

The question is, Shall the bill pass?

Mr. TYDINGS. I ask for the yeas and nays.

The yeas and nays were not ordered.

The PRESIDENT pro tempore. The question is, Shall the bill pass?

The bill was passed.

AMENDMENTS TO INTERIOR DEPARTMENT APPROPRIATION BILL

Mr. THOMAS of Oklahoma submitted amendments intended to be proposed by him to House bill 14675, the Interior Department appropriation bill, for the fiscal year 1932, which were referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 49, line 11, add the following:

"Pawnee, Okla.: For school building to contain schoolrooms, auditorium, and gymnasium, $40,000; heating plant, $15,000; converting present school building into dormitories and equipment, $5,000; in all, $60,000: *Provided*, That said buildings shall be constructed of native stone in the open market."

On page 49, line 11, add the following:

"Fort Sill Indian School, Oklahoma: For school building embracing schoolrooms, auditorium, and gymnasium, $40,000; for machine shop and equipment, $10,000; for boys' dormitory, $30,000; for girls' dormitory, $30,000; for repair and improvement, $3,000; and for employees' building, $14,000; in all, $127,000: *Provided*, That after June 30, 1931, the Fort Sill Indian School shall be transferred from the jurisdiction of the superintendent of the Kiowa Agency to the Commissioner of Indian Affairs."

On page 52, line 16, after the word "school," strike out the comma and insert a colon, and strike out the remainder of the paragraph and add the following: "*And provided further*, That not to exceed $10,000 may be expended in the discretion of the Secretary of the Interior for the purpose of defraying the cost of operation of any special Indian public school which may be established for the education of Indian children in full-blood communities where there are not adequate white day schools available for their attendance."

On page 63, lines 16 and 17, strike out the following language: "Kiowa, Comanche, and Apache, $51,000"; and on page 60, in line 7, strike out the figures "$1,292,000," and insert instead "$1,343,000."

On page 66, strike out lines 3 to 25, inclusive, and lines 1, 2, and 3 on page 67, and in lieu thereof insert the following:

"There is hereby authorized to be expended, and to be by the Secretary of the Interior paid to E. J. Van Court, one of the attorneys for the Creek Nation of Indians, employed under the authority of the act of Congress approved May 24, 1924 (43 Stat. L. 139), the sum of $1,500, now standing to the credit of the Creek Nation in the Treasury of the United States: *Provided*, That before payment is made there be obtained the agreement or consent thereto of the Creek representative committee which was elected by the Creeks under the provisions of section 2 of the above-mentioned act of May 24, 1924: *And provided further*, That, subject to all prior assignments and agreements as to division of fees, the sum so allowed and paid shall be reimbursable to the credit of Creek funds out of any amount or amounts which may hereafter be decreed by the Court of Claims to be paid to the said E. J. Van Court, attorney, for his services and expenses rendered or incurred prior to the date of the approval of the act of May 24, 1924, above described, or out of his share of such fee or amount as may be awarded by the Court of Claims to the attorneys employed by the Creek Nation under said act of May 24, 1924."

On page 67 strike out lines 4 to 25, inclusive, and lines 1, 2, 3, and 4 on page 68, and insert in lieu thereof the following:

"There is hereby authorized to be expended and, to be by the Secretary of the Interior paid to E. J. Van Court, one of the attorneys for the Seminole Nation of Indians, employed under the authority of the act of Congress approved May 20, 1924 (43 Stat. L. 133), the sum of $5,000, now standing to the credit of the Seminole Nation in the Treasury of the United States: *Provided*, That before payment is made there be obtained the agreement or consent thereto of the Seminole representative committee which was elected by the Seminoles under the provisions of section 2 of the above-mentioned act of May 20, 1924: *And provided further*, That, subject to all prior assignments and agreements as to division of fees, the sum so allowed and paid shall be reimbursable to the credit of Seminole funds out of any amount or amounts which may hereafter be decreed by the Court of Claims to be paid to the said E. J. Van Court, attorney, for his services and expenses rendered or incurred prior to the date of the approval of the act of May 20, 1924, above described, or out of his share of such fee or amount as may be awarded by the Court of Claims to the attorneys employed by the Seminole Nation under said act of May 20, 1924."

PRICES OF WHOLE-WHEAT FLOUR AND BROWN AND UNREFINED SUGARS

Mr. BROOKHART submitted the following resolution (S. Res. 384), which was referred to the Committee on Agriculture and Forestry:

Whereas the price of whole-wheat flour is now higher than white flour; and

Whereas the price of brown and unrefined sugars is now higher than white and refined sugars:

Resolved, That the Committee on Agriculture and Forestry of the Senate, or a duly authorized subcommittee thereof, is authorized and directed to investigate and report to the Senate the reasons why whole-wheat flour is higher in price than white flour and why brown and unrefined sugars are higher in price than white and refined sugars and particularly whether such conditions are a result of a combination in restraint of trade.

For the purposes of this resolution such committee or subcommittee is authorized to hold hearings and to sit and act at such times and places as it deems advisable; to employ experts and clerical, stenographic, and other assistance; to require by subpœna or otherwise the attendance of witnesses and the production of books, papers, and documents; to administer oaths and to take testimony and to make all necessary expenditures as it deems advisable.

The cost of stenographic services to report such hearings shall not be in excess of 25 cents per 100 words. The expenses of such committee, which shall not be in excess of $15,000, shall be paid from the contingent fund of the Senate.

HOLIDAY RECESS

Mr. WATSON. Mr. President, it is my purpose to move a recess of 10 minutes in order to enable us to message the

bill to the House. Pending that, I offer the concurrent resolution, which I will ask to have read.

The PRESIDENT pro tempore. The clerk will read.

The Chief Clerk. The Senator from Indiana offers the following resolution (S. Con. Res. 35):

Resolved by the Senate (the House of Representatives concurring), That when the two Houses of Congress adjourn on the legislative day of Saturday, December 20, 1930, they stand adjourned until 12 o'clock meridian, Monday, January 5, 1931.

The Senate, by unanimous consent, proceeded to consider the resolution.

The PRESIDENT pro tempore. The question is on agreeing to the resolution proposed by the Senator from Indiana.

The resolution was agreed to.

RECESS

Mr. WATSON. Now, I move that the Senate take a recess for 10 minutes.

The motion was agreed to; and (at 11 o'clock and 55 minutes p. m.) the Senate took a recess for 10 minutes, when it reassembled.

The PRESIDENT pro tempore. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the House had agreed to the concurrent resolution (S. Con. Res. 35) providing that when the two Houses of Congress adjourn on the legislative day of Saturday, December 20, 1930, they stand adjourned until 12 o'clock meridian, Monday, January 5, 1931.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H. R. 15359) making an additional appropriation to carry out the provisions of the agricultural marketing act, approved June 15, 1929, and it was signed by the President pro tempore.

ADJOURNMENT

Mr. WATSON. In accordance with the concurrent resolution passed by the two Houses, I move that the Senate adjourn, the adjournment being until Monday, January 5.

The PRESIDENT pro tempore. The question is on agreeing to the motion proposed by the Senator from Indiana.

The motion was agreed to; and (at 12 o'clock and 5 minutes a. m., Sunday) the Senate adjourned, the adjournment being, under the concurrent resolution of the two Houses, until Monday, January 5, 1931, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate December 20, 1930

SECRETARIES IN THE DIPLOMATIC SERVICE

Warren H. Kelchner, of Pennsylvania, now a Foreign Service officer, unclassified, and a Vice Consul of career, to be also a secretary in the Diplomatic Service of the United States of America.

Shiras Morris, jr., of Connecticut, to be a secretary in the Diplomatic Service of the United States of America.

VICE CONSUL OF CAREER

Shiras Morris, jr., of Connecticut, to be a Vice Consul of career of the United States of America.

FOREIGN SERVICE OFFICER, UNCLASSIFIED

Shiras Morris, jr., of Connecticut, to be a Foreign Service officer, unclassified, of the United States of America.

UNITED STATES CIRCUIT JUDGES

Joseph C. Hutcheson, jr., of Texas, to be United States circuit judge, fifth circuit. (Additional position.)

Samuel H. Sibley, of Georgia, to be United States circuit judge, fifth circuit, to succeed Richard W. Walker, retired.

CONFIRMATIONS

Executive nominations confirmed by the Senate December 20, 1930

CONSUL GENERAL

Henry H. Balch to be consul general.

SECRETARY, DIPLOMATIC SERVICE

George D. Andrews, jr., to be secretary, Diplomatic Service.

MEMBER OF THE FEDERAL FARM LOAN BOARD

Floyd R. Harrison.

MEMBERS OF THE FEDERAL POWER COMMISSION

George Otis Smith.
Frank R. McNinch.
Marcel Garsaud.

UNITED STATES MARSHAL

Paul H. Creswell to be United States marshal, southern district of Ohio.

RECORDER OF DEEDS OF THE DISTRICT OF COLUMBIA

Jefferson S. Coage to be recorder of deeds of the District of Columbia.

REGISTERS OF THE LAND OFFICE

Richard P. Imes, sr., to be register of the land office, Billings, Mont.

Murdock D. Nicholson to be register of the land office, Great Falls, Mont.

APPOINTMENTS AND PROMOTIONS IN THE NAVY

William V. Pratt to be Chief of Naval Operations, Department of the Navy, with the rank of admiral.

To be rear admirals

Clarence S. Kempff.
John Halligan, jr.
William T. Tarrant.
George T. Pettengill.
Edward B. Fenner.

To be captains

Douglas L. Howard.
Arthur L. Bristol, jr.
Walter H. Lassing.
Ross S. Culp.
Frank J. Fletcher.
John H. Towers.
Julian H. Collins.
Milo F. Draemel.
Walter F. Jacobs.
Leo F. Welch.
Turner F. Caldwell.
Earl R. Shipp.
Charles M. Austin.
Ferdinand L. Reichmuth.
Harvey Delano.
Isaac C. Kidd.

To be commanders

Lyal A. Davidson.
Edwin J. Gillam.
Thomas Moran.
Chester C. Jersey.
Frank H. Kelley, jr.
James A. Logan.
James T. Alexander.
Francis A. La Roche.
Francis P. Traynor.
Howard B. Berry.
Henry B. Cecil.
Spencer S. Lewis.
Waldon L. Ainsworth.
Edward K. Lang.
Charles A. Pownall.
Roy C. Smith, jr.
James G. Ware.
Lawrence F. Reifsnider.
Frederick G. Reinicke.
Miles P. Refo, jr.
Edgar M. Williams.
Howard A. Flanigan.
Marc A. Mitscher.
Scott B. Macfarlane.

To be lieutenant commanders

Laurence E. Kelly.
Moses B. Byington, jr.
Frank R. Dodge.
Vincent R. Murphy.
Charles W. Styer.
Thomas L. Sprague.
Einar R. Johnson.
Martin J. Connolly.
Pal L. Meadows.
Frederick S. Holmes.
Thomas B. Inglis.
John J. Ballentine.
John R. Sullivan.
John D. Alvis.
George C. Cummings.
Clifton A. F. Sprague.
Clifton E. Denny.
Joseph J. Clark.
George C. Hawkins.
Rollin Van Alstine Failing.
Albert M. Bledsoe.
Harold Biesemeier.
John J. Bartholdi.
Stanley D. Jupp.
Albert F. France, jr.
Walter S. Macaulay.
Staley H. Gambrill.
David E. Cummins.

Julian D. Wilson.
Wilber M. Lockhart.
James L. Fisher.
Henry Y. McCown.
George William Johnson.
Jacob H. Jacobson.
Ion Pursell.
Gordon Rowe.
Henry E. Thornhill.

To be lieutenants

George T. Boldizsar.
Sherman R. Clark.
John E. Murphy.
James E. Baker.
Henry E. Eccles.
Harry B. Jarrett.
Worthington S. Bitler.
Alexander F. Junker.
Hugh W. Hadley.
Gerald U. Quinn.
Kenneth O. Ekelund.
Robert A. J. English.
Carlisle H. Thompson.
Karl A. Thieme.
Harold C. Patton.
William C. Cross.
John P. Bennington.
Frederick S. Hall.
Luther B. Stuart.
Ralph Earle, jr.
John L. Pratt.
Charles W. Crawford.
John P. W. Vest.
John Y. Dannenberg.
Albert K. Morehouse.
Thomas D. Wilson.
Joseph B. Dunn.
Kenmore M. McManes.
George L. Menocal.
Francis B. Johnson.
William B. Terrell.
Donald W. Gardner.
Hallock G. Davis.
Ralph H. Wishard.
Hugh W. Lindsay.
Alfred J. Homann.
Harold R. Stevens.
Walter W. Rockey.
Daniel W. Harrigan.
William P. Davis.
Francis J. Mee.
John G. Mercer.
Albert E. Chapman.
Daniel B. Candler, jr.
Harry R. Carson, jr.
Frank T. Ward, jr.
Robert W. Haase.
Harry Sanders.
Warren S. Parr.
John W. King, 3d.
Seldon B. Spangler.
Edward C. Loughead.
Frederick K. McElroy.
Joseph N. Wenger.
Thomas C. Evans.
Richard G. McCool.
Albert C. Murdaugh.
Merrall K. Kirk Patrick.
William V. O'Regan.
John G. Crommelin, jr.
William B. Ammon.
Roland N. Smoot.
Henry D. Wolleson.
Paul C. Wirtz.
Mellish M. Lindsay, jr.
Neil K. Dietrich.
Charles W. Humphreys.
Charles H. Momm.
John R. Johannesen.
McFarland W. Wood.
William H. von Dreele.
Alfred C. Olney, jr.
Frank V. Rigler.
Marshall M. Dana.
Stewart Lindsay.
William A. Riley.
Elliott B. Strauss.
James H. Thach, jr.
John M. Ocker.
Harold D. Krick.
Arleigh A. Burke.
Howard M. Kelly.
Edward S. Pearce.
Le Merton E. Crist, jr.
Elbert L. Fryberger.
Gordon J. Crosby.
Robert L. Dennison.
Roland M. Huebl.
Daniel F. J. Shea.
Stanhope C. Ring.
Paul F. Dugan.
Willard J. Suits.
Chauncey Moore.
Robert B. Higgins, jr.
Howard E. Orem.
Bates H. Johnston.
Eugene E. Elmore.
Clarke H. Lewis.
Lloyd D. Follmer.
Clifford M. Alvord.
Walter E. Gist.
Charles A. Harvard.
Thomas T. Beattie.
Charles O. Humphreys.
George R. Cooper.
Valvin R. Sinclair.
Harry Keeler, jr.
Augustus D. Clark.
Charles O. Comp.
Edward B. Arroyo.
Malcolm M. Gossett.
Jesse G. Coward.
Robert B. Rothwell.
Vernon Huber.
Peter J. Neimo.
Howard B. Hutchinson.
Halstead S. Covington.
Horace B. Butterfield.
John P. Cady.
Edwin E. Woods.
Edwin V. Raines.
Hubert W. Chanler.
Edward H. Pierce.
Raymond H. Tuttle.
Frank Akers.
William R. Terrell.
William B. Whaley, jr.
Robert C. Strong, jr.
Charles M. Furlow, jr.
Edward R. Durgin.
Frederick J. Eckhoff.
Leon J. Manees.
Robert A. Knapp.
Louis D. Libenow.
Rudolf L. Johnson.
Anthony R. Brady.
Arthur L. Pleasants, jr.
Beverly E. Carter.
Herbert E. Berger.
Ronald P. Kauffman.
James G. Sampson.
Harry St. J. Butler.
Delbert S. Cornwell.
Byron S. Anderson.
Thomas Aldred.
Malcolm W. Pemberton.
John L. Nestor.
Thomas H. Kehoe.
Richard C. Scherrer.

To be lieutenants (junior grade)

Frederick Mackle, jr.
John C. Eakens.
William A. Gerth.
Lloyd J. S. Aitkens.
John W. Bays.
Herbert C. Zitzewitz.
Lawrence R. Daspit.
Samuel H. Crittenden, jr.
Kenneth A. Knowles.
James H. Hogg.
Paul H. Ramsey.
Albert B. Scoles.
David W. Tolson.
Jack S. Holtwick, jr.
Eliot Olsen.
John C. Bernet.
Welton D. Rowley.
James V. Rigby.
James E. Cohn.
Richard H. Phillips.
Clifford S. Cooper.
William P. Chilton.
William M. Nation.
William H. Organ.
William T. McGarry.
Selman S. Bowling.
Cornelius S. Seabring.
William C. Bryson.
Ernest W. Lamons.
Cecil T. Caufield.
James A. Jordan.
George L. Heath.
John C. Zahm.
Harry R. Horney.
Daniel T. Eddy.
Jack Maginnis.
Edward H. Eckelmeyer, jr.
Brooke Schumm.
Richard W. Smith.
George K. Fraser.
Carl L. Steiner.
Hilfort C. Owen.
Kenton E. Price.
Thomas B. Klakring.
William Loveland.
Alexander M. Kowalzyk, jr.
John L. Ewing, jr.
Alden D. Schwarz.
James G. Holloway, jr.
Jesse Blackwell.
Rawson Bennett, 2d.
Thomas L. Mayo.
Howard W. Taylor.
James J. McKinstry.
Harold M. Briggs.
Perry K. Jeanes.
Joseph R. Hamley.
Joseph N. Murphy.
John C. Broach.
Charles M. Heberton.
David B. Overfield.
Alan B. Sutherland, jr.
Harold S. Harnly.
Ralph Hickox.
Robert H. Rice.
Harlan M. Thorpe.
Carl F. Stillman.
Benjamin E. Moore, jr.
Leonard C. Chamberlin.
Delbert F. Williamson.
Harold L. Tallman.
James A. Haley, jr.
Henry B. Stanley.
Halle C. Allan, jr.
Frederic A. Berry, jr.
Theodore C. Fauntz.
Loren A. Morris.
Harry J. Ward.
Roger F. Scott.
Herbert F. Eckberg.
John William Murphy.
William C. Specht.
Carl R. Midtlyng.
Lester J. Geiger.
Martin P. Hottel.
Christian H. Duborg.
James R. McCormick.
Otis C. Gregg.
Jack F. Bowling, jr.
William E. Ferrall.
Martin J. Lawrence.
Robert S. Quackenbush, jr.
Edmund T. Napier, jr.
Walter H. Price.
Martin R. Stone.
Daniel J. Weintraub.
Robert L. Densford.
Leland R. Lampman.
Jack P. Monroe.
Herbert L. Hoerner.
Edward K. Shanahan.
Charles P. Hill, jr.
Harry F. Bauer.
John F. Henkel.
Gill M. Richardson.
Leon J. Barbot.
Charles B. Beasley.
John T. Corwin.
Clayton R. Dudley.
Richard D. Zern.
John L. De Tar.
John A. Edwards.
Robert B. Alderman.
Thomas L. Greene.
William L. Knickerbocker.
James A. Prichard.
Tyrrell D. Jacobs.
James L. Shank.
Emmanuel T. Goyette.
Howard W. Gordon, jr.
Paul R. Drouilhet.
Creed C. Burlingame.
Arthur K. Ehle.
James W. Blanchard.
Arthur C. W. Baskin.
Robert M. Barnes.
Harold P. Richards.
Charles L. Melson.
Edwin W. Herron.
Thomas O. Oberrender, jr.
Ross R. Kellerman.
Harold M. Zemmer.
Theodore O. Dahl.
David C. White.
Lawrence M. Jensen.
Gerald R. Dyson.
Joe W. Boulware.
Loring O. Shook.
Theodore S. Dukeshire.
George D. Dickey.

William F. Royall.
Thomas B. Neblett.
Newlin Neuhauser.
Thomas M. Dykers.
Arthur G. Bruner.
Floyd C. Camp.
Mitchell D. Matthews.
Frank Bruner.
Eugene B. McKinney.
Thomas J. Flynn.
Alfred R. Truslow, jr.
Walter C. Winn.
Frank T. Corbin.
John Eldridge, jr.
Harry H. McIlhenny.
Albert R. Heckey.
Edwin B. Robinson.
Lucius H. Chappell, jr.
John E. Fitzgibbon.
Levi J. Knight, jr.
Joseph J. Carey.
Wayne R. Loud.
Louis T. Malone.
John R. Waterman.
Eugene F. McDaniel.
Louis H. Hunte.
Emmett J. Sullivan.
Charles K. Bergin.
Robert E. Dixon.
George L. Hansen.
Richard B. Levin.
Frank Turner.
Ulysses S. G. Sharp, jr.
Eugene E. Lindsey.
Philip A. Tague, jr.
Leo W. Nilon.
Robie E. Palmer.
Wayne T. Stukey.
James S. Willis.
Louis P. Fairlamb.
Robert Brodie, jr.
Frederic S. Habecker.
Robert F. Martin.
Farar B. C. Martin.
Paul L. High.
Gregory A. Ladd.
Hysell P. Cooper.
Howell J. Dyson.
Edward S. Addison.
Williard A. Saunders.
Blinn Van Mater.
Courtney Shands.
George Knuepfer.
Stanley E. Judson.
Herbert D. Riley.
Jules F. Schumacher.
Roland F. Pryce.
Eugene L. Lugibihl.
Edwin K. Ponvert.
Robert V. Hull.
Edward J. Drew.
Francis W. McCann.
Arthur D. Marks.
Julian D. Greer.
Albert E. Fitzwilliam.
William R. Caruthers.
Joseph B. Danhoff.
Joe Taylor.
Renwick S. Calderhead.
Philip H. Ross.
Chesley M. Hardison.
Thomas H. Massie.
Leonard B. Southerland.
Frank Virden.
William R. D. Nickelson, jr.
Myron W. Graybill.
Robert J. Foley.
Harry L. Hicks.
David B. Coleman.
Henry J. Armstrong, jr.
Charles L. Freeman.
William S. Harris.
Carl M. Dalton.
Robert T. Symes.
Claren E. Duke.
William H. Potts.
William H. Brockman, jr.
John G. McClaughry.
William R. Ignatius.
Arthur H. Taylor.
Charles J. Skelly.
William E. Kaitner.
Bernard M. Gates.
George A. Lewis.
Leonidas W. Pancoast.
Alan R. Montgomery.
William A. Deam.
Harry J. Hardwick.
Malen Durski.
Harry M. Denty.
Michael P. Russillo.
Granville A. Moore.
Gus B. Lofberg, jr.
Joseph B. Maher.
Andrew B. Buttery.
Arthur F. Anders.
Ethan W. Allen.
Donald G. Burt.
John S. Tracy.
George B. H. Stallings.
William D. Irvin.
Charles W. Parker.
Alex McL. Patterson.
David W. Shafer.
Claude L. Weigle.
Gordon L. Caswell.
Robert E. Braddy, jr.
Milton T. Dayton.
Julius F. Way.
Clarence E. Boyd.
James K. Averill.
Curtis A. Myers.
Albert B. Mayfield, jr.
George A. Lange.
Glenn W. Legwen, jr.
Glynn R. Donaho.
Alston Ramsay.
Paul D. Gross.
Oscar H. Dodson.
James P. Walker.
Edward R. Johnson.
John W. Chittenden.
Robert N. Downes.
Edward P. Southwick.
Gordon S. Everett.
John C. Atkeson.
Elmer G. Cooper.
James J. McRoberts.
John E. Clark.
Marion M. Byrd.
Ray A. Mitchell.
Harry R. Hummer, jr.
William A. Sutherland, jr.
Thomas C. Green.
John O. R. Coll.
John S. Thach.
Francis R. Jones.
Henry M. Marshall.
Robert A. Allen.
Charles E. Harrison.
Paul F. Johnston.
Charles J. Hardesty, jr.
William M. Gullett.
John H. Cross.
Oscar W. Pate, jr.
Richard E. Myers.
Wilton S. Heald.
Jimmie R. Simpson.
John J. Branson.
Calvin E. Wakeman.
George W. Willcox.
Joseph R. Rubins.
Frank D. Giambattista.
Thurston B. Clark.
Samuel H. Griffin, jr.
Albert S. Carter.
Elmer O. Davis.
William S. Maxwell.
Liles W. Creighton.
Bosquet N. Wev.

To be medical director

Frank X. Koltes.

To be passed assistant surgeons

James R. Fulton.
Ralph H. Hofler.
James C. Drybread.
Bernard S. Pupek.
Henry W. Patton.
David W. Lyon, jr.
Hugo O. G. Wagner.
Rufus A. Schneiders.
Charles G. McCormack.
Melvin D. Abbott.
Bruce V. Leamer.
LeRoy F. Farrell.
David O. Zearbaugh.

To be dental surgeon

John W. Grassl.

To be passed assistant dental surgeons

Daniel W. Ryan.
William R. Burns.

To be assistant dental surgeons

Charles F. Lynch.
Curtiss W. Schantz.
Francis V. Lydon.
Albert E. Howell.
Warren DeF. Sargeant.
Mack Meradith.

To be pay director

Joseph J. Cheatham.

To be paymasters

Albert R. Schofield.
Robert L. Mabon.
Samuel B. Deal, jr.
Ernest M. Cronin.
Raymond V. Adams.
James D. Boyle.

To be assistant paymasters

Noble W. Lowrie.
Cecil O. Hamrick.
Robley E. Brown.
James W. Boundy.
Willard C. Johnson.
Thomas L. Becknell, jr.
James H. Payne, jr.
Onnie P. Lattu.

To be chaplains

Colonel H. Mansfield.
Raymond B. Drinan.

To be naval constructors

Richard M. Watt, jr.
Robert K. Wells.
Mortimer E. Serat, jr.
Ralph E. McShane.
Charles D. Wheelock.
Oliver D. Colin, jr.
Paul E. Pihl.
William C. Powell.

To be chief boatswains

Paul Smith.
Raymond V. Svendsen.
Alvin E. Bernson.
Theron D. Carter.
Edward H. Wootan.
William C. Kasmire.
Wilbur A. Therien.
Edward J. McBride.
Francis E. Dowd.
Winfred B. Coats.
Herman B. Conrad.
Lester R. Kaldenbach.

To be chief electricians

Paul MacKay.
Emil A. Rensch.
Charles D. Koon.
Franklin M. Lewis.
George Trauth.
Samuel J. Schoenfeld.
William W. Townsend.
Charles C. Camara.

To be chief radio electricians

Luke W. DuFresne.
Chester S. Denton.
Raymond C. Taylor.

To be chief machinists

Thomas E. McDonald.
Harry Melker.
Robert G. Weedon.
Jasper M. Cook.
John Sogorka.
William C. Wilson.
Elmo C. Lake.
Frank M. Hendricks.
Walter E. Kelly.

To be chief pay clerks

Richard B. Murto, jr.
Walter A. Joyce.
Jack McCleery.
Ernest W. Bolton.
Theodore B. Purvis.
Walter M. Rotsten.
Cannie A. Anderson.
William Ward.
John W. Thomas.
Alexander J. Howard.
Leigh W. Haydon.

POSTMASTERS

ARKANSAS

John L. Callahan, Booneville.
E. Ben Millard, Horatio.
Georgia L. Stuart, Manila.

CALIFORNIA

Vernie E. Sherraden, Ludlow.
Joseph P. Berry, Santa Rosa.
Chester D. Mathews, Susanville.

FLORIDA

Edward S. French, Belleview.
James C. Young, Dunnellon.
Rhea W. Pherigo, Kissimmee.
Burdett Loomis, jr., Pierce.
Ida V. Dalton, Vernon.
Add Joyce, Cedar Keys.
Lois M. Sheffield, Foley.
Irma H. Smith, Hastings.
Gillian A. Sandifer, Lake Helen.
William W. Rees, Tavares.

GEORGIA

Sherrill T. Lassiter, Cornelia.

HAWAII

R. T. Christoffersen, Kahuku.

ILLINOIS

Arvil C. Allen, Elkhart.
John F. Gilman, Farmersville.

INDIANA

Marvin E. Elkins, Morgantown.
Taylor H. Johnson, Plainfield.
Clyde H. Fee, Waterloo.

IOWA

Carl G. Anderson, Arthur.
Carl E. Meek, Bonaparte.
Della Douthit, Braddyville.
Arthur H. Ricke, Breda.
Arden W. Keeney, Carlisle.
Frank K. Hahn, Cedar Rapids.
H. Asa Jones, Charter Oak.
Arthur Ingraham, Conesville.
Gilbert R. West, Corydon.
George C. Lloyd, Dallas Center.
William W. Andrew, Dexter.
Rhea Sowers, Henderson.
George W. Kennedy, Montrose.
Charles S. Walling, Oskaloosa.
Homer A. Roth, Ottumwa.
Frank M. Hood, Sergeant Bluff.
Anna M. Beck, Solon.
Harry McCall, Washington.
Cecil E. Wherry, Wyoming.
David L. Rundberg, Yale.
Lyman H. Henry, Charles City.
William T. Stockton, Perry.
Frank J. Shearer, Prairie City.
Charles P. Ell, Rudd.

KANSAS

Jacob L. Ritter, Bronson.
Judson M. Cramer, Gardner.
Lot S. Hadley, Glen Elder.
Charles O. Bollinger, Iola.
Gilbert E. Goodson, La Cygne.
Louella M. Holmes, Mound City.
Walter R. Dysart, Parker.
Belford A. Likes, Pomona.
Elmer Alban, Westphalia.

KENTUCKY

Elbert L. Pearison, Auburn.
Clarence Neighbors, Bowling Green.
Hazel O'Neill, Drakesboro.
Lillian G. Hall, Eddyville.
Ed J. Salm, Hawesville.
Melvin C. Bray, Hindman.
Robert L. Jones, Morganfield.
Edna O. Jones, Mortons Gap.
Myrtle Latta, Water Valley.

LOUISIANA

Marcie M. Rogers, Baldwin.
Stephen R. Jackson, jr., Cheneyville.
David Dunn, Columbia.
Ethel I. Montgomery, Delhi.
Samuel E. Rankin, Haynesville.
Kate P. McDonnell, Pelican.
Jesse R. Ramsey, Pleasant Hill.
Frank M. Caldwell, Robeline.
William W. Addison, Springhill.
Beckie D. Bradford, Tullos.
William L. Galloway, Arcadia.
Joseph P. Lucas, Dodson.

MAINE

Ferdinand E. Stevens, Auburn.
John C. Arnold, Augusta.
Bert H. Young, Bar Harbor.
Cleo A. Russell, Bethel.
Chandler M. Wilson, Bucksport.
Lloyd A. Harmon, Clinton.
Ray Winchenpaw, Friendship.
Frank E. Hoyt, Gorham.
Omar J. Lombard, Guilford.
Dana C. Skillin, Hallowell.
George W. Hopkins, Howland.
Zaidee P. Campbell, Jackman.
Ellsworth W. Sawyer, Kezar Falls.
Albert A. Weatherbee, Lincoln.
Luther C. Spiller, Mechanic Falls.
Leonard O. Meader, North Berwick.
Velorus T. Shaw, Prouts Neck.
Harry N. Ferguson, Sanford.
Joe P. Davis, South Berwick.
Thomas R. McPhail, Thomaston.
William C. Flint, Waldoboro.
Ray C. Gary, Caribou.
Harold N. Libby, Richmond.

MARYLAND

LeRoy T. Mankin, Fort George G. Meade.
Arthur S. Calhoun, Parkton.
William H. Condiff, Solomons.
Leslie W. Gaver, Middletown.
Ernest G. Willard, Poolesville.
Thomas H. Lytle, White Hall.

MASSACHUSETTS

Grace G. Kempton, Farnumsville.
William P. Orr, South Attleboro.

MICHIGAN

Walter E. Banyon, Benton Harbor.
George H. Batchelor, Buchanan.
George A. Mason, Cedar.
Euretta B. Nelson, Climax.
Charles L. Bean, Conklin.
Minnie McGuineas, Elberta.
Christine Anderson, Holton.
Neil W. Roe, Lake Odessa.
Milan A. Smith, Morenci.
Charles T. Filmore, Quincy.
Rush S. Knepp, Schoolcraft.
Fred E. Pomeraning, Trenton.

MINNESOTA

Stanley E. Nelson, Adrian.
Olney A. Solberg, Brooten.
Michael Hollaren, Ellsworth.
Andrew Bromstad, Milan.
Vivy Johnson, Richville.

MISSOURI

Emmet L. Gaffney, Craig.
Joseph W. Steinmeier, Puxico.
Albert C. Yoder, Rosendale.
Addie Erwin, Thayer.
Paul L. Horner, Caruthersville.
William L. Moorhead, Hopkins.

NEBRASKA

Minnie C. Burch, Bellwood.
Anna C. Ord, Burchard.
Max R. Herrington, Millard.

NEW HAMPSHIRE

Carlton E. Sparhawk, Walpo'e.

NEW JERSEY

Clara C. Hurry, Atco.
J. Ernest Spencer, Beachhaven.
Forman R. Thompson, Matawan.
William D. Dolbeer, Millburn.
Frank J. Bock, Newark.
Lillie Conover, Northfield.
J. Reeves Hildreth, Ocean City.
William S. Dey, South Amboy.
Charles H. Updike, Trenton.

NEW YORK

Ross K. Pierce, Dolgeville.
Mary A. Davies, Holland Patent.
Harry C. Teich, Leeds.
Hattie M. Pepper, Middle Granville.
Clifford E. Brown, Minoa.
Dennis Dillon, Raquette Lake.
Helena Swackhamer, Schenevus.
Fred Tears, Starlake.
Seward Latham, Central Bridge.
Joseph W. Mullins, Fallsburgh.
Charles A. Gaylord, North Tonawanda.
Clarence H. Floyd, Port Jefferson.
Fred Hahn, Tonawanda.

NORTH CAROLINA

Jonah F. Deaton, Aberdeen.
Jack M. Sentelle, Clyde.
Luadan V. Rhyne, Dallas.
Halbert A. Thompson, Farimont.
George T. Whitaker, Franklinton.
Cadmus P. Wright, Henderson.
James F. Setzer, Hickory.
James L. Davenport, Jamesville.
Herman A. Merrell, Leicester.
Christopher H. Mattocks, Maysville.
Mary E. Ross, New London.
John L. Vest, Rosemary.
Ernest B. Satterwhite, Sanatorium.
Lula M. Choate, Sparta.
Charles A. Bland, Wadesboro.
Wiley B. Knowles, Wallace.
Fred T. Tucker, Wilmington.

NORTH DAKOTA

Anfin Qualey, Aneta.

OHIO

Thomas E. Kidd, Leipsic.
Elsie M. Smith, Sharonville.

OKLAHOMA

John W. Rackley, Cherokee.

SOUTH CAROLINA

William R. Rozier, Bethune.
Conway Dial, Cross Hill.
Adam C. Dayson, Johns Island.
George E. Munn, Lake City.
Deans Crumpler, Latta.
George S. McCravey, Liberty.
Junius S. Bagnal, Manning.
John G. Fowler, New Brookland.
William D. Sutton, Pageland.
Crayton C. Crenshaw, Pendleton.
Mary E. Morris, Pickens.
Ira S. Holden, Walhalla.
James M. Graham, Alcolu.
Edward H. Jennings, Charleston.
Esly O. Greene, Chesterfield.
Eva H. Groce, Lyman.
Robert L. Henderson, North Charleston.
Mattie H. Graham, Pomaria.
Maebelle Orvin, St. Stephen.

TEXAS

Willis A. Wilson, Ackerly.
John C. Arnett, Anton.
Robert M. Hatcher, Archer City.
Mrs. Leo W. Cox, Buda.
Walter E. Holloway, Detroit.
Robert C. Carmack, Farmersville.
Kipling E. Yates, Forney.
Henry F. Priesmeyer, Garwood.
Will K. Davis, Gonzales.
Earl D. Tracy, Junction.
John C. Sanders, McDade.
Lora Barber, Miami.
Augustus S. Hightower, Millsap.
Loyal N. Tyer, Mont Belvieu.
Edward S. Howe, Neches.
Crecy Longmire, Newgulf.
Joe H. Victery, New Willard.
Jesse R. Thigpen, Omaha.
Joseph R. Gilliland, Paradise.
Manda Fields, Ponta.
Sidney T. Bogan, Quitaque.
Duma McDonald, Santo.
A. Delta Sanders, Scurry.
Art E. Frieze, Silverton.
Stella W. Schultze, Talco.
Joseph P. Williams, Van.
Julia E. Fones, Village Mills.
Mattie P. Grieve, Walnut Springs.
James R. Oliver, Wells.
Hugh B. Edens, Big Lake.
Katherine A. Lace, Burleson.
Lou Gammill, Calvert.
Robert L. Jones, Celeste.
John W. Robbins, Clyde.
Hoyt E. Hager, Mercedes.
Henry C. Arnold, Orange.
Earl Cassity, Pilot Point.
Pearl M. Parsons, Port Neches.
Joe R. Taylor, Rhome.

VERMONT

Margaret P. Cullinan, Arlington.
Mary R. Walker, Hartland.

VIRGINIA

Thelma A. Best, Bluemont.
Thomas J. Wilson, Clifton Forge.
Harry S. Shuey, Craigsville.
John W. Patterson, Greenwood.
W. Ingles Harnsberger, Grottoes.
Charles W. Fuller, Honaker.
Phillip L. Harrington, Independence.
Missouri S. Harmon, Melfa.
Frank H. Dame, Newcastle.
Walter C. Franklin, Pamplin.
Preston H. Edwards, Sweet Briar.
Robert W. Harman, Tazewell.
Charlie R. Fisher, Wytheville.

WASHINGTON

Alvin E. Scott, Benton City.
Elizabeth Grant, Delrio.
Lettie M. Madden, Holcomb.
Phillip Abbey, Hoodsport.
Roy F. Chatlien, Monitor.
Charles J. Fredericks, Moxee City.
Paul H. Sceva, Paradise Inn.
Frank Morris, Bordeaux.

WISCONSIN

Dennis D. Shea, Arena.
Joseph Wahl, Dallas.
Joseph W. Jacobson, Dane.
Laura K. Duerrwaechter, Germantown.
Earl E. Murdock, Gresham.
Stephen M. Peeters, Little Chute.
James E. Brazeau, Nekoosa.
Albon Parks, Pickett.
Leonard A. Krueger, Dalton.
Clyde C. Ellis, Elkhart Lake.

WYOMING

Arthur A. Pugh, Burns.
Katherine L. Tewell, McFadden.

HOUSE OF REPRESENTATIVES

SATURDAY, DECEMBER 20, 1930

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, we praise Thee for Him who has broken the silence of eternity and has made Thy face glorious. Beneath the cover of frail flesh throbbed the power that built the world, for in the manger cradle was the might of omnipotence. O God, may the whole earth harken unto His appealing words of love and peace. In His presence loathsome lust sorrows, pride stalks along with bowed head, falsehood lays aside its mask, mammon mourns a slave slipping from his shining fetters, and the sacrificial cross never harmonizes with the dripping sword. O let His light steal across our entire country, and may our fellow men walk in newness of light, conscious of a benevolence, of a brotherly love, and of a strength that are truly heavenly. O come, Mary's Holy Child, and deliver man from his starved heart and pour Thy blessing upon his restless, dissatisfied soul before he loses the very essence and the end of life. Abide Thou with our President, our Speaker, the Members of this Chamber, and give them all, and may they enjoy, good health and happiness. In the name of the world's Savior. Amen.

The Journal of the proceedings of Friday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries.

ADMINISTRATION OF DROUGHT-RELIEF LEGISLATION

Mr. BANKHEAD. Mr. Speaker, I ask unanimous consent to address the house for one minute.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BANKHEAD. Mr. Speaker, on yesterday I took the liberty of suggesting that it might be of advantage to the membership of the House to have some interpretation of the method by which the Department of Agriculture would administer the drought-relief fund in the form of loans.

I have received from Doctor Warburton, of the Department of Agriculture, a letter setting out in considerable detail the method that will be used in that connection, and for the information of the Members I ask unanimous consent that it may be incorporated in the RECORD, together with the accompanying documents.

Mr. JONES of Texas. If the gentleman will permit, I introduced a similar letter in the RECORD yesterday.

Mr. McDUFFIE. The gentleman, however, did not put in the various forms?

Mr. JONES of Texas. No; I did not.

Mr. GARNER. It will do no harm if it goes in to-day's RECORD and to-morrow's RECORD and the next day's RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

Mr. GARNER. Reserving the right to object, may I ask the gentleman from Alabama if he knows whether the report in the morning paper is correct, in which it is stated that the department is now prepared to administer this loan if the bill should be signed to-day? In that connection I hope the gentleman from Indiana [Mr. WOOD] will take note of the fact that public declaration has been made by the Department of Agriculture, through the press of the country, that they are now prepared to administer this law, and I would ask the gentleman whether or not he is going to furnish the money?

Mr. BANKHEAD. Is the gentleman from Texas addressing his inquiry to me?

Mr. GARNER. Well, to both of the gentlemen.

Mr. BANKHEAD. I am not in a position to state the facts, but I would be glad to have the gentleman from Indiana [Mr. WOOD] respond to the gentleman's inquiry.

Mr. WOOD. For the information of the gentleman from Texas [Mr. GARNER] and others, let me state that the information which we have from the Department of Agriculture is to the effect that they can not put out any of this money prior to the 1st day of January; that it will require all of the intervening time for the purpose of getting up their forms and setting up the machinery for the administration of this law. They called up yesterday to ascertain whether or not, immediately after the reconvening of Congress after the holidays, an appropriation could then be had for the purpose of loaning this money. I informed them, and I am sure the House will back me up in it, that hearings will be conducted upon this measure during the recess; that immediately after the reconvening of Congress after the holidays a special resolution will be introduced asking for the appropriation.

Mr. GARNER. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. GARNER. The gentleman from Indiana speaks about "them." Would the gentleman put the name of this man in the RECORD so that the responsibility may be fixed for the man who made that statement?

Mr. WOOD. Certainly. I do not recall the gentleman's name, but he is the one who has the administration of this and similar appropriations.

Mr. GARNER. Is it Doctor Warburton?

Mr. WOOD. That is the man.

Mr. GARNER. Doctor Warburton informs the gentleman that he could not use any of this money prior to the reconvening of Congress after the holidays?

Mr. WOOD. That is what he informed us yesterday.

Mr. GARNER. And the gentleman expects in the meantime to conduct hearings so that we will be prepared to make the appropriation immediately after the reconvening of Congress after the holidays?

Mr. WOOD. That is what we expect to do. That is what we will do.

Mr. JONES of Texas. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. JONES of Texas. Does not the gentleman think it would be worth something to him, even if he were not going to use the money before the holidays, to know what amount would be available, and be certain that there would be that amount available so that he might go ahead with his plans?

Mr. WOOD. Well, all the money they can use will be made available just as soon as they request it. I assure the gentleman of that.

Mr. JONES of Texas. There is no doubt about that?

Mr. WOOD. No.

Mr. TILSON. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. TILSON. They know now how much money will be available. It is the amount authorized. It is simply a question of how much they need now and how soon they will need it.

Mr. JONES of Texas. There is not any available now.

Mr. TILSON. Some of it will soon be available. The authorization has been made and the Committee on Appropriations is ready to make the appropriation just as soon as a request is made.

Mr. JONES of Texas. Of course, only the authorization has been passed. There is no money available yet. I was trying to receive assurance of that fact.

Mr. WOOD. I wish to make this further observation: I think it is better for all concerned that no appropriation be made until the time it can be used. Suppose $45,000,000 is appropriated to-day for this purpose. Every Congressman and the Department of Agriculture would be deluged with applications and deluged with all sorts of inquiries with reference to whether or not loans can be made, and there are a thousand different inquiries that may come to all of us. If the public knows the attitude of the Congress and of the Department of Agriculture with reference to when this will be available, it will save a lot of time to the department, and it will save a great deal of grief and woe to all of us.

Mr. ASWELL. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. ASWELL. Can the gentleman inform the House when the hearings will begin?

Mr. WOOD. They will be heard next week.

Mr. ASWELL. Beginning on what day?

Mr. WOOD. Well, I can not say about that. We are now conducting hearings on the general deficiency bill. My judgment is that we will complete those hearings by Tuesday and this will follow immediately.

The SPEAKER. Is there objection to the request of the gentleman from Alabama [Mr. BANKHEAD]?

There was no objection.

The matter referred to is as follows:

UNITED STATES DEPARTMENT OF AGRICULTURE,
DIRECTOR OF EXTENSION WORK,
Washington, D. C., December 19, 1930.

Hon. WILLIAM B. BANKHEAD,
House of Representatives, Washington, D. C.

DEAR MR. BANKHEAD: In response to your telephone request for information as to how the Department of Agriculture proposes to administer the appropriation for loans to farmers in drought and storm stricken areas, authorized in Senate Joint Resolution 211, and passed by the House on December 18, it is expected that if and when appropriation is provided to carry out this authorization, procedure in making loans will be similar to that followed in similar authorizations in previous years. This procedure has been as follows:

Regulations setting forth the general conditions governing the making of the loans are issued by the Secretary of Agriculture. These regulations specify, among other things, the maximum amount per acre which will be loaned for seed and fertilizer for various crops, and the maximum amount that will be loaned to any individual. The regulations also specify the date on which the loans will be payable. Such items as the maximum rate per acre, the amount of the individual loans, and the due date, may vary in different sections of the country according to the normal farm practice and the date on which crops usually are marketed. A copy of the regulations under which loans were made in the Southeastern States in 1930 is inclosed. The department prepares and distributes application forms, note and mortgage forms, and other papers necessary to use in handling loan applications. The mortgage forms used in each State accord with the provisions of the laws of that State governing crop mortgages. In those States where the law provides that a chattel mortgage can be taken only on a crop that is actually in existence, the applicant for the loan is requested to sign an agreement that he will at the proper time give the department a satisfactory mortgage on his growing crops. Little difficulty has been experienced in previous years in obtaining mortgages after the crop was planted in States where legal mortgages can not be given prior to planting.

Full information as to how the loans may be obtained and the conditions under which they are made is sent to the county agricultural agent in each county, or to some other designated representative of the department if no county agent is employed. The agent is asked to make this information generally available to the farmers in his county through local newspapers, discussions at meetings, and in other ways. He is sent a supply of the application blanks and other forms, which he is asked to distribute to banks and other convenient places for the use of farmers.

The county agricultural agent in each county is requested to suggest to the department the names of several prominent persons in his county with wide acquaintance and good judgment, who are requested by the department to serve on a county committee to make recommendations with reference to each loan application. Provision for the report of the report of the county committee is included in the application form. The county committee is usually made up of a leading banker and two prominent farmers. If the county is a large one the extension agent and the county committee are requested to set up community committees, which report on individual applications on the basis of which reports the county committee may make its recommendation to the department. In many cases the county drought-relief committees already set up will be used as advisory committees. The county extension agent does not serve as a member of the county committee nor in any way take responsibility for determining who is to receive loans. Final responsibility for determination to the granting of loans rests with the field office of the department established for that purpose. In the Southeastern States in 1929 and 1930 this office was established at Columbia, S. C. Location of field offices for 1931 has not yet been definitely determined.

On completion of the application and other necessary forms by the applicant he turns them over to the county committee, which makes its recommendation and forwards all papers to the field office of the department. Upon receipt at this field office the application is examined to see that the necessary papers are complete and in proper form, and if corrections or additional information is required the applicant is promptly notified. If the papers are in proper form, the application is then examined to determine whether or not the loan can be approved; and if so, in what amount. The application shows, among other things, the amount the applicant requests, the purpose for which he proposes to use the loan, the acreage of crops he expects to plant, his acreage and yield of crops for the previous two years, the livestock and equipment he owns, and the amount of his indebtedness. Loans are made only to those who do not have a basis of credit on which loans can be obtained from other sources and to those whose applications show that their crops for the previous year were destroyed or seriously damaged by drought or storms.

If the application is approved, check is drawn to the applicant by the disbursing agent detailed to the field office. This check is sent, together with the original copy of the crop mortgage, to the representative of the department in the county in which the borrower lives. This representative examines the county records and determines whether or not liens are on file prior to that given to the department. If no such liens are on record, he files the mortgage given the department and releases the check to the borrower. If, however, other liens are on file which have not been waived to the extent of the department claim, the borrower is requested to obtain such waivers before the check is released to him.

It is expected that in 1931 the initial payment will be for only a portion of the loan, further advances to be made in installments as needed.

The foregoing covers the more important points in the procedure in making seed, feed, and fertilizer loans. With centrally located field offices and competent personnel, we have usually been able to handle applications for loans within 24 hours to 48 hours after they were received, unless it is necessary to return the papers for correction or completion. On applications that come to us in proper form, the borrower usually receives his check in less than a week from the time he makes application. The department, of course, reserves the right to reject applications or to make loans in smaller amounts than the applicants request.

In addition to the copy of the regulations issued in 1930, I am inclosing copy of a circular containing a number of questions and answers regarding seed-loan procedure. A similar pamphlet has been issued each year for general distribution and has been very useful in informing the farmers how to obtain loans. We have such a circular in preparation now, which we expect to issue as soon as final procedure is determined.

Very truly yours,

C. W. WARBURTON,
Director of Extension Work.

UNITED STATES DEPARTMENT OF AGRICULTURE, FARMERS' SEED LOAN OFFICE, COLUMBIA, S. C.

WASHINGTON, D. C., *March 15, 1930.*

REGULATIONS RELATIVE TO SEED, FEED, AND FERTILIZER LOANS IN 1930 IN STORM AND FLOOD STRICKEN AREAS OF ALABAMA, FLORIDA, GEORGIA, NORTH CAROLINA, SOUTH CAROLINA, AND VIRGINIA

This circular defines the procedure relative to granting loans for the purchase of seed for spring planting in 1930, feed for work stock, and fertilizer to farmers in storm and flood stricken areas of Alabama, Florida, Georgia, North Carolina, South Carolina, and Virginia out of the appropriation for the purchase of seed, feed, and fertilizer authorized under the joint resolution of Congress approved March 3, 1930, entitled, "Joint resolution for the relief of farmers in the storm, flood, and/or drought stricken areas of Alabama, Florida, Georgia, North Carolina, South Carolina, Virginia, Ohio, Oklahoma, Indiana, Illinois, Minnesota, North Dakota, Montana, New Mexico, and Missouri." The text of this resolution is as follows:

"That the Secretary of Agriculture is hereby authorized, for the crop of 1930, to make advances or loans to farmers in the storm, flood, and/or drought stricken areas of Alabama, Florida, Georgia,

North Carolina, South Carolina, Virginia, Ohio, Oklahoma, Indiana, Illinois, Minnesota, North Dakota, Montana, New Mexico, and Missouri, where he shall find that an emergency for such assistance exists, for the purchase of seed of suitable crops, feed for work stock, and fertilizer, and, when necessary, to procure such seed, feed, and fertilizer and sell the same to such farmers: *Provided*, That in New Mexico advances or loans may be made to individuals or groups of farmers for the purchase of materials and the employment of labor for the replacement of damaged or destroyed irrigation ditches, where such replacement is deemed necessary for crop production. Such advances, loans, or sales shall be made upon such terms and conditions and subject to such regulations as the Secretary of Agriculture shall prescribe, including an agreement by each farmer to use the seed and fertilizer thus obtained by him for crop production. A first lien on all crops growing or to be planted and grown during the year 1930 shall, in the discretion of the Secretary of Agriculture, be deemed sufficient security for such loan, advance, or sale. All such advances, loans, and sales shall be made through such agencies as the Secretary of Agriculture may designate, and in such amounts as such agencies, with the approval of the Secretary of Agriculture may determine. For carrying out the purposes of this resolution, including all expenses and charges incurred in so doing, there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $7,000,000.

"SEC. 2. Any person who shall knowingly make any material false representation for the purpose of obtaining an advance, loan, or sale, or in assisting in obtaining such loan, advance, or sale under this resolution shall, upon conviction thereof, be punished by a fine of not exceeding $1,000 or by imprisonment not exceeding six months, or both."

Loans for the purchase of seed for spring planting in 1930, feed for work stock, and fertilizer may be made to farmers in areas in Alabama, Florida, Georgia, North Carolina, South Carolina, and Virginia determined by the Department of Agriculture to have suffered crop failures or severe crop losses from storms or floods in 1929, and may be made to such individuals within such areas as are found by the Department of Agriculture to have acreage fit for seeding, who by reason of such crop failure or crop losses do not have seed, feed, and/or fertilizer, and who are without money or commercial basis of credit for its purchase.

No loan for seed, feed, and fertilizer in 1930 will be made to any applicant in excess of $2,000. The total amount of loans to the tenants of any one landowner shall not exceed the aggregate sum of $2,000. Maximum amounts per acre in which loans will be made for seed and fertilizer on crops planted or to be planted are as follows: Cotton, $8; tobacco, $15; truck crops, including potatoes and sweetpotatoes, $20; corn and other crops, $4. The right is reserved to make loans at rates lower than the foregoing maximum allowances. Applicants must agree to use seed and methods approved by the Department of Agriculture, through its local representatives. No loan will be made to any applicant who has a means of livelihood other than farming, nor to a minor.

Application for seed, feed, and fertilizer loans for 1930 shall be made on the official form of application prescribed and furnished by the Secretary of Agriculture, and shall describe the particular acreage to be sown, or on which the fertilizer is to be applied. Such application shall be investigated by the Department of Agriculture through such agencies as it may determine, and the approval or disapproval of the application certified by its authorized representative. Approval may be for a less amount than that applied for.

The amount approved for loan pursuant to these regulations will be paid by a temporary special disbursing agent to the applicant, or on his written order, upon receipt and approval by the designated representative of the United States Department of Agriculture of the following documents:

(*a*) Application on the form previously specified in this circular, signed by the applicant and verified by the designated representatives of the department in the county in which the applicant is located.

(*b*) Promissory notes, fully executed by the applicant, for the amount of the loan, payable to the United States of America, on or before October 1, 1930, with interest at the rate of 5 per cent per annum, in the form prescribed and furnished by the Secretary of Agriculture. Interest to October 1 will be deducted in advance from the amount loaned.

(*c*) Chattel mortgages in Florida, Georgia, South Carolina, and Alabama, and crop liens in North Carolina and Virginia, upon the crop growing or to be grown on the land described in the application in 1930, in favor of the United States of America, duly executed by the applicant in such manner as to entitle it to filing and securing payment of the above-mentioned note, and in the case of chattel mortgages containing a provision authorizing the United States Department of Agriculture, through a representative designated by the Secretary of Agriculture, in the event the applicant fails to protect and at the proper time to harvest the crop mortgaged, to enter upon the premises and harvest the same, and to sell the crop to satisfy the lien of said mortgage and expenses incurred thereunder from the proceeds of the crop. Chattel mortgages and/or crop liens shall be executed on forms supplied by the Department of Agriculture, and shall be filed in the proper office under the State laws applicable. One of the three copies of chattel mortgage and/or crop lien required should be retained by the applicant. If the applicant for a loan is a tenant, or is farming land under so-called crop contract, or has given a prior mortgage on his 1930 crop, he must secure the waivers of the actual owners of the land, his landlord, and/or all prior mortgage holders in the space provided on the mortgage form for the purpose. If the applicant is the owner of the land and farms it with tenants or share croppers, waivers of such tenants or share croppers must be secured in the space provided on the mortgage form for the purpose. If the applicant leases the land from another and in turn operates it with tenants or share croppers, waivers of both the actual owner of the leased land (unless the rental of said land has been paid) and of said tenants or share croppers must be secured in the space provided on the mortgage form or on separate waiver form. In all cases where waivers are required, the person waiving must certify that at the time of signing such waiver he is in actual possession and owner of any rent note, mortgage, land sales contract, or other paper and must enter into an agreement on the special form provided for the purpose (Form No. 7) that he will not assign, transfer, hypothecate, or sell such security without first having secured the written consent of the duly authorized representative of the United States.

(d) By a voucher form supplied by the Department of Agriculture and signed by the applicant.

The right is reserved to make payments to borrowers in installments and to require borrowers to show how the initial installment has been expended before further payments are made.

Applications for loans under these regulations must be mailed in time to be received by the designated representative of the Department of Agriculture at the Farmers' Seed Loan Office, Columbia, S. C., not later than May 31, 1930.

The right is reserved to make further supplemental or amendatory regulations relative to loans for the purchase of seed, feed, and fertilizer in Alabama, Florida, Georgia, North Carolina, South Carolina, and Virginia in 1930 from time to time, or to withdraw these regulations at any time.

ARTHUR M. HYDE,
Secretary of Agriculture.

UNITED STATES DEPARTMENT OF AGRICULTURE,
FARMERS' SEED LOAN OFFICE,
Columbia, S. C.

HOW CAN I GET A SEED, FEED, AND FERTILIZER LOAN?

In the following paragraphs the principal questions which are likely to be asked by farmers in the Southeastern States who wish to get a loan from the Department of Agriculture for the purchase of seed, feed, and/or fertilizer are answered briefly. No attempt is made to give full details of the general regulations, which are contained in a circular (S. E. Form No. 1) issued by the Secretary of Agriculture under date of March 14, 1930.

1. WHAT IS THE AUTHORITY FOR THESE LOANS?

The Secretary of Agriculture is authorized to make loans to farmers in storm and flood stricken areas in Alabama, Florida, Georgia, North Carolina, South Carolina, and Virginia for the purchase of seed of suitable crops, feed for work stock, and fertilizer where he shall find that special need for such assistance exists and upon such terms and subject to such regulations as he prescribes, including an agreement by each farmer to use the seed and fertilizer thus obtained by him for crop production. This authority is provided in a joint resolution of Congress, approved March 3, 1930.

2. WHERE CAN I MAKE APPLICATION FOR A LOAN?

The field office for the handling of the applications for seed and fertilizer loans for storm and flood stricken areas in Alabama, Florida, Georgia, North Carolina, South Carolina, and Virginia has been established at Columbia, S. C. Application blanks and other necessary forms have been sent to county committees, county agricultural agents, or others designated as representatives, and will be distributed by them to banks and other convenient places for the use of applicants.

3. WHAT IS THE SECURITY REQUIRED?

Each individual who obtains a loan for seed, feed, and/or fertilizer in 1930 must give an absolute first lien on crops growing or to be grown by him in 1930, in such form as to entitle it to filing in the county in which he resides.

4. HOW LARGE A LOAN CAN I OBTAIN?

The largest amount which can be loaned to an individual is $2,000. The amount loaned will be based on the requirements of the applicant for seed, feed for work stock, and fertilizer, and the acreage of crops on which he gives a crop lien or chattel mortgage to secure the payment of the loan made to him. Loans may be approved in less amount than that for which application is made. Loans for seed and fertilizer shall be at rates per acre, and not to exceed $8 for cotton; $15 for tobacco; $20 for truck crops, including potatoes and sweetpotatoes; and $4 for corn and other crops. Loans may be made at rates less than these maximum figures.

5. WHAT MUST I DO IN ORDER TO OBTAIN A LOAN?

You must make application on S. E. Form No. 2, furnished by the Department of Agriculture, and accompany it with a note (S. E. Form No. 3), chattel or seed loan mortgage (S. E. Form No. 4), and voucher (S. E. Form No. 5), on the proper forms, sending all to the Farmers' Seed Loan Office, Columbia, S. C., for approval by the official of the Department of Agriculture detailed there for the purpose.

If the applicant for a loan is a tenant, or is farming land under so-called crop contract, or has given a prior mortgage on the 1930 crop, he must secure the waivers of the actual owners of the land, his landlord, and/or all prior mortgage holders in the space provided on the mortgage farm for the purpose. If the applicant is

the owner of the land and farms it with tenants or share croppers, waivers of such tenants or share croppers must be secured in the space provided on the mortgage form for the purpose. If the applicant leases the land from another and in turn operates it with tenants or share croppers, waivers of both the actual owner of the leased land (unless the rental of said land has been paid) and of said tenants or share croppers must be secured in the space provided on the mortgage form or on separate waiver form. In all cases where waivers are required the person waiving must certify that at the time of signing such waiver he is in actual possession and owner of any rent note, mortgage, land sales contract, or other paper, and must enter into an agreement on the special form provided for the purpose (Form No. 7) that he will not assign, transfer, hypothecate, or sell such security without first having secured the written consent of the duly authorized representative of the United States.

6. WHAT DOES THE APPLICATION BLANK REQUIRE?

The application blank requires a statement of the amount of the loan desired, the number of acres of each crop for which seed and fertilizer is to be purchased, the amount desired for feed and the number of animals to be fed, and a legal description of the land on which these crops are to be planted, together with a statement of the acreage of these crops grown by the applicant in 1928 and 1929 and the yields obtained. It also requires an agreement to use the money loaned for the purchase of seed, feed, and fertilizer, and to use the seed and fertilizer for crop production on the land described. It requires a further statement to the effect that the applicant does not have seed, feed, and/or fertilizer, and that he does not have and can not get funds from other sources for the purchase of such seed, feed, and/or fertilizer.

7. WHAT ARE THE PENALTIES FOR FALSE REPRESENTATION IN OBTAINING THIS LOAN?

The law provides that any person who shall intentionally make any material false representation for the purpose of obtaining an advance, loan, or sale, or of assisting in obtaining such loan, advance, or sale under this resolution shall, upon conviction thereof, be punished by a fine of not exceeding $1,000, or by imprisonment not exceeding six months, or both.

8. WHAT IS REQUIRED AFTER THE APPLICATION IS COMPLETED AND SIGNED?

After the application is completed it should be signed by the applicant with his usual business signature, together with his mail address. The application need not be sworn to. The community committee certificate should then be filled in and signed by at least two members of the community committee. The application and other papers should then be sent to the county committee, which will fill in and sign the county committee certificate and forward the application to the Farmers' Seed Loan Office, Columbia, S. C. Full publicity will be given in local newspapers to the names and addresses of members of community and county committees.

9. WHAT IS THE NOTE?

The note is a promissory note (S. E. Form No. 3), supplied by the Department of Agriculture, in the amount of the application (not to exceed $2,000), maturing October 1, 1930, and bearing interest at the rate of 5 per cent per annum after that date.

10. WHAT IS THE MORTGAGE?

The mortgage is a chattel mortgage (crop lien in North Carolina and Virginia) on the crops to be grown by the applicant on the land described therein. Three copies of the form (S. E. Form No. 4), supplied by the department, should be filled in and the original should be signed and sworn to before a notary public who must affix his seal. The original and one copy should be sent with the application and note to the Farmers' Seed Loan Office, Columbia, S. C., and one copy should be retained by the applicant. Applicants who have previously mortgaged their 1930 crops on the acreage covered by the mortgage to the United States should accompany the mortgage with waivers (S. E. Form No. 6), signed by other mortgagees to the extent of the Government loan. Notary fee in connection with the oath on the mortgage must be paid by the borrower, but the mortgage will be filed and the filing fee paid by the Department of Agriculture.

11. CAN A TENANT OBTAIN A LOAN FROM THIS FUND?

In order for a tenant to obtain a loan from this fund, his landlord must sign the waiver which is a part of the mortgage or crop-lien form. The total of all loans to the tenants of any one landlord shall not exceed $2,000. In this connection, also, attention is called to the second paragraph in the reply to question 5.

12. WHAT IS THE VOUCHER?

The voucher (S. E. Form No. 5) is the record of the transaction on which payment is made by the temporary special disbursing agent detailed to Columbia for the purpose. This should be filled in down to the space provided for the applicant's signature, and should be signed by him.

13. WHEN AND HOW WILL THE MONEY BE ADVANCED?

On receipt of the completed documents and approval of the application by the designated representative of the Secretary of Agriculture at the Farmers' Seed Loan Office, Columbia, S. C., initial payment of the loan will be made. In the case of loans of $100 or less, the full amount will be included in a single payment, except that interest at 5 per cent from date of approval of the loan to October 1, 1930, will be deducted. In the case of loans of over $100 and not in excess of $200, 75 per cent of the loan will be advanced in the first payment and the remaining 25 per cent, less interest on the entire loan to October 1, 1930, in a second payment one month later. In the case of loans in excess of $200, the initial payment will be 60 per cent, the second a month later 20 per cent, and the third at the end of two months, the remaining 20 per cent less interest on the entire loan to October 1. Thus, on a loan of $80 made April 1, the borrower would receive immediately a check in the full amount, less interest at 5 per cent from April 1 to October 1, or $2, the check being drawn for $78. On a loan of $160 made April 1, the check on that date would be $120, and a month later the second installment of $40 would be paid, less interest on $120 from April 1 to October 1, and on $40 from May 1 to October 1, a total of $3.83, the second check therefore being for $36.17. On a loan of $500 made April 1, the check on that date would be for 60 per cent of the loan, or $300; on May 1, 20 per cent or $100 would be forwarded; and on June 1, the remaining 20 per cent, less interest on $300 from April 1 to October 1, on $100 from May 1 to October 1, and on $100 from June 1 to October 1, a total of $11.25, the final check being for $88.75.

14. WHY HAS THE INSTALLMENT PLAN BEEN ADOPTED?

The installment plan has been adopted in the Southeastern States for the protection of both the borrower and the Government. Expenditures for feed and fertilizer are made over a considerable period, and in general not more than 60 to 75 per cent of the loan is needed at planting time. Last year, when the entire amount of the loan was paid in a lump sum, there were many cases where a part of it, not needed for immediate use for feed and fertilizer, was diverted to other uses, often being applied in the payment of old debts.

15. WILL THE INSTALLMENTS BE PAID AUTOMATICALLY?

Before the second installment is paid the borrower will be expected to report to the Farmers' Seed Loan Office, Columbia, S. C., how the first installment has been expended. A form will be furnished for such a report at the time the first check is sent. In the case of loans paid in three installments, the right is reserved to ask an accounting for the second installment before the third is paid.

16. WHAT RATE OF INTEREST IS CHARGED ON THE LOANS?

Interest at the rate of 5 per cent will be charged on all loans. As all notes are due October 1, 1930, interest from the date of approval of the loan to October 1 will be deducted from the principal of the loan when the advance is made. In the case of advances made in installments, interest on the entire loan will be deducted from the final installment, interest on each installment figured from the date the advance is made to October 1. Loans or balances not paid on October 1 will bear interest at 5 per cent from that date until paid. This plan has been adopted to relieve buyers of crops mortgaged to the Government from the work of figuring interest on installments.

17. WHAT WILL BE THE ACTION TAKEN IF AN APPLICATION IS RECEIVED IN INCOMPLETE OR INCORRECT FORM?

If an application is received which is not complete, either as to the application form itself or as to the note, mortgage, or voucher, any of these documents which requires correction or completion will be returned promptly with a statement of the action necessary. When again received in proper form the application will be handled promptly, but final action can not be taken till all the necessary papers are complete and correct. Delays will therefore be avoided if the applicant and the local committees will go over the forms carefully before sending them in. As all papers in connection with a single application will be stamped with a serial number on receipt, the same form which is sent back for correction or completion should be returned.

18. IF MY APPLICATION IS GRANTED FOR A LESS AMOUNT THAN THAT FOR WHICH I APPLY, HOW WILL THAT FACT BE INDICATED?

On approval of your application you will be notified of the amount for which your loan is approved. If this is less than the amount for which you applied, proper credit for the reduction will be shown on your note, mortgage, and voucher.

19. IF AN APPLICATION IS FINALLY DISALLOWED, WHAT WILL BE DONE WITH THE PAPERS?

If an application is finally disallowed for any reason the note, mortgage, and voucher will be returned to the applicant, together with a letter showing the reason for the action taken. The application itself will be retained as a part of the department's records in the case.

20. WHEN AND HOW IS THE LOAN TO BE REPAID?

The notes are due and payable October 1, 1930, and will bear interest at the rate of 5 per cent per annum after that date. As noted in the replies to questions 13 and 16, interest to October 1, 1930, is deducted at the time the last advance is made on the loan. Full instructions as to the methods of payment will be sent to each borrower before October 1, 1930.

L. E. WHITE,
Administrative Officer in Charge.

MARCH 17, 1930.

DIFFERENTIAL ON SUGAR

Mr. HAWLEY. Mr. Speaker, I ask unanimous consent to extend my remarks by printing in the RECORD a letter from the Tariff Commission and a report on the differential between raw and refined sugar.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

The matter referred to is as follows:

UNITED STATES TARIFF COMMISSION,
Washington, December 12, 1930.

Hon. W. C. HAWLEY,
Chairman Committee on Ways and Means,
House of Representatives, Washington, D. C.

MY DEAR MR. CHAIRMAN: With further reference to your letter of June 27, 1930, addressed to Hon. Edgar B. Brossard, then chairman of this commission, I have the honor to inform you that the commission has examined the provisions referred to in your letter, and to inclose the result of its examination in the form of a report on the differential between raw and refined sugar.

Very truly yours,

HENRY P. FLETCHER, *Chairman.*

REPORT ON THE DIFFERENTIAL BETWEEN RAW AND REFINED SUGAR

UNITED STATES TARIFF COMMISSION,
Washington.

By letter dated June 27, 1930, the Ways and Means Committee of the House of Representatives requested the Tariff Commission to obtain and report to the committee certain data with regard to the differential in the duty between raw and refined sugar. The request reads as follows:

"Under the provisions of the tariff act of 1930 sugar testing by the polariscope not above 75 sugar degrees is dutiable at 1.7125 cents per pound, and for each additional degree 0.0375 of 1 cent per pound. Under the tariff act of 1922 the rate was 1.24 cents per pound at 75 degrees, and the rate of progression was 0.046 of 1 cent per pound.

"When these rates are worked out on the basis of Cuban sugar it develops that the differential between 96° and 100° sugar under the act of 1922 was 0.1472 cent per pound against 0.12 cent per pound in the act of 1930, or a reduction of 2.72 cents per 100 pounds. It is contended that this differential affords no protection to the American refiners and that there should be a higher rate of progression on the sugar testing 97°, 98°, 99°, and 100°. It will be appreciated, therefore, if the commission will examine the provisions referred to and advise the committee what differential, in its opinion, would be necessary to afford the proper protection to the refining industry."

The differential in duty between refined sugar and raw sugar may involve two factors: (1) The amount necessary to compensate for the duty on the quantity of raw sugar required to make refined sugar; (2) the protective portion designed to equalize any difference between foreign and domestic costs of refining, cost of containers, and difference between the costs of transporting raw and refined sugar to the United States.

1. The amount of differential necessary to compensate for the duty on raw sugar may be computed as follows:

Approximately 107 pounds of 96° raw sugar are required to produce 100 pounds of refined sugar, and as a by-product approximately 6 pounds of molasses are produced. On imports from Cuba under the act of 1930 there is a spread of 12 cents per 100 pounds between the duty on 96° raw sugar and that on 100° refined sugar. On the basis of the relationship of the quantities stated, the differential necessary to compensate for the duty on raw sugar, as shown in the accompanying table, amounts to 13.90 cents instead of 12 cents per 100 pounds. In other words, using imports from Cuba, the present duty on refined sugar lacks 1.9 cents per 100 pounds (or 0.019 of 1 cent per pound) of being compensatory as against the 96° raw sugar. This is equal to 0.475 cent per 100 pounds for each degree between 96 and 100. In other words, to equalize this difference would necessitate raising the increment for each degree of sugar above 96° to $0.03475 per 100 pounds per degree instead of the present increment of $0.03 per 100 pounds per degree. On sugar paying the full duty the corresponding change would be from an increment of $0.0375 per 100 pounds per degree to an increment of $0.0434.

2. The protective portion of the duty on refining may be computed as follows:

On imports from Cuba under the act of 1922 the actual spread between 96° raw sugar and 100° refined sugar was 14.72 cents per 100 pounds. On the basis of the stated quantity of raw sugar required to produce 100 pounds of refined sugar and the yield of molasses a spread of 12.25 cents per 100 pounds between 96° and 100° sugar would have been a sufficient compensatory differential. The difference between this amount and the actual spread is 2.47 cents per 100 pounds, which represents approximately the extent of protection to the refiner under the act of 1922.

If the differential in the act of 1930 had been made to give the same degree of protection to the refiners as that in the act of 1922, the differential in the Cuban sugar, instead of being $0.03 per 100 pounds per degree, would have been $0.0410 per degree, or a total of $0.164 per 100 pounds between Cuban sugar of 96° and 100°. The corresponding increment on sugar paying the full duty, instead of being $0.0375 per 100 pounds per degree, would have been $0.0512, which is equivalent to a differential of $0.2050 per 100 pounds as between full-duty sugar of 96° and 100°.

The following table shows the basic data on which the figures given are calculated:

Analysis of the differential in duty on imports from Cuba on 96° raw sugar and on 100° refined sugar under the tariff acts of 1922 and 1930

	1922	1930
Duty on 100 pounds, 100° refined sugar	$1.9120	$2.1200
Duty on 100 pounds, 96° raw sugar	1.7648	2.0000
Spread between 100 pounds, 96° raw and 100° refined	.1472	.1200
Duty on additional 7 pounds, 96°, lost in refining	.1235	.1400
Credit for duty on 6 pounds of molasses [1]	.0010	.0010
Compensatory duty necessary to offset duty on 96° raw sugar	.1225	.1390
Protective portion of duty	+.0247	−.0190

[1] Molasses imported as molasses.

3. The commission does not possess adequate information to determine what, if any, differential in addition to that necessary to compensate for raw sugar is necessary on refined sugar in order to equalize costs of refining as between the United States and foreign countries. To obtain this information would entail an extensive investigation, not only into the costs of the refining process but also into the costs of containers and the relative costs of transporting raw sugar and refined sugar from Cuba and other countries to the United States.

Among points which have a bearing upon the relative position of Cuban refiners and American refiners two may be mentioned, although no evidence as to the extent of their influence is available.

(1) Some of the Cuban refineries produce their refined sugar by a continuous process. Where this is the practice the sugar is not ordinarily crystallized in raw form but is taken into the refining process in liquid form. To this extent there might be a saving to the Cuban refiners in operating costs as well as the elimination of the cost of bags in which raw sugar is purchased by the American refiners.

(2) The freight rate from Cuba to the United States on refined sugar is higher per 100 pounds than on raw sugar. The rates on both products vary more or less from time to time and the amount of the differential per pound likewise varies.

4. At the time of the passage of the act of 1922 there were practically no domestic imports of refined sugar. Since that time a sugar-refining industry has developed in Cuba, and as shown in the following table refined sugar has been imported in substantial and increasing quantities.

Refined cane sugars: Imports for consumption, United States [1]

[100° centrifugal, 1925–1930]

Year	Cuban	Full duty	Total
	Pounds	*Pounds*	*Pounds*
1925	2,647,149	8,186,004	10,833,153
1926	116,164,996	7,480,488	123,645,484
1927	177,410,837	1,921,254	179,332,091
1928	373,452,431	11,036,270	384,488,701
1929	511,931,377	4,077,367	516,008,744
1930 (act of 1922) [2]	303,178,083	10,244,889	313,422,972
1930 (act of 1930) [3]	103,354,864	503,900	103,858,764
Total for 1930 (up to and including Sept. 30)	406,532,947	10,748,789	417,281,736

[1] From Foreign Commerce and Navigation of the United States.
[2] From Jan. 1 to June 17, 1930. From figures compiled by Statistical Division of the United States Tariff Commission.
[3] From June 18 to Sept. 30, 1930. From figures compiled by Statistical Division of the United States Tariff Commission.

Respectfully,

HENRY P. FLETCHER, *Chairman.*

DECEMBER 12, 1930.

DROUGH RELIEF

Mr. ASWELL. Mr. Speaker, I ask unanimous consent to print in the RECORD a telegram from the chairman of the drought relief committee in Oklahoma.

The SPEAKER. The gentleman from Louisiana asks unanimous consent to print in the RECORD a telegram from the chairman of the drought relief committee in Oklahoma. Is there objection?

There was no objection.

The telegram is as follows:

MCALESTER, OKLA., *December 20, 1930.*

Hon. J. B. ASWELL,
House Office Building:

After phone conference with other State chairmen have wired Chairmen Jones and Wood as follows: "Members of our various State drought-relief committees who have been giving the subject of drought relief and the condition of our farmers close study since we were appointed at the request of the President, about August 15, believe that the full $45,000,000 authorized for drought relief should be appropriated. At least 200 banks in drought territory have failed during past month, tying up the meager deposits of many farmers who might have gotten along without Federal assistance. Conditions are entirely unprecedented and

getting worse daily. We do not believe Secretary Hyde realizes the magnitude of the need and the number he will be asked to help finance if it is urged that the appropriation be not less than forty-five millions. We desire opportunity of representation at committee hearing. Will you kindly wire, collect, date and hour your committee will meet?" Will you not pass copies to other Members, urge strongly that forty-five millions be made available, and request that if attempt to reduce appropriation is made opportunity be given a committee of State chairmen to be heard? To be effective loan applications must be acted upon very promptly, and the delays and difficulties incident to an effort to obtain a supplemental appropriation will be very thankful.

J. B. PUTERBAUGH, *Chairman.*

TRIBUTE TO THE LATE SENATOR OVERMAN

Mr. KERR. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a tribute to the late Senator from North Carolina, Hon. LEE SLATER OVERMAN, by Mrs. Richards, editorial correspondent of the Worcester (Mass.) Evening Journal.

The SPEAKER. The gentleman from North Carolina asks unanimous consent to extend his remarks in the RECORD by printing a tribute to the late Senator OVERMAN Is there objection?

Mr. TILSON. Mr. Speaker, reserving the right to object, I would be the very last one to object to so deserving a tribute, especially coming from Mrs. Richards and being bestowed upon our late lamented friend, Senator OVERMAN, but I wish to say to the gentleman from North Carolina that the tribute of which he speaks was authorized to be printed in yesterday's RECORD and is on the front page of the RECORD appearing on our desks this morning.

Mr. KERR. If that is so, I withdraw my request.

MUSCLE SHOALS

Mr. ALMON. Mr. Speaker, I ask unanimous consent to proceed for three minutes.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to proceed for three minutes. Is there objection?

There was no objection.

Mr. ALMON. Mr. Speaker, for the information of the House I desire to say that I am reliably informed the conferees on the Muscle Shoals bill have practically agreed. They were to have had a meeting to-day, but for some reason it was postponed until after the holidays. I had hoped their report might be made to-day and that it could be adopted before Christmas. When the report is made I believe it will be acceptable to both Houses of the Congress. I trust that after the recess this legislation will be disposed of speedily. It is a farm-relief measure and it will relieve, to a great extent, the unemployment situation. I am greatly interested in it, as all of our people are, and I sincerely hope that this long-debated question can be settled immediately after the recess. I wish for each of you a very happy Christmas. [Applause.]

PRESENTATION OF HENRY CLAY STATUTE TO VENEZUELA

Mr. THATCHER. Mr. Speaker, I ask unanimous consent to be permitted to extend in the RECORD my own remarks touching the formal presentation, recently made, to the Republic of Venezuela, under authorization of the Congress of the United States of America, of a statue of Henry Clay, and to include as a part of my remarks the address delivered by me in connection with the subject at Caracas on the evening of December 10, 1930.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to extend his remarks in the RECORD on the subject referred to. Is there objection?

There was no objection.

Mr. THATCHER. Mr. Speaker and Members of the House, I desire to bring to your attention the fact that, agreeably to the act of Congress of 1927, and by virtue of the resulting appropriation made in 1928, there was formally presented to the Government and people of our sister Republic of South America, the United States of Venezuela, on the 9th of this month in Caracas, the Venezuelan capital, a statue of the great North American advocate and champion of Latin American independence, Henry Clay. Agreeably to the act of authorization, President Hoover appointed a special commission, consisting of three members, to make the presentation. The very great honor was mine to be named, and to serve, as a member of the commission. There were designated to accompany the commission a military attaché, a naval attaché, and a representative of the State Department. The names of those composing the commission and the accompanying aides are given in my address, which is incorporated with, and as a part of, these remarks.

It was the purpose of our President and Secretary of State to demonstrate their full appreciation of the importance of this mission of good will. Accordingly, the delegation, as thus constituted, with the exception of Hon. George T. Summerlin, member of the commission, who had gone on before, made the trip on the new United States cruiser *Northampton*, which, through the courtesy of the Navy Department, was furnished for the purpose. We sailed from New York on December 2, and returned there on the 18th of the month, having spent several days in Venezuela.

While in the Venezuelan Republic we were guests of the Venezuelan Government, and we were literally overwhelmed by the character and extent of the courtesies accorded us by the officials and people of that delightful country. Certainly a more charming, a more gracious spirit of hospitality can not be met with anywhere in the world than in the land of Bolivar. We found the country to be one of great beauty, and Caracas, "the city of perpetual spring," revealed itself to us as one of the loveliest capitals anywhere to be seen. It was our great pleasure to meet there some of the most cultured and delightful people it has been our privilege to encounter in a lifetime.

At the unveiling and presentation exercises, formal addresses were delivered by Mr. Sheffield, chairman of our commission, and by Dr. P. Itriago Chacin, Minister of Foreign Affairs of the Venezuelan Republic, and by the well-known Venezuelan orator, Dr. Jose Saffitiago Rodriguez.

I was privileged to deliver the principal address at the banquet at the Caracas Country Club, given under the auspices of the Pan American Society of Venezuela, for our commission, on the evening of December 10, as a feature of the functions involved.

The statue is of bronze, is something more than life size, and depicts the Great Commoner in speaking posture. It is an impressive piece of art. The pedestal is inscribed in English and Spanish. The English inscription reads thus:

Henry Clay, 1777–1852; apostle of fraternity among the countries of America, and valiant defender of their independence.

To the United States of Venezuela the United States of America gives this statue of its illustrious statesman, Speaker of the House of Representatives, Senator, and Secretary of State.

In the container placed in the monument there was deposited, among other things, an original document or statement signed by the United States commissioners, as follows:

CARACAS, *December 9, 1930.*

On this anniversary date of the Battle of Ayacucho, which finally and forever determined the independence of the Spanish colonies of South America, we, as the representatives of the Government and people of the United States of America, duly chosen for the purpose, formally present, in their name, to the Government and people of the United States of Venezuela this statue of Henry Clay, the great North American, whose courage, zeal, eloquence, and statesmanship so effectively aided the independence cause.

It is the earnest hope and prayer of the people of our Republic that this statue shall here stand as a perpetual token and witness of the good will, affection, and esteem which they bear, and have ever borne, for the people of the Republic of Venezuela.

JAMES R. SHEFFIELD, *Chairman,*
GEORGE T. SUMMERLIN,
MAURICE H. THATCHER,
Commissioners of the United States of America.

Through the courtesy of Maj. Samuel M. Wilson and Dean F. Paul Anderson, of the College of Engineering of the University of Kentucky, both of Lexington, Ky., there was furnished to me to carry to Caracas a handsome gavel, the head of which was made from an ash tree that grew at "Ashland," Henry Clay's historic home near Lexington. This tree was one of those under which Mr. Clay was wont to meditate upon questions of public concern, and it is believed

that some of his great speeches on the independence of the Spanish colonies in America were, in large measure, "thought out" beneath this and the other trees that distinguished "Ashland" in the days of old.

This gavel, it was my very great pleasure to present to the Casa Bolivar, the birthplace of the great Liberator, in Caracas. There it will be kept and preserved, together with many other highly prized possessions and mementos of the great South American whose heroic and successful efforts for the independence of his continent won and held the love and esteem of Mr. Clay, who, in turn, is to-day idolized by the people of Venezuela, and, in fact, by all Latin Americans.

The address already referred to sets forth additional data and information touching the special mission and the historical background involved.

ADDRESS OF HON. MAURICE H. THATCHER, MEMBER OF THE UNITED STATES HOUSE OF REPRESENTATIVES, AND MEMBER OF THE SPECIAL COMMISSION OF THE UNITED STATES PRESENTING STATUE OF HENRY CLAY TO VENEZUELA, DELIVERED AT THE COUNTRY CLUB AT CARACAS UNDER THE AUSPICES OF THE PAN-AMERICAN SOCIETY OF VENEZUELA, WEDNESDAY EVENING, DECEMBER 10, 1930

Mr. Minister of Foreign Affairs, Your Excellencies, Mr. Chairman, ladies, gentlemen, and fellow Americans: I know that I voice the sentiment of our entire delegation, including, of course, the ladies who accompany us, Mrs. Sheffield and Mrs. Thatcher, when I say that the hospitality which has been extended us since our arrival at La Guaira last Monday has been of an unparalleled character. The Government and the people of Venezuela have accorded us a welcome so generous, and have showered on us courtesies so ample and gracious, as utterly to overwhelm and amaze us. Except for the fact that somehow we have been able to maintain our wits sufficiently to recall that we are citizens of a republic and know nothing save the customs of democracy, we would certainly indulge the belief that by some sort of magic, incident to contact with your hospitable shores, we had been transformed into royal personages, and acclaimed and maintained as such.

Upon a certain historic occasion Cæsar said, as you will recall: "I came, I saw, I conquered." We paraphrase that famous dictum, and on this most delightful mission declare that "We came, we saw, and we are conquered."

We know that you who live in Venezuela give to all strangers who come to your lovely land the most generous welcome, and had we come unofficially your hospitable spirit would have manifested itself in its accustomed way; but we realize, and are deeply grateful for the fact, that in the last analysis your magnificent reception of us arises from your deep desire to give evidence of the good will and affection you bear for the Nation whose evangels of amity we are.

Please be assured, beloved friends of Venezuela, that in our heart of hearts, so long as life shall last, there will glow the tender memory of this brief visit here, and that memory will be sanctified by the realization that what ye have done unto us, among the least of our citizenry, ye have done unto our Nation and to all our people.

I trust that I may be pardoned for speaking somewhat as an individual, as well as a member of the commission appointed by President Hoover to present in the name of the Government and people of my own country, to the Government and people of Venezuela, the statute of Henry Clay. The formal unveiling and presentation, as you know, took place in the beautiful Henry Clay Plaza in Caracas yesterday forenoon, in the presence of a large and brilliant assemblage of Venezuelan citizens and officials, members of the diplomatic corps, and others.

It is with peculiar gratification that I find myself in Venezuela. I must confess that ever since I have understood the meaning of travel, I have desired to see this country, the land whose shores were visited by the great Columbus in 1498 and whose people, under the leadership of the great Liberator, Simon Bolivar, came to independence more than a hundred years ago. During my several years of residence on the Isthmus of Panama, during the construction of the great canal there, where I had the honor to serve as a member of the commission charged with the duty of that construction, my wife and I had hoped to visit Venezuela, but no opportunity permitted. Hence, the delight we feel in being here now under these circumstances.

And thus, in this inadequate way, having sought to express the appreciation which we, your visitors, feel because of what has been done for us on Venezuelan soil, and especially in Caracas, including, of course, the charming hospitality of this evening, with your permission I shall speak briefly touching some matters bearing upon our mission.

THE BIRTHPLACE OF LATIN AMERICAN LIBERTY

Here, in these mountains, plains, and valleys was born the conception of Latin American independence; that ideal of liberty which, after years of bitter warfare and ever-changing fortune came to glorious fruition. We, who have come into your midst to-day, feel that we are treading on holy ground. Here was the cradle and nursery of South American freedom. We come from the land of Washington and Clay into the land of Bolivar and Sucre. Your forefathers lighted their torches from the fires of Lexington, Concord, Bunker Hill, and Yorktown. We renew our own from the glorious light shed by Boyaca, Carabobo, Juinin, and Ayacucho. We have come into your midst as messengers of good will, and we shall return to our country bearing, if you will but permit it, as the informal messengers of Venezuela, the good will of the Venezuelan people.

KENTUCKY'S CONTRIBUTION

It is a matter of especial pride with me to-day that I am a Kentuckian, because the immortal Clay was a Kentuckian. It is a matter of pride with me that I am a citizen of the American Commonwealth, which the Great Commoner so long and so illustriously represented in the two Houses of the National Congress of my country. It is also a matter of gratification that I have the honor to be a Member of the House of Representatives from the State of Kentucky; and it was my very great pleasure to support in the House the measure introduced by my former colleague from the old Henry Clay district of the State, Hon. Virgil Chapman, authorizing the presentation of this statue; and also to aid in securing the necessary appropriation therefor. For nearly 14 years Clay was the Speaker of the House of Representatives. He was the most distinguished presiding officer the House has ever had. In all that time never once was a decision of his reversed by the House, such was his ability and fairness.

It was during Mr. Clay's service in the House that he rendered such great and timely aid to the cause of Latin American independence. His eloquence, courage, zeal, vision, and statesmanship finally brought the full recognition of the independence of the Latin American countries by the United States Government.

It is also very gratifying to the people of my State that it was the first of all the American Commonwealths to declare formally its sympathy for the cause of freedom of the Spanish colonies in America. This, of course, was due to the commanding influence of Mr. Clay. Thus, in 1817, Gov. Gabriel Slaughter, in his message to the Kentucky General Assembly, expressed his very earnest sympathy for the success of the South American colonies in their efforts for independence. Agreeably to this message the general assembly promptly passed, in the early part of 1818, a resolution favoring such independence. Again in 1820–21 the general assembly of the State passed another similar resolution and commended the Kentucky Members of Congress for their efforts in behalf of that cause. Then, of course, there were the great speeches of Mr. Clay in the House of Representatives favoring Latin American independence, and his other splendid activities in that behalf.

These speeches and these activities are too well known to require on this occasion more than a general reference to them. Step by step, and in the face of the gravest difficulties, he fought his way until the people of his country were behind him, and secured the passage by the House in February, 1821, of a resolution expressing sympathy for the heroic struggles of the Latin American countries for freedom, and pledging the support of Congress to the President of the United States of America whenever he might recognize those countries. Finally, in March, 1821, President Monroe sent to Congress a message favoring such recognition, and under Mr. Clay's leadership there was promptly passed by Congress a resolution "to establish foreign intercourse with the independent nations of South America;" and formal recognition promptly followed.

During these years there grew up between Henry Clay and Simon Bolivar the historic friendship as revealed by their correspondence and the history of the times.

Again the State of Kentucky was brought into the picture. Col. Charles S. Todd, of that State, was the first representative appointed from my country to a South American nation. He was sent by President Monroe on a special mission to Colombia. He was next sent as the first regularly accredited diplomatic representative of the United States to a Latin American country; that is to say, to Colombia as chargé d'affaires and as bearer of the recognition of independence.

Then, in 1823, at the instance of Mr. Clay, another Kentuckian, Richard Clough Anderson, jr., was appointed as the first regularly accredited minister from the United States to Greater Colombia, and had the honor of negotiating the first treaty of commerce and amity between the United States and a South American country.

Henry Clay, as Secretary of State, cooperated with General Bolivar in regard to the holding of the first Pan American Congress in Panama in 1826; and also as Secretary of State, Mr. Clay selected Minister Anderson as one of the delegates from the United States to that Congress. Mr. Anderson died, however, en route from Bogota to Panama.

Then, the third minister from the United States to Greater Colombia was another Kentuckian, Thomas P. Moore, appointed by President Jackson. Nor must I forget to mention our recent able minister to Venezuela, Hon. Preston McGoodwin, a Kentuckian, who likes your country so well that he has remained among you.

So much for the Clay and Kentucky contacts with Venezuela and the other South American countries in independence days. Now, permit me to speak of the recent interest which Kentucky has shown touching matters Venezuelan. Kentucky's general assembly in 1926 passed a resolution, of which Hon. C. B. Truesdell, of the State senate, was the author, authorizing the appointment by the governor of delegates to the Panama and Caracas congresses to celebrate the one hundredth anniversary of the Panama Congress of 1826. These delegates were appointed and attended the 1926 congress in Panama.

The Congress in Caracas was, I believe, postponed and not held. The same resolution memorialized the President and Congress of the United States for the enactment of the necessary legislation to provide for the presentation to the people and Government of Venezuela of a statue of Henry Clay. In 1921, as you will

recall, the Venezuelan Government presented to the city of New York a beautiful statue of Simon Bolivar, which now adorns Central Park in that great city. My country deeply appreciated that evidence of Venezuelan good will, and has been most happy to reciprocate it.

ACTION OF THE CONGRESS OF THE UNITED STATES—SPECIAL COMMISSION

The act of Congress authorizing the presentation of the Henry Clay Statue to Venezuela became a law in February, 1927. The appropriation for the statue thereupon followed in 1928. An American sculptor, Edmond T. Quinn, began the work, but died before its completion. Thereupon another American sculptor, Francis H. Packer, completed the undertaking. In compliance with the act of Congress the President of the United States appointed as a special commission to present the statue to the Government and people of Venezuela, Hon. James R. Sheffield, former ambassador to Mexico; Hon. George T. Summerlin, our present minister to Venezuela; and myself. Mr. Sheffield was appointed chairman of the commission with the rank of ambassador extraordinary and plenipotentiary. Also there were named to accompany the commission Col. Blanton Winship, as military attaché; Capt. Lamar R. Leahy, as naval attaché; and Mr. Robert J. Phillips, of the State Department, as secretary.

PRAISE DUE TO RUDOLPH DOLGE

Touching the subject of this statue, I trust that the honored president of the Pan American Society of Venezuela, Mr. Rudolph Dolge, will not be offended when I suggest that more to him, a citizen of the United States, but long resident in Venezuela, than to any other person is due the credit for having made possible the presentation of this token of good will to Venezuela. The seed sown by him in Kentucky some years ago found fruitful lodgment there, and all this that is now taking place is the happy harvest. The people of my State and of my country were only too glad to embrace an opportunity to indicate their love and esteem for the people of Venezuela. The statue will stand here as an enduring witness of that love and esteem.

CONCLUSION

And now a few general observations and I am done. Speaking for our delegation, permit me to say that it is hoped that our mission hither and the duties we are here discharging may prove of lasting value, not only to your country and to mine, but, as well, to all the countries of America. All of the Republics of the New World have had the same character of struggle and hardship to gain their independence. All of them are grounded upon the same basic principles and ideals; they have the same orientations; and they have a common destiny. All of them have their problems—this is inevitable—but the formula for the solution of those problems lies in the practical application of the great principles set forth in the constitutions and laws which our nations have adopted. We are all Americans. Whatever affects any one of our Republics, whether yours, mine, or another's, must affect the others. Hence in the last analysis it is possible that in the years to come we may all go up or down together. All of us face in the same direction; that is to say, toward the sunrise. Each must be touched by the weakness or the strength of the others.

Therefore the leaders of thought in my Nation, like the leaders of thought in your own and the other Latin American countries, are the most earnest advocates of Pan Americanism, the great policy formulated by Bolivar and Clay. More and more we must council together for the good of all.

Let us hope that in the future, as in the past, my Nation and that of Venezuela may maintain the closest mutual bonds of friendship and fraternity. May we hope also that the generations of the future may hold for each of our countries the blessings of prosperity, culture, and happiness far beyond our power to anticipate. Your country, like my own, has a heroic past, and like my own is possessed of great natural resources. Your potential wealth is nothing less than marvelous. It is a refreshing experience to visit a country that is practically free from debt. This is the splendid record that Venezuela presents to the world.

And permit me to express the faith that in this hour of reverent and loving ceremonial and remembrance; that during this time of mutual exchange of the sentiments and assurances of good will, when our minds and hearts are filled with patriotic zeal and ennobled by the occasion, there hover over and join with us in these exercises the spirits of those two master souls of their generation in the cause of American liberty, the Great Commoner, Henry Clay, of my land, and Simon Bolivar, the peerless soldier-leader, El Libertador, of your own. So long as the memories of these dauntless men may live in the republics of America their destinies will be secure.

THE CLERKS' SALARY INCREASE

Mr. WOOD. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes.

The SPEAKER. The gentleman from Indiana asks unanimous consent to address the House for 10 minutes. Is there objection?

There was no objection.

Mr. WOOD. Mr. Speaker and gentlemen of the House, it has been suggested that it might be opportune, and certainly in order, to call the attention of the House to what we have done since we convened in the way of appropriations. I wish to congratulate the House and the several Appropriation Subcommittees upon the splendid work they have done up to this time. I do not believe that in the history of this Congress there has ever been a better showing made or more work accomplished in such a short period of time as that which has been accomplished since we convened. [Applause.]

The Treasury and Post Office Departments bill, which passed the House, passed the Senate, and is now in conference, carries $1,083,000,000. The Interior Department bill, which passed this House and is now being considered in the Senate, carries $68,500,000. The Agricultural appropriation bill, which passed this House upon yesterday, carries $213,000,000. This House has passed a bill carrying $150,000,000 for addition to the revolving fund of the Federal Farm Board. The bill which passed this House known as the emergency construction bill, to relieve the unemployment situation, as it passed this House carried $110,000,000, to which $6,000,000 has been added in the Senate. So that in all, from the beginning of this session down to this hour, we have passed appropriation bills amounting, in round numbers, to $1,630,000,000. In addition to this, the drought relief bill authorizes $45,000,000 to be appropriated.

Mr. Speaker, ladies and gentlemen of the House, I wish to take advantage of this opportunity to correct some misstatements which have gone out over the country, and which no doubt have had their effect upon the membership of this House, with reference to what has been done and will be done concerning the increase of salaries of Federal employees. When it became known that there had been an agreement between the conferees of the House and the conferees of the Senate with reference to this matter, telegrams began to pour out from the city of Washington all over this country asking that certain messages be sent to various Members of this House. Perhaps many of you have received them already, and those of you who have not received them will no doubt receive them within a very short time.

In order that the Members may understand just what the bill as it passed the House contains to cover increases, I desire to say that in framing the House bill these amounts are approximately available to cover increases. We are now considering the Post Office and Treasury bill, and there is a general understanding between the House and the Senate that whatever is adopted with reference to this appropriation bill must, of necessity, be adopted as to all of them. The amount in the Treasury-Post Office appropriation bill on account of the act of July 3, 1930—the Brookhart Act—which is effective for salaries during the next fiscal year, carries an increase to the amount of $1,437,480. The amount under the Treasury Department in normal appropriations which will be available from lapses, and so forth, for salary increases during this next fiscal year is $811,000. The amount under the Post Office Department in Washington normally used for making increases from lapses, and so forth, is $25,000. The amount in the House bill, therefore, to cover salary increases, is $2,273,480. To this total the Senate has added for the salary increases proposed under the 3-year program proposed in the Budget for next year, $1,200,000. The amount of the bill, therefore, as it passed the Senate, available for salary increases would be $3,473,480.

You will remember that the so-called Wood amendment was stricken out in this House in the consideration of the Interior Department appropriation bill. I took it to be the wish of the House that that should no longer be considered, and it was not considered in connection with the agricultural appropriation bill which passed the House upon yesterday.

In the House appropriation bill for the Post Office and Treasury Departments the Senate added the $1,200,000 as the first increment of this 3-year program. The conferees, after they took this matter into consideration and after they were advised by the Treasury Department and by the Postmaster General that they thought it would be wrong, under the conditions now existing in this country, to have these salary increases carried in that bill, determined not to carry them.

I want to say to you that with entire unanimity the conferees of the House and the conferees of the Senate have

agreed upon this, and I felt it was my bounden duty to you that I should bring before you the facts with reference to this entire question; and this is not all. The amount of $1,200,000 for these salary increases is a part of the $4,250,000 proposed by the Budget as the first year's increment of a 3-year program, which in all would cost $14,500,000 a year for salary increases. These amounts the House denied.

All the appropriation bills will contain approximately $4,000,000 for carrying out the Brookhart Act of July 3, 1930, to cover the salary increases under that act. In addition to this amount, the bill carries the regular funds under which promotions and increases may be made from lapses, and so forth, which is roughly estimated to be at least $3,500,000 to $4,000,000. All the bills, therefore, irrespective of this 3-year program, will carry between $7,500,000 and $8,000,000 to cover salary increases.

If the Senate amendment should prevail, it would run up the amount for salary increases to nearly $12,000,000 for this session; and this at a time, as I stated before, when there are millions of men and women out of work. I appeal to you, gentlemen, what a position we are placing ourselves in.

There is no suffering among Federal employees. They are employed every day at a very fair salary, to say the least, and some of them, as many will state, at a most exorbitant salary.

Talk about there being no wage reduction in this country! The total paid for wages in the great industries in this country have been decreased very considerably. It is true that most of the large factories and most of the large manufacturing companies have not reduced the daily wage or the price of the daily wage, but they have reduced the number of days they can work, so that there has been a great decrease in wage earnings of the working men and women of the United States; and I may say to you, and I take great satisfaction in saying this, that every mail I am receiving from within and from without this town commends the action of the committee with reference to the position they have taken, and the crime it would be, especially at this time, with all the grief and all the woe throughout the country, to increase salaries in addition to the natural increases that come by reason of the facts I have told you.

Mr. BYRNS. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. BYRNS. More by way of emphasizing what I understand the gentleman has already stated, I wish to say the impression has been created throughout the country in some way, among the employees of the Government, that under the bills as reported by the House committee the employees will get no increase. As I understand the gentleman, with the elimination of the Wood amendment and with the appropriations which are carried under the Brookhart Act, there will be increases in the Treasury Department alone for the employees of over $2,200,000 for the year 1932, and there will be corresponding increases in the other departments.

Mr. WOOD. That is correct.

The SPEAKER. The time of the gentleman from Indiana has expired.

Mr. BYRNS. Mr. Speaker, I ask unanimous consent that the gentleman may have five additional minutes.

The SPEAKER. Without objection, the gentleman from Indiana is recognized for five additional minutes.

There was no objection.

Mr. CRISP. Will my friend yield to me for a question?

Mr. WOOD. Yes.

Mr. CRISP. Under the Farm Board act we authorized $500,000,000 to be appropriated and we have appropriated $150,000,000 this year. Does that exhaust the authorization?

Mr. WOOD. No; there will be $100,000,000 more that will be carried in the general bill.

Mr. BURTNESS. Will the gentleman yield?

Mr. WOOD. Yes.

Mr. BURTNESS. I voted with the gentleman on the so-called Wood amendment, but a majority of the House took it out. The thing that bothers me is this: Would refusal to add the amount that was added by the Senate amount in substance to a denial of the expression of the House in defeating the so-called Wood amendment?

Mr. WOOD. No.

Mr. BURTNESS. In other words, would a denial of the extra amount mean the same thing as if the Wood amendment had remained in the bill?

Mr. WOOD. No; it would not have that effect at all, and that is one of the mistaken impressions I am trying to correct now.

Mr. BURTNESS. I think that impression prevails more or less among the House membership.

Mr. WOOD. Of course, that idea exists and that impression went out. The idea was intentionally spread throughout the country that if the Wood amendment prevailed there would be no increases whatever, and that was correct, because a great many thought that those who were drawing salaries in the higher brackets should not be permitted to receive the promotions under these lapses, but the Wood amendment went out, and therefore it has no application at all to such lapses, and, as I have told you, under the Brookhart Act, which is in force now, and under these lapses, there will be between $7,500,000 and $8,000,000 to cover increases, so there can not be any mistake about that.

Mr. BURTNESS. I understand that, but what about promotions within the grades?

Mr. WOOD. It permits such promotions, just the same as if nothing whatever had happened, within the amount of money they have.

Mr. TABER. And in addition to that, they can use the money available out of lapses for other promotions.

Mr. WOOD. That comes under the lapses.

Mr. SNELL. Where is this information coming from that has been spread throughout the country that we are not allowing anything additional and are cutting down salaries?

Mr. WOOD. It comes from the gentleman who has been misrepresenting for years every act of this Congress that he has felt has been detrimental to the interests he is representing and being paid $6,000 or $7,000 a year to represent, and he is our Mr. Steward. He has uttered more falsehoods and made more misrepresentations, since I have been a Member of this Congress and since he has been occupying his present position, than Ananias could have made had he been on earth for the same length of time. [Laughter and applause.]

PERMISSION TO ADDRESS THE HOUSE

Mr. McFADDEN. Mr. Speaker, I ask unanimous consent to address the House for 30 minutes.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to address the House for 30 minutes. Is there objection?

Mr. DYER. Reserving the right to object, upon what subject?

Mr. McFADDEN. On the international financial situation.

Mr. DYER. On the same line as the gentleman's previous speech?

Mr. McFADDEN. Somewhat; yes.

Mr. BEEDY. Reserving the right to object, is the gentleman going to discuss the Federal Reserve Board policy and the appointment of the chairman to the board?

Mr. McFADDEN. I am not going to discuss the appointment of the governor of the Federal Reserve Board. I covered that question thoroughly last Tuesday. I am not going to discuss the address of the gentleman from Massachusetts [Mr. LUCE] last Wednesday, if that is what is in the gentleman's mind.

Mr. BEEDY. The gentleman at this critical time is going to discuss the policy of the Federal reserve system?

Mr. McFADDEN. I am going to state some facts pertinent to certain matters connected with the Federal reserve system and the international financial situation.

Mr. BEEDY. Mr. Speaker, inasmuch as this is a matter vitally affecting the situation at this critical time, and the

fact that it has never been taken up before the committee, I shall object. If we are to discuss the Federal reserve's policy now, I think we should first consider it in the committee.

Mr. GARNER. Will the gentleman yield for a question?

Mr. DYER. Mr. Speaker, I ask for the regular order.

The SPEAKER. The regular order is demanded.

Mr. McFADDEN. Mr. Speaker, I ask unanimous consent to insert in the RECORD the address that I was about to deliver.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. BEEDY. I shall have to object to that until I have had some opportunity to inform myself as to the subject matter which it is proposed to discuss.

CALL OF THE HOUSE

Mr. HOWARD. Mr. Speaker, I make the point that there is no quorum present.

The SPEAKER. The gentleman from Nebraska makes the point that there is no quorum present.

Mr. TILSON. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 8]

Abernethy	Douglas, Ariz.	Johnson, Ill.	Purnell
Allen	Douglass, Mass.	Jonas, N. C.	Quin
Arentz	Doutrich	Kahn	Ransley
Arnold	Doyle	Kearns	Reece
Baird	Drane	Kemp	Rich
Beck	Drewry	Kendall, Pa.	Romjue
Beers	Eaton, Colo.	Kennedy	Rutherford
Bell	Edwards	Kunz	Sabath
Blackburn	Estep	LaGuardia	Seiberling
Boylan	Fenn	Larsen	Shaffer, Va.
Brand, Ohio	Fitzpatrick	Leech	Sirovich
Britten	Foss	Lindsay	Smith, W. Va.
Browning	Freeman	Linthicum	Somers, N. Y.
Brumm	Fuller	McLeod	Sparks
Brunner	Gambrill	McMillan	Speaks
Carley	Garber, Va.	Martin	Spearing
Carter, Wyo.	Gasque	Mead	Stafford
Celler	Gavagan	Merritt	Steagall
Chase	Gibson	Michaelson	Stevenson
Chiperfield	Gifford	Milligan	Stobbs
Clark, Md.	Glover	Mooney	Sullivan, N. Y.
Clark, N. C.	Golder	Moore, Ky.	Sullivan, Pa.
Collins	Granfield	Moore, Ohio	Sumners, Tex.
Connery	Hale	Nelson, Mo.	Thompson
Connolly	Hall, Ind.	Niedringhaus	Underhill
Cooke	Hall, Miss.	Norton	Underwood
Cooper, Ohio	Hancock, N. C.	O'Connell	Walker
Craddock	Hartley	O'Connor, La.	Warren
Crail	Hastings	O'Connor, N. Y.	Whitley
Crosser	Hickey	Oliver, N. Y.	Whittington
Cullen	Hoffman	Owen	Williams
Dallinger	Hogg, W. Va.	Parsons	Wolfenden
Dempsey	Hope	Peavey	Wolverton, N. J.
Dickstein	Hudspeth	Pou	Woodrum
Dorsey	Igoe	Pratt, Ruth	Wright
Doughton	James, N. C.	Pritchard	Zihlman

The SPEAKER. Two hundred and eighty-eight Members have answered to their names; a quorum is present.

Mr. TILSON. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

FLORIDA

Mr. GREEN. Mr. Speaker, I ask unanimous consent to address the House for one minute.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. GREEN. Mr. Speaker and my colleagues, in all Christian nations I believe that this the Christmas season is the most pleasant and wonderful of all the seasons of the year. It is a season of relaxation, spiritual contentment, and happiness. I judge that many of you will have the pleasure of going home and spending the holiday season with your families. I trust it will bring to each of you that happiness and consolation that should come when the busy cares of official life are set aside.

A number of my colleagues have indicated their intention of spending a portion of the holidays in our great State of Florida. I am familiar with the train and bus schedules for Florida as well as the roads leading there. I shall be very glad to furnish you with any information or road maps that you may need. If you will spend your holidays in Florida, I know you will enjoy it; the people of my State will make your visit happy and pleasant; come, if you will. Regardless of where you spend your holidays, I wish for each of you all the happiness that this joyous season should bring to you. [Applause.]

Mr. CLARKE of New York. Mr. Speaker, I ask unanimous consent to address the House for half a minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CLARKE of New York. Mr. Speaker, ladies and gentlemen of the House, on behalf of Santa Claus and my constituents, I wish you all a Merry Christmas. [Laughter and applause.]

CONTESTED-ELECTION CASE—UPDIKE VERSUS LUDLOW

Mr. BEEDY. Mr. Speaker, I submit a privileged report from the Committee on Elections No. 1, which I send to the desk and ask to have read.

The Clerk read as follows:

House Resolution 326

Resolved, That Ralph E. Updike was not elected a Representative to the Seventy-first Congress from the seventh congressional district of the State of Indiana and is not entitled to a seat therein.

Resolved, That Louis L. Ludlow was duly elected a Representative to the Seventy-first Congress from the seventh congressional district of the State of Indiana and is entitled to retain his seat therein.

Mr. BEEDY. Mr. Speaker, this is a resolution submitted as a result of the unanimous vote of the Committee on Elections No. 1. The case presented some very technical considerations. The question of determining what constitutes inhabitancy within the meaning of section 2, Article I, of the Constitution, which defines the prerequisites to qualifications in this House, is always a troublesome one. It turns largely upon the question of intention. The committee decided that there was such a chain of evidence running over a course of years as proved the intention of Mr. LUDLOW to retain his inhabitancy, which embraces his rights of citizenship, in the seventh district of Indiana.

Mr. Speaker, I yield 15 minutes to the gentleman from Indiana [Mr. LUDLOW].

Mr. LUDLOW. Mr. Speaker and Members of the House, with your kind permission, I will take a few moments to give voice to the emotions that flood my heart. In this proceeding my eligibility to qualify as a Hoosier was challenged. I do not know why anyone who would look at me would have any doubts on that point. My ancestry on both sides was rooted into the pioneer life of Indiana long before there was even a dream of statehood. My father and mother were among the pioneers of rugged honesty and sterling character who subdued the forests and laid the foundations of a great State. There are many of their like sleeping in the rural graveyards of Indiana. Their noble examples abide with us and it was such as they that placed the Commonwealth on foundations true and strong and made Indiana what it is to-day, a jewel in the diadem of States.

Born in this rural Hoosier environment at a time when the wildness of pioneer life was still more of a fact than a memory, I left the farm nearly 39 years ago to try to find better opportunities in life, and, with all the handicaps of inexperience and verdancy that imagination can conjure, I went to Indianapolis to seek employment on a newspaper. I leave you to visualize if you can some of the soul-trying episodes through which I passed before I became "city broke." While I struggled as a young newspaper reporter I tried always to be square and to help others, and in those days were formed the first friendships which are largely responsible for my being in Congress to-day, for when, to the surprise of everybody, including myself, I finally gave evidence of a political ambition, the fathers and grandfathers, the friends of my youth, which all the fervor of true affection, urged their sons and their grandsons and their collateral kin to support me, and they did this utterly regardless of political affiliation.



In the development of my newspaper career there came a time when I wanted to be a Washington correspondent. That was a very natural ambition. Not only to my mind but to the minds of many others the Washington service is the very pinnacle of journalism. Samuel E. Morss, owner of the Indianapolis Sentinel, named me as his representative at the Capital of the Nation. There is only one place to be a Washington correspondent, and that place is Washington. So I came here and for many years divided my time between Washington and Indiana, remaining here while Congress was in session and returning to work in Indiana during the vacation periods.

But all the time I kept my Hoosier citizenship straight. I voted regularly in Indiana. I paid my small property taxes there. I asked and obtained permission to pay my income taxes there in order to safeguard my Hoosier citizenship.

That is the story. Because of my long contact with the Indianapolis public, through the agencies of journalism and otherwise, I think it is not stretching the truth to say that I am something of an institution of our city. I did not say that I am a good institution, but an institution does not have to be good to be an institution. [Applause.]

From the bottom of my heart I want to thank the Committee on Elections No. 1 for the careful, thoughtful, and conscientious consideration it has given to my case. Indianapolis is enshrined in my heart, because that city received me with open arms when I was a penniless boy. The tender recollections of my youth center there. It is a great honor to represent the capital district of Indiana in the Congress of the United States, and it will always be my sincere purpose to conduct myself so as to be worthy of that honor. [Applause.]

I love the Hoosier State. I do not believe there is any other place in the world where the sun shines so brightly and hospitality radiates so warmly as in Indiana. And I love the Hoosier people for their genuineness, for their neighborliness handed down from pioneer days when the settler's "Who's here?" was a cheery call of identification and never of exclusion; when the latchstring was always hanging out and the stranger at the gates always found a meal and a spare bed, though he never had been seen before. I interpret the decision of the committee and of the House to be that I am an infinitesimal part of the warp and woof of Indiana, that I am bone of their bone and flesh of their flesh, and I am glad.

I shall always imagine that the members of the committee in discussing this case among themselves said to each other: "You can tell by looking at LUDLOW that he is a Hoosier."

And in the back of my head there will always be a lingering suspicion that my appearance was Exhibit A in winning my case. [Laughter.]

I am proud to be called a Hoosier. I am proud of my pioneer lineage. I am proud of the strong and brave men who conquered the wilderness and proud that my own father was one of them. They were men of honor and righteousness. I am proud of the pioneer women, whose sublime faith and courage bore aloft the torch of hope in those hard and crucial years, and I am proud that my mother was one of them. I am proud of the history of my State, of its brilliant progress in the pursuits of peace and its matchless record in war. [Applause.]

I would be less than human if I did not tell you that your action this afternoon has made me supremely happy, because you have found me to be what I have always known myself to be, a blown-in-the-bottle Hoosier. I am glad to know that I am not to be deprived of my Hoosier birthright by congressional edict. I am delighted that Congress has found on me the unmistakable Hoosier brand and has left it there. And I am pleased that this decision confirming my right and title to a Hoosier's seat in Congress, though somewhat delayed, has come at that idealistic season of the year, immortalized by our Hoosier bard, "When the frost is on the punkin and the fodder's in the shock." If you will permit me to express my emotions in the colloquialisms of my native land, I will say that while I was disturbed "right smart" over the delay in deciding this contest, now that the decision has been reached I feel "real peart." And why should I not feel "peart"? I am the only person in the whole world who has ever been declared a Hoosier by act of Congress, and I thank you. [Applause.]

Mr. BEEDY. Mr. Speaker, I yield five minutes to the gentleman from Virginia [Mr. MOORE].

Mr. MOORE of Virginia. Mr. Speaker, Members will recall that during the last session of Congress an act was approved authorizing the purchase of what is called the Vollbehr Collection. That legislation was initiated by a bill offered by my distinguished friend from Mississippi [Mr. COLLINS] just one year ago. He followed the introduction of the bill by a very notable address here in February, 1930. I rise for the purpose of saying that 1,700 volumes of that collection, which has a total of 3,000 volumes, are now on exhibition in the Library of Congress on the second floor, and I am satisfied that anyone who has not done so will find very great interest in seeing those books. All of them were printed in the fifteenth century. Nearly all of them were printed prior to the discovery of America by Columbus. Even to an unscholarly person the exhibition has obvious value. Take, as an illustration, the Gutenburg Bible. That work is in three volumes, and it is surprising to find that the beautiful vellum binding is as perfect, the paper as perfect, the ink as distinct, and the colored illustrations as vivid, as when the printing was done nearly 500 years ago, and much the same is true of the other books. I am satisfied that any of you gentlemen who have not visited that exhibition will concur in what I am saying when I state my belief that a most valuable addition was made to the Library by the expenditure of $1,500,000 to make the purchase, which is said to be something like one-half of the present commercial value of the collection.

What has happened in my time in the way of constructing a beautiful and ample Library building and in the way of gathering there priceless possessions, belonging to all periods of literature, has been most astonishing. Back of my time the Library of Congress, of which we are all now proud to boast, had a very small beginning. The idea was to make it simply useful for the Members of Congress. The first Librarian was appointed by President Jefferson in 1802. He was the Clerk of the House of Representatives, one of the early predecessors of our friend Mr. Page, John Beckley, of Virginia, and the law under which he was appointed provided that he should serve at a compensation of $2 per diem for the days when he actually worked.

In my own time the Library has been housed here in the Capitol—and very inadequately—and contained but a comparatively small collection of books. That was when Mr. Spofford was the Librarian. We have now gotten away from the original conception and have a Library which is not designed exclusively for the use of Members of Congress, but is a great national Library, comparable with the libraries of other leading nations; and nothing has recently occurred which adds more to the importance of the Library than the remarkable Vollbehr collection, upon the acquisition of which I think the Members of this Congress may well congratulate themselves. [Applause.]

The SPEAKER. The question is on the resolution offered by the gentleman from Maine.

The resolution was agreed to.

MESSAGE FROM THE PRESIDENT—PAITILLA POINT MILITARY RESERVATION (H. DOC. NO. 700)

The SPEAKER laid before the House the following message from the President, which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered printed:

To the Congress of the United States:

I inclose a communication from the Secretary of State recommending a modification of the boundary line between the Panama Canal Zone and the Republic of Panama so far as it affects that parcel of land in the Panama Canal Zone known as the Paitilla Point Military Reservation.

I recommend that the Congress enact the necessary legislation authorizing and empowering the Secretary of State to effect the modification of the boundary lines as recommended by him.

HERBERT HOOVER.

THE WHITE HOUSE, *December 20, 1930.*

ADJUSTED-COMPENSATION CERTIFICATES

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, if a Member of the House is in favor of any plan of cash settlement for the veterans of the World War on their adjusted-compensation certificates, he should sign the petition now in charge of the Journal clerk of the House which will force the Committee on Ways and Means to grant a hearing on the proposal and report the bill within 15 days from the time a majority of the Members have signed the petition. How can a Member favor any plan of cash settlement or change of the present law and not take the step that is necessary to force the committee to grant a hearing in order that he might present his plan?

COPY OF THE PETITION

The following is a copy of the motion now in charge of the Journal clerk which I am asking a majority of the Members to support by affixing their signatures:

MOTION TO INSTRUCT A COMMITTEE TO REPORT A BILL

DECEMBER 9, 1930.

To the CLERK OF THE HOUSE OF REPRESENTATIVES:

Pursuant to clause 4 of Rule XXVII, I, WRIGHT PATMAN, move to instruct the Committee on Ways and Means to report the bill (H. R. 3493) entitled "A bill to provide for the immediate payment to veterans of the face value of their adjusted-compensation certificates," which was referred to said committee May 28, 1929, in support of which motion the undersigned Members of the House of Representatives affix their signatures, to wit:

_____ _____.
_____ _____.

Under clause 4 of rule 27 above referred to the committee will be forced to report the bill within 15 days after 218 Members have signed the petition.

Suppose a Member should favor a 50 or 75 per cent cash settlement or option, he should sign the petition. When the committee is forced to have hearings and report the bill within 15 days his plan and all other plans presented will be considered by the committee and the bill reported with the best plan suggested as an amendment to the bill.

Approximately 100 Members have signed the petition already. No harm can be done in causing a committee to give consideration to the proposal. If it will promote the general welfare and is sound, it should be adopted; and if not, it should be rejected. There is no better way to discover its merits or demerits than an open hearing before the committee. Will you not join with us and help get its consideration?

On the following dates I made speeches, which are contained in the CONGRESSIONAL RECORD, advocating this legislation: June 6, 1929 (extension of remarks); April 3, 1930; December 3, 1930 (discloses the amount the veterans in each State will receive in the event of cash payment); and December 16, 1930. I believe the arguments presented in these speeches will sustain the position that the face value of the certificates should be paid in cash now.

RECESS

Mr. TILSON. Mr. Speaker, I ask unanimous consent that the House stand in recess until 2 o'clock.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Accordingly (at 1 o'clock and 16 minutes p. m.) the House took a recess until 2 o'clock p. m.

AFTER THE RECESS

The recess having expired, at 2 o'clock p. m. the House was called to order by the Speaker.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the joint resolution (S. J. Res. 211) entitled "Joint resolution for the relief of farmers in the drought and/or storm stricken areas of the United States."

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14804) entitled "An act making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment, and had receded from its amendments numbered 11, 12, and 14 to said bill.

ADDRESS BY SECRETARY OF WAR HURLEY

Mr. DENISON. Mr. Speaker, at a meeting of the Mississippi Valley Association recently held in St. Louis, Mo., the Secretary of War, Mr. Hurley, delivered a very enlightening address on the progress in transportation. I would like to have unanimous consent to insert that address in the RECORD.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD by printing an address delivered by the Secretary of War. Is there objection?

Mr. KVALE. Mr. Speaker, reserving the right to object, a little while ago a Member was denied the privilege of inserting his own remarks in the RECORD. I do not want to object to the request of the gentleman from Illinois, but I am wondering whether the gentleman from Pennsylvania has conferred with the other Members of the House and is going to renew his request to-day.

Mr. BEEDY. Mr. Speaker, the gentleman is just a little previous. The gentleman from Pennsylvania has very courteously submitted his manuscript to me; and, having read it, I am very glad to withdraw my objection.

Mr. JONES of Texas. Is the gentleman on the board of censors?

Mr. BEEDY. Not at all, but I am eager that nothing in the contemplated speech convey the impression that the gentleman from Pennsylvania is about to speak for the Committee on Banking and Currency, of which I am a member. The gentleman from Pennsylvania has very graciously offered to say that he represents himself alone, and does not attempt to speak for anybody else.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DENISON. Mr. Speaker, under the leave to extend my remarks in the RECORD I include the address of Hon. Patrick J. Hurley, Secretary of War, before the Mississippi Valley Association in St. Louis, Mo., November 24, 1930.

The address is as follows:

PROGRESS IN TRANSPORTATION

I am happy to meet with the Mississippi Valley Association on this occasion. This organization has taken a conspicuous part in advancing the systematic, uninterrupted improvement of our inland waterways system. The plan for developing and putting into operation an inland waterway system of 9,000 miles was outlined more than six years ago by Herbert Hoover. Since then he has coordinated the work of the Corps of Engineers, which is now systematically carrying the plan into effect. The work is being vigorously prosecuted and the system outlined by the President will in a comparatively short time be a reality. The plan contemplates a connected, coordinated waterways system that will provide arteries for economic transportation through the center of our country. The system will provide a line north and south on the Mississippi from St. Paul and Minneapolis to New Orleans. Another line will run east and west from the mines and mills of the Pittsburgh region to the granaries on the upper Missouri. The Mississippi will be connected with the Great Lakes through the Illinois waterway.

Inasmuch as we are discussing now only the Mississippi system we need not detail here the plans for the intracoastal canals, the outlet from the Great Lakes through the St. Lawrence, or the New York Canal—or the proposed development of streams on the Pacific slope.

The principal tributaries will be improved out as far from the Mississippi as sound economics and sound engineering will justify. As a part of the development of the Mississippi transportation system there is being carried into effect the flood-control program for the protection of the alluvial valley of the Mississippi against disastrous floods.

THE PRESENT PROGRAM

Congress, by act of July 3, 1930, authorized a program of waterway improvement in line with this policy. The more important of the improvements so authorized were:

(1) A 9-foot channel in the Mississippi River from Minneapolis to St. Louis, with widths suitable for long-haul common-carrier service and with locks of standard Ohio River dimensions.

(2) The completion of the Illinois waterway, now under construction by the State of Illino's. This will provide the last link in a 9-foot channel between the Great Lakes and the Mississippi system.

(3) The improvement of the Tennessee River from Knoxville to its mouth to afford 9-foot navigation with provision for the coordinated development of power.

In addition the act authorized modernizing and improving navigation on the Monongahela, the Allegheny, the Kanawha, the Cumberland, the Green, and Harren Rivers, and the canalization of the lower reaches of the Youghiogheny (Yokagany) River.

Authorized expenditures on the Mississippi River, between Minneapolis and the mouth of the Illinois, were limited to $7,500,000 in addition to prior authorizations, and on the Tennessee, $5,000,000. It is fully understood that the cost of the ultimate 9-foot channel on these streams will amount to many times these authorizations and will take time.

PUSHING THE WORK

The authorized expenditures will, however, permit the initiation of the work. Pending the appropriations for further expenditures work is being directed to the improvement of the worst places in the present channel so as to put the whole system in operation at an early date. It will be carefully coordinated with the final accomplishment of the 9-foot project on correct engineering lines.

The authorized expenditure on the Illinois waterway is $7,500,000. This sum should complete the project.

The authorized expenditure on the improvement of the Missouri River, between Sioux City and Kansas City, was increased by $15,000,000, with the intention—by Congress—that this sum be expended in three years.

Without further detailed description it can happily be said that in the last river and harbor act Congress has authorized a program of interior-waterway improvement in general accord with the development plan of the President. We must not close our eyes to the fact that the execution of the program will cost large sums. The work will be done as rapidly as sound engineering and sound economics will permit and as funds necessary are made available by Congress.

Some discussion has arisen in regard to the ultimate channel depths. Our plan is to put the system in operation and continue to improve the channels until they have reached their ultimate feasible depth.

The improvement of the Mississippi waterways is now the major item in our river and harbor work. It is, however, but a part of the river and harbor improvement program essential to the proper development of our Nation's commerce. The improvement of our seacoast harbors, of our system of intracoastal canals, of the Great Lakes, and of the St. Lawrence, so far as now authorized, must be prosecuted simultaneously with our interior rivers.

So much for the future. Let us look at our present accomplishments.

WATERWAYS' GREATEST YEAR

The year now drawing to a close has witnessed the greatest activity in river and harbor improvement and in flood control in the history of our Nation.

The Ohio River was opened up last fall for 9-foot navigation throughout its length. I decry the idea that it is completed. It will never be completed in the sense that we can discontinue work and leave the river to develop its own usefulness. Nevertheless, because of the accomplishment of the lock-and-dam project, navigation on the Ohio, in this year of the great drought, has been eminently satisfactory. Were it not for the millions spent on these locks and dams not a barge could have moved down the Ohio for months during the past summer and fall.

The improvement of the Missouri, to obtain a dependable 6-foot depth, is the most daring effort in river regulation that has ever been undertaken. This winding and shifting, silt-laden stream is gradually being stabilized by revetments and dikes. The work accomplished justifies the high hopes for the success of the undertaking. A 6-foot channel in the Missouri from its mouth to Kansas City will soon be a reality.

Priority on the Missouri has thus far been given to the improvement below Kansas City. This procedure is in accordance with the accepted principle of extending the branches out from the trunk. We must not revert to the haphazard practice of improving isolated sections of a river. A steadily expanding, continuous, and consecutive development is the demand of the Nation. The time will soon come, however, for actively extending the project above Kansas City.

The improvement of the Illinois River is proceeding satisfactorily and it will be ready before the Illinois waterway, linking it to the Great Lakes, can be completed. Preparations are made to press the latter work as soon as funds are appropriated or made available for the purpose.

On the Mississippi the great drought has resulted in exceptionally low water. Despite the untiring efforts made to keep the channel open to the full project depth, navigation conditions have not been up to standard. The difficulties confronted have given us better equipment with which to surmount them.

Plans are being completed for additions to the dredging fleet. This fleet will be modernized and expanded. The regulating works between St. Louis and Cairo will be further extended to meet the unusually low-water conditions.

All installations on the upper Mississippi are being built for an ultimate 9-foot channel. The 6-foot channel will not be abandoned but will be kept in operation in connection with the entire Mississippi system until the 9-foot channel has been completed. The Hastings Dam, authorized by previous legislation, is practically completed. This dam will remove the unsatisfactory conditions that have prevailed in one of the most difficult portions of the river. The Twin City Lock and Dam has been restored and is now in operation.

Navigation on the Allegheny River is being extended by the construction of Locks and Dams Nos. 7 and 8, which are being vigorously prosecuted.

OPPOSITION RECOGNIZED

There are those among us who are not in favor of the expenditure of such great sums in the improvement of our inland waterways. They include notable and distinguished men and able economists who claim that there is no justification economically or by precedent for such use of Government funds. Some claim it to be a misuse of the public moneys and a practical manifestation of socialism in one of its most dangerous aspects.

There is plenty of precedent for governmental financing of inland waterways development. Tremendous subsidies were granted to the railroads in their infancy by the Government. Federal funds were given to the extension of our merchant marine and to the development of civil aviation. The creation of our great automobile industry was made possible by the building and maintenance of a vast network of highways and roads by the States and National Government.

RAILROADS GREATEST GOVERNMENT BENEFICIARIES

All of these national systems of communication and transportation have received the generous support of our Government during the periods when they were still untried and were struggling to live and develop.

As a matter of fact, our railroads would never have survived without such assistance. More than any other form of transportation, they leaned on the kind shoulder of a friendly Federal Government and farsighted people.

LAND GRANTS TO RAILROADS

Long stretches of the public-land domain were freely bestowed upon the railroad companies that build our great railroads. The total land grants reached the colossal figure of 155,504,000 acres. If anyone finds that total incredible I can supply him with the figures in detail of the acreage given to each railroad.

To make up this tremendous acreage of gift land, some of the Middle Western States gave as much as one-sixth of their total area. One gains some idea of the extent of the gift land when he considers that it equals almost twenty times the area of the State of Massachusetts.

FINANCIAL AID GIVEN RAILROADS

The financial assistance given by the Federal Government equaled the land grants in generosity. In the case of two roads alone Congress granted the national credit in the form of 30-year 6 per cent bonds to the amount of $64,623,512.

In addition to Federal aid, amounting to hundreds of millions of dollars, the census of 1870 showed that counties, cities, and towns had outstanding bonds issued in the assistance of railroads to the amount of $185,000,000 after many had been retired.

All of these amounts do not include the numberless grants of rights of way, terminal facilities, docking privileges, and other aids furnished by practically all the counties and towns of the United States.

GOVERNMENT TROOPS BUILT RAILROADS

Nor should it be forgotten that thousands of Federal troops labored on the construction of our first transcontinental railroads, while regiments of their fellows guarded them at their work. Fort Francis E. Warren, Wyo., is typical of the frontier posts that were strategically situated to aid the railroads. Situated near Cheyenne on the natural road across the continent, it was an ideal location for a protective garrison and supply depot for the railroad workers. Army engineers worked on the surveys, soldier backs bent to pick and shovel work on the roadbeds, Army rifles and sabers protected the lives of those engaged in laying the ribbons of steel across the continent.

General Sherman was only one of the great soldiers who lent his practical aid to the transcontinental railroad project. Personally he made many deep reconnaissances of the country ahead of the advancing rails. At personal hazard he went over the vast reaches of the buffalo country from north to south and east to west. He did invaluable missionary work among the Indians by urging them to become resigned to the inexorable onward march of the iron road. "You can not stop the sun or moon" he told them, and it is estimated that this one sentence of his did the work of 20 Cavalry regiments. It was at Sherman's suggestion that a new

military department was constituted in March, 1866, with headquarters in Omaha, especially to protect and assist the construction of the railroad.

THE PEOPLE PAID THE BILL

It might, without exaggeration, be claimed that "Sherman's Army" linked with bands of steel the Atlantic with the Pacific. The builders of the Union Pacific were, almost to a man, ex-soldiers of the Union Armies. The chief engineer was General Dodge, one of Sherman's old corps commanders. The success of their task was made possible by the advance guard of regular troops who cleared and guarded the route. In General Dodge's memoirs we are reminded that the first exploring party to reconnoiter the possible routes across the mountains for a railroad was one sent out from San Francisco in 1849 at the then Lieutenant Sherman's suggestion—almost exactly 20 years before the last spike was driven home in the completed route.

It is seldom remembered that Army engineers helped to project, build, and operate many of the older railroads. They located, constructed, and managed for a time the Baltimore & Ohio; the Northern Central; the Erie; the Boston & Providence; the New York, New Haven & Hartford; and the Boston & Albany. When called upon to assist in the building of the great transcontinental roads they repeated their brilliant performances in the construction of the earlier roads. While engaged in this work they were not paid by the railroads but by the people of the United States, who likewise supported the Cavalry regiments whose protection made possible the laying of the transcontinental roads.

A PROVEN PUBLIC POLICY

No one contends that all these Government aids or subsidies were bad public policy. They sometimes took the form of extravagance and sometimes were misdirected, but we have never complained about them. The result was worth all the cost. The United States needed the railroads, the railroads needed help, and the Government was willing to help them. They were part of the picture of a bigger, brighter future. They were entitled to assistance, just as our early canals and post roads warranted Government support.

For the same reasons the Government has generously supported the development of our present vast network of highways. The automobile was destined to become a tremendous factor in our national life. The development of the automobile industry and its kindred industries depended upon the building of good roads. The latter were as essential to the automobile industry as rights of way are to the railroads. So the Government and the people subsidized the automobile industry by voting money for hundreds of thousands of miles of highways. In 1924 the amount of money spent by our Federal, State, and county Governments on road building reached the enormous total of $1,000,000,000 a year and has exceeded that figure for each year since. In 1929 the State governments spent $1,444,000,000 on highways, exclusive of bonds. Since 1925 the Federal Government has contributed $75,000,000 a year to the several States for the building and maintenance of roads. This fiscal year the amount was increased to $125,000,000.

The automobile industry has responded to this indirect governmental support by increasing its production from a few thousand cars a year to over 5,000,000 units in 1929. When, 25 years ago, we had only 155,000 miles of improved road in the United States we had fewer than 25,000 automobiles. To-day, with 600,000 miles of improved highway and 500,000 of usable dirt road, we have over 26,000,000 motor vehicles. Gasoline taxes are to-day supplying great sums for the roads, but the hundreds of millions of dollars committed to ambitious road projects by the Government over a period of years brought the infant automobile industry to its present huge proportions and made the motor a great factor in the transportation system of the Nation.

ALL FORMS OF TRANSACTION HAVE HAD HELP

Our Government has, too, granted millions of dollars, in the form of mail subventions, to the support of our merchant marine. The object of the first law authorizing mail subventions was to aid American ships to meet the competition of the Cunard Line, which was heavily subsidized by Great Britain. Beginning in 1847 the Government awarded mail subventions to the New York-Bremen Line to the amount of $2,000,000; to the New York-Havre Line to the amount of $750,000; to the New York-Liverpool Line to the amount of $4,500,000; to the New York-Panama Line to the amount of $2,900,000; to the Astoria-San Francisco-Panama Line $3,750,000; to the Charleston-Habana Line $500,000; to the Pacific Mail Steamship Co. $4,583,333. These mail subventions or subsidies have been continued under the ocean mail act of 1891, and the Federal Government has thus contributed over $83,000,000 "to aid the development of a merchant marine adequate to provide for the maintenance and expansion of the foreign and coastwise commerce of the United States," as the words of section 24 of the merchant marine act put the purpose of the expenditures.

Our new system of air transportation is receiving similar assistance from the Government. Since 1926 the Federal Government, through the Department of Commerce, has expended over $8,500,000 in establishing about 15,000 miles of airways with landing fields conveniently located and lighted. In addition, it is spending over $5,000,000 a year for the maintenance of these fields, and has just let air mail contracts totaling over $15,000,000 to assist the expansion of mail and passenger air transport.

The Government has played no favorites in its support of our various transportation systems. It recognized them all—railroads, waterways, ocean and air lines as indispensable in the scheme of national development. Each system has its own mission in which it supplements all of the others.

RAILROAD ARGUMENT REFUTED

Recently one of the most outstanding railway men of our time was quoted in the newspapers in opposition to the Government plan for the development of inland waterways. He is a man who has rendered meritorious service to the Government and whose character and attainments are unexcelled. I quote him not for the purpose of criticizing him, because his statement, in my opinion, represents the clearest and most reasonable attitude of the opposition to the development of waterways that I have read. The gentleman to whom I refer is Mr. Daniel E. Willard, president of the Baltimore & Ohio Railroad.

Mr. Willard said:

"We may well question the propriety of Government investments of money that has been raised by taxation from all the people in facilities for carrying freight upon the inland waterways in competition with the railroads at rates that are in no sense remunerative."

That argument is the same as was made against the railroads themselves more than half a century ago, when the Government was giving land and spending money lavishly to enable the railroads to achieve financial success and to put them in a position where they could be operated successfully by private enterprise.

Mr. Willard is also reported to have said:

"I recognise that much may be said in support of a policy whereunder the Government will spend money raised by taxation for deepening and improving the rivers so that they can be made navigable, but having done that, and then having made such facilities available for service practically free of cost, if private capital will not or can not operate boat lines on such waters on a basis to justify private investment, then I submit that such operation by the Government is economically unsound and can not be defended from any fair and reasonable standpoint and ought not to be continued."

The condition which Mr. Willard so ably describes brought about the organization by the Government of the Inland Waterways Corporation. This corporation was instituted for experimental purposes. Its chief object is to design craft that can successfully operate on our inland streams. The power boats and the barges designed and built under the direction of that corporation are for the purpose of ascertaining the kind of craft that will carry the heaviest load in the shortest time and at the lowest cost; that is to say, that the Government is striving to ascertain the most economical craft for operation on the inland streams. The answer to Mr. Willard's argument lies in the fact that on the Ohio, the Black Warrior, and portions of the lower Mississippi private lines are now profitably operating. On some portions of the Mississippi River and on the Black Warrior the Inland Waterways Corporation is already operating at a profit. I have on another occasion outlined conditions on the achievement of which the property of the Inland Waterways Corporation will be for sale to private enterprise. The Government does not intend to stay in the transportation business after it has succeeded in doing for waterways what it did in years past for the railways. Transportation is the life of commerce, and commerce is essential to progress and civilization. The commerce created by waterway transportation will add to the general prosperity of the railways.

RAILROAD FEARS NOT JUSTIFIED

The railroads are not justified in looking upon the development of our inland waterways with fear or enmity. Any plan that brings the ocean front nearer the heart of the continent and connects it with improved navigation on our inland rivers will never work to the disadvantage of our national railroad system. Water highways have their own economic mission. They can move bulk freight more cheaply than any other means of transportation. The cheap transportation of bulk freight and raw materials means the furthering of our industrialization. The expansion of our industries means increased quantities of finished and fabricated products. The railroads will always remain the carriers of these products of industry. It means increased business for the railroads when the cities on our rivers begin the construction of wharves and terminals to handle heavier freight. River-rail terminals mean the transfer of freight from boats to trains. Rail-and-water transportation are supplementary, not competitive. Whatever high state of development water transportation may reach, the railroads will remain the backbone of our national freight-transportation system. As they feed tonnage to the barge lines, to the same degree will they receive tonnage from them.

ALL TRANSPORTATION FORMS NEEDED

The future development of the Mississippi Valley alone will tax our pooled transportation facilities to their utmost. When we have made this great valley safe from floods and given it a cheaper means of transporting its goods to market, it will be just entering upon its period of greatest development. Rivers, highways, air lines, and railroads will find the volume of its freight as much as they can handle. As our population increases the railroads will, of necessity, turn to the carrying of freight demanding expeditious delivery. The work of transporting raw materials, fuel, and heavy bulk commodities, the value of which is not affected by relatively slow delivery, must then be left to other carriers. The waterways will fulfill that function without detriment to the railroads.

We must seek the coordination of railroads, waterways, highways, pipe lines, and airways. The Nation's increasing industrialization demands all these. It will support all of them, and the closer they are coordinated the more will they prosper, each in its own domain.

In addition to all this argument, much of the development of inland waterways, especially in the Mississippi system, must be

carried on for flood control and for the protection of the lives and property of the people who reside in the valley. It would be economically unsound to do this flood-control work without using it as far as possible to stabilize the streams for transportation purposes.

While we are taking this opportunity to justify our support of inland waterways development, we do not forget that you are equally interested in the problem of flood control. That problem is vital to the millions of our citizens whose homes are made and whose lives are lived in the great valley of the Mississippi and its tributaries.

IMPORTANCE OF FLOOD CONTROL

The past year has been one of unparalleled activity in the prosecution of works of flood control. Levees on the main river are being strengthened, raised, and rebuilt where necessary because of the danger from caving banks. The revetment program has been actively carried on. The Bonnet Carre spillway, which will relieve the great city of New Orleans from any fear of high-water disaster, is nearing completion. Construction of the Birds Point-New Madrid floodway is progressing. The city of Cairo is better protected than ever before in its history. A large and long-continued flood was safely passed within the levees in the spring of 1929.

Surveys of all of the principal tributaries of the Mississippi to determine the best ultimate coordinated plans for flood control, navigation, irrigation, and power development are being actively prosecuted. The results are already beginning to come in, and all of these studies and reports will be completed in the near future. They will afford a vast fund of information to guide our future efforts.

I do not want to discuss at length the proposed plans for flood control until the final report of the engineers on that subject has been completed. The several systems of flood control on the lower Mississippi that have been submitted for approval have all had excellent features, but no one system yet devised can claim to be practical or feasible in its entirety. It is likely that no one of these systems, as originally proposed, will ever be built, but it is certain that from the best features of all of them will be evolved a practical, efficient system of flood control that will end the terror of the menacing waters.

UNEMPLOYMENT RELIEF

Especial effort has been made by the War Department, in accordance with the expressed wishes of the administration, to assist in relieving the present unemployment and depression in industrial activity. To this end operations and expenditures are being maintained at an even greater rate than during the corresponding periods of the last fiscal year, which were the greatest previously of record. In the prosecution of work consideration is being given not only to the urgency of the individual project but also to the economic situation in the particular area involved. The working program of the department has been arranged to insure that existing employees are retained and additional employment is provided where possible. This increased activity in river improvement and flood control will cause the administration to ask the next Congress to appropriate additional funds for this work in the form of a deficiency appropriation.

Your organization has shown faith in internal waterway improvements. I share that faith. I look forward to the time, at no distant day, when a coordinated waterway system throughout the valley will be moving the products of the fields, the mines, and the factories, with great economic benefit to the Nation.

ALLOTMENTS FOR RIVER AND HARBOR IMPROVEMENTS IN TEXAS

Mr. MANSFIELD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a letter from the Chief of Engineers showing the allocation of funds under the emergency appropriation bill to the ports of Texas.

The SPEAKER. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD by printing a letter from the Chief of Engineers. Is there objection?

There was no objection.

The letter is as follows:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, D. C., December 17, 1930.

Hon. JOSEPH J. MANSFIELD,
House of Representatives, Washington, D. C.

MY DEAR MR. MANSFIELD: In accordance with your request, I take pleasure in listing below the allotments for river and harbor improvements within the State of Texas, upon which the emergency estimate of twenty-two and one-half million dollars for such work is based:

Houston Ship Channel, Tex	$954,000
Texas City Channel, Tex	100,000
Aransas Pass-Corpus Christi Channel, Tex	515,000

Very truly yours,

LYTLE BROWN,
Major General, Chief of Engineers.

FARM RESOLUTIONS APPROVED

Mr. RAMSEYER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing the declaration of principles adopted by the American Farm Bureau Federation at its recent convention in Boston.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. RAMSEYER. Mr. Speaker, under the leave to extend my remarks in the RECORD I include the following resolutions approved at the Twelfth Annual American Farm Bureau Federation Convention, by voting delegates at Boston, December 10, 1930.

The resolutions committee included E. A. O'Neal, president Alabama Farm Bureau and vice president of the American Farm Bureau Federation; Charles E. Hearst, Iowa Farm Bureau president; George B. Putnam, New Hampshire Farm Bureau president; R. W. Blackburn, California Farm Bureau president; C. R. White, New York Farm Bureau president; Earl C. Smith, Illinois Agricultural Association president; and W. H. Settle, Indiana Farm Bureau president.

Chester H. Gray, director American Farm Bureau Federation, legislative department, acted as secretary, while Mr. O'Neal was chairman.

REAFFIRMATION

The policies of the American Farm Bureau Federation heretofore expressed in annual meetings are reaffirmed, and unless repealed herein or inconsistent herewith are declared to be in full force and effect.

AGRICULTURAL MARKETING ACT

We renew our previous pronouncement in support of and cooperation with the Federal Farm Board in its efforts to administer the agricultural marketing act. The Federal Farm Board has wisely established a number of national commodity sales agencies and correctly refuses to create more than one such agency for any one commodity. It is equally important that competitive regional agencies be not established. As necessity arises it is expected that national sales agencies will be created for other commodities.

The stabilization activities of the Federal Farm Board in wheat and cotton have demonstrated the usefulness of this feature of the agricultural marketing act. However, these activities should be extended into more crops, not alone those which have great surpluses but others which can be aided by the use of lesser portions of the revolving fund. A revolving fund of whatever amount necessary for stabilization and other activities should be made available by Congress.

The agricultural marketing act has not been operating long enough from an administrative standpoint to indicate exactly the nature of the amendments which might be proposed to improve it. Surely any amendments proposed now or in the future to harm that act, to make it ineffective, or to reduce the size of the revolving fund, will meet with our sternest opposition. We expect the time will come when amendments to it will be necessary to make the tariff more effective and to dispose of surpluses more advantageously. When that time arrives all friends of agriculture should stand together so that the amendments will strengthen rather than weaken the law. The act when amended should be amended by its friends, never by its enemies.

REGULATORY LEGISLATION

Congress in enacting the agricultural marketing act specified that the minimizing of speculation in farm crops is one task to be accomplished. To aid the Federal Farm Board in its efforts to minimize speculation, to secure what farmers long have desired in this matter, and to authorize and direct the Secretary of Agriculture in a broader exercise of powers over grain and cotton exchanges, amendatory legislation is required. Members of exchanges should be licensed by the Secretary of Agriculture; limitations upon short selling should be invoked; rules and regulations of exchanges should be subject to approval by the Secretary as well as being initiated by him when necessary to protect the public welfare; and authority to close or suspend such exchanges should be vested wholly in the Secretary of Agriculture.

DROUGHT RELIEF AND UNEMPLOYMENT LEGISLATION

Funds to be used as loans to farmers in the buying of feed for foundation animals, fertilizer, and seeds in the drought-stricken areas should be made immediately available.

We commend the intents, purposes, and policies contained in the recent message of the President to Congress wherein is outlined complete plans for drought and unemployment relief. We express our willingness to continue to cooperate with all other agencies to restore national prosperity.

WATERWAYS

We urge the present session of Congress to make such appropriations as will insure the immediate carrying out of the development of projects authorized in the river and harbor act of 1930 in accordance with the specific provisions of that act.

RURAL CREDITS

Agriculture should have credits as easily available to it and as adjustable to varying economic conditions as other groups have in the Federal reserve system. More than ever the farmers of the United States now feel the need of an operative and elastic rural-

credit system. Such a system can not be said to be efficient if it serves agriculture only when credits generally are easily available. The acid test of rural-credit efficiency is given in times of stress when ordinary credits are tightened. Realizing that the Federal Reserve Board can be of great assistance in supplying agricultural credits we request that the representation of agriculture in the membership of that board, as provided for in the Federal reserve acts, be brought to the attention of President Hoover now that vacancies exist in the board. The representation of agriculture on this board should be men who understand the need for rural credits, who are interested in keeping the circulating medium of the Nation distributed equably and in accordance with seasonal requirements; who will endeavor to use the discounting privileges resident within the powers of the board so that availability of credits will be equalized in the Nation, speculative use of money discouraged, concentration of wealth retarded, and stability in the purchasing power of the dollar more nearly effected.

We advocate the creation of an ample revolving fund in the Federal Treasury to be used exclusively to stabilize Federal land-bank bonds. We believe the Federal farm-loan system has failed to meet rural-credit needs largely because of the manner of the administration of the law. Should amendment be necessary to remove certain of the present limitations of administration we pledge our support in securing changes necessary to the end that the law may and will function as was intended by the framers of the act.

We recommend the immediate appointment of a committee to make a study of and report upon the possibility and feasibility of the further development of cooperative rural-credit systems.

TARIFF

Any effort before the Tariff Commission or elsewhere to lower the rates recently secured on farm commodities will be resisted by us in every legitimate way. We realize that importers and American capital invested abroad will endeavor to break down the rates on farm commodities, now that they have become in many instances effective in keeping the American market for the American farmers. We urge our officers to put forth every effort to secure the greatest benefits possible under the flexible provision on every farm commodity which meets foreign competition in our markets. Efforts improperly to classify imported farm products in the raw state or in the manufactured form so as to secure the lesser of two possible rates will require constant watching. We will continue our efforts to secure adequate rates on commodities like vegetable oils, starches, sugar, dried egg products, and hides. All of these are financed abroad partly or wholly by American capital, and entry is granted into our markets free or at low rates of duty, thus denying the American farmer who produces commodities competitive to them, either directly or indirectly, the home market. We ask protection for American farmers in the American markets against Philippine products, pending the granting of independence to the Philippine people.

TARIFF ON PULPWOOD

The sale of rough wood for pulp-making purposes by many farmers offers an opportunity of income in many parts of our Nation. The rates of duty on pulp and pulpwood are inadequate to permit the profitable sale of pulpwood under present conditions. Accordingly we recommend an increase in these rates.

PRESERVING THE NATURAL RESOURCES

The natural resources such as navigable streams, water power, forests, the soil, coal, oil, and the air, together comprise a heritage for the people of our Nation and for their posterity. Again we state the position of our organization as being opposed to the control and exploitation by corporations or otherwise of these natural resources and insist that all grants for their use by authority of State or Federal Government should contain provisions so that the public welfare shall be thoroughly guarded. We have formerly asked that governmental inquiry be made into the growth and methods of capitalization of public-utility corporations supplying electrical energy in the form of power or light. This investigation has made much progress under the administration of the Federal Trade Commission. Our record is clearly one which opposes the acquisition of what is perhaps the greatest natural resource, water power, by monopolistic groups with privileges of lease and operation virtually perpetual in nature. We have insisted that the Federal water power act be so amended that the former 99-year lease provision with almost automatic renewal to the same corporation be changed so that the public welfare will be more adequately safeguarded. This has been done by Federal legislation. Whenever a corporation is granted lease to operate a natural resource, a limitation of earnings above the statutory amount to be paid to the Federal Government. We request President Hoover to appoint special counsel to defend the recently revised Federal power act and various of its provisions which are being attacked by applicants for permits and licenses to construct hydroelectric establishments.

MUSCLE SHOALS

We favor such disposition of this project as will get the most fertilizer for agriculture, will retain title in the Government of the United States, will use all the power necessary at Muscle Shoals for making fertilizers, and dispose of the remainder so as to benefit agriculture and preserve the public interests.

The board of directors of the A. F. B. F. is hereby authorized and directed to take such steps as are necessary to set up a committee truly representative of agriculture, authorized to develop and organize a corporation the purpose of which would be the leasing and operating of Muscle Shoals on a cooperative basis embodying all the aforesaid principles, and so as to preserve the property in times of peace for agriculture and in times of war for the United States.

FUNDS FOR AGRICULTURAL EXTENSION

Cooperative marketing and the economic problems of agriculture have been recognized by and incorporated in such Federal laws as the cooperative marketing act. All representatives of the Federal Government, therefore, should not only feel free to but should cultivate the desire to advance the economic and cooperative marketing program of agriculture. With this end in view, we strongly urge Congress immediately to provide ample funds with which to cooperate with State, county, or membership funds in furthering agricultural extension work in order that the official representatives of this work may be removed from local influences antagonistic to cooperative marketing and may be correlated with the work of the Federal Farm Board and of farm organizations.

The land policy of our Nation has been until recently one exclusively devoted to bringing new areas into production. That policy should now be modified to discover ways and means by which land can be taken out of production. An effective way to reduce the acreage of our staple farm crops is to plant submarginal farm lands in forests. Another method is the expansion of areas in public parks, which will not only reduce productive areas but will furnish national playgrounds for our population. Grazing areas might well be increased. A national forestry program is outlined in the McNary-Clarke, the McNary-McSweeney, and the McNary-Woodruff Acts, which, taken together, provide for repossession of marginal lands, research in forestry matters, and acquisition and planting of additional forest areas. This program, however, is inoperative to the extent that appropriations are not available to carry it forward. We accordingly advocate all appropriations necessary to put into effect the forestry program of these three acts. We urge cooperation between Federal and State Governments in this work. Attention is called to the necessity on the part of State governments of removing the tax burden on forest areas until they become productive. Initiative in forestry matters by private agencies is recommended. The protection of forest areas from fire to be secured by the building of forest trails and roads is also urged.

All matters relative to or affected by land or reforestation policies should be placed in the United States Department of Agriculture.

ENGINEERING EXPERIMENT STATIONS

We urge the enactment during the present session of Congress of the McNary-Haugen engineering experiment station bill, which contains provisions for establishing engineering experiment stations in connection with the land-grant institutions in all States under terms and provisions similar to those which established the agricultural experiment stations.

STABILIZING THE UNIT OF VALUE

We recommend to President Hoover the appointment of a commission to be composed of farmers, bankers, economists, and representatives of other groups to study plans and report thereon to Congress to stabilize the value of the dollar so that periods of depression and inflation can be in future more definitely guarded against.

PATENT LEGISLATION

We favor legislation which will require that the owners of a patent issued by the United States Government shall produce the commodity covered by such patent in our Nation in quantities to meet American requirements.

POSTAL AFFAIRS

We favor the policies of the Post Office Department, recently announced, which in large measure are identical with those advocated by the American Farm Bureau Federation for several years. The problem of efficiency and economy in postal matters; the adding to volume of business as a method of bringing in revenue rather than increasing the rates on heavier classes of mail; the elimination of too frequent city deliveries; the consolidation of rural and city routes wherever possible; and the elimination of public-service charges from the deficits which the Post Office Department formerly has had; all are developments which will, in time, if not immediately, place the department on a self-sustaining basis. We, however, doubt that the proposed one-half cent per ounce increase in rate on first-class mail, the destination of which is beyond the point of mailing, and the frequently proposed increases in parcel-post rates, are in keeping with the other policies of the department which stress increased volume rather than increased rates. We particularly appreciate the establishment of a director of parcel post who shall devote the entire energy of his organization to the development of more parcel-post business.

BUTTER SUBSTITUTES

The increasing use of imported vegetable oils is very harmful to the dairymen, to the producers of our vegetable oils, and to our animal industry. We favor Federal legislation which will require the payment of the Federal tax on any and all oleomargarine products made in the form or semblance of butter, whether or not such oleomargarine is colored artificially or naturally. We urge the use of butter instead of oleomargarine in Federal and State institutions.

TRANSPORTATION MATTERS

Voluntary action of the railroad executives in granting reduced freight rates on livestock and feed for the benefit of approximately 1,000 drought-stricken counties is greatly appreciated. The Hock-Smith resolution continues to be, in our judgment, the most equitable basis upon which foreign rates on farm commodities can be based. We advocate a continued study of the general economic influence of consolidation of railways before such consolidation too generally is put into effect by Federal legislation.

RADIO

Agriculture occupies such an important economic place in national affairs that it is justified in asking an allocation to it by the Federal Radio Commission of such wave length or lengths, cleared channels, and power as are necessary permanently to preserve its rightful interests on the air.

COMMENDING SECRETARY ARTHUR M. HYDE

We commend Secretary Arthur M. Hyde, of the United States Department of Agriculture, for his promptness and courage in calling public attention to the depressing price effects of recent short-selling wheat on the Chicago Board of Trade. His record as Secretary and ex officio member of the Federal Farm Board has been one of statesmanlike approach to all questions of agricultural interest, and his knowledge and sympathy for the welfare of the farmers of our Nation is appreciated. It is a pleasure to work with a public official who is fearless in his advocacy of agricultural betterment.

EDUCATION

Equality of opportunity is a national guaranty under the terms of the Constitution. To make this guaranty fully effective in matters of elementary education requires that the immense wealth of the entire Nation contribute to the education of the child in the least-favored community. Methods of Federal aid for various other well-established projects having demonstrated their usefulness and practicality should be followed in this enterprise, and no new and untried plan of projecting the Federal Government into the educational field should be experimented with.

TRUCK AND BUS REGULATION

It is evident that Federal regulation of motor busses and trucks which qualify as common carriers and do interstate business will soon be enacted. The traffic of busses and trucks on our publicly built highways has developed to such proportions that public interest and public safety require regulatory legislation. The length, width, weight, speed, rates, and services of these modern commercial vehicles all need to be subject to control by a proper Federal law.

However, legislation and regulations of the Federal Government should not be so stringent as to remove the competitive features between the older and newer forms of transportation, which the present system is now thought to secure. No single Federal agency should be permitted such latitude of administrative and regulatory control as to place all transportation on the same basis as to rates and services. Agriculture needs to use the newer and more economic method of transporting its products to the railroads and to the markets, both local and terminal, and to the rapidly developing river systems of our country.

CHILDREN'S BUREAU

We insist that the Children's Bureau remain in the Department of Labor.

CONSTITUTIONAL AMENDMENT REGARDING ALIENS

We favor an amendment to the Constitution excluding aliens from being counted in making up apportionment of Members in the lower House of Congress.

FARM WASTES AND INDUSTRIAL OUTLETS

It is a consummation much to be desired that not only farm wastes but salable farm products should find industrial outlets in our own Nation as well as abroad and so have access to markets other than those furnished by the animal and the human stomachs. The surplus question is one which for its proper solution demands that these commodities be disposed of in larger amounts industrially. It needs to be pointed out, however, that great difficulties are encountered in establishing industrial plants within our continental boundaries to provide outlets for these wastes and products when competitive industrial products, made from foreign wastes and farm products and financed in many instances by American capital, have access to our markets too freely.

It is idle to speak about developing such industrial markets in our Nation so long as this condition exists. It must also be recognized that ignorance of the desperate necessity to get additional markets for our agricultural products through the industrial route causes, sometimes even among our own citizens, conflicts which prevent the rapid development of industrializing the market for such products. Among the prominent industrial products which should offer great avenues for marketing our wastes and our crops are: Starch from such crops as corn, wheat, rice, and potatoes; dried-egg products from our seasonal surplus of fresh eggs; alcohol from the lower grades and damaged quantities of grains and potatoes; wall board from cornstalks and similar fibrous material; casein from fluid milk and sugar from the corn plant. We specifically request that all departmental regulations which limit the use of corn sugar be repealed. The foreign competitive products which prevent much of the above-described development are tropical starches from Java and equatorial countries, dried eggs from China, black-strap molasses for distillation purposes from Cuba, and vegetable oils from the Philippines and elsewhere. A national laboratory to discover new uses for farm wastes and to develop industrial outlets for farm products should be established.

PREDATORY-ANIMAL ERADICATION

The expenditure of Federal and State appropriations in annual amounts only sufficient to exterminate predatory animals and rodents approximately as rapidly as their natural increase is an unwise use of public funds. The 10-year program of control and eradication as outlined in the contemplated program of the United States Department of Agriculture should immediately be put into effect.

TAXATION

We approve the report of the American Farm Bureau Federation committee on taxation, which is as follows:

The committee on taxation recommends the reaffirmation of the entire series of resolutions adopted last year with the following changes:

Amend section 3 by adding a paragraph numbered 7 to read as follows:

7. Urges the adoption of more efficient methods of assessment.

Amend section 4 by substituting for the present paragraph numbered 3, the following:

3. Supports proper control of expenditures by requiring publication of proposed budgets or bond issues before their adoption, and by permitting a reasonable number of taxpayers to appeal from proposed budgets or bond issues to State tax boards, the hearing on each such appeal to be held in the taxing district concerned.

We recommend that the officers of the American Farm Bureau Federation invite representatives of all national industrial groups and organizations to a conference to discuss the formation of a national commission on taxation, which shall study and recommend action on such problems as:

1. The coordination and reallocation of taxing powers between the Federal Government and the States.

2. Adequate recognition by State and National Governments that the benefits of education and highways are not local but are largely state-wide and national, and that the burden of their support should be equitably distributed.

3. The cooperation of all national groups in securing the proper reorganization of taxing districts and political subdivisions, in establishing control of budgets and bond issues by taxpayers, in establishing better methods of assessing and levying taxes, and in insuring the most rigid economy in the expenditure of public funds.

4. The use of taxes derived from new sources to reduce the present unjust taxes on property, especially real estate.

5. Further use of the power of the competition among the States in any Federal Government to limit unfair forms of taxation.

We further recommend that the conference consider the establishment of such a national commission on taxation on a permanent basis with funds adequate to enable it to employ a proper staff of experts for its service.

We finally recommend that the proposed conference be held in some middle western city in January or early in February, 1931.

APPRECIATION

Resolved, That this convention desires to express its deep appreciation to the city of Boston and its mayor, James W. Curley, for the generous provisions made for its entertainment and for the personal interest of his honor, the mayor.

Resolved, That to Governor Allen, to Dr. Arthur W. Gilbert, commissioner of agriculture, and to A. W. Lombard, deputy commissioner, the convention extends its hearty thanks for their parts in preparing the New England Farm Products and Agricultural Antiques Show for our instruction and entertainment and for their effective work in perfecting the arrangements for this convention. We are also grateful to the State departments of agriculture of the New England States, and especially to the Massachusets and other State farm bureaus, organizations, and individuals that have assisted so generously in making this a most pleasant and successful convention.

Respectfully submitted.

E. A. O'NEAL, Alabama.
C. E. HEARST, Iowa.
C. R. WHITE, New York.
W. H. SETTLE, Indiana.
R. W. BLACKBURN, California.
EARL C. SMITH, Illinois.
CHESTER H. GRAY, *Secretary*.

INTERNATIONAL FINANCIAL RELATIONS

Mr. McFADDEN. Mr. Speaker, inasmuch as the objection to my unanimous-consent request has been withdrawn, I renew the request at this time, namely, to address the House for 30 minutes.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to address the House for 30 minutes. Is there objection?

There was no objection.

Mr. McFADDEN. Mr. Speaker, ladies and gentlemen of the House, at the outset I want to make it perfectly clear and reiterate what the gentleman from Maine has already said about the remarks I am about to make. I make them

on my own responsibility as a Member of the House, as I always do, and I am not speaking for the Banking and Currency Committee, nor am I attempting to speak for anyone else who is a Member of this body, nor have I in the past in any remarks I have ever uttered in this House attempted to convey that thought.

Mr. JONES of Texas. Will the gentleman yield?

Mr. McFADDEN. Yes.

Mr. JONES of Texas. Has the gentleman agreed to delete anything from his proposed remarks?

Mr. McFADDEN. I have not. They are going to be delivered exactly as I intended to deliver them when the objection was made.

Mr. Speaker, there are times when it is peculiarly necessary for the Congress of the United States to consider from a broad and comprehensive standpoint the situation in which the country finds itself.

At such times patriotic legislators will diligently examine the multiplicity of forces that are at work and study the effect of their influence upon the general welfare and the state of the Union. It is precisely at such times that the spirit of controversy will be subordinated and partisan prejudice set aside. It is light that is needed, and its beneficent rays may be depended upon to bring satisfactory solutions and point the way to national policies upon which all parties and factions who are actuated by love of country may unite.

Such, Mr. Speaker, are the times in which we are now meeting. Their problems are not bounded by our frontiers, as they frequently were in an older day. On the contrary, the forces which are now making themselves felt in our daily lives come in large measure from without, and these distant though powerful influences are sometimes obscure and baffling because cause and effect are not clearly visible and the motives which set them in motion are not understood.

These world forces are primarily political. They fall within the purview of this body, and it is the Congress of the United States that must cope with them, and legislate intelligently with reference to them, if the United States is to control them consciously and not be drawn unwittingly into the sweep of policies determined for it from without or privately by the Government's executive branch alone.

Since the New Haven address which Secretary Hughes made in 1921, and increasingly with the passage of the years, we have been exhorted to leave the settlement of foreign problems to the economic experts. There is a school of leadership, very vocal and insistent, which points to the failure of political leadership everywhere, and asks that the financiers and economists in private life be permitted to do well what the politicians can only do badly.

So urgent have been their exhortations that they have, in fact, been given carte blanche by successive administrations to represent the United States abroad where they have wielded enormous power because the Europeans thought that they spoke for the American Government, and where they have put their mark upon the Europe of to-day as effectively as any overlord could do.

Where did the idea come from that American financiers and economic experts could properly adjust the political relationships of the European states among themselves or of those states with the United States? What type of man is there who has less interest in political principles, and less regard for political sensibilities, than the international financier?

The particular gentlemen who, in regard to postwar Europe have represented American financial prestige in the treaty settlements there, have succeeded in leaving that distracted continent in a worse condition than that in which they found it.

They proceeded on the assumption that the settlements of the treaty of Versailles were final and were to be put into integral execution, notwithstanding the fact that their own country had refused to become a party to that treaty.

In their financial negotiations the treaty of Versailles became their bible, and in their interpretations of the reparation obligations of Germany they have shown themselves more English than the English and more French than the French.

It has been their endeavor, through the successive steps of the London ultimatum, the Dawes plan, and the Young plan, to commit their own country to settlements which in their essence are no whit different from the treaty of Versailles itself. This would have been an enormous service to the allied states of Europe, for without the support of the United States they are not strong enough to enforce the unjust treaty, and a radical revision becomes necessary. They have sought by economic means to guarantee the political settlements made at Versailles, instead of inquiring whether political readjustments were not a condition precedent to economic improvement.

For this reason their activities in Europe have been worse than useless. They have without doubt complicated and entangled the international situation and perpetuated the fatal errors of the peace settlement to such an extent that no recovery has been possible in Europe.

There is not a single political wrong to whose solution they have contributed. They have assumed that there were no political wrongs in the peace treaty that must first be corrected, and they have proceeded to capitalize the blood money of a vast war tribute into billions-of-dollar bonds which they have brought home with them and offered for sale to the American people with the assurance that Europe's political troubles have been healed by their masterly statesmanship and, incidentally, that the bonds are an excellent investment for the American purchaser.

But the bonds are not an excellent investment for the American purchaser, and the American purchaser does not want them. Some other treatment must be found for the invalid than this comprehensive transfusion of American financial blood.

Mr. Speaker, the financiers and economic experts have had their turn. It is time for them to retire and relinquish the responsibility of determining the policy of the United States Government to the representatives in Congress where it belongs. [Applause.] It is time that the control of the Federal Reserve Bank of New York be taken out of their hands and that, by legislation, its activities be brought into line with a national policy which the Congress of the United States will fix.

The war in Europe profoundly altered the relationship of that continent to the rest of the world, and particularly its relationship to our own country. This fact did not become visible until some years after the war. It was consciously concealed by the European negotiators in the peace conference, and the treaty of Versailles recited the obligation of the vanquished in that war to pay $30,000,000,000 to the victors. Were the makers of that peace treaty under the spell of an illusion that Europe's pre-war wealth remained intact? That the financial settlements of that treaty as between the European states had any connection with reality?

Knowing the undoubtedly high intellectual quality of the minds of the European negotiators we can not believe it. They knew that all Europe must begin the new postwar era in dire poverty and burdened with debt; that the power of stored-up capital had passed from it.

Why, then, did they saddle upon the enemy an utterly impossible war tribute of $33,000,000,000 to be paid in annual installments over a period of 37 years?

It is a strange fact that it is only in recent years that public attention in the United States has been drawn to that provision in the treaty of Versailles which permits the allied states to offer their respective shares of the $33,000,000,000 indemnity to private purchasers in the form of bonds.

Even if discreet statesmanship did not desire to stress this provision publicly, it bears so directly on the interests of the American people, and it was such a powerful means of new postwar adjustments which concerned them, that it would seem that the American mind would have been alive to its significance.

It has, however, remained the most obscure feature of the treaty of Versailles, although its influence runs like a red thread through all the postwar negotiations.

The financial illusions upon which the treaty of Versailles were based in 1919 were accepted as realities here. Because of the energy and enterprise of the allied statesmen in presenting their case, we accepted their version of the postwar situation which followed the cessation of hostilities. As a consequence, the information coming to the Congress and to the American public was not sufficient to enable them to understand the situation in Europe.

When, therefore, Secretary Hughes in 1921 accepted the German indemnity of $33,000,000,000 as a reality and approved of the London ultimatum which imposed it upon Germany, there was no realization that a mere war mirage was being written into world law.

The fact that the London ultimatum provided that $12,000,000,000 in reparation bonds were to be immediately commercialized did not attract the slightest popular attention in the United States.

The suggestion that the settlement in Europe be left to eminent American financiers followed, and the era of the economic expert in politics was ushered in.

They proceeded to bend their efforts to making the United States a party to settlements which would permit of the reparation bonds in their billions being offered, almost exclusively, to the American investor.

It was not, however, until this year that the economic experts by the Young plan succeeded in getting into the United States with the reparation bonds. With their sale actually imminent in the United States I undertook in this House last spring to examine in the light of reality what had actually transpired in Europe at the end of the war.

It was necessary to examine the events from the preliminary agreement which brought hostilities to a close in November, 1918, to the settlements of the definitive treaty seven months later. It was found that the terms of the preliminary agreement, which in international law were binding on both sides, had afterwards been almost wholly discarded; that their terms did not permit of punitive damages, afterwards called reparations; but that, nevertheless, the most crushing tribute ever imposed after war was incorporated later in the settlements of the treaty of Versailles.

It was also found that in order to effect this the real conquest of Germany was attained in the six months following the armistice by means of a ruthless food blockade which was maintained throughout the period during which the peace conference sat. All this was done in violation of the preliminary peace agreement.

Undoubtedly, under international law, the German state to-day is not morally or legally bound to carry out the provisions of the treaty of Versailles. It is a pity that this was not perceived by our State Department in 1921 at the time of the London ultimatum, when it entangled us in the postwar mirage and implanted deeply in the minds of the European statesmen fond hopes that Europe might be reestablished through the commercialization of the German indemnity in the United States.

Even if Germany had in fact been conquered on the field of battle before the armistice, in which case the settlement would have had some elements of honesty, it would not have been a rational act for the United States to have permitted the commercialization of the indemnity among its citizens. But when, as actually happened, an unconquered enemy, giving up his arms in reliance upon the good faith of an armistice agreement, is afterwards tricked into the power of his adversary, who thereupon reduces him to unconditional surrender by the pressure of starvation and compels him to accept the burden of a colossal war tribute for 37 years, the obligation is fraudulently imposed, and the bonds which are afterwards issued are tainted with illegality.

Such are the reparation bonds of the treaty of Versailles, and it is inconceivable when the real facts of the peace settlement are known that the Government of the United States could open its doors to the sale of those bonds among the American people.

That it has now done so is wholly due to the influence through the years that a small and powerful group of our international bankers, and through them the allied governments, have been able to exercise continuously upon the policy of our executives.

Cunning, grapevine methods have placed willing agents at the head of great executive departments and in important subordinate governmental positions, and financial control of newspapers and magazines has made it possible to lead public opinion far astray.

The tangled web of deception in the treaty of Versailles was directed against the American people, who were to become the victims of the clever reparations clauses. To carry out the financial settlements it was a necessary condition that this state of deception be not disturbed; that it be made permanent and allowed to dominate the postwar policy of the United States Government. The hypnotic trance in which the paid American publicists and the political college professors have lived for a decade has enabled the international financiers to use their voices and pens to keep the political deception alive.

Because the definite allied postwar policy has been to secure the quick return from America of the gold stock lost by Europe in the war, and to secure it through application of the provisions of annex 2 to the reparation clauses of the treaty of Versailles, the perpetuation in America of the illusions of 1919 has been essential.

Systematic deception, therefore, has characterized this period, and it is because this deception is now being unmasked that the futility of the Versailles settlements are at last becoming apparent.

Before taking up the financial and economic condition that confronts us to-day, which is a part of the direct result of the Versailles settlements, I wish to review briefly the unfolding of allied policy in Europe during the past 10 years.

In 1921, when allied exasperation was wreaking senseless vengeance upon Germany because the latter refused to acquiesce in the financial settlements of the treaty, Gustav Stresemann, not yet in office, conceived of a policy which might at once save Germany and unify Europe.

Lord D'Abernon, who was then British ambassador at Berlin, has with some naïveté disclosed the beginning of the "Stresemann policy." He says that Stresemann called on him in 1922 and requested him to put four blunt questions to Lord Curzon, who was then British Foreign Minister.

With some hesitation D'Abernon did so, and, to his surprise, he received frank answers to them, which he transmitted to Stresemann. Thereupon Stresemann set to work with unflagging persistence to found a German policy upon these answers, to attain public office, and as German Minister of Foreign Affairs to put this policy into effect. There is little doubt that these four questions were as follows:

First. If a way could be found for the economic rehabilitation of Europe by means coming from outside Europe, would Britain be willing to see Germany recuperate?

Second. Would Britain restrain France from aggressions against Germany?

Third. If the commercialization of the German reparation bonds outside of Europe could be effected, would Britain accept this as such a means?

Fourth. Would Britain see to it that Germany should receive a substantial share in the proceeds?

Stresemann did not attain office until 1925. The German governments which preceded him fought stubbornly against commercialization of the German reparations. The Dawes plan, effected in 1924, provided for the commercialization of $4,000,000,000 worth of the bonds, but necessary cooperation failed to come from Germany. The international bankers made repeated efforts to obtain the consent of the Coolidge administration to commercialize the bonds here, but relations on the opposite sides of the Rhine were so threatening that their appeals had little force.

The next year, 1925, witnessed the inauguration of the Stresemann policy. Reconciliation in Europe was announced. On board the *Orange Blossom*, floating on the shimmering

waters of Locarno, the personal friends, Stresemann and Briand, reached an understanding for their respective countries. The treaty of Locarno was signed in which France and Germany made peace and Britain agreed impartially to support either party in case of military aggression by the other.

The publicity given this treaty in the United States was thorough and complete. There was not a town or village to which the news was not carried that peace had now come in Europe, and that that continent was bathed in the sunshine of Locarno. With stable peace effected in Europe, why should there be any further hesitation about American investments in European securities?

Evidencing the new accord Germany, a few months later, in September, 1926, was duly admitted to good standing as a member of the League of Nations. Only one step more at the European end of the stage was now needed to bring the Stresemann policies to fruition.

This step was taken immediately after Germany was admitted to the League of Nations. The two personal friends, Stresemann and Briand, met, not unostentatiously, at the rustic inn at Thoiry in the Vosges. Here it was agreed—

First. That Germany would agree to the commercialization of the reparation bonds outside of Europe.

Second. That France would cease the pin-pricking policy, evacuate the Rhine, and agree that Germany should receive a substantial share of the proceeds from commercialization—one-third, as it afterwards became known.

The next year, 1927, Poincaré promised the French people that if he were returned to power the "bankers' plan," which was to put the Thoiry agreement into execution, would be accepted by France. Stresemann continued to mold policy in Germany in accordance with this purpose. The movement had the support of the British Foreign Office.

In September, 1928, the powers met at Geneva and in solemn conclave took measures for the "final and complete settlement of the reparation question" by the method already adopted in the French elections the preceding year. To this end the appointment of a committee of "experts" was provided for in the following December. This was the Young committee, which assembled in February, 1929, and completed its labors the following June, bringing forth the Young plan, which to-day lies at the heart of any discussion of the world-wide depression which is now with us.

So much for the winding course of postwar diplomacy as it disclosed itself on the other side of the Atlantic. It will be seen that this entire conception presupposes the justice, the adequacy, and the permanency of the settlements of the Versailles treaty in their entirety. The part that the United States is to play under the Young plan is to guarantee by its preponderating power the settlements of the Versailles treaty and to dig deeply into its superabundant financial resources to rehabilitate the depleted treasuries of Europe.

But Stresemann has passed away and a new spirit is coming over the German dreams. The sunshine of Locarno was artificially produced and Briand is discredited in France. Last July marked a rapid and profound change in the political scene in Europe. New combinations are forming, of which I will speak later. The Stresemann policy, universally discarded, has vanished almost overnight. Its disappearance coincides with the rejection by the American investing public of the German international 5½ per cent bonds.

Mr. Speaker, let us return to the United States and observe, so far as we can, the impact of these forces from abroad upon our domestic economy.

Simultaneously with the collapse of the Stresemann policy in Europe comes the depression in the United States. When the Young plan was drawn up it was intended that it should go into operation by putting the bonds on sale in the United States not later than November 1, 1929. Their successful flotation, followed by new slices of the loan, would, it was hoped, draw billions out of America's plentiful investment capital into Europe. This would at once give Europe a new purchasing power of billions and stave off its threatening industrial collapse. Languishing trans-Atlantic trade and world trade would revive, production for export in the United States would increase, and the threatening industrial recession here would be checked. The waning confidence of the American public in New York financial leadership would be revived and psychological causes, or in plain words, lack of confidence in financial leadership, would not supervene to cause domestic industrial depression.

But the American investing public have declined to absorb the Young-plan bonds and Europe has abandoned the Stresemann policies. Foreign purchasing power came to an end last year because new loans in America, which would have permitted its continuance, could no longer be made. The fall in investment values took place in the autumn of 1929 and the industrial depression, which is still with us, began.

Mr. Speaker, the liquidation of the war in accordance with the principles of the treaty of Versailles has failed. It is time to discard them and make new adjustments.

Simultaneously with the abdication by Washington of its governmental powers in favor of "economic experts" several years ago it practically abandoned control of the Federal Reserve Bank of New York to the private international financiers. Last February I called attention here to the ambitious policies of that bank, to the frequent visits here of Mr. Montague Norman, governor of the Bank of England, for conferences with the head of that bank, to the advance of a credit of $200,000,000 from the Federal reserve system to the Bank of England, made in 1923.

And right here I desire to digress and call attention to the fact that another one of these conferences has just taken place, when the governor of the Federal Reserve Bank of New York was abroad conferring in London, Paris, and Berlin, with J. P. Morgan, Owen D. Young, and the heads of the various central banks of issue of the countries of the world, and upon their return to New York a meeting was held in the Federal Reserve Bank in New York, where a report was made by Mr. Owen D. Young, Mr. George L. Harrison, and Mr. J. P. Morgan as to the results of their conferences abroad. The public, however, know nothing about the changes that have been decided upon in connection with these various conferences. All we know is the fact that after the other conference held in this country in 1927 a change in the discount policy was made and money was made cheap, which resulted in the shipment out of this country of $500,000,000 worth of gold which, at the same time, released a superabundant amount of credit, which resulted in stimulating the beginning of the stock speculation which ended so disastrously last year.

Since that date it has more and more been the practice of the Federal Reserve Bank of New York to make gold loans to the central banks of Europe and to buy foreign bills on a large scale. The extensions of the powers of this bank have appeared to be a matter of indifference to the Federal Reserve Board in Washington who profess to have but little knowledge of what it is doing.

These loans have all been made to the national banks of the allied governments whose policies have been the integral execution of the provisions of the treaty of Versailles, and the proceeds have been used exclusively to that end. The United States Government has never avowed the policy of upholding the treaty of Versailles. There is a discrepancy here between the financial policy of the Federal Reserve Bank of New York and the policy of the United States Government. The policy of the Federal Reserve Bank of New York has been that of upholding and furthering the Stresemann policy in accordance with the wishes of the "economic experts" to whose control that bank has been abandoned.

This is not as it should be. America's foreign financial policy should be fixed for the Federal reserve banks by the Federal Reserve Board at Washington and not by one of the 12 coordinate Federal reserve banks. And the Federal Reserve Board in Washington should mold its policies in accordance with the foreign policy of the United States Government whose creature the Federal Reserve Board is.

What is the foreign policy of the United States Government at this time? Is it a policy primarily directed to the

maintenance of the national interests, to the protection of the Nation's wealth, and to the conserving of the Nation's strength, or is it a policy of timidity and drift which follows the line of least resistance? In view of its tolerance of the London ultimatum and the Dawes plan, and of the hospitality which it now gives to the Young plan and the World Bank, with the implication which these acts carry of choosing sides in Europe and throwing the support of the United States Government to the integral execution of the treaty of Versailles, while at the same time assuring the public that it is having nothing to do with political quarrels in Europe and takes no interest in German reparations, it is to be questioned whether its policy has been in the interests of the American people and whether it has shown that ingenuous quality which ought to characterize the government of a republic.

At the end of the last session I introduced a bill which is intended to prohibit traffic in German reparation bonds in this country. The Congress should pass this bill as a first step in the establishment of a definite policy. Its passage will prevent any possible revival of the Stresemann policy in some other guise and bring to an end the dangerous financial heresies of the treaty of Versailles.

We must recognize that a 12-year policy for the financial settlement of the war in Europe has failed and has come to an end. It depended for its success upon the rapid shifting of a large part of the American gold stock into Europe. In spite of the weakness of our executive branch we have succeeded in preventing this. But to protect our gold in future, legislation is needed here to guide the Secretary of the Treasury and the Federal Reserve Board in Washington.

We must admit that it has been the veiled support by successive administrations in Washington of allied policies in Europe that has concentrated power in the hands of the French and is now bringing the entire continent into revolt against her military dominance. We must admit, too, that the primary purpose of the French power, which we were supporting, was to rivet the reparations obligation upon Germany so that the Stresemann policy could be carried out and the reparation bonds disposed of in the United States.

Events in Europe since last July indicate clearly that combinations are forming against Anglo-French dominance. Simultaneously with the failure of the German international 5½'s on the American investment market, Mussolini called for a revision of the treaty of Versailles, and led Italy out of the allied ranks. Italy is making alliances with the countries who were defeated in the war, and an Italian-Russian-German understanding is taking form which might become formidable in certain eventualities.

And only yesterday my attention was called to a speech by Mussolini in Italy in which he dealt with the financial and economic depression in the United States, and to a great extent laid the economic and financial troubles of Italy to the stock crash in the United States, and to the development of the plan of mass production in this country which has resulted in creating such enormous surpluses. I was asked to comment upon this, and in this connection I recall that on July 3 last in this House I had something to say on this same question, and also in my remarks in the House last Tuesday I confirmed my previous statement as regards this speculation and mass production and its effect in this country and the whole world.

Reports have recently emanated from Washington to the effect that the State Department has refused to have anything to say in regard to any foreign loans. Only yesterday, at the other end of the Capitol, one of the leading Senators introduced a resolution, and is pressing for action upon it, forbidding the State Department from having anything to say concerning the placing of foreign loans in the United States.

Under these circumstances the chronic weakness of our Executive policy is making itself manifest again. It is obviously being led by Anglo-French suggestion.

By what right has Ambassador Hugh Gibson, sitting in a meeting of the disarmament conference, recently signed this agreement on behalf of the United States:

> The present convention shall not in any way diminish the obligations of previous treaties under which certain of the high contracting parties agreed to limit their military, naval, and air armaments and thus fixed in relation to one another their respective rights and obligations in this convention.

Is this to become a treaty settlement by which the United States compels Germany to remain disarmed?

And along with this come press reports that the United States Government has frowned upon a loan to Italy in order to bring pressure upon that country to follow certain policies.

The tendency of these things, Mr. Speaker, is to draw us into alliance with France and Britain to maintain the status quo of the treaty of Versailles. All the indications point to the fact that unless the treaty of Versailles is radically revised there will be war in Europe. Does the administration contemplate with equanimity the fact that what we are doing to-day will inevitably draw us into that war on the side of the allied States?

It is possible and logical for the United States Government to follow a policy which will keep us out of these entangling alliances, but it is quite obvious that the intervention of the Congress is necessary if this is to be done. The intervention of the Congress is necessary to undo the work of our economic experts in blindly acquiescing in the Stresemann policy, going halfway into the World Court, and accepting the Young plan and the World Bank.

All of these devices were measures to strengthen and bolster the treaty of Versailles and insure French domination of the continent of Europe under the provisions of that treaty. They fall and crumble into dust if the moral support of the United States is not believed to be behind them.

The industrial stagnation in this country to-day is largely due to the distrust of the people in the foreign policy of our Government and in the financial policies of the Federal reserve system. They do not want entangling alliances, but they have seen an increasing tendency toward entangling alliances as the years have passed. They do not want to see their financial system weakened by too great extensions in its commitments abroad, but that is exactly what they fear is happening to-day.

As I said a little while ago, the economic experts have had their turn and they have led us upon the search for a will-o'-the-wisp. They have bogged us deep in the slough of German reparations. Let them return now to their true field of strictly private activities. Let them cease to dream of fixing the foreign policies of the United States. Let us set ourselves to the fixing of fundamental principle and to the formulation of legislation which is made in America and will conserve and safeguard the interests of the American people. [Applause.]

Mr. RAMSEYER. Will the gentleman yield?

Mr. McFADDEN. I yield.

Mr. RAMSEYER. The gentleman discussed the morality and legality of the Versailles treaty, and I think more and more informed people are taking the view that the gentleman has expressed here. I do not know whether the gentleman remembers a speech on the Versailles treaty made by the late Senator from his own State, Senator Knox, soon after that treaty was laid before the Senate, in which he analyzed the treaty very carefully and came to the conclusion that the treaty would not maintain peace, but on the other hand would provoke wars.

Now, as to the worthlessness of these reparation bonds, I have grave doubts myself as to the advisability of Americans investing in those foreign bonds. It is true that since the war we have lent each year a great deal of money to Europe, something around $1,000,000,000 annually, is it not?

Mr. McFADDEN. It is a total of more than they have paid on the war debts.

Mr. RAMSEYER. Yes; at any rate we have lent each year more to Europe than the balance of trade in our favor amounted to; is not that true?

Mr. McFADDEN. The records of that show.

Mr. RAMSEYER. And that has helped stimulate our trade and helped a great deal in keeping up the prosperity in this country and in the world that we enjoyed during

that period, and undoubtedly our failure last year to continue making loans in the same volume had something to do with bringing about this world depression. That is the gentleman's view, is it not?

Mr. McFADDEN. And the loss of money by foreigners in the New York stock market.

Mr. RAMSEYER. The two combined. Now, the gentleman stated at some place in his address that the Versailles treaty and the other settlements had to be scrapped and something else substituted for them, and I thought the gentleman was going to discuss what should be substituted. I listened for that very carefully. If the gentleman said anything in that connection to convey the idea there was something he wanted to substitute, I did not get it. Does the gentleman care to elaborate on that phrase?

Mr. McFADDEN. I did not make such a suggestion, because that will only come after conferences between the interested parties, when a plan will be worked out that will more appropriately fit the case than does the carrying out of the now obsolete Stresemann policies, evidenced by the treaty of Versailles and subsequent Dawes and Young plans.

Mr. RAMSEYER. Is it the gentleman's opinion that before we can get peace in the world and restore prosperity in the world, we have to scrap the Versailles treaty and the Young plan and substitute something else in the place of them?

Mr. McFADDEN. I do not think we will get a proper solution of this whole matter in Europe until we go back to the very foundation.

If the foundation is faulty, you can not build a safe structure on top of it.

Mr. RAMSEYER. What is the foundation, the Versailles treaty?

Mr. McFADDEN. The Versailles treaty. [Applause.]

RECESS

Mr. TILSON. Mr. Speaker, I ask unanimous consent that the House may stand in recess, subject to the call of the Speaker, and that the Speaker may cause the ringing of the quorum bell 15 minutes before he calls the House to order.

The SPEAKER. The gentleman from Connecticut asks unanimous consent that the House stand in recess, subject to the call of the Speaker, the Speaker to cause the ringing of the quorum bell 15 minutes before he calls the House to order. Is there objection?

Mr. GARNER. Will not the gentleman from Connecticut state what the prospects are for a recess?

Mr. TILSON. I can only state that if we adjourn now there will be no recess until next week. I am informed that there is a possibility that the Senate may consent to a recess to-day.

Mr. GARNER. It is a possibility and not a probability?

Mr. TILSON. If we adjourn now, however, there would be no possibility of a recess before next Monday.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Accordingly (at 2 o'clock and 45 minutes p. m.) the House stood in recess, at the call of the Speaker.

AFTER THE RECESS

The recess having expired the House was called to order by the Speaker at 11.58 p. m.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 15359. An act making an additional appropriation to carry out the provisions of the agricultural marketing act, approved June 15, 1929.

The message also announced that the Senate had disagreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14246) entitled "An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1932, and for other purposes."

The message also announced that the Senate had passed the following concurrent resolution:

Senate Concurrent Resolution 35

Resolved by the Senate (the House of Representatives concurring) that when the two Houses of Congress adjourn on the legislative day of Saturday, December 20, 1930, they stand adjourned until 12 o'clock meridian, Monday, January 5, 1931.

CHRISTMAS HOLIDAY RECESS

Mr. TILSON. Mr. Speaker, I call up the Senate concurrent resolution just messaged over from the Senate.

The SPEAKER. The gentleman from Connecticut calls up a Senate concurrent resolution, which the Clerk will report.

The Clerk read as follows:

Senate Concurrent Resolution 35

Resolved by the Senate (the House of Representatives concurring), That when the two Houses of Congress adjourn on the legislative day of Saturday, December 20, 1930, they stand adjourned until 12 o'clock meridian, Monday, January 5, 1931.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

ENROLLED BILLS SIGNED

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 14804. An act making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment;

H. R. 15359. An act making an additional appropriation to carry out the provisions of the agricultural marketing act, approved June 15, 1929; and

H. J. Res. 253. Joint resolution to provide for the expenses of a delegation of the United States to the sixth meeting of the Congress of Military Medicine and Pharmacy to be held at Budapest in 1931.

The SPEAKER also announced his signature to a joint resolution of the Senate of the following title:

S. J. Res. 211. Joint resolution for the relief of farmers in the drought and/or storm stricken areas of the United States.

BILLS PRESENTED TO THE PRESIDENT

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President for his approval a bill and joint resolutions of the House of the following titles:

H. R. 14804. An act making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment;

H. J. Res. 253. Joint resolution to provide for the expenses of a delegation of the United States to the sixth meeting of the Congress of Military Medicine and Pharmacy, to be held at Budapest in 1931; and

H. J. Res. 444. Joint resolution making an appropriation to supply a deficiency in the appropriation for the fiscal year 1931 for expenses of special and select committees of the House of Representatives.

ADJOURNMENT

Mr. TILSON. Mr. Speaker, wishing everybody a Merry Christmas and a Happy New Year, I move that the House do now adjourn.

The SPEAKER. The gentleman from Connecticut moves that the House do now adjourn. May the occupant of the chair, before putting that motion, also wish to every Member, not only here present but every Member of the House, a joyous Christmas and a most happy and prosperous New Year.

The question is on agreeing to the motion.

The motion was agreed to; accordingly, in accordance with the concurrent resolution (at 12 o'clock midnight) the House adjourned until Monday, January 5, 1931, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

744. A communication from the President of the United States, transmitting amendments of the Budget for the fiscal year ending June 30, 1932, increasing by $615,000 the estimate of appropriation, under the War Department, for pay of the Army, and decreasing in a like amount the estimate of appropriation of subsistence of the Army (H. Doc. No. 699); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. BEEDY: Committee on Elections No. 1. H. Res. 326. A resolution relative to the contested-election case of Ralph E. Updike *v.* Louis Ludlow; without amendment (Rept. No. 2139). Referred to the House Calendar.

Mr. LEHLBACH: Select Committee to Investigate Congressional Elections. A report of the activities of the committee in connection with the election of 1930; without amendment (Rept. No. 2140). Referred to the House Calendar.

Mr. COOPER of Wisconsin: Committee on Interstate and Foreign Commerce. S. 4665. An act extending the times for commencing and completing the construction of a bridge across the Ohio River at Sistersville, Tyler County, W. Va.; with amendment (Rept. No. 2141). Referred to the House Calendar.

Mr. MILLIGAN: Committee on Interstate and Foreign Commerce. H. R. 12966. A bill authorizing H. C. Brenner Realty & Finance Corporation, its successors and assigns, to construct, maintain, and operate a bridge across the Mississippi River at or near a point between Cherokee and Osage Streets, St. Louis, Mo.; with amendment (Rept. No. 2142). Referred to the House Calendar.

Mr. RAYBURN: Committee on Interstate and Foreign Commerce. H. R. 13514. A bill granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a bridge across the Red River at or near Moncla, in the Parish of Avoyelles, La.; with amendment (Rept. No. 2143). Referred to the House Calendar.

Mr. RAYBURN: Committee on Interstate and Foreign Commerce. H. R. 13515. A bill granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a bridge across the Red River at or near Alexandria, in the parish of Rapides, La.; with amendment (Rept. No. 2144). Referred to the House Calendar.

Mr. CORNING: Committee on Interstate and Foreign Commerce. H. R. 13516. A bill to extend the times for commencing and completing the construction of a free highway bridge across the Hudson River between the cities of Albany and Rensselaer, N. Y.; with amendment (Rep. No. 2145). Referred to the House Calendar.

Mr. CORNING: Committee on Interstate and Foreign Commerce. H. R. 13517. A bill to extend the times for commencing and completing the construction of a free highway bridge across the Hudson River at the southerly extremity of the city of Troy, N. Y.; with amendment (Rept. No. 2146). Referred to the House Calendar.

Mr. RAYBURN: Committee on Interstate and Foreign Commerce. H. R. 13525. A bill granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a bridge across the Atchafalaya River at or near Krotz Springs, La.; without amendment (Rept. No. 2147). Referred to the House Calendar.

Mr. BECK: Committee on Interstate and Foreign Commerce. H. R. 13526. A bill to extend the times for commencing and completing the construction of a bridge across the Potomac River at or near Dahlgren, Va.; without amendment (Rept. No. 2148). Referred to the House Calendar.

Mr. RAYBURN: Committee on Interstate and Foreign Commerce. H. R. 13532. A bill to extend the time for the construction of a bridge across the Rio Grande at or near San Benito, Tex.; without amendment (Rept. No. 2149). Referred to the House Calendar.

Mr. RAYBURN: Committee on Interstate and Foreign Commerce. H. R. 13533. A bill to extend the time for the construction of the bridge across the Rio Grande at or near Rio Grande City, Tex.; with amendment (Rept. No. 2150). Referred to the House Calendar.

Mr. WYANT: Committee on Interstate and Foreign Commerce. H. R. 13536. A bill to extend the time for completing the construction of a bridge across the Delaware River near Trenton, N. J.; with amendment (Rept. No. 2151). Referred to the House Calendar.

Mr. RAYBURN: Committee on Interstate and Foreign Commerce. H. R. 13537. A bill granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a bridge across the Ouachita River at or near Harrisonburg, La.; with amendment (Rept. No. 2152). Referred to the House Calendar.

Mr. RAYBURN: Committee on Interstate and Foreign Commerce. H. R. 13538. A bill granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a bridge across the Ouachita River at or near Monroe, La.; with amendment (Rept. No. 2153). Referred to the House Calendar.

Mr. RAYBURN: Committee on Interstate and Foreign Commerce. H. R. 13539. A bill granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a bridge across the Black River at or near Jonesville, La.; with amendment (Rept. No. 2154). Referred to the House Calendar.

Mr. RAYBURN: Committee on Interstate and Foreign Commerce. H. R. 13540. A bill granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a bridge across the Ouachita River at or near Sterlington, La.; without amendment (Rept. No. 2155). Referred to the House Calendar.

Mr. RAYBURN: Committee on Interstate and Foreign Commerce. H. R. 13572. A bill granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a bridge across the Atchafalaya River at or near Morgan City, La.; with amendment (Rept. No. 2156). Referred to the House Calendar.

Mr. RAYBURN: Committee on Interstate and Foreign Commerce. H. R. 13585. A bill granting the consent of Congress to the Louisiana State Highway Commission to construct, maintain, and operate a free highway bridge across the Red River at or near Shreveport, La.; without amendment (Rept. No. 2157.) Referred to the House Calendar.

Mr. RAYBURN: Committee on Interstate and Foreign Commerce. H. R. 13586. A bill granting the consent of Congress to the Louisiana State Highway Commission to construct, maintain, and operate a free highway bridge across the Red River at or near Coushatta, La.; with amendment (Rept. No. 2158). Referred to the House Calendar.

Mr. HUDDLESTON: Committee on Interstate and Foreign Commerce. H. R. 14051. A bill to grant the consent of Congress to the Highway Department of the State of Tennessee to construct and maintain a bridge across the Elk River on the Fayetteville-Winchester road near the town of Kelso, in Lincoln County, Tenn.; with amendment (Rept. No. 2159). Referred to the House Calendar.

Mr. COOPER of Wisconsin: Committee on Interstate and Foreign Commerce. H. R. 14264. A bill to revive and reenact the act entitled "An act granting the consent of Congress to the city of Warren, in the State of Ohio, its successors and assigns, to construct, maintain, and operate a dam across the Mahoning River, in the State of Ohio," approved September 22, 1922; without amendment (Rept. No. 2160). Referred to the House Calendar.

Mr. HUDDLESTON: Committee on Interstate and Foreign Commerce. H. R. 14276. A bill to extend the times for commencing and completing the construction of a bridge across the Tennessee River on the Dayton-Decatur Road between Rhea and Meigs Counties, Tenn.; without amendment (Rept. No. 2161). Referred to the House Calendar.

Mr. BURTNESS: Committee on Interstate and Foreign Commerce. H. R. 14446. A bill to extend the time for completing the construction of a bridge across the Mississippi River at or near the city of Prairie du Chien, Wis.; without amendment (Rept. No. 2162). Referred to the House Calendar.

Mr. PARKER: Committee on Interstate and Foreign Commerce. H. R. 14452. A bill to extend the times for commencing and completing the construction of a bridge across the St. Lawrence River near Alexandria Bay, N. Y.; with amendment (Rept. No. 2163). Referred to the House Calendar.

Mr. COOPER of Ohio. Committee on Interstate and Foreign Commerce. H. R. 14558. A bill to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near New Martinsville, W. Va.; with amendment (Rept. No. 2164). Referred to the House Calendar.

Mr. LEA: Committee on Interstate and Foreign Commerce. H. R. 14676. A bill to extend the times for commencing and completing the construction of a bridge across the Columbia River at or near Arlington, Oreg.; with amendment (Rept. No. 2165). Referred to the House Calendar.

Mr. JOHNSON of Indiana: Committee on Interstate and Foreign Commerce. H. R. 14681. A bill granting the consent of Congress to the Pittsburgh, Fort Wayne & Chicago Railway Co., its successors and assigns, to construct, maintain, and operate a railroad bridge across the Kankakee River; with amendment (Rept. No. 2166). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 14689. A bill to extend the times for commencing and completing the construction of a bridge across the Ohio River at Cairo, Ill.; with amendment (Rept. No. 2167). Referred to the House Calendar.

Mr. HUDDLESTON: Committee on Interstate and Foreign Commerce. H. R. 15138. A bill granting the consent of Congress to the State highway commission and the board of supervisors of Itawamba County, Miss., to construct a bridge across Tombigbee River; with amendment (Rept. No. 2168). Referred to the House Calendar.

Mr. SMITH of Idaho: Committee on Irrigation and Reclamation. S. 4123. An act to provide for the aiding of farmers in any State by the making of loans to drainage districts, levee districts, levee and drainage districts, counties, boards of supervisors, and/or other political subdivisions and legal entities, and for other purposes; with amendment (Rept. No. 2169). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. RAMSPECK: Committee on Claims. H. R. 3192. A bill for the relief of Joseph A. McCarthy; with amendment (Rept. No. 2127). Referred to the Committee of the Whole House.

Mr. FITZGERALD: Committee on Claims. H. R. 6072. A bill for the relief of C. H. Hoogendorn; with amendment (Rept. No. 2128). Referred to the Committee of the Whole House.

Mr. RAMSPECK: Committee on Claims. H. R. 7527. A bill for the relief of the owners of the steamship *Exmoor*; with amendment (Rept. No. 2129). Referred to the Committee of the Whole House.

Mr. BOX: Committee on Claims. H. R. 9164. A bill for the relief of Werner Czwartkovski; with amendment (Rept. No. 2130). Referred to the Committee of the Whole House.

Mr. KINZER: Committee on Claims. H. R. 9392. A bill for the relief of Barney Rieke; without amendment (Rept. No. 2131). Referred to the Committee of the Whole House.

Mr. RAMSPECK: Committee on Claims. H. R. 10761. A bill for the relief of Julia Kerr O'Bleness; with amendment (Rept. No. 2132). Referred to the Committee of the Whole House.

Mr. RAMSPECK: Committee on Claims. H. R. 11594. A bill to amend an act for the relief of Augusta Cornog, approved May 29, 1929; with amendment (Rept. No. 2133). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 12247. A bill to authorize credit in the disbursing accounts of certain officers of the Army of the United States; without amendment (Rept. No. 2134). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 12398. A bill for the relief of Thomas G. Hayes; without amendment (Rept. No. 2135). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 12906. A bill to reimburse the Ransom & Randolph Co., of Toledo, Ohio, for supplies furnished the Veterans' Bureau during the fiscal years 1922, 1923, and 1924; without amendment (Rept. No. 2136). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 14507. A bill for the relief of Mildred N. O'Lone; without amendment (Rept. No. 2137). Referred to the Committee of the Whole House.

Mr. ROWBOTTOM: Committee on Claims. H. R. 1887. A bill for the relief of George C. Mansfield Co. and George D. Mansfield; without amendment (Rept. No. 2138). Referred to the Committee of the Whole House.

Mr. SPEAKS: Committee on Military Affairs. H. R. 9886. A bill for the relief of John P. Smith, deceased; without amendment (Rept. No. 2170). Referred to the Committee of the Whole House.

Mr. SMITH of Idaho: Committee on the Public Lands. H. R. 14414. A bill for the relief of Seymour Fairchild; without amendment (Rept. No. 2171). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DOUGLAS of Arizona: A bill (H. R. 15549) to suspend the requirements of annual assessment work on mining claims during the assessment years 1931 and 1932; to the Committee on Mines and Mining.

By Mr. EVANS of Montana: A bill (H. R. 15550) to suspend the requirements of annual assessment work on mining claims during the assessment years 1931 and 1932; to the Committee on Mines and Mining.

By Mr. HILL of Alabama: A bill (H. R. 15551) authorizing a preliminary examination and survey for a canal to connect Bon Secour Bay and Oyster Bay, Ala., and the Gulf of Mexico; to the Committee on Rivers and Harbors.

By Mr. DYER: A bill (H. R. 15552) to abolish the authority to transfer certain forfeited vessels and vehicles to the Treasury Department and the Department of Justice; to the Committee on the Judiciary.

By Mr. JONES of Texas: A bill (H. R. 15553) to provide for the issuance of agricultural export debentures; to the Committee on Agriculture.

By Mr. EVANS of Montana: A bill (H. R. 15554) to excuse certain persons from residence upon homestead lands during 1929 and 1930 in the drought-stricken areas; to the Committee on the Public Lands.

By Mr. SWANSON: A bill (H. R. 15588) to require the designation of agents for the service of process in suits against joint-stock land banks; to the Committee on Banking and Currency.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ABERNETHY: A bill (H. R. 15555) granting an award of compensation under the United States employees' compensation act to Turner A. Dulaney; to the Committee on Claims.

By Mr. ANDRESEN: A bill (H. R. 15556) granting a pension to Barton V. Yates; to the Committee on Pensions.

Also, a bill (H. R. 15557) granting an increase of pension to Harriet A. Weeks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15558) granting an increase of pension to Sibyl A. Rowell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15559) granting an increase of pension to Sarah Buley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15560) granting a pension to Mary L. Radel; to the Committee on Pensions.

By Mr. ARNOLD: A bill (H. R. 15561) granting an increase of pension to Matilda J. Hensley; to the Committee on Invalid Pensions.

By Mr. CHASE: A bill (H. R. 15562) granting an increase of pension to Edna M. Garrity; to the Committee on Pensions.

By Mr. DAVIS: A bill (H. R. 15563) to compensate Grace Venable; to the Committee on Foreign Affairs.

By Mr. EVANS of Montana: A bill (H. R. 15564) granting an increase of pension to Anthony L. Barnabo; to the Committee on Pensions.

By Mr. FREE: A bill (H. R. 15565) for the relief of Addie I. Tryon and Lorin H. Tryon; to the Committee on Claims.

By Mr. GAMBRILL: A bill (H. R. 15566) to extend the benefits of the employees' compensation act of September 7, 1916, to Robert Goutrain, a former employee of the Coast Guard depot, Curtis Bay, Md.; to the Committee on Claims.

By Mr. HALSEY: A bill (H. R. 15567) granting a pension to Ida M. Roberts; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15568) granting a pension to Annie May Bartlett; to the Committee on Invalid Pensions.

By Mr. HOOPER: A bill (H. R. 15569) granting an increase of pension to Alma Gardner (with accompanying papers); to the Committee on Invalid Pensions.

By Mr. IRWIN: A bill (H. R. 15570) for the relief of William H. Becker; to the Committee on Military Affairs.

By Mr. JOHNSON of Indiana: A bill (H. R. 15571) granting a pension to Lela Mae Gott; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15572) granting a pension to Rachael Monday; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15573) granting an increase of pension to Mary E. Hamilton; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Nebraska: A bill (H. R. 15574) granting an increase of pension to Mary Jacobson; to the Committee on Invalid Pensions.

By Mr. LUDLOW: A bill (H. R. 15575) granting an increase of pension to Minerva S. Quigley; to the Committee on Invalid Pensions.

By Mr. MENGES: A bill (H. R. 15576) granting a pension to Israel E. Smith; to the Committee on Invalid Pensions.

By Mr. NIEDRINGHAUS: A bill (H. R. 15577) for the relief of George Voeltz; to the Committee on Claims.

Also, a bill (H. R. 15578) for the relief of Ashley C. McKinley; to the Committee on Military Affairs.

By Mr. O'CONNOR of Oklahoma: A bill (H. R. 15579) granting an increase of pension to Katie F. Finch; to the Committee on Invalid Pensions.

By Mr. PARKER: A bill (H. R. 15580) granting an increase of pension to Sarah E. MacGowan; to the Committee on Invalid Pensions.

By Mr. PURNELL: A bill (H. R. 15581) granting an increase of pension to Elizabeth Sutton; to the Committee on Invalid Pensions.

By Mr. STOBBS: A bill (H. R. 15582) granting an increase of pension to Maria E. Bangs; to the Committee on Invalid Pensions.

By Mr. TARVER: A bill (H. R. 15583) for the relief of Karl J. Howe; to the Committee on Military Affairs.

By Mr. TAYLOR of Tennessee: A bill (H. R. 15584) for the relief of Clark Scott; to the Committee on Claims.

Also, a bill (H. R. 15585) granting a pension to Cinda Puckett; to the Committee on Invalid Pensions.

By Mr. TREADWAY: A bill (H. R. 15586) granting an increase of pension to Fanny A. Whipple; to the Committee on Invalid Pensions.

By Mr. VINSON of Georgia: A bill (H. R. 15587) for the relief of William T. Cain; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8328. By Mr. FITZPATRICK: Petition of the Bronx Chamber of Commerce urging Congress to support the President in bringing about relief under present labor conditions; to the Committee on the Judiciary.

8329. By Mr. HILL of Washington: Petition of Mrs. William Meikle and other citizens of Wenatchee and Cashmere, Wash., praying for the passage of legislation for the Federal supervision of motion pictures with the purpose of establishing higher moral standards of production; to the Committee on Interstate and Foreign Commerce.

8330. Also, petitions of Mrs. B. B. Tabor and other citizens of Spokane, Wash., praying for the passage of legislation for the exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

8331. By Mr. HOOPER: Evidence in support of House bill 15455, granting a pension to Maude Holmes; to the Committee on Invalid Pensions.

8332. By Mr. MURPHY: Petition signed by John R. Vaughn and 13 other World War veterans of Sherrodsville, Ohio, asking that Congress pass the necessary legislation which will convert to cash the adjusted-service certificates now held by veterans; to the Committee on Ways and Means.

8333. By Mr. O'CONNOR of Oklahoma: Petition of J. E. Cooper and 53 other veterans of Jay, Okla., praying Congress to make payment of the World War veterans' adjusted-service certificates before the Christmas recess; to the Committee on Ways and Means.

8334. Also, petition of Ray O. Austin and 31 other veterans of the World War, praying Congress to make immediate payment of the veterans' adjusted-compensation certificates; to the Committee on Ways and Means.

8335. Also, resolution signed by D. L. Owsley, secretary of the Independent Oil Operators of Oklahoma, petitioning Congress to pass an adequate protective tariff on imported petroleum and its refined by-products; to the Committee on Ways and Means.

8336. By Mr. WYANT: Petition of members of Joseph H. Ford Post, No. 618, the American Legion, Monessen, Pa., urging support of legislation in behalf of ex-service men and their dependents especially asking support of bill asking payment of adjusted-service certificates during 1931; to the Committee on Ways and Means.

8337. Also, petition of Pride of the Valley Council, No. 105, Junior Order United American Mechanics, of New Kensington, Pa., soliciting support of soldiers' bonus bill and the immigration bill; to the Committee on Ways and Means.

8338. Also, petition of Pennsylvania State Chapter, American War Mothers, favoring a new hospital at League Island, Philadelphia, Pa.; to the Committee on Naval Affairs.

8339. Also, petition of Chamber of Commerce of Jeannette, Pa., protesting against increased postal rates; to the Committee on the Post Office and Post Roads.

8340. Also, petition of Pennsylvania State Chapter, American War Mothers, urging bill for increasing size of new hospital at Coatesville, Pa.; to the Committee on World War Veterans' Legislation.

SENATE

MONDAY, JANUARY 5, 1931

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Almighty and Everlasting God, our Heavenly Father, Thou who hast been our refuge from one generation to another and in whose sight a thousand years are but as yesterday, seeing that is past as a watch in the night, grant to us Thy children at this the dawn of another year that, rising with winged heart to meet the changing seasons, we may march in rhythmic majesty with life's procession and in proud submission to Thy will toward the goal of our glorious destiny among the nations of the world.

If in the coming days Thou wouldst have us walk betimes with sorrow when the hosannas of our home are hushed with loved ones gathered to their rest, when the palm trees of life's garden are withered and all our days are dread, then comfort us with the thought that as the wind speaks not more sweetly to the giant oaks than to the least of all the blades of grass, so he alone is great who turns the voice of sorrow into a song made sweet by the whisper of Thy love.

All of which we ask in the name and for the sake of Jesus Christ our Lord. Amen.

THE JOURNAL

The Chief Clerk proceeded to read the Journal of the proceedings of Saturday, December 20, 1930, when, on request of Mr. FESS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

CALL OF THE ROLL

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Davis	Johnson	Sheppard
Barkley	Deneen	Jones	Shipstead
Bingham	Dill	Kean	Shortridge
Black	Fess	Kendrick	Smoot
Blaine	Fletcher	Keyes	Steck
Blease	Frazier	King	Steiwer
Borah	George	McGill	Swanson
Bratton	Glass	McMaster	Thomas, Idaho
Brock	Glenn	McNary	Thomas, Okla.
Brookhart	Goff	Metcalf	Trammell
Broussard	Goldsborough	Morrison	Tydings
Bulkley	Gould	Morrow	Wagner
Capper	Hale	Norbeck	Walcott
Caraway	Harris	Norris	Walsh, Mass.
Carey	Hastings	Nye	Walsh, Mont.
Connally	Hayden	Oddie	Waterman
Copeland	Hebert	Phipps	Watson
Couzens	Heflin	Ransdell	Wheeler
Dale	Howell	Robinson, Ark.	Williamson

Mr. WATSON. My colleague the junior Senator from Indiana [Mr. ROBINSON] is detained from the Senate by illness. I ask that this announcement may stand for the day.

Mr. COUZENS. My colleague the junior Senator from Michigan [Mr. VANDENBERG] is detained in Michigan attending the funeral of the late minister to the Netherlands, Mr. Gerrit J. Diekema.

Mr. HASTINGS. My colleague the junior Senator from Delaware [Mr. TOWNSEND] is unavoidably absent. I will let this announcement stand for the day.

The VICE PRESIDENT. Seventy-six Senators have answered to their names. A quorum is present.

SENATOR FROM VERMONT

Mr. DALE. Mr. President, I send to the desk the credentials of the Senator recently appointed by the Governor of Vermont, which I ask may be read.

The VICE PRESIDENT. The credentials will be read.

The Chief Clerk read the credentials as follows:

THE FREEMEN OF THE STATE OF VERMONT.

By John E. Weeks, Governor.

To FRANK C. PARTRIDGE, *of Proctor*.

GREETING: Know, by these presents, that under the authority of the State of Vermont, in the governor vested, you are hereby appointed and constituted a Senator from the State of Vermont to represent said State in the Senate of the United States to fill the vacancy caused by the death of Frank L. Greene until said vacancy shall be filled by special election.

You will, therefore, with care and faithfulness, execute the duties of your said office for the term aforesaid, by doing and performing all and singular the matters and things thereto relating, without partiality or favor to any person or party, but with equal right and justice to all, according to law. And all persons concerned are required to take due notice hereof and govern themselves accordingly.

In testimony whereof I have hereunto subscribed my name and caused the great seal of this State to be hereunto affixed. Done in the executive chamber at Montpelier, this 23d day of December, A. D. 1930, and of the independence of the United States the one hundred and fifty-fifth.

JOHN E. WEEKS.

By the governor:

[SEAL.]

LUA B. EDSON,
Secretary of Civil and Military Affairs.

The VICE PRESIDENT. The credentials will be placed on file. The Senator from Vermont [Mr. DALE] will escort the Senator designate to the desk and the oath will be administered to him.

Mr. PARTRIDGE, escorted by Mr. DALE, advanced to the Vice President's desk; and the oath prescribed by law having been administered to him by the Vice President, he took his seat in the Senate.

CREDENTIALS

The VICE PRESIDENT laid before the Senate the credentials of EDWARD P. COSTIGAN, chosen a Senator from the State of Colorado for the term commencing March 4, 1931, which were read and ordered to be placed on file.

He also laid before the Senate the credentials of T. P. GORE, chosen a Senator from the State of Oklahoma for the term commencing March 4, 1931, which were read and ordered to be placed on file.

He also laid before the Senate the credentials of JESSE H. METCALF, chosen a Senator from the State of Rhode Island for the term commencing March 4, 1931, which, with the accompanying paper attested by the State returning board, were read and ordered to be placed on file.

AMENDMENT OF SECOND LIBERTY BOND ACT

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a draft of proposed legislation to amend sections 1 and 7 of the second Liberty bond act as amended, which, with the accompanying paper, was referred to the Committee on Finance.

COST ASCERTAINMENT REPORT OF THE POST OFFICE DEPARTMENT

The VICE PRESIDENT laid before the Senate the cost ascertainment report of the Post Office Department showing the cost of carrying and handling the several classes of mail matter and of performing the special services for the fiscal year 1930, which, with the accompanying appendix, was referred to the Committee on Post Offices and Post Roads.

UNLAWFUL ENTRY OF ALIENS INTO THE UNITED STATES (S. DOC. NO. 237)

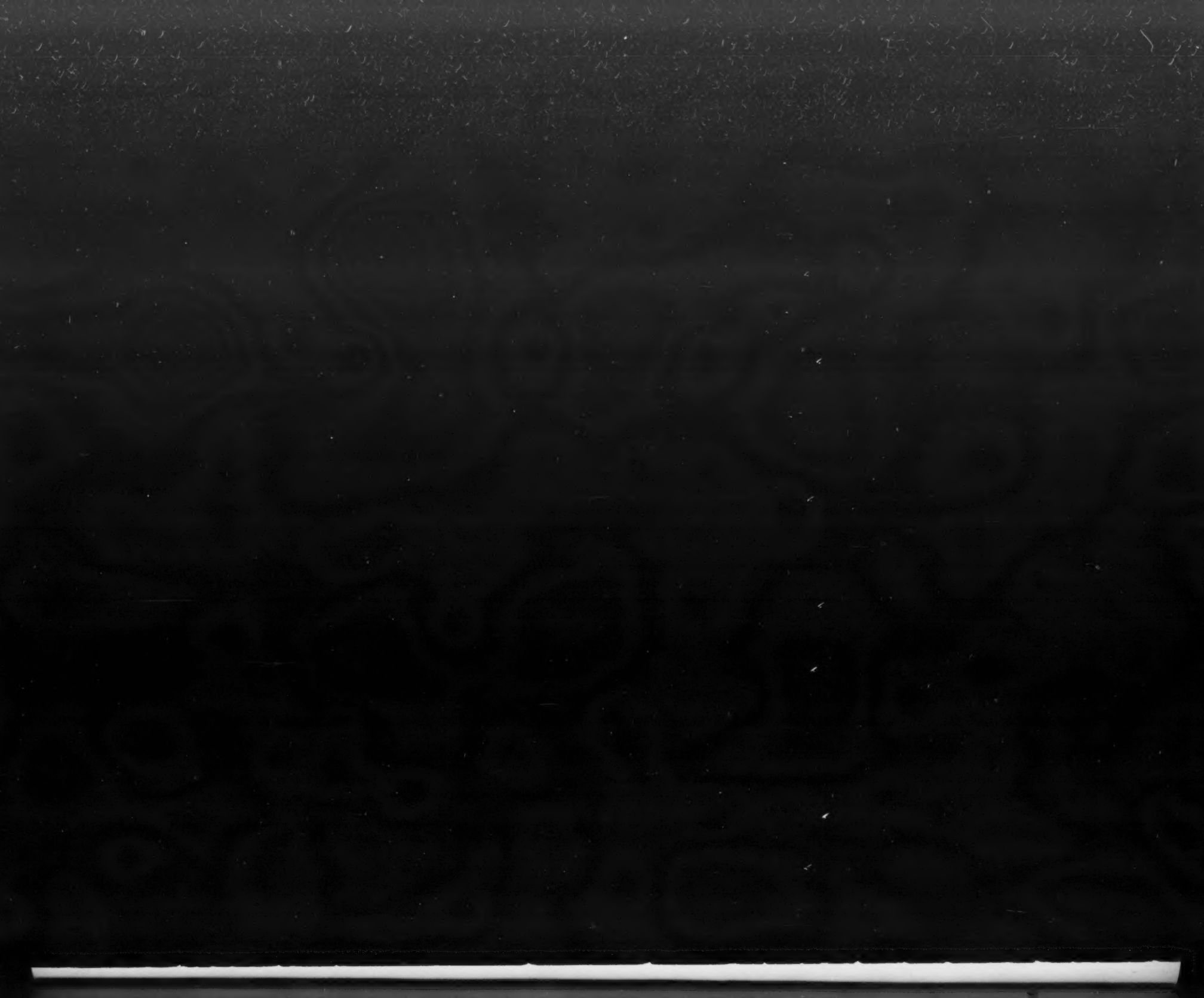
The VICE PRESIDENT laid before the Senate a communication from the Secretary of Labor, in response to Senate Resolution 355, transmitting information relative to aliens who have unlawfully entered and are now in the United States, what number are subject to deportation, etc., which was referred to the Committee on Immigration and ordered to be printed.

OFFICERS DELINQUENT IN RENDERING ACCOUNTS

The VICE PRESIDENT laid before the Senate a communication from the Comptroller General of the United States, submitting a report showing the officers of the Government who were delinquent in rendering or transmitting their accounts to the proper offices in Washington during the fiscal year ended June 30, 1930, the cause therefor and whether the delinquency was waived, etc., which, with the accompanying report, was referred to the Committee on Appropriations.

SENATOR FROM TEXAS

Mr. CONNALLY presented the credentials of MORRIS SHEPPARD, chosen a Senator from the State of Texas for the term commencing March 4, 1931, which were read and ordered to be filed, as follows:



CERTIFICATE OF ELECTION

THE STATE OF TEXAS.

This is to certify that at a general election held in the State of Texas on the first Tuesday after the first Monday in November, A. D. 1930, being the 4th day of said month, MORRIS SHEPPARD having received the highest number of votes cast for any person at said election for the office hereinafter named, was duly elected as representative in the United States Senate for the State of Texas.

In testimony whereof, I have hereunto subscribed my name and caused the seal of State to be affixed at the city of Austin, on this the 20th day of December, A. D. 1930.

DAN MOODY, *Governor.*

By the governor:
[SEAL.]

JANE Y. MCCALLUM,
Secretary of State.

EXECUTIVE MESSAGES AND APPROVALS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries, who also announced that the President had approved and signed the following joint resolution and act:

On December 20, 1930:

S. J. Res. 211. Joint resolution for the relief of farmers in the drought and/or storm stricken areas of the United States.

On December 23, 1930:

S. 2895. An act authorizing the bands or tribes of Indians known and designated as the Middle Oregon or Warm Springs Tribe of Indians of Oregon, or either of them, to submit their claims to the Court of Claims.

REPORT OF UNITED STATES CIVIL SERVICE COMMISSION

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying report, referred to the Committee on Civil Service:

To the Congress of the United States:

As required by the act of Congress to regulate and improve the civil service of the United States, approved January 16, 1883, I transmit herewith the Forty-seventh Annual Report of the United States Civil Service Commission for the fiscal year ended June 30, 1930.

HERBERT HOOVER.

THE WHITE HOUSE, *January 5, 1931.*

REPORT OF YELLOWSTONE NATIONAL PARK BOUNDARY COMMISSION

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and referred to the Committee on Public Lands and Surveys:

To the Congress of the United States:

I am transmitting herewith for the consideration of Congress the final report of the Yellowstone National Park Boundary Commission on an inspection of areas involved in the proposed adjustment of the southeast, south, and southwest boundaries of the Yellowstone National Park, made pursuant to Public Resolution No. 94, Seventieth Congress, approved February 28, 1929.

HERBERT HOOVER.

THE WHITE HOUSE, *January 5, 1931.*

NOTE.—Report accompanied similar message to the House of Representatives.

TREASURY AND POST OFFICE APPROPRIATIONS—NAMING OF CONFEREES

Mr. PHIPPS. Mr. President, I desire to move at this time, with reference to the bill (H. R. 14246) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1932, and for other purposes, that the Senate insist upon its amendments, ask for a further conference with the House, and that the Chair appoint conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. PHIPPS, Mr. SMOOT, Mr. MOSES, Mr. HARRIS, and Mr. GLASS as conferees on the part of the Senate at the further conference.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a communication from A. L. Glasmann, publisher of the Ogden Standard Examiner, of Ogden, Utah, transmitting a plan of farm relief capable of being applied to any or all commodities but dealing only with wheat, which, with the accompanying paper, was referred to the Committee on Agriculture and Forestry.

He also laid before the Senate a communication from J. T. Trippe, president of the Pan-American Airway System, New York, N. Y., favoring the ratification of the Pan American Commercial Aviation Convention, which was referred to the Committee on Foreign Relations.

He also laid before the Senate resolutions adopted by the American Gold Star Mothers, favoring the passage of legislation making the Star-Spangled Banner the national anthem, which were referred to the Committee on the Library.

He also laid before the Senate resolutions adopted at the annual meeting of the National Council of Traveling Salesmen's Associations, indorsing the policies of President Hoover as reflected in his messages to Congress and public statements, and also favoring the calling of a national conference of industries and the appointment of a commission of outstanding business representatives for the purpose of reviewing the operation of existing laws, etc., which were referred to the Committee on the Judiciary.

He also laid before the Senate a resolution of the board of directors of the Stockton (Calif.) Chamber of Commerce, favoring an extensive expansion of public works by the Federal Government for the stabilization of business and the relief of unemployed, etc., which was referred to the Committee on Education and Labor.

He also laid before the Senate a resolution adopted by Wayne G. Austin Post, No. 2, the American Legion, of Newton, Kans., favoring the immediate establishment of a series of citizenship training camps, etc., which was referred to the Committee on Military Affairs.

He also laid before the Senate a petition of sundry citizens of Waukegan, Ill., favoring the enlargement of the present post-office building at Waukegan if the Government does not erect a new post office in the central business district of that city, which was referred to the Committee on Public Buildings and Grounds.

He also laid before the Senate a resolution adopted by the Board of Aldermen of Chelsea, Mass., favoring the passage of legislation for the immediate payment of adjusted-compensation insurance to World War veterans, which was referred to the Committee on Finance.

He also laid before the Senate resolutions adopted by the Florida League of Municipalities at Winter Park, Fla., favoring the passage of legislation authorizing the immediate issuance of employment bonds to an ultimate total of $1,000,000,000, or more if necessary, the proceeds to be expended for needed public works in every State of the Union, which was referred to the Committee on Finance.

He also laid before the Senate resolutions adopted by the Bronx (N. Y.) Chamber of Commerce, indorsing the relief program of the President of the United States, which were referred to the Committee on Education and Labor.

Mr. SHEPPARD presented a resolution adopted by the Texas Academy of Science, at Waco, Tex., indorsing the proposed 10-year program for predatory animal and rodent control, which was referred to the Committee on Agriculture and Forestry.

He also presented petitions of sundry citizens of the State of Texas, praying for the passage of legislation for the exemption of dogs from vivisection in the District of Columbia, which were referred to the Committee on the District of Columbia.

Mr. KEYES presented petitions of sundry citizens of the State of New Hampshire, praying for the passage of legislation for the exemption of dogs from vivisection in the District of Columbia, which were referred to the Committee on the District of Columbia.

Mr. WALCOTT presented petitions of sundry citizens of High Ridge, Danbury, Meriden, Bridgeport, New Haven, West Haven, Saybrook, Groton, Old Saybrook, Norwalk, South Windsor, Hamden, Mount Carmel, Hartford, West Hartford, Stamford, Milford, Branford, Bethany, Wallingford, Essex, New Canaan, Bloomfield, Greenwich, and New London, all in the State of Connecticut, praying for the passage of legislation for the exemption of dogs from vivisection in the District of Columbia, which were referred to the Committee on the District of Columbia.

He also presented petitions of the National Association of Letter Carriers, Capitol City Branch, No. 86, of Hartford; Branch No. 60, of Stamford; Branch No. 227, of Meriden; and the Connecticut State Association of Letter Carriers, at Waterbury, all in the State of Connecticut, praying for the passage of House bill 6603, providing a shorter working week for employees of the Postal Service, which were ordered to lie on the table.

He also presented petitions of the Woman's Christian Temperance Unions of Middlefield, Bristol, Middletown, Durham, Higganum, and Weathersfield, and the Woman's Foreign Missionary Society of the Methodist Episcopal Church of South Manchester, all in the State of Connecticut, praying for the passage of House bill 9986, to provide for the Federal supervision of motion pictures, which were referred to the Committee on Interstate Commerce.

He also presented the petition of Bell City Aerie, Fraternal Order of Eagles, of Bristol, Conn., praying for the passage of legislation embodying the so-called Eagle plan for the stabilization of employment, which was referred to the Committee on Education and Labor.

He also presented petitions of the Woman's Town Improvement Association, of Westport; the New Haven World Court Committee, of New Haven; sundry citizens of Hartford; the Norwalk Ministers' Association, of Norwalk; the World Court Committee, of New Britain; and the Connecticut Woman's Christian Temperance Union, of Hartford, all in the State of Connecticut, praying for the adherence of the United States to the World Court under the so-called Root protocol, which were referred to the Committee on Foreign Relations.

He also presented the petition of Emerson H. Liscum Camp, No. 12, United Spanish War Veterans, Department of Connecticut, of Waterbury, Conn., praying for the passage of legislation providing for the preservation of the U. S. flagship *Olympia*, which was referred to the Committee on Naval Affairs.

He also presented the petition of Stiles D. Woodruff Post, No. 1684, Veterans of Foreign Wars, of West Haven, Conn., praying for the passage of legislation for the immediate payment in cash of adjusted-compensation certificates of World War veterans, which was referred to the Committee on Finance.

Mr. JOHNSON. Mr. President, in the nature of a memorial, I send to the desk and ask to have printed in the RECORD an editorial from the Washington Post of Tuesday, December 30, 1930, and a letter written in approval of that editorial by four Baptist ministers of the highest character and repute, Baptist ministers who are unashamed of their Americanism and unafraid to avow it.

The VICE PRESIDENT. Without objection, the request is granted.

The editorial and letter are as follows:

[From the Washington Post, December 30, 1930]

PROPAGANDA AMONG CHURCHMEN

Through an ingenious combination of wheels within wheels an attempt is on foot to concentrate the influence of all the Protestant churches of America in behalf of a political question now before the Senate. A "commission on international justice and good will," apparently created by the Federal Council of Churches of Christ in America, and engineered by a skilled propagandist, now announces that an alarm is to be sent throughout the country calling upon all church members to bombard their Senators in behalf of the so-called World Court.

In the name of peace and international good will the churches are to be drawn into a political agitation. The circular note accompanying the blank petitions which are distributed does not hesitate to make a misleading statement of fundamental importance in connection with the World Court issue. It asserts that the reservations made by the Senate "have been met by the protocols submitted by the President on December 10, 1930. * * * If action thus taken by the Senate after careful and thorough deliberation is now to be repudiated, the foreign relations of the United States can not be carried on."

This statement is so grossly misleading that it can hardly be the product of ignorance. It deserves the immediate attention of the gentlemen who have lent their names to the propaganda, in order that they may not be criticized as deliberate participants in a scheme to delude members of the churches.

Instead of "meeting" the Senate's reservation, the formula now submitted to the Senate proposes to reverse the conditions imposed by the Senate. The Senate insisted that the World Court, without the consent of the United States, should not consider any request for an advisory opinion on any question affecting the United States. The formula now proposed would permit the court to consider such requests, notwithstanding the objection of the United States. A careful scrutiny of the formula by any church member will substantiate the fact here asserted. But the propagandist who is handling this plan to embroil the churches in this political question now tries to make it appear that if the Senate should insist upon its reservation it will be "repudiating" its action of January, 1926. He adds the preposterous statement that unless the World Court treaty is ratified the foreign relations of the United States can not be carried on. In other words, unless the Senate ratifies the World Court treaty, the United States will find itself cut off from diplomatic communication with all other nations!

Such propaganda, directed at church members who can not be expected to make individual examination of the facts concerning the so-call World Court, is nothing short of a swindle. It is an attempt to take advantage of the peace-loving sentiment of citizens in order to push through a scheme to entagle the United States in a foreign political system. Every church member who receives one of these circulars should take the time to study the question personally. He can soon verify the fact that clever propagandists are at work attempting to deceive him.

DECEMBER 31, 1930.

To the EDITOR OF THE WASHINGTON POST,
Washington, D. C.

DEAR SIR: We are writing to commend in hearty terms your editorial on Propaganda Among Churchmen in your issue of December 30. We raise no question as to the right of any citizen, Christian or otherwise, to exert every right as citizens to bring to pass that which they believe will be for the best interests of our beloved country.

That there has been any statement upon the part of any considerable number of church members which would even seem to be unfair is much lamented by us. Good can never come by doing wrong. Our confidence in our brethren of the Federal Council of Churches of Christ in America is such that we believe there will be a statement from them which will clear them of any intention of unfairness.

Our own position is that we profess faith in Jesus Christ and the sufficiency of the teachings of the New Testament to solve all problems. While as Christians who are called Baptists we are usually classed with Protestants, we ourselves protest against that classification. We protest against any organization professing to represent us unless we so authorize. While there are many Baptist pastors and local Baptist churches represented in the Federal Council, there are thousands who are not. As a denomination there is no organization which can so authorize. In addition to the hundreds of ministers and churches and millions of members of our own faith not represented in this federation, there are many other independent ministers and churches not represented. Let no one take it for granted that even the Federal Council of Churches in America represents all the non Roman Catholic churches in America.

We believe in world-wide peace but protest against the World Court as advocated. We believe the founders of our Nation were right when they warned us against any entangling alliances and protest against any and every effort to entice or stampede us into any such. We believe in the separation of church and state and protest against even Protestants following any other course.

With the assurance that there are great numbers of like conviction with ourselves and thanking you again for the editorial, we are,

Yours for God and country,

THOS. E. BOORDE,
J. WILSON BROWN,
CLARENCE R. FERGUSON,
JOE JEFFERS,
Baptist Ministers.

DISCHARGE OF FEDERAL POWER COMMISSION EMPLOYEES

Mr. WHEELER. Mr. President, I am sending to the desk an editorial from the St. Louis Star touching upon the discharge of Mr. Russell and Mr. King from the Federal Power Commission, and I ask that the clerk may read it.

The VICE PRESIDENT. Without objection, the Secretary will read the editorial sent to the desk by the Senator from Montana [Mr. WHEELER].

The Chief Clerk read as follows:

[From the St. Louis Star]

THE "PINCHOT DISCHARGE"

Two Government employees by their ability and integrity prevented the old Federal Power Commission from being utterly dominated by the power interests. They were Solicitor Charles A. Russell, who knew the law and would not twist it, and Accountant William V. King, who uncovered the mammoth "writing-up" of public-utility capitalization.

As its first official act the new Federal Power Commission has abruptly and arbitrarily discharged these two faithful men.

The "dismissal" of Executive Secretary Bonner at the same time has all the appearances of a smoke screen, to make it appear that the action is a mere clearing out of all parties to an old controversy. It is more important to the power interests to get rid of Russell and King than to keep Bonner where he is. He had already resigned as a result of senatorial criticism.

The discharge of Solicitor Russell comes at a moment when he is defending the Government in the Clarion River Power case, through which the power companies hope to destroy the chief regulatory provisions of the water power act. Russell, the only lawyer familiar with the case, was not assigned to it by the old commission until protests became so strong that failure to use him looked like throwing the case away. Now the new commission discharges him in the middle of it.

Let nobody be so childish minded as to believe that the newly confirmed power commissioners took this action on their own initiative. It requires no evidence but common sense to know that the impetus to discharge these two men came direct from the President of the United States.

This action is an index to the caliber of the commission and a clear revelation of the purposes entertained by Mr. Hoover in the long process of reorganizing water-power control. To the extent of his lawful ability, the President intends to turn the water power of the country over to private interests for private exploitation, with Government control as a bishop's blessing.

The new commissioners, confirmed last week by the Senate, waited only until Congress had recessed for the holidays to take a step they dared not take earlier, yet dared not delay. Only at the moment of organizing the commission could they get rid of these public servants without the necessity of showing cause. They are moreover in a race against time to do what they can before a new Congress comes in that may sweep away their authority—unless, perchance, Mr. Hoover can protect them until he, too, is swept away.

This action is the "Pinchot discharge" of the Hoover administration, the last step needed in the fatal likening of his ill-fated Presidency to that of William Howard Taft.

It means, if previous occurrences had not already assured it, that the renomination of Herbert Hoover will split the Republican Party as wide open as it was in 1912. Wider, indeed, because in 1912 the personality of Theodore Roosevelt was needed to produce the cleavage. To-day the break is being produced by events, and events cut deeper than personalities.

The immediate question is what Congress, and particularly the Senate, will do about an action that is the acme of Executive treachery. Not one man on the Federal Power Commission would have been confirmed had the intention to discharge Russell and King been known in advance. The Senate, conservative as it is, would not have dared precipitate the issue.

The members of this new commission were confirmed under false pretenses. By every principle of justice a confirmation so obtained should be forfeited.

If this "lame duck" Congress agrees with Mr. Hoover that devotion to the public interest should be rewarded by discharge; if this Congress believes with him that the power resources of America should be turned over for riotous exploitation, another Congress is coming.

Mr. Hoover's action—for in reality it is his action rather than that of his appointees—puts a new complexion on the demand for a special session of the new Congress. Affairs have reached such a crisis in Washington that progressive-minded men dare not contemplate what would happen with Congress in recess from March until December. The new liberal Congress should convene in extra session and stay there.

CELENA M'HUGH AND JOYCE M'HUGH

Mr. BLEASE. Mr. President, I introduced and had referred to the Committee on Pensions on May 16, calendar day May 31, 1929, a bill (S. 1331) to place on the pension roll the names of Celena McHugh and Joyce McHugh, widow and daughter, respectively, of the deceased Lieut. James B. McHugh. I also introduced on December 4, calendar day December 10, 1929, a bill (S. 2562) to appropriate a certain sum of money to Celena McHugh and Joyce McHugh. I now ask to have inserted in the RECORD an article showing that the Nicaraguan Government seems to be more appreciative of a real man and his services—an American citizen—than is the American Government. It is all right to confer medals and it is all right to recommend for the congressional medal and the distinguished flying cross, but that does not feed and clothe a woman and her child, nor does it give an education—of which we hear so much these days—to a fatherless child.

I hope that the members of the committees to which these two bills have been referred will read this article and make a report, for it is certainly hard for this young woman and her little girl to live on the very pitiful sum which is allowed by her Government, and this same Government is spending millions and millions of dollars giving jobs to people who are not even American citizens. It seems that some time we should do justice to our own.

Big talk, loud speeches, and hurrahs for the brave and the dead and dying, are all well in their place, but they do not feed the widows and orphans who are left.

I ask, Mr. President, that the article to which I have referred and the two telegrams, which are very short, may be read at the desk.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the clerk will read, as requested.

The Chief Clerk read as follows:

[From the Anderson Independent, Anderson, S. C., Wednesday morning, December 24, 1930]

NICARAGUAN GOVERNMENT CONFERS MEDAL UPON LATE LIEUT. J. B. M'HUGH

The Nicaraguan medal of merit, highest award of the Nicaraguan Government, has been posthumously conferred upon the late Lieut. James B. McHugh, of the United States Marine Corps, according to a communication received yesterday by his widow, Mrs. Celena Smith McHugh, of Pendleton. The medal and a certificate of citation, the latter signed by President J. A. Moncada, of Nicaragua, were inclosed.

Lieutenant McHugh was killed on April 13, 1929, when the marine plane he was piloting crashed near Managua, Nicaragua, after striking a large bird, which fouled the controls. He was buried with full military honors in Arlington National Cemetery, at Washington, D. C., and has been recommended for the congressional medal and the distinguished flying cross, the highest awards the United States Government confers upon its soldiers.

Graduated from Clemson in the class of 1923, Lieutenant McHugh, who was the son of Mr. and Mrs. J. H. McHugh, of Clemson College, accepted a commission as second lieutenant in the Marine Corps in 1924. Two years later, in 1926, he won his wings, and in February, 1928, flew a giant Fokker plane from Washington to Nicaragua, a feat which had never before been attempted in a plane of so large a size.

In the summer of 1928 Lieutenant McHugh participated in the bombing of Sandino's rebel army, an exceedingly hazardous task on account of the wild and uncharted terrain over which the aviators had to fly. For his heroism in this respect he was cited for bravery.

After the rebels had been subdued, the marine aviators were assigned the task of making aerial photographs and maps of the proposed Nicaraguan canal route. It was while engaged in this work that Lieutenant McHugh met his death. His widow, who was formerly Miss Celena Smith, and small daughter, Joy, now make their home with Mrs. McHugh's parents, in Pendleton.

WASHINGTON, D. C., *January 3, 1931.*

Mrs. CELENA MCHUGH,
Pendleton, S. C.:

Please wire collect the amount of pension per month you are now receiving for yourself and your infant daughter, Joyce, from the United States Government.

COLE. L. BLEASE.

PENDLETON, S. C., *January 3, 1931.*

Senator COLE. L. BLEASE,
The Washington Hotel, Washington, D. C.:

I am now receiving $30 for self and $4 for child.

CELENA MCHUGH.

LIQUIDATING AND REFINANCING AGRICULTURAL INDEBTEDESS

Mr. FRAZIER. I ask unanimous consent to have printed in the RECORD and referred to the Committee on Agriculture and Forestry a statement prepared by a former Member of the National House of Representatives from Minnesota and a former attorney general of North Dakota relative to a bill introduced by me last month, being Senate bill 5109, relative to the liquidating and refinancing of agricultural indebtedness.

The VICE PRESIDENT. Is there objection?

There being no objection, the statement was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

STATEMENT IN SUPPORT OF BILL INTRODUCED IN THE SENATE BY SENATOR LYNN J. FRAZIER (S. 5109) FOR THE PURPOSE OF "LIQUIDATING AND REFINANCING AGRICULTURAL INDEBTEDNESS"

Agriculture in the United States is facing more than a crisis, the conditions are now bordering on a calamity. If the farmer, the proverbial "backbone of the country," shall not sink to the level

of serfdom, something must be done to insure to him the possession of his farm, his home.

It is a mere idle waste of time to talk about "farm relief" in the sense that this term is used. The existence of the farmers as a class is now at stake, hundreds of thousands of farmers have been driven off the farms, and those who yet remain on the farms are facing the same sad fate.

All proposed forms of farm relief have stranded on the obstacle that under any form of assistance to be offered the farmers the consensus of opinion has been that if the scheme had to be put into effect the result would be overproduction, with resulting worse conditions than those sought to be relieved.

Not all of those who have been opposed to the different farm-relief schemes have been unfriendly to the farmers.

The only way to bring about conditions for the farmers under which there will be little or no incentive for them to produce more agricultural products than the country can consume, with a reasonable safety margin against crop failure the next year and for a moderate export trade, is to bring about conditions under which they will be secure in the possession of their farms and that the interest charges will be so small that they will not need to put every acre under cultivation every year.

The business of farming must be stabilized at its source.

The farmer is a casualty of the World War; his main troubles date from the time of the war. He was forced to speed up production in order to meet the country's demands on him; he had to borrow money. He borrowed cheap dollars which he was called on to pay with dear dollars. No power in the land can now aid him to become secure in the possession of his land, his home, except the United States Government.

So patriotic had the farmer been during the war that the close of the war found from three to five mortgages upon many farms. None of these are now of any value, in most cases, except the first mortgage, and in many cases the first mortgage is only worth half of its face value, according to present land values. Yet the farmer can not now find any agency willing to loan him the money with which to redeem his farm, even where it can be redeemed at half the face value of the first-mortgage incumbrance. Such is at least the situation in the great agricultural Northwest.

Therefore we now petition Congress, through the introduction of Senator FRAZIER'S bill, to take the only valuable and meritorious action that can be taken in order that the farmers of the United States may be safeguarded in the possession of their lands and their homes by having the Government of the United States refinance and liquidate the indebtedness of the farmers for the purposes set forth in the preamble of the bill.

The United States Government allowed the allied war governments of Europe to have their debts to us refinanced on the easiest terms ever accorded debtors. The whole debt was struck out and the different European nations who were indebted to us are only to pay us a small rate of interest for a certain number of years. In the case of Great Britain the interest rate is 3 per cent, while Italy will get away with about 1½ per cent. The settlements with the European debtor nations were made upon the basis of their supposed ability to pay. Why, then, should not the United States Government deal with its own—most important class of people—upon somewhere near their ability to pay?

Was it more important, at the time we allowed the allied nations of Europe to have their debts refinanced, that there should not be brought about political chaos in Europe than it is in the United States to-day to avert impending disaster that threatens 30,000,000 people directly and the rest of our population indirectly?

About a year ago Congress voted to reduce income taxes for the year in an amount of $160,000,000, most of which went into the pockets of those who had enjoyed big incomes, while the epidemic of bankruptcy and farm foreclosures was rampant in the farm country. Why this discrimination?

Every credit facility in the land is closed against the farmers and little, if any, assistance is given to the small-merchant class in the agricultural country, with resultant business stagnation. Never were the conditions so desperate in the farm country as they are now. Even what little money there is yet left in the farm country can, under our banking regulation, not be used there. Banks—in the farm country—advertise all kinds of industrial paper and foreign bonds, even city of Berlin and Austrian Government bonds, for sale; but farm paper is a forbidden class of securities, a shame and a disgrace upon the system we live under. What matters the welfare of the city of Berlin and the Austrian Government to farmers who are fighting for their homes and their very life?

How then can the farmer class be saved from utter destruction except by direct assistance from the United States Government? And under the plan we propose the Government can save the farmers without any risk of losing money. The farm lands of the United States are worth much more money than what, under our plan, they can be redeemed for now. And the mortgage holders will not lose anything for they will be paid according to present values of farm lands.

We do not believe that insurance companies and other investment companies wish to go into the farming business, a business for which they are not fit, but this will soon have to follow if something along the line we propose is not done.

We are also confident that this plan will in the long run be much cheaper to the United States Government than any kind of farm relief now in force or yet to be proposed. This plan involves no aid, subsidy, or gift of charity; it will not upset established trade conditions nor entail any extra expensive machinery to make it function. It is a business proposition that will bring about justice to the farmers. It will simply undo the financial crime perpetrated against the farmers during the war.

The business of farming has been carried on at a loss every year since the war, this year has been the worst of all in spite of "farm relief" extended. The outlook for the future is the blackest in the history of farming in the United States.

With the farmers under the present debt load, at the present interest rates, neither the marketing act nor any other kindred farm-relief scheme will be of any avail. Under the present debt load it is futile to advise the farmers to curtail acreage, they will not heed such advice. Even with fair prices for agricultural products the farmers could never lift their debt load from their shoulders, but as things stand they must try and meet their payments; the larger the payments the more they must produce. If the prices of their products are low, they feel that they must increase the volume of their production. This is human nature. And their creditors prod them on to increased activities while they render advice to shift from one kind of crop to another with ever-increasing disastrous results.

No man can act or think sanely if he year in and year out has in his mind a mental picture of the sheriff standing right outside the door ready to serve papers in foreclosure proceedings.

Bring that peace and tranquillity that once was upon the farm back to him and he will think and act rationally. He will then do his own thinking and make his own decisions and will work out his own salvation. Besides now being debt ridden the farmer is advised to death and falls an easy victim to every agitator with a golden scheme for his relief, none of which has so far brought him anything but grief. When the farm again becomes a home and not a debtor's prison from which, if turned out, he does not know where to go, the farmer can adjust his farming operations so that the proceeds from his labors will take care of his needs and wants. Then there will be no overproduction problem.

Laws have been passed under which railroads and public-utilities corporations are guaranteed a fair income upon inflated valuations; the law now guarantees the farmers nothing but a loss upon badly shrunken valuations. Why this discrimination?

The Government fleet of merchant ships have practically been made a present of to private shipowners, and money is loaned them at as low a rate of interest as we here ask for the farmers. Surely no Senator or Congressman who voted for such a measure can object to a much more modest demand for the farmers.

The unemployment crisis has one of its taproots in the farm country, from whence millions of people have been driven by the farm crisis to compete with the industrial workers in the cities. The passage of this measure will go further toward solving the unemployment crisis than any measure yet proposed. Many a young man or woman now starving in the cities will then trek back to the parental home when the family becomes secure in the possession of the old home. There will then be less need for labor-saving machinery on the farm, the present curse, that drives thousands of workers to the cities to compete in the overcrowded labor market.

But, if action along the lines indicated in Senator FRAZIER'S bill is not taken, new hungry hordes will continue to leave the farms every year to struggle with hungry breadwinners in the cities.

We have given much thought and study to the farm problem, not from the academic standpoint of the professional farm-relief proponent, not from the standpoint of the politicians who must find some issue upon which to win an election, but from knowledge of facts and from personal contact and business experiences. We have discussed the terms of this bill with thousands of farmers before submitting it to Congress, we have talked with hundreds of merchants and bankers, and all have agreed that it is the sanest plan for having justice done to the farmers that has yet come to their attention. With this plan in effect the farmers say that they can work out their own salvation.

We therefore hope that Congress will give it its most serious attention, without prejudice, that impending disaster may be averted in time, which otherwise will take on cataclysmic proportions.

Very respectfully,

WILLIAM LAMKE,
Former Attorney General, North Dakota,
Fargo, N. Dak.

KNUD WEFALD,
Former Congressman, Ninth District, Minnesota,
Moorhead, Minn.

THE WORLD COURT

Mr. SHEPPARD. Mr. President, I send to the desk a statement with reference to the World Court, which I ask may be read.

The VICE PRESIDENT. Is there objection to the reading of the statement? The Chair hears none, and the clerk will read, as requested.

The Chief Clerk read as follows:

The inquiry directed to 112 daily newspapers in Texas by the American Foundation as to their position on the World Court had the following result:

Seventy-eight of these dailies, with a total combined circulation of approximately 1,039,467, were favorable to American entry into the court.

Eight, with a total combined circulation of approximately 88,826, were opposed to American entry.

One, with a circulation of approximately 3,172, took no stand.

Twenty-five, with a total combined circulation of approximately 106,402, made no reply.

OIL PRODUCTION

Mr. SHEPPARD. Mr. President, I send to the desk a telegram in the nature of a memorial, which I ask that the clerk may read.

The VICE PRESIDENT. Without objection, the clerk will read, as requested.

The Chief Clerk read as follows:

WICHITA FALLS, TEX., *January 3, 1931.*

Senator MORRIS SHEPPARD,
Washington, D. C.:

Owing to the deplorable situation of the independent oil producers, at a meeting held here this afternoon, they adopted the following resolution:

"Whereas the independent oil men and their employees are now engaged in a desperate struggle for existence caused by the destructive effect of the importation of crude oil and its refined products into the United States, largely from Russia and South America; and

"Whereas the continuation of these imports into our country free of all duty will result in the bankruptcy and the total elimination of the independent oil man as a factor in the oil industry in the United States of America; and

"Whereas the situation can not be remedied as long as these importations continue, and the only relief possible is to completely bar the importation of crude oil and its refined products from our country by an embargo act:

"Now, therefore, the North Texas Oil and Gas Association, in special session convened in the city of Wichita Falls, Tex., does hereby petition the Congress of the United States to immediately enact into an embargo prohibiting and preventing the importation of crude oil or any of its products into the United States for a period of at least three years from the date of the enactment of said embargo law."

We feel that a great emergency exists and that the basic industry of the midcontinent area of our country requires this embargo in order to preserve the life of the small well owner. We solicit your good offices to do what you think best in this emergency.

NORTH TEXAS OIL AND GAS ASSOCIATION,
P. B. FLYNN, *President.*

The VICE PRESIDENT. The telegram will be referred to the Committee on Finance.

ADJUSTED COMPENSATION OF EX-SERVICE MEN

Mr. CARAWAY. Mr. President, I send to the desk a notice of my intention to move to discharge the Committee on Finance from the further consideration of Senate bill 5060, introduced by myself, to pay the ex-service men their adjusted compensation. I desire that the notice may be read.

The VICE PRESIDENT. The notice presented by the Senator from Arkansas will be read.

The Chief Clerk read as follows:

The Senator from Arkansas moves that the Committee on Finance be discharged from the further consideration of the bill (S. 5060) to provide for the immediate payment to veterans of the face value of their adjusted-service certificates.

Mr. CARAWAY. I should like to have action on the notice, if there is no objection.

Mr. SMOOT. I shall have to object, Mr. President.

The VICE PRESIDENT. The notice will lie on the table.

Mr. CARAWAY. I shall move to take it up at the earliest opportunity.

Mr. HEFLIN. Mr. President, I ask unanimous consent to have printed in the RECORD following the notice given by the Senator from Arkansas, because it is right in line with his position, a statement given by me to the press.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

I am in hearty agreement with the position of Congressman GARNER, of Texas, regarding a cash settlement of the bonus provided for by Congress to the ex-service men. He wisely leaves it optional with the former World War soldier to take the cash settlement now or permit the arrangement provided by Congress to remain as it is. There are hundreds of thousands of these ex-service men in distress. They are suffering for the actual necessities of life and certainly the Government can afford to do this seemingly extraordinary thing at a time like this when we have business depression everywhere and unemployment on such a large scale. Certainly the Government owes it to these men to pay them the money already acknowledged to be due them at a time when it will most benefit them. The men who stood the supreme test and risked their lives in the service of their country are certainly entitled to this much consideration at the hands of the Government whose life and liberty they fought to save.

In addition to that, the amount of money that it would put into circulation would do more to revive business, generally, and hasten the return of prosperity than anything else that we could do. I am ready to cooperate with Congressman GARNER in the passage of the merciful, wise, and just measure that he has proposed.

DROUGHT CONDITIONS IN KENTUCKY

Mr. BARKLEY. Mr. President, during the consideration of the drought relief bill, prior to the Christmas holidays, I attempted to call attention to the situation in the State of Kentucky. I have here a number of letters, including one from Mrs. Mary Breckenridge, director of the Frontier Nursing Service in eastern Kentucky, and also from Dr. A. T. McCormack, the State health officer, and copies of various letters from county judges of the State, the American Red Cross, and others, all of which I ask be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

FRONTIER NURSING SERVICE (INC.),
Lexington, Ky., January 3, 1931.

Senator ALBEN W. BARKLEY,
Washington, D. C.

MY DEAR SENATOR: I want very much for you to know the conditions prevailing in southeastern Kentucky at the present time. Our organization is covering over 700 square miles in Leslie, Clay (along Red Bird River), sections of Bell, and the edge of Perry, from nine nursing stations. We have 27 nurses in the field, a physician (in cooperation with Doctor McCormack), a dentist half the year (in cooperation with the Kentucky State Dental Associations), hospital and surgical care. Our nursing stations are distributed over this territory and our nurses get about on horseback.

The reason I am telling you all of the above is by way of explaining that we know intimately the families of our more than 6,000 patients and the territory in which many thousands of Kentuckians are living under conditions that are at present pretty desperate. We have had a house-to-house survey done this autumn of nearly 900 families by a man named Lee Morgan, one of our foremen, who is a very responsible person. Our own secretaries have tabulated his returns. We have checked up on the exact number of bushels of corn in each family, the number of people in the family, when they will be out of corn, whether there is a cow or a mule, and if there is any other means of livelihood such as a pension.

Now, the result of this survey shows that 13 per cent of these people have no food whatever at the present time. Fifty-five per cent will be entirely without food for themselves and their stock between now and the spring. The remainder have enough, but so few have a surplus that the necessity of helping their destitute neighbors is going to make some of the rest of the population very close to the hunger level themselves. I personally know many of these families, and I know there is nothing whatever in their cabins at the present time. In giving Christmas to over 4,000 children (the children we are carrying for medical and nursing care in their homes), we always give shoes to those that are actually barefoot. This year between four and five hundred children had no shoes at all. When there isn't the money for food, of course there isn't the money for clothing.

Now, Senator BARKLEY, the drought has brought the condition on, for ours is a population, as you know, which has always been self-supporting, on a meager basis, but always self-supporting. The drought has done it in two ways: First, in taking half the crop in a country where there is rarely ever a surplus; second, in not providing water in the rivers to carry out the rafts of timber, which is the mountains one cash crop. These rafts are now lying in the pools or on the bars of the river, and tied up in them lies whatever money would have come to the mountains this year.

Now, I reported all these things early in the autumn to the American Red Cross, and they have been splendid. They have shown great and kind interest. They have sent representatives in, who are making headquarters there at present, and who will, I hope, arrange to give what is necessary to these families to enable them to sustain life until summer. I was discussing the matter to-day with Doctor McCormack, and he thought that you ought to know exactly what the situation is. In other words, quite plainly and bluntly and frankly, some hundreds of families, to my personal knowledge, in southeastern Kentucky face actual starvation this winter unless the matter is handled by the American Red Cross. The Red Cross is, as you know, using up its own surplus to meet the drought demands. I don't know how these things go in Washington, but the Government seems to be appropriating a good deal of money one way or another. It seems to me it should give the Red Cross whatever it needs to put over this program and the same program in other sections, if they are as bad as ours. I believe that the Red Cross would distribute some warm clothing also if it had the funds to do so, and that is needed second only to food.

Isn't it almost incredible, Senator? I was in northern FRANCE just after the German evacuation, and went in with Miss Anne

Morgan's committee, but the economic condition there was not as bad as it is to-day in the Kentucky mountains. There was machinery to get food in to the population, and they were not allowed to get as close to starvation as our American citizens are being allowed to-day, through no fault whatever of their own.

If you would like to have a complete set of our survey of families, showing the exact amount of corn remaining, etc., sent the American Red Cross, you can get it in two ways. The Red Cross will be glad to give you a copy, but in order not to put them to that trouble you can telegraph for it to our head record secretary, at Wendover, in the mountains, and she will have a copy sent you immediately. Telegraph Miss Marion Ross, Hyden, via Krypton, Ky.

If you wish to communicate with me further, I am leaving for New York to-night, and will be at the Cosmopolitan Club, 133 East Fortieth Street.

With best wishes, I am, yours sincerely,

MARY BRECKENRIDGE.

STATE BOARD OF HEALTH OF KENTUCKY,
January 3, 1931.

Hon. A. W. BARKLEY,
Senate, Washington, D. C.

MY DEAR SENATOR: I am inclosing copies of several letters that are self-explanatory and which I believe it might be well to insert in the RECORD.

It is unbelievable how brave and patient our people are in this great calamity. Almost everybody who can is helping, but in many counties local resources are absolutely exhausted or soon will be. It is going to require a tremendously bigger organization for any sort of adequate relief for these people.

They began hauling water in tank cars on the train yesterday to Richmond, a city of 6,495 people. Richmond is the county seat of Madison County, and is the site of the Eastern Kentucky Normal School and of the Irvine-McDowell Trachoma Hospital, and this is the first time in its history that it has been short of water. Unless rain or snow soon brings relief the water situation itself is going to present a major problem. It is unbelievable in this State, which has always had an abundant water supply. The water table is so low that it is going to require 10 or 12 inches of rain to start the flow in our springs and wells. The Government weather reports show less than half of normal rainfall for most of the State, and even this is deceptive, because most of the rain fell in September, over scattered periods, that made the illusion of much greenery, without really accomplishing anything, except for a part of the late tobacco crop.

I will send further details to Senator ROBINSON Monday or Tuesday in regard to the economic and health situations in each of the counties.

When you get the opportunity, I think it would be well for you to call attention to the fact that the wheat stored by the Farm Board is being consumed by the weevil. Mrs. McCormack tried for two weeks to buy a bushel of wheat so she could demonstrate a method for making old-fashioned porridge of it. She found it impossible to buy more than 5 pounds. This cost 5 cents a pound and 6 cents a pound cracked, which, of course, is $3 and $3.60 a bushel. It seems all right to feed it to the weevil, but it is impossible to secure it for the people who are hungry.

Very truly yours,

A. T. MCCORMACK,
State Health Officer.

DALE, KY., *December 28, 1930.*

Doctor MCCORMACK,
Louisville, Ky.

DEAR SIR: I thought I would write you in regard to the condition of some people in this locality. They are on sufferance; not a bite to eat and nothing to wear, except what is given to them. I understand you are the one to write to. I am informed there has been something sent to this precinct, but if there has been the parties are not scattering it. I do not want anything for myself. I am thankful I can live. I am assistant postmaster and a merchant; my son is the postmaster. So I would be glad if there could be some way for these people to live, so I hope you will not think me fast by making this inquiry. I hope you will please answer me.

Respectfully yours,

Mrs. H. C. KEETON.

P. S.—If you want my record you can get it from the Morgan County National Bank, Cannel City, Ky.

PINE TOP, KY., *December 30, 1930.*

AMERICAN RED CROSS:

Will write you in regard to a little help, as there are lots of families going to starve if you can not help us, so if you can do anything to help us take care of them will be more than glad, as each family has a large crowd of children, and it looks as though they are going to starve and freeze if they can not get a little help, so if you can possibly help us take care of the poor send me the stuff you can spare us and I will see that people get it that needs it. If you can possibly do so please help us all you can. I am the local registrar here and know the need of help, so if you can spare us anything for these people do so and I will see that they get the benefit of it. The courts and magistrates have done their part as well as I, so we have done all we can for them. I am looking to you for help, so if you send clothing send it by parcel post and if you send money send it registered. Clothing is needed as well as something to eat and we can make out with either. There are about 50 orphan children in this county crying for something to eat. It looks too bad, but we have done all we can for the poor widow women washing by hard day's work trying to get their children something to eat and wear. They are about 25 poor children here in sight of me that go from one day to another without a bite to eat unless we divide with them, and you know I can not raise my own family and these too, so if you can possibly help us, do so. Send us a little of something to keep them from starving and freezing.

Wishing you a Happy New Year.

Mrs. MINTO TACKITT,
Local Registrar.

P. S.—I am a widow woman myself, but I help the poor, hungry children in every way I can, so send this stuff to me and I will see that every hungry child gets his part. Little girls and boys from the age of 12 to 1 year old going barefooted and hardly any clothing, so help them if you can. Send this stuff to me and I will put it to as good a use for them as I can.

CADIZ, KY., *January 2, 1931.*

Dr. A. T. MCCORMACK,
Louisville, Ky.

DEAR SIR: Your letter of December 29, 1930, with inclosed copies of letters from other counties has come to me, and the letters so clearly picture conditions in Trigg I am forced to reply.

Last fall, when the Red Cross representative came through our county, we had heard of very few people really in need, and reported to her that in all probability we could take care of the situation, but when the seed rye and oats were distributed and drive for membership put on, the collection fell short of the cost of the seed, and now that winter is on the calls for help are far beyond the ability of the county to meet.

Our entire county is dependent upon agriculture for support, and with the floods of 1928–29 destroying at least 80 per cent of our crops, followed by the drought of 1930, our people are not only stranded but are discouraged and thrown in a state of panic.

The small crop of tobacco, which is our only money crop, is selling so low that those who receive it are afraid to spend it even for the things they want or improvements needed, which makes a deplorable condition for those who depend upon wages for support.

Our county has a very small income with a large bonded and floating debt, so that when interest on this debt and current expenses are paid our fund is exhausted. No money left for road work, bridge work, or any other kind of public improvement.

Our county farm and indigent expense is greater now than we can meet. Warrants for county officials' salaries are marked interest bearing by the sheriff and handed back. Banking conditions generally are such that our banks can not, if they were willing, extend credit to the county, so we are at our row's end and many people are to-day out of coal, wood, and food and with nothing but summer clothing; unless help comes from some outside source, there will be untold suffering, for many people who never knew what it was to want are to-day on the verge of starvation.

Our people would not suffer if work of any kind, even at $6 per week, could be had, and my suggestion is that if the money made available for road improvement by the Congress could be spent on rural mail routes or farm-to-market roads it would reach the people who really need help lots better than if spent on the United States highway system, which as a rule passes through the most prosperous sections of each county.

Yours very truly,

BLAIR ALEXANDER,
Judge Trigg County Court and
Member of Drought Relief Committee.

LEITCHFIELD, KY., *December 29, 1930.*

Dr. A. T. MCCORMACK,
Louisville, Ky.

MY DEAR DOCTOR: I have just been in touch with the members of our fiscal court and they inform me that there will be much suffering if there is not something done. Our local resources are practically exhausted, but so far we seem to be making rather slow progress with the Red Cross. I have just had a long talk with our county judge and urged him to get in communication with the Red Cross and see if they will not do something for us.

I think as long as the weather is pleasant we won't have a great deal of suffering, but should it turn suddenly cold, as we expect it to any time, we will have much suffering in this county in spite of all we can do. Please communicate with me when I can be of any assistance to you whatever.

Yours very sincerely,

GEORGE W. ARMES,
Health Officer.

QUINCY, KY., *December 27, 1930.*

Doctor MCCORMACK,
State Board of Health, Louisville, Ky.

DEAR SIR: I wrote you some time ago about what the conditions would be here this winter. We have some families here now that have not enough to eat nor clothes to keep them warm, and the neighbors out of their scant supply have been helping them; but because of the continued drought no one has any more than they

need for themselves, and the best the county will be able to do is $1 per week, so unless the Red Cross or the State board help we are in a bad way up here.

Yours,

B. B. ANDERSON.

WHITESBURG, KY., *December 26, 1930.*

Dr. A. T. MCCORMACK,
United States Public Health Service, Louisville, Ky.

DEAR DOCTOR MCCORMACK: We are very anxious to see some road work started in Letcher County in order to give employment to our people. It is clear that we face a problem of providing employment and relief for many of our people who, through no fault of their own, are without work and without income. The mines in this section have done well until recently. In fact, our problem is just now before us. Through our fiscal court and through local relief organizations the situation has been reasonably well taken care of, but with the coming of cold weather and with the curtailment of employment at the mines it is evident that during the winter months our needs will be greater than they were in the summer of 1927. We believe that the funds provided by the Federal and State appropriations for rebuilding the roads destroyed by flood in the spring of 1927, if applied to road contracts in Letcher County at this time, would entirely relieve the unemployment situation for this spring, and that we would be able to otherwise handle our problems without being forced to resort to charity.

We are taking this matter up with the highway commission, with Senators BARKLEY and WILLIAMSON, and with the Federal highway department.

Any suggestions that you may have to offer or any assistance that you will be able to give us in this matter will be appreciated.

Yours very truly,

JOHN D. SERGENT,
Judge Letcher County Court.

STANTON, KY., *January 1, 1931.*

Hon. JAMES BARTON PAYNE,
Chairman National Red Cross, Washington, D. C.

DEAR SIR: Early in October of last year I formed a committee of 22 members, covering the entire county, for the purpose of making a survey, by request of the State drought-relief committee, to see what conditions were as a result of the drought.

This investigation showed that there were hundreds of families throughout the county that would have to be helped through the winter. Whereupon we organized two teams of the drought-relief committee, and the result was the sum of $182.50. Also, the fiscal court appropriated $250 to match what the drought-relief committee had raised. The only other source we have is a small Red Cross chapter, of about 30 members, at Clay City, Ky., so far inactive so far as relief work is concerned.

As this county owes many thousands of dollars it will be impossible for our fiscal court to appropriate any further funds, as we have already given thousands of dollars besides the above-mentioned appropriation. My magistrates tell me that there are hundreds of families bound to suffer if we do not get any relief for them from the Red Cross. As our county agent, Mr. Browning, is giving more than half of his time to visit these suffering people and reports that many are in a critical condition, and that they must have relief from some source, we feel that we must have help outside the county. We have gone our limit, and our present sums would be exhausted in one day if we should fill all the requests made.

The need is so great that we would like for you to send a representative of the National Red Cross to investigate the situation and to organize one or more chapters in Powell County to cooperate with the one which we have already. The chairman of the county Red Cross, and the secretary and treasurer as well, have all that they can do to keep up their regular jobs of their own business affairs, and so far they have not been able to give to the Red Cross the attention that it should have.

We strongly solicit your organizing a chapter for the county, with headquarters in the county seat. We feel that that is the logical place for headquarters and that more cooperation will result if such an organization is made.

Yours very truly,

WM. SPENCER,
County Judge, Member of Drought Relief, and of the Red Cross.

PLEINER, KY., *January 2, 1931.*

Dr. A. T. MCCORMACK,
Louisville, Ky.

DEAR DOCTOR MCCORMACK: I am writing you in regard to the situation of the people in this (Butler) county. We have a large number of people that are out of food and also without the proper clothing. We have talked to our county judge and told him of the condition of the people in our part of the county, but he did not give us but little encouragement in this matter. Said he did not see any way to get any help from the Red Cross much before next spring. We want to say that if the people in this part of the county don't get help until spring, some will be compelled to starve. We will greatly appreciate your advice in putting us in touch with the proper parties that can give the people in this vicinity some relief from their desperate condition. I have been in the merchandise business at this place for several years up until a year or so ago, and I know the condition of the people and their needs. We will greatly appreciate any assistance you may render us in this matter.

Yours very truly,

I. V. RAMONS.

MARION, KY., *December 31, 1930.*

Mr. R. W. SCEARCE,
Executive Secretary Kentucky Drought Relief Committee, Louisville, Ky.

DEAR MR. SCEARCE: In reply to your inquiry of December 29, be advised that the sheriff estimates that there are approximately twelve or fourteen hundred delinquent taxpayers in Crittenden County at this date, and that the amount of taxes due and unpaid is about $35,000.

That the amount of collections at this time is about the same as of previous years. The sheriff is really surprised that he has been able to collect this percentage of taxes under the circumstances.

In regard to your question relative to the local organizations taking care of the families who are asking for charity, be advised that the demands are too great and we can no longer meet their needs. In this regard, understand me, it is food and clothing that is needed, and not seed and feed for stock.

I note that you say something about the $45,000,000 crop-production loans. Any information in this respect will be appreciated. I hope, if possible, that this loan will not be confined to feed for stock, seed, and fertilizer. That there is not so much red tape to it that the man who really needs the help can not get it.

I believe if there can be small loans to the small men who are natives of the communities and who are not in the habit of moving around at every season it will do a great good.

Will appreciate any information you can pass on.

Sincerely,

J. ROY JOHNSON,
Chairman Crittenden County Drought Relief Committee.

JANUARY 1, 1931.

Mr. R. W. SCEARCE,
Louisville, Ky.

DEAR MR. SCEARCE: In reply to your letter of December 29, I wish to state that 45 per cent of the taxpayers of this county are delinquent to the amount of $15,000.

This is an increase of about 35 per cent over previous years, and is largely due to the extreme drought.

Our drought-relief committee raised about $430, and is trying hard to take care of the families that will have to have help to get through the winter. This money will be exhausted by the middle of the month, or before, and then we are going to be up against a real problem. It will be impossible for local organizations to continue to meet the demand through this month. If it is at all possible, we would like to get in touch with the National Red Cross, and organize one or more chapters in the county, in order to get whatever help we could from them. You can easily see how little help our one local chapter can be, with only about 30 members, and about $70 in the treasury.

It is taking more than half of my time now to help out the families that are calling on us, and if we gave all the help asked for, our funds would be exhausted in a few days.

Yours very truly,

W. L. BROWNING,
Chairman Drought Relief Committee, Powell County.

MOUNT VERNON, KY., *December 31, 1930.*

Mr. R. W. SCEARCE, *Louisville, Ky.*

DEAR SIR: Your form letter of December 29 has been carefully considered. The proposition of farmers' taxes is being looked up now and by the 2d or 3d we hope to have a report in your hands as to conditions in Rockcastle County. We have been swamped with applications at Red Cross headquarters for both used clothing and food. We have no idea of the number in extreme need till Red Cross applications were being filed.

We hope that some plan will be carried out whereby we can get some loan relief by the late winter to lend encouragement to our amateur farmer and try to make the production sufficient to meet the demands for food and feed in this county for another year.

Yours truly,

M. PENNINGTON,
Chairman County Drought Relief Committee, Rockcastle County.

JANUARY 2, 1931.

Hon. JOHN BARTON PAYNE,
President of American Red Cross, Washington, D. C.

MY DEAR SIR: I have received from Dr. A. T. McCormack, State health officer of Kentucky, a letter setting forth the plans of the Red Cross to help take care of those who are actually suffering in the drought-stricken counties.

I write you to acquaint you with the conditions in Christian County. I do not think we are in as serious condition as some other counties in the drought-stricken area, and had hoped that we would be able to handle our situation without outside help. As winter comes on I find that we are not going to be able to do so. The county has spent more money than it had and the farmers

are not able to pay their taxes, which leaves the county in condition that it can not give much further help.

There has been a charity organization formed in the city of Hopkinsville, and the collection taken. I believe we will be able to handle the situation inside the city, which leaves about 24,000 people outside of the city, many of them being in distressing financial condition.

Our farmers heretofore have been able to take care of those in need in their community with what help the county could give, but now they are not able to extend outside help, and my estimate is that unless we can get from $2,000 to 3,000 outside, some of our people are going to suffer. I would like to know your plan for getting this matter before the Red Cross.

We have a chapter of the Red Cross here headed by good men and women, and we can get up an organization to efficiently handle any help that the Red Cross may give. Christian County has maintained a Red Cross nurse, Miss Vera O'Pool, but we are not able to make arrangements to keep her another year. She was paid by the city, city schools, county schools, and with some help from the fiscal court of the county.

We know that the resources of the Red Cross are going to be taxed to the limit to help those who can not help themselves, and we will do all that we can to help take care of our own situation, but we see now that we are not going to be able to do so without some help.

Yours very truly,

FRANKLIN RIVES, *Judge.*

MORGANTOWN, KY., *January 1, 1931.*

Hon. JOHN BARTON PAYNE,
Washington, D. C.

DEAR SIR: I understand that the American Red Cross has made arrangements to take care of those who are actually suffering for want of food and clothing wherever local resources are exhausted.

I am, therefore, writing to acquaint you with the situation as it exists here. Our resources are exhausted, with the county several thousands of dollars in debt, with an assessment of less than $3,000,000; that is, we receive for county purposes only about $16,000 after commission for collection and exonerations are taken off. With this we must keep up or pay all county expenses, salaries, support of jail, almshouse, roads, bridges, elections—in short, the general expenses of the county. Thus you can readily see that we have nothing to meet an emergency like this that we are experiencing now.

Butler County is a rural county. The people are depending wholly upon the farms for support. With the exception of the few merchants in the county, we are all farmers, but all must look to the farm for existence. We do not have a railroad or manufacturing plant of any kind in the county to help bear the burden.

For four years our farmers have suffered heavy losses. Conditions have grown worse every year, and as a result the farmers are unable to take care of themselves. In fact, I find from an investigation by magisterial districts that there are at least 1,100 families in the various districts of the county that will need and must have from some source some relief during the coming winter. First district, 200; second district, 100; third district, 250; fourth, 250; fifth, 300, a total of 1,100.

Two bank failures within the county and one just over the line in Grayson County that affected the people as much as the two within the county, has placed a hardship on many more of our people. In fact, many of those who were in a position to get by without help and perhaps help others have lost, or at least every dollar they have is tied up, with no prospect of immediate relief, as the people who owe the banks can not pay. Many of our farmers can not pay their taxes. This will make it doubly hard for any funds to be raised.

Our people as a whole do not want to ask for charity, but we have gone to the end of our own strength, as it were, and if we do not get relief from some outside source many of our people will starve. Our people would work and in fact would rather work if they could get employment, but there is no work for them to do. We have tried hard to get some road work started in the county, but so far have been unable to get the cooperation of the State and Federal Government, although we voted bonds and are in a position to match both Federal and State aid.

Please do what you can for us, and I assure you it will be greatly appreciated by a suffering people.

Very truly,

———,
County Judge of Butler County.

STANTON, KY., *January 1, 1931.*

Hon. JOHN BARTON PAYNE,
Chairman National Red Cross, Washington, D. C.

DEAR SIR: Early in October of last year I formed a committee of 22 members, covering the entire county, for the purpose of making a survey, by request of the State drought-relief committee, to see what conditions were as a result of the drought.

This investigation showed that there were hundreds of families throughout the county that would have to be helped through the winter. Whereupon we organized two teams of the drought-relief committee, and the result was the sum of $182.50. Also the fiscal court appropriated $250 to match what the drought-relief committee had raised. The only other source we have is a small Red Cross chapter of about 30 members at Clay City, Ky., so far inactive as far as relief work is concerned.

As this county owes many thousands of dollars, it will be impossible for our fiscal court to appropriate any further funds, as we have already given thousands of dollars besides the above-mentioned appropriation. My magistrates tell me that there are hundreds of families bound to suffer if we do not get any relief for them from the Red Cross. As our county agent, Mr. Browning, is giving more than half of his time to visit these suffering people and reports that many are in a critical condition and that they must have relief from some source, we feel that we must have help outside the county. We have gone our limit, and our present sums would be exhausted in one day if we should fill all the requests made.

The need is so great that we would like for you to send a representative of the National Red Cross to investigate the situation and to organize one or more chapters in Powell County to cooperate with the one which we have already. The chairman of the county Red Cross and the secretary and treasurer as well have all that they can do to keep up their regular jobs of their own business affairs and so far they have not been able to give to the Red Cross the attention that it should have.

We strongly solicit your organizing a chapter for the county, with headquarters in the county seat. We feel that that is the logical place for headquarters and that more cooperation will result if such an organization is made.

Yours very truly,

WM. SPENCER,
County Judge, Member of Drought Relief and of the Red Cross.

DIXON, KY., *January 2, 1931.*

Hon. JOHN BARTON PAYNE,
President American Red Cross, Washington, D. C.

MY DEAR MR. PAYNE: We wish to acquaint you, as President of the American Red Cross, with conditions now existing in Webster County, Ky., and to earnestly solicit assistance from the Red Cross for relief of distress in this county.

We, the undersigned officials of Webster County, Ky., have made a diligent survey of the conditions now existing throughout the county relative to suffering caused by the drought during the summer of 1930, and from said survey we find unusual suffering caused from unusual conditions.

This is an agricultural and coal-producing county. There was not over 33⅓ per cent of the crops raised in 1930, due to the drought. The farmers have sold their livestock at a greatly reduced price because of lack of sufficient feed to carry them through the winter and spring. We find that many farmers have been forced to mortgage their farms to obtain sufficient funds to pay their taxes, and we also find that 40 per cent of the farmers have failed to pay their taxes at all, which means that their lands will be sold for taxes, and unless some outside aid is obtained at once the greatest suffering in the history of the county will befall them. We find on investigation that many farmers are without sufficient food and clothing to carry their families through the winter. Also many farm tenants are unable to secure leases for the present year for the reason that they have no funds and supplies to defray their expenses until they can raise another crop, and many landlords do not have sufficient funds to pay their own expenses, much less advance funds to their tenants.

As to the coal situation, we find that 50 per cent of the population of this county is in mining sections and depend upon the mining industry for a livelihood. Due to the nation-wide depression, the operators can not find market for their coal, and in addition to that there was a strike in this county for a period of eight months in 1930, and 75 per cent of the mines were closed and did not operate, and hundreds of men were without work and were unable to get work elsewhere. We find the families of these miners in a deplorable condition, untold suffering now exists in the coal zone, and unless we can get aid quickly, God only knows what will happen.

Webster County has exhausted its financial ability to take care of more than the regular paupers, and if there ever was a time in the history of this county or the State that the county needs aid to take care of the unusual suffering, it is at this hour.

In addition to the coal and drought situation, one of the leading banks of the county in the coal field closed its doors and hundreds of people were left penniless. Other banks in the county are not advancing any future loans.

We are not making just a mere formal appeal for aid in this county, we are sincere, and are earnestly requesting aid and are appealing to you as representatives of the suffering people of this county to aid in relieving this awful condition. We court and solicit investigation as to the correctness of the above facts stipulated. We believe, upon investigation by your representatives, you will not hesitate to give us all the assistance possible.

We notice through the press that the National Government has contributed $15,000,000 to relieve suffering throughout the Nation, and we earnestly request that your organization investigate the conditions of this county and render all the relief possible and as speedily as possible.

This is an S O S call, and any aid you can give us will not only be appreciated by the undersigned but by hundreds of suffering men, women, and children of this county.

Yours very truly,

A. L. HALL,
County Judge.
CARR L. WALKER,
County Attorney.
C. H. SMITH,
County Health Officer.

JANUARY 2, 1931.

Hon. JOHN BARTON PAYNE,
President American Red Cross, Washington, D. C.

DEAR SIR: I am writing you in the interest of a good many families in this drought district to inquire if the Red Cross can and will provide any relief for destitute families and for those who are not able and capable of taking care of themselves during this winter.

Conditions are very bad in this county, and while the local chapter of the Red Cross is entirely willing to render all aid possible and is doing so as appeals are made to the local chairman, there is a tendency on the part of the local organization to answer only appeals that are made direct to them on account of having only limited means to render necessary aid. Should it be the policy of the Red Cross to go into the matter more extensively and look up these cases where aid is much needed and render aid where the necessity exists, a great deal of good could be accomplished and much suffering and distress relieved.

The county has done all possible, but, on account of excessive debts incurred in buying rights of way for new roads and for road construction in general, at this time have very little money for aiding where so much need exists. The chairman of the local Red Cross is a member of the drought-relief committee and his cooperation in rendering relief can be counted on at all times as long as local funds last. Will be glad to hear from you and, should you think it advisable, would like for you to let the local Red Cross chairman know just what he should do to help out the situation in this county.

Yours very truly,

J. W. CONNLEY,
Judge of Gallatin County Court and
Chairman of the Drought Relief Committee.

BURKESVILLE, KY., *January 2, 1931.*

Hon. JOHN BARTON PAYNE,
President American Red Cross, Washington, D. C.

DEAR SIR: We were told that some one from the Red Cross Society would visit this county sometime in December to see just what was needed here to take care of the people that were unable to care for themselves on account of the late severe drought. As yet we have had no one to see us. I know we will be unable to picture in words just how serious the situation is here.

We have exhausted all means here to care for them and unless something is done and done at once there will be severe suffering for some in the county. Our local chapter had a small fund on hand and quite a bit has been raised by drives, etc., but that has all been spent. We were able to get 1,000 bushels of rye to give them and paid for one-third of the cost. Large quantities of clothing have been given away. The merchants in the county have sold on credit until they have endangered their financial standing. Every day brings reports of families that are suffering and we have no relief to offer.

There has been a complete survey of the county and we find about 800 farmers asking for help. Of this number about 80 families have neither food nor clothing and but little shelter, and if some one or some organization does not care for them they must suffer and some may starve to death. No doubt some of them have been made so by the death of some soldier who died in the late war.

We are aware of the fact that the Government has made an appropriation of $45,000,000 to relieve the drought sections of the United States. From the best information on the matter it will be loaned in some way to farmers with the expectation that it will be paid back. Of those who have asked for help in this county not one will ever be able to pay back what he may get. Those farmers who would be able to repay what they may borrow can get all the credit they need from local banks. We understand that this money loaned to them by the Government must be spent for seeds, fertilizers, and feed for stock. We find that the human beings will need food worse than the donkey in the stables. We do not see how the ones that really need help will be able to get any part of the $45,000,000 that will be offered.

This county in recent years—in 1928 we think—suffered from a severe flood at the time when crops were just maturing and lost all. They have not recovered yet. At that time the Red Cross offered aid, but on account of their pride our people, who had always given, not received help, refused the offer with thanks. It seems that if our great country could give millions of dollars to keep some foreign nations from suffering they could also help the most loyal people on earth in their time of need.

We give you this information so that you may know this is our hour of need.

B. L. SIMPSON,
Judge Cumberland County Court.
J. T. MCGEE,
Chairman Drought Relief Committee.

Mr. BARKLEY. I also ask that a letter and an "American questionnaire" from Col. Noel Gaines, of Frankfort, Ky., may be inserted in the RECORD, at his request.

There being no objection, the letter and questionnaire were ordered to be printed in the RECORD, as follows:

FRANKFORT, KY., *January 3, 1931.*

MY DEAR SENATOR BARKLEY: I am sending you the inclosed copy of an American questionnaire I have just issued, for a brief and powerful contribution to our country's welfare and protection.

Will you or Senator WILLIAMSON put this short paper (American Questionnaire) into the CONGRESSIONAL RECORD at my request?

Your friend and obedient servant,

NOEL GAINES.

AMERICAN QUESTIONNAIRE

LOYAL AMERICANS will, in the spirit of American brotherhood, accord to their fellow Americans the right to ask questions on anything proposed for our country's adoption, and they will tolerantly answer all these or other questions:

BUSTER AMERICANS who have grown too big for their national breeches and busted out of them into international breeches think they are big enough to do as they please by cramming it down the people's throats without answering any of their questions:

1. Do you hold or do you deny that as long as the 13 stripes remain in our American flag as emblematic of the 13 original Colonies that some to-day can discard the American fundamentals of those original colonists (Washington, Jefferson, Monroe, et al.) and still be loyal to those 13 emblematic stripes in the flag?

2. Do you or do you not admit that our Federal Government of the United States is a government of delegated powers and that the President and Congress can assume only those powers delegated to them in our United States Constitution?

3. Then cite the specific authority in our United States Constitution which grants to our President and the Senate the power to put our United States into the foreign League of Nations or helping to create a World Court.

4. Do you claim or deny that the general treaty-making authority in our United States Constitution granting the President and the Senate the power to make treaties with foreign nations gives to the President and to the Senate, when acting alone, when ratifying a treaty, the power to put us into the League of Nations or the World Court, notwithstanding the only court-creating section of the same Constitution (clause 9, sec. 8, art. 1) which gives to both Houses of Congress (the House of Representatives as well as the Senate) the power to create all courts?

5. Do you accept or reject "The Kingdom of God," which Holy Writ and all history for the past 19 centuries show has already set up its world rule here on earth, as the only internationalism now allowable on this earth, and that it bars all the other human internationalisms—socialism, communism, bolshevism, League of Nations-ism, and World Court-ism—and bring severe chastisements upon all such attempts? Do you accept or reject this truth of Almighty God?

Respectfully and affectionately asked by

NOEL GAINES.

RESTRICTION OF IMMIGRATION

Mr. SHORTRIDGE. Mr. President, I hold in my hand a resolution in respect to immigration unanimously adopted by Golden Gate Parlor, No. 29, Native Sons of the Golden West. A like resolution has been adopted by the South San Francisco Parlor, No. 157; the Fresno Parlor, No. 25; the Solano Parlor, No. 39; the Modesto Parlor, No. 11; the Sonoma Parlor, No. 111; the Watsonville Parlor, No. 65; and many other parlors of that patriotic organization of California.

I request that this resolution be printed in the RECORD and referred to the Committee on Immigration.

There being no objection, the resolution was referred to the Committee on Immigration and ordered to be printed in the RECORD, as follows:

GOLDEN GATE PARLOR, NO. 29,
NATIVE SONS OF THE GOLDEN WEST,
San Francisco, December 22, 1930.

Hon. SAMUEL M. SHORTRIDGE,
United States Senator from California,
Washington, D. C.

DEAR SENATOR SHORTRIDGE: The following is a resolution unanimously adopted by Golden Gate Parlor, No. 29, Native Sons of the Golden West:

"*Resolved*, That we approve without reservation the policy indicated in measures now before Congress for suspension of immigration from all countries, including the Philippines, for a term of years;

"That we protest against an exception being made in favor of Filipinos, as demanded by Hawaii, even for entrance into Hawaii unless those entering that Territory can be excluded from the mainland. The Filipinos already present a grave social and economic problem in California, as shown by the California Joint Immigration Committee in hearing before the House Immigration Committee, April 10, 1930;

"That if the unemployment situation is to be remedied by restricting immigration, not only should there be suspension of immigration through the immigration gates but measures should be taken to prevent illegal entry—amounting to over 100,000 annually—and to deport those already illegally here, as urged by President Hoover in his message to Congress, December 2, 1930;

"That our representatives in Congress be urged to secure, if possible, that accomplishment of each of the ends above indicated as emergency measures at the coming short session of Congress;

"That the two Immigration Committees of Congress and the respective departments of the national administration be advised of this action."

Very respectfully yours,

[SEAL.] ADOLPH EBERHART, *Secretary*.

REPORTS OF COMMITTEES

Mr. STEIWER, from the Committee on Indian Affairs, to which was referred the bill (H. R. 11675) to authorize the issuance of a patent in fee for certain land and buildings within the Colville Reservation, Wash., for public-school use, reported it without amendment and submitted a report (No. 1212) thereon.

Mr. DALE, from the Committee on Commerce, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

S. 4804. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Atchafalaya River at or near Krotz Springs, La. (Rept. No. 1213);

S. 4806. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Red River at or near Alexandria, La. (Rept. No. 1214);

S. 4809. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Ouachita River at or near Sterlington, La. (Rept. No. 1215);

S. 5114. An act to legalize bridges across the Staunton River at Brookneal, Route No. 18, Campbell County, and at Clover, Halifax County, Route No. 12, State of Virginia (Rept. No. 1216);

S. 5319. An act to grant the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the French Broad River on the proposed Morristown-Newport Road between Jefferson and Cocke Counties, Tenn. (Rept. No. 1217);

S. 5457. An act authorizing the State of Louisiana and the State of Texas to construct, maintain, and operate a free highway bridge across the Sabine River where Louisiana Highway No. 6 meets Texas Highway No. 21 (Rept. No. 1218);

S. 5458. An act authorizing the State of Louisiana and the State of Texas to construct, maintain, and operate a free highway bridge across the Sabine River where Louisiana Highway No. 7 meets Texas Highway No. 7 (Rept. No. 1219); and

H. R. 11779. An act granting the consent of Congress to the State of Illinois to construct, maintain, and operate a bridge across the Pecatonica River northwest of Rockford, Ill., in section 5, township 27 north, range 11 east, fourth principal meridian (Rept. No. 1220).

Mr. DALE, also, from the Committee on Commerce, to which were referred the following bills, reported them severally with amendments and submitted reports thereon:

S. 4805. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Red River at or near Moncla, La. (Rept. No. 1226);

S. 4807. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Red River at or near Coushatta, La. (Rept. No. 1227);

S. 4811. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Ouachita River, at or near Harrisonburg, La. (Rept. No. 1228);

S. 5099. An act authorizing Pensacola Bridge Corporation (a Florida corporation), its successors and assigns, to construct, maintain, and operate a bridge across Santa Rosa Sound, in the State of Florida, at or near Grassy Point, in Santa Rosa County, Fla., and repealing the act approved May 26, 1928, as amended February 19, 1930, authorizing construction of a bridge across Santa Rosa Sound (Rept. No. 1225);

S. 5255. An act to extend the time for the construction of a bridge across the Chesapeake Bay (Rept. No. 1221);

S. 5360. An act to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Randolph, Mo. (Rept. No. 1222);

S. 5392. An act to legalize a bridge across the Pigeon River at or near Duluth, Minn. (Rept. No. 1224);

S. 5456. An act to extend the time for construction of a free highway bridge across the Sabine River where Louisiana Highway No. 21 meets Texas Highway No. 45 (Rept. No. 1229); and

S. 5473. An act to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Brownsville, Nebr. (Rept. No. 1223).

ENROLLED JOINT RESOLUTION PRESENTED

Mr. GILLETT, from the Committee on Enrolled Bills, reported that on December 20, 1930, that committee presented to the President of the United States the enrolled joint resolution (S. J. Res. 211) for the relief of farmers in the drought and/or storm stricken areas of the United States.

ADDRESS BY SENATOR VANDENBERG ON THE LATE GERRIT J. DIEKEMA

Mr. BORAH. Mr. President, Gerrit J. Diekema, formerly a Member of Congress, died at his post as minister to the Netherlands a few days ago. The Senator from Michigan [Mr. VANDENBERG] delivered an appropriate and very beautiful address upon his life on the occasion of his funeral. I ask unanimous consent that the address may be inserted in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

So it's home again and home again,
America for me;
My heart is turning home again;
That's where I want to be.
In the land of Youth and Freedom
Far beyond the ocean's bars,
Where the air is full of sunshine
And the flag is full of stars.

* * * * * * *

Years ago these beautiful and thrilling lines were sung by Dr. Henry Van Dyke as he bade adieu to his American Legation at The Hague. Constantly they have been ringing in my ears since the sorrow-laden wires brought us the poignant news that Gerrit John Diekema, serving that same distant assignment, had been gathered to his fathers.

Here, in the heart of the homeland, amid the loves that outlive years, is mortal journey's end for him who was the greatest of all our ministers to the Netherlands. He died in the proud service of his country upon a foreign strand where he personified the finest traditions of American diplomacy. As he would have wished, he died at his sentry post in the rich climax of a rare career. He died in the land of his rugged forebears where his character and talents won him the respect and the affection of the great court and the great people to whom he was accredited; and where he won for his country a new prestige. But though he was under an alien flag, he died in the glory of a robust American citizenship which was his supreme mortal devotion, and with a nobility of dedication to the Republic which shines on like a summer sun in a cloudless sky.

Yes; he turns home again in all the grandeur of that sacred word. Home again, to the land he worshipped with an utterly selfless purity of love. Home again, to the Commonwealth which found in him and his maturity a sturdy son who bore her banners for 50 brilliant, honorable years. Home again, to the city which counted him its priceless benediction. Home again, to neighbors and to friends who can find no substitute for his heart of gold.

Home again? Yes; Home, at last, upon the thresholds of triumphant immortality which is the blessed reward of the militant Christian who knows that he shall meet his Master face to face, and who so lives as to deserve this precious rendezvous.

We look back into the open book of his fruitful life and find it an illuminated scroll. Every paragraph records some worthy service. Every page finds him giving of himself to the society and the institutions which he adorned. Every chapter points to the service, and not to the reward, as the relentless impulse and objective of his busy life. But here, at last, is the flower of all rewards, the common love which puts him like a meteor in the heavens of our grateful memories. We shall not forget. It is the supreme requiem.

Many vivid rôles were played upon life's stage by this many-sided man, who leaves us the heritage of his example to show the way of the full tide in our existence.

He was a notable practitioner at the bar where only the keen survive the competition. His profession had no abler leader, none with a finer grain of courageous justice.

He was the wise and dependable counselor whose advice was sane and sound and sought by multitudes. Many went to him

as children to a father—how many, only a census of sorrowing hearts could tell.

He was the trusted banker who would have prayed that his hand might wither rather than violate the confidence of those who believed in him; and those who believed were legion. Here was a citadel where confidence never was betrayed.

Repeatedly he was the stalwart public servant called to many different and high tasks, always with responsive capacity, always with granite integrity, always with the loftiest sense of responsibility, always with an accounting beyond reproach. He was public minded in the way that the founders of the Nation put the common weal ahead of private convenience or pursuit. It is such stewards who make possible the survival of our democracy.

Occasionally in the forum of affairs he faced defeat, but always with an unspoiled generosity which made a triumph of these vicissitudes. More often he confronted victory, and always with an unspoiled humility which made our joys in his achievements universal.

He had the gift of tongues, and he gave prodigally of this eloquence. It has touched every corner of our State and far beyond. No worthy cause sought him as its champion in vain. Indeed, his was the willing heart of the crusader, and his was the persuasive power which flows only from crystal sincerity. This voice which thousands knew is stilled to-day. But it will echo down the decades in the ideals he made articulate, in the moralities which he defended, and in the loyalties he preached and lived.

He was an unobtrusive scholar with broad intellectual horizons. He was a devout religionist to whom the church was the temple of his abiding faith and the workshop of his dearest labors. He was the Samaritan who gave not merely of his substance but of his own great heart and wholesome self. Self was the last and least of whom he thought. Unselfishness was the key to his character and his career. He lived his Savior's admonition that it is more blessed to give than to receive. This city's grief—the city where he was first among all—is one of many monuments which wear this epitaph.

He was gentle yet brave. He was kindly and companionate. He was unflinching in defense of principle. He was true as steel. He believed in friendship and never tarnished it. He believed in God and served Him with unbroken zeals. He loved his flag and sleeps rightfully in its embrace.

When the great Haig, warrior of the British hosts, faced the dissolution he looked upon the great adventure as another and the greatest conquest. "Let there be no mournful dirge," said he, "as I pass on. Rather, let triumphant bands play Onward, Christian Soldiers."

My friend—our friend—is one of the noble company to whom that exalted philosophy accurately applies.

I think of him with head erect, eyes to the front, ready for any reveille.

A brave soul goes marching on!

I think of him as the personification of the poet's prophecy:

I know we are building our Heaven
Each day as we go on our way.
Each thought is a nail that is driven
In mansions that can not decay.
And Heaven at last shall be given
To us as we build it to-day.

EVERGLADES NATIONAL PARK AND DE SOTO NATIONAL MONUMENT

Mr. FLETCHER. Mr. President, I present a communication from Mr. James H. Paine, a very valued and long-time citizen of Florida, relative to the Everglades National Park and De Soto National Monument, which I ask unanimous consent to have printed in the CONGRESSIONAL RECORD.

There being no objection, the communication was ordered to be printed in the RECORD, as follows:

Hon. DUNCAN U. FLETCHER,
Washington.

DEAR SENATOR: Since the first national park was established over 30 national parks and monuments have been dedicated, mainly far from the great centers of population. During 1929 these national resorts attracted over 3,000,000 visitors. Only recently have any been established east of the Mississippi, nearer the great bulk of our population. Now, when finally established and opened to the public, the Shenandoah, Mammoth Cave, Great Smoky Mountains, and Everglades National Parks and the Jamestown Island, Kings Mountain, and De Soto National Monuments will form a galaxy of public tourist resorts unsurpassed for varied scenic beauty and historical and scientific interest.

The vast expanse of the primeval Everglades, at the tip of the Florida Peninsula, is a strictly semitropical country, abounding in hundreds of rare flora and fauna species. The proposed gift to the Nation of hundreds of square miles of this area, with outlying islands and keys, for the benefit of this and future generations, will prove the most unique and eventually one of the most popular of all the magnificent chain of national recreational parks. Here the "last of the Seminoles," now reduced to less than 500, still retain a precarious foothold, eking out a pitiful living. I recall joining with you many decades ago in an eventful excursion to one of their "community houses," and even at that early date they were becoming demoralized by contact with encroaching white settlements. Since then exploitation and contamination have become a disgrace to our vaunted civilization. They are descendants of a brave minority of their tribe who successfully evaded the Government's edict of deportation to the Indian Territory. They should be segregated in a reservation within the proposed national park area, housed in sanitary "community" dwellings, allotted suitable sites for gardens and groves, and should have a hospital and schools. They should be encouraged to retain their native costume and to make and exhibit specimens of native handiwork. Thus, becoming in fact "wards of the Nation" and retrieving long years of neglect, their reservation would become a focus of peculiar interest to multitudes of visitors.

Of less importance but with great international possibilities is the projected De Soto National Mounment, to be located on Weedon's Island, adjoining St. Petersburg, the famed "Sunshine City" on Great Tampa Bay. Recorded and archæological evidence points to this 600-acre island as the site of the first landfall of Hernando de Soto with his intrepid band of adventurers. Ancient burial mounds, superficially excavated by the Smithsonian Institute, disclose archæological treasures of importance.

The ports of Tampa and St. Petersburg are the nearest to the Panama Canal, with capacious, completely sheltered harbors and well-equipped airports for both seaplanes and airplanes. Railways and splendid improved highways lead in every direction. Thus exceptional facilities are combined to accommodate travel from either continent.

Hon. Horace M. Albright, efficient Director of the National Park Service, writes:

"I was much impressed with the possibilities which you envision in connection with the proposed establishment of a tropic Everglades National Park and a De Soto National Monument. My connection with these enterprises has been only brief but sufficient to impress me with their great possibilities in developing tourist travel on a large scale, in which a Pan American museum, a Pan American aquarium, and a Pan American botanic garden, such as you suggest, would doubtless fit in when established.

Hon. Harry F. Guggenheim, United States ambassador to Cuba, writes appreciation of a detailed project for the development of a De Soto National Monument on Tampa Bay Bay "as a possible method of stimulating tourist travel between the United States and Latin America."

The sites of these proposed national projects have been viewed and approved by the Secretary of the Interior and the Director of the National Park Service. After congressional sanction and before official declaration by the President, the fee-simple title to the lands must be donated to the Nation. The bonded debt of our counties and municipalities, mainly incurred for our splendid state-wide system of paved streets and highways, is already so heavy as to preclude any addition in the near future, especially in view of constitutional restrictions recently adopted. The consummation of the important national park and monument projects in Virginia and the Carolinas is largely due to the patriotic munificence of John D. Rockefeller, jr. Here in Florida the names of Yulee, Flagler, Plant, Bok, and others will always hold an honored place in the annals of the State. The present national park projects, when brought to dedication through timely aid of other benefactors of the Sunshine State, will confer nation-wide benefits, increasing in value through the ages.

Faithfully yours,

JAMES H. PAINE.

DECEMBER 20, 1930.

ARTICLE BY ALFRED E. SMITH ON UNEMPLOYMENT

Mr. WAGNER. Mr. President, I ask unanimous consent that there may be printed in the RECORD an article on the subject of unemployment which appeared in the New York World of yesterday, and which was written by that distinguished American and ex-governor of the State of New York, Alfred E. Smith.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York World, Sunday, January 4, 1931]

ALFRED E. SMITH ON UNEMPLOYMENT—PUBLIC PROJECTS SHOULD BE HELD IN RESERVE FOR DEPRESSION—"I THINK FAVORABLY OF SHORTER WORK WEEK"—HOLDS HOOVER RIGHT IN DISPUTE WITH SENATE ON USE OF FUNDS

By Alfred E. Smith

(The articles I am to write, beginning this day, are to be regarded as the expression of my individual opinion. They are not to be interpreted as having any relationship whatever to my leadership of the Democratic Party, which came to me by virtue of my nomination for the Presidency in 1928. I will never speak or write solely for the purpose of political advantage. Often I will write on topics that are entirely nonpolitical. Whatever I say that has a political angle will be said because of a firm conviction that I am helping the Government of the United States and its people. I have been thoroughly grounded in the belief that the interest of the country comes first, party comes second, and party success in the last analysis must rest upon the service that a party is able to contribute to the general public welfare.)

Nothing at the present time is so much in the public mind as the condition of unemployment in which a large part of our population finds itself. My personal mail serves as a fairly accurate barometer of general business conditions. During the unprece-

dented prosperity of 1928 and early in 1929 most of my mail contained inquiries as to how best to invest money, how to take advantage of patent rights, or how to procure capital to expand business enterprises. In the late fall of 1929 the letters and inquiries underwent a change. They contained an increasing number of applications for relief, either from the effects of business depression or from prolonged unemployment.

It can serve no purpose for me to discuss the statistics of unemployment. If the figures were obtainable, it would be highly interesting to know the number of men laid off in transportation companies alone. This naturally indicates conditions. The railroad systems of the country are the first of the great business enterprises to suffer from depression. The increase or decrease in the number of car loadings is evidence of a general trend. Passenger traffic may not be seriously interfered with, but it is not by any means an indication of business conditions.

It has become perfectly clear that we are not dealing with seasonal unemployment but with a general condition, growing out of a nation-wide business depression. Any broad view of the whole situation indicates that, after all, the world is not nearly as large as we think it is, and certainly not as large as it used to be some years ago. Our European neighbors have been brought closer to us, not only by the fast Atlantic liners, telephone communication, and the airship, but their business interests seem to be more closely interwoven with ours than in the past. Just as the different States of our own Nation have been brought closer together by improved transportation and communication, we have been brought closer to our European neighbors. Poor business and hard times among them find their reflection in this country.

STRONG, WILLING MEN IN BREAD LINES

We have had bread lines in New York City even during our most prosperous times. They were made up of men avowedly seeking charity, and provision had been made for them through the regular contributing agencies that maintained these bread lines over a long period. In the district which for many years I represented in the legislature I can remember ever since I was a child that there were bread lines at the Bowery Mission and the Holy Name Mission. I can remember also that when I was concerned with these missions the bread lines were made up of men who were sick, crippled, too weak to work, disabled, or unfit to accept employment even if it was offered to them. In the month of September of last year there were new arrivals in the bread lines, younger men, able-bodied, strong, capable of working, and willing to work.

The history of these men and the full details of the predicament in which they found themselves could readily be ascertained in the records of our charitable organizations. It ran something like this: The head of a family lost his employment in January or February, 1930. He was able to live on his savings for several months. But this turned out to be no seasonal lay-off. It was an actual and utter absence of opportunity for employment. When his savings were exhausted he began to pledge his personal and household effects as far as he could until the day arrived when, after the young mouths around the table were fed, nothing was left for him. Then, out of a spirit of love and devotion to his wife and family, he smothered his pride and took his place in the bread line. Beginning as it did in September, this change in the bread line forecast what might happen during the winter months.

According to the best available statistics, the employment line should have gone up in the latter part of September and the early part of October this year. Instead it went down. The market crash of October and November of 1929 did not by any means start the present unemployment crisis. That was simply an impairment of the value of securities. It was at a later date that the business depression started. Even after it had begun employers were unwilling to dispose of their forces, apparently living in hope from day to day that conditions might improve.

NATION'S GAY IMPROVIDENCE

American people never carry an umbrella. They prepare to walk in eternal sunshine. In times of prosperity and of plenty the public or political orator who would suggest a measure for unemployment relief would find it most difficult to get an audience. Because of this improvidence, when the crash does come, private citizens are obliged to forego their usual daily routine and to meet in special committees organized to deal with the situation. Public measures which can be taken by governmental agencies for emergency and more permanent relief are hastily taken off the shelf of old commissions and dusted off and brought up to date.

There has been a general tendency to believe that Government appropriations for expediting public works would tend toward an immediate relief of unemployment and start business recovery. Many hundreds of millions of dollars have been appropriated by cities and States and by Congress. But if appropriating agencies continue to make their appropriations under the old, antiquated, worn-out system that has characterized them in the past, we will find there is little, if anything, that the Government can do. There is a fundamental weakness in the Government's manner and method of conducting public works. It lies in the fact that Congress and the legislatures undertake to define too closely by law what is to be done with public money appropriated for public improvements. They take to themselves the designation of each public improvement which is to be progressed. That raises the whole question of why public work takes so much more time to complete than private endeavor, but I shall discuss that another time.

The President himself, in his recent message to Congress asking for additional appropriations for public works which might be of assistance in relieving unemployment, requested that the allocation of these sums be placed in his hands, in conjunction with a committee from his Cabinet. He promised to allocate the money for public works in the order of their importance and to those where he had already had sufficient study made to avoid technical difficulties. Thus he hoped to do away with the usual delays in the spending of such money. The Senate answered "No. We will not agree to that. We are prepared to appropriate the money, but we insist upon outlining and detailing by law where this money is to be spent."

CHANCE OF TIED-UP FUNDS POINTED OUT

If the Senate's policy were carried out, the natural effect of it would be that in the event that too much money had been allocated to a given project, there would be no way of transferring the surplus to another project. The money would lie idle in the Treasury until such time as the Congress met again. Its practical application at this particular time would be that if there is no extraordinary session of the Congress early in the next year, it might readily happen that millions of dollars of public money available for public works would lie idle until Congress reconvened in December, 1931.

I am calling attention to this limited application of the delays incident to the execution of public work because at this time it has particular bearing on the relief of unemployment. There is much more to be said on this subject, and I shall say it.

Undoubtedly the country is being subjected to the purifying fire of a most trying experience. We should gain by that experience. It will not do to find ourselves again upon the highway of material success and then forget the hard-earned lessons of this past year. Constructive remedies for the prevention, if possible, and certainly for the prompt alleviation of any distress that may grow out of a future repetition of the economic disease from which we are now suffering, are the matters to which we should turn our attention. Many remedies have been suggested, all of them requiring careful consideration.

I think favorably of the shorter work week; five days' employment a week at the prevailing wage rate now paid for a 6-day week.

Insurance against unemployment is receiving wide discussion. A report just issued shows that none of the experiments in this field in the United States has been widespread enough to determine anything. Unemployment insurance warrants the same careful investigation that was made before embarking upon what was believed at the time of its adoption to be a revolutionary experiment, the compensation for death, accident, and disease caused by industrial occupation.

PRACTICAL PROVISIONS IN WAGNER BILLS

There is little doubt in my mind that we may be able to work out some system of deferring portions of public works and holding them in reserve for periods of unemployment. But along with this must go some of the practical provisions suggested by the bills submitted to Congress by Senator WAGNER. His suggestion that the Federal Government should have complete statistical information in regard to unemployment seems so simple that I am unable to see how it admits of debate. The Government itself and every State ought to be in possession of information concerning the magnitude of the problem with which it is to deal. We gather a great many statistics in the Federal Government less useful to humanity than the numerical strength of the army of unemployed. Evidently the Government has felt the necessity of some such figures, because only recently they called upon a private insurance company in New York to assist them to gather information which, with an adequate statistical bureau, they should have had themselves.

Along with any program for a reserve of public works must go a knowledge of where the reserve forces of available workers are. If we could have a proper system of public employment agencies in the various States, cooperating with a Federal exchange, we would be able to apply full and complete knowledge of the situation as a whole and be able to dispose of it. In my experience, whenever the pruning knife of alleged economy begins to operate for the sake of political expediency, the first things attacked and cut off are State and Federal employment agencies. We are, as a Nation, too apt to rest content with the policy of crossing the bridge when we meet it and forgetting that a Government policy which recognizes the old saying, "In times of plenty, provide for the day of want," would be a policy that might save much distress.

No problem that has ever confronted the United States since the day of the issuance of the Declaration of Independence has been found insurmountable by our people. The present condition of unemployment is by no means the first test of the ability of democratic representative government to find a remedy for the various ills to which it is from time to time subjected. Drawing on the great reservoir of American common sense and good judgment, leaving hysteria to the thoughtless, if we keep our feet solidly on the ground and our heads cool and act with foresight and deliberation, we will pass out of this present cloud of depression.

INTERSTATE MOVEMENT OF ELECTRIC ENERGY (S. DOC. NO. 238)

Mr. COUZENS. On November 8, 1929, the Senate passed a resolution asking the Federal Trade Commission to make an investigation of the amount of power transmitted in

interstate commerce. They have now made a complete report. I ask unanimous consent to have the report printed as a public document.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The order was reduced to writing, as follows:

Ordered, That the reports of the Federal Trade Commission on the interstate movement of electric energy used for the development of power or light heretofore filed with the Secretary of the Senate, pursuant to Senate Resolution No. 151, be printed as a Senate document, with an illustration.

ADDRESS BY GEORGE C. JEWETT ON THE AGRICULTURAL PROBLEM

Mr. BROOKHART. Mr. President, I have here an address by George C. Jewett, formerly of Montana, and, I think, now of Chicago, on the agricultural problem. Mr. Jewett is one of the best-informed men in the country upon this problem, and this is one of the very best speeches I have seen. I ask that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

To discuss intelligently and with a degree of interest and thought the subject, the Way Out for Agriculture, seems difficult at the present time. Many of you and most all the farm leaders of our country have been discussing this same subject in more or less of an active way for the past 10 years, and it does not appear at this time that such discussion has produced any unanimity of opinion or anything in the shape of a specific and concrete program to be followed.

It might be well for a moment to think a little as to whether or not agriculture needs an "out." In other words, as to whether or not the difficulties which have beset agriculture since 1920 are yet continued. In my opinion, the problem has not been solved, and in so far as I can see there is nothing in process of work at the present moment that seems to include a solution. The year 1930, according to reliable authorities, will produce an agricultural crop possessing a value of $10,250,000,000. This will approximate two billion five hundred million less dollars in value than the 1929 crop. I doubt if anyone would have the temerity to state that the returns to agriculture in 1929 were satisfactory; therefore it follows that the returns for the current year approximating two billion and a half less are far from satisfactory. As a matter of fact, there are many indications that agriculture is experiencing its worst year. For example, the farm-machinery men whose collections are a good indicator as to conditions are finding this their worst year. I think there is a feeling that agricultural conditions are not as bad as they were, but I believe that feeling is largely brought about through the fact that business conditions and general economic conditions throughout this country and the whole world are extremely bad, and therefore agriculture seems to be better off. It is barely possible that the purchasing power of the farmer's dollar has improved. As a matter of fact, I am sure that the drop in general commodity prices has caused an improvement, but I do not believe that the improvement is sufficient to offset the loss through poor conditions and low prices that 1930 has experienced. I think we can safely conclude without further discussion that a cure for the farm problem has not yet been found and at least if found has not yet been applied.

What I have to suggest is not new. As a matter of fact, it has been suggested in one way or the other by those interested in the problem for the past 10 years. In so far as I am personally concerned, I have made the same statements that I am making here to-night and have advocated the same cure on many occasions, and I will say furthermore that I do not believe anyone has proposed a better method than the one that I am suggesting.

It is my opinion that the answer is contained in the well-used but powerful word "organization." A better organized agriculture is essential to economic success, and let me say right here and now that the way out for agriculture is not contained on the production side of the subject. We have reached a high efficiency in production. We are producing in a very efficient manner and we are not going to find improvement in that direction sufficient to give equality for agriculture. I do not mean to indicate or suggest that the subject of production should be overlooked or minimized. It is an important one and we should continue our efforts for a more efficient production with a better regulation of the various kind of crops to be produced. We should continue to hunt out new markets and we should continue in the direction of producing those things for which we have a domestic market and lessening the production of those things for which we must look to an export market. It is my opinion that a better distribution and a more orderly marketing of the products we are now producing, the application of the power of collective bargaining, the regulation of supply to demand, the creation of a sellers' market as against our buyers' market, and in general the application of sound business principles and economy in our marketing program will produce results, all of which, in my judgment will find their expression in a more and complete and more successful development and federation of our cooperative institutions and a more aggressive cooperative-marketing program.

We have done much in cooperative marketing. We have built literally thousands of individual units scattered throughout our land, the majority of which have been successful within the limits of their organization and within the territory that they serve. By this I mean that they have done a good local job. They have improved the local situation and they have made their members some money, but as yet the majority of these cooperative units have not fully learned the principle of cooperation; at least, their management has not applied that principle. They have failed in one prime essential. They have failed to cooperate with each other. The same principle of cooperation which they taught to the individual farmer in organizing local units should now be offered in organizing district and national units. It is my opinion that through district and national units only can the expectancy of cooperation and the full benefits that it contains be secured. We do not gain in a proper way when we stop with our local organizations and turn them loose to broadcast our farm commodities in competition with each other. They become the easy object of those who trade in our farm products and who use them for their own benefit and who have but little if any regard for the one who produces the goods. Local units possess but little in the way of bargaining power. Many of them have become more or less financially involved, and the insidious practice of borrowing from those who buy their products is quite generally in use. It does not take an economist or a marketing specialist to readily appreciate that such a practice weakens the ability of the local cooperative to make a good deal for its products. Then, again, another thing is being lost sight of. There are too many cooperative men talking in terms of "commissions" and in terms of "quarter or half cents per bushel." They are dickering in penny units instead of more substantial units. They fuss around among commission men to see which one will pay one-quarter or one-half cent more on a dollar in value. They think they are accomplishing something if they gain the extra quarter of a cent. They think they are accomplishing big things if they handle grain at a fraction less than some dealer has handled it. They think they are gaining material things if they have a few dollars left at the end of the year to pay a patronage dividend. I do not say that all of these things are unimportant.

On the reverse, I would say that they are important and should be accomplished and they bring benefits to the farmers, but nevertheless the cooperative leader that has his eyes cast on such gains and fails to look higher is not living up to the possibilities of his leadership. The thing the cooperatives must do is to bind themselves together in commodity groups for the purpose of eliminating competition among themselves and for the purpose of stabilizing the price of their commodity at a proper level. To do this, in my judgment, is wholly possible.

I am going to discuss a plan which I think could be brought about if it were given proper leadership and proper farm support. I am going to use as an example wheat, and I am going to use this commodity for various reasons. First, I know it best, and therefore can use it best. Second, it is well known to you. Third, while not one of our most important commodities, it is recognized as a key commodity in so far as price is concerned. A drop in the price of wheat effects our whole economic structure and will be often followed by a recession in the stock market and, reversely, in increase in the price of wheat will bring about, generally speaking, an improvement in the stock market. Right at the present time if we could advance the price of wheat 25 cents per bushel, our whole economic structure would change. It is my opinion that an advance of 25 cents a bushel in wheat would change the entire aspect of business conditions. The wheat market acts as a barometer, and as such its importance is greater than the market for any other of our farm commodities.

The Federal Farm Board under the agricultural marketing act is prepared by the prestige and finances of the Government to undertake in a big way that which I desire to advocate. The Farmers National Grain Corporation is, in my judgment, moving in that direction, but also, in my opinion, too slowly, and they lack in aggressive attitude and in courage to go among the cooperative units and carry on an aggressive campaign to federate them in a proper way. My plan is this:

I would divide the wheat-producing area of this country up into geographical districts. I would have each district with a corporation of its own; I would have a farmer owned and controlled elevator in every important primary delivering point and I would have every one of these elevators a member of the district corporation. I would have each elevator supervised in a general way by the district corporation and I would have each district corporation a member of the Farmers National Grain Corporation, the national unit. I would make it compulsory under contract for the grain of the farmers to be delivered to his local unit; I would make it compulsory under contract for the grain of the local unit to be delivered to or under the direction of its district unit, and I would make it compulsory that all grain move to the consumer through the national unit, namely, the Farmers National Grain Corporation. I fail to see any sound reason why there should be commission men or middlemen or any other kind of men except the farmers own cooperative between the farmer and the consumer, and I consider the consumer the miller of this country plus the millers of foreign countries that buy our surplus. The Farmers National Grain Corporation can well possess the highest type of salesmanship ability, the highest type of economy in operation, and the highest type of bargaining power that there is to be had. It is folly to believe that any private individual corporation or group of men can be more efficient than a cooperative institution well managed by experienced men as I am here advocating. It is the heighth of folly for the farmer-controlled elevators of this State to be operating in the Chicago market in competition to each other,

I consider it wholly tommyrot for farm elevators to talk about their independent position and their desire and ability to sell their grain in an independent way.

If their thought in this respect is sound, then it is just as logical for the farmers to throw aside all cooperatives and depend on his own independent ability to deal with private concerns. It is contrary to the cooperative principle and it is contrary to sound cooperative procedure; it eliminates orderly distribution; it eliminates and takes away the bargaining power which must be maintained. It makes the market a buyers' market instead of a sellers' market; it makes the farmer and his commodity subject to all kinds of speculation; it creates gamblers in the commodity; it creates gambling pools for the purpose of manipulating the price of the commodity. It works in the ultimate end to the disadvantage of the producer and without any corresponding advantage to the consumer.

The elevators of this State and the elevators of all other States should be federated together as cooperative units operating in a cooperative way as herein outlined, and at this point I want to say a word to the farmers, who are the ones vitally concerned. It is up to you to see that this is brought about. Regrettable as it may seem, there appears to be many managers of elevator units and likewise other cooperative units who have never cast their eyes above their local situation. They have never seen the light of true cooperation, they have never experienced the thrill of putting the farmer and his marketing activities in an independent position. They have talked independence, but have not possessed it. Most of these men are honest in their convictions, but they have been schooled under the wrong teachers; others of these men are selfish in their attitude, because they think any change in their system would work to their personal detriment. The men now engaged as managers of cooperatives are essential to any program, but they must be converted to higher cooperation, or I might say they must be baptized in the religion of cooperative marketing, and they must look beyond their local territory for the greater success which is so sadly needed, and let me emphasize it is a problem for the farmers who are vitally interested to see worked out. A campaign as necessary to organize the various groups into districts and into a national unit will have to be among the farmers, and the farmers in turn will have to see that their local units take the proper and necessary steps.

Now, I can well surmise that many of you are saying in your mind that if we were organized as I am outlining it would not materially improve our price structure. You are saying in your mind that it would not take care of our surplus problem, and you know as well as I know that any system to be wholly a success must reach the surplus problem, and you know as well as I know that the farm commodities of this country are well set as to the acres for each, and over a period of time one year with the other we are going to continue to produce a surplus of wheat and a surplus in other directions. I am fully convinced that we can not get wholly rid of our surplus; therefore, I am fully convinced that any successful program must provide a way to relieve the pressure of the surplus from our domestic market. In other words, we must create a two-price condition. We must create the equivalent to two piles of wheat, one to be sold for consumption at home at a price that will represent the world's value plus the tariff, the other to be sold for export as it is being sold to-day, and that pile to represent our surplus production. The smaller that pile undoubtedly the better, and the farmer must understand that the pile that represents our surplus is marketed in competition to all the grain-producing countries of the world, in competition to cheap labor, to lower standards of living, to communistic operations, and by the sweat of the brow of the peasantry class, a class, thank heavens, that we do not have in this country and a class that we must work to avoid. You are wondering how the two-price condition can be brought about and you are probably thinking that I am going to advocate the McNary-Haugen equalization fee. I would like to advocate the equalization fee. I believe in the equalization fee, and I am fully convinced it would do the job, nevertheless I am not discussing a legislative program. I do not think we should think in legislative terms at this time. We have our law; we have the agricultural marketing act; and we should make it work.

Here is how I would reach the surplus problem, and this is the big point of my address: It is my opinion that the farmers of this country are sufficiently educated and sufficiently understand their problem to permit the formation of a surplus pool. I would ask the wheat producers to enter into mutual-binding contracts, agreeing to deliver their surplus to their local elevator unit and instructing the local elevator unit to deliver that surplus to the district unit and instructing the district unit to deliver that surplus to the Farmers National Grain Corporation, and then when this is done you have got the pig by the ear, where you can make it squeal. With the surplus in the hands of the Farmers National Grain Corporation you can relieve the pressure on our domestic market, you can set it aside, you can store it, you can grind it into feed, or you can export it. You can keep it out of the road and out of the way, and with that understanding in the beginning of the season and with cooperative marketing developed as I am outlining, it would not be difficult to secure the world's price plus our tariff for at least 80 per cent of our present wheat production. If the success of this program increased production, as some fear any successful program will, there would still remain a domestic market for our domestic requirements, and the surplus, be it 200,000,000 or 300,000,000, would go abroad or elsewhere at the world's level, and let me here emphasize the fact that it would not be "dumped" abroad. Every time a program of this kind is advocated some one cries "dumping," which means that we would be throwing our surplus on the foreign market. I can not see how that theory is developed. With the surplus in control of one unit, namely, the Farmers National Grain Corporation, that unit would market it in an orderly way to the best advantage of our own producers and the producers of all other grain countries. Cooperation between that activity and the activity of the Canadian wheat pool, the Australian wheat pool, and the producers of other countries could be brought about.

Now don't get the idea I am dreaming or that I am setting up a Utopian plan, theoretically correct but lacking the possibilities of practical operation. There is not a thing unsound from a business angle in this program. All it requires is a full cooperation on the part of the producers and the support of the agricultural marketing act. What farmer would be so foolish as to fail to enter into a plan that would give him results of this kind? Let us consider as an example a farmer who produced 5,000 bushels of wheat. If this program were in operation, he would receive one year with another for 4,000 bushels of that wheat the world's price plus the tariff, which at present is 42 cents per bushel. For the remaining 1,000 bushels he would receive the world's price, which is the price he now receives for the entire 5,000 bushels. Let us assume that wheat is worth 80 cents in the markets of the world. If so, it would be worth $1.12 for the domestic market of our country. The farmer would receive for his 4,000 bushels $4,480. He would receive for his 1,000 bushels $800, or a total of $5,280 for his entire crop. While under the present plan, whereby he markets the entire crop at the world's price level, he would receive only $4,000. You see from these figures that by entering into a surplus pool he would make for himself $1,280. Is there anyone so short-sighted or so dumb as to refuse to do a thing of that kind when it is properly presented to him?

What I have said to you about wheat can be applied to all of our commodities where the surplus is our problem. Where the surplus is not our problems then the principles of cooperative marketing on a unified scale most certainly can be made to produce price results.

At this time I want to refer to one special feature of the agricultural marketing act that, in my judgment, possesses great possibilities for a service that is very distinctly required. I refer to that provision of the act that provides for the making of so-called facility loans. Loans on a long-time amortized basis secured by mortgages on elevators, etc., owned, controlled, and operated by farmers, and which have become a member of the national selling group. At the present time there is no money available from any loaning source of importance for loans of this character.

It is my opinion that this feature of the agricultural marketing act could render important assistance in the development of cooperative marketing, as I have outlined, and let me say again that, in my opinion, it is one of the most helpful provisions that the act contains and therefore, as it naturally follows, one of the most important.

I am fully mindful and conscious of the fact that the proposals that I have outlined here this evening appear gigantic from the standpoint of accomplishment, but any remedy that would be effective involves a big undertaking, and I believe the farm leaders of the country must appreciate that fact and approach the subject with a plan and a determination to bring about the necessary accomplishments.

ARTICLE BY DAVID LLOYD GEORGE ON "STALIN OF RUSSIA"

Mr. BROOKHART. Mr. President, I ask to have printed in the RECORD an article by David Lloyd George on the subject of "Stalin of Russia." This article was published in the St. Louis Post-Dispatch of December 21, 1930, and I think it is one of the finest descriptions I have seen of the situation in Russia.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

STALIN OF RUSSIA—PEN PICTURE OF DICTATOR TRYING TO REMAKE NATION IN FIVE YEARS—TREASON TRIAL JUST ENDED AUDACIOUS DRAMA BY SON OF SHOEMAKER AND WASHERWOMAN TO IMPRESS MASSES STAGGERING UNDER BURDEN OF NATIONAL REBIRTH—IF STALIN WINS, WARNS ENGLISH STATESMAN, RUSSIA, INDEED, WILL BE FORMIDABLE

By David Lloyd George

LONDON, December 20.—Nothing that is said or written about Russia is altogether true and everything which is reported about it has some truth in it. That thought applies to the great political trial which is now over. The verdict has been given. The grim sentence has been delivered and commuted. Was it tragedy, melodrama, or comedy? It was none of these. It was morality, a play for the edification of the Russian proletariat.

What was the theme? How seven innocent Bolshevik professors were tempted by the capitalist devil and his myrmidons (Poincare, Briand, Churchill, etc.) to betray their faith—how they fell and how the blessed saints of communism (the Ogpu) had intervened to avert irredeemable mischief. How justice had condemned the culprits to death. How Holy Church (Communist) with its wonted charity and tenderness pleaded for mercy (10 years in Siberia).

Not so bad a play when you consider its purpose and the audience. The setting was impressive—the stern arraignment of Krylenko ending with the dramatic call for death, the relentless instruments of terror on guard in and around the court, and the pale and cowering academicians in the dock. The scale was also truly grand. Think of that march past the court of a million angry men and women rending the air with shrieks of "Death to the traitors!" The world had a genuine shudder which lasted for days.

AN AUDACIOUS DRAMA

Why was the play staged and why was it broadcast from the Pacific to the Polish frontiers? The reason is not far to seek. There was a formidable conspiracy hatching against the 5-year scheme, and this plot had to be crushed and crushed dramatically. The communist leaders of Russia have undertaken a national enterprise of so stupendous a character that history has not recorded anything comparable to it in magnitude and audacity.

The task of Peter the Great fades into insignificance when compared with that of Stalin. He has undertaken to equip Russia, which is much bigger than the whole of the rest of Europe and at the same time is worse organized than any European country, with the most modern factories, machinery, and implements. Agriculture in this vast country of primitive cultivation is being completely mechanized, and in the country where the normal suspiciousness of the peasant is intensified by ignorance, farming is being communalized. A desert covering nearly 30,000,000 acres which has never been disturbed by the spade since the creation of the globe is to be plowed and sown and converted into one gigantic wheat field.

The project will involve an enormous capital expenditure. This was to be found in a country with no financial reserves, where the government can hardly pay for the normal functions of administration. The money is to be found out of a surplus of production over and above the needs of the population, in a land whose people have been for years on the brink of starvation

FIVE YEARS A SHORT TIME

The most startling feature of this amazing program is that Stalin, the dictator, is resolved to carry it out and complete it within five years of its initiation. Israel reached the promised land after 40 years of wandering through the wilderness and the generation that started was not the one that reached the land flowing with milk and honey. Stalin conceives himself to be a better man than Moses and Joshua rolled into one. His time for negotiating the wilderness is five years and no more. Will he succeed?

It is too much to expect that any plan devised by enthusiasts should fulfill all the hopes attached to it. Unqualified success for such a colossal project, with so many difficulties to overcome and with such material to work with, is beyond human reach. But if Stalin attains approximate success it will be a superhuman achievement. The effect will be incalculably great. Russia will be passing into the markets of the world an inexhaustible supply of grain—that in itself must derange the agricultural activities of the Western Hemisphere from Alberta to Rosario.

Much will depend on the kind of man who is the driving force behind the experiment. What manner of man is Stalin?

All power in Russia is concentrated in his hands. His decrees are law and he is as powerful to enforce obedience to them as Peter the Great or Ivan the Terrible ever were. He is not a Slav. He is a Georgian. That must not be forgotten.

STALIN, SHOEMAKER'S SON

Here is a description of him given to me by one who knows him quite well: "I know Stalin; he is a countryman of mine and his real name is Djugashvili. His is not such a brain as Trotsky had—or Kamenev or Zinoviev. He is not of first-class intelligence but is a brilliant organizer. He is disinterested, has no material ambition, is very honest, absolutely ruthless and brutal, very brave, and a first-class intriguer.

"He sits in his room in the Kremlin and handles men like pawns. He removes one man from one position and raises another. He knows his men. He continually receives reports about party men throughout the country.

"His father was a shoemaker and his mother a washerwoman. Stalin is the real chief of an army numbering over 100,000 men, called the Ogpu, which is better armed than the Red army. He is continually changing the leaders of the Red army and moving them from place to place. Menjinsky (head of the Ogpu) is the servant of Stalin."

This is a picture of a truly remarkable man drawn by a friendly artist. It gives you the feeling that if Russia is capable of putting through the 5-year plan, here is the man who can drive her to achievement. He possesses the necessary organizing capacity, courage, determination, energy, ruthlessness, and, above all, the faith.

How is he getting on? It is too early as yet to answer that question. He started a little over two years ago and he has three more years to go. But he is getting on. He contemplates adding 181 per cent to industrial production, 151 per cent to agricultural output, and 101 per cent to the national income.

BIG INDUSTRIAL PROGRESS

Already foundries, factories, and mills have sprung up in every direction. The iron production already exceeds the pre-war output by 25 per cent and steel by 30 per cent. The yield of the coal mines has gone up from 23,000,000 tons pre-war to 40,000,000. In electricity the power generated under the plan has already reached about 3,500,000 kilowatts. The increase in output of oil is 26 per cent. In the light industries, such as cotton, wool, and clothing, he does not seem to have done as well.

In agriculture the pre-war yield has not yet quite been equaled in the cultivated areas. The peasant has been refractory. But as there are vast tracts of desert area which are reclaimed and which seem to be turning out well so far, the total yield of cereals is probably slightly above the 1913 standard. The triumph or failure of the "plan" will depend on whether the agricultural experiment succeeds. If the yield of the soil is more than doubled, then the Russian Government can afford to push forward the industrial side of the scheme.

The Bolshevik Government has exhausted what capital it had and has come to the end of the supply of skilled men available for manning its works. It must have time to train mechanicians who are essential to further industrial development, and it must have a large surplus of food supplies to feed the population and to sell abroad in order to raise further capital. And here comes Stalin's worst trouble. In order to obtain his surplus for export abroad he has to half starve the population at home. That excites discontent. It also weakens the worker so that he can not get as much out of his labor. He produces less and the stipulated increase of the annual yield does not materialize.

HARDSHIPS FOR THE MASSES

The third year of the plan is only just beginning and already there is indubitable evidence of privation. The dictator is fighting desperately against the most inexorable of all foes—time. He has to appeal to the judgment of the more intelligent and sympathetic sections of the population by demonstrating that the objective is worth the sacrifice, and as a matter of hard statistical fact he is making substantial and steady progress toward realizing his aims. For the rest of the population he appeals to fanaticism, party spirit, terror, national pride, and their innate suspiciousness toward the rich and cultured and the foreigner. Hence this dramatic criminal performance.

There can be no doubt as to the existence of a widespread conspiracy to overthrow the Stalin dictatorship. With regard to privations, it has exacted sacrifices from all classes, following the overthrow of the old peasant ideas of cultivation and tenancy and the widespread and fierce methods of repression practiced, discontent was inevitable. Stalin foresaw the blow threatening his authority and with his usual promptitude and decision forestalled it.

He possesses the most efficient instrument of autocratic government in the Ogpu—a well-armed police force of a hundred thousand men. Every man is a tried and trusted communist. It controls the arsenals so that the chiefs of the Red army are impotent without its cooperation. Hundreds of conspirators are "disposed of." The great trial of the conspiring professors was not staged for punishment but for show. Stalin follows the practice of the French revolutionists, who in every crisis of the new Republic discovered a plot by Pitt and the emigrés to restore the ancient tyrannies.

Evidence as to showers of English gold to stir up sedition in France was manufactured and forthcoming. The patriotic prejudices and antipathies of the populace were aroused and each crisis thus averted. There is nothing new about the Stalin expedient except that its victims in Russia are humble professors and not kings, queens, princes, and aristocrats as they were in France.

IF HE WINS

The cleverest move of all was the commutation of the sentence. When the world was shuddering at the impending massacre Stalin with a stroke of the pen substituted imprisonment and the martyrdom which was to stir the world's wrath begins already to look silly. Ten years' penal servitude is not a savage sentence to men who conspire to overthrow the government of a country.

Stalin thus gains time. This is essential to his great experiment. The third year is probably the most critical of all. If he gets through this year, he may win through to a surplus of food production, which will enable him to spare a better ration for his own workers and at the same time increase his purchases of machinery abroad.

In any event, he is making history on a prodigious scale. If he fails, communism is dead and damned for generations. If he succeeds, then it passes into the realm of ideas which have demonstrated their practicality and which must therefore be treated seriously by economists and social investigators.

Perhaps the most important of all consequences will be that Russia, with the largest population in the world—all of it the finest sort of fight material—will also become one of the richest and thus one of the most formidable countries on earth. The League of Nations laughed out of its august court the Russian offer to join in a project of complete disarmament for all nations. If Russia emerges triumphantly, forging from her troubles a better-educated, better-equipped, better-organized, and richer country, how sinister that laugh will then sound to our children.

RATES FOR ELECTRIC POWER AND LIGHT

Mr. BROOKHART. Mr. President, I ask that an editorial published in the Washington Herald this morning, with ref-

erence to rates for power and light, be printed in the RECORD. It refers to the Senator from Nebraska [Mr. HOWELL] and to his ability upon these subjects.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Herald, January 5, 1931]

RATES FOR POWER AND LIGHT

Senator CAPPER and Richmond B. Keech, people's counsel, are much concerned over the new rate schedule of the Potomac Electric Power Co. Both are disposed to believe that it is too high, and Mr. Keech has raised the interesting point that the Washington Railway & Electric Co. has been reselling power at a profit to other electrically operated railways in the District.

The amount thus derived, says Mr. Keech, is carried on the books of the Washington Railway & Electric Co., although an opinion of the Public Utilities Commission in 1915 held that such profits should be carried on the books of the Potomac Electric, for use in establishing rates.

Officials of the two companies, which are so closely connected that it is comparatively easy to tangle their affairs almost beyond possibility of disentanglement, have made some interesting contentions before the commission, one of which is that they are entitled to a reward for their efficiency in operating the Potomac Electric Power Co. in such a fashion that it pays handsome profits. To this, of course, has been raised the point that if they are so efficient, why can't they do something for the weak sister, the Washington Railway & Electric?

We are informed, too, that our rate schedule for electric light and power is the second lowest charged by any power company in the United States. On the other hand, there is the record of the great Hydro-Electric, government-operated plant, which supplies current to homes in Ontario at a much lower cost than we are paying here.

The Herald believes that the Potomac Power Co., all things considered, is efficiently operated, but that its monopoly position and possibly other factors are more directly connected with its present high rate of return than the efficient operation. Mr. Keech did not get into the record the profits the company—or the Washington Railway & Electric—derives from the resale of power, but it is understood to be about $200,000.

The difficulties of regulation of public utilities are becoming so evident; the resistance of the companies to any proposal to limit profits, however exorbitant, so intransigent; and the numerous schemes for boosting valuations and concealing profits so difficult to detect or to check, that many people are beginning to doubt its wisdom altogether. It has been clearly demonstrated in the past that the utilities can not be allowed to run wild. The alternative, therefore, is public ownership.

The Senate has in Mr. HOWELL an expert who knows how little foundation there is for the widespread propaganda that private operation is more "efficient" than public opinion. If Members of Congress would listen to one of their number who knows, rather than to interested persons who have axes to grind, or to their own prejudices, we might initiate a program of public works that would do much to pull this country out of its business slump, and make light and power available to the people at approximately what it is worth.

SALES AND RANGE OF PRICES ON NEW YORK STOCK EXCHANGE FOR 1930

Mr. BROOKHART. Mr. President, I ask to have printed in the RECORD a survey appearing in the Des Moines (Iowa) Register of the values of the principal stocks and bonds on the New York Stock Exchange during the whole year 1930. This survey shows the high and low prices, and the changes in price. It is so universal that I think it is valuable information to have in the RECORD.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

Year's sales and range of prices on New York Stock Exchange

(Total 1930 sales, 810,626,276 shares; total 1929 sales, 1,127,440,040 shares)

NEW YORK (A. P.).—Following is the list of stocks traded on the New York Stock Exchange during the year of 1930 with dividends, sales, high, low, and closing prices and net change for the year. Dividends are listed in parentheses after the stock:

	Sales in 100's	High	Low	Last	Net change
Abitibi P. & P.	1,508	42⅛	8	9⅜	−26¼
Abitibi P. & P. pf. (6)	315	86½	36	39¼	−33⅜
Abraham & Str.	219	66	21	25	−21
Abr. & Str. pf. (7) as.	2,350	110½	102	102	
Adams Exp. (1.60)	16,039	37⅜	14¼	16⅛	−9¾
Ad. Exp. pf. (5) as.	7,280	94	80⅛	82⅜	−3⅛
Adams Millis (2)	790	32	21	23	−3
Addressog. (1½A)	159	34¼	24	24¾	
Advance Rume.	2,754	23¼	2⅛	2¾	−8¾
Adv. Rum. pf.	1,165	41¾	10	10¼	−9¾
Ahumada L.	1,187	1⅝	⅛	⅛	−⅛
Air Reduc. (4½B)	19,546	156⅜	57½	97	−27⅜
Air Way E. Ap. (.60)	2,776	36	6¼	6½	−13½

Year's sales and range of prices on New York Stock Exchange—Continued

	Sales in 100's	High	Low	Last	Net change
Ajax Rub.	2,226	2⅛	⅛	⅜	−1
Ala. & Vicks. (6) as.	270	122	116	122	+10½
Alaska Jun. (.40)	6,994	9⅛	4½	7¼	−¾
A. P. W. Pap.	465	15½	6	6⅜	−1⅝
Albany & Susq. (1B) as.	130	220	212	212	+1¾
Allegh. & West. (6) as.	10	117	117	117	+10
Alleghany	65,409	35⅛	5¾	7¾	−16½
Alleg. pf. xw (5½)	117	96¼	84¾	85½	−5⅛
Allegh. pf. $40 ww (5½)	402	99¾	37½	39	
Allegh. pf. $30 ww (5½)	907	107½	36¾	40	
Alleg. Steel (2.80B)	118	72	40	40½	
Al. Realty (3B) as.	960	104	60	60	−40
Al. Chem. & Dye (6A)	8,699	243	170¼	175¼	−89¾
Al. Chem. & Dye pf. (7)	169	126¼	120¼	121½	+⅛
Allis Ch. Mfg. (3)	5,574	68	31¼	33½	−18⅛
Alpha P. Cem. (2)	807	42½	11½	16	−14
Amal. Leather	108	3½	3⅜	3⅝	−2
Amal. Leather pf.	52	26¼	12	14½	−5½
Amerada (2)	5,064	31½	16½	17⅝	−3⅛
Am. Agr. Chem. cts.	9	1⅝	⅝	⅝	
Am. Agri. Chem.	1,403	10⅜	1⅝	1¾	−5¼
Am. Ag. Chem. pf.	1,402	41¾	17½	18	−8½
Am. Bank Note (3B)	1,571	97⅜	45½	55	−22
Am. Bank N. pf. (3) as.	9,810	66	60¼	61½	−1½
Am. Beet Sug.	570	12	2⅛	2⅜	−4⅜
Am. Beet S. pf. as.	6,150	45	8	10¼	−24¾
Am. Brake Shoe (2.40)	971	54⅜	30	33	−12¼
Am. Br. Shoe pf. (7) as.	5,550	128	118	120½	+⅝
Am. Brown B. El.	10,543	21¾	6¼	8½	+¼
Cons. Film (2)	3,919	27⅜	7⅞	9½	−7½
Am. Can pf. (7)	281	150⅞	140¼	148	+5⅛
Am. Can (5B)	118,354	156½	104⅝	110¼	−12⅜
Am. Car & Fdy. (6)	1,695	82½	24½	27½	−50½
Am. Car & F. pf. (7)	317	116	70	71¼	−43¼
Am. Chain (3)	1,315	69⅞	27	30	
Am. Chain pf. (7)	192	101	75⅞	82	+6
Am. Chicle (3B)	2,566	51⅛	35	39¼	+2¼
Am. Coal Co. of A. (4) as.	60	62	28	62	
Am. Colortype (2.40)	62	42	15⅞	20	
Am. Coml. Al.	4,224	39	9	9¼	−23
Am. Encaus. Til. (1)	523	30⅞	8	10½	−14¾
Amer. Europ.	1,518	59½	17	18½	−16½
Am. & For. Pow.	34,655	101¾	25	28¾	−67¼
Am. & For. Pow. 6% pf. as.	25,820	101	73	73	−22
Am. & F. P. 7% pf. (7)	452	111½	84	85	−22½
Am. & F. P. 2d 7% pf.	522	100¾	63½	65¾	−28¾
Am. Hawaii SS. (10B)	1,989	33⅜	5½	7	−13
Am. Hide & Lea.	246	7	1⅛	1⅛	−2⅞
Am. Hi. & L. pf.	259	34⅞	8½	8½	−21½
Am. Home rod. (4.20)	1,550	69¾	46½	47⅜	−7¾
Am. Ice (3)	2,126	41⅞	24½	27	−11⅞
Am. Ice pf. (6)	90	87½	75	75	−11
Am. Internat. (2)	19,709	55⅜	16	19¼	−19
Am.-La. Fra. & F.	601	4	½	¾	−1⅜
Am.-La. Fr. pf. as.	3,670	35	7	7	−28
Am. Loco. (2)	2,959	105	18¼	21	−80
Am. Loco. pf. (7)	416	118½	68¼	70	−43¾
Am. Mach. & F. (1.65B)	1,928	45	29¾	31⅞	
Am. M. & F. pf. x-w (7) as.	540	119¾	112	115½	+6⅜
Am. Mach. & Met.	588	14½	3	3⅛	
Am. Metal (1)	3,046	51½	13½	17	−29⅜
Am. Met. 6% pf. (6)	68	116	80	80	−33
Am. Nat. Gas pf. (7)	131	95	20	23	−44
Am. News (4A) as.	3,010	80⅛	48½	50	
Am. Pow. & L. (1A)	12,072	119⅜	35⅛	50	−34⅜
Am. P. & L. 6% pf. (6)	577	107	90	94⅞	−6⅜
Am. P. & L. pf. "A" (3½)	297	87⅞	74½	74½	−1
Am. P. & L. pf. "A" stp. (5)	562	89½	74¾	74¾	−5½
Am. Rad. St. San. (1)	30,889	39¾	15	16	−15½
Am. Rad. St. S. pf. (7) as.	2,370	148	126¼	141	+11
Am. Repub.	2,414	37	5⅛	6½	−15⅜
Am. Roll. Mill (2)	12,385	100⅞	28	30¾	−51¾
Am. Safety Raz. (5)	1,469	67⅛	52½	58½	−½
Am. Seating.	501	26½	5	7	−10⅜
Am. Ship. & Com.	1,373	3⅜	3⅛	3⅝	−⅜
Am. Shipbuild. (5)	8,740	54½	35	42	
Am. Smelt. & R. (4)	17,849	79½	37⅛	41	−31⅞
Am. Smelt. pf. (7)	340	141	131	131¼	−3¾
Am. Smelt. 2d pf. (6)	224	103⅜	93¾	93⅜	
Am. Snuff (3¼B)	431	43⅞	35⅞	36¾	−6¾
Am. Snuff pf. (6)	13	112	100¼	101½	+1
Am. Solv. & Ch.	1,685	22½	2	2¾	
Am. Sol. & C. pf.	533	33⅛	5¾	7	
Am. Steel Fdrs. (3)	4,107	52¼	23½	25⅞	−19⅛
Am. Steel F. pf. (7) as.	4,550	116	110	110	−2
Am. Stores (2½B)	722	55½	36½	38	−10
Am. Sugar Ref. (5)	1,576	69⅞	39¼	41¾	−18¾
Am. Sugar pf. (7)	297	110	95	96	−8½
Am. Sumat. Tob.	2,077	2⅜	5	8⅛	−11⅜
Am. Tel. & C. (5) as.	5,469	27½	15	15	−11⅜
Am. Tel. & Tel. (9)	59,508	274¼	170⅜	178⅜	−44⅛
Am. Tob. (8)	1,196	127	98½	105½	
Am. Tob. pf. (6)	360	129	120	125½	+4⅜
Am. Tob. B. (5)	8,356	130⅞	99¼	109⅛	
Am. Type Fdrs. (8)	219	141¾	95	95	−31
Am. Type F. pf. (7) as.	2,220	114¾	103½	105⅞	−1⅛
Am. Wat. Wks. (3)	16,719	124⅞	47⅜	60	−34½
Am. W. W. 1st pf. (6)	157	103¼	98	100	
Am. Woolen.	1,834	20¼	5½	6¾	−¾
Am. Woolen pf.	2,740	44⅞	15⅜	21⅛	+1⅝
Am. Wtg. P. ctf.	703	9	1⅜	1⅜	−3⅜
Am. Wtg. P. pf.	230	44¾	10⅛	11½	−2⅜
Am. Zinc L. & S.	335	7⅞	3⅛	4⅞	
Am. Zinc L. & S. pf.	22	29¾	26¾	27½	
Anaconda (2½)	81,574	81½	25	30	−45¼
Anacon W. & C. (1)	555	53¼	19	22	−25
Anchor Cap. (2.40)	2,640	51¾	24	26½	−8¾
Anchor Cap. pf. (6½)	56	115½	93	93	−6⅞





Year's sales and range of prices on New York Stock Exchange—Con.

	Sales in 100's	High	Low	Last	Net change
Andes Cop. (1)	820	37¼	10¼	13¾	−19⅞
Ann Arbor (6) as	120	95	95	95	+5
Ann Arbor pf. (5) as	120	95	95	95	+9
Archer-Dan. M. (2)	1, 867	29¼	13⅛	15⅛	−9⅛
Archer-Dan. M. pf. (7) as	680	110	100¼	102	−3
Armour Del. pf. (7)	492	82⅞	60	61	−19
Armour of Ill. "A"	4, 616	8⅛	2¾	3	−2⅝
Armour of Ill. "B"	5, 189	4⅜	1½	1⅞	−1¼
Armour of Ill. pf. (7)	636	65	25¼	32	−30
Arnold Const	717	13¾	3½	3¾	−3⅝
Artloom	76	20⅛	4¾	5	−14
Artloom 7% pf (7) as	1, 640	100	80	81	−14
Art Metal Con. (1.60)	158	28⅜	20⅝	21½	−3½
Assd. App. Ind. (4)	2, 672	46⅛	20	24	−12½
Assd. Dry Gds. (2½)	6, 547	50½	19	21¾	−6¾
As. Dry G. 1st pf (6)	99	95¼	85	90	+3
As. Dry G. 2nd pf. (7)	73	100½	81⅞	82	+1
Assoc. Oil (2)	54	51	30	30	−4½
Atchison pf. (5)	630	108¾	100	102	−½
Atch. T. & S. F. (10)	5, 721	242½	168	178½	−45½
Atl. Cst. Line (10B)	620	175½	95¼	100¼	−66¾
Atl. G. & W. I. (3H)	1, 175	80⅜	33	34	−41¼
Atl. G. & W. I. pf. (5)	288	65¼	48	49	−12
Atlantic Ref. (2B)	21, 993	51⅜	16⅝	18	−20
Atlas Pow. pf. (6) as	4, 860	106	97	98	−2
Atlas Stores (1A)	3, 307	37	7¾	7¾	
Atlas Tack	162	8½	2½	3	−3¼
Auburn Auto (4A)	14, 962	263¾	60⅜	106¼	−93½
Aust. Nich	682	7	1⅝	1⅝	−2⅜
Aust. Nich. pf. A (3) as	6, 250	30	15	20	
Aust. Cred. An. (3.82)	151	60	51	51¾	−3¼
Autosales	1, 154	10⅜	⅞	⅞	−5⅜
Autosales pf	93	25	½	1	−16
Auto St. Raz. A (3)	2, 984	81¾	37	68½	+33
Aviation Corp	8, 282	9⅞	2⅝	3	−2¾
Baldwin Loc. (1¾)	23, 190	38	19⅜	21½	−9¾
Bald. Lo. cpf. (7) as	15, 350	116	84	88¾	−27¾
Balt. & Ohio (7)	7, 570	122⅜	55⅛	69⅛	−47⅜
Balt. & O. pf. (4)	318	84⅝	70¼	72⅝	−7⅞
Bamberger pf. (6½) as	7, 430	110½	103	103	−4⅞
Bang. & Ar. (3½)	1, 340	64½	50⅛	54	−10
Bang. & Ar. pf. (7) as	2, 590	116¾	106½	107½	−4⅜
Barker Bros. (2) as	24, 080	20¾	8	9	−8
Barker pf. (6½) as	2, 090	91	58	58½	−1
Barnet Leath	64	7⅛	⅜	½	+2⅛
Barnet Leather pf. as	100	45	45	45	
Barnsdall, A. (2)	18, 107	34	8⅝	11⅛	−12⅝
Bayuk Cigar (3) as	10, 790	68	23	25	−36½
Bayuk, 1st pf. (7)	38	101	89	89	+12
Beatrice, Cr. (4)	1, 028	92	62	64⅞	−12⅛
Beatrice Cr. pf. (7)	181	109¼	101¼	104	+3½
Beech Creek R. R. (2) as	630	41½	35	40	
Beech-Nut P. (3)	496	70⅛	46¾	48½	−11½
Belding Hem	619	6⅜	2⅛	2⅛	−2½
Belg. N. Ry. ptc. pf. (5.51H.)	175	85½	76¼	77⅛	−2⅝
Bendix Aviat. (1)	18, 600	57⅜	14¼	17	−19⅞
Best & Co. (2)	7, 321	56¼	30⅜	33½	+1½
Bethlehem St. (6)	44, 384	110¾	47⅜	50½	−44¼
Beth. St. 7% pf. (7)	996	134	112⅜	114¾	−8¼
Blaw Knox (1½)	108	41½	23	24	
Bloomingdale as	7, 670	29⅞	16½	16¾	−6
Bloomingdale pf. (7) as	1, 700	104	95	95⅞	−4⅛
Blumenthal pf. (7) as	2, 820	90	74	80	+2
Bohn Alum. (1½)	2, 826	69	15¾	22	−31½
Bon Ami (5B)	134	78	59½	60	−10½
Booth Fish	247	5	1	1¼	−2½
Booth F. 1st pf.	144	33¼	5¼	5⅛	−19¾
Borden (3A)	19, 605	90⅞	60⅛	69⅛	+2⅞
Borg-Warner (1)	7, 574	50½	15	21	−13
Boston & Me. (4)	132	112	44	67	−33
Botany C. M. "A"	103	5	¾	1⅛	−1⅜
Briggs Mfg. (1.62½)	36, 144	25⅜	12½	17¼	+1⅜
Briggs & Strat. (2)	355	35½	15¼	16	−4¼
Brit. Emp. St	143	4	1⅜	1⅜	− ¼
Brit. Emp. St., 1st pf. as	1, 270	41	24½	22¼	+8¾
Brit. Emp. 2nd pf	156	8¼	3	3	−1⅜
Brockway Mot	2, 935	22¼	1⅝	1⅞	−14⅜
Brock. Mot. pf. as	4, 060	85	3	13¼	−58
Brooklyn Edison	1	370	370	370	−4½
Brooklyn-Man. Tr. (4)	6, 678	78¾	55⅛	61⅛	−3⅜
Brooklyn-M. Tr. pf. (6)	449	98¾	83	87½	+5
Brooklyn & Qu. Tr.	680	15⅞	6⅛	8	−2⅛
Bklyn. & Q. T. pf. (5)	223	66½	53	53	+1
Bklyn. Un. Gas (5)	5, 330	178¼	98⅛	102¾	−36⅜
Brown Shoe (3)	1, 085	42	33¾	36	−5⅞
Brown Shoe pf. (7) as	850	120	113½	117¾	+3¾
Brunswick Bal	3, 690	30⅝	10	10	−9½
Bruns. T. & Ry	2, 810	33⅜	5¼	5⅝	−8⅞
Bucyrus-Erie (1)	2, 233	31⅞	11⅛	14½	−8⅞
Bucyr.-Erie cvt. pf. (2½)	1, 399	43	21	26½	−7¾
Bucy.-Erie, 7% pf. (7) as	4, 250	117	107¾	110¾	+3
Budd Mfg	4, 447	16⅜	3	4	−5⅞
Budd Mfg. pf. as	1, 080	68	52	52	
Budd Wheel (1)	8, 230	14⅜	6¾	9	+3⅜
Buff. R. & P. as	40	99¼	89½	99¼	+25¼
Buff. R. & P. pf. as	20	95	95	95	−5
Buff. & Sus. pf. (4) as	1, 060	90	75	89½	+15½
Buff. & Sus. as	7, 440	89½	71	89½	+24½
Buff. & Sus. cts	121	89¾	77	89¾	
Buff. & Sus. pf. cts. as	4, 760	91¼	84	89½	
Bullard Co	8, 316	74	9⅞	12	−19¾
Bulova Watch (3)	5, 754	43	8½	10⅞	−17¼
Burns Bros. "A" (8)	351	110⅛	25½	35	−64⅞
Burns Bros. "B"	615	35	3	4	−24
Burns Bros. pf. (7) as	2, 080	100	71¾	77	−19
Burr Add. Mach. (1)	8, 316	51⅞	18⅜	24⅛	−22⅛
Bush Term. (2½)	1, 724	48½	21⅛	24	−9⅜
Bush Term. 7% deb. (7) as	3, 280	110	97	102	

Year's sales and range of prices on New York Stock Exchange—Con.

	Sales in 100's	High	Low	Last	Net change
Bush Term. Bl. pf. (7) as	8, 190	118	108	108¼	−1¾
Butte Cop. & Z	1, 401	4¼	1¼	1¾	−1½
Butte & Sup. M	662	5¼	⅞	⅞	−4⅛
Butterick	1, 181	29⅜	10	16	−2
Byers Co	18, 694	112⅜	33¼	39⅜	−52¼
Byers pf. (7) as	1, 930	114	106	106	−3
Calif. Pack. (4)	1, 459	77½	41¾	40½	−25
Calif. Petroleum as	890	35	21	21	−7
Callahan Z. Ld	1, 200	2⅛	⅝	¾	−¼
Calumet & Ari	3, 659	80⅞	23⅝	35	−48½
Calumet & Hec	5, 113	33⅜	7¾	8	−21¾
Campbell Wy. (2)	1, 450	30	10	11⅝	−7½
Canada D. G. Ale (3)	11, 657	75⅜	30½	35	−31¾
Canada Sou. Ry. (3) as	1, 280	65¼	56	58	+2½
Canad. Pac. (2½)	8, 915	52¼	35¼	39⅜	
Cannon Mills (1.60)	8, 239	34¼	16⅛	17	−11
Cap. Admin. A	751	28¾	7½	8¼	−12¾
Cap. Adm. pf. A (3)	258	42	20½	30	
Caro Clin. & O. (4) as	1, 600	96	78½	85	−4
Caro C. & O. stp. (5) as	2, 540	105	92	100	+3¼
Case (J. I.) (6)	40, 148	352¾	83½	89⅜	−109⅜
Case (J. I.) pf. (7) as	7, 050	132	113	113	−8¾
Caterpil Tr. (4B)	6, 237	79¾	22	27	−30
Cavanagh Do	284	13⅞	1½	2⅛	+⅝
Cavan Dob. pf.	3, 975	75	24	24	−36½
Celanese	333	20⅜	9⅝	13	
Celote Co	10, 316	60	3	13	
Celotex ctfs	311	12	3	4	
Celotex Co. pf. as	15, 400	84⅞	17¼	19	−53
Central Ag. (1½)	747	30½	18	19¼	−7½
Cent. R. R. N. J. (12B)	265	315	189¾	194	−93
Century Rib. M	540	8¾	2¼	2¼	−1
Cent. Rib. M. pf. (7) as	1, 580	69⅞	51	54	+3¾
Cerro de Pas. (4)	4, 571	65⅝	21	23½	−40
Certain-teed	1, 428	15⅞	2	2	−1
Certiteed 7% pf. as	13, 720	45⅝	6¾	8⅜	−37⅛
Checker Cab (1.80)	14, 802	67⅞	14⅜	18¾	−18⅜
Ches. & Ohio (2½)	6, 974	51⅜	32⅛	40⅛	
Ches. & O., pfd. (6½) as	100	235	235	235	+19
Ches. Corp. (3)	4, 529	82½	32¼	40	−24¼
Chic. & Alton	1, 717	10	⅝	1	−3⅜
Chic. & Alton, pfd. ctc. as	100	3	3	3	
Chic. & Alt. pf	1, 803	10⅝	¾	⅝	+4¼
Chic. & E. Ill., pf	451	53½	29	29	−7¾
Chic. & E. Ill	71	28	14¼	21¾	+6¾
Chic. & Gt. West	5, 201	17¾	4¾	6½	+8
Chic. Gt. West, pf.	5, 099	52⅜	12	18¾	−19⅛
Chic. I. & L., pf. (4) as	360	71	65⅜	68½	+2⅜
Chi. M. St. P. & P	5, 990	26⅛	4¼	5½	−19½
Chi. M. St. P. & P., pf.	14, 301	46¼	7¾	9¾	−33⅛
Chic. & N. W. (4H)	3, 767	89⅞	28½	34½	−50½
Chic. & N. W. pf. (7)	77	140¾	101	101	−38
Chic. Pneu. T	3, 289	37	7⅛	10¼	−14
Chi. Pneu. T. pf. (3½)	292	55⅞	22⅛	23¾	−27⅝
Chi. R. I. & P. (7)	2, 441	125⅛	45¼	48¾	−65¼
C. R. I. & P. 6% pf. (6)	258	104¼	81	81⅜	−18⅜
C. R. I. & P. 7% pf. (7)	202	110⅜	92	93	+13
Chi. St. P. Mil. & O. as	140	56	30	30	−26
Chi. St. P. M. & O. pfd. as	110	95	70	70	
Chic. Yell. Cab (3) as	1, 079	32	20½	22⅞	−3⅜
Chick Cot. Oil	820	32½	10½	10¾	−14¾
Childs Co. (2.40)	3, 824	67⅜	22⅞	25¼	−33¾
Chile Copper (2) as	2, 210	65	19	19	−41
Chrysler (1)	68, 346	43	14⅛	16⅛	−20⅛
Christie Brown (1.20)	2	126½	125	126½	+1½
City Ice & F. (3.60)	924	49	32⅞	36	−5⅞
City I. & F. pf. (6½) as	8, 770	98¾	79	80	−19
City Investing (10A) as	630	175	140	160	−12½
City Stores (½)	5, 554	13¾	2½	3⅛	−7
City Stor "A" (3½) as	3, 290	42	20	20	−22
Clark Eqip. (2)	291	44½	15½	16⅜	−17⅝
C. C. C. & St. L. pf. (5) as	840	102½	98	103	−2
C. C. C. & St. Louis (8)	80	245	240	245	+20
Clev. & Pitts. (3½) as	1, 150	80	70¼	77	+2¾
Clev. & Pitts. Spec. (2) as	1, 100	45	42½	44	+1¾
Cluett Pea. (3)	533	60	21	23½	−13
Cluett Pea. pf. (7) as	3, 417	105	91¼	98	+7
Coca Cola (6)	7, 541	191⅜	133¼	146	+12¼
Coca Cola A (3)	563	52⅜	48½	50⅜	+1½
Colgate-Palm. (2½)	1, 295	64⅝	44	47¾	
Colgate Palm. Pt. pfd.	102	104	97	103	
Coll. & Alk	3, 725	35¾	12	14¾	−½
Coll. & Alk. pf. (7)	128	92	73	73	+1
Col. Beacon	1, 166	20⅜	8¾	9½	
Col. Fuel & Ir. (1)	8, 168	77	18¾	21½	−15⅜
Col. F. & Ir. pf. (8) as	300	135½	100	105	−21
Col. & South. (3)	173	95	40⅞	40⅞	−48⅛
Col. & So. 1st pf. (4)	4, 940	80	65⅜	65⅝	−5⅛
Col. & So. 2nd pf. (4) as	1, 610	75	60	67	−½
Colum. G. & E. (2)	72, 847	87	30⅜	34⅝	−40⅜
Col. G. & E. pf. A (6)	662	110	99	101¼	−4½
Col. G. & E. pf. B (5)	63	100	91½	92⅞	−1⅞
Colum. Graph. (.75H)	81, 377	37⅜	7⅛	8⅜	−19⅛
Colum. Carb. (6B)	10, 330	199	65⅛	77	−99
Comi. Credit (2)	2, 462	40¾	15½	20	−3½
Com. Cred. "A" (3)	1, 409	44⅜	30½	34	+1½
Com. C6½% pfww. (6½)	13, 080	95½	76¼	83	−7
Com. Cr6½% pfxw (1½) as	3, 150	95	77½	86	+10
Com. Cr. 7% pf. (1¾) as	4, 230	26½	20½	23½	+½
Com. Cr. pf. B (2) as	7, 570	27½	20½	24½	+1½
Com. Invest. Tr. (1.60A)	4, 778	55	21¾	26⅞	−12⅝
Com. Inv. Tr. cv. pf. (6K)	339	87	80	83	
Com. Inv. Tr. war	333	23¼	4	4	−6⅛
Com. Inv. Tr. war stpd	53	8	2½	3	
Com. Inv. Tr. 7% pf. as	1, 100	100½	90	101½	+2½
Com. Inv. Tr. 6½% pf	123	102½	89	102	+12
Comi. Solv. (1A)	59, 570	38	14	15½	−15¾

Year's sales and range of prices on New York Stock Exchange—Con.

	Sales in 100's	High	Low	Last	Net change
Commonwealth So. (.60)	97,023	20¼	7½	8¼	−5½
Comwlth. So. pf. (6)	2,657	104¾	86½	91⅛	
Conde. Nast. (2)	266	57	31½	32	−14
Congoleum Nairn	5,068	19¾	6¼	6¾	−7¼
Congress Cigar (4)	832	56⅞	18¼	21	−26⅜
Conn. Ry. & Lt. (4½) as	100	73	71⅛	73	+9⅜
Consol. Cigar (5)	1,024	59⅜	24⅝	26¼	−18⅝
Consol. Cig. pf. (7) as	2,640	83⅞	53	65	−13
Cons. Cigar 6½% pf. as	13,660	80	53	55	−14½
Cons. Cig. 6½% pf. x wr. as	1,790	77	53	55	−14½
Cons. Film (2)	3,919	27⅜	7⅞	9½	−7½
Cons. Film pf. (2)	3,135	28¼	12½	15⅞	−3⅞
Consol. Gas (4)	97,110	136⅞	78¼	84	−16⅛
Consol. Gas pf. (5)	1,558	105½	99⅛	102⅛	+2⅛
Cons. R. R. Cu. pf. (6)	881	62	30	34	+16½
Consol. Text.	2,466	2	¼	3/8	−½
Container A (1.20)	2,571	22½	5⅛	7	−5¼
Container B	1,312	8½	2	2⅞	−1¼
Cont. Baking A	7,961	52½	16¾	17⅞	−27⅛
Cont. Bak. B	7,357	7	2	2⅛	−4⅜
Cont. Baking pf. (8)	1,156	94⅞	62	64⅞	−24½
Contl. Can (2½)	14,125	71⅜	43½	48	−3¾
Cont. Diam. Fib. (1)	9,078	37⅜	9¾	10½	−20½
Contl. Ins. (2.40)	3,221	77⅜	37¼	41¾	−18
Contl. Mot.	4,320	8¼	2½	2¾	−3¾
Contl. Oil Del.	23,059	30½	7¾	9⅛	−14¼
Contl. Shares (1)	4,719	40⅞	8½	8½	−22½
Corn Prod. (3½B)	12,425	111⅜	65	78	−14⅛
Corn Prod. pf. (7) as	11,650	151½	140	148⅜	+7⅜
Coty	8,379	33	7⅛	9¼	−15
Cream of Wh. (2¼B)	1,905	35⅜	25½	30	+3⅜
Crex Carpet	630	29⅛	9	15⅜	+3⅜
Crosley Rad	1,882	22	3½	4¼	−13¼
Crown Cork (2.40A)	1,191	59⅛	31	32¼	−7⅝
Crown Cork pf. (2.70)	45	36	30⅝	32⅝	
Crown WP 1st pf (7) as	820	98½	68¼	68¼	−24¼
Crown Zeller (1)	495	18½	4¾	4¾	−13¼
Crucible Stl. (5)	1,882	93⅛	50⅛	61	−29⅜
Crucible Stl. pf (7) as	1,069	117	101½	104¾	−4¼
Cuba Cane Pr.	850	7	1	1¼	
Cuba Co.	369	19½	2⅛	2½	−6½
Cuba R. R. pf. (6) as	2,690	70	33	38	−22
Cuban Am. Sug.	1,159	9	2	2¾	+4¾
Cuban Am. S. pf. as	7,090	65⅜	25	25	−34¾
Cuban Dom. Sug.	698	2¾	2¼	1	−2¼
Cudahy Pack. (4)	801	48	38⅛	40½	−7
Curtis Pub. (6½B)	498	126⅛	85	90	−25¼
Curtis Pub. pf. (7)	431	121⅛	112	114	−1
Curtiss Wright	44,782	14⅞	1¾	2⅜	−4⅜
Curtiss Wr. "A"	7,777	19¾	3	4	−10⅝
Cushman 7% pf. (7) as	2,080	120	96	100	−10
Cushman 8% pf. (8) as	930	111	97	97	−7
Cutler Ham. (3½)	1,844	90½	35	40	−42
Davison Chem.	4,566	43⅜	10	14⅞	−14¾
Debenhams Sec. (.70)	133	30	9½	9½	−11⅞
Deer. & Co. pf. (1.40)	402	24½	20	20¾	
Del. & Hud. (9)	1,611	181	130⅛	136½	−25
Del., Lack. & W. (6)	2,657	153	69½	82½	−58½
Den., R. G. & W. pf.	573	80	25⅛	27½	−32½
De Beers Mine (.96) as	830	14	8¼	8¼	−5¾
Detroit Ed. (8)	1,371	255¾	161	182½	−21½
Detroit H. & S. W. (4) as	90	86½	66½	80	+12¼
Detroit Mackinac as	110	40	20⅜	20⅜	−24⅜
Detroit Mackinac pf. as	400	60	12	12	−48
Devoe & Ray. A. (1.20)	787	42¾	11½	11¾	−21⅛
Devoe & R. pf. (7) as	1,690	114¾	99	103⅛	−3¼
Diamond Mat. (8)	1,328	254½	139	212½	+77⅛
Diamond Mat. ctfs. (8)	126	219	190	210	
Dome Mines (1)	1,497	10⅛	6¾	8⅞	+2⅛
Dominion St. (1.20)	1,518	30⅝	12	14⅛	−5⅞
Drug, Inc. (4)	11,635	87⅜	57⅜	62½	−16⅛
Dul. S. S. & At.	36	3	⅛	⅛	−1⅜
Dul. S. S. & A. pf.	15	3	¾	¾	−1¾
Dunhill Int. (1)	2,533	43½	5	5	−32
Duplan Silk (1)	142	19	13	14¾	−⅜
Duplan S. pf. (8) as	3,260	106	97	99	+3
du Pont de Nem. (4)	38,835	145¼	80½	86¾	−30½
du Pont deb. (6)	467	123	114½	121½	+5¼
Duq. Lgt. 1st pf. (5)	176	105⅜	100	101½	+1½
Durham Hos. pf. as	3,875	57⅞	23	23	−23½
Eastern Roll.	390	25½	6¼	6¼	−13¾
Eastman Kod. (8B)	18,061	255¼	142¼	147	−30½
East. Kod. pf. (6) as	2,220	134	120⅞	128⅞	+2⅞
Eaton Ax. & S.	4,707	37¼	11⅜	13⅜	−13⅛
Elting'on Sch.	385	10⅞	2½	3½	−5⅜
Elting. Sch. pf.	244	62	35	35	−10
Elec. Auto. L. (6)	104,809	114⅞	33	53	−32
Elec. Auto. L. pf. (7) as	2,670	110¾	103½	110	+4
Elec. Boat	2,389	9¾	2⅛	2½	−1⅜
El. Pow. & Lgt. (1)	102,552	103½	34⅜	39	−13⅛
El. P. & L. 6% pf. (6)	525	102	84¾	86	
El. P. & L. pf. (7)	561	112	99	100	−7
El. P. & L. 70% pd. (4.20) as	610	153	100	100	−30
El. P. & L. full pd. (7) as	120	134¼			
Elec. Stor. B. (5)	1,695	79¼	47½	50	−22
Elk Horn Coal	91	5½	⅛	⅛	−4⅜
Elk Horn C. pf. as	4,850	14	2	2	−10½
Emerson Br. A.	244	7⅜	⅛	¾	−2¼
Emerson Br. B.	11	3	½	½	+1½
Emporium Cap. as	3,600	20½	6	6	−11½
Endicott, John (5)	451	59⅜	36⅞	37	−17
End. John pf. (7)	68	116	107½	114	+5
Eng. Pub. Ser. (2.40)	5,168	66	36⅞	43½	+2⅝
Eng. P. S. 5% pf. (5)	277	107½	80⅝	80⅝	−13⅜
Eng. P. S. 5½% pf. (5½)	297	104⅞	89⅛	89⅛	−4⅞
Equit. Office Bdg. (2½)	1,451	50¾	31½	31¾	−8¼
Erie R. R.	11,776	63¾	22⅛	28	−28½
Erie, 1st pf. (4)	964	67¾	27	37⅜	−24¾

Year's sales and range of prices on New York Stock Exchange—Con.

	Sales in 100's	High	Low	Last	Net change
Erie, 2nd pf. (4)	265	62½	26	31	−28
Erie & Pitts. (3½) as	250	65⅛	63½	65⅛	+3⅜
Eureka Vac. Cl.	2,236	43⅛	6⅞	8½	−28
Evans Auto L.	1,810	30¾	4	4½	−17⅞
Exchange Buff (1½) as	14,080	27½	21⅝	23⅜	+1⅛
Fairbanks	232	9⅞	1¾	1¾	−6¼
Fairbanks, pf. as	11,810	39¾	3½	3⅞	−18½
Fairbanks Mor. (1.60)	2,081	50½	19½	22½	−12½
Fairbans M. pf. as	2,000	111½	102	103½	+2
Fash Park As.	849	27¼	2½	2⅞	−23⅛
Fash Park, pf. as	8,720	80	12⅜	14¼	−58⅞
Fed. Lt. & Tr. (1½A)	783	90¼	43¾	43¾	−16¾
Fed. Lt. & T. pf. (6) as	2,840	98¾	85	88	−7
Fed. Min. & Sm.	46	185	80	90	−85
Fed. M. & Sm. pf. (7)	117	100½	85	85	−11⅛
Federal Mot. (.80)	684	12¼	5½	6	−2⅝
Fed. Screw (1)	135	25½	10	10	
Federal Wat. S. (2.40K)	2,692	43	17½	22	−10⅞
Federated D. St.	2,022	38	12½	16	−15¼
Fid. P. Fire Ins. (2.60)	1,588	89¾	42¼	46	−17
Fifth Ave. Bus (.64) as	4,610	10½	6⅞	6⅞	−1⅜
Filene's Sons as.	5,220	40½	16	16	−16
Filene's Sons pf. (6½) as	6,850	100¼	89	89	−1
Firestone T. & R. (1)	1,330	83⅛	15⅜	17⅜	−8¼
Firest. T. & R., pf. (6)	1,749	87⅞	53⅜	58½	−27⅝
First Nat. St. (2½)	4,051	61⅜	36⅜	40½	−13½
Fisk Rubber	6,633	5½	½	⅝	−2⅝
Fisk R. 1st pf. as.	47,100	21	1⅛	1½	−11½
Fisk S. 1st pf. cvt. as.	22,240	21¾	1¼	2	−8
Florsh. Sh. A (3)	306	52⅝	30	33	−10
Florsh. Sh. pf. (6)	49	100½	94	94	−3⅞
Follansbee (1)	531	50⅞	12	12⅜	−25⅛
Foster Wheel (2)	12,126	104½	37½	42½	−20½
Foster Wheel pf. (7)	4	210	117	117	+7
Foundation	936	28¾	3½	4	−11¾
Fourth N. Inv.	2,365	50	18¼	21½	
Fox Film "A" (4)	131,259	57⅜	16⅛	27½	+5½
Frank. Sim. pf. (7) as	1,740	99	76	76	−20½
Freeport Tex. (4)	13,615	55½	24½	29½	−9⅝
Fuller pr. pf. (6) as	4,850	95½	75	75	−19
Fuller 2nd pf. (6) as	3,010	86	60	62	
Gabriel A.	923	11¾	2½	3	−3
Gamewell (5) as	22,200	80	50	51½	−18½
Gardner Mot.	1,224	7¾	1	1¼	−2½
Gen. Am. Invest.	2,154	16½	3½	4¾	
Gen. Am. Inv. pf. (6)	267	105	74	80	
Gen. Am. Tank (4A)	41,395	111⅝	53⅛	39½	−40
Gen. Asphalt (3)	8,910	71⅜	22⅜	24	−25¾
Gen. Bak. pf. (8) as.	3,230	125	97	97	−26
Gen. Bronze	3,682	38½	5⅛	3½	−20½
Gen. Cable.	1,155	34½	6½	7	−20
Gen. Cable A.	1,376	74¾	13¼	15	−50¾
Gen. Cable pf. (7) as.	14,370	109¾	36	46	−59
Gen. Cigar (4)	1,464	61	30	32	−18½
Gen. Cigar pf. (7) as.	2,800	120	110½	113	+1
Gen. Elec. (1.60)	229,853	95⅜	41½	43⅝	−18¼
Gen. Elec. spl. (.60)	2,587	12	11⅜	11¾	+⅜
Gen. Foods (3)	33,330	61¼	44⅜	49	+1
Gen. G. & El. A. (.30K)	20,638	18⅞	3⅞	4⅜	
Gen. G. &El. cv. pf. (6)	516	106½	38	52	
Gen. G. & El. pf. B (8) as.	170	91	90	90	−25
Gen. G. & E. $8 pf. A (8) as.	1,500	122	75	75	−41⅞
Gen. G. & E. $7 pf. A (7) as.	3,230	111	63	63	−39
Gen. Ital. Ed. (2.62H)	923	44¾	28¾	29¼	
Gen. Mills (3)	2,929	50½	40⅛	46¼	−3¾
Gen. Mills pf. (6)	244	98¾	89	97	+5
Gen. Mot. (3)	846,388	54¼	31½	35⅜	−8⅛
Gen. Mot. pf. (5)	2,065	100⅞	91⅞	94⅝	
Gen. Mot. 6% pf. deb. (6)	21	116¼	104	116¼	+11
Gen. Mot. 7% pf. (7)	1,762	131½	117½	125¾	+4⅞
Gen. Out. Adv. A (4)	431	41⅛	20⅜	22½	−12
Gen. Out. Adv.	1,192	21¾	5	6⅞	−9¾
Gen. Print. Ink (2½) as.	3,380	42¼	19	19⅛	
Gen. Pr. Ink pf. ww (6) as.	1,535	90½	65	73	
Gen. Pub. Serv. (6J)	4,039	52⅝	12¾	14⅞	−21
Gen. Rail. Sig. (5)	4,094	106⅞	56	71	−15
Gen. Rail. S. pf. (6) as.	3,110	115	100¼	105	+2½
Gen. Real. & Ut.	3,780	19⅜	3½	5¾	
Gen. R. & U. pf. (6K)	708	100	49	54	
Gen. Refract. (4)	5,999	90	39	40½	−27⅜
Gen. St. Cast. pf. (6)	111	104	80	80	
Gen. Thea. Eq. new	367	6½	6⅛	6⅜	
Gen. Thea. Eq.	40,637	51¼	14¼	16⅜	
Gen. Theat. new	1,102	10	5½	6⅜	
Gillette cv. pf. (5)	210	70¾	56¼	69¾	
Gillette Saf. R. (4)	40,378	106½	18	21½	−81½
Gimbel Bros.	6,511	20⅞	4¼	4¾	−8⅜
Gimbel pf. (7)	464	82½	39	39	−31
Glidden Co.	2,358	28	7	8	−25
Glidden pr. pf. (7) as.	6,820	105⅛	63½	67½	−34
Gobel, Adolph.	5,335	19	3	4	−11
Gold. & Stock. (6) as.	330	120	101	115	+10½
Gold Dust (2½)	39,267	47⅞	29	32⅛	−7⅞
Gold Dust pf. (6)	92	111½	100	103½	+6
Goodrich	8,397	58½	15¼	16	−26
Goodrich pf. (7)	293	104½	62½	64½	−31⅛
Goodyear T. (5)	12,316	96⅞	35⅛	45½	−16
Goody. T. 1st pf. (7)	491	102¼	78¼	82	−10⅞
Goth Silk H.	2,670	28⅞	3¾	4	−19
Goth Silk H. pf. (7) as.	7,020	82½	50	50¼	−18¾
Goth Silk H. pf. xw. (7) as.	5,020	79	50	50¼	−33⅞
Gould Coup. A.	1,137	15⅜	4	4⅜	−2⅝
Graham Paige.	4,749	13⅝	3	3⅝	−6¼
Graham Paige ctfs.	233	10¾	3½	3½	−5⅞
Granby Con. M (2)	3,402	89⅞	12	16	−37
Grand Store (1)	24	45½	33½	45½	+12½
Grand Store pf. (6½)	6	90½	86	86	−4
Grand Stl. St. (1A)	2,181	62	16	20¾	−16¼

Year's sales and range of prices on New York Stock Exchange—Con.

	Sales in 100's	High	Low	Last	Net change
Grand Union	2,301	20⅝	10	11⅜	−2⅛
Grand Union pf. (3)	696	44	31	38	+2
Granite C. St. (3)	901	50⅜	18	19⅞	−15⅛
Grant. (W. T.) (1)	3,996	43	26⅜	27¾	−5⅛
Gt. No. Ry. pf. (5)	3,021	102	51	58⅝	−36⅜
Gt. Nor. pf. ctf. (5)	905	99¼	67	81	−11
Gt. Nor. Ir. Ore. ctf. (2¼ H.)	3,252	25⅜	17½	19½	−½
Gt. W. Sug.	3,617	34½	7	7⅜	−23⅜
Gt. West. Sug. pf. (7) as	14,520	120	85	85⅛	−29⅛
Green Bay & W. (5) as	60	80¼	80¼	80¼	+5¼
Great West. Sug.	3,617	34½	7	7⅛	−23⅜
Grigsby Grunow	51,065	28	2¼	2¾	−18¾
Greene Can Cop. (3) as	960	89	38⅜	40	−72
Guantan. Sug.	349	2	¼	⅜	−⅜
Guantan Sug. pf. as	588	27	11	11	−49
Gulf Mob. & N.	1,875	46½	10⅛	19	−19⅜
Gulf Mob. & N. pf. (6)	438	98¼	55⅜	64¼	−30
Gulf St. Steel	982	80	15	16¼	−35¼
Gulf St. Steel pf. (7) as	450	109	83¼	84	−19
Hack. Water (1½) as	2,985	38	26	26	+1
Hack. W. pf. A. (1¾) as	2,510	30	26	27	+1
Hahn Dept. St. as	1,069,350	23¼	6½	7⅜	−6⅛
Hahn D St. pf. (6½)	73,175	86½	45½	50	−23¼
Hall Print. (2)	528	31¾	16	16½	−12½
Hamil. Watch (1.80)	32	47½	38	38	
Hamil. Wat. pf. (6) as	2,250	105⅛	99	103	+2
Hanna pf. (7) as	15,540	98	85	89¼	−15¾
Harb. Walker (2)	1,194	72¼	38	39	−23
Harb. Walk. pf. (6) as	80	115½	110	114	+2
Hartman A. (2)	117	23¼	7¼	8½	−13½
Hartman B. as	393,190	20	2¼	3¾	−11½
Havana El. Ry.	54	8½	1	2	−6
Hav. El. Ry. pf. as	1,100	72	16	30	−42
Hawaii Pine. (2) as	5,610	61	36½	39	−16
Hayes Body. as	480,356	17⅜	2⅝	3⅜	−3⅝
Helme. pf. (G. W.) (7B)	244	92⅞	77⅛	80½	−6⅜
Helme. pf. (7) as	1,280	136	123¾	133½	+9¾
Hercules Mot. (1.80) as	44,165	31	13½	14¾	−6¾
Hercules Pow. (3)	166	85	55	55	−32½
Hercules Pow. pfd. (7) as	3,570	123¾	116½	116½	+1⅛
Hershy. Choc. (5)	4,394	109	70	88	+20½
Hersh. cvt. pf. (4)	287	108¼	83½	93⅞	+13⅞
Hoe & Co. A	292	25¼	4	5⅛	−8⅜
Holland F. (2¾B)	531	41¼	26¼	28	+2⅞
Hollander	569	12⅜	5	5⅛	−8⅞
Homestake M. (7B)	77	83	72	80	
Houd-Her B	15,716	29	4	4⅛	−14⅜
Household F. pf. (4)	541	68⅞	49	62	+10⅝
Houston Oil new as	150,740	11¾	6⅜	8¼	
Houston Oil old 10%	26,719	116⅞	29¼	35⅛	−21⅜
Howe Sound (4)	2,887	41¼	20	23½	−14¼
Hudson & Man. (3½)	1,734	53⅜	34⅞	37¾	−8⅝
Hudson & M. pf. (5)	61	83	74	74	−4
Hudson Mot. (3)	13,939	62⅞	18	23½	−34¾
Hupp. Motor	6,541	26⅜	7½	7⅞	−13⅜
Hupp. Motor pfd. as	140	115	112	115	
Illinois Cent. (7) as	109,542	136¾	65¾	70½	−59
Illinois Cent. pfd. (6)	34	136¾	110⅛	110⅛	−19⅞
Ill. Cen. l. l. (4) as	1,820	83½	70½	71	+1¼
Indep. Oil & Gas (2)	10,064	32	11⅛	14⅛	−8⅛
Ind. Motorcy	9,930	17	2	2¼	−2¾
Ind. Motor pf. as	2,310	87½	18	20½	+4½
Indian Refin. as	2,771,425	28⅛	3	3¾	−14⅜
Indian Refin. ctfs	24	3¾	3⅜	3¾	
Indust. Ray. (4)	1,304	124	31	57¼	−60⅛
Indian Ref. ctfs new	536	4¼	3½	3¾	
Inger. Rand. (5B)	1,531	230	147¼	179¾	+21¾
Inger. Rand. pfd. (6) as	160	122	112	112	+1½
Inland Stl. (4)	465	98	58	64½	−8½
Inspirat. Cop.	4,521	30⅞	6⅜	8	−18½
Insuransh. (Del.) (.45) as	13,967	17⅜	4	5¾	−7⅜
Insurans. ct. (Md.) (.60) as	561,199	13½	5	6½	
Interb. Rap. Tr.	5,421	39½	20⅜	26¾	+5
Interb. Rap. Tr. cod	105	35¾	21¼	25⅞	
Intercon. Rub.	722	7½	1½	2	−2¼
Interlake Ir. (1)	2,183	28⅞	11¼	11¾	
Internat. Agri.	1,870	8½	3⅛	3½	−1⅛
Int. Agr. pr. pf. (7)	339	67¼	42¼	45	−10
Int. Bus. Mach. (6A) as	235,550	197⅛	131	150	−12
Int. Carrier Ltd. (¾)	3,048	19¾	8⅞	10	
Int. Cement (4)	1,963	75⅜	49½	50¼	−6½
Int. Comb. E.	15,625	14½	1¼	1⅝	−4⅛
Int. Comb. E. pf. as	210,700	78	13	24⅞	−9⅜
Int. Comb. pfd. ctfs	113	75½	25	25	
Int. Harvest (2½) as	9,525,765	115¾	45¼	50	−30½
Int. Harvest pf. (7)	663	146½	133	133	−9
Int. Hydro. El. A. (2K)	15,483	54	18⅛	22½	−9⅜
Int. Match. ptc. pf. (4)	4,377	92	52¼	58	−9
Int. Mer. M. ctfs. (2H)	2,340	33	15	15	−10
Int. Nick. Can. (1) as	13,698,333	44⅜	12¼	15⅛	−17⅜
Int. Nick. C. pf. (7)	93	123	114	114	−4
Int. Pap. 7% pf. (7) as	9,010	86	26	26⅛	−55⅜
Int. Pap. & P. "A"	2,546	31⅜	5½	6¼	−21¼
Int. Pap. & P. "B"	1,324	22¾	3⅛	5	−10⅜
Int. Pap. & P. "C"	4,912	18	2	2⅜	−10
Int. Pap. & P. pf. (7) as	131,969	86	21	26	−53½
Int. Print. Ink. (2½) as	55,750	58¼	10	11	−37
Int. Print. I. pf. (6) as	5,930	101	55	55	−40
Int. Ry. C. Am. as	31,700	32½	9	10⅝	−15½
Int. Ry. C. Am. ctfs. as	10,730	29	9	10	−16½
Int. Ry. C. Am. pf. (5) as	25	73¼	36	47	−17
Int. Salt (3)	4,268	45¾	31	37	
Inter. Shoe (3)	458	62	47½	48½	−12
Int. Silver (4) as	35,450	119	26	32	−69½
Int. Silver pf. (7) as	2,760	112¼	70½	72	−35½
Int. Tel. & Tel. (2)	93,292	77⅛	17½	19⅜	−55⅛
Interst. Dept. St. (2)	3,315	40	15⅝	18	−15
Int. Dep. S. pf. ww. (7) as	440	82½	59	68	−32

Year's sales and range of prices on New York Stock Exchange—Con.

	Sales in 100's	High	Low	Last	Net change
Int. Dep. St. pf. xw (7) as	4,370	80	58⅜	60½	−14⅜
Intertype (2)	169	32	12	16	−7
Invest. Equity as	405,538	29	4¼	4½	−16½
Iowa Cen. Ry. as	1,080	3	⅜	⅜	−1⅜
Island Crk. C. (4)	479	43	25	27½	−14
Island Cr. C. pf. (6) as	530	105½	105	105½	+½
Jewell Tea (4B)	1,673	66½	37	38¾	−6¼
Johns Manville (3)	3,154,925	148⅛	48¾	53⅜	−71⅝
Johns Man. pf. (7) as	19,900	123⅜	117	117	−4½
Joliet & Chicago (7) as	10	134½	134½	134½	−4½
Jones & L. S. pf. (7) as	13,610	123½	118	119½	+1
Jordan Motor	2,111	5½	⅛	½	−1¾
Kan. C. Pow. pf. B. (6) as	2,870	115	108	113½	+7
Kan. City Sou. (5)	598	85⅛	34	34½	−47⅜
Kan. City S. pf. (4)	116	70	5		−14¼
Karstadt Rud. (1.03)	629	13½	4⅛	6½	−5¼
Kaufman Dept. (1½)	447	20½	14	14	−3¼
Kayser (J) (2½) as	295,293	41½	14½	17	−22¼
Keith Al. Orph.	48	45	21	45	+24¾
Keith A. Orph. pf. (7)	267	150	85	90	+10½
Kelly Spring	5,026	6⅛	1	1⅛	−2⅛
Kelly Sp. 6% pf. as	9,270	55	27	28½	+2¼
Kelly Sp. 8% pf. as	8,030	42	9	10	−8
Kelsey Hay Wh. (2) as	540,247	38⅞	19⅛	21⅜	−7⅛
Kelvinator	34,218	29⅜	7⅜	8⅞	+1⅜
Kendall pf. (6) as	4,190	89	20	20	−62
Kennecott (2) as	5,005,340	62¼	20⅛	23¼	−35¼
Kimberly Cl. (2½) as	51,402	59	38	40½	−8⅜
Kinney (G. R.) (1)	669	40½	17½	17½	−5½
Kinney pf. (8) as	8,080	97	51	51	−38½
Kolster Rad.	8,548	8¼	⅜	1	−2¾
Kolster Rad. cts.	129	3	¼	⅜	
Kresge (S. S.) (1.60) as	538,195	36¾	26⅛	26½	−7⅞
Kresge (S S) pf. (7) as	2,760	115	104⅛	108	−4
Kresge Dept. St	127	9⅞	4⅜	5½	−4
Kresge D. S. pf. as	2,180	62	32½	32½	−29½
Kress (S H) (1A) as	33,380	70	39	45¾	−25¼
Kreug & Toll (1.60)	83,692	35⅞	20⅝	22⅜	−1½
Kroger Groc. as	179,895	48⅜	17⅛	18	−25½
Kuppenheimer (2) as	1,140	35	25	25	−8
Kuppenheimer pfd. (7) as	110	106	105	105	
Laclede Gas (10) as	3,780	237	200	225¼	+15
Laclede G. pf. (5) as	870	100¾	98	98⅝	−2¾
Lambert (8) as	826,595	113	70¾	76¼	+21⅜
Lane Bryant (2)	57	23½	17	17	
Lee Rub. & T.	1,102	11	3⅛	3¼	−2¾
Lehigh Port C. (1)	561	42	11	13⅜	−21⅛
Lehigh P. C. pf. (7) as	6,350	108½	98⅝	99	−6
Leh. Val. R. R. (3½)	1,345	84⅞	40	53¾	−20¼
Lehigh Val. C.	2,722	17½	4¼	6¾	−7⅜
Lehigh V. C. pf. (3)	23,360	37½	14⅞	16⅞	−15⅛
Lehman Corp. (3) as	66,595	97¼	51¾	53⅞	
Lehn & Fink (3)	1,207	36	21	23	−8
Libbey O. Ford Gl. as	171,466	31½	10⅛	13	−6½
Ligg. & Myers (4)	1,333	113¾	76½	81	−16
Ligg. & My. "B" (4)	18,008	114⅜	78¼	85¾	−12¼
Ligg. & Myers pf. (7)	142	146	127⅛	135¼	−3⅛
Lima Locomotive	1,644	49¼	18½	23⅛	−12⅝
Link Belt	225	45⅜	28	28½	−11½
Liquid Carb. (4) as	530,466	81⅞	39	41⅜	−14¾
Loew's (4B) as	4,643,025	95¾	41¾	46⅛	+3⅛
Loew's pf. (6½)	491	112⅜	85⅝	90	+3
Loew's pf. xw. (6½)	408	99¾	84	84	−2
Loft	4,335	6⅜	2½	3	−1
Long Bell "A"	207	15¾	3	3½	−8⅝
Loose Wil. Bis. (2.90B)	7,412	70¾	40¼	44½	−6¼
Loose W. Bis. 1 pf. (7) as	1,440	126	118	118	−¼
Lorillard (P) as	317,245	28⅛	8¾	11½	−4½
Lorillard pf. (7)	103	99	76¼	87½	−5
Louisiana Oil	3,416	12	3½	3⅝	−5⅛
Louis. Oil pf. (6½) as	1,700	90	60	60	−22
Louis. G. & E. A. (1¾)	8,845	51¼	25	27¼	−13⅛
Louisv. & Nash (7)	829	138½	84	88	−44
Ludlum Steel	7,792	44⅞	9¼	11	−22⅛
Ludlum Steel pf. (6½)	70	99¾	34¼	34¾	−47¾
MacAnd. & Forb. (2.60)	299	39¼	20	21	−13
MacA. & Forb. pf. (6) as	1,590	100¾	93	95	−12
Mackay Cos. pf. (4) as	200	83	80¼	82½	−½
Mack Trucks (4)	6,353	88½	33⅜	36	−34
Macy (R. H.) (2A)	4,038	159¼	81⅝	85	−60
Mad. Sq. Gar.	1,156	15⅜	4⅛	5	−8¾
Magma Cop. (3)	1,971	52½	19¼	20⅞	−25⅛
Mallinson	1,667	13	1¾	2½	−7½
Mallinson pf. (7) as	1,110	80	55	55	−21
Manati Sug. as	7,700	8	½	¼	−5¼
Manati Sug. pf. as	7,210	50	5¼	5½	−16½
Mandel Bros.	207	15	5	5	−9¼
Manh. E. Ry. gtd. (7) as	5,860	75	46½	53¼	+4½
Manh. El. mod. gtd. (5L)	4,208	42½	24	35½	+9¾
Manh. Shirt (1) as	67,520	24⅝	6⅛	7	−13
Manh. Shirt pfd. (7) as	1,010	116	115¾	115¾	−1½
Maracaibo Oil	527	10⅜	1¾	1⅞	−3⅜
Marine Midl. (1.20) as	297,899	32½	17¾	20	
Market St. Ry.	59	3	⅝	¾	−½
Market S. R. pf.	6	14¼	9	10	+3
Mark. S. R. pr. pf. as	17,363	25½	13	14	−2½
Mark. S. R. 2d pf.	24	6¼	2¼	3⅛	−⅜
Martin Rock (4¼B)	896	55	21¼	21¼	−18¾
Marmon Mot.	2,964	30⅜	4¼	5½	−19⅜
Marsh. Field (2½) as	220,125	48⅛	24⅛	28¼	
Martin Parry	733	8¼	2¼	2¾	−3⅜
Math. Alkali (2) as	643,110	51⅜	30⅛	31⅛	−8¾
Math. Alk. pf. (7) as	1,170	136	115	120¾	−13¾
May Dept. St. (2A)	3,994	61⅜	27¾	31	−21⅜
Maytag	1,636	23	5	5½	−10½
Maytag 1st pf. (6)	133	84½	68	68	−8
Maytag pf. ww. (3)	465	40½	15	15⅞	−12⅜
McCall (2½)	378	50	33	35⅞	−5⅛

Year's sales and range of prices on New York Stock Exchange—Con.

	Sales in 100's	High	Low	Last	Net change
McCrory St. (2) as	6,340	74	37	39	−35
McCrory St. B (2) as	5,430	70	38¼	38⅜	−34⅜
McCrory St. pf. (6) as	5,780	97	78	79	−18
McGraw Hill (2)	208	44	27	28⅛	−6⅞
McIntyre Porc. (1)	503	20½	14¾	20⅜	+5⅛
McKeesport T. (6B)	7,575	80½	61	71¼	+9¼
McKess & Rob. (1)	4,122	37⅜	10½	14¼	−17½
McKess & Rob. pf. (3½)	606	49¼	25¾	32½	−11½
McLellan St	1,320	20¼	6	8	−11⅛
McLell. St. pf. (6)	20	87	69¾	69¾	−20¼
Melville Shoe (2)	548	42	25	29⅞	−⅛
Mengel	3,376	23¾	5	6¼	−9¼
Mengel pf. (7) as	2,640	92½	69	75	−11
Metro-Gold. pf. (1.89)	197	26¼	23	23¾	+¼
Mex. Seab. Oil	43,458	37	9¾	10¾	−7⅜
Mexican Pet. (32B) as	330	182	150	153	−27
Miami Cop	5,354	33⅞	7	7¾	−20¼
Mex. Pet. pf. (8) as	40	100	100	100	−2
Mich. Steel (2½A)	1,992	77	38½	43½	−9½
Mid-Cont. Pet. (2)	7,869	33	11	13⅞	−13⅛
Midland Steel (3)	1,966	53	15½	21⅛	
Midl. St. 1st pf. (8)	378	110	74	80	
Mil. El. Ry. pf. (6) as	740	110	100½	100½	−2½
Minn. Honey (3½B)	268	76¾	37	38	−26½
Minn. Mol. Imp.	9,036	28⅞	3¼	4⅞	−7¼
Minn. M. Imp. pf. (6½)	181	92¼	44	44	−26
Minn. & St. L.	412	2⅛	⅛	⅛	−1
Minn. St. P. & S. S. M.	205	35	8¼	8⅝	−27⅜
Minn. St. P. & S. S. M. pf.	48	55½	44¾	45	−21
Minn. St. P. & S. S. M. I. I. (4) as	5,360	50½	41	42	−9
Mo. Kan. T. (3H)	18,226	60⅜	14⅞	19⅝	−30⅛
Mo. K. T. pf. (7)	1,461	103⅜	60	70	−33⅛
Mo. Pac.	1,396	98½	20⅜	31⅜	−56⅛
Mo. Pac. pf. (5)	1,938	145½	79	87	−48¼
Mohawk Cpt.	2,036	40	9⅜	10	−26½
Monsanto Ch. (1¼A)	2,868	63¼	18⅜	21⅛	−27⅞
Montgom. Ward	101,565	49⅞	15⅛	16	−32¾
Morrell & Co. (4.40)	699	72	48⅞	50	−10⅞
Morris & Es. (3⅞) as	2,330	87	75	75	−4
Mother Lode	2,007	2	½	½	−1¼
Moto. Met. Gau.	3,068	11⅜	1½	2⅜	−3¼
Motor Prod. (2)	940	81	25	30¼	−25¼
Motor Wheel (3)	1,874	34	14¼	14⅞	−11½
Mullins Mfg.	1,326	20¼	6¼	8⅜	−4⅜
Mullins pf. (7) as	11,090	64⅞	35½	38	+17
Munsingwear (3)	228	53½	25⅛	29	−21
Murray Corp. (2⅝J)	12,869	25¼	9	11¾	−8¼
Myers & Bro. (2)	1,122	49½	34	40	+3
Nash Motors (4)	11,989	58½	21¼	27¾	−26⅛
Nash. Ct. & St. L. (5) as	7,156	132	70	70	−124
Natl. Acme (.20)	3,182	26¼	5¾	7	−13⅜
Nat. Air Trans.	9,838	39⅜	6	6¼	−6⅛
Nat. Bell Hess.	5,146	20	2¼	3½	−6½
Nat. Bell H. pf. (7)	78	82	13½	16½	−39½
Nat. Biscuit (3.30B)	20,605	93	68⅜	77⅝	+5½
Nat. Bisc. pf. (7)	110	152	142½	148	+2½
Nat. Cash. R. A. (3)	14,746	83½	27⅝	29⅜	−47⅛
Nat. Dairy Pr. (2.60)	23,130	62	35	38¾	−10
Nat. Dept. St.	1,048	24½	3½	4⅜	−16⅞
Nat. Dept. St. 1 pf. (7) as	4,540	90	60	60	−30
Nat. Distil. (2)	2,567	39½	18⅛	19½	−10½
Nat. Enam. & St.	518	33½	17¾	20	−7¾
Nat. Lead. (5)	996	189½	114	116	−20¾
Nat. L. pf. A (7) as	8,660	144	135	135⅝	−2½
Nat. Lead. pf. B (6) as	4,990	120	116	119	+1
Nat. Pow. & Lgt. (1)	54,253	58¾	30	32⅝	−5⅛
Nat. Radiator	328	4½	½	1	−1⅛
Nat. Rad. pf.	107	11	10	2	−1½
Nat. Ry. Mex. 1 pf.	19	3⅛	1½	1½	−2½
Nat. Ry. Mex. 2 pf.	480	1½	¼	⅜	−⅜
Nat. Steel (2)	929	62¼	41	43	
Nat. Supply (5)	815	124¾	60	62⅛	−40⅞
Nat. Supp. pf (7) as	8,570	116	106½	107¼	−4
Nat. Surety (5)	1,567	98⅛	35	40	−31⅞
National Tea (1)	1,751	41⅝	13	16⅜	−23¾
Neisner Bros. (1.60)	442	54	20	21½	−25½
Nev. Con. Cop. (1)	15,490	32⅝	9	10¾	−15½
New Orl. T. & M. (7) as	1,395	129	113	113	−12
Newport Co. (2)	19	17¼	15½	17¼	
Newport "A" (3)	138	85	30	38½	−12
Newton Steel	2,467	58	11¾	15	−24¾
N. Y. Air Br. (2.40)	631	47	21½	21½	−22⅜
N. Y. Central (8)	15,854	192¾	105⅛	114½	−55¾
N. Y., Ch. & St. L. (6)	771	144	73	73¼	−58¾
N. Y., Ch. & St. L. pf. (6)	331	110¾	75	75	−33⅛
N. Y. Dock	243	48	22	22	−13
N. Y. Dock pf. (5)	48	88½	77½	81	−5
N. Y. & Harlem (5) as	15,440	324	152	170	−7
N. Y. & Harlem pf. (5) as	50	167½	167½	167½	−60
N. Y. Investors (1.20)	1,481	32	9½	10¾	
N. Y., Lack. & W. (5) as	640	110	105	105	+½
N. Y., N. H. & H. (6)	8,298	128⅛	67⅝	75⅛	−36⅛
N. Y., N. H. pf. (7)	854	135½	106⅛	110	−14
N. Y., Ont. & W.	1,235	17¼	3¾	5½	−3
N. Y. Rys. pf.	372	4⅛	1	1	−⅞
N. Y. State as	5,490	2⅝	⅛	⅛	−1
N. Y. State Ry. pf. as	4,950	3½	⅛	⅛	−1½
N. Y. Steam $7 pf. (7) as	4,370	117	108¾	108¾	−2¾
N. Y. Steam $6 pf. (6) as	7,290	106½	93	101	+1
Norfolk Sou.	602	33¾	4⅛	6	−10½
Norfolk & W. (12B)	1,013	265	181¾	197	−30¼
Norf. & W. pf. (4) as	6,390	92½	83	90¼	+4¼
North Amer. (10⅝ J)	44,330	132⅞	57¾	63¾	−34½
North Am. pf. (3)	493	57	51	53	+⅛
No. Am. Aviat.	13,177	15⅝	4¼	4¾	
No. Am. Ed. pf. (6)	479	106⅛	99¾	101½	+⅛
No. Ger. Lloyd (3.43)	415	55¾	28⅜	29	−15⅝

Year's sales and range of prices on New York Stock Exchange—Con.

	Sales in 100's	High	Low	Last	Net change
Northern Cen. (4) as	1,370	91	85½	87¼	+1¼
Northern Pac. (5)	4,000	97	42⅝	47¾	−36½
Northwest Tel. (3) as	2,880	50⅛	41½	42	+1
Norwalk T. & R.	784	4	½	⅝	−⅛
Norwalk T. & R. pf. as	400	25	9	10	+1
Nunnally	13	3¼	2	2½	+½
Ohio Oil (2)	7,304	32	16	17¾	
Oliver Farm	6,809	34⅞	13⅜	13¾	−11⅜
Oliver F. cvt. par	1,380	46⅛	21⅜	21⅜	−23½
Oliver F. pr. pf.	1,338	90¾	12⅜	19	−51
Omnibus	1,544	8⅝	2⅜	3⅛	+⅝
Omnibus pf. (8)	45	85	65	68⅜	−11⅛
Oppenheim Col. (3)	302	56	22	22¼	−23¼
Orpheum pf. (8) as	13,410	99⅞	60	60	−3
Otis Elev. (2½)	4,519	80⅜	48¼	55	
Otis Elev. pf. (6) as	3,550	125¾	118⅛	125	+5
Otis Steel	1,795	35⅞	9½	10⅛	−22¾
Otis Stl. pr. pf.	29	99	75	75	−18
Outlet (4) as	2,500	74⅞	50	50	
Outlet pf. (7) as	1,050	110	102	105	+5
Owens Ill. Gl. (3)	833	60⅞	32	32⅞	−22⅞
Pacific Cst.	130	19⅞	3	3⅛	−13⅛
Pacific Cast. 1st pf. as	1,690	29½	6¾	6¾	−11¾
Pac. Cst. 2nd pf. as	2,010	19½	4	4	−11
Pacific G. & E. (2)	9,303	74⅝	40½	47	−5½
Pacific Light (3)	6,495	107⅞	46	50	−26
Pacific Mills as	14,980	30	15	17	−3
Pac. T. & T. (7) as	29,420	178	114½	117½	−31½
Pac. T. & T. pf. (6) as	3,120	145	116½	122	+2
Packard Mot. (.60)	69,019	23⅜	7¼	8½	−7⅞
Pan-Am. Pet.	422	64¼	42	43	−15
Pan-Am. Pet. B	3,853	67½	30	31½	−28⅛
Panhand. P. & R.	2,207	12¾	1¾	2¾	−2⅜
Panhandle pf.	55	80	47½	70	+20
Param Publix (4)	60,760	77¼	34⅜	37⅝	−13⅜
Park & Til.	2,533	35¾	5	5¼	−19¾
Park Utah	2,090	4⅜	1¼	1¼	−1⅞
Parmelee Tr.	10,460	26⅛	2⅝	3	−16½
Pathe Exch.	10,099	9	1½	1⅝	−1¼
Pathe Exch. A	5,050	19⅛	2¾	3⅞	−1⅞
Patino Min.	2,535	32¾	8⅛	11	−17⅛
Peerless Mot.	2,752	14	3	3¼	−3¼
Penick & Ford (1½B)	5,780	55⅞	26¼	36	+9
Pen. & F. pf. (7) as	420	110½	107	110⅛	+3⅛
Penney (J. C.) (3)	3,897	80	27⅝	28⅜	−46⅝
Penney pf. (6)	203	101¾	90	90	−6
Penn C. & C.	148	12½	4	4¼	−2¾
Penn. Dx. Cem.	1,969	12	2¼	3½	−2½
Penn. Dix. pf. A	243	55½	16	17	−13
Penn. R. R. (4)	21,729	86⅞	53	56¼	−18
Peoples Drug (1)	159	60½	21¼	21¾	
Peoples Dr. cv. pf. (6½)	7	107½	97½	97½	
Peoples Gas Ch. (8)	13,895	325	185¼	202	−43
Peoples Gas rts.	486	10⅛	8¼	10⅛	
Peoria & East.	64	24½	4½	4½	−12½
Pere Marq. (6)	333	164½	76½	76½	−83½
Pere Marq. pf. (5) as	3,280	99	91½	91¾	−3¼
Pere M. pr. pf. (5) as	9,710	101	90	90⅛	−7⅞
Pet Milk (1¼)	271	22½	17	17	−1½
Petro. Corp. (1½)	9,454	27¼	5⅞	6⅞	
Phelps Dodge (2)	3,335	44⅜	19¾	21	−17½
Phila. Co. (7B)	60	248	170	185	−38
Phila. Co. 6% pf. (3)	317	57⅜	50⅛	53	+1¼
Phila. Co. pf. new (6)	25	104	95	96	
Phila. R. Trans. pf. (3½) as	80	36½	29¾	30	−14
Phila. R. C. & I.	21,150	25⅞	6½	8	+4⅛
Phila. R. Trans. pf. (3½) as	80	36½	29¾	30	−14
Philip Morris (1)	1,617	15½	8¾	9	
Phillips Jones	121	27⅞	10¼	11	−12
Phil. Jones pf. (7) as	1,140	75	52	52	−18
Phillips Pet. (2)	30,961	44¾	12½	13⅞	−21⅛
Phoenix Hos.	151	20⅛	7	7	−4
Phoenix Hos. pf. (7) as	1,250	88	70	70	−21½
Pierce-Ar. "A" (2)	433	33	16	19	−3¼
Pierce-Ar. pf. (6)	317	82	56	60	−10½
Pierce Oil	6,224	2½	½	⅝	−⅜
Pierce Oil pf.	1,070	52	7½	7¾	−13
Pierce Pet. (.10)	12,849	7⅛	1⅜	1¾	−⅝
Pills. Flour (2)	1,804	37¾	25⅛	27	−7¾
Pirelli (3.14H)	861	50⅞	30½	32	−14¾
Pitts. Coal	519	78½	18	18	−57
Pitts. Coal pf.	199	110	66	67	−37
Pitt. Ft. W. & Chic. (7) as	40	144	140¼	144	+6½
Pitt. Ft. W. pf. (7)	15	160⅛	140¾	140¾	−7
Pitts. Mck. & Y. (3) as	20	50			−1
Pitt. Scr. & B. (1.40)	435	22⅞	13½	14	−3½
Pitts. St. pf. (7) as	3,420	103	84½	86	−14
Pitts. T. Coal	242	15⅞	2⅛	2¼	−13¾
Pitts. T. Coal pf. as	3,370	45	20	20	−25
Pitts. United	149	24¾	9¼	11¾	
Pitts. United pf. (7)	840	109½	86	93½	
Pitt. & W. Va. (6)	148	121¾	48½	52	−63
Pitts. Yng. & A. pf. (7) as	70	150½	146¼	150½	+1½
Pittston Co. (¾H)	3,734	22⅞	18¼	18½	
Poor & Co. (2)	3,483	34⅜	10⅛	10⅜	−16⅞
Porto R. Am. T. A. (3½)	264	30⅜	14¾	18½	
Porto R. Am. T. B.	4,966	27¾	4	4½	−10¼
Post. T. & C. 7 per cent pf. (7) as	42,610	103	20	25	−73
Prair. Oil & G. (2)	3,806	54	11¼	14⅜	+37⅛
Prair. Pipe L. (5B)	5,670	60	16⅜	20⅛	−39¼
Pressed St. Car.	3,287	16⅝	3⅛	3½	−4⅝
Pres. St. Car. pf (7) as	20,950	76½	26	36½	+15
Proc. & G. (2.40) as	684,150	78⅞	52⅜	62⅜	−8⅝
Procter & Gam. pf (5)	25	107¾	105	105¼	
Prod. & Ref. pf as	6,760	40	11½	12½	−20¼
Prod. & Ref. as	43,210	11⅞	1	2⅛	−6⅝
Pub. Ser. N. J. (3.40)	43,795	122¾	65	74½	−8⅞

Year's sales and range of prices on New York Stock Exchange—Con.

	Sales in 100's	High	Low	Last	Net change
Pub. Ser. N. J. 8 per cent pf. (6) as	12,410	158	142	148	+5
Pub. Ser. N. J. 7 per cent pf. (7)	231	135¼	121	129¼	+9¼
Pub. Ser. N. J. 6 per cent pf. (6)	557	117	104¾	109¼	+2¾
Pub. Ser. N. J. 5 per cent pf. (5)	569	100	91¾	95	+2
Pub. Ser. N. J. 5 per cent pf. wi. (5)	8	97½	97¼	97¼	
Pub. Ser. El. & G. pf. (6)	238	112	107¼	108	
Pullman (4)	3,222	80⅜	47	50½	+34
Punta A. Sug.	2,209	8½	⅛	1	−5
Punta Al. Sug. ctfs.	1	¼	¼	¼	
Pure Oil	12,055	27¼	7¾	8⅜	−15⅜
Pure Oil pf. (8) as	12,960	114¼	90½	96	−17
Purity Bak. (4) as	533,680	88⅞	36	39½	−39¼
Radio as	34,537,630	69⅜	11⅜	12	−32
Radio pf. B (5)	1,985	85	31¼	34½	−37¾
Radio pf. (3½)	346	57	47	49	−4¾
Radio-Keith-O	165,104	50	14⅜	16	−3
Railroad Sec. (4) as	5,990	77	58	60	−10
Rand Mines (4.56) as	1,260	37½	27¾	27¾	+2¾
Raybestos-Man. (2.60)	10,826	58⅞	16⅞	18	−14⅞
Reading Co. (4)	1,794	141½	73	80	−43
Read. 1st pf. (2)	342	80½	44¼	46¼	−3⅝
Read. 2d pf. (2)	291	57	40	46	−2⅛
Real Silk	4,960	64⅞	22½	27	−18
Real Silk pf. (7) as	1,890	100	83	83	−3¼
Reis & Co	482	8⅞	5⅝	6¾	−3¼
Reis 1st pf. as	1,317	37	8	10½	−30½
Reming. Rand (1.60)	24,670	46½	14½	15⅝	−11⅛
Reming. Rand 1st pf. (7)	248	100⅝	84	85	−7
Reming. Rand 2d pf. (8) as	424	104	95	96⅛	−⅞
Rem. Type 1st pf (7) as	40	101½	100½	100½	−1
Rensselaer & Sar. (8) as	570	147¼	130	137	+10⅞
Reo Motor (.80)	4,171	14⅝	7¾	8¼	−8¾
Reo Motor ctfs. (.80)	27	14	6	9	
Republic Steel	8,459	79½	10½	12¼	
Rep. St. cv. pf.	1,389	95¼	28	30	
Rep. Iron & Stl. pf. (7)	207	114½	107	112½	+5¾
Revere C. & Br	152	30	5¼	9¾	−10⅝
Rev. C. & B. "A" (4)	78	72	34	34	−36¾
Rev. C. & B. pf. (7) as	1,750	104	85	85	−18
Reynolds Met. (2)	2,233	34¾	10	11¾	
Reynolds Sp	2,646	7½	1	1	−3½
Reynolds Tob. (3)	93	80	70	73½	−6½
Rey. Tob. B. (3)	22,910	58½	40	40½	−9¼
Rhine West El. (2.16) as	10,812	45½	30	30¼	−12¾
Rich Oil Cal. as	1,309,625	9¼	4⅛	5	−20
Rio Gran. Oil	7,910	25¾	5	5⅞	−13⅛
Ritter Dent (2½)	595	59¾	25½	26	−22½
Rossia Ins. (2.20) as	427,725	48¾	14¾	16⅛	−10
Royal Dut. sh. (3.2165H)	9,179	58½	36⅞	38¾	−14½
Royal Bak. Pow. pf. (6)	3	110	108	108	−3⅞
Rutland pf.	45	67¾	22	23	−37
Safeway St. (5K)	5,534	122¾	38¾	40⅞	−73¾
Safe St. 7% pf. (7) as	8,321	109⅞	95	98	−8
Safe St. 6% pf. (6) as	15,350	99⅞	84	84	−12
St. Jos. Lead (2)	3,863	84¼	19¼	25	−23¼
St. L. San Fr. (8)	3,022	118⅞	39¾	41¼	−68¾
St. L. San F. pf. (5)	1,014	101	62½	63¼	−29⅜
Sa. L. South as	101,950	76¾	17½	20	−40
St. L. South pf. (5)	109	94¾	35	40	−47½
Savage Arms (2)	1,679	31¾	12¾	14	−12⅞
Schulte Ret. as	406,325	13½	4	4¼	+¼
Schulte Ret. pf. (8) as	8,470	75	35	50¼	+13¼
Scott Paper (1.40A)	23	55½	45	46	−5½
Seaboard Air	9,829	12½	½	⅝	−10⅜
Seab. Air pf.	540	28	½	1	−23
Seagrave	383	14¾	5¾	5¾	−5¼
Sears Roeb. (2½A) as	3,065,731	100⅝	43⅛	45¼	−44¼
Second Nat. Inv.	1,364	23	2¼	2⅝	−7⅛
Second Nat. pf. (5)	245	82¾	35	39	−19
Seneca Cop.	1,885	3½	1	1¼	−1¾
Servel Inc.	1,900,665	13½	3¼	4¼	−4¼
Sharon St. H.	675	32¾	9	10	−13
Sharp & Dohme	1,147	27¾	11¾	14	−3
Sharp & Doh. pf. (3½)	247	63¼	54	54	
Shattuck (F. G.) (1)	1,005,677	52	20⅛	23¾	−16
Shell Tr. & Tr. (2.423H) as	8,430	48⅛	26	30⅜	−14⅛
Shell Union	1,093,650	25½	8¼	7⅝	−16
Shell Un. pf. (5½) as	79,050	106¼	55	57¾	
Shubert Thea.	4,965	35	4⅛	4¾	−8½
Simmons as	3,289,379	94⅞	11	14⅜	−78⅛
Simms Pet	8,612	37	5⅝	6¾	−19
Sinclair Con. (1)	47,155	32	9¾	10	−14⅜
Sinci. Con. pf. (8)	213	112¾	86	90	−19⅝
Skelly Oil (2)	66,238	42	10¼	10⅜	−21½
Skelly Oil pf. ww. (6)	344	99¾	42	42¼	
Sloss S. & I. as	16,130	56½	12	12	−31
Sloss S. S. pf. (7) as	5,060	82	28½	28¾	−44½
Snider Pack	332	8	1½	2½	−3⅜
Snid. Pack. pf.	679	30¾	8	10	−13½
Solv. A. In. pf. ww. (5½)	858	118	90⅜	91⅞	−3⅝
South Cal. Ed. (2)	9,341	72	40⅛	46	−11
South. Dair. A. (1½)	55	27	9¾	13	−5¼
South. Dair. B	276	9	3½	3¾	−1⅜
Southern Pac. (6)	3,798	127	88	90¾	−30¼
So. P. R. Sug. (1.40) as	328,750	30¾	10⅛	11¾	−12⅝
So. P. R. S. pf. (8) as	2,440	122	103	103	−13
Southern Rail (8)	6,569	136¾	46½	50¾	−85½
South. Ry. pf. (5)	430	101	76	76	−22½
So. Ry. M. & O. ctf. (4)	173	133¾	60	66¾	−23⅝
Spalding (2) as	23,950	45	32	34½	−9¾
Spald. 1st pf. (7) as	2,520	115	108	111	−1
Spang. Chal.	2,510	37¾	19⅝	24½	−5½
Spang. Ch. pf. (6) as	2,550	96	92	93½	−1⅜
Sparks With. (1)	8,260	30½	8	9	−8½
Spear & Co. as	10,430	10½	2⅞	2⅞	−3¼
Spear pf. (7) as	2,720	85	62	62	−9⅜
Spencer Kell. (.80)	324	25	8¾	10	−11⅜

Year's sales and range of prices on New York Stock Exchange—Con.

	Sales in 100's	High	Low	Last	Net change
Spicer Mfg.	2,412	36½	7⅝	11	−10⅛
Spicer pf. "A" (3)	118	45⅛	25	26¼	−13¾
Spiegel May Stern	2,074	52	4½	6½	−30¾
Stand. Brands (1.20)	51,108	29¼	14⅛	16⅞	−10¼
St. Bran. pf. (7)	190	121½	114	118	−3⅜
St. Com. Tob	403	7¼	2½	3½	−1
St. G. & El. (3½) as	2,206,650	129¾	53½	80½	−59
Stand. G. & E. pf. (4)	891	67	35	57¾	−6¾
St. G. & E. 6% pf. (6)	134	104	92¾	92¾	
St. G. & E. 7% pf. (7)	53	114¼	100	102¼	
St. Invest.	1,044	13½	1½	2	−8
St. Oil Ex. pf. (5)	856	105⅞	98	100¾	
St. Oil Cal. (2½A)	17,589	75	42¼	43½	−15⅜
St. Oil Kan. (2)	4,400	49	14⅜	17	
St. Oil N. J. (2B)	12,834,323	84⅞	43½	47⅛	−19
St. Oil N. Y. (1.60)	33,947	40⅜	19¾	22⅝	−11
Stanley Co. as	4,760	73½	35	40	+8
Starrett (L. S.) (2)	1,263	47⅜	19	21¼	−12¾
Sterl. Sec. A	4,530	20½	2⅜	2⅝	−7⅛
Sterl. Sec. pf new (1.20)	741	14¾	5	6½	−6
Sterl. S. cv. pf. (3)	1,174	48	30⅛	32½	−2⅝
Stewart Warn. (2)	7,606	47	14⅜	16⅞	−21⅛
Stone & Web. (4)	16,662	113¾	37½	41½	−39½
Studebaker (3)	9,809	47¾	18⅛	21½	−21½
Studebaker pf. (7) as	5,870	125	116	116	−4
Submar. Boat	2,036	1⅜	⅛	⅛	−1½
Sun Oil (1A)	762	70	39	39⅞	−16⅜
Sun Oil pf. (6) as	18,810	108½	97¾	99	−5⅞
Superheater (2½)	407	45¼	30	33½	
Superior Oil	6,022	9⅜	¾	¾	−3½
Superior Stl	2,329	20⅜	6	6¼	−12¼
Sweets Co. (1)	406	15⅞	8½	11¾	+3½
Symington	522	7	1⅜	1⅜	−1⅛
Symington A	2,259	17⅜	4	5	−3⅛
Telautograph (1.40B)	987	26¼	15⅛	17¾	+1½
Tenn. Corp. (1)	2,247	17	7¾	8¼	−4¼
Texas Corp. (3)	20,776	60½	25¼	31½	−24⅜
Tex. Gulf Sul. (4)	18,711	67⅜	40¼	46¼	−8⅜
Tex. & Pac. Ry. (5)	1,257	145	85	90	−29¾
Tex. Pac. C. & O.	4,624	14½	4	4¼	−5¾
Tex. Pac. L. Tr.	37,583	32⅜	10	11⅞	−2⅝
Tex. Pac. L. Tr. old as	40	3,100	2,500	3,100	+650
Thatcher (1.60)	2,371	36⅞	12½	13⅞	−5⅛
Thatch. cvt. pf. (3.60)	90	48	35	35	−6
The Fair (2.40)	417	32	21¼	21¼	−6¼
The Fair pf. (7) as	1,530	110	102	104¾	−1¾
Thermoid	2,937	26⅝	3¾	4⅛	
Third Ave.	925	15½	4	6	−3¼
Third Natl. Inv. (2H)	483	46¾	15½	17¾	
Thompson (J. R.) (3)	489	47½	23	25	−13
Thompson Prod. (2.40)	2,318	39⅜	10	11	
Thompson Star	2,254	18⅞	3½	3¾	
Thomp. Star pf. (3½)	355	49⅛	23⅜	25	
Tide Wat. As. (.60)	16,529	17¾	5⅞	6½	−5⅝
Tide Wat. As. pf. (6)	541	89¾	53	54	−31
Tide Wat. Oil (.80)	79	31	12	12	−8
Tide Wat. Oil pf (5)	215	94⅞	68	68	−19½
Timk. Det. Ax. (.80)	2,391	21¼	8	8½	−6¼
Timk. Roll. B. (3)	13,768	89¼	40⅛	43¾	−34⅜
Tob. Prod.	2,705	4¾	2	2	−⅜
Tob. Prod. A (.95B)	2,956	13	10	10½	+3¼
Tob. Prod. ctfs. Ser. B	32	6½	3½	6½	+3⅜
Tob. Pr. ctf. Ser. A	62	6⅞	2⅜	6⅜	+3⅞
Tob. Prod. ctfs. Ser. C	26	6½	2¼	5¼	+2⅝
Transamerica (1)	26,308	25¾	10⅜	12½	
Transue & Will. (1)	3,371	28⅜	6½	7¼	−8¾
Tri. Cont. Corp.	5,654	20¼	5⅜	6¼	
Tri. Cont. pf. (6)	1,756	96½	89¼	92¼	
Trico Prod. (2½)	1,345	41¾	26¾	30	−1½
Truax Traer (1.60)	472	22	9½	10	−6
Truscon St. (1.20A)	393	37½	20¾	21⅛	−14¾
Twin City R. T. (4E)	446	31½	7½	9¼	−14¾
Twin City pf. (7) as	3,050	79	44¾	44¾	−30¼
Ulen & Co. (1.60)	121	24	14¼	14½	
Underwood Ell. (5)	5,441	138	49	51⅞	−48⅛
Under Ell. pf. (7) as	1,260	125⅛	121	122	+2
Union Bag. & P.	1,416	19¾	8⅜	10	+1½
Union Carbide (2.60)	62,768	106⅜	52½	57⅛	−21⅞
Union Oil Cal. (2A)	4,020	50	20⅛	22⅛	−23⅛
Union Pac. (10)	3,021	242¾	166½	180	−36
Un. Pac. pf. (4)	558	88⅛	82¼	86¼	+3½
Un. Tank Car. (1.60)	1,187	38½	23	25¼	
Unit Aircraft	98,671	99	18⅛	24	−23¼
Unit Aircr. pf. (3)	1,097	77¾	41¼	45½	−9
United Amer. Bosc.	2,425	55½	15⅜	15⅝	−25⅞
Unit Bisc. (2)	2,498	58¾	32½	33	−4¾
Unit Bisc. pf. (7)	30	142	115	115	−2
Unit. Bus. Pub. as	1,230	30	19	19	−11
Unit. Carbon	22,151	84	14⅜	20½	−23¾
Unit. Cigar	1,397	8½	3¼	4⅝	
Unit. Cigar pf. (6)	410	68	26	60⅛	+35⅛
Unit. Corp. (½)	226,995	52	13⅞	16¾	−15½
Unit. Corp. pf. (3)	4,758	53½	43½	44½	−2½
Unit. Dyewood as	10,220	11	1¾	2½	−4⅜
Un. Dye pf. (7) as	2,770	58	38	40	−15
Un. Elec. Coal	2,308	19⅞	2¼	3	−6
Unit. Fruit (4)	5,268	105	46½	51¼	−52¼
Unit. G. & Im. (1.20)	83,315	49⅜	24¼	28	−5½
Un. G. & Im. pri. pf. (5)	512	104½	97	100¾	+3
Uni. Paperbd.	309	14	2½	3	−4½
Un. Piece Dye (2)	1,762	32⅞	20⅛	24⅞	+⅞
Un. Piece D. pf. (6½) as	4,190	114	97	102	+6
U. S. Distrib.	588	20⅜	7	8	−7
U. S. Dist. pf. (7)	26	95	50	50	−41
U. S. Express	426	4⅛	⅜	⅜	−2¼
U. S. & For. Sec.	3,856	32⅞	6⅞	7⅜	−14⅛
U. S. & For. S. pf. (6)	372	101	73	76½	−9⅞

Year's sales and range of prices on New York Stock Exchange—Con.

	Sales in 100's	High	Low	Last	Net change
U. S. Freight (3)	1,888	103	16½	18¾	−81
U. S. Hoff. Mach	792	30⅜	5	5⅛	−14⅜
U. S. Ind. Al. (6)	64, 325	139⅜	50½	64½	−72½
U. S. Leather	913	15½	3¼	3½	−4
U. S. Leather A	950	26	5¼	7	−7¼
U. S. Lea. pr. pf. (7)	208	94	64¼	66	−15¼
U. S. Pipe (2)	15, 496	38¼	18½	27½	+8¼
U. S. Pipe 1 pf. (1.20)	1, 127	21	15⅜	18⅜	+2⅜
U. S. Pipe 2nd pf. (1.20)	113	21¼	18½	21½	+2¼
U. S. Real. & Im. (3)	4, 851	75½	25	27½	−33½
U. S. Rubber	12, 115	35	11	11⅝	−12⅛
U. S. Rub. 1st pf	3, 959	63⅞	19½	21½	−25¼
U. S. Smelt. & R. (1)	2, 767	30½	17½	19	−15¾
U. S. Smelt. pf. (3½)	218	53½	40	40¾	−11¼
U. S. Steel (7)	213, 466	198¾	134⅜	139⅛	−31⅞
U. S. Steel pf. (7)	1, 920	151¼	140	142¾	+1
U. S. Tobacco (4)	420	68	59⅛	60	−1
U. S. Tob. pf. (7) as	1, 070	140	123¾	140	+13¾
United St. A	3, 895	14¾	4⅛	5⅝	+1¾
United St. pf. (2½)	1, 166	50¾	15½	35⅝	+20⅜
Univ. Leaf Tob. (3)	453	39	19⅞	27½	−3¾
Univ. Leaf pf. (8) as	1, 480	115	96¼	96¼	−13¾
Univ. Pict. 1st pf. (8) as	5, 790	76	26	28½	−5⅛
Univ. Pipe & R	2, 685	9	2	2¼	−¾
Univ. P. & R. pf. (7) as	160	74	70	70	
Utah Copper (16) as	140	235	148	148	−92
Util. P. & Lt. A (2.15B)	15, 247	45¾	19¼	22¼	−9¾
Vadsco	2, 519	7⅛	½	⅝	−4¼
Vadsco pf. (7)	81	69⅛	12½	12½	−44½
Vanadium (3)	142, 044	143¼	44⅛	52⅞	+2¾
Van Raalte as	3, 615	22	6⅜	14½	−3
Van Raalte 1st pf. as	1, 340	54½	22½	23½	−28¾
Vicks. Shreve. & Pac. (5) as	520	101½	95	98⅜	+3⅜
Vicks. Sh. & Pac. pf. (5) as	210	101½	98	101	+10¾
Virg. Car. Ch	1, 842	8⅞	1⅝	2	−3⅞
V. C. Ch. 7% pr. pf. (7)	171	82½	67½	69¼	−9⅝
V. C. Ch. 6% pfc. pf	730	34¼	9	11	−17¼
Va. El. & P. 6% pf. (6) as	6, 780	107½	100	100	
Va. Ir. C. & C. as	5, 020	34	12	21	+8
Va. Ir. C. & C. pf. as	4, 190	74¾	38	74½	+35½
Vul. Detin. A. (4) as	7, 860	149⅞	68	80	+10
Vulcan. Detin. (4) as	31, 110	156	30⅛	41¼	−17⅝
Vul. Detin. pf. A. (7) as	190	98	90	98	+5
Vul. Det. pf. (7) as	3, 070	100	85	85	−4½
Wabash Ry	2, 561	67⅜	11¼	16½	−1
Wabash pf. A (5)	530	89¼	39	42½	−44½
Wabash pf. B (5)	41	86	36	36	−39½
Waldor Sys. (1½)	4, 337	31¾	21⅞	23	−1⅛
Walgreen pf. (6½)	48	103	94⅞	98	−4
Walworth (2)	3, 691	42⅜	10½	12	−15⅞
Ward Bak. A as	34, 890	54	12⅛	14⅛	−8⅛
Ward Bak. B	7, 261	15⅜	3	3⅜	−¾
Ward Bak. pf. (7)	597	77⅛	45	45	−15
Warner Pict	173, 863	80¼	9¾	13½	−27
Warner Pic. pf. (3.85)	958	70¼	31	37	
Warner Quin	9, 540	27	4¼	4¼	−16
Warren Bros. (3)	3, 057	63½	2⅞	27½	
Warren Br. cv. pf. (3)	3, 680	56	40½	40¾	
Warren Br. 1 pf. (1)	730	20½	16½	18	
Warren Fd. & P. (2)	2, 486	43½	22½	23½	+½
Webster Eisen	70	5⅛	2½	3	
Web. Eisen pf. (7)	1, 640	70	51¼	60	+10
Wells Fargo	15	3⅝	1	1	−2
Wesson Oil & S. (2)	1, 412	29⅞	19⅝	20	−3½
Wes. Oil & S. pf. (4)	523	59½	50½	54½	+4
W. Penn. El. A. (7)	5, 140	110	95	95	−4
W. Penn. El. 7% pf. (7)	1, 273	112½	102	103	−2¾
W. Penn. El. 6% pf. (6)	4, 850	104	90¼	95	−2¼
W. Penn. P. 7% pf. (7)	7, 210	118½	113½	116	+½
W. Penn. P. 6% pf. (6)	10, 520	111½	103¼	105	+½
West Dairy A. (4)	181	50	20	22½	−22
West Dairy B	1, 681	24⅛	4½	5	−8
Western Mary	12, 977	36	10	13¾	−13⅛
West. Mary. 2 pf	261	38	11¾	14	−14
West. Pacific	563	30½	7½	7⅞	−14⅜
West. Pac. pf	794	53½	23	26¼	−15¾
West. Un. Tel. (8)	8, 062	219¾	122¼	133½	−64
Westingh. Air (2)	5, 398	52	31¾	32¾	−11⅜
West. El. & Mfg. (8)	112, 246	201½	88⅛	91¼	−53¼
West. E. & M. 1 pf. (5) as	26, 950	197¾	107⅝	110½	−28½
Weston El. Ins. (1)	1, 963	48⅞	17½	22	−9¼
West. El. In. A. (2)	69	36	33	35	+1½
Westvaco Chl. (2)	580	50½	18	21¾	−10¼
Wextark Radio	391	21	⅞	3	−18
Wheel'g. & L. Erie pf. as	2, 800	110¼	93	93	−17
White Motor (2)	3, 145	43	21⅛	22¾	−8⅝
Wheeling & L. Erie as	1, 230	110	93	93	−17
White Rk. M. Sp. (4)	1, 694	54⅞	32	37	−2⅞
White Sew. M	1, 583	13⅝	2⅛	2½	−4⅜
White Sew. M. pf	270	39½	4	5½	−23½
Wilcox O. & G	674	21	6½	7	−7⅛
Wilcox Rich. A (2½)	228	34¼	19½	20½	−7¼
Wilcox Rich. B (2)	2, 011	27¾	19⅛	20	−⅛
Willys Over	10, 441	11	3¾	5½	−2
Willys Over. pf. (7)	336	85	45½	52	−13
Wilson & Co	664	7¾	1⅝	2	−1½
Wilson A	551	13	4¾	6	−1⅝
Wilson pf	332	54¼	35	37¼	−7¾
Woolworth (2.40)	24, 162	72⅜	51½	55½	−15⅛
Worth. P. & M	16, 370	169	47	60	−9
W. or P. & M. pf. A (7)	120	103	88	95	+6¼
Wor. P. & M. pf. B (6)	272	93	63	69	−11
Wright Aero. as	6, 145	59½	10½	10¾	−24¼
Wrigley, jr. (4)	2, 294	81	66	67	−1
Yale & Towne (2)	498	77	25	26	−49
Yell. Tr. & C	49, 476	32¾	8½	9½	−4½

Year's sales and range of prices on New York Stock Exchange—Con.

	Sales in 100's	High	Low	Last	Net change
Yell. Trk. 7% pf. as	4, 860	105	50	50	−30
Young S. & W. (3)	4, 821	47	19	22½	−15
Young Sh. & T. (5)	1, 156	150¼	60½	70⅛	−39⅞
Young Sh. & T. b. st. (5)	5	130	130	130	
Young Sh. & T. blue. ctfs	8	120	90	90	
Zenith Radio	5, 202	16¾	2	2⅛	−6

Sales for year, 810,598,208 shares. Year ago, 1,119,769,630. Two years ago, 927,496,500.

XD=Ex-dividend.
XR=Ex-rights.
AS=Actual sales.
A=Plus extras.
B=Including extras.
D=Partly stock.
E=Paid in scrip.
F=Paid last year.
H=Paid so far this year.
J=Payable in stock.
K=Cash or stock.
L=Payable when earned.
Unit of trading, 10 shares.

Range of prices of bonds traded on the New York Stock Exchange in 1930

(Total 1930 sales, $2,643,562,000; total 1929 sales, $3,003,653,000)

UNITED STATES GOVERNMENT BONDS

NEW YORK (A. P.).—Following is the list of Government bonds traded on the New York Stock Exchange during 1930 with sales in thousands of dollars, high, low, and closing prices and net changes.

(Dollars and thirty-seconds)

	Sales in 1,000's	High	Low	Last	Net change
Liberty 3½s 32–47	15, 291	102. 00	98. 26	101. 29	+2. 13
Liberty 3½s reg. 32–47	1, 141	101. 23	99. 8	101. 23	+2. 17
Liberty 1st 4s 32–47	16	101. 00	98. 24	100. 16	+. 16
Liberty 1st 4s reg. 32–47	2	99. 00	98. 00	99. 00	+5
Liberty 1st 4¼s 32–47	7, 088	103. 2	100. 10	102. 30	+1. 24
Liberty 1st 4¼s reg. 32–47	124	102. 31	100. 4	102. 20	+2
Liberty 1st-2nd 4¼s 32–47	1	98. 24	98. 24	98. 24	−1. 8
Liberty 4th 4¼s 33–38	63, 946	103. 27	100. 28	103. 21	+2. 9
Liberty 4th 4¼s reg. 33–38	988	103. 22	100. 25	103. 15	+2. 9
Treasury 4¼s 47–52	10, 664	113. 14	109. 24	112. 4	+. 30
Treasury 4¼s reg. 47–52	417	113. 00	110. 16	111. 26	+1. 2
Treasury 4s 44–54	14, 007	109. 4	105. 16	107. 30	+. 20
Treasury 4s reg. 44–54	19	108. 20	107. 29	107. 29	+. 14
Treasury 3¼s 46–56	9, 261	107. 00	103. 00	105. 31	+1. 24
Treasury 3¼s 46–56 reg	19	106. 00	103. 00	106. 00	
Treasury 3½s 1940–43	4, 735	102. 11	98. 30	102. 00	+2. 25
Treasury 3½s 40–43 reg	27	101. 12	99. 24	101. 7	+2. 31
Treasury 3½s 43–47	5, 211	102. 28	99. 1	102. 10	+2. 28
Treasury 3½s reg. 43–47	33	102. 17	99. 14	102. 15	+4. 12
United States 3s 36 conv	5	100. 00	100. 00	100. 00	

CORPORATION BONDS

Year's sales and range of prices on New York Stock Exchange

	Sales in 1,000's	High	Low	Last	Net change
Abraham & Strauss 5½ s 43	905	103½	89	89	−11
Adams Exp. 4s 48	266	92	80	83	−1¼
Ajax Pub. 8s 36	324	80	12	12	−48
Albany perf. Wrap. 6s 48	487	95½	85	93	+4
Alb. & Susq. 3½s 46	186	91½	83¾	89	+8¼
Alabama Gt. So. 5s 43	63	104¾	101¾	103	+1½
Alleg. Corp. 5s 44	7, 315	105	63	77½	−22¾
Alleg. Corp. 5s 49	6, 921	104½	61	76	−24½
Alleg. Corp. 5s 50	10, 791	99¾	62	77½	
Alleg. Valley 4s 42	177	98¾	82½	97⅞	+5¼
Allis Chal. 5s 37	1, 141	103	99¾	100⅜	+¾
Am. Agr. Chem. 7½s 41	1, 124	105½	102	104	−¾
Am. & For. P. 5s 2020	12, 962	90⅛	74½	76	
Am. Beet Sug. cvt. 6s 35	390	87⅜	35	35	−42
Am. Chain. sf. 6s 33	1, 022	103	98¼	98	+1¾
Am. Cotton Oil 5s 31	289	101	99	100⅜	+⅞
Am. Cyan 5s 42	766	100½	92	96	
Am. Ice 5s 53	283	90	70¾	85	−4¼
Am. I. G. Chem. 5½s 49	10, 847	105½	96	98	−4½
Am. Internat'l 5½s 49	2, 249	101¼	87	89	−7
Am. Mach. & Fdy. 6s 39	128	106⅛	103¾	104	
Am. Metal 5½s 34	4, 325	99¾	85	92	
Am. Nat. Gas 6½s 42	1, 207	92⅜	28	44	−28
Am. Smelting 5s 47	2, 344	103¾	100⅜	102	+1½
Am. Sugar Ref. 6s 37	3, 125	104½	102½	104⅝	+1½
Am. Tel. & Tel. 5½s 43	7, 450	109½	104¾	108	+1
Am. T. & T. col. 5s 46	3, 733	106⅜	102⅝	105⅛	+2½
Am. T. & T. sf. 5s 60	11, 607	107¾	100⅛	105	+1½
Am. T. & T. 5s 65	55, 221	108	100⅛	105⅜	
Am. T. & T. cvt. 4½s 33	3	100⅜	100⅛	100⅜	
Am. T. & T. cvt. 4½s 39	124, 458	103½	116	118½	−23½
Am. T. & T. cvt. 4s 36	16	100	96⅝	96⅝	
Am. Typ. Fdrs. 6s 40	309	106¾	103	103⅜	−1⅜
Am. W. W. & Elec. 6s 75	1, 373	108½	99¼	102	−2
Am. W. W. & Elec. 5s 34	2, 391	103	99½	101⅜	+1¼
Am. Writing Pap. 6s 47	861	84	52¾	52¾	−10¾

CORPORATION BONDS—continued

Year's sales and range of prices on New York Stock Exchange—Con.

	Sales in 1,000's	High	Low	Last	Net change
Aug. Chil. Nitrate 7s 45	3,091	98½	66	66	−18
Ann. Arbor 4s 95	454	88⅛	76	83½	+7½
Ark. M. B. & T. 5s 64	178	105⅛	93¼	103⅝	+5
Arm. & Co. Del. 5½s 43	5,125	86¾	71	72	−10⅛
Arm. & Co. r'est 4½s 39	4,844	94	84½	86¾	−1¾
Asso. Oil ret. 6s 35	393	104⅜	101¾	102	−1½
A. T. & S. F. cvt. 4½s 48	10,082	141⅛	107¼	112⅛	−16¾
A., T. & S. F. gen. 4s 95	9,090	98½	91⅝	98½	+3½
A., T. & S. F. adj. 4s st 95	1,339	96¼	87⅜	94½	+3½
A., T. & S. F. cvt. 4s 1905-55	186	97⅜	88	94	+6
A., T. & S. F. Tr. Sh. L. 4s 58	420	97¾	90½	95	+3¼
A., T. & S. F. 4½s; C. & A. div. 62	994	104½	97	102	+4¼
Atlanta & Bir. 4s 33	183	89	45	45	−39½
Atl. Knox. & Cinn. 4s 55	284	98	90⅛	90⅛	−1⅞
Atl. & Char. A. L. 5s 44	471	104¾	100¼	101	−1
A. C. Line 1st gtd. 4s 52	1,179	97¾	88	96⅜	+3⅜
A. C. L.-L. & N. col. tr. 4s 52	1,249	94½	87½	88	−2¼
A. C. Line 4½s 64	1,330	103½	94½	98¾	+5⅜
Atl. & Dan. 1st 4s 48	408	75	45	49	−26
Atl. & Dan. 2d 4s 48	227	63	52	52	−7
Atl. Gulf & W. I. 5s 59	2,002	80	61⅛	65	−9¼
Atl. Refin. deb. 5s 37	1,118	103½	100	102	+2
Baldwin Loco. 5s 40	378	107¾	105½	106½	+¾
Balt. & O. rfg. 6s 95	3,020	111	105	107⅛	−2⅜
Balt. & O. 1st 5s 48	1,922	110	102⅞	105⅜	+2
Balt. & O. rfg. 5s 95	3,880	105	96½	101⅞	−⅛
Balt. & O. 5s 2,000 D	2,652	105¼	97	102½	+1
Balt. & O. cvt. 4½s 33	7,417	101½	98	100¼	+1¼
Balt. & O. cvt. 4½s 60	391,053	104¾	83	93	
Balt. & O. gold 4s 48	5,512	98	91½	96¼	+3¾
B. & O. 4s P. L. E. & W. Va 41	1,317	97¼	91	95¾	+3½
Balt. & O.'s S. W. div. 50	2,209	106⅛	100½	103	+1
Balt. & O. 4s T. & C. div. 59	288	89⅞	79¾	82	−3½
Bang. & Aroo. 4s 51	959	93	84	86	+2
Bang. & Aroo. 5s 43	123	105	101½	101½	+1½
Belding Hemway 6s 36	541	90⅛	67	90	
Bell T. Pa. 1st & rfg. 5s B 40	1,316	107¾	102½	107⅜	+2
Bell T. Pa. 1st 5s C. 60	60	112¼	109⅜	112¼	
Beth. Steel rfg 5s 42	2,828	105	100	104½	−2½
Beth. Steel Con. 6s A 48	296	105	104⅞	105	+½
Beth. Steel p. m. 5s 36	1,863	103½	97½	102	−⅜
Bing. & B. db. 6½s 50	306	92	83	83	−5⅝
Boston & Maine 5s 67	4,601	104	92½	99⅝	+1⅜
Boston & Maine 5s 55	3,271	103	93⅛	99½	
Bos. & N. Y. Air L. 4s 55	154	87½	81	85	+3½
Bot. Con. Mills 6½s 34	1,601	48¾	33	33	−7
Bow. Bilt. Hotel 7s 34	547	105	97	100½	−⅝
Bway. & 7th Ave. con. 5s 43	656	41⅞	4	5	−31
Bway. & 7th Ave. con. 5s 43 ctf	12	6	4¼	4¼	
Bklyn. City R. R. 1st 5s 41	408	88	78	85	+2½
Bklyn. Edi. gen. 5s 49 A	746	106⅜	103½	105¾	+2⅜
Bklyn. Man. Trans. 6s 68	16,313	101⅞	94	98½	+4
Bklyn. Q. & Sb. con. 5s 41	56	73	68	70	+1
Bklyn. Un. St. 1st 5s 50	1,026	94	82	86	−2
Bklyn. Un. El. 1st 5s 50 sta	247	89½	84¾	87	+2
Bklyn. Union Gas 6s 47	102	118¼	114	117½	+3½
Bklyn. Un. Gas 5½s 36	5	306	232	232	−165
Bklyn. U. Gas 1st 5s 45	353	108⅛	104⅛	107	+1⅞
Bklyn. U. Gas 5s 50	2,115	104⅝	100⅜	102⅛	
Buf. Ro. & P. gen. 5s 37	101	103	99⅛	101½	−⅛
Buf. Ro. & P. con. 4½s 57	2,730	96¾	80	83⅛	−7⅛
Bur. C. R. & No. col. 5s 34	132	102	99½	100	
Bush. Term. con 5s 55	492	102	94	98½	+1
Bush. Term. 4s 1952	108	93½	87¼	88	+½
Bush. Term. Bldg. 5s 60	506	104¾	99	100¾	−1⅜
By-Prod. Coke 5½s 45	846	105½	100¼	102	−1¼
Cal. Gas & Elec. 5s 37	253	105	100⅜	102¼	+2¼
Cal. Pack. 5s 40	265	99½	93¾	96⅜	
Cal. Pet. 5½s 38	1,747	102½	98½	100¼	+1½
Cal. Pet. 5s 39	1,034	103½	94	96½	+2½
Camaguey Sug. 7s 42	301	60½	33	42	−19
Can. Nat. Ry. 5s 70	621	105	103½	104	
Can. Nat. Ry. 4½s 54	1,204	100¾	93⅜	98¼	+5⅛
Can. Nat. Ry. 4½s 57	4,194	100½	92¼	98⅞	+4⅞
Can. Nat. Ry. 4½s 08	3,904	101¼	92¼	98½	+4½
Can. Nat. Ry. 4¼s 55	832	101⅜	99½	101⅜	
Can. Nat. Ry. 5s 69 July	3,768	106⅛	99¼	104¼	
Can. Nat. Ry. 5s 60 Oct	3,170	106	101¼	104½	
Can. Nor. s. f. 7s 40	1,147	113½	109½	109¾	−2
Can. Nor. deb. 6½s 46	860	118¾	113¼	116	+1¾
Can. Nor. 4½s 35	837	102¾	98⅛	100	+¾
Can. Pac. 5s 44	1,646	107	100⅝	102½	+⅞
Can. Pac. 5s 54	1,948	106	99¼	102¾	
Can. Pac. 4½s 46	1,407	102⅛	96⅜	99⅛	+1¾
Can. Pac. 4½s 60	3,176	100	95¾	98⅜	
Can. Pac. deb. 4s perp	5,898	90⅛	83½	87⅛	+2½
Canada South. 5s 62	489	110	102	104¼	+1⅜
Caro. C. & Ohio 6s 52	637	110¼	107	107½	
Car. Central 1st 4s 49	112	85½	74	79¾	+7½
Caro. C. & Ohio 5s 38	322	103	99½	102¼	+1¾
Cent. Br. Un. Pac. 4s 48	167	87	80	80	−1
Cent. Dist. Tel. 5s 43	309	105⅜	102	105	+3
Cent. of Ga. 5½s 59	384	105¾	93½	93½	−11⅜
Cent. of Ga. 5s 59 C	2,079	103	83	85	−14⅜
Cent. of Ga. con. 5s 45	309	104⅜	96½	96¾	−2¼
Cent. New Eng. 4s 61	704	89	81½	85½	+1½
Central Pac. 5s 60	3,454	106⅜	99½	104	−2⅜
Cent. Pac. 1st gtd. 4s 49	1,962	98½	91¼	96	+4⅜
Cent. Pac. Sh. Line 4s 54	334	95½	90⅝	92	+½
C. R. R. & B. Co. of Ga. 5s 37	200	102	95½	97	+1
Cent. R. R. of N. J. 5s 87	468	115¼	105⅝	112	+3⅞
Cent. R. R. of N. J. 4s 87	291	97½	90¼	97⅜	+7
Central Steel 8s 41	221	125	110½	114	−7
Certain-teed 5½s 48	3,143	61	25	31	−24
Cespedes Sug. 7½s 30	697	78¼	40	58¾	−23¼

CORPORATION BONDS—continued

Year's sales and range of prices on New York Stock Exchange—Con.

	Sales in 1,000's	High	Low	Last	Net change
Chesapeake Corp. 5s 47	11,046	101¾	93	93	−2¾
Ches. & Ohio con. 5s 39	776	105¾	102	104⅛	+1½
Ches. & O. gen. 4½s 92	2,409	105	97¼	103⅛	+5⅛
Ches. & Potts. Creek 4s 46	97	96	86½	95½	+7
Ches. & O. rfg. 4½s 93 A	2,362	102⅛	94	100½	+5½
Ches. & O. rfg. 4½s 95 B	9,897	102⅛	93⅛	100⅞	
Ches. & O. Big Sandy 4s	4	96½	96	96½	
C. & O. 1st 4s 89 R. & A. div	118	96½	88¼	93¾	+6⅛
Ches. & O. R. & A. 2nd 4s 89	105	96	83½	92¼	+8¼
Chicago Alton 3s 49	647	74½	65¼	70	+4
Chic. & Alt. 3s ctf. 49	205	74½	63⅞	70½	+1½
C., B. & Q. rfg. 5s 71 A	871	110½	103⅛	107¼	+1¾
C., B. & Q. 4½s 77	1,609	103¾	96	102	+3½
C., B. & Q. gen. 4s 58	1,812	98⅜	91½	97⅝	+6⅛
C., B. & Q. 4s Ill. div. 49	797	98¼	92	97	+5
C., B. & Q. 3½s Ill. div. 49	545	91⅛	85⅛	91	+5
Chic. & E. Ill. 6s 34	98	101¼	100	100	−1½
Chicago & E. Ill. 5s 51	6,014	84	26	34	−38
Chi. & Erie 1st 5s 82	1,011	109	101¼	103	+¼
Chi., G. L. & Ck. 1st 5s 37	555	104	100	103⅛	+1⅛
Chi. Gt. Western 4s 59	11,139	74¾	60	63	−13⅛
Chi. I. & L. gen. 6s 66	503	109⅛	96	96	−10¼
Chi. I. & L. 1st 5s 66	616	105	89⅞	89⅞	−10¼
Chi. I. & South. 4s 56	56	95¼	89	91½	+2⅛
Chi., L. S. & E. 4½s 69	129	102⅛	93¾	101¼	+7¾
C. & N. W. rfg. 5s 2037	697	109⅛	97½	102¼	−1⅜
Chic. & N. W. gen. 5s 87	381	114¼	103	103½	−3½
Chic. & N. W. deb. 5s 33	191	102⅞	99½	99½	−1⅜
Chi. & N. W. 4¼s 87	604	108½	101	102⅞	+1⅜
C. & N. W. cv. 4½s 49	5,010	103	80	88	−12⅛
Ch. & N. W. 4½s 2037	2,382	100¾	87⅛	92	−3
Ch. & N. W. 4½s 2037 C	1,409	99⅜	87	92	
Ch. & N. W. 4s 87 std	349	93⅜	85	87	−5
Ch. & N. W. gen. 4s 87	789	93⅜	84	84½	−7½
Ch. & N. W. gen. 3½s 87	543	82½	72½	77⅛	+⅛
Chicago Railway 5s 27	1,252	85	64	64	−11
Ch., R. I. & P. 4½s 52	7,932	98	81¼	91	−2¾
Ch., R. I. & P. cvt. 4½s 60	10,425	101¾	81¼	86¾	
C., R. I. & P. gen. 4s 88	1,402	96	88	93⅛	+3⅛
C., R. I. & P. rfg. 4s 34	12,122	99½	95½	98	+2¾
C. T. Hte & S. E. 5s 60	669	100¼	80	80	−1⅞
C. T. Hte. & S. E. inc. 5s 60	558	94¼	60	65	−25
Chi. Un. Sta. 6½s 63 C	909	116⅞	110⅜	115	
Chi. Un. Sta. 5s 63 B	295	106	101½	104⅛	−⅞
Chi. Un. Sta. 5s 1944	554	105¼	101¾	104¼	+2¼
Chi. Un. Sta. 4½s 63 A	1,121	104¼	96⅜	102¼	+2⅜
Ch. & W. Ind. 5½s 62	1,424	105⅞	100⅛	102⅞	−1½
Ch. & West. Ind. 4s 52	1,654	93⅜	84	86⅞	−2¼
Childs Co. 5s 43	556	92	70½	79	
Chile Cop. 5s 47	50,979	98⅜	87	90½	−4½
Cinn. Gas. & El. 4s 68	3,384	93⅞	86⅛	92¼	+2½
Cin. Un. Term. 4½s 2020	1,724	104¼	100	103¼	
Clearfied B. T. Coal 4s a	1	76¼			
C. C. C. & Ind. con. 6s 34	69	105⅝	103	103⅛	+1½
C. C. C. & St. L. rfg. 6s 41 C	78	106⅝	103	104¼	+¾
C. C. C. & St. L. rfg. 5s 63 D	811	105¼	100¼	103¼	
C. C. C. & St. L. Cairo div. 4s 39	98	98½	92	96	+3
C. C. C. & St. L. deb. 4½s 31	464	100⅛	99¼	100	+¾
C. C. C. & St. L. rfg. 4½s 77 E	5,825	102¾	93½	100½	+3⅞
C. C. C. & St. L. 4s 90	247	93⅛	84⅛	92¼	+10¾
C. C. C. & St. L. gen. 4s 93	587	97¼	87½	94⅝	+1⅜
C. C. C. & St. L. 4s 91 C. W. M. div	121	95⅛	80	93	+8½
Clearfield Bit. C. 4s A 40	28	77	63	70½	
Clev. Lor. & Wheel. 5s 33	39	102⅜	99⅜	101¾	+1¾
Cleve. & Pitts. 4½s 77	334	102¾	99⅜	102¼	
Cleve. Sh. Line 4½s 61	393	104¾	97⅛	102	+4½
Cleve. Un. Term. 5½s 72	773	111	105¼	108	+1⅜
Cleve. Term. 5s 73	540	108¼	102	105	+2
Cleve. Un. Term. 4½s 77 C	6,253	104	93½	102½	+5½
C. M. & St. P. gen. 4½s 80 C	870	97½	88¼	92½	−2¾
C. M. & St. P. gen. 4½s 89 E	1,376	97½	87⅛	91	−2½
C. M. & St. P. 4¼s 89 F	2,209	101½	93	98	
C. M. & St. P. gen. 4s 89 A	1,333	87⅞	77¼	83½	−1⅜
C. M. & St. P. gen. 3½s 89 B	200	76	72	72	−5⅜
C. M. St. P. & Pac. 5s 75	14,892	90¼	65¼	68¼	−24½
C. M. St. P. & P. adj. 5s 2000	30,115	78½	22⅜	26¼	−4⅜
Colon Oil 6s 38	3,049	90	41	51	−19
Colo. F. & I. gen. 5s 43	• 253	100½	95	97	+1⅞
Colorado Indus. 5s 34	931	98	84⅛	90	−2¾
Colo. & So. 1st 4½s 35	1,938	101⅞	97	100½	+3⅜
Colo. & So. rfg. 4½s 80 A	3,316	100½	92	96	
Columbia G. & E. 5s 52 Apr	718	103⅛	98¼	101	+1
Columbia G. & E. 5s 52 May	6,111	103¾	98⅛	100¾	+½
Columbus Gas 5s 32	84	101½	95	95	−½
Columbus Ry. P. & L. 4½s 57	1,142	98	90	94¼	+¾
Commerl. Credit 6s 34	436	100¾	95½	98	+2½
Commerl. Credit 5½s 35	1,261	99	91	93½	+2⅛
Commerl. Inv. Tr. 6s 48	5,534	105⅛	89¼	104⅞	+11¾
Commerl. Inv. Tr. 5½s 49	8,978	97½	83	91½	+4½
Com. Tab. Resdg. 6s 41	374	106⅛	103½	105	+2
Con. Ry. & Lt. 4½s 51 sta	341	100⅜	93½	98	+4½
Conn. Ry. & Lt. 4½s 51	163	100¼	95½	99	+6
Con. Coal of Md. 5s 50	1,845	63	22	22	−40
Chic. & N. W. 6½s 36	1,278	110⅜	104½	108½	+3⅛
Con. Gas N. Y. 5½s 45	5,889	108	105	107⅛	+2⅝
Consum. Gas Chic. 5s 36	107	103⅛	98½	103¾	+3¾
Consumers Pow. 5s 52	675	106	102¼	104¾	+2¼
Container Corp. 6s 46	270	95¾	83⅞	90	−4
Container 5s 43	629	85	59⅞	62½	−16⅜
Corn Prod. sf. 5s 34	138	103⅜	100½	103	+1
Crown Cork & Seal 6s 47	674	102	94	97	−1¼
Crown Will. 6s 51	1,397	103	94⅛	95½	−5½
Crown Zeller 6s 40 ww	1,043	98	73¼	75	
Cuba Cane Prod. 6s 50	1,070	38⅞	5	6	

CORPORATION BONDS—continued

Year's sales and range of prices on New York Stock Exchange—Con.

	Sales in 1,000's	High	Low	Last	Net change
Cuba Cane Sugar 8s	10	27⅞	27⅞	27¾	Cash.
Cuba North. Rys. 5½s 42	2,742	75	37	40½	−24⅞
Cuba R. R. 7½s 36 ww	605	99¼	64½	70	−28¾
Cuba R. R. 6s 36	191	92	53½	60	−30
Cuba R. R. 8s 52	1,562	84	50	54	−26½
Cub. Am. Sug. col. 8s 31	1,675	100¼	92½	93	−6⅞
Cub. Dom. Sug. 7½s 44	149	47	13	16	−24
Cub. Dom. Sugar 7½s 44 ww	378	40½	14¾	18	
Cumberl'd T. & T. 5s 37	580	104¼	100¼	104	+3
Cuyamel Fruit 6s 40	846	105	102¾	103	−1½
Del. & Hud. 5½s 37	821	105¾	102	105¼	+1⅜
Del. & Hud. cvt. 5s 35	3	101½	101½	101½	
Del. & Hud. rfg. 4s 43	4,059	97¼	91¾	96	+2¼
D. G. & E. 1st rfg. 5s 51	811	103½	98½	99½	
D. & R. G. 4½s 36	727	101	94¼	96¼	+1½
D. & R. G. con. 4s 36	4,238	98	92⅜	94½	+1⅝
D. & R. G. West. gn. 5s 55	5,978	99	67	76	−23¼
D. & R. G. West. rfg. 5s 78	2,328	95	60½	70½	−18¼
D. G. Dery. C. 2d 7s 42	2	9	8½	9	−52
D. G. Dery. C. 7s 42 std	82	47	3	3	−40
Des. M. & Ft. D. 4s 35 ctf	110	31	15	15	−½
Des M. & Ft. D. 4s 35	310	30	25	25	
Det. Ed. 1st & rfg. 6s 40 B	1,593	108½	105½	107⅛	−⅜
Det. Ed. col. 5s 33	1,052	103¾	100¼	102	+⅛
Det. Ed. rfg. 5s 40	878	105½	101	104⅞	+1¼
Det. Ed. 5s 49 A	2,059	106½	101¾	105⅝	+½
Det. Ed. 5s 55	655	107¼	102	105½	+4
Det. Ed. 5s 62 C	400	107⅜	102⅜	106½	+3½
Det. & Mack. gold 4s 95	81	61	38	38	−18
Det. R. Tunnel 4½s 61	554	105	95¾	100	+3¼
Det. Unit. Rys. 4½s 32	407	99¾	96	97½	+1½
Dodge Bros. deb. 6s 40	670	98⅞	75	82	−11⅜
Dold Jacob Pkg. 6s 42	374	75	55	60	−11
Donner Stl. rfg. 7s 42	252	104⅛	92⅝	92⅞	−3⅛
Duluth & I. R. 5s 37	274	103	100	100	+1¾
Duluth S. S. & At. 5s 37	272	84¾	58	60½	−14¼
Duquesne Lt. 4½s 67 A	3,166	103⅞	96¼	103¾	+2½
East Cuba Sug. 7½s 37	1,349	87	30	31½	−26
E. Tenn. lien 5s 38	21	101	100	101	+1
E. Tenn. V. & G. con. 5s 56	152	110½	104	105	+1¼
Elg. Jol. & E. 5s 41	140	104¼	100⅞	103	+1½
Edison Ill. of N. Y. 5s 95	60	115⅝	109	115¼	+7½
Elkhorn Coal 7s war. 41	12	75	50½	50½	−20½
Elkh. Coal Cor. 6½s 31	255	98	79	79½	−1
El Paso & Swn. 5s 65	53	103¾	100⅛	101⅛	+1¾
Equit. Gas N. Y. 5s 32	68	101⅜	99¾	101¼	+1¼
Erie rf. & imp. 5s 67	9,906	97⅞	68½	79½	−26¼
Erie rf. & imp. 5s 75	13,901	95¾	66	79½	
Erie 1st on pr. ln. 4s 96	1,226	90¼	80⅛	83	−7½
Erie gen. lien 4s 96	5,097	85	66½	73⅛	−12⅞
Erie cvt. 4s 53 A	887	87½	65	70⅝	−18
Erie cvt. 4s 53 B	626	88¼	67¼	70⅝	−12
Erie & Jer. 1st sf. 6s 55	461	114½	108	109¼	−2½
Fed. Lt. & T. 6s 54 B	355	100⅛	92⅛	100	+3⅜
Fed. Lt. & T. 5s 42	295	100½	94	94	−½
Fed. L. & T. 5s stpd. 42	484	100⅜	92	93	−2½
Fed. Metals cvt. 7s 39	74	102	93	93	−6
Fisk Rub. 8s 41	1,603	89	26	26	−49
Florida Cen. Pen. 5s 43	32	99½	85	85	−12
Florida E. Cst. 5s 74	2,953	61⅛	17⅛	20⅞	−29⅛
Florida E. Cst. 4½s 59	386	90	78	78	−10
Fonda Jn. & Gl. 4½s 52	585	36	20	26¼	−5⅝
Francisco Sug. 7½s 42	327	97	72½	72½	−21½
G. H. & S. A. M. & P. 1st 5s 31	460	101¼	99	100½	+1½
G. H. & S. A. M. & P. 2d 5s 31	337	101	99⅜	100⅝	+1¼
Galveston H. & H. 5s 33	196	101	94¾	100	+4
Gannett Co. 6s 43	464	92⅞	80	81	−7
Gen. Am. Invest. 5s 52	1,063	91	80¼	83	
Ken. Bak. 5½s 40	1,506	99½	96½	97	
Gen. Cable 5½s 47	1,689	103⅜	93	93	−6
Gen. Mot. Accept. 6s 37	6,234	104	100	101½	+⅝
Gen. Petrol. 5s 40	989	102¾	90⅞	101¾	+1¾
Gen. Pub. Serv. 5½s 39	1,320	103⅜	89	94	+2½
Gen. Steel Cast. 5½s 49	2,481	106¼	89	90¾	−11¾
Gen. Theaters Equip. 6s 40	11,983	100¼	50¼	51	
Ga. Car. & Nor. 6s 34	136	102	80	80	−18½
Goodrich B. F. 6½s 47	2,829	108	95¾	100½	−4¾
Goodrich, B. F. 6s 45	3,371	79	64	68½	
Good. T. & R. 5s 57	7,522	96	82½	87	
Goth Silk Hos. 6s 36	551	96½	75	76	−14
Gould Coup. 6s 40	573	84⅞	66⅞	68½	−1½
Gr. Tk. Ry. Can. 7s 40	1,569	112⅛	109½	111	+1
Gr. Tk. Ry. Can. 6s 36	2,554	107¾	104	105⅜	+1⅛
Gt. North. Ry. 7s 36 A	8,149	113	108¾	109¼	−1
Gt. North. Ry. 5½s 52 B	2,293	112⅛	104	108⅜	
Gt. North. gen. 5s 73	780	104⅛	99	103¾	+¼
Gt. North. gen. 4½s 76 D	1,253	101⅜	94¼	98	+⅛
Gt. North. 4½s 77 E	9,086	101¾	93	97¾	+1¾
Gt. North. 1st rfg. 4½s 61	649	101	94	97½	+2⅝
G. Bay & W. deb. B	1,578	33	12	15	−11
Gulf. Mob. & N. 5½s 50 B	219	105½	95	97½	−5
Gulf M. & N. 5s 50 C	821	101	93⅜	94	−4
Gulf Sta. Stl. 5½s 42	1,497	100⅜	89	90	−8⅛
Hackensack Wat. 4s 52	103	91⅝	85	90	+5
Harlem Riv. & P. 4s 54	220	93	87¾	88½	+2¼
Hav. Elec. 5½s 51	514	66½	21⅛	31¼	−42⅝
Havana Elec. 5s 53	124	84¼	50	50	−34
Hockg. V. 1st cn. 4½s 99	721	103½	96½	99⅛	+2⅛
Hoe, G. & Co. 6½s 34	323	90	65	65½	−3⅛
Houston B. & Term. 5s 37	187	101	95¾	100⅝	+3⅛
H. E. & W. Tex. 1st 5s 33 gtd	99	102½	99⅜	100⅝	+1⅜
Houston Oil Tex. 5½s 40	1,481	97¾	89½	91	
Hudson Coal 5s 62 A	4,211	73	48¾	54½	+10⅞
Huds. County Gas 5s 59	320	107	101¼	105	−4
Hud. & Man. rfg. 5s 57 A	4,611	102¾	93	97⅛	−1¾

CORPORATION BONDS—continued

Year's sales and range of prices on New York Stock Exchange—Con.

	Sales in 1,000's	High	Low	Last	Net change
Hud. & Man. adj. inc. 5s 57	11,664	85½	68½	74½	−4
Hum. Oil & Refin. 5½s 32	3,694	103	101¼	101⅞	+⅛
Hum. Oil & R. 5s 37	2,178	103	90¾	101½	+1
Illinois Bell Tel. 5s 56	1,791	106¾	103	105	+1½
Illinois Cent. 6½s 36	332	112	101	109½	−½
Illinois Cent. 1st 2½s '51	77	86¾	83	86½	+1½
Illinois Cent. 5s 55	434	107½	99¾	101	−3⅛
Illinois Cent. 4¾s 66	3,304	102½	92	95¼	−2¾
Ill. Cent. rfg. 4s 55	2,058	95	84⅛	90	−1¾
Ill. Cent. R. R. 4s 51	147	98¾	92½	96	+3
Ill. Cent. 4s 52	526	94½	86¾	87⅛	−3⅞
Ill. Cent. col. tr. 4s 53	10,213	92	82½	84½	−4½
Ill. C. pur. lines 3½s 52	80	89	81	81	−4
Ill. Cen. 3½s 53 Louis. div	136	88	82	82	−1
Ill. Cen. 3½s 51 St. L. div	79	87¾	82⅛	83	+1
I. C. & C. S. L. & N. O. rfg. 5s 63 A	1,574	107¾	96⅞	98¾	−4¼
L. C. & C. S. L. & N. O. 4½s 63 C	1,078	100	87	93	−3½
Ill. Steel deb. 4½s 40	1,347	105	97	101½	+3¼
Ind. Limestone 6s 41	1,121	85½	45	45½	−23
Ind. Louis Ry. 4s 56	85	90	85	87¼	−1
Ind. Nat. Gas 5s 36	55	101½	100	100	
Ind. Un. Ry. gen. 5s 65 A	105	104¼	100	103⅛	+3¼
Inland St. 4½s 78 A	4,887	99	91	94	+¾
Inspiratin Cop. 6½s 31	519	101½	99½	99½	−1½
Interb. R. Transit 7s 32	3,394	95½	84	90	+8
Interb. R. Trans. 6s 52	2,249	68	44⅜	56	+9
Interb. R. Tr. rfg. 5s 66	7,829	75¼	61	70	+8½
Interb. R. T. rfg. 5s 66 sta.	9,927	75¼	61	70	+8
Int. Agric. col. 5s 32	197	96¾	93½	98½	+5
Int. Agric. 5s 42 stp	325	79½	72¾	75⅛	+2⅝
Int. Cement 5s 48	9,012	103¾	91	95¼	+4¼
Int. Gt. Nor. adj. 6s 52	3,724	92½	34	40	−49½
Int. Gt. Nor. 1st 6s 52	1,755	106	74	75	−29
Int. Gt. Nor. 5s 56 B	463	93	58	58	−37
Int. Gt. Nor. 5s 56 C	305	100	50⅜	58⅜	−35½
Int. Hydro. Elec. 6s 44	3,646	104	76	88	
Int. Match 5s 47	11,360	102	94	96	−1½
Int. Mer. Mar. sf. 6s 41	838	101¾	92	92	−6
Int. Paper rfg. 6s 55 A	2,250	94	59⅝	60½	−26½
Int. Paper cvt. 5s 47 A	9,267	92½	72	73	−17¼
Int. Rys. C. A. 6½s 47	603	98½	71	73	−21
Int. Rys. Cent. Am. 6s 41	154	94½	69⅜	75	−19
Int. Rys. Cent. Am. 5s 72	796	81⅜	59⅜	70	−5
Int. T. & T. cvt. 4½s 39	25,253	129¾	77¼	81	−43
Int. T. & T. deb. 4½s 52	3,431	94	66½	72½	−21⅝
Int. T. & T. deb. 5s 55	15,762	99¼	72¾	75⅞	
Iowa Cent. 1st 5s 38	199	35	12	13½	−19½
Iowa Cent. ctfs. 5s 38	165	34½	13	13⅛	−17⅛
Iowa Cent. rfg. 4s 51	253	10	2¾	3⅜	−5⅛
James Frank & Clear 4s 59	77	97	87⅜	91½	+4⅜
Kanaw. & Mich. 1st 4s 90	159	90½	83	88½	+4¼
K. C. Ft. S. & Mem. 4s 36	1,959	98¼	94½	96	+1⅝
K. C. Pow. & Lt. 5s 52	682	105½	103	105	+1½
K. C. Pow. & Lt. 4½s 57	390	103	95½	102	+3½
K. C. Southern rfg. 5s 50	1,562	104	93	99	
K. C. Southern 1st 3s 50	810	81¾	74½	77¼	+1¼
K. C. Term. 1st 4s 60	2,411	96	88½	93¼	+4⅞
Kansas Gas & El. 4½s 80	1,775	97½	90⅜	93⅛	
Keith B. F. 6s 46	573	91	74	75	−½
Kendall 5½s 48 A war	577	92¼	50	39	−50
Kentucky Cent. 4s 87	176	96½	87½	88½	
Ky. & In. Ter. 4½s 61 sta.	193	95¾	88	94	+3¾
Keystone Tel. 5s 35	111	92½	75	88	+8
K. Co. E. L. & P. pm. 6s 97	189	138	125	134	+9
Kings Co. Elev. 4s 49	643	88	75	80	+3½
Kings Co. El. 4s 49 stpd	94	84	75½	80	+5
Kinn. & Co. cvt. 7½s 36	152	107¼	85	85	−16
Kresge Found. 6s 36	800	105	102	102	−1
Lack. Steel 5s 50	379	104	100	101½	+1⅜
Lac. Gas St. L. 5½s 53	1,870	105	100	101	−2¼
Lac. Gas St. L. 5½s 60 D	1,093	105	100¼	101	
Lac. Gas St. L. 1st 5s 34	1,025	103⅝	99	101⅞	+1⅝
L. E. & West 1st 5s 37	172	102⅜	100	102	+2⅜
L. S. & M. S. gld. 4s 31	2,444	101	98⅞	100¼	+1⅜
L. S. & M. S. gen. 3½s 97	674	86¼	79¼	84¾	+5¼
Lautaro Nitrate 6s 54	5,979	87½	38	45	−33
Lehigh C. & N. 4½s 54	263	100	94⅛	98¼	+¾
Lehigh Val. Coal 5s 33	206	102	99½	100⅛	
Lehigh V. Cl. 5s 33 gtd	191	102	99¼	99¾	
Lehigh Val. Coal 5s 54	33	75	66	66	−6
Leh. V. of N. Y. 4½s 40	344	103¼	96	96	−2½
Lehigh Val. 5s 2003	450	110⅜	99	102	−3⅛
Leh. V. Pa. con. 4½s 2003	835	104	95½	96½	−2
Leh. Val. Pa. con. 4s 2003	2,979	84	80¼	86½	−2½
Lehigh & N. Y. 4s 45	97	94¾	86⅜	92	+5
Leh. Val. Har. Ter. 8s 54	159	107¼	100½	105	+½
Liggett & Myers 7s 44	709	125	117½	122	+4
Liggett & Myers 5s 51	1,046	106¾	98½	106	+6⅛
Loew's Inc. 6s 41 ww	2,676	130	100	100¾	−1⅜
Loew's Inc. 6s 41 xw	3,951	101½	91⅜	96¼	+4
Long Isl. deb. 5s 34	104	101⅛	99¼	100¼	+1½
Long Isl. deb. 5s 37	586	102½	97½	97½	−½
Long Isl. gen. 4s 38	91	98	91⅞	90¼	−2¼
Long Isl. rfg. 4s 49	568	96	87	92⅛	+6
Long Isl. unified 4s 49	114	94	88⅛	91¼	+7
Lorillard Co. 7s 44	1,135	111½	101	103	−2⅜
Lorillard Co. 5½s 37	2,901	97½	84	87	+3¾
Lorillard Co. 5s 51	1,470	91¼	77½	81½	+1½
Louis. & Ark. 5s '69	3,220	87	54	60	
Lou. & Jeff. Bridge 4s 45	228	96	89½	96	+6½
Lou. Gas & Elec. 5s 52	1,431	106½	100	103½	+2¾
Louis. & N. Mont. 4½s 45	10	100			
Louis. & N. rfg. 5½s 2003	482	107¼	104	104	−2
Louis. & N. 5s 2003 B	409	105⅜	103	104	+¼
Louis. & N. col. tr. 4s 31	208	101¾	99¾	100¾	+⅛

CORPORATION BONDS—continued

Year's sales and range of prices on New York Stock Exchange—Con.

	Sales in 1,000's	High	Low	Last	Net change
Louis. & N. gold 5s 37	79	103¾	101⅞	103¾	+2
Louis. & N. 1st rfg. 4½s 2003	3,516	103	95	100¼	+2
Louis. & N. unified 4s 40	1,522	99	94¼	97¾	+2⅝
Louis. & N. So. M. jt. 4s 52	278	93½	87½	87½	−3
L. & N. 3s 80 St. L. div	67	70	65	65	−1¾
Louis. Cinn. & Lex. 4½s 31	122	100¾	98⅜	100	+1¼
Mahoning Coal 5s 34	67	102⅞	90⅛	102⅞	+2⅜
Manati Sug. 7½s 42	845	86	23½	26	−3⅛
Manhat. Ry. Con. 4s 90	3,229	60	44	55¼	+1¼
Manila El. Ry. 5s 53	122	99¾	90	98	−2⅞
Man. Ry. So. Lines 4s 39	274	77¾	72⅛	73⅛	−1⅞
Manitoba Sw. col. 5s 34	5	97¾	97¼	97¼	
Marion St. Shovel 6s 47	200	88¾	46	48	−33
Market St. Ry. 7s 40	1,677	97¾	88	93	+¾
McCormick Ed. Rock. 6s 34	1,009	102¾	100	100	−1
McCrory St. 5½s 41	924	100½	93¾	93⅞	−2⅛
McKesson & Rob 5½s 50	3,888	93	76	78⅞	
Mead fs 45	55	90½	87	88½	
Met. Ed. 5s 53	481	105½	101	103½	+1¾
Met. Ed. 4½s 68	1,340	101¾	97¾	101	
Met. Water 5½s 50	23	75	70	73	
Met. W. Side El. Chi. 4s 38	234	83¼	66½	74	+4
Mich. Cent. 3½s 52	84	89	81	88	+10
Mich. Cent. 4½s 79	639	103¼	97¾	102⅛	
Midland Ry. N. J. 5s 40	124	96¾	93¾	94	+3¾
Midvale Stl. cvt. 5s 36	3,534	103	90¾	101⅛	+⅜
Mil. E. R. & L. 1st 5s 51 A	455	105⅜	99⅞	105⅛	+4⅛
Mil. El. Ry. & Lt. 1st 5s 61 B	2,756	104	96¾	101⅜	+2⅝
Mil. El. Ry. & Lt. 4½s 31	402	101	97½	99¾	+⅜
Mil. & Nor. 1st 4½s 34	1	98			
Mil. Sparta & N. W. 4s 47	167	95½	90	91	+2
M. & St. L. ref. 5s 62	73	15⅛	8	8¾	−6
M. & St. L. con. 5s 34	281	41⅛	15	15	−22½
M. & St. L. 5s 34 ctf	354	41¼	13	13	−24
M. & St. L. 1st rfg. 4s 49	748	16	3	4½	−11
M. S. P. & S. S. Marie 6½s 31	1,803	102	98	98½	
M. S. P. & S. S. Marie 6s 46	132	100	79⅜	80	−18⅜
M. S. P. & S. S. Marie 5½s 49	316	91	50	50	−36
M. S. P. & S. S. Marie 5½s 78	213	90¼	92	97½	
M. S. P. & S. S. Ma. con 5s 38	192	96	91½	92½	−2
M. S. P. S. S. M. gtd. 5s 38	662	99½	91⅛	91½	−7⅜
M. S. P. & S. S. M. 1st cn. 4s 38	1,541	92½	83⅞	84	−4¾
Miss. Cen. 1st 5s '49	118	90½	92¾	92¾	−3¼
Mo. Ill. 5s 59	121	80	50	50	
M. K. Tex. pr. ln. 5s 62 A	1,589	104⅞	97⅛	101¾	−1½
M. K. Tex. adj. 5s 67 A	1,823	108½	86	89	−14¾
M. K. T. pl. 4½s 78 D	1,106	101	92½	96	+1½
M. K. Tex. 1st 4s 90	877	92	85¾	90	+3¼
M. K. Tex. pl. 4s 62 B	981	93⅞	84½	85¼	−1⅞
Mo. Pac. cvt. 5½s 49 A	7,535	113¾	87	92½	−15½
Mo. Pac. rfg. 5s 65 A	1,930	103⅜	89½	98½	−2
Mo. Pacific 5s 77 F	9,713	103	89	97	−2½
Mo. Pacific 5s 78 G	4,237	102¾	88½	97	−2
Mo. Pac. gen. 4s 75	11,656	82½	63	69	−6
Mo. Pac. 5s 80 H	1,836	103	88½	96¾	
Mob. & Birm. 5s '45 Small	43	97¾	95	95	−5
Mobile & Birm. 4s 45	58	92⅛	84	84	−2½
Mob. & Bir. 4s '45 Small	95	87½	80	82	−4
Mob. & Oh. 4½ 77	732	98	94¼	94½	−1⅜
Mob. & Oh. gen. 4s 38	94	96	90⅛	90⅛	−2⅞
Mob. & Oh. 5s 38	776	98½	89	91	
Mo. & Ob. 4s St. L. & C. div. 31	94	100½	98¾	99⅞	+2⅛
Mont. Pow. rfg. 5s 43 A	1,393	104⅞	100	103	−¼
Mont. Pow. 5s 62 D	1,242	104¾	95	100	−⅝
Montreal Tr. col. 5s 41	647	101	95	98⅞	+2⅝
Montreal Tr. 5s 55 A	121	90⅜	91¼	92	
Montreal Tr. 4½s 55	70	88½	84½	84½	
Morris & Co. 1st 4½s 39	862	85½	79	79⅛	−2⅞
Morris & Essex 4½s 55	2,284	103¼	96⅛	100½	
Mor. & Essex 3½s 2000	522	85¾	77	85	+6
Morris & Essex 5s 55	1,051	109	102	105½	
Mortgage Bond 5s 32	724	100	96½	97⅞	+1⅝
Murray Body 6½s 34	652	100	89	92½	+3½
Mutual Fuel Gas 5s 47	107	106	99⅝	104½	+½
Namm & Son 6s 43	212	100	92	92	−6
Nash. Ch. & St. L 4s 78	565	97½	89	95¾	+5¾
Nassau El con. 4s 51 stp	1,192	59¾	44⅜	48	−3
Nat. Dairy 5½s 48	13,255	101¾	94¾	99	+½
Nat. Rad. 6½s 47	909	40	14	17	−4
Nt. Ry. Mex. 4½s 57 asd	517	9½	4½	4½	−2⅜
Nt. Rl. Mex. 4s 77 asd	93	10	6	6	−1¼
Nt. Ry. Mex. 4½s 26 asd	217	16¾	4⅞	7	−5
Nt. Ry. Mex. 4s 51 asd	408	5¾	4	4	−1¼
New Eng. T. & T. 5s 52	739	110	103½	104½	+2½
New E. T. & T. gen. 4½ 61B	15	103¾	103¾	103¾	
U. O. u Sv. 5s ctf 52A	1	84½	84½	84½	
N. O. Tex. & Mex. 5½s 54	2	98½	98½	98½	
N. O. Tex. & M. Inc., 5s 35A	5	98	98	98	
N. Y. C. & H. R. rf. & imp. 5s 2013	33	107	105½	107	
N. Y. C. & H. R. rf. imp. 4½s 2013	4	102⅝	102½	102⅝	
N. Y. C. & H. R. deb. 4s 34	3	100½	100½	100½	
N. Y. C. & H. R. con. 4s 98	5	94¼	94¼	94¼	
N. Y. Ch. L. & St. col. tr. 3½s 98	261	90	81	81	
N. Y. Chi. & St. L. 6s 31	201	94	84½	88	+2½
N. Y. Chi. & St. L. 6s 32	739	110	103½	104½	+2
N. Y. Ch. & St. L. 5½s 74 A	1,196	105¼	98¼	103¾	+5¾
N. Y. Ch. & St. L. 4½s 78 C	1,422	95⅛	81	84½	+3⅜
N. Y. Ch. & St. L. 1st 4s 37	1,346	95	83	83⅞	+⅜
N. Y. Ch. & St. L. deb. 4s 31	350	94	85	88	−1
N. Y. Conn. Rys. 5s 55	1,948	105½	96⅞	98½	−4½
N. Y. Conn. Rys. 4½s 53	475	100	95⅝	98	+1½
N. Y. Dock Co. 5s 38	1,121	100⅝	87½	92	−5¼
N. Y. Dock Co. 4s 51	417	101½	90	98½	−1
N. Y. Edison rfg. 6½s 41	1,411	93	89	89	−1

CORPORATION BONDS—continued

Year's sales and range of prices on New York Stock Exchange—Con.

	Sales in 1,000's	High	Low	Last	Net change
N. Y. Edison 5s 44	68	97¾	95	97¼	+¾
N. Y. G. E. L. H. & P. col. 5s 48	1,298	107¾	105	105⅛	+⅛
N. Y. G. E. L. H. & P. p. m. 4s 49	3,699	110	103⅝	107	+2
N. Y. & Jersey 5s 32	247	101¼	99½	100½	
N. Y. N. H. & H. cvt. 6s 48	2,812	100¼	97⅛	100⅛	+2⅛
N. Y. N. H. & H. col. tr. 6s 40	1,458	101¼	100½	104	−1
N. Y. N. H. & H. 1st & rfg. 4½s 67	2,182	97½	88⅛	94¼	+4¾
N. Y. N. H. & H. debs. 4s 47	118	90	83⅞	88	+2
N. Y. N. H. & H. deb. 4s 55	387	88¼	79⅞	81	−3
N. Y. N. H. & H. deb. 4s 56	589	88¾	73⅜	80	−1⅛
N. Y. N. H. & H. deb. 4s 57	873	83¼	66	69	−9
N. Y. N. H. & H. deb. 3½s 47	160	83¼	68	68	−10¼
N. Y. N. H. & H. deb. 3½s 54	383	81	65⅛	72¼	−4½
N. Y. N. H. & H. cvdb. 3½s 56	553	81¼	62½	70	−7
N. Y. N. H. & H. con. R4s 55	100	76	70	72½	+2⅝
N. Y. N. H. & H. con. R4s 54	198	76¼	65	68	−5
N. Y. O. & W. 1st rfg. 4s 92	430	65¼	36	40	−20
N. Y. O. & W. gen. 4s 55	205	54	25	28½	−24½
N. Y. & Putnam 4s 93	98	96	85½	94	+9½
N. Y. Rv. inc. 6s 65	1,613	8	2	2⅛	−2⅜
N. Y. Rys. pr. in. 6s 65 A	330	72¼	45	45	−18¼
N. Y. & R. Gas 1st rfg. 6s 51 A	150	106½	103½	105	+1⅛
N. Y. State Rys. 6½s 62	182	24½	4⅞	4⅞	−13⅛
N. Y. State Rys. 4½s 62	992	24	3	5	−15¼
N. Y. Steam 6s 47	585	109	105¼	107¼	+2¼
N. Y. Steam 5s 51	251	104	99½	101½	
N. Y. & S. W. gen. 5s 40	230	79	55	55	−23
N. Y. S. & W. rfg. 5s 37	184	86½	69	69	−18
N. Y. Tel. rfg. 6s 41	3,623	107¾	105¾	106⅞	+1
N. Y. Tel. deb. 6s 49	249	112	110	111½	+1¼
N. Y. Tel. gen. 4½s 39	2,241	103½	98¾	102	+3¼
N. Y. Trap. Rock 6s 46	856	102¾	94	95	+1
N. Y. W. & Bost. 4½s 46	2,959	92¾	77¼	79⅜	−6⅞
Niag. Falls Pow. 6s 32	807	104½	100½	102⅜	+¼
Niag. Falls Pow. 5s 32	683	104¾	100¼	102	+1⅛
Niagara Shares 5½s 50	1,412	104	87	93¼	
N. L. & O. Pow. 5s 55 A	436	105⅛	101	103½	+1⅝
Norfolk & South 5s 41	191	99	69⅞	80	−19
Norfolk & South 5s. 61 A	1,300	79	30¼	36	−20½
Nof. & West. gen. 6s. 31	113	102	100¾	100¾	−¼
Norf. & West con. 4s. 96	1,343	98¼	98½	98¼	+7
Norf. & West. div. 4s. 44	520	99	91¾	99	+6⅛
N. & W. 4s. Poc. C. & C. div. 41	421	97	92¾	96	+3¼
Nor. Am. Cem. 6½s. 40	1,021	70	44	44	−8
Nor. Am. Ed. 5½s. 63	3,243	104¼	99½	101½	−⅛
Nor. Am. Ed. 5s. 57	2,888	104½	99	100⅞	+1⅜
Nor. Am. Ed. 5s. 69 C	7,308	102½	94½	98	
N. Ohio T. & L. 6s. 47 A	1,727	108	98	100	+1
Northern Ohio 5s. 45	208	99⅛	92	92	−2⅞
Nor. Pac. Term. 6s. 33	329	105½	103¼	103¼	−3¼
Nor. Pac. 6s. 2047 B	4,314	115¼	109	111	−1
Nor. Pac. rf. & imp. 5s. 2047C	494	107	100⅝	101	−2⅝
Nor. Pac. rf. & imp. 5s. 2047D	392	106⅜	101	101⅝	−2⅜
Nor. Pac. 4½s. 2047	767	102	95	97½	−1
Nor. Pac. pr. lien 4s. 97	3,883	97	88½	94¾	+1¼
Nor. Pac. gen. 3s. 2047	2,446	70⅞	63¾	68	+4
Nor. States Pow. 6s. 41 B	824	108	102⅜	105½	+½
Nor. States Pow. 5s. 41 A	940	104¼	99¾	103¼	+2⅜
Northwest Tel. 4½s. 34	83	100¼	98	100⅛	+⅝
Ogden & Lake Cha. 4s. 48	251	83	77	79	+2
Ohio Pub. Svc. 7½s. 46	380	112½	110	110⅜	+⅛
Ohio Pub. Svc. 7s. 47	247	115	110	111	+1
Ohio Riv. Edis. 6s. 48	784	108¼	105	107½	+2½
Old Ben Coal 6s. 44	489	80⅛	48¼	50	−20⅞
Ont. Pow. & N. Falls 5s. 43	372	105	99¼	103¼	+3⅛
Ontario Transit 5s. 45	49	103¾	98	102	+1¾
Ore. Ry. & Nav. con. 4s. 46	438	96	91	93½	+2⅛
Ore. Sh. Line con. 5s. 45	203	109	104	108	+5
Ore. Sh. Line gtd. 5s. 46	212	109	103⅝	108	+4¼
Ore. Wash. R. R. & N. 4s. 61	2,377	96	88⅛	92½	+3½
Otis Steel 6s 41	1,459	104	94	95	−6½
Pacif. Cst. 1st 5s 46	163	62½	50	50	−10½
Pac. Gas & El. 5s. 42	1,033	104	100⅛	102¼	+1⅜
P. R. R. of Mo. 1st ex. 4s. 38	112	97½	92¼	92½	+2¼
Pac. T. & T. 5s. 37	1,863	105⅜	100¼	101½	+2¾
Pac. T. & T. rfg. 5s. 52	769	108	101⅜	105	+2
Pan-Am. P. & Tr. 6s. 1934	9	101¾			
Para. Fam. Lasky 6s 47	3,002	103¼	89	92⅜	−3⅝
Para. Publix 5½s 50	3,323	94⅞	76	84¾	
Parmalee Trans. cv. 6s 44	1,413	92	35	36	−43
Park Lex. 6½s 53	361	85½	60	60	−11½
Pathe Ex. 7s 37 ww	2,713	80	36	50½	+12½
Penn. Dix. 6s 41 A	1,367	85	65	67	−6½
Penn. Oh. & Det. 4½s 77	961	102⅜	94½	100⅛	+2⅝
Penn. R. R. gold 6½s 36	4,414	111	107⅛	109½	+⅜
Penn. R. R. gen. 5s 68	1,430	112⅜	105⅜	109	
Penn. R. R. 5s 64	2,571	105¾	99¼	103¾	
Penn. R. R. 4½s 63	4,613	103	96	100	
Penn. R. R. con. 4½s 60	872	106¼	100	105⅝	
Penn. R. R. gen. 4½s 65	4,553	104½	97½	103	
Penn. R. R. 4½s 70 D	14,172	100¼	90¾	97⅜	
Penn. R. R. 4s 31	748	100¼	98¾	100¼	+1⅛
Penn. R. R. 4s 43	135	98½	93⅞	97	+7
Penn. R. R. 4s 48	554	99⅛	92¼	98½	+6⅛
Penn. R. R. 4s 48 stp	375	99	92¼	98½	+5
Penn. R. R. 4s 52 E	199	95¼	89	92	+3½
Peo. G. L. & C. of Chi. 6s 43	117	115¼	110½	114	+2½
Peo. G. L. & C. of Chi. 5s 47	725	105½	101	105¼	+2⅛
Peoria & Ea. 1st 4s 40	425	90¼	75	80	−5¼
Peoria & Ea. Inc. 4s 90	245	35⅞	8	20	−14½
Peo. & Pek. U. Ry. 5½s 74	171	104½	101	104	+3
Pere Marq. rfg. 5s 56	1,059	106	101	104	+1
Pere Marq. 4½s 80	3,036	103	95¼	100¼	
Pere Marq. 4s 56	1,625	95½	90	91½	+1

CORPORATION BONDS—continued

Year's sales and range of prices on New York Stock Exchange—Con.

	Sales in 1,000's	High	Low	Last	Net change
Phila. Co. 5s 67	8,956	103¼	95½	99¼	+1¼
Phil. Elec. 4½s 67	1,115	103¾	97	102⅛	+5⅛
Phil. Read. C. & I. 6s 49	17,133	110	68	73	−20
Ph. & Read. C. & I. 5s 73	1,095	88⅜	75	82	−3
Philippine R. 4s 37	222	32	22¾	23	−3
Phillips Pet. 5½s 39	6,961	97½	82¼	89	−2¼
Pillsbury Fl. Mills 6s 43	450	108¼	102½	104¾	−¼
P. C. C. & S. L. gen. 5s 70 A	613	113½	104¾	107	+¾
P. C. C. & S. L. 5s 75 B	6,218	112	105¾	108	+1⅞
P. C. C. & S. L. 4½s J. 64	38	103½	99½	102	+4½
P. C. C. & S. L. 4s 45 D	98	98¼	94¼	98	+3⅞
P. C. C. & St. L. 4½s 77	2,333	101⅜	96⅛	101	
P. C. C. & St. L. 4½s 40 A	150	101¾	97¼	101¾	+4
P. C. C. & St. L. 4s 60 H	70	98¾	94⅜	97	+3
P. C. C. & St. L. 4½s 42 B	38	102½	96½	99¾	+2
Pitts. & W. Va. 4½s 60 C	1,758	97¾	92	94	−3¼
Pitts. & W. Va. 4½s 59 B	506	96⅞	92	92¾	−¼
Pitts. & W. Va. 4½s 58 A	175	97	90¾	92¾	−1¼
Pitts. Shen. & L. E. 5s 40	87	103	100⅝	102	+2
Pitts. Y. & Ash. 4s 48	36	98	91½	95¾	+3¾
Pocah. Con. Coll. 5s 57	247	95	93	93	−1½
Pt. Ar. Can. & Dk. 4s 53 A	107	106	98	99	−3½
Portland Gen. El. 5s 35	385	103½	99	101¾	+1½
P. Ry. Lt. & P. 7½s 46	685	109½	104½	107¼	−¼
P. Ry. Lt. & P. 5s 42	594	105½	96	105	+9¼
Port. Ric. Am. Tob. 6s 42	768	98	60	60	−30
Postal Tel. & Cab. 5s 53	5,938	96½	50	51	−43¼
Pressed Stl. Car. 5s 33	742	93	74	74	−3
Pub. Ser. El. & G. 5s 65	635	106	102⅛	104¾	+2¼
Pub. Ser. El. & G. 4½s 67	1,674	103¼	95⅛	102¾	+5
Pub. Ser. El. & G. 4½s 70	6,702	103⅛	95½	102½	
Punta Aleg. Sug. 7s 37	449	56	8⅛	9	−46½
Pun. Al. Sug. 7s 37 ctfs. em	330	55	3⅝	3⅝	
Pun. Al. Sug. 7s 37 ctfs. Chase	181	55	4½	4½	
Pure Oil 5½s 37	2,909	100⅜	85¼	87½	−12½
Pure Oil 5½s 40	3,449	100	86½	86½	
Purity Bak. 5s 48	1,785	97¾	85½	90¾	−5
Reading gen. 4½s 97 A	2,016	103¼	96	100¾	+3
Reading gen. 4½s 97 B	1,635	103¼	97	101⅜	
Rdg. Jersey Cen. col. 4s 51	500	96½	90	95½	+4½
Rem. Arms sf. 6s 37 A	579	100	93¼	94¼	−⅜
Rem. Rand 5½s 47 ww	5,911	101	82¾	85	−9¼
Rep. Ir. & St. 5½s 53	557	104⅞	79⅞	86	−14
Rep. Ir. & St. sf. 5s 40	547	103¼	93½	94½	−8
Revere Cop. & Bras. 6s 48	929	105¼	99½	100	
Richfield Oil Cal. 6s 44	3,015	98¼	51	56	−39¾
Rio Gr. West 1st 4s 39	852	95	91	92½	+1⅜
Rio Gr. W. col. tr. 4s 49	815	91	79	70	−3½
Roch. G. & El. 7s 46	549	110⅛	105	105	−2½
Roch. G. & E. 5½s 48	182	108	104½	105½	+½
Roch. G. & E. 4½s '77	1	99½			
R. I. Ark. & La. 4½s 34	2,338	101⅛	95¾	99	+3¼
Rutland 1st 4½s 41	189	94	86	92	+7
St. Jos. Ry. L. H. & P. 5s 37	189	99¾	94	97¼	+3¼
St. L. I. M. & S. gen. 5s 31	2,358	102⅛	100	100¼	+⅛
St. L. I. M. & S. 4s R. & G. div. 33	3,598	100¼	95⅜	98½	+2¾
St. L. R. M. & Pac. 5s 55	233	64	45	50	−10
St. L. S. F. gen. 6s 31	144	102	100⅛	100⅛	+¾
St. L. S. F. p. in. 5s 50 B	2,062	104¼	92	101	+⅛
St. L. S. F. gen. 5s 31	681	102	100	100½	+½
St. L. S. F. 4½s 78	185,223	95¾	71	79½	−11
St. L. S. F. p. in. 4s 50 A	6,742	92⅞	78	87⅜	−1⅛
St. L. S. W. Term. 5s 52	1,307	103	81	90⅜	−7⅛
St. L. SW. 1st 4s 89	815	91¾	84⅞	84⅞	−⅜
St. L. SW. 2d 4s 89	252	84⅞	76½	82¾	+2¾
St. L. SW. con. 4s 32	2,300	100¼	97⅝	99½	+1½
St. P. & K. C. Sh. L. 4½s 41	1,263	99⅞	93	94½	−½
St. Paul City Cable 5s 37	192	88⅛	80	87	−3
St. P. C. Cable 5s 37 stp	1	92			
St. P. M. & M. con. 6s 33	309	105¾	102½	104¼	+¾
St. P. M. & M. con 4½s 33	349	101⅞	95¼	100½	+2½
St. P. M. & M. 4s Mont. div. 37	45	99¼	93⅝	96⅛	+2⅝
St. Paul Un. Dep. 5s 72	633	110½	104½	108⅞	+3⅞
S. A. & A. Pass. 1st 4s 43	1,193	96⅞	90⅜	91¾	−1½
San Ant. Pub. Ser. 4s 52	611	109½	102	104¼	−1⅜
Schulco 6½s ctf. 46 A	389	80	45	66	+15
Schulco 6½s 46 B	1,496	95	45	95	+45
Scioto V. & N. Eng. 4s 89	114	97½	88¼	94	+4
Seab. A. L. con. 6s 45	8,045	79	10¾	15	−58½
Seab. A. L. adj. 5s 49	490	60⅛	4	5	−52
Seab. A. L. adj. 5s 49 ctfs.	1,115	49	46	49	−3
Seab. A. L. gold 4s 50	95	70⅛	40	40	−25½
Seab. A. L. gold 4s 50 stp	656	71	40	40	−26½
Seab. A. L. rfg. 4s 59	1,546	60¾	13	15	−36
Sea. All Fla. Ry. 6s 35 A	3,630	72	7	7½	−54½
Sea. All Fla. Ry. 6s 35 B	312	72	7⅛	7⅛	−53⅞
Sharon St. Hoop. 5½s 48	636	100	90	90	−5
Shell Pipe Line 5s 52	3,577	97¾	80⅜	86	−8½
Shell Un. 5s 47	5,023	98¼	71	77½	−17¾
Shell Un. 5s 49 ww	9,184	102½	73	78½	
Shubert Thea. 6s 42	1,225	69½	16½	17	−30½
Sierra & S. F. ow. 5s 45	619	103½	96⅜	102	+3
Silesian Am. col. 7s 41	1,224	96⅞	65¼	65¼	−27½
Sinc. C. Oil col. 7s 37	4,745	110	92	97⅞	−3⅛
Sinc. Con. Oil 6½s 38	3,277	104¼	90½	97	−2⅞
Sinc. Cr. Oil 5½s 38	7,357	102⅜	97	100	+2¼
Sinc. Pipe Line 5s 42	3,301	102¾	94½	98	+3
Skelly Oil 5½2s 39	2,636	99⅝	75	79¼	−13¾
Smith Corp. 6½s 33	861	104	101½	103	+1⅛
Solvay Am. 5s 42	1,195	104½	93¾	96	+3
So. Bell T. & T. 5s 41	2,662	105¼	101⅝	104½	+2¾
So. Col. Pow. 6s 41	726	106⅛	99	102	−¼
South. & No. Ala. 5s 63	159	110¼	104⅛	108¾	+1⅛
So. Pac. cvt. 5s 34	280	102¾	100	102¼	+¼
So. Pac. 4½s 68	4,421	100⅞	91½	97¾	+1¼

CORPORATION BONDS—continued

Year's sales and range of prices on New York Stock Exchange—Con.

	Sales in 1,000's	High	Low	Last	Net change
So. Pac. 4½s 69 ww	10,062	101	93¼	97½	−1¾
So. Pac. rfg. 4s 55	3,706	97½	91	96	+4½
So. Pac. col. tr. 4s 49	906	95¾	88⅛	91¼	+1¾
So. Pac. 4½s Ore. Ln. 77	7,774	102½	94⅜	100½	+2
So. Pac. S. Fr. Ter. 4s 50	762	96	89	94	+3
So. Pac. of Cal. 5s 37	62	104	100	103	+2½
South. Ry. gen. 6½s 56	2,936	126½	112	114¼	−8
South. Ry. gen. 6s 56	2,236	120	103¼	110	−6½
South. Ry. con. 5s 94	2,403	112	103	109	+2¼
South. Ry. gen. 4s 56	6,274	93½	80¾	86½	−2¾
Sou. Ry. 4s M. & O. 38	588	95¾	90⅛	93½	+3
So. Ry. 4s St. L. 51	189	92⅞	87⅛	89½	+1
S. W. Bell Tel. 5s 54	1,475	106½	103	105¾	+1¾
Spokane Inter. 5s 55	195	72	44	50	−15
Standard Mill. 5s 30	418	100½	99⅞	99⅞	
St. Oil N. J. deb. 5s 46	6,001	104¼	103¼	104⅝	+2⅛
St. Oil N. Y. 4½s 51	4,988	100¾	95	99	+2⅛
Stevens Hotel 6s 45	1,037	90	61	61	−27
Sug. Est. Oriente 7s 42	295	48	12	17	−32
Tenn. Con. 6s 47	264	99¼	87	89⅞	
T. C. I. & R. R. gen. 5s 51	92	105	101	101¾	−½
Tenn. Cop. & Ch. 6s 44 B	1,435	102½	89½	89½	−8
Tenn. El. Pw. rfg. 6s 47 A	2,064	105	103⅛	104⅛	−1¼
T. R. R. A. of St. L. con. 5s 44	302	106	101½	105	+2¼
T. R. R. A. of St. L. 1st 4½s 39	98	102¼	97	101½	+3⅜
Ter. R. R. A. St. L. rfg. 4s 53	934	95	87¼	92	+3
Texark. Ft. Sm. 5½s 50 A	970	107½	100⅜	100⅜	−3⅝
Tex. Corp. 5s cvt. 44	30,658	105¾	96	101¼	−1⅛
Tex. & Pac. 1st 5s 2000	641	112¾	105	106½	
Tex. & Pac. 5s 77 B	1,460	104½	94½	96	−4⅛
Tex. & Pac. 5s 79 C	2,758	104½	94	98	−2⅜
Tex. & P. 5s Louis div. 31	382	101¾	99⅜	99¾	−⅛
Third Ave. 1st 5s 37	244	98¼	92	94	+1¼
Third Ave. adj. 5s 60	5,244	35¼	22	28	+3
Third Ave. rfg. 4s 62	1,388	55½	42½	46	−2
Tol. & Oh. Cen. 1st 5s 35	77	103	99½	101	+1¾
Tol. & Oh. Cen. gen. 5s 35	61	101¼	97⅛	101¼	+4¼
T., St. L. & W. 4s 50	170	94½	90	90	−1
Tol. W. Vy. & O. 4½s 31 A	10	100⅜	98½	99⅞	+1⅜
Tol. W. Vy. & O. 4½s 33 B	25	100	98⅛	100	+2
Trans Cont. Oil 6½s 38	5,787	110¾	97	109⅞	+10¾
Trans Con. Oil 6½s 38 xw	699	101½	87½	100⅛	+13⅛
Trenton G. & E. 5s 49	23	104½	102¼	104½	+3
Truax T. Coal 6½s 43	477	94¾	72	74½	−3½
Ulster & Del. 5s 28 ctf.	141	87⅛	67	69¾	−14¾
Ulster & Del. rfg. 4s 52	73	55	40	50	−4
Un. El. Lt. & P. 5½s 54	587	105	100½	101⅞	−⅛
Un. El. Lt. & P. 5s 32	406	103	100	101¼	+¾
Un. El. Lt. & P. rf. 5s 33	547	102½	100	101¾	+1⅛
Un. El. Chicago 5s 45	82	83½	68	70	−11
Union Oil Cal. 6s 42	550	110	105⅛	106½	−¼
Un. Oil Cal. 5s 35 C	1,125	103	98½	99½	+1¼
Un. Oil Cal. 5s 45 rcts. ww	1,625	101½	91	92	
Un. Pac. 1st 5s 2,008	573	112	105½	109	+3
Un. Pac. 4½s 67	2,790	102	96	99¾	+2½
Un. Pac. 1s 4s 47	4,112	99½	93⅜	98½	+4½
Un. Pac. gold 4s 68	3,779	94	87¼	92¾	+4¼
Un. Pac. rfg. 4s 2,008	2,182	97¾	88⅝	96⅜	+6¼
Unit. Biz. of Am. 6s 42	576	104¾	99	100	+1
Unit. Drug Del. 5s 53	4,737	101	90½	95⅞	+7⅛
Un. Rys. of St. L. 4s 34	423	74	60	62	−12
U. S. Rub. 5s 47	5,196	88½	68	70½	−11¾
Universal P. & R. 6s 36	285	63	60	61	−1
Utah Lt. & Trac. 5s 44	1,993	99¾	91¼	94¼	+1
Utah Pow. & Lt. 5s 44	2,329	102⅝	97¼	99⅜	+¼
Utica Gas & El. 5s 57	253	110	102¾	110	+7½
Utica El. Lt. & P. 5s '50	13	103¾	102¾	107⅛	+4¼
Util. Pow. & Lt. 5½s 47	6,005	95	71	72½	−15
Util. Pow. & Lt. 5s 59 ww	10,392	91⅜	62	66	
Ver. C. & P. 4½s asrd. 34	205	11¾	4	4	−47⅛
Vertientes Sug. 7s 42	660	62	34	45	−16
Va. Ir. Coal & Coke 5s 49	108	80	70	80	+10¾
Va. Mid. gen. 1st 5s 36	85	102¾	100	102¾	+2¼
Va. Ry. & Pow. 5s 34	1,254	103	99¾	101¼	+¾
Va. Ry. & Pow. 5s 62	1,224	109½	101	105¾	+⅝
Virginia Ry. 5s 62	336	102¾	96	99⅛	
Virginia Ry. 4½s 62	193	100	95	97½	−½
Va. & S. W. 1st 5s 2,003	204	92½	83¼	85¾	−1¾
Va. & S. W. con. 5s 58	1,244	106¼	91½	95	−6¾
Wabash rfg. 5½s 75	1,226	105⅝	99⅞	103	+1
Wabash R. R. 1st 5s 39	708	103	96	99¼	−1¾
Wabash R. R. 2d 5s 39	794	102⅜	84	94½	
Wabash 5s 80 D	2,630	102¼	84	93¼	−6¾
Wabash 5s 76 B	4,343	95¾	77	87	−3⅜
Wabash 4½s 78 C	1	90			
Wab. & Des M. 4s 39	125	87¾	81¼	86½	+5½
Wab. 1st 3½s Om. div. 41	424	103¼	93⅛	94	+4
Walworth 6½s 35 ww	1,144	96¾	85	85	−2
Walworth 6½s 35 x-w	2,663	95	61¾	78	−7½
Walworth 6s 45	18,959	113½	60	68	
Warner Bros. P. 6s 39	782	100⅛	95	95	
Warner Co. 6s 44 ww	78	98	93½	96	
Warner Co. 6s 44 xw	1,426	95	45	45	−42
Warner Quinlan 6s 39	96	82½	72½	81	
Warren R. R. 3½s 2000	445	52	10⅛	13	−39½
Warn. Sug. rfg. 7s 39	298	51½	10	10⅛	−41⅜
Warn. Sug. rfg 7s 39 sta	443	107½	98	100⅛	−2⅜
Warn. Sug. 7s 41	189	106	100	102	+⅝
Wash. Water Pow. 5s 39	182	107⅜	103¼	105½	+2½
Westch. Lt. 5s 50	2,070	105⅜	101	105½	+2½
Western Elec. 5s 44	2,225	102¾	89	94½	−2
West. Md. 5½s 77 A	5,053	88¾	74	80	−½
West. Maryland 4s 52	324	103¾	100	100⅛	+1⅛
W. N. Y. & Penn. 1st 5s 37	294	95⅞	87⅛	92½	+6½
W. N. Y. & Penn. gen. 4s 43	2,695	99¾	85	92	−6
West. Pac. 1st 5s 46					

CORPORATION BONDS—continued

Year's sales and range of prices on New York Stock Exchange—Con.

	Sales in 1,000's	High	Low	Last	Net change
West. Penn. Pow. 5½s 53 F	595	106½	104	105¼	+1½
West. Penn. Pow. 5s 46 A	829	105⅛	101¾	104	+2½
West. Penn. Pow. 5s 63 E	469	107	102	104	−1
West. Penn. Pow. os 56 G	877	105⅛	101⅞	105	+2
Western Union 6½s 36	1,214	110½	105⅜	107¾	−1⅜
Western Un. col. tr. 5s 38	676	105⅛	100½	103	+1
Western Union 5s 51	2,020	105¼	100	102	+¼
West. U. R. Est. 4½s 50	798	102⅛	95	101½	+4
Western Union 5s 60	2,796	105¼	100	103⅛	----
West Shore 1st 4s 2361	1,312	94⅞	86⅛	94¼	+8¼
Wh. & Lake Erie 4½s 66	92	97	90	91¼	+3¼
Wh. & Lake Erie 5s 66	107	101¼	98¾	101¼	+1¼
Wh. & L. E. con. 4s 49	230	93	87½	89	+3
Wheel Stl. 5½s 48 A	1,545	104⅛	96	100	−⅜
Wheel Stl. 4½s 53 B	4,369	93½	85⅛	87⅜	+⅜
Wh. Eagle O. 5½s 37 ww	1,616	108¾	100½	102	−1
White Sew. Ma. 6s 36 ww	93	85¼	29	29	−52
White Sew. M. 6s 36 xw	410	84	27	27	−52
White Sew. Mach. 6s 40	499	80	21	21	−54⅛
Wick. Spen. Stl. 1st 7s 35	241	40	8	8	−22
Wic. Spe. St. 1st. 7s 35 ctfs	232	39⅜	6	6	−19⅛
Wic-Spene. St. cvt. 7s 35	482	41	5	8⅛	−17⅜
Wic-S. St. cvt. cvt. 7s 35 ctfs	780	39¾	6⅛	7	−19
Wilkesb. & E. 1st 5s 42	216	71	40	41	−18
Willys Overl. 6½s 33	593	101½	91	95	−5⅛
Wilson & Co. 1st 6s 41	2,341	102⅞	96¼	98	−3
Winch. Arm. ctf. 7½s 41	561	104	100	100	−2
Wis. Cen. gen. 4s 49	631	83¼	47⅞	51¾	−28¾
Wis. Cen. 4s S. & D. div. 36	328	91⅜	65	65	−23¾
Youngstown S. & T. 5s 78	32,349	101¾	99½	101	+⅛

FOREIGN BONDS

Abitibi P. & P. 5s 53	4,000	88⅛	66	69¾	−1¾
Adriatic Elec. 7s 52	778	100½	89½	90	−10
Agri. Bank Col. 6s 47	860	86	49¾	50	−15
Agri. Bank Col. 6s 48	619	80½	51	52	−11½
Akerhus 5s 63	2,970	97¼	87	94⅜	+6½
Alp Mont. Stl. 7s 55	450	100	82⅛	82⅛	−12
Antioquia 7s 45 A	329	87¾	53	57	−18
Antioquia 7s 45 B	631	88	52	53	−22
Antioquia 7s 45 C	306	87½	54	55	−18¼
Antioquia 7s 45 D	599	88	52	52	−20
Antioquia 1st 7s 57	669	87½	44	44	−24
Antioquia 2d 7s 57	632	89	44	44	−25
Antioquia 3d 7s 57	660	88	41¾	42½	−25¼
Antwerp 5s 58	2,637	101	92¼	95½	+3¼
Argentine 6s 57 A	4,024	99⅞	87	91½	−3
Argentine 6s 58 B	2,612	100¼	87	91¼	−3¼
Arg. 6s sf. 59 jun	4,329	100	87	90⅞	−4⅛
Arg. sf. 6s 59 Oct	2,441	99⅞	87	90¼	−4¾
Arg. sf. 1960 May	2,544	100⅛	86⅛	91¾	−3
Arg. 6s 1960 Sept	3,006	99¾	87	90⅜	−5½
Arg. 6s 1960 Oct	2,048	100	88	90	−5
Arg. 6s 1961 Feb	3,133	99¾	87	90¼	−4¼
Arg. 6s 1961 May	1,893	100⅛	87½	91½	−3¼
Argentine 5½s 62	1,905	95¾	78	82½	−17
Argentine 5s 1945	717	93	82	83⅛	−3⅜
Australia 5s 55	6,033	94¼	70	70⅞	−22⅝
Australia 5s 57	3,529	94¼	70	70¼	−22⅜
Australia 4½s 56	5,314	85¾	62½	62½	−20¼
Austria Gtd. 7s 43	3,792	108	102¾	104¼	+½
Austria 7s 57 ctfs	7,075	95⅛	87	90¾	----
Batavian Pet. 4½s 42	3,682	95¾	92	92½	−⅛
Bavaria 6½s 45	1,432	98½	74⅛	82	−9⅛
Belgium 8s 41	2,565	111½	107¾	107¾	−1¾
Belgium 7½s 45	1,439	116½	114¾	114⅞	−⅜
Belgium 7s 55	5,293	115⅝	109¼	111⅛	+1¼
Belgium 7s 56	5,709	110¾	107	108	+1
Belgium 6½s 49	3,805	110½	105¾	107⅛	+1¼
Belgium 6s 55	4,863	106	100¼	102	+½
Bergen City 6s 49	435	102⅝	99	100⅜	+1⅜
Bergen City 5s 49	211	97⅛	94¼	95¼	----
Bergen City 5s 60	535	97½	94	94½	----
Berlin City 6½s 50	1,590	99	70	70	−21½
Berlin City 6s 58	1,981	94¾	64	68	−20
Berlin City Elec. 6½s 51	3,198	97⅛	66	71¾	−16¾
Berlin City Elec. 6½s 59	2,386	96	66⅛	68¼	−16½
Berlin City Elec. 6s 55	1,274	83⅞	63½	67¾	----
Berlin El. Elev. 6½s 56	1,815	96	67	69½	−17
Bogota 8s 45	791	99½	75	79	−17
Bolivia 8s 47	3,458	100	35	41	−82
Bolivia 7s 58	2,778	85¼	31¾	32	−42⅛
Bolivia 7s 59	4,423	84	29⅜	31½	−41½
Bordeaux 6s 34	2,835	106⅜	102	103⅞	+1⅛
Brazil 8s 41	4,366	102½	61	72	−21½
Brazil 7½s 52	683	105½	95	99⅜	−⅜
Brazil 6½s 1926-57	4,487	88⅛	46	56	−17¼
Brazil 6½s 1927-57	5,949	87⅛	47½	56	−16
Brazil C. Ry. El. 7s 52	2,511	93½	51	51	−35
Breda, Ernesto 7s 54 ww	1,056	84	56	57	----
Bremen 7s 35	1,892	104	86	86	−11¾
Brisbane 5s 57	1,021	90	62	65¼	−20¾
Brisbane City 5s 58	943	88¾	60	61	−27
Brisbane City 6s 50	105	93	79	79	----
British 5½s 37	7,006	106¼	102½	105	+2
British 5s 29-47	168	100⅜	97¼	100	+2¾
British 4s 60-90	719	91⅝	83	90¾	+7¼
Budapest 6s 27-62	2,723	85½	61	70	−4
Buenos A. 6½s 55	813	100½	80½	90	−6¾
Buenos A. 2nd 6s 60 Apr	117	100	80½	85	−11
Buenos A. 3d 6s 60 Oct	225	98⅛	80⅝	81½	−13½
Buenos A. 6s 61	3,647	91	62	64½	−19½

FOREIGN BONDS—continued

Year's sales and range of prices on New York Stock Exchange—Con.

	Sales in 1,000's	High	Low	Last	Net change
Buenos A. Prov. 6½s 61	954	86¾	63½	63½	----
Bulgaria 7½s 68	1,391	90¼	67	72	−10½
Bulgaria 7s 67	641	85¾	64	65½	−10½
Caldas 7½s 46	1,021	93½	86	88	−24
Canada 5s 31	2,124	101½	100	100⅜	+⅜
Canada 5s 52	2,584	106½	101⅛	103½	+½
Canada 4½s 36	2,741	102⅜	97⅜	100⅛	+2⅜
Canada S. S. 6s 41	300	97	86	86	−39½
Carlsbad 8s 54	278	109⅞	102⅞	104	----
Cauca Val. 7½s 46	399	95	52¾	84¾	−31¼
Chile Mtg. Bk. 6¾s 61	1,623	100¾	75	78⅝	−18⅛
Chile Mtg. Bk. 6½s 57	1,495	99	74¼	74¼	−19¾
Chile Mtg. Bk. 6s 61	1,607	94	65	70	−17
Chile Mtg. Bk. 6s 62	1,460	90	64⅛	70½	----
Chile 7s 42	1,913	103¼	87	88⅛	−10½
Chile 6s 60	4,103	94⅜	70	71½	−17¾
Chile 6s 61 Jan	2,828	94	70	74¾	−15⅛
Chile 6s 61	2,712	94	70¼	74⅜	−15¼
Chile 6s 61 Sept	1,911	94	71	76⅞	−12⅛
Chile 6s 62 Mar	1,794	94¼	69	74¼	−25¼
Chile 6s 63	3,655	91¾	70	73½	----
Chilean Mun. 8s 60	1,467	96½	70	70	----
Chin. Gov. Ry. 5s 51	562	34	21	26¾	+3½
Chris. (Oslo) 6s 54	243	103¾	99¾	100	−1⅜
Cologne 6½s 50	1,195	98⅜	70	74	−19
Colombia 6s 61 Jan	2,120	82	55	57½	−9
Colombia 6s 61 Oct	3,473	81⅞	55¼	58¾	−11¼
Colom. Mtge. Bk. 7s 46	715	88	55	56	−16½
Colom. Mtge. Bk. 7s 47	583	86	55⅛	62¾	−7¼
Colom. Mtge. Bk. 6½s 47	462	82¾	51	52	−15½
Comp. Ant. 7½s 39	326	55	14	16	−37
Comp. A. Bars. 7½s 37	202	91	44	44	−48½
Copenhag. 5s 52	2,043	103½	95¾	97⅛	+⅜
Copenhag. 4½s 53	2,291	94¾	88½	91¾	+3½
Copenhag. Tel. 5s 54	714	100	91¾	99	+6
Cordoba City 7s 57	428	93	57½	57½	−19
Cordoba City 7s 37 ctfs	170	98⅜	50	50	−34
Cordoba Pv. 7s 42	497	100	70	73½	−20
Costa Rica 7s 51	807	91	65	68⅛	−18⅞
Cuba 5½s 53	2,362	102	97	98½	−2¼
Cuba 5½s 45	1,971	94½	70	73½	----
Cuba 5s (1904) 44	475	101	97	97	−2¼
Cuba 5s (1914) 49 A	514	103	97	97	−4
Cuba 4½s 40	438	99	88	88	−9½
Cundinamarca 6½s 59	1,503	84	42	45	−20¼
Czecho. 8s 51	1,194	111¾	109	110	----
Czecho. 8s 52	594	111½	109	109¾	+1
Danish Mun. 8s 46 A	1,031	111	107¾	107¾	−2⅞
Danish Mun. 8s 45 B	829	111	107½	107¾	−2⅞
Denmark 6s 42	2,338	105⅞	103½	105¼	+1½
Denmark 5½s 55	2,558	101⅞	99½	100½	+½
Denmark 4½s 62	5,129	95	90½	93⅜	+3
Deutsche Bk. 6s 32	4,228	101	96	96½	----
Dom. Rep. sf. 5½s 42	680	100	88	90	−6
Dom. 1st 5½s 2j-40	601	96½	87	87½	−2¾
Dom. 2nd 5½s 2j-40	585	96	85½	85½	−3½
Dresd. sf. 7s 45	625	103	76⅛	79⅛	−16⅜
Duke Price Pow. 6s 66	1,804	106½	101½	102¾	−1⅜
D. E. Indies sfg. 6s 62	1,606	103½	101½	101½	----
D. E. Indies 6s 47	1,056	103½	101⅜	101½	+⅛
D. E. Indies 5½s 53 Mar	288	103	101⅛	101⅛	+⅛
D. E. Indies 5½s 53 Nov	344	104	101⅜	101⅜	−⅛
El Pow. Ger. 6½s 50	894	97¾	72	76	−16
El Pow Ger. 6½s 53	1,323	94½	69¾	70	----
Estonia Rep. 7s 67	786	89¼	48⅛	58	−21
Fiat 7s 46 ww	605	107	74⅝	78	−27
Fiat 7s 46 xw	1,720	94⅞	74½	78	−12
Finland sfg. 7s 50	1,252	101¼	90⅛	94¼	−3¼
Finland 6½s 56	910	98½	86¾	88	−3¾
Finland 6s 45	678	97¾	84¾	86	−6
Finland 5½s 58	1,424	92	72½	77¾	−7¾
Fin. Mun. L. 6½s 54 A	375	99	86	86	−6¾
Finnish M. L. 6½s 54 B	434	98½	87	89	−3¾
Frankfort 6½s 53	608	95	68¼	68⅜	----
French 7½s 41	15,437	126	118	125⅛	+6½
French 7s 49	14,542	121	112⅛	120	+7¼
Gelsenkirchen 6s 34	1,069	96¾	84	90	----
Ger. C. Agr. Bk. 7s 50	21115	98½	76	79	−13½
Ger. C. Ag. Bk. 6s 39 Apr	5,107	94	75⅞	79	−5
Ger. C. Ag. Bk. 6s 60 Jul	4,152	90⅛	65	68	−9
Ger. C. Ag. Bk. 6s 60 Oct	7,886	90	65	69¾	−8¼
Ger. Con. Ag. Loan 6½s 58	3,686	90	65½	68	−10
Ger. Gov. Int. 5½s 65	30,620	91¼	68	69¼	----
Ger. Rep. 7s 49	7,225	100⅞	100⅛	101	−5½
Ger. Gen. El. 7s 45	1,399	105	89½	90	−8½
Ger. Gen. El. 6½s 40	2	91	----	----	----
Ger. Gen. El. 6½s 40 ww	182	124	91	91	−19
Ger. Gen. El. 6½s 40 xw	628	101	89¼	90	−7
Ger. Gen. El. 6s 48	3,229	97¼	80	84	−6¾
Good Hope 7s 45	923	101⅛	81	81	−9
Graz 8s 54	583	102	93	97½	+2⅛
Gt. Con. El. P. Jap. 7s 44	1,502	101¾	91	94	−3½
Gt. Con. El. P. Jap. 6½s 50	1,471	98	83	85	−6
Greek 7s 64	843	103¼	98	98⅛	−¾
Greek 6s 68	2,297	88¾	80	80⅛	−2⅝
Haiti 6s 53	1,007	100¼	92	94½	−2¾
Hamburg St. 6s 46	1,173	97½	80	85⅛	−7⅞
Hansa S. S. Line 6s 39 ww	1,338	92⅛	70	70	----
Harpen Min. 6s. 49 ww	1,088	94⅛	77	77	−10
Heidelbg 7½s 50	376	104½	90	94	−8
Helsingfors 6½s 60	403	94½	80	81½	----
Holland-Am. Line 6s 47	228	92⅛	58½	58½	−36½
Hungary 7½s 44	1,305	104⅜	98	99¾	−2
Hung. L. Mtg. I. 7½s 61 A	322	100	82	82	−8⅛

FOREIGN BONDS—continued

Year's sales and range of prices on New York Stock Exchange—Con.

	Sales in 1,000's	High	Low	Last	Net change
Hung. L. Mtg. 7½s 61 B	445	98½	81	82¼	−9½
Hung. Munic. 7½s 45	1,105	98	73¾	82⅞	−9⅝
Hung. Munic. 7s 46	762	94	66	69⅜	−16⅝
Iseder Steel 6s 48	1,819	92	67	70	−13
Irish Free St. 5s 60	1,286	103¾	96	101⅝	+5⅛
Ital. Cr. Cons. 7s 37 A	690	98¾	88	92	−1½
Ital. Cr. Cons. 7s 47 B	1,244	98¾	82¾	84½	−8½
Ital. Pub. Util. 7s 52	3,046	98	77	78	−14½
Italy 7s 1951	15,548	101	88¾	93	−1¼
Japan 6½s 54	10,004	105¾	101½	103	+½
Japan 5½s 65	9,913	94⅜	90	91⅞	
Jap. Ster. Loan 4s 31	2,901	98¼	94⅜	97⅛	+2⅜
Jugoslavia Bank 7s 57	3,586	86	74	76	−2½
Karstadt 6s 43	2,985	83⅞	66¾	69	−13
Kreuger & Toll. 5s 59 ww	20,422	100¾	89⅞	93	+⅜
Leipzig stg. 7s 47	673	101¼	76⅛	78	−20¼
Lombard El 7s 52 ww	825	99⅜	70	70⅛	−23
Lombard El. 7s 52 xw	715	99	71½	72	−22½
Low Aust. Prov. 7½s 50	436	100	92¼	99	+4½
L. Aus. H. E. Pow. 6½s 44	593	91	72¾	82	−3
Lyons 6s 34	2,806	106¾	102	103⅞	+1¼
Marseilles 6s 34	2,597	106¾	102½	103⅞	+1⅛
Medellin Munic. 6½s 54	1,008	60	39	40	−27
Meridion El 7s 57	445	102	94½	95	−4⅛
Mex. Irrig. 4½s asstd. 43	297	18	8½	8½	−1½
Mexico 6s sm. asst. 33	436	27	11½	11½	−5⅝
Mexico 6s large asst. 33	325	27½	11½	11½	−6½
Mex. sf. 5s asst. 45	572	25	11⅞	12⅜	−3⅝
Mex. sf. 5s lrg. asst. 45	58	24	13½	14	−1⅛
Mex. 04 gld. 4s asst. 54	845	17⅝	8	8	−3
Mex. 10 gld. 4s asst. sm. 45	1,935	21½	8⅜	8¾	−1¾
Mex. 10 gld. 4s ast. lar. 45	1,820	21¾	8½	10⅜	−1⅛
Mtg. M. M. 7s 56 ww	13	97	76⅞	81	−8
Mtg. M. M. 7s 56 xw	343	91	57	58	−24½
Milan City 6½s 52	6,658	95	68½	76	−8½
Minas Geraes 6½s 58	1,224	83	42¾	46	−26
Minas Ger. 6½s 59 ctfs	1,338	82½	42	42	−30
Montecat M. & A. 7s 37 w w	822	108½	89	92	−9
Mont. M. & A. 7s 37 xw	1,202	102	87¾	93	−2½
Montevideo 7s 52	668	103	70	70	−28¼
Montevideo 6s 59	376	96⅞	73½	74	−15½
Netherlands 6s 72	818	107¾	103	105⅛	+1¼
New South Wales 5s 57	2,272	90	59½	64¼	−23¾
New South Wales 5s 58	1,964	90	61½	63	−25
Nord. Ry. sf. 6½s 50	1,977	107¼	102	106½	+2¾
North Ger. Lloyd 6s 47	2,792	93½	81½	82	−7
Norway 6s 52	2,123	104½	100¾	101¼	−7⅛
Norway 6s 44	2,364	106	102⅜	104¾	+2½
Norway 6s 43	1,023	106	102⅜	104½	+1⅞
Norway 5½s 65	2,727	103¼	100⅛	101⅜	+⅜
Norway 5s 63	5,090	101½	96¾	100½	+3½
Nor. Mun. Bk. 5s 67	2,151	101	94¾	100¼	+5½
Nor. Mun. Bk. 5s 70 ctfs	581	101¼	97¾	99¾	
Nor'weg. Hyd. El. 5½s 57	3,987	98½	88¼	97⅝	+9½
Nuremberg 6s 52	779	92½	62½	63	−21
Orient Dev. Ltd. 6s 53	2,677	100	92	94½	
Orient Dev. Ltd. 5½s 58	5,163	93¼	85½	88¼	+1¼
Oslo City 6s 55	1,294	104	96¾	101	−1¼
Oslo City 5½s 46	429	102½	98¾	99¼	+¼
Oslo G. & E. Wks. 5s 63	2,517	98½	90	95¼	+3¾
Panama 5½s 53	286	103	101¼	103½	+3
Panama 5s 63 A	1,407	96	89½	90½	+1½
Par.-Lyons Med. 7s 58	3,173	107½	104¼	107	+2¼
Par.-Lyons Med. 6s 58	5,112	105½	102	104½	+2¾
Par.-Orl. R. R. 5½s 68	1,398	105¼	99½	103	+3¾
Paulista Ry. 7s 42	195	103	90	90	−7
Pernambuco 7s 47	704	90	39⅞	39⅝	+30⅞
Peru 7s 59	1,365	100	51	56½	−37½
Peru 1st 6s 50	5,041	84	33	35½	−34
Peru 2nd 6s 1961	2,149	84¼	31½	33¼	+35⅝
Pirelli 7s 52	392	113¾	93¾	93⅞	−13⅜
Poland 8s 50	3,850	98	69½	82½	−13½
Poland 7s 47	8,441	88⅜	68	79	−⅜
Poland 6s 40	1,104	81	58	64	−11
Porto Aleg. 8s 61	326	100	68½	69¼	−20⅜
Porto Aleg. 7½s 66	325	94½	59	63¾	−24½
Prague 7½s 52	513	107½	102½	104¾	
Prussia 6s 52	909	77	63	69¾	
Prussia 6½s 51	526	83½	70¾	74⅞	
Queensld. 7s 41	1,225	110	90	94	−15
Queensld. 6s 47	1,009	104¼	77	80	−24
Rhinelbe 7s 46 ww	781	107½	76	82½	−17½
Rhinelbe 7s 46 xw	1,956	99	76	80⅝	−14⅜
Rhine Main 7s 50	569	103⅛	90	91¾	−8⅛
Rhine Rhur Water 6s 53	646	99	56¼	61	
Rhine Westph. 7s 50	925	104	85⅞	87½	−12½
Rhine Westph. 6s 52	1,942	94	74	79½	−7
Rhine West. 6s 53 ww	2,307	94½	72	78	−7⅜
Rhine West 6s 53 xw	276	94½	79	81	−4
Rhine West 6s 55 ww	1,888	94	70	80	
Rima Steel 7s 55	301	97¼	77⅜	85	−9
Rio de Jan. 8s 46	1,389	105¼	65	66½	−26
Rio de Jan. 6½s 53	3,687	85	42½	42½	−27¾
Rio Gr. do Sul. 8s 46	1,087	103	50½	75	−19
Rio Gr. do Sul. 7s 67	463	89½	46	46⅞	−25⅛
Rio Gr. do Sul. 7s 66	1,126	93¼	47½	50	−27
Rio Gr. do Sul. 6s 68	1,865	80⅝	34⅞	36¼	−28¾
Rome 6½s 52	6,475	94¾	70	78½	−9½
Rotterdam 6s 64	475	106	102¾	105	
Royal Dutch 4s 45	5,917	92	56¼	87	
Rumania Inst. 7s 59	813	85	72	72½	
Saabrueck 6s 53	253	92	80⅝	86	+1
Salvador 8s 48	501	110¼	98	103	−3
Sao Paulo City 8s 52	547	107	67	67	−29
Sao Paulo City 6½s 57	853	84	47	51	−17½

FOREIGN BONDS—continued

Year's sales and range of prices on New York Stock Exchange—Con.

	Sales in 1,000's	High	Low	Last	Net change
Sao Paulo St. 8s 50	1,777	101	60	62	−28¼
Sao Paulo St. 8s 36	928	102¼	68	77⅛	−20
Sao Paulo St. 7s 56	1,021	93½	50	55⅛	−27
Sao Paulo St. 7s 40	6,127	96¼	67	75	
Sao Paulo St. 6s 68	2,032	81	39	39½	−27½
Sante Fe Arg. 7s 42	981	95¾	77½	81½	−8
Sax Pub. Wks. 7s 45	2,104	100¾	73¼	75¾	−16¼
Sax Pub. Wks. 6½s 51	1,823	97⅜	66¾	74½	−14½
Saxon St. Mtg. I 7s 45	757	100	77	78¾	−13¼
Saxon St. Mtg. I 6½s 46	539	97	69¾	77	−8¼
Seine 7s 42	3,334	108⅞	106	106½	−1⅝
Serbs Cts. Slov. 8s 62	3,071	98	81½	91	+3
Serbs Cts. Slov. 7s 62	5,423	88	75	77	+1¾
Shinyetsu El. 6½s 52	804	93	68	74¾	−14¾
Siemens & Hal. 7s 35	426	104	97½	97½	−2½
Siemens & Hal. 6½s 51	2,520	108	87¾	89	−12¾
Silesia El. 6½s 46	319	90½	62	63½	−18½
Silesia Prov. 7s 53	1,552	82	46⅝	55½	−14½
Silesian Ld. Assn. 6s 47	852	84⅞	62	64¾	−7¼
Soissons 6s 36	1,471	107	101½	104	+2¾
Styria 7s 46	613	93¼	86	91⅛	+5⅛
Sweden 5½s 54	2,103	107¼	102½	105¼	−½
Swiss Con. 8s 40	2,286	109	104¾	105¼	−3½
Swiss 5½s 46	2,181	106¼	102⅜	106¼	+2
Sydney 5½s 55	128	76¼	70	70	
Toho El. Pow. 7s 55	1,395	100⅞	92½	96⅛	−2⅞
Toho Elec. Pow. 6s 32	2,742	100½	95½	96⅞	−⅝
Tokyo City 5½s 61	3,624	93¾	87¼	88¾	+¾
Tokyo City 5s 52	1,008	82¾	74⅞	75½	
Tokyo El. Lt. 6s 53	8,409	92¼	81	83½	−4
Tolima Dep. 7s 47	371	87	44	45	−26½
Trondhjem 5½s 57	642	100	93¼	97⅜	+3⅝
Tyrol Hy. El. P. 7½s 55	470	102	92	92½	+½
Tyrol Hy. El. Pow. 7s 52	614	95	85	94½	+7½
Uligawa El. Pow. 7s 45	1,715	101½	97	98¾	+⅞
U. S. S. Copenh. 6s 37	282	101¾	98⅛	101⅜	+4
Un. Stl. Burbach 7s 51	712	107⅛	102	105⅛	+1⅜
Un. Stl. Wks. 6½s 51 A	3,450	92	68	74⅜	−12⅛
Un. Stl. Wks. 6½s 47 A	1,008	91½	66⅞	70½	
Un. Stl. Wks. 6½s 51 C	918	92	68⅛	74¼	−12
Unterelbe P. & L. 6s 53	760	91	67	69¾	−18¼
Upper Aust. 7s 45	903	99	93¼	98½	+1½
Upper Aust. 6½s 57	719	91⅛	81¼	90½	+3½
Uruguay 8s 46	1,341	109¼	86	99¾	−4¾
Uruguay 6s 60	3,796	99½	70	74¾	−19
Uruguay 6s 64	1,975	98¼	71	74	
Venetian Pr. M. Bk. 7s 52	1,306	98	88	94½	+8½
Vienna City 6s 52	2,525	91	82	84½	+1
Warsaw City 7s 58	1,675	83¾	48	56	−14
Westph. Un. El. P. 6s 53	2,979	91	62	65⅛	−11⅜
Wurttemberg El. 7s 56	455	94⅞	80	84⅛	−4¾
Yokohama 6s 61	2,954	99¼	93¼	96¾	−¾

N. Y. CITY AND N. Y. STATE BONDS

N. Y. City 3½s 54 Nov	23	92	91¾	92	+6⅜
N. Y. City 4s 59	9	100⅞	98	100¾	+5¾
N. Y. City 4½s 60	47	100½	95	100¼	+2
N. Y. City 4½s 57 Nov	5	105⅞	103	105⅞	+3⅜
N. Y. City 4½s 63	63	107¾	101¼	106¾	+5
N. Y. City 4½s 65	9	106	105½	105½	+3½
N. Y. City 4½s 67	25	108⅛	107⅜	107⅝	−⅝
N. Y. City 4½s 71	15	108¼			+6½
N. Y. St. Can. 4s 61 July	5	101	99	101	+1⅜
N. Y. State Canal 4½s 64	10	109			

EDITORIAL ON SENATOR NORRIS, OF NEBRASKA

Mr. BROOKHART. Mr. President, I have here an editorial by Mr. William Randolph Hearst entitled "A Political Chameleon Is Exactly What Senator NORRIS Is Not." This is the best description of the Senator from Nebraska that I have seen; and the country ought to know of these ideas of his, so contrary to what so much of the press has published. I ask that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A POLITICAL CHAMELEON IS EXACTLY WHAT SENATOR NORRIS IS NOT

The difference between a politician and a statesman is that a politician is true to his party and a statesman is true to his principles.

Representative WOOD, of Indiana, is a very good politician. He is always true to his party.

"My party, may it always be right, but right or wrong, my party," is his motto.

That is an excellent motto for a politician.

But Senator NORRIS is a statesman. He has propounded as many sound and progressive policies as any Senator in the history of Congress. He has consecrated his life to his principles.

He can not compromise them for political advantage.

He can not abandon them for party fealty.

He can not shift them for party expediency.

Senator NORRIS'S principles are good Republican principles—the kind of principles which a good Republican like Lincoln might maintain and did maintain.

Senator NORRIS actually believes in a government of the people, by the people, and for the people.

If the Republican Party prefers to commit itself for purely financial reasons to a government of the Power Trust, by the Power Trust, and for the Power Trust, or to a government of the international bankers, by the international bankers, and for the international bankers, Senator NORRIS does not feel called upon to follow the Republican Party into this betrayal of its principles and his.

That is statesmanship; and, moreover, it may turn out to be very sound politics, too.

Perhaps the people think more of principles than they do of parties.

Perhaps the people think more of a sincere, conscientious public servant like Senator NORRIS than they do of the slavish party henchmen who are willing to sacrifice their principles in the squalid hope of holding onto their jobs.

Certainly the people of Nebraska, who are a pretty intelligent lot of good Americans, thought more of Senator NORRIS than they did of the skulking partisan assassins who were using Power Trust contributions in the effort to destroy the Senator.

The people of Nebraska thought Senator NORRIS was a good Republican.

The people of Nebraska thought Senator NORRIS was a faithful public servant.

The people of Nebraska approved of Senator NORRIS's principles and of his devotion to principle; and after all, this is a representative Government, and it is the people of Nebraska whom Senator Norris is representing.

Anyhow, there in the Senate of the United States, representing the people of Nebraska, sits Senator NORRIS.

And he is there not because he is a "political chameleon," but because he is not a "political chameleon."

He does not change his principles with every shift of political wind or every turn of party tide.

He is not a cheap politician, true to his party no matter what hue or shade of principle or lack of principle his party may take on.

He is not like the political chameleon who went pink when his party went pink, and went blue when his party went blue, and went yellow when his party went yellow, and finally got on a Scotch plaid of contradiction and inconsistency and "busted."

Senator NORRIS emphatically has not "busted."

He has stood steadfastly by his opinions.

He thought Mr. Hoover might not make a very popular President. Well!

He thought that Mr. Hoover had lived so long in foreign countries that he might favor foreign entanglements. Well!

He thought Mr. Hoover might still be a Wilson Democrat. Well!

He thought that the voters ought to have some show for their white alley, and that the Government ought not to be run entirely in the interest of the Power Trust and the international bankers. Well!

There are a whole lot of us plain American citizens who agree with Senator NORRIS and who are glad that we still have some statesmen who are not political chameleons.

WILLIAM RANDOLPH HEARST.

REPORT OF SELECT COMMITTEE ON THE ALASKA RAILROAD

Mr. HOWELL. Mr. President, I send to the desk a report of the special select committee, pursuant to Senate Resolution 298, appointed by the Senate to investigate the Alaska Railroad (Rept. No. 1230), and I request that the report be printed as a Senate document.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. HOWELL. I also request that at this time a summary of the report, which I send to the desk, be read.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the summary will be read.

The Chief Clerk read as follows:

ALASKA RAILROAD—SUMMARY OF REPORT OF SPECIAL SELECT COMMITTEE OF THE SENATE, 1930

There are three railroads in Alaska operating in contiguous territory and under similar conditions, each approximately paralleling the others. These are the Government-owned Alaska Railroad and the privately owned White Pass and Copper River Railroads. The White Pass Railroad is 350 miles east and the Copper River Railroad 150 miles east of the Alaska Railroad.

The passenger rate on the White Pass Railroad is 20 cents per mile, on the Copper River Railroad 12 cents, and on the Alaska Railroad 6 cents per mile. The freight rates on the White Pass Railroad average about 420 per cent higher than the freight rates prevailing in the Pacific-Mountain region of the States, on the Copper River Railroad 251 per cent higher, and on the Alaska Railroad but 30 per cent higher. The traffic rates on the two privately owned roads are such as are deemed commercially necessary, and have not been objected to by the Interstate Commerce Commission, to which body these roads report.

The inadequacy of the traffic rates on the Alaska Railroad is such that the cost of the railroad to the Government for 1930 was $1,213,000 in excess of its income and for the last seven years $8,100,000, not including depreciation, or interest on the investment totaling some $70,000,000.

The Alaska Railroad rates are inadequate for the following reasons:

1. The relatively high cost of maintenance due to the fact that the road traverses regions still in the making.

2. The severe climatic conditions—temperatures during the winter ranging on the northern stretches of the road from 10 to 50 degrees below zero, while heavy snowfalls are contended with near the coast.

3. The scanty population, numbering as it does less than 3,400 inhabitants, within the 50,000 square miles tributary to the road.

4. The lack of outgoing freight traffic largely resulting in the loading of inbound freight trains only.

Contributing also to the annual deficits of the road is looseness and inefficiency in the conduct of the railroad's business, of which the following facts are indicative:

(1) The accounts receivable, an accumulation of years, totals $324,000, and no suit has been brought to enforce collection in any case.

(2) The purchase and continued operation of a bankrupt narrow-gage railroad extending 40 miles north from Fairbanks, which from the beginning lost $121 per day. This road was recently abandoned and represents a loss all told of about $1,000,000.

(3) The operation of an electric, water, and heating plant in Nenana, a hamlet of 293 inhabitants, at a net cost to the Government of $19,000 per year.

(4) The abandonment in September, 1929, of the Anchorage electric distribution system and profitable power service without compensation for the benefit of a privately owned hydroelectric plant at a net loss to the railroad of $55,000 for the first nine months ended June 30, 1930, as compared with the corresponding period of 1929.

There being no promise of an early increase in traffic on the Alaska Railroad, the only present possibility of materially reducing its annual deficits is to increase the passenger and freight rates. Therefore the select committee of the Senate composed of Senators HOWELL, KENDRICK, and THOMAS appointed to investigate the affairs of the railroad recommends, among other things, an immediate increase in the passenger rate from 6 to 10 cents per mile and a general increase in freight rates sufficient to afford an increase in freight revenue of 50 per cent. The freight rates on the three Alaska railroads would then compare as follows:

White Pass Railroad, 420 per cent higher than in the States; Copper River Railroad, 251 per cent higher; and the Alaska Railroad, about 95 per cent higher.

The first schedule of freight rates established for the Alaska Railroad was 100 per cent higher than in the States. Subsequently the rates in the States were raised while the rates on the Alaska Railroad were reduced. The increase recommended does not quite reestablish the relation of these rates that was initially deemed necessary.

The arguments advanced against this proposed increase are largely based upon the asserted obligation of the Government to develop Alaska. However, the policy of maintaining the present inadequate traffic rates has not been justified by results, inasmuch as the total increase in population during the past 10 years within the 50,000 square miles of territory tributary to the railroad has been less than 1,200, at a cost to the Government—due to the railroad's deficits alone—of some $10,000,000; that is, about $800,000 for each 100 persons domiciled in that region since 1920.

The recommendations of the committee in detail are as follows:

(1) That the railroad be not abandoned but its operation be continued.

(2) That its train mileage be reduced approximately 100,000 miles as compared with that of the fiscal year of 1930.

(3) That that business efficiency which is inseparable from successful management, and of which the railroad has not always been the beneficiary, be enforced, together with strict economy and the husbanding of every resource.

(4) That passenger rates be increased from 6 to 10 cents per mile, together with a revision of freight rates so as to provide at least 50 per cent more revenue, as an average, on all freight handled than can be obtained under the schedule of the freight rates now in effect, and that $1,000,000 appearing in the pending appropriation bill of the Interior Department be allocated as follows: $500,000 to cover deficit in operation; $250,000 for the investigation of mineral and other resources of Alaska, to ascertain the potential resources available which will affect railroad tonnage; and $250,000 for improvements chargeable to capital account.

(5) That this committee be continued or another committee be appointed to keep the Senate informed respecting the progress of the railroad and the details of operation during the coming year.

Mr. COPELAND. Mr. President, I should like to ask the Senator from Nebraska a question.

The VICE PRESIDENT. The Chair will state that debate is not in order during the morning hour.

Mr. COPELAND. I should like to ask a question about this report.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. COPELAND. Does the committee recommend that the rates on a Government-owned railroad be increased? Is that the proposal of the Senator?

Mr. HOWELL. It is.

Mr. COPELAND. Have we not been given to understand that Government operation of certain utilities is favorable to the country and to its development? Now I find the remarkable proposal on the part of the Senator that a Government railroad, which is supposed to be helping that section of the country, increase its rates. I wanted to be clear that that really is the proposal made by the committee.

Mr. HOWELL. Mr. President, it must be recognized that in a region such as Alaska railroads can not be operated at the same rates at which they can be conducted in the United States. This fact was recognized when this railroad was established. The first schedule of rates provided that they should be, on an average, 100 per cent higher than in the States. Subsequently the rates in the States were raised, and the rates on the Alaska Railroad were reduced, until we found upon investigation that freight rates are now but 30 per cent higher than the rates prevailing in the States.

As stated in this summary, there are two privately owned railroads operating in Alaska, approximately paralleling the Alaska Railroad. They are operated under commercial conditions. They report to the Interstate Commerce Commission; but the freight rates upon the White Pass Railroad, one of these roads, are 420 per cent higher than the rates in the States, and the rates on the Copper River Railroad are 251 per cent higher, while, as I have stated, the rates on the Alaska Railroad are now but 30 per cent higher.

What could we expect of a railroad, privately or publicly owned, that charged such rates, under the conditions that prevail, for its service? Nothing but deficits. Of course, the privately owned railroads have no one to sustain deficits. The Alaska Railroad, however, being Government owned, has Congress to prevail upon to foot deficits because of inadequate rates.

Mr. SMOOT. Mr. President——

Mr. HOWELL. Pardon me just a moment. The chief argument urged against an increase of these rates is that the railroad was built to develop Alaska, and that the Government should continue to operate at present rates for that purpose.

Mr. President, these rates have practically been in effect for the last 10 years. The total deficits for that period have been $10,000,000, and during all that time the population within the regions traversed by the Alaska Railroad, which may be assumed to be 50 miles wide on either side of that road, a territory of some 50,000 square miles in extent, has increased but 1,200 persons. In other words, to develop Alaska by putting 1,200 persons into that region—and the increase of the population is the measure of the development—has cost the Government $10,000,000, or, as stated in this report, at the rate of a little over $800,000 for each hundred persons domiciled in that region.

Your committee deemed that the continuation of such a policy was not justified, and that a course should be taken such as would be taken if the railroad were a privately owned concern.

The facts are that this railroad incurs these deficits, not necessarily because of public ownership but in spite of public ownership.

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Utah?

Mr. HOWELL. I yield.

Mr. McNARY. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. McNARY. Consent was given to the Senator from New York to ask a simple question of the Senator from Nebraska, who has answered the question. I object to further debate and ask for the regular order.

The VICE PRESIDENT. Further reports of the committees are in order.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ODDIE:

A bill (S. 5500) for the construction of an additional power plant at Lahontan Dam, Newlands project, Fallon, Nev., and for such improvements, restoration, or repairs to the present Lahontan Power Plant, Lahontan Dam, and the Truckee Canal as the Secretary of the Interior may find advisable or necessary; to the Committee on Irrigation and Reclamation.

By Mr. DILL:

A bill (S. 5504) granting a pension to Edward E. Bailey;

A bill (S. 5505) granting a pension to Mary A. Guptill; and

A bill (S. 5506) granting a pension to Amanda Kurtz; to the Committe on Pensions.

By Mr. NORRIS:

A bill (S. 5507) granting an increase of pension to Bridget Hagerty; to the Committee on Pensions.

By Mr. THOMAS of Oklahoma:

A bill (S. 5508) granting a pension to Sarah M. Anderson; to the Committee on Pensions.

By Mr. FESS:

A bill (S. 5509) granting an increase of pension to Salina E. Miller (with accompanying papers); and

A bill (S. 5510) granting a pension to George Chadwick Salyers (with accompanying papers); to the Committee on Pensions.

By Mr. STECK:

A bill (S. 5511) granting a pension to Alta Kimble (with accompanying papers); and

A bill (S. 5512) granting an increase of pension to Otis H. Shurtliff (with accompanying papers); to the Committee on Pensions.

By Mr. NYE:

A bill (S. 5513) to amend section 2 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, as amended; to the Committee on the Judiciary.

By Mr. BINGHAM:

A bill (S. 5514) to authorize the posthumous award of a distinguished-flying cross to Eugene E. Ely; to the Committee on Naval Affairs.

A bill (S. 5515) to amend section 29 of the act of August 29, 1916, entitled "An act to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous government for those islands"; to the Committee on Territories and Insular Affairs.

By Mr. SHEPPARD:

A bill (S. 5516) for the relief of E. G. Mason; to the Committee on Claims.

By Mr. STEIWER:

A bill (S. 5517) for the relief of the First National Bank at Heppner, Oreg.; to the Committee on Claims.

A bill (S. 5518) authorizing the construction of a canal for the diversion within the city of Klamath Falls, Oreg., of the main canal of the Klamath project; to the Committee on Irrigation and Reclamation.

By Mr. McKELLAR:

A bill (S. 5519) granting the consent of Congress to Louisville & Nashville Railroad Co. to construct, maintain, and operate a railroad bridge across the Tennessee River at or near Danville, Tenn.; to the Committee on Commerce.

By Mr. SHORTRIDGE:

A bill (S. 5520) for the relief of Alexander M. Simons; to the Committee on Military Affairs.

A bill (S. 5521) for the relief of George L. Newell; to the Committee on Naval Affairs.

By Mr. SHIPSTEAD:

A bill (S. 5522) providing for sale of Chippewa Indian land to the State of Minnesota; to the Committee on Indian Affairs.

By Mr. McNARY:

A bill (S. 5523) authorizing the Secretary of the Interior to appraise tribal property of the Klamath and Modoc Tribes and the Yahooskin Band of Snake Indians, and for other purposes; to the Committee on Indian Affairs.

A bill (S. 5524) to coordinate the agricultural experiment-station work and to extend the benefits of certain acts of Congress to the Territory of Porto Rico; to the Committee on Agriculture and Forestry.

By Mr. HARRIS:

A bill (S. 5525) for the relief of M. Brown and S. H. Brown for losses sustained on schooner *Ninnetta M. Porcella* (with accompanying papers); to the Committee on Claims.

By Mr. FRAZIER:

(By request.) A bill (S. 5526) to amend the act of June 21, 1906 (34 Stats. 325), entitled "An act making appropriations for the current and contingent expenses of the Indian Department, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the year ending June 30, 1907"; and

(By request.) A bill (S. 5527) to extend the restrictive period against alienation, lease, mortgage, or other encumbrance of any interest of restricted heirs of members of the Five Civilized Tribes, and for other purposes; to the Committee on Indian Affairs.

By Mr. COPELAND:

A bill (S. 5528) to increase the compensation payable to noncareer vice consuls; to the Committee on Foreign Relations.

By Mr. CAPPER:

A bill (S. 5529) granting an increase of pension to Clementine Ferris (with accompanying papers);

A bill (S. 5530) granting an increase of pension to Mary Ross (with accompanying papers);

A bill (S. 5531) granting an increase of pension to Mary J. Sweeney (with accompanying papers);

A bill (S. 5532) granting an increase of pension to Elenor Eustis (with accompanying papers); and

A bill (S. 5533) granting an increase of pension to Mary E. Means (with accompanying papers); to the Committee on Pensions.

By Mr. WHEELER:

A bill (S. 5534) granting a pension to Waumdi Duba (Red Eagle); to the Committee on Pensions.

A bill (S. 5535) to provide funds for cooperation with the school board at Frazer, Mont., in the construction of a high-school building to be available to Indian children of the Fort Peck Indian Reservation; to the Committee on Indian Affairs.

By Mr. BINGHAM:

A joint resolution (S. J. Res. 225) authorizing and directing the Comptroller General to investigate and reexamine the account between the United States and the State of Connecticut with respect to advances and expenditures made by such State for military purposes during the War of 1812–1815, etc.; to the Committee on the Judiciary.

By Mr. FRAZIER:

A joint resolution (S. J. Res. 226) authorizing the distribution of the judgment rendered by the Court of Claims to the Indians of the Fort Berthold Indian Reservation, N. Dak.; to the Committee on Indian Affairs.

PROTECTION OF INVENTIVE GENIUS

Mr. HEFLIN. Mr. President, I introduce a bill to amend the patent laws so as to provide for the protection of inventive genius, which I ask may be read.

The bill (S. 5502) to amend the patent laws so as to provide for the protection of inventive genius was read the first time by its title and the second time at length, as follows:

Be it enacted, etc., That section 4895 of the Revised Statutes is amended by adding at the end thereof the following:

"Hereafter any such assignment shall include a detailed explanation of the consideration supporting such assignment. The Commissioner of Patents shall cause an examination to be made of the actual consideration involved in such assignment, and any such assignment shall not be valid unless and until the commissioner finds and enters upon the record that, in his opinion, the inventor or discoverer has received or will receive just and reasonable compensation therefor."

SEC. 2. Section 4898 of the Revised Statutes, as amended, is further amended by striking out the period at the end of the first sentence and inserting in lieu thereof a semicolon and the following:

"But any such assignment, grant, or conveyance whereby any inventor or discoverer purports to assign, grant, or convey his patent or any interest therein shall not be valid unless and until (1) such assignment, grant, or conveyance has been entered of record in the Patent Office, and (2) the Commissioner of Patents finds and enters upon the record, after an examination of the actual consideration supporting the assignment, grant, or conveyance, that, in his opinion, the inventor or discoverer has received or will receive just and reasonable compensation therefor."

Mr. HEFLIN. I move that the bill be referred to the Committee on Patents.

The motion was agreed to.

RELIEF OF DROUGHT AND FLOOD SUFFERERS

Mr. CARAWAY. Mr. President, I send to the desk to have referred to the Committee on Agriculture and Forestry a joint resolution to amend Senate Joint Resolution 211, approved the 30th day of last month, so as to make $15,000,000 available for the relief of distress in the drought and flood afflicted areas, subject to the same regulations and methods of distribution set up in the original resolution. This joint resolution would make $15,000,000 available for the relief of human beings.

The joint resolution (S. J. Res. 227) to amend Senate Joint Resolution 211, approved December 30, 1930, for the relief of farmers in the drought or storm stricken areas of the United States, was read the first time by its title and the second time at length, as follows:

Resolved, etc., That Joint Resolution No. 211, approved December 30, 1930, be amended as follows, to wit:

"That the Secretary of Agriculture is hereby authorized for the crop of 1931 to make advances or loans to farmers in the drought and storm stricken areas where he shall find that an emergency for such assistance exists for the purchase of food under such terms as may be prescribed by the Secretary of Agriculture. Such advances or loans shall be made on the same terms as the provision of said Joint Resolution No. 211 makes for the loans or advances for seed, feed, etc., subject to all the qualifications of said Senate Joint Resolution No. 211. For carrying out the purposes of this resolution, including all expenses and charges incurred in so doing, there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $15,000,000.

Mr. CARAWAY. Mr. President, I want to speak for just a moment, and to read a letter. It is contended that the Red Cross is caring for the distressed in the afflicted areas. I see that the Secretary of Agriculture has been so generous as to call the Red Cross's attention to the fact that down in my own State heads of families were almost in a riot in an effort to get relief. Out of the 500 who entered a protest, 250 were given $2.75 for the support of a family.

I have here a letter from a gentleman connected with a governmental agency, whose name I am sure is familiar to every Member of the Senate, but I shall refrain from giving it for his protection. He says:

The Red Cross at Tyronza—

Tyronza is a town down in Arkansas, and this letter was written last week—

The Red Cross at Tyronza yesterday were distributing to a family of three, $1.15 in groceries to last a month. Consisted of 4 pounds of flour, 5 pounds of lard, the balance in either beans or meat, and some sugar.

One dollar and fifteen cents to care for a family of three for a month!

I wish some of those who are talking about raids upon the Treasury and a dole would try to live upon that kind of a ration for a week, not a month, but a week, and not for three, but one, and find out how adequately and amply and generously the necessities of these people are being cared for by the Red Cross.

I am not criticizing the Red Cross. It should never have been asked to take care of a situation which was the result of a drought and a flood which impoverished such a vast

number of people, nor should those people have been required to become public mendicants in order to live.

These people are all Americans. Their ancestors were Americans. They or their ancestors have worn their country's uniform in every war in which this country has been engaged. They ask only that they be permitted to share the wealth and the bounty they have assisted in creating, but they are denied, and are told that they will be adequately cared for by charitable organizations; and letters like the one I have in my hand furnish the evidence of how adequately they are being cared for.

In the joint resolution I am sending to the desk I am proposing that $15,000,000, which was the amount stricken out of the proposed appropriation of $60,000,000, be appropriated and be dedicated to the purpose of caring for suffering, starving people.

The Secretary of Agriculture has very contemptuously said the amount he had gotten to which he was not entitled would care for only a few babies. It would care for a great many more babies than will ever rise up to call his name blessed.

I call attention to this now, and called attention to it before, only because of the fact that a man who can be so hard of heart as to say that people who created the wealth of this Nation should not share it, but should beg or starve, has been so generous in his own use of public funds. But that is only incidental.

The VICE PRESIDENT. The joint resolution will be received and referred to the Committee on Agriculture and Forestry.

Mr. CARAWAY. Mr. President, I ask unanimous consent to have printed as a part of my remarks an article appearing in Labor on January 6, 1931.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

CANADA WILL FEED HUNGRY—PREMIER BENNETT ANNOUNCES PLANS TO ASSIST THE FARMERS; DISCUSSION ABOUT THE "DOLE" DOES NOT FRIGHTEN HIM

OTTAWA, CANADA, December 31.—Premier R. B. Bennett made known his long-awaited measures to relieve the harassed wheat growers of western Canada in an address before more than 5,000 people at Regina last night.

He emphasized seven proposals and declared that the Dominion Government would open its purse to aid the Provinces in providing food, fuel, and clothing for those in distress. Evidently Premier Bennett does not share the apprehension of the American authorities that feeding hungry men and women may lead to the establishment of the "dole."

Mr. Bennett's principal remedies included the creation of a private corporation to lend money to assist farmers in getting into mixed farming; assistance for the provincial governments in providing free food, clothing, and seed grain for needy farmers; and credit arrangements to prevent forced selling of the 1930 crop.

He also announced he had a guarantee from the French Government to purchase 7,000,000 to 9,500,000 bushels of the 1930 crop, and had opened negotiations with the Chinese Government for the sale of Canadian wheat in China.

Several trade treaties are under review with the aim of improving markets for Canadian wheat, he said, and added that grain freight rates to Churchill would be based on the Crow's Nest Pass rates, thus assuring Canadian farmers low freight rates.

There will be no fixing of a minimum price for wheat, however. The premier will not yield to the western farmers on that point.

Premier Bennett defended the action of the wheat pool in handling the 1929 crop. The policy, he said, was concurred in by the financial organizations of the Dominion.

"No citizen of this country," declared the premier, "must suffer for lack of food, clothing, shelter, and fuel."

OLD-AGE PENSIONS

Mr. CARAWAY. Mr. President, I introduce another bill, and ask that it be referred to the Committee on Education and Labor. It proposes pensions for disabled and old people under such conditions that I think no one can have serious objection to it. It is not intended to encourage idleness or a wanton dissipation of one's assets, but where one has been a creator of wealth and has been a good citizen the fear of an old age depressed by poverty and want should be removed. People should be allowed to go forward, assured that if they do what good citizens ought to do, and help to create the wealth which has made this country the richest in the world, when age shall come they will be permitted to share in the wealth for the creation of which they have toiled.

The bill (S. 5501) to encourage and assist the States in providing for pensions to the aged was read twice by its title and referred to the Committee on Education and Labor.

GRAND ISLAND, NEBR., RADIO STATION

Mr. DILL. Mr. President, I send to the desk a bill authorizing the purchase of land and the construction of a building for a radio station near Grand Island, Nebr. I call attention to the bill for the reason that it proposes to enlarge the monitor station there, which will make it possible, I think, for the first time in the history of radio, to keep radio stations on their wave lengths.

The bill (S. 5503) authorizing purchase of land and construction of buildings for radio station near Grand Island, Nebr., was read twice by its title and referred to the Committee on Commerce.

ADDITIONAL DISTRICT JUDGE, WASHINGTON

Mr. DILL. Mr. President, I see the senior Senator from Nebraska [Mr. NORRIS], the chairman of the Judiciary Committee, in the Chamber, and I should like at this time to ask that Senate bill 2358, to provide for the appointment of an additional district judge for the western district of Washington, be returned to the Committee on the Judiciary. The bill was passed upon by the committee without my knowledge. As a member of the committee, I should like to have something to say about it, and I hope the chairman will not object to the bill being recommitted.

Mr. NORRIS. Mr. President, I will say to the Senator that if there had been present this morning a quorum of the Judiciary Committee, I would have asked for authority in the name of the committee to request that the bill be recommitted to the committee. I think it ought to be sent back. I do not doubt but that the committee would agree to that action, but unfortunately a quorum of the committee was not present this morning. If the Senator asks that the bill be returned to the committee, as far as I am concerned I will not object; but I can not speak in the name of the committee.

The VICE PRESIDENT. Is there objection?

Mr. McNARY. Mr. President, will that affect the calendar?

The VICE PRESIDENT. It will not, except as to this one bill. Without objection, the bill will be recommitted to the Committee on the Judiciary.

UNITED STATES MARINES IN NICARAGUA

Mr. JOHNSON. Mr. President, I offer the resolution which I send to the desk, ask that it be read, and I will then ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. The clerk will read.

The resolution (S. Res. 386) was read and agreed to, as follows:

Resolved, That the Secretary of State be, and he is hereby, requested to transmit to the Senate all communications, documents, reports, and agreements since 1924, or copies thereof, relating to the landing or maintenance of United States marines in Nicaragua; and all notes, communications, or agreements, or copies thereof, passing between the Governments of the United States and Nicaragua concerning elections to be held in Nicaragua; the formation and training of the constabulary or native police of Nicaragua; the duties to be performed by said constabulary and by United States marines; the mode of compensating said constabulary and the amount thereof.

Mr. KING. Mr. President, I should have been glad if the Senator from California had added another provision to his resolution, one similar to that which is contained in the resolution which I now offer and which I ask may be read.

The VICE PRESIDENT. Is there objection to the reading of the resolution? The Chair hears none, and the clerk will read, as requested.

The Chief Clerk read the resolution (S. Res. 388), as follows:





Resolved, That it is the sense of the Senate that the President should immediately withdraw from Nicaragua the armed forces of the United States.

Mr. KING. I ask that the resolution may lie upon the table. At an appropriate time I shall ask its consideration.

The VICE PRESIDENT. The resolution will lie upon the table.

MONEY IN CIRCULATION IN THE UNITED STATES

Mr. HEFLIN. Mr. President, I ask unanimous consent to have printed in the RECORD a letter from the Secretary of the Treasury transmitting information showing the amount of money in circulation in the United States for the years 1919 to 1930.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

LETTER FROM THE SECRETARY OF THE TREASURY TRANSMITTING, IN RESPONSE TO SENATE RESOLUTION NO. 367, INFORMATION SHOWING THE AMOUNT OF MONEY IN CIRCULATION IN THE UNITED STATES FOR THE YEARS 1919 TO 1930

TREASURY DEPARTMENT,
Washington, December 17, 1930.

The PRESIDENT OF THE SENATE.

SIR: Pursuant to Resolution No. 367 of the Senate of the United States on December 9 (calendar day, December 10), 1930, requesting information showing the amount of money in circulation in the United States for the years 1919, 1920, and including each succeeding year up to 1930, I have the honor to make the following response:

The amount of money in circulation in the United States at the close of each fiscal year from June 30, 1919, to June 30, 1930, both inclusive, is set forth below:

1919	$4,876,638,244
1920	5,467,588,616
1921	4,910,992,490
1922	4,463,172,111
1923	4,823,274,772
1924	4,849,307,433
1925	4,815,207,508
1926	4,885,266,064
1927	4,851,321,131
1928	4,796,626,257
1929	4,746,296,562
1930	4,521,987,962

Provisional figures for November 30, 1930, show $4,660,621,013 in circulation on that date.

Included in my report for the fiscal year 1930, recently submitted to the Congress, are three tables setting forth the stock and circulation of money in the United States for each fiscal year from 1913 to 1930. These tables present full details concerning the money circulation as derived from the circulation statements issued at the close of each month, with such revisions for past years as have been necessary to conform to the present form of statement. Copies of these tables are attached. There is also inclosed a copy of the provisional figures for the Circulation Statement of United States Money for November 30, 1930.

With respect to the money in circulation the data supplied represent the amounts in circulation outside the Treasury and the Federal reserve banks, and with respect to paper currency include any amounts that may be held abroad. Concerning the coin circulation, figures are adjusted or corrected monthly, but concerning the paper circulation, the Treasury has no basis on which to make even an approximate estimate of the amounts that may be held abroad.

Respectfully,

A. W. MELLON,
Secretary of the Treasury.

Circulation statement of United States money—November 30, 1930

[Provisional figures: Subject to correction]

Kind of money	Total amount [1]	Money held in the Treasury					Money outside of the Treasury				Population of continental United States (estimated)
		Total	Amount held in trust against gold and silver certificates (and Treasury notes of 1890)	Reserve against United States notes (and Treasury notes of 1890)	Held for Federal reserve banks and agents	All other money	Total	Held by Federal reserve banks and agents [2]	In circulation		
									Amount	Per capita	
Gold coin and bullion	[3] $4,570,859,849	$3,508,928,424	$1,728,272,579	$156,039,088	$1,582,263,278	$43,353,479	$1,061,931,425	$710,742,153	$351,189,272	$2.83	
Gold certificates	[4] (1,728,272,579)						1,728,272,579	652,529,160	1,075,743,419	8.68	
Standard silver dollars	539,969,520	495,566,780	457,828,905			7,737,884	44,392,731	7,305,813	37,086,918	.30	
Silver certificates	[4] (486,580,455)						486,580,455	86,479,508	400,100,947	3.23	
Treasury notes of 1890	[4] (1,248,450)						1,248,450		1,248,450	.01	
Subsidiary silver	311,451,993	6,639,860				6,639,860	304,812,133	23,566,066	281,216,067	2.27	
Minor coin	126,787,855	4,362,238				4,362,238	122,425,617	4,113,262	118,312,355	.95	
United States notes	346,681,016	2,175,254				2,175,254	344,505,762	40,101,205	304,404,557	2.46	
Federal reserve notes	1,851,747,685	1,080,655				1,080,655	1,850,067,030	410,062,998	1,440,004,032	11.61	
Federal reserve bank notes	3,184,042	102,779				102,779	3,081,263	16,975	3,064,288	.02	
National bank notes	699,344,880	25,119,224				25,119,224	674,225,656	26,574,948	648,250,708	5.23	
Total Nov. 30, 1930	8,450,616,840	[5] 4,044,575,223	2,216,101,484	156,039,088	1,582,263,278	[6] 90,171,373	6,622,148,101	1,961,522,088	4,660,621,013	37.59	123,975,000
Comparative totals:											
Oct. 31, 1930	8,345,776,283	[5] 4,040,338,909	2,149,402,772	156,039,088	1,644,318,678	90,578,371	6,454,840,146	1,992,236,337	4,492,603,809	36.30	123,771,000
Nov. 30, 1929	8,838,658,420	[3] 3,889,024,288	1,732,823,803	156,039,088	1,861,384,481	139,076,916	6,680,157,935	1,750,736,448	4,929,421,487	40.95	120,381,000
Oct. 31, 1920	8,479,620,824	[2] 2,436,864,530	718,674,378	152,979,026	1,212,360,791	352,850,336	6,761,430,672	1,063,216,060	5,698,214,612	53.01	107,491,000
Mar. 31, 1917	5,396,596,677	[2] 2,952,020,313	2,651,691,072	152,979,026		117,350,216	5,126,267,436	953,321,522	4,172,945,914	40.23	103,716,000
June 30, 1914	3,796,456,764	[1] 1,845,575,888	1,507,178,879	150,000,000		188,397,009	3,458,059,755		3,458,059,755	34.92	99,027,000
Jan. 1, 1879	1,007,084,483	[1] 212,420,402	21,602,640	100,000,000		90,817,762	816,266,721		816,266,721	16.92	48,231,000

[1] Includes United States paper currency in circulation in foreign countries and the amount held by the Cuban agency of the Federal Reserve Bank of Atlanta.

[2] Includes money held by the Cuban agency of the Federal Reserve Bank of Atlanta.

[3] Does not include gold bullion or foreign coin other than that held by the Treasury, Federal reserve banks, and Federal reserve agents. Gold held by Federal reserve banks under earmark for foreign account is excluded, and gold held abroad for Federal reserve banks is included.

[4] These amounts are not included in the total since the money held in trust against gold and silver certificates and Treasury notes of 1890 is included under gold coin and bullion and standard silver dollars, respectively.

[5] The amount of money held in trust against gold and silver certificates and Treasury notes of 1890 should be deducted from this total before combining it with total money outside of the Treasury to arrive at the stock of money in the United States.

[6] This total includes $26,494,710 of notes in process of redemption, $35,333,473 of gold deposited for redemption of Federal reserve notes, $28,807,209 deposited for redemption of national bank notes, $1,350 deposited for retirement of additional circulation (act of May 30, 1908), and $7,732,959 deposited as a reserve against postal savings deposits.

NOTE.—Gold certificates are secured dollar for dollar by gold held in the Treasury for their redemption; silver certificates are secured dollar for dollar by standard silver dollars held in the Treasury for their redemption; United States notes are secured by a gold reserve of $156,039,088 held in the Treasury. This reserve fund may also be used for the redemption of Treasury notes of 1890, which are also secured dollar for dollar by standard silver dollars held in the Treasury. Federal reserve notes are obligations of the United States and a first lien on all the assets of the issuing Federal reserve bank. Federal reserve notes are secured by the deposit with Federal reserve agents of a like amount of gold or of gold and such discounted or purchased paper as is eligible under the terms of the Federal reserve act. Federal reserve banks must maintain a gold reserve of at least 40 per cent, including the gold redemption fund which must be deposited with the United States Treasurer, against Federal reserve notes in actual circulation. Lawful money has been deposited with the Treasurer of the United States for retirement of all outstanding Federal reserve bank notes. National-bank notes are secured by United States bonds except where lawful money has been deposited with the Treasurer of the United States for their retirement. A 5 per cent fund is also maintained in lawful money with the Treasurer of the United States for the redemption of national bank notes secured by Government bonds.

STOCK AND CIRCULATION OF MONEY IN THE UNITED STATES

TABLE 53.—*Stock of money, money in the Treasury, in the Federal reserve banks, and in circulation at the end of each fiscal year from 1913 to 1930* [1]

[000 omitted, except per capita figures]

June 30—	Stock of money	Money held in the Treasury					Money outside of the Treasury				Population of continental United States (estimated)
		Total [2]	Amount held in trust against gold and silver certificates (and Treasury notes of 1890)	Reserve against United States notes (and Treasury notes of 1890)	Held for Federal reserve banks and agents	All other	Total	Held by Federal reserve banks and agents	In circulation		
									Amount	Per capita	
1913	$3,777,021	$1,834,112	$1,475,783	$150,000	----------	$208,329	$3,418,692	----------	$3,418,692	$35.12	97,337
1914	3,797,825	1,845,570	1,507,179	150,000	----------	188,391	3,459,434	----------	3,459,434	34.93	99,027
1915	4,050,783	1,907,665	1,619,429	152,977	----------	195,259	3,702,547	$382,965	3,319,582	32.96	100,725
1916	4,541,730	2,356,536	2,057,409	152,979	----------	146,147	4,242,603	893,345	3,649,258	35.63	102,431
1917	5,678,774	2,859,396	2,063,391	152,979	$526,295	116,731	4,882,769	816,365	4,066,404	39.05	104,145
1918	6,906,237	2,976,251	1,407,694	152,979	1,205,082	210,496	5,337,681	855,984	4,481,997	42.33	105,869
1919	7,688,413	2,907,812	906,673	152,979	1,416,086	432,074	5,687,275	810,636	4,876,638	45.95	106,135
1920	8,158,496	2,379,604	704,638	152,979	1,184,276	337,771	6,483,470	1,015,881	5,467,589	51.38	106,414
1921	8,174,528	2,921,089	919,643	152,979	1,537,857	310,610	6,173,062	1,262,089	4,910,992	45.44	108,087
1922	8,276,070	3,515,583	1,000,578	152,979	2,108,887	233,139	5,761,065	1,297,893	4,463,172	40.67	109,743
1923	8,702,788	3,821,846	1,150,108	152,979	2,255,170	263,529	6,031,111	1,307,836	4,823,275	43.35	111,268
1924	8,846,542	4,248,438	1,628,139	152,979	2,260,401	206,429	6,226,243	1,376,935	4,849,307	43.03	112,686
1925	8,303,632	4,176,381	2,059,799	153,621	1,752,744	210,217	6,187,049	1,371,841	4,815,208	42.20	114,104
1926	8,428,971	4,210,358	2,139,770	154,189	1,717,348	199,050	6,379,202	1,582,578	4,796,636	40.52	118,364
1927	8,667,282	4,159,053	2,096,205	155,421	1,712,003	195,427	6,604,431	1,753,110	4,851,321	41.48	116,943
1928	8,118,091	3,725,650	1,986,761	156,039	1,387,650	195,199	6,379,202	1,582,578	4,796,636	40.52	118,364
1929	8,538,796	3,789,896	1,854,373	156,039	1,562,428	217,049	6,603,283	1,856,986	4,746,297	39.62	119,788
1930	8,306,564	4,021,937	1,978,448	156,039	1,796,230	91,211	6,263,075	1,741,087	4,521,988	36.71	123,156

[1] The figures in this table differ from the monthly circulation statements for the following reasons: (a) Beginning June 30, 1922, the form of circulation statement was revised so as to include in the holdings of the Federal reserve banks and agents, and hence in the stock of money, gold bullion, and foreign gold coin held by the Federal reserve banks and agents, and to include in the holdings of the Federal reserve banks and agents, and hence exclude from money in circulation, all forms of money held by the Federal reserve banks and agents, whether as reserve against Federal reserve notes or otherwise. For the sake of comparability the figures in this table for earlier years have been revised to include these changes. For full explanation of this revision, see annual report for 1922, p. 433. (b) The form of the circulation statement was revised again beginning Dec. 31, 1927, so as to exclude earmarked gold coin from the stock of money, and hence from money in circulation; to include in the holdings of the Federal reserve banks and agents, and hence in the stock of money, gold held abroad for the account of the Federal reserve banks; and to include in all categories minor coin (the bronze 1-cent piece and the nickel 5-cent piece). Beginning on Dec. 31, 1927, the circulation statement is dated for the end of the month instead of the beginning of the succeeding month, as was the practice theretofore. For the sake of comparability the figures in this table for earlier years have been revised to include these changes. (c) The figures in this table are on the revised daily Treasury statement basis. For figures for the years prior to 1913, see annual report for 1928, pp. 550–551, and for full explanation of revision of Dec. 31, 1927, pp. 70–71.

[2] The amount of money held in trust against gold and silver certificates and Treasury notes of 1890 should be deducted from these totals before combining them with total money outside of the Treasury to arrive at the stock of money in the United States.

TABLE 54.—*Stock of money, classified by kinds, at the end of each fiscal year from 1913 to 1930* [1]

[Dollars in thousands]

June 30—	Gold coin and bullion [2]	Silver dollars	Subsidiary silver	United States notes [3]	Minor coin	Federal reserve notes [3]	Federal reserve bank notes [3]	National-bank notes [3]	Total	Percentage of gold to total money
1913	$1,870,762	$568,273	$175,196	$346,681	$56,951	----------	----------	$759,158	$3,777,021	49.53
1914	1,890,657	568,272	182,007	346,681	59,536	----------	----------	750,672	3,797,825	49.78
1915	1,985,539	568,272	185,430	346,681	61,327	$84,261	----------	819,274	4,050,783	49.02
1916	2,444,636	568,271	188,890	346,681	63,909	176,168	$9,000	744,175	4,541,730	53.83
1917	3,220,242	568,270	198,275	346,681	60,688	547,408	12,790	715,420	5,678,774	56.71
1918	3,162,808	499,516	231,857	346,681	78,146	1,847,580	15,444	724,205	6,906,237	45.80
1919	3,113,306	308,146	242,870	346,681	82,909	2,687,557	187,667	719,277	7,688,413	40.49
1920	2,865,482	268,857	258,856	346,681	92,479	3,405,877	201,236	719,038	8,158,496	35.12
1921	3,274,730	268,788	271,314	346,681	98,522	3,000,430	150,772	743,290	8,174,528	40.06
1922	3,784,652	381,174	271,211	346,681	98,593	2,555,062	80,495	758,202	8,276,070	45.73
1923	4,049,554	491,887	269,186	346,681	99,056	2,676,902	22,083	747,440	8,702,788	46.53
1924	4,488,391	503,755	277,614	346,681	102,445	2,339,049	10,596	778,012	8,846,542	50.74
1925	4,364,632	522,061	283,472	346,681	104,004	1,942,240	7,176	733,366	8,303,632	52.56
1926	4,447,397	533,491	288,923	346,681	106,891	1,995,206	5,713	702,660	8,428,971	52.76
1927	4,587,298	537,944	295,590	346,681	113,285	2,077,473	4,854	704,146	8,667,282	52.93
1928	4,100,163	539,962	299,010	346,681	116,689	2,002,811	4,155	699,621	8,118,091	50.62
1929	4,324,351	539,961	304,187	346,681	120,640	2,194,970	3,711	704,294	8,538,796	50.64
1930	4,534,866	539,960	310,978	346,681	126,001	1,746,591	3,260	698,317	8,306,564	54.59

[1] See note 1, Table 53. For figures for years prior to 1913, see annual report for 1928, pp. 552–553.

[2] Does not include gold bullion and foreign coin outside of the vaults of the Treasury, Federal reserve banks, and Federal reserve agents, except gold held abroad for the account of the Federal reserve banks. Excludes earmarked gold coin and bullion. (See note 1, Table 53.)

[3] Gold certificates are secured dollar for dollar by gold held in the Treasury for their redemption; silver certificates are secured dollar for dollar by standard silver dollars held in the Treasury for their redemption; United States notes are secured by a gold reserve of $156,039,088 held in the Treasury. This reserve fund may also be used for the redemption of Treasury notes of 1890, which are also secured dollar for dollar by standard silver dollars held in the Treasury. Federal reserve notes are obligations of the United States and a first lien on all the assets of the issuing Federal reserve bank. Federal reserve notes are secured by the deposit with Federal reserve agents of a like amount of gold or of gold and such discounted or purchased paper as is eligible under the terms of the Federal reserve act. Federal reserve banks must maintain a gold reserve of at least 40 per cent, including the gold redemption fund which must be deposited with the United States Treasurer against Federal reserve notes in actual circulation. Lawful money has been deposited with the Treasurer of the United States for retirement of all outstanding Federal reserve bank notes. National-bank notes are secured by United States bonds, except where lawful money has been deposited with the Treasurer of the United States for their retirement. A 5 per cent fund is also maintained in lawful money with the Treasurer of the United States for the redemption of national bank notes secured by Government bonds.

TABLE 55.—*Money in circulation, classified by kinds, at the end of each fiscal year from 1913 to 1930* [1]

[Dollars in thousands]

June 30—	Gold coin	Gold certificates [2]	Standard silver dollars	Silver certificates [2]	Treasury notes of 1890 [2]	Subsidiary silver	United States notes [2]	Federal reserve notes [2]	Minor coin	Federal reserve bank notes [2]	National-bank notes [2]	Total
1913	$808,401	$1,003,908	$72,127	$469,129	$2,657	$154,458	$337,215	----------	$54,954	----------	$715,754	$3,418,692
1914	611,545	1,026,149	70,300	478,602	2,428	150,966	337,846	----------	57,419	----------	715,180	3,459,434
1915	587,537	821,869	64,499	463,147	2,245	150,043	309,796	$70,810	58,516	----------	752,120	3,319,582
1916	624,939	1,050,266	60,234	476,279	2,098	171,178	328,227	149,152	62,998	$1,683	716,204	3,649,258
1917	666,545	1,062,926	71,754	468,365	1,970	193,745	311,595	506,756	68,411	3,702	690,635	4,066,404
1918	537,230	511,190	77,201	370,349	1,851	216,492	291,859	1,698,190	74,958	10,970	691,407	4,481,698
1919	474,875	327,552	79,041	163,445	1,745	229,316	274,119	2,450,278	81,780	155,014	639,472	4,876,638
1920	474,822	259,007	76,749	97,606	1,656	248,863	278,144	3,064,742	90,958	185,431	689,608	5,467,588

[1] See note 1, Table 53. For figures for years prior to 1913, see annual report for 1928, pp. 554–555.

[2] For description of security held for redemption, see note 3, Table 54.

TABLE 55.—*Money in circulation, classified by kinds, at the end of each fiscal year from 1915 to 1930*—Continued

[Dollars in thousands]

June 30—	Gold coin	Gold certificates	Standard silver dollars	Silver certificates	Treasury notes of 1890	Subsidiary silver	United States notes	Federal reserve notes	Minor coin	Federal reserve bank notes	National-bank notes	Total
1921	$447,272	$200,582	$65,883	$158,843	$1,576	$225,295	$320,170	$2,599,596	$91,409	$129,942	$721,421	$4,910,993
1922	415,937	173,342	57,973	265,335	1,510	229,310	292,343	2,138,715	89,157	71,868	727,681	4,463,172
1923	404,181	386,456	57,262	364,258	1,460	247,307	302,749	2,234,600	93,897	19,969	711,076	4,823,275
1924	393,330	801,331	54,015	364,414	1,423	252,998	297,700	1,843,106	96,952	10,066	733,835	4,849,307
1925	402,297	1,004,823	54,289	382,780	1,387	262,009	282,578	1,636,108	100,307	6,921	681,709	4,815,208
1926	391,703	1,057,371	51,577	377,741	1,356	270,072	294,916	1,679,407	104,194	5,453	651,477	4,885,266
1927	384,957	1,007,075	48,717	373,798	1,327	275,605	292,203	1,702,843	108,132	4,606	650,057	4,851,322
1928	377,028	1,019,149	46,222	384,577	1,304	278,175	298,438	1,626,433	111,061	4,029	650,212	4,796,694
1929	368,488	934,994	43,654	387,073	1,283	284,238	262,188	1,692,721	115,210	3,616	652,812	4,746,297
1930	357,236	904,841	28,629	386,915	1,260	281,231	288,389	1,402,066	117,436	3,206	650,779	4,521,988

TAXES PAID TO THE GOVERNMENT BY THE NEW YORK STOCK EXCHANGE

Mr. HEFLIN. Mr. President, I ask to have printed in the RECORD a letter from the Secretary of the Treasury in relation to the amount of taxes paid to the Government by the New York Stock Exchange.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

LETTER FROM THE SECRETARY OF THE TREASURY, TRANSMITTING, IN RESPONSE TO SENATE RESOLUTION NO. 366, INFORMATION SHOWING THE AMOUNT OF TAXES PAID TO THE GOVERNMENT BY THE NEW YORK STOCK EXCHANGE IN CONNECTION WITH EXCHANGE TRANSACTIONS FOR THE YEARS 1919 TO 1930

TREASURY DEPARTMENT,
Washington, December 19, 1930.

The PRESIDENT UNITED STATES SENATE.

SIR: The Secretary of the Treasury is requested by Senate Resolution 366 "to transmit to the Senate the information showing the amount of taxes paid to the Government by the New York Stock Exchange or by members thereof in connection with exchange transactions for the years 1919, 1920, and each succeeding year up to and including the year 1930."

I have the honor to make the following response: In the appended table there are presented for the fiscal years 1919–1930, inclusive, data showing sales of documentary stamps representing the collection of capital stock transfer taxes. The data are shown for the first, second, and third New York collection districts combined, and separately for the second district and for the first and second districts combined. The bulk of the collections for New York City are made through sales of stamps in the second district. It is doubtless true that the sales in all three offices include not only taxes on transfers of stock on the New York Stock Exchange but also transfers on the New York Curb Exchange and over the counter, as well as transactions in stocks on the New York Produce Exchange and, to a limited extent, on the New York Real Estate Securities Exchange. Furthermore, some of the stamps sold in these districts doubtless are used in connection with transfers arising out of transactions taking place outside New York City. The Treasury can not identify individual transactions for which the stamps are used, since they are customarily purchased in relatively large lots for use as required in connection with stock transfers coming under each of the above classifications. The Treasury is not, therefore, in a position to segregate collections on transfers of stocks on the New York Stock Exchange.

Respectfully,

A. W. MELLON,
Secretary of the Treasury.

Capital stock transfer tax; sales of stamps in first, second, and third New York collection districts, fiscal years 1919 to 1930, inclusive

Fiscal year	First, second, and third New York collection districts	Second[1] New York collection district	First[2] and third[3] New York collection districts
1919	$6,914,304.72	$6,913,316.40	$988.32
1920	12,379,180.34	12,379,143.58	36.76
1921	7,888,645.30	7,888,645.10	.20
1922	8,165,949.39	8,165,946.51	3.88
1923	8,808,288.72	8,808,284.54	4.18
1924	7,106,617.50	7,105,932.82	684.68
1925	11,697,878.50	11,690,527.06	7,351.44
1926	15,636,385.52	15,631,854.22	4,531.30
1927	15,250,757.60	15,250,152.60	605.00
1928	21,893,712.39	21,861,330.90	2,381.49
1929	33,583,742.09	33,580,590.55	3,151.54
1930	41,320,939.19	41,255,511.27	65,427.92

[1] Customhouse office.
[2] Brooklyn office.
[3] Upper New York office (Fifty-seventh Street).

Source: Annual reports of the Commissioner of Internal Revenue.

AMENDMENT OF SECTION 12 OF FEDERAL FARM LOAN ACT

Mr. BROOKHART submitted an amendment in the nature of a substitute intended to be proposed by him to the bill (S. 2080) to amend section 12 of the Federal farm loan act, as amended, which was referred to the Committee on Banking and Currency and ordered to be printed.

AMENDMENTS TO AGRICULTURAL APPROPRIATION BILL

Mr. FLETCHER submitted amendments intended to be proposed by him to House bill 15256, the Agricultural Department appropriation bill, which were referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 53, line 4, strike out "$62,306" and insert in lieu thereof "$82,306."

On page 53, line 5, strike out "$30,000" and insert in lieu thereof "$50,000."

On page 53, at the end of line 7, to insert "owned by the United States or."

Mr. TYDINGS submitted an amendment intended to be proposed by him to House bill 15256, the Agricultural Department appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 37, line 3, after the word "purpose." to insert the following: "*And, further*, That the sum of $15,000 hereby appropriated, the same to become immediately available, shall be devoted to and used for the investigation and development of the nut-growing industry in the Northern and Eastern States."

FUNERAL EXPENSES OF THE LATE SENATOR GREENE

Mr. DALE submitted the following resolution (S. Res. 385), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate the actual and necessary expenses incurred by the committee appointed by the Vice President in arranging for and attending the funeral of the Hon. Frank L. Greene, late a Senator from the State of Vermont, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

PROPOSED PURCHASES OF LAND FROM MEXICO

Mr. ASHURST submitted the following resolution (S. Res. 387), which was referred to the Committee on Foreign Relations:

Resolved, That the President of the United States is hereby respectfully requested to open negotiations with the Republic of Mexico for the purchase of the peninsula of Lower California and for the purchase of that tract of land in the State of Sonora, Republic of Mexico, approximating in area 10,000 square miles, and lying north of the parallel of 31° 20′ N.

PROPOSED INVESTIGATION BY TARIFF COMMISSION

Mr. SHORTRIDGE. Mr. President, I offer the following resolution which I ask may be read and presently considered.

The VICE PRESIDENT. Without objection, the resolution will be read as requested.

The Chief Clerk read the resolution (S. Res. 389), as follows:

Resolved, That the United States Tariff Commission is directed, under the authority conferred by section 336 of the tariff act of 1930, and for the purposes of that section, to investigate the differences in the costs of production of the following domestic articles and of any like or similar foreign articles: Dried whole eggs, dried egg yolk, and dried egg albumen.

Mr. KING. Mr. President, I ask the Senator whether he has had any conference with members of the Tariff Commission with respect to the matters referred to in his resolution?

Mr. SHORTRIDGE. No; I have not; but I have information on the subject which leads me to think that the investigation should be made. I am hopeful that the commission will conclude and advise an increase of the duties on the articles mentioned in the resolution, but, of course, they will look at the facts and report accordingly.

Mr. KING. The reason why I made the inquiry is that in respect to a number of resolutions which have been offered here and accepted, one or two have been withdrawn later for the reason that upon conferring with the Tariff Commission it was discovered that there was no immediate necessity for making such an investigation. The suggestion has been made that a conference with the commission might determine some Senators, and I am one of that number, in offering resolutions which we have been tempted to offer.

Mr. ROBINSON of Arkansas. Mr. President, I think resolutions of this character should receive some consideration by the Senate. For that reason I ask that the resolution may go over under the rule.

The VICE PRESIDENT. The resolution will go over under the rule.

Mr. SHORTRIDGE. Mr. President, I offer the following resolution and ask that it be read and presently considered. I express the hope that Senators will see the propriety and wisdom of the investigation.

The PRESIDING OFFICER (Mr. FESS in the chair). The resolution will be read.

The Chief Clerk read the resolution (S. Res. 390), as follows:

Resolved, That the United States Tariff Commission is directed, under the authority conferred by section 336 of the tariff act of 1930, and for the purposes of that section, to investigate the differences in the costs of production of the following domestic article and of any like or similar foreign articles: Casein.

Mr. ROBINSON of Arkansas. Mr. President, I think the suggestion which I made a moment ago applies with equal force to this resolution. Therefore I suggest that it go over under the rule.

The PRESIDING OFFICER. The resolution will go over under the rule.

MINUTES OF MEETINGS OF TARIFF COMMISSION

The PRESIDING OFFICER. Resolutions coming over from a previous day are next in order.

The Chief Clerk read the resolution (S. Res. 370) submitted by Mr. WALSH of Massachusetts on December 15, 1930, as follows:

Resolved, That the United States Tariff Commission be, and is hereby, requested to submit to the Senate a certified copy of the minutes of the meetings of the commission from January 28, 1927, to December 1, 1930, inclusive, and that these minutes be printed as a public document.

Mr. WALSH of Massachusetts. Mr. President, may I say in explanation of the resolution that all of the minutes of the Tariff Commission have been printed to the date named in the resolution. I think the previous minutes were printed at the request of the Senator from Arkansas.

Mr. ROBINSON of Arkansas. That is true.

Mr. WALSH of Massachusetts. I think it advisable that the minutes which have not been printed should be printed for the remaining years. They should be published at this time for our information.

Mr. SMOOT. Mr. President, I asked that the resolution should go over when it was introduced because I knew of the printing of the minutes up to a certain date and I did not know but that the resolution might cover those minutes. However, I find it does not. So I have no objection to the consideration of the resolution.

Mr. FLETCHER. Mr. President, can we get some idea about the cost of the printing?

Mr. SMOOT. It will not be very much. The great bulk of the minutes has already been printed.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was agreed to.

PRICES OF WHOLE-WHEAT FLOUR AND BROWN AND UNREFINED SUGARS

Mr. BROOKHART submitted the following resolution (S. Res. 391), which was referred to the Committee on Agriculture and Forestry:

Whereas the price of whole-wheat flour is now higher than white flour; and

Whereas the price of brown and unrefined sugars is now higher than white and refined sugars: Therefore be it

Resolved, That the Committee on Agriculture and Forestry of the Senate, or a duly authorized subcommittee thereof, is authorized and directed to investigate and report to the Senate the reasons why whole-wheat flour is higher in price than white flour and why brown and unrefined sugars are higher in price than white and refined sugars and particularly whether such conditions are a result of a combination in restraint of trade.

For the purposes of this resolution such committee or subcommittee is authorized to hold hearings and to sit and act at such times and places as it deems advisable; to employ experts and clerical, stenographic, and other assistance; to require by subpœna or otherwise the attendance of witnesses and the production of books, papers, and documents; to administer oaths and to take testimony and to make all necessary expenditures as it deems advisable.

The cost of stenographic services to report such hearings shall not be in excess of 25 cents per 100 words. The expenses of such committee, which shall not be in excess of $15,000, shall be paid from the contingent fund of the Senate.

INFORMATION FROM FEDERAL FARM LOAN BOARD

The Chief Clerk read the resolution (S. Res. 383), coming over from a previous day, submitted by Mr. HEFLIN on December 20, 1930, as follows:

Resolved, That the Federal Farm Loan Board is requested to submit to the Senate, within 20 days after the date of adoption of this resolution, the following information:

(1) By States, the number of loans now outstanding made by banks under the supervision of the board, for purchase of land, and the total amounts so loaned; (2) the names of the persons to whom such loans have been made, specifying the number of such persons who are meeting their payments and the number failing to meet their payments; and (3) what disposition is made of the lands foreclosed because of the failure to repay money so borrowed.

Mr. HEFLIN. Mr. President, this is a very important resolution. Newspapers from nearly every State in the Union, week after week, carry notices of foreclosures upon farmers who have made many payments to the Government on land which they own, and upon which they have long-time loans for which we provided a few years ago. It is working a great hardship on quite a number of farmers. It is simply outrageous to deprive them of their homes and farms when they have been going along making their payments regularly until overtaken by some disaster. Many such farmers are in flood-afflicted areas and some in drought-afflicted areas. I want to get the information in order that Congress may legislate appropriately to relieve those people. I feel that some provision ought to be made to permit them, under some arrangement we can make, to redeem their land and remain upon their farms where they have been so many years and where they have been making payments when they were able to do so. I hope there will be no opposition to the adoption of the resolution.

Mr. ROBINSON of Arkansas. Mr. President, the resolution of the Senator from Alabama relates to a very important subject. Under the act of Congress of 1916, known as the farm loan act, two systems of banks were established—those known as the Federal land banks and those commonly styled joint-stock land banks. There are certain differences in the organization and operations of those institutions which I shall not attempt to discuss at this time. The banks have all acquired a considerable amount of real estate as a result of foreclosures during normal times. In the areas where flood and drought have influenced the situation greatly, many of the borrowers, due to no fault of their own, have been unable to meet the installments which they have contracted to pay.

I suppose everyone understands that in order to make loans the banks must issue and sell bonds, and that the bonds bear a rate of interest varying from 4½ to 5 per cent. In order to avoid defalcation in the payment of their interest on the bonds and consequent receivership and whole-

sale foreclosures, the banks find it imperative to press for payment. At this time there are large areas in which borrowers from the banks find it exceedingly difficult to meet their obligations. I do not know whether the Federal Farm Board can supply all the information which the Senator's resolution seeks to obtain, but it is desirable in my judgment that the Congress should be supplied with the information in so far as it is obtainable.

I concur in the request of the Senator from Alabama for the adoption of the resolution.

Mr. PHIPPS. Mr. President, I concur in the point which the Senator from Arkansas [Mr. ROBINSON] has made; that it is questionable whether the information referred to in the resolution of the Senator from Alabama could be promptly and appropriately furnished. I would like to ask if the Senator from Alabama would object to having the resolution referred to the Committee on Banking and Currency for serious and prompt attention. It occurs to me that a slight modification in the form of the resolution would be found desirable if given consideration by the chairman of that committee after conferring with those interested in the matter and ascertaining the condition of the information now in the possession of the board. I may say that I am in sympathy with the purpose of the resolution.

Mr. HEFLIN. I think perhaps the resolution needs the amendment suggested by the Senator from Arkansas.

Mr. ROBINSON of Arkansas. I have not suggested an amendment, though perhaps my statement implied the necessity for some amendment. Upon further consideration of the matter I believe the interests which the Senator from Alabama has in mind will be served by prompt consideration and action on the part of the Committee on Banking and Currency.

Mr. McNARY. Mr. President, the Senator from South Dakota [Mr. NORBECK] has left the Chamber. He being, as we all know, chairman of the Committee on Banking and Currency, I must object to the present consideration of the resolution in his absence. I think the suggestion made by the Senator from Arkansas [Mr. ROBINSON], approved by the Senator from Colorado [Mr. PHIPPS], is the correct one. If the Senator from Alabama will permit a reference of his resolution to the Committee on Banking and Currency, then we can go forward with other business during the morning hour.

Mr. HEFLIN. I am quite willing to do that. I suggest to the Senator from Colorado, however, that the committee amend my resolution covering both banks referred to by him and by the Senator from Arkansas so it will call for information from both of them.

Mr. FLETCHER. Mr. President, I suggest also an amendment that ought to be considered whether the resolution is to be adopted now, or whether it goes to the committee. In line 5 the inquiry is restricted to loans made for the purchase of land. I would suggest that there are a good many objects mentioned in the farm loan act for making the loans and that its purpose is not entirely confined to the purchase of land.

Mr. ROBINSON of Arkansas. I think the words "purchase of lands" ought to be stricken out, but that amendment may be considered by the committee.

Mr. HEFLIN. I hope the committee will consider that suggestion, too.

Mr. ROBINSON of Arkansas. As a matter of fact the law requires that the loans be made for agricultural purposes, and the resolution would not be sufficiently comprehensive if the language now in it should remain.

Mr. HEFLIN. It is true that in a number of instances the farmers already live on the land and have obtained loans on the lands which they already own. The resolution should refer to them also. I hope the chairman of the Committee on Banking and Currency will bear in mind that suggestion.

The PRESIDING OFFICER. The resolution will be referred to the Committee on Banking and Currency.

ORDER OF BUSINESS

The PRESIDING OFFICER. Morning business is closed.

Mr. SMOOT. Mr. President, I ask that the Senate proceed to the consideration of the bill (H. R. 14675) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Utah?

Mr. HOWELL. Mr. President, I am sorry to feel impelled to ask for the regular order, but this is calendar day.

Mr. SMOOT. We have been over the calendar time and time again during December.

Mr. HOWELL. But there are some new bills now on the calendar.

Mr. SMOOT. Very few.

Mr. HOWELL. Oh, there are quite a number. I have no objection to proceeding to the consideration of the appropriation bill as soon as we get through with the call of the calendar, but we ought to proceed now to the consideration of the calendar.

Mr. SMOOT. Of course, the Senator has the power to object to the consideration of the appropriation bill; and if he does so, well and good.

Mr. HOWELL. I have no objection to proceeding with its consideration at 2 o'clock.

Mr. SMOOT. Does the Senator object to its consideration now?

Mr. HOWELL. I do not object to the consideration of the appropriation bill, but I would like to have a call of the calendar first.

The PRESIDING OFFICER. If there is objection to the consideration of the appropiration bill, the calendar is in order.

Mr. KING. If we are to have a call of the calendar, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Deneen	Kean	Shortridge
Barkley	Dill	Kendrick	Smoot
Bingham	Fess	Keyes	Steck
Black	Fletcher	King	Steiwer
Blaine	Frazier	McGill	Swanson
Blease	George	McMaster	Thomas, Idaho
Borah	Glass	McNary	Thomas, Okla.
Bratton	Glenn	Metcalf	Trammell
Brock	Goff	Morrison	Tydings
Brookhart	Goldsborough	Morrow	Wagner
Broussard	Gould	Norbeck	Walcott
Bulkley	Hale	Norris	Walsh, Mass.
Capper	Harris	Nye	Walsh, Mont.
Caraway	Hastings	Oddie	Waterman
Carey	Hayden	Partridge	Watson
Connally	Hebert	Phipps	Wheeler
Copeland	Heflin	Ransdell	Williamson
Couzens	Howell	Robinson, Ark.	
Dale	Johnson	Sheppard	
Davis	Jones	Shipstead	

The PRESIDING OFFICER. Seventy-seven Senators having answered to their names, a quorum is present.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Farrell, its enrolling clerk, announced that the House had passed a joint resolution (H. J. Res. 447) making an appropriation to carry out the provisions of the public resolution entitled "Joint resolution for the relief of farmers in the drought and/or storm stricken areas of the United States," approved December 20, 1930, in which it requested the concurrence of the Senate.

THE CALENDAR

BUSINESS PASSED OVER

The PRESIDING OFFICER. The calendar under Rule VIII is in order. The clerk will report the first bill on the calendar.

The bill (S. 168) providing for the biennial appointment of a board of visitors to inspect and report upon the government and conditions in the Philippine Islands was announced as first in order.

Mr. KING and Mr. JONES asked that the bill go over.

The PRESIDING OFFICER. Being objected to, the bill will be passed over.

The resolution (S. Res. 76) to amend Rule XXXIII of the Standing Rules of the Senate relating to the privilege of the floor.

The PRESIDING OFFICER. The resolution will go over.

The bill (S. 551) to regulate the distribution and promotion of commissioned officers of the Marine Corps, and for other purposes, was announced as next in order.

Mr CONNALLY. Let that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

DROUGHT-RELIEF APPROPRIATION

The joint resolution (H. J. Res. 447) making appropriations to carry out the provisions of public resolution entitled "Joint resolution for the relief of farmers in the drought and/or storm stricken areas of the United States," was read twice by its title and referred to the Committee on Appropriations.

Mr. JONES. Mr. President, by direction of the Committee on Appropriations, I report favorably without amendment the joint resolution (H. J. Res. 447) making appropriations to carry out the provisions of public resolution entitled "Joint resolution for the relief of farmers in drought and storm stricken areas of the United States," and I ask for its immediate consideration.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Washington?

There being no objection, the Senate proceeded to consider the joint resolution, which was read, as follows:

Resolved, etc., That to enable the Secretary of Agriculture to carry into effect the provisions of the public resolution entitled "Joint resolution for the relief of farmers in the drought and/or storm stricken areas of the United States," approved December 20, 1930, including the employment of persons and means in the city of Washington and elsewhere, printing, purchase of law books not to exceed $1,000, rent in the District of Columbia and elsewhere, and for the collection of moneys due the United States on account of loans made thereunder, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $45,000,000, to remain available until June 30, 1932, of which amount not to exceed $80,000 may be expended for departmental personal services in the District of Columbia.

Mr. CARAWAY. Mr. President, is the joint resolution now open to amendment?

The PRESIDING OFFICER. The joint resolution is now open to amendment.

Mr. CARAWAY. I desire to offer an amendment by adding a provision under which $15,000,000 will be appropriated to be loaned to farmers in the drought and storm stricken areas for the purchase of food under the same terms and conditions as loans for feed, fertilizer, and seed, as provided in the measure which we have heretofore passed. I want to increase the appropriation by $15,000,000 and to make that sum available to be loaned to people whose situation is described in Senate Joint Resolution No. 211.

This morning I introduced a bill authorizing an appropriation of $15,000,000 for the same purpose. I have stripped that bill of its unnecessary verbiage in order that it may be offered as an amendment to the pending bill, and I now offer the last paragraph of that bill as an amendment.

The PRESIDING OFFICER. The clerk will report the amendment.

The LEGISLATIVE CLERK. At the end of the joint resolution it is proposed to add the following as an additional section:

SEC. 2. That the Secretary of Agriculture is hereby authorized, for the crop of 1931, to make advances or loans to farmers in the drought and storm stricken areas where we shall find that an emergency for such assistance exists, for the purchase of food under such terms as may be prescribed by the Secretary of Agriculture. Such advances or loans shall be made on the same terms as the provision of said Joint Resolution No. 211 makes for the loans or advances for seed, feed, etc., subject to all the qualifications of said Senate Joint Resolution No. 211. For carrying out the purposes of this section, including all expenses and charges incurred in so doing, there is hereby appropriated out of any money in the Treasury not otherwise appropriated, the sum of $15,000,000.

Mr. CARAWAY. Mr. President, I shall take but a few moments of the time of the Senate. The joint resolution providing relief for sufferers in drought and storm stricken areas which was passed prior to the Christmas holiday recess carried, as reported by the Committee on Agriculture and Forestry, an authorization for an appropriation of $60,000,000, and it provided relief not alone for work stock and for the purchase of fertilizer and oil for tractors used in the making of crops but also for the loaning of money, under the same conditions, for the purchase of food by destitute farmers of the drought and storm stricken areas. That provision was stricken out in the House and the original $60,000,000 authorization was reduced to $45,000,000.

This morning I introduced a bill, which was referred to the Committee on Agriculture and Forestry, authorizing an appropriation of $15,000,000 for the purpose of enabling loans to be made to destitute people in the drought and storm stricken areas with which they might purchase food. I am offering a portion of that bill now as an amendment to the pending joint resolution.

Mr. President, a situation has developed that no one can afford to ignore. The officials of the Red Cross said yesterday they were now feeding 100,000 people in Arkansas and they expected by the first of next month to be feeding 250,000. When they have fed 250,000 they will not have fed more than half of those who are destitute in that State alone. These are not men out of employment; it is not a temporary situation that may be alleviated by employment; but they are farmers, whose chance to repay is dependent upon the crops they shall make. It is not worth while to loan money to people with which to buy feed and refuse to loan them money with which to buy food essential to sustain human life. Of the two, it seems to me to be heartless to say that the Government recognizes its obligation to sustain life in work stock but denies its obligation to take care of starving human beings.

I sent to the desk a copy of last week's paper entitled Labor. On the front page it has a statement coming from Ottawa, Canada. A situation exists in Canada, as it exists here, where men and women are suffering, but it is not so widespread. The Canadian Government said it was not going to require its citizens to become mendicants but that the Government itself was going to care for suffering humanity.

Canada, with 7,000,000 people, takes its place on the side of humanity. Here is the United States, with 110,000,000 or 115,000,000 people, the richest nation in the world, loaning money to everybody, refusing to care for its suffering humanity.

Mr. ROBINSON of Arkansas. Mr. President, may I make a suggestion to my colleague?

Mr. CARAWAY. I yield.

Mr. ROBINSON of Arkansas. May I suggest to my colleague that he modify his amendment so as to make the appropriation instead of authorizing the appropriation?

Mr. CARAWAY. I shall be glad to accept the modification.

Mr. ROBINSON of Arkansas. I suggest adding an additional section to the joint resolution, section 2, so that it will read as he has proposed, with this addition:

For carrying out the purposes of this section, including all expenses and charges incurred in so doing, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $15,000,000.

Mr. CARAWAY. I thank my colleague for calling my attention to that matter.

Mr. TYDINGS. Mr. President——

Mr. CARAWAY. I yield to the Senator from Maryland.

Mr. TYDINGS. I should like to ask a question for information. I did not hear all of the joint resolution. Is this money to be spent in the drought area only or wherever there is need for relief?

Mr. CARAWAY. No; this comes under the provisions of Senate Joint Resolution 211, providing for the loaning of money to buy feed for livestock and to buy fertilizer and

seed to be advanced to farmers in drought or flood stricken areas only.

Mr. TYDINGS. I thank the Senator. As he was speaking, it occurred to me that the same conditions of unemployment of people who want work and can not get work are to be found in many of the cities as well as in the drought area; and it struck me as being more in the interest of national equality that those who live in the cities should at least share in the beneficence of government, as well as those who are out on the farm. I, for one, if the amendment is adopted, should like to see it made broad enough to apply to all those who are suffering through no fault of their own.

Mr. CARAWAY. I want to say to the Senator from Maryland that I have entertained and do entertain the exact sentiment that he has expressed. There is pending before the Committee on Agriculture and Forestry a joint resolution to devote 60,000,000 bushels of wheat, which the Federal farm act has enabled the board to accumulate, to the feeding of destitute people, regardless of the occasion of their destitution or where they live within the United States. I am supporting the joint resolution, and I am willing to make the amount just as much more than that as the situation may demand.

Mr. TYDINGS. Mr. President, will the Senator yield further?

Mr. CARAWAY. I yield.

Mr. TYDINGS. In how many of the States where the drought had its most blighting effect are the legislatures in session or soon to be in session during this year?

Mr. CARAWAY. I am sorry to say I do not know.

Mr. TYDINGS. My recollection is, offhand, that for the entire country about two-thirds, or nearly two-thirds, of the legislatures will be in session. How many of those are in the drought area I do not know.

Mr. CARAWAY. I do not know, either.

Mr. TYDINGS. It struck me that in many of these States the State legislatures would attempt to do what the Senator has done in his joint resolution. If that were so, I for one would rather see the States handle the matter than the National Government, although I admit that it does require immediate action.

Mr. CARAWAY. Of course, Mr. President, there may be something in that argument.

Mr. BROUSSARD. Mr. President, will the Senator yield to me for a suggestion?

Mr. CARAWAY. I yield to the Senator from Louisiana.

Mr. BROUSSARD. The amendment of the Senator from Arkansas deals with a measure that we passed, which specifically secures the loan to the farmer; and he must furnish security on the crop that he is growing, which could not apply to urban populations.

Mr. CARAWAY. That is true. Of course, this measure would not be open to an amendment to cover that matter.

Mr. ROBINSON of Arkansas. Mr. President, if my colleague will permit me to say so, I should like to state that, in my judgment, after the most careful study of this matter of which I am capable, it is my conclusion that without some such provision as this the so-called seed relief bill will not be effective, because of the system of credit that prevails in a large part of the territory to which the bill has application. You can not very well take a first mortgage on the crop for seed, feed, and fertilizer and then finance in some other way than by a mortgage on the crop the provisions as to food and other advances absolutely essential to the making of a crop. That system is well understood in a large part of the section to which the bill has application, and everyone there realizes that difficulty.

Mr. CARAWAY. I thank the Senator. Of course, as I understand the regulations are to be, tenant farmers and share croppers are to be recognized as independent farmers. It is utterly useless to say that they may borrow money to buy feed and fertilizer but not to buy food, and in exchange for that privilege they must mortgage the crop.

I do not know how necessary it may be to reiterate the situation that exists at least in part of this drought-stricken area. I speak only for my own State. I think it is agreed that Arkansas suffered more than any other State; but I had from the Red Cross, as of date of November 15 last, the statement that there were 86,450 families already destitute in that State. I imagine that that would represent at least 400,000 or 450,000 people. The State has 1,800,000 people, in round numbers. The financial institutions of the State suffered along with other enterprises and individuals in the State. Quite a third of the banks are closed. Much of the public funds is locked up in the closed institutions, and individuals have not any resources and they have no credit. There is nobody to extend credit.

Mr. ROBINSON of Arkansas. Mr. President, will my colleague yield?

Mr. CARAWAY. I yield.

Mr. ROBINSON of Arkansas. There are three counties in the State with an aggregate population of 100,000 in which there is not a single bank open, and in which, for the time being, all credit facilities or agencies have failed.

Mr. CARAWAY. I should like to ask my colleague, is it possible, under the situation that exsts in that State to-day, for any bank to make any substantial loans to people engaged in agriculture? They must have long-time credits. Is there any money available?

Mr. ROBINSON of Arkansas. Very little. I know of no credit institutions, banks or of other character, that are in a situation now to make the advances that must be made in the early future unless crop production is to fail.

I have done nothing during the holiday season except to devote my attention to a study of those conditions. If a credit basis can be formed—that which usually exists and which heretofore has been provided—the situation can be tided over. There are, however, many large communities where it is utterly useless to provide feed, and mortgage the only security for feed, seed, and fertilizer, without making some arrangements for food, which, of course, is just as essential as anything else.

Mr. CARAWAY. And more so.

Mr. ROBINSON of Arkansas. And even more so. I think that is very well understood.

Mr. FLETCHER. Mr. President, may I interrupt the Senator?

Mr. CARAWAY. I yield.

Mr. FLETCHER. There has not been opportunity, of course, to have the amendment printed, and I am not quite familiar with the exact terms in which it is proposed. May I ask the Senator whether the $15,000,000 which he has in mind is to be loaned to farmers—actual farmers?

Mr. CARAWAY. Absolutely; and to no one else.

Mr. ROBINSON of Arkansas. Under the same terms and conditions as the $45,000,000 heretofore authorized is to be loaned, but for a different purpose.

Mr. FLETCHER. It is all under the direction and according to the rules laid down by the Secretary of Agriculture?

Mr. CARAWAY. Absolutely.

Mr. FLETCHER. Is it to be secured, any portion of it, in the same way?

Mr. CARAWAY. It is to be secured, just as the other loan is, by a first lien upon whatever crop the farmer may produce.

Mr. FLETCHER. All the terms will be laid down, and all the negotiations and transactions will take place, under the supervision of the Secretary of Agriculture?

Mr. CARAWAY. Absolutely. It does not add another person to the pay roll. It does not change the procedure. It simply authorizes the Secretary of Agriculture to include assistance to human beings when he is providing for work stock; that is all.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. CARAWAY. I yield.

Mr. TYDINGS. As I understand, the entire sum is to be used for food, and to be used as a loan and not as a gift.

Mr. CARAWAY. Absolutely.

Mr. TYDINGS. And as I also understood from the Senator's remark, with the State debt that they already have in Arkansas, and with the depression, which is particularly

sharp in that State, he feels that the State is unable to undertake this new burden at this time except under the most difficult circumstances.

Mr. CARAWAY. I did not say it in just that way. I said that all the financial institutions in the State were so hampered by the conditions that exist in the State that there are not any credit resources that I know anywhere available to farmers.

Mr. ROBINSON of Arkansas. It should be understood that many of the counties and nearly all of the cities have made preparations for the relief of the unemployed, and special employment agencies are in operation there. This, however, is a substitute for the ordinary crop financial system that prevails in a large part of the drought area; but the credit features of it have broken down, for reasons that have been explained over and over in the Senate this morning. It may be expected that the State itself will take additional measures.

Mr. McNARY. Mr. President, I am at a loss to get the flow of this conversation The Senator is speaking in an unusually mild tone. I have not heard enough of the debate to understand just how the proposed amendment for $15,000,000 fits into the measure as it is now before the Senate, having passed through the House. Does it provide that all this fund shall be used for the purpose of purchasing food, and does it provide that the security shall be the crop to be grown from the seed?

Mr. CARAWAY. Instead of just answering the question "yes" or "no," although I could answer it "yes"——

Mr. McNARY. I do not ask the Senator to do so.

Mr. CARAWAY. Let me say that this measure appropriates an additional $15,000,000 to bring back the total of $60,000,000 that was first sought to be authorized, and passed the Senate under the Senator's Joint Resolution No. 211. That was so amended in the House that the Secretary of Agriculture takes the position that no part of this $45,000,000 can be made available for the purchase of food, but that it must all be devoted to loans for the purpose of purchasing feed, fertilizer, and oil for tractors used in agriculture.

My amendment increases the amount of the appropriation by $15,000,000, or to make the amount $60,000,000, the expenditure of the $15,000,000 to be subject to all the conditions provided in Senate Joint Resolution 211, except that the money shall be devoted to the purchase of food. The other $45,000,000 is available for the purchase of feed, fertilizer, and fuel oil. We propose to increase the amount of the appropriation, and make the added $15,000,000 available for the supplying of food, subject to regulations which may be promulgated by the Secretary of Agriculture. It is to be handled in exactly the same way, but it is an additional sum for the purpose of taking care of suffering humanity.

Mr. McNARY. Mr. President, I am not familiar with the record. Does the Secretary of Agriculture hold that in view of the amendment agreed upon by the Senate and House conferees he has not the legal power or authority to buy food with the $45,000,000, or does he hold that he is opposed to it as a matter of judgment and policy?

Mr. CARAWAY. Mr. President, I have had no communication from the Secretary in the matter. I read a statement in regard to his position in the newspapers, if the Senator will pardon me. His statement was susceptible of either interpretation, that he had no authority, or had no inclination. But he announced that he would not loan for food, and now we are trying to accomplish what we want done.

Mr. McNARY. Is the Senator's proposal mandatory?

Mr. CARAWAY. It is just as mandatory upon the Secretary to do what is provided for as to loan for the purchase of seed, and no more mandatory. It is couched in exactly the same language.

Mr. McNARY. How would the Senator strengthen the language contained in the measure, then?

Mr. ROBINSON of Arkansas. Mr. President, will my colleague yield to me?

Mr. CARAWAY. I yield.

Mr. ROBINSON of Arkansas. The amendment expressly authorizes the use of the $15,000,000 embraced in my colleague's amendment for supplying the necessities of individuals engaged in crop production.

Mr. McNARY. Mr. President, will the junior Senator from Arkansas yield to me further?

Mr. CARAWAY. I yield.

Mr. McNARY. As my record will indicate, I have been very sympathetic with the people living in the Senator's section.

Mr. CARAWAY. I thank the Senator.

Mr. McNARY. However, in view of the understanding had by the conferees that they would insist upon adherence to their proposal, does not the Senator believe this might imperil the early enactment of the measure?

Mr. CARAWAY. I do not think so.

Mr. McNARY. Would it not be better to submit this, as the Senator had in his mind earlier to-day, as a separate measure, to be referred to the committee?

Mr. CARAWAY. I do not think so. I may say just one more word and then I will be through; I have made the statement until I am almost ashamed to repeat it. A situation exists which I am sure none of the conferees quite visualized, and the Secretary of Agriculture was not acquainted with it when the position was taken that there should be no loans for the purchase of food. I have in my pocket a letter, which I read this morning, from a gentleman with whom the Senator from Oregon has an extended acquaintance, and for whom I know he has a high regard, in which the writer said that the Red Cross was undertaking to supply $1.15 worth of food to feed a family of three for a month. That is no relief; that is an insult. The Red Cross is not in any position to care for the situation. The Red Cross has never been able to visualize the wide extent of suffering in at least one of the States affected; and I speak for only one of them. As I said the other day, I could fill a volume of the CONGRESSIONAL RECORD with letters and telegrams coming from men in various walks of life, from presidents of banks, lawyers, judges of courts, county officials, business men, and farmers, telling of the situation in my State. It is simply appalling. I know they are not misrepresenting it, because all of us have a State pride which makes us shrink from wanting to parade the suffering which exists in our State and our inability to take care of it.

The situation is pressing. There was a demonstration of that fact Saturday when 500 heads of families came into one of the towns of my State, among them women with tears streaming down their faces, begging for food to supply the necessities of life to their children. The Red Cross undertook to take care of the situation by giving to 250 families $2.75 each, and they said they would make some provision for the others.

I do not think anybody would imagine that the distribution of $2.75 to a family without a bite to eat is taking care of the situation. We all know something of the cost of living and we know that the necessity is so urgent that men are willing to band themselves together to go out and insist on their right to live.

Mr. ROBINSON of Arkansas. Mr. President, will my colleague yield to me a moment?

Mr. CARAWAY. I yield.

Mr. ROBINSON of Arkansas. If the ordinary credit agencies, the banks and the mercantile establishments, had not broken down or completely exhausted their ability to advance credit, if they were not greatly embarrassed by what are known as frozen credits, there would be no necessity for the advancement of either seed, feed, fertilizer, or food loans; but it is the practical difficulty which will be encountered in the administration of the seed loans which in some instances at least will render the Secretary unable to accomplish any beneficial results by the advances for seed, feed, and fertilizer, unless some provision is carried in the legislation at the same time for the necessary advances by the designated agency, or some other agency, for food, which, as I have explained, would ordinarily have been made without

any requirement of assistance from the Federal Government but for the breaking down of all the credit agencies.

Mr. CARAWAY. I think I have nothing more to say, Mr. President.

Mr. JONES. Mr. President, this involves a matter which was acted upon by the Senate a short time ago, by the House, by the conference committee, and then finally by Congress.

I appreciate the situation described by the Senators from Arkansas. It appeals to all of us, of course. But we have to follow certain procedure here in the Senate. Furthermore, this is a very urgent piece of legislation, which ought to be acted upon promptly. I feel satisfied that this amendment would delay matters very seriously. In addition to that, under the pressing situation described by the Senators from Arkansas, I do not believe a matter of this kind would be held in the legislative committee very long. Prompt action could be had there, and the matter sent to the other body.

As chairman of the Committee on Appropriations, I feel that under the circumstances, dealing with a bill which simply makes an appropriation for particular purposes to carry out legislation which has been enacted, I will have to make the point of order that this is legislation on an appropriation bill.

Mr. ROBINSON of Arkansas. Mr. President, it is not subject to a point of order.

Mr. JONES. That it is not estimated for, that it is an item increasing an appropriation in an appropriation bill which has not been reported by any standing committee of the Senate. In fact, I think it violates all the rules of the Senate in regard to the amendment of appropriation bills.

The PRESIDING OFFICER (Mr. FESS in the chair). The Chair would ask the Senator this question, Is not the objection he is making applicable only to general appropriation bills?

Mr. ROBINSON of Arkansas. That is the point I was about to make.

Mr. JONES. The question is, What is a general appropriation bill? This is a measure appropriating $45,000,000 to carry out legislation Congress has enacted. We have had before us many appropriation bills. I do not think we have ever arrived at any definition of a general appropriation bill. It seems to me this is one, to carry out legislation which Congress has heretofore passed.

The PRESIDING OFFICER. The Chair will have to overrule the point of order on the basis of the statement the Chair made a moment ago. The Chair would hold that this is not a general appropriation bill.

Mr. JONES. Under those circumstances, Mr. President, and taking into consideration what has been said by the Senators from Arkansas, I have no argument to present against their position. If the Senate desires to put this amendment on the joint resolution and incur the delay which will necessarily follow, of course I will abide by the action of the Senate.

Mr. BARKLEY. Mr. President, I was called out of the Chamber at the time the junior Senator from Arkansas offered his amendment. Is the $15,000,000, the sum the Senator carries in his amendment, intended simply to make up the difference between the $45,000,000 authorized and the $60,000,000 for which we provided originally?

Mr. CARAWAY. To take care of the purchase of food, the $15,000,000 to be available for that purpose.

Mr. BARKLEY. It is to be used in the same territory in which the $45,000,000 is to be expended?

Mr. CARAWAY. Precisely; and to be distributed by the same agencies.

Mr. BARKLEY. Mr. President, I want to say just a word about the matter. I will not detain the Senate at all in the consideration of the amendment or the legislation.

This morning I placed in the RECORD letters from the State health officer of the State of Kentucky, from numerous county judges of the counties of Kentucky, and from local county drought-relief committees set up under the President's drought-relief plan, and also a very long and intelligent and pathetic letter from the director of what is known as the volunteer nursing service in eastern Kentucky, calling attention to the very great need for food of the people all over the State. These letters set out in unmistakable terms the fact that unless some provision is made for feeding the people there will be not only great suffering but a considerable amount of actual starvation in the remote sections of my State.

These are conditions we do not like to advertise. They are conditions which exist in sections which are ordinarily self-sustaining; amongst a proud people. I have read a letter from eastern Kentucky, which will be in the RECORD to-morrow, and I wish every Senator would read the letters I have put into the RECORD so that they may know what the conditions are. They depict a condition almost unbelievable in a self-sustaining, proud, self-supporting section of the State of Kentucky.

I hope the amendment will be agreed to and that the House will agree to it.

Mr. HEFLIN. Mr. President——

Mr. ROBINSON of Arkansas. Mr. President, I call attention to the fact that the unfinished business will be laid before the Senate at 2 o'clock.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the junior Senator from Arkansas [Mr. CARAWAY].

The amendment was agreed to.

The PRESIDING OFFICER. The question is on the joint resolution as amended.

The joint resolution as amended was ordered to a third reading, read the third time, and passed.

WORKING CONDITIONS IN THE SOUTH

The resolution (S. Res. 49) authorizing Committee on Manufactures, or any duly authorized subcommittee thereof, to investigate immediately the working conditions of employees in the textile industry of the States of North Carolina, South Carolina, and Tennessee was announced as next in order on the calendar.

Mr. JONES. Let that go over.

The VICE PRESIDENT. The resolution will be passed over.

SAN FRANCISCO BAY BRIDGE

The bill (S. 153) granting consent to the city and county of San Francisco to construct, maintain, and operate a bridge across the Bay of San Francisco from Rincon Hill to a point near the South Mole of San Antonio Estuary, in the county of Alameda, in said State, was announced as next in order.

Mr. McNARY. Mr. President, in the absence of the Senator from Nevada [Mr. ODDIE], at his request, I object to the present consideration of the bill.

The VICE PRESIDENT. The bill will be passed over.

INTERSTATE AIR COMMERCE

The resolution (S. Res. 119) authorizing and directing the Committee on Interstate Commerce to investigate the wreck of the airplane *City of San Francisco* and certain matters pertaining to interstate air commerce was announced as next in order.

Mr. SMOOT. Let that go over.

Mr. McNARY. I was about to object to the consideration of this resolution at the request of the senior Senator from Connecticut [Mr. BINGHAM].

The VICE PRESIDENT. The resolution will be passed over.

THE WORLD COURT

Mr. McNARRY. Mr. President, whatever anyone's views may be with reference to the question of the adherence of the United States to the World Court, the country is entitled to be advised of the arguments on both sides of that important question. The senior Senator from California [Mr. JOHNSON] recently made a very eloquent and able address on that subject over the radio. I ask unanimous consent that it may be printed in the CONGRESSIONAL RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The address is as follows:

At a time of national depression and disaster, when there are want and suffering in our land, and the energies of those in authority, high and low, are devoted to aiding and relieving our people, the President has seen fit, after holding it a year, to send to the Senate the League of Nations' Court; and the Foreign Relations Committee of the Senate, with a refreshing independence, at least thus far, has seen fit to postpone its consideration until December next. The time of consideration is one of relative importance. Is it more important for the Senate to devote itself to a highly contentious proposition of taking America into a European organism, or is it more important immediately to direct our energies to our grave crisis, wherein is not only unemployment but dire distress of our own people? Some of us believe we should first remedy our ills and relieve our own people before undertaking to become a part of an international machine whose aid to humanity thus far has been wholly illusory. But the highly financed international organizations, with their florid and extravagant propaganda, are again in full cry, bludgeoning the Senate and demanding the immediate ratification of the present protocols, which would make us a member of the court.

A decade has passed since our people had before them the League of Nations. In 1920 overwhelmingly they repudiated the league. In 1930 it is sought, indirectly and surreptitiously, to take us into the league. The same organizations, the same individuals, the same newspapers, with exactly the same demands, arguments, animadversions, denunciations, and misrepresentation that thundered for our entrance into the League of Nations 10 years ago, to-day, in like fashion, seek to drive us into a part of the League of Nations. Their utter rout by the American people in 1920 taught them the lesson of diplomacy. By indirection now they endeavor to remedy their failure then.

It is an amazing intellectual stultification to assert that the so-called World Court is not a part of the League of Nations. The League of Nations was begotten by the Versailles treaty. The league appointed a committee of experts to draft a scheme for the organization of the court. The secretary general of the league pointed out that the court was to be "most essential part of the organization of the League of Nations." The French representative described the two institutions as complementary to each other. The official spokesman of the committee stated, "The new court, being the judicial organ of the League of Nations, can only be created within this league." The statute of the court came into being by a resolution of the assembly of the league. The court was intended to be and is the judicial tribunal of the league. The general policies of the court are defined by the league. The judges are selected by the league. The expenses of the court and the salaries are determined and paid by the league, and through its organization the court is attached to the league. But beyond this the all-important provision for advisory opinions transmutes this so-called court from the category of judicial tribunals into a diplomatic pawn of European politics. Once before we had this court under discussion, and our Nation's adherence to it was narrowly averted, and narrowly averted solely because the advocates of the court recognized the dangers inherent in it to our country and themselves insisted upon a safeguarding reservation.

In 1926 the Senate passed a resolution adhering to the court with five reservations, the most important of which, the fifth, provided that the court should not, without the consent of the United States, entertain any request for advisory opinions touching any disputed question in which the United States has or claims an interest. This reservation was not acceptable to other nations, members of the court, and we were saved from ourselves then by their refusal to consent to our conditions. In November, 1926, President Coolidge, in a memorable speech at Kansas City, said that the situation had been sufficiently developed so that he felt warranted in saying that he did not intend to ask the Senate to modify its decision. Thus the matter rested until the early part of 1929. Unquestionably there were negotiations between some representatives of the League of Nations and some individuals in this country. Exactly what we do not know; but in the early part of 1929 this great country of ours, having taken its definite position, and having constantly maintained that position until then, went cap in hand to Geneva to beg a reconsideration of the position taken by the Senate and concurred in, apparently, by the President of the United States.

It was the fifth reservation concerning advisory opinions around which the controversy raged, and I repeat that this fifth reservation was prepared by those who favored the adherence of this country to the court, in collaboration with at least one great international jurist, intimately connected with the court itself. What caused the sudden shifting in position announced by President Coolidge, in November, 1926, to the precatory attitude of February and March, 1929, is yet an unsolved mystery. Mr. Root, during the latter period, took to Europe the Senate reservation and he brought back something entirely different, and it is this entirely different thing we are now asked to accept. It is difficult to explain to the lay mind the mischief of the so-called advisory opinions of the court. It may suffice to describe these advisory opinions as opinions rendered by the court at the request of the League of Nations upon matters or controversies deemed pertinent or appropriate by the league. Lawyers have often described the court as functioning not only as a quasi-court by deciding cases brought to it by peoples interested but also as a political arm of the league, rendering to the league, at its demand, advisory opinions of possible far-reaching consequences. All jurists concede the evil of these advisory opinions, and until now there has been substantial unanimity against the United States, without our consent, being in any wise a part of them.

The Senate, in plain and unequivocal language, stated that the League of Nations' Court could not entertain even a request for an advisory opinion in which our country has or claims an interest without the consent of the United States. When Mr. Root, with Sir Cecil Hurst, of England, had finished with the Senate reservation, they agreed, and the President accepts their agreement, that the United States would join the court, and thereafter, if advisory opinions were sought in which the United States claimed an interest, a protest might be filed which, if unavailing and still persisted in, might entitle the United States to withdraw from the court "without any imputation of unfriendliness or unwillingness to cooperate generally for peace or good will."

If advisory opinions are as vicious as they have been represented to be by practically all jurists, and particularly by friends of the court; if the United States in 1926 could not safely join the court unless in advance it were agreed that no request for an advisory opinion, in which the United States has or claims an interest, could be entertained; if the Senate and President Coolidge were right in our former decision, the present suggested solution is disingenuous and is no solution at all. The argument that is now iterated and reiterated, that the United States after joining could withdraw if a controversy arose concerning advisory opinions, is the European diplomatic invitation of the spider to the fly. Once we are in this court, any endeavor to withdraw—and who would make it or how it would be made, no one knows—would be met with such a storm of protest all over the world, and particularly from our own internationalist organizations, which are constantly seeking to take us into Europe, that withdrawal would be utterly impossible. If we attempted to withdraw, the same internationalists and the same internationalist press that so loudly proclaim they express the sentiment of the country would, with the same propaganda now showered on us, prevent our withdrawal. But beyond this, for one who believes in America, proud of her long record of international fair dealing and good faith, determined to maintain a world position of candor and amity and justice, to forego what we know safeguards us and accept instead a humiliating permission to run is so repellant as to be unthinkable.

Remember that the important, and perhaps the most important, act of the court is the rendition of advisory opinions. Remember, too, that they are rendered upon the request of the League of Nations, and that they form part of the League of Nations procedure. Up to the end of 1929 there had been 17 judgments rendered by the court and 16 advisory opinions upon the request of the Council of the League of Nations. No defender of the court has thus far defended advisory opinions. All have sought to have this country avoid them. We did by the Senate resolution safeguard ourselves. We do not by the Root-Sir Cecil Hurst formula protect our country from them.

The Senate reservation is plain, brief, and unambiguous. The substitute for it is wrapped in words, lengthy, involved, and disingenuous. Internationalists assert the substitute does just what the Senate did. And yet these same internationalists denounced the Senate in unmeasured terms when the Senate reservation was adopted. Now with beautiful language, soft and sweet, insiduously they say they offer us the same thing. The ordinary man in perplexity asks, if both are alike, what need is there for any substitute at all?

Those who know little of the genesis or the constitution of the court, who have no conception of its possibilities, and who have an obsession our Nation can only play its part in the world by joining the League of Nations, insistently implore us, in the sacred name of peace, to become a part of the League of Nations Court, and yield our cherished views and alter what has ever been our national policy. Everybody believes in peace. There are none who would not contribute to the utmost to prevent another World War cataclysm. We have, however, peculiarly in our country, a class of people who look upon patriotism as a sin and love of country as an outworn heresy. This class have constituted themselves the monopolists of international amity and have become mere poseurs for peace, who forget the lessons of the past of this Nation, its present position in the world, and its future welfare. These poseurs for peace, with their organized propaganda, would force us into any European combination. They forever prate of what we might do for foreign nations, while decrying any effort to protect and safeguard their own.

They are aptly described by Theodore Roosevelt in his book, the Great Adventure, thus: "The professed internationalist usually sneers at nationalism, at patriotism, and at what we call Americanism. He bids us forswear our love of country in the name of love of the world at large. We nationalists answer that he has begun at the wrong end; we say that, as the world now is, it is only the man who ardently loves his country first who in actual practice can help any other country at all."

Joining the court would not contribute to world peace or a better understanding among the nations of the world. On the contrary, misunderstanding would be certain to result and strained relations to follow. The very position we occupy to-day, unless we are blind to passing events and deaf to the opinion so often expressed of us, makes it imperative that we do our part for peace and better understanding in our own way, free and unfettered from any European organization.

Every argument made in behalf of the court minimizes its functions and its usefulness. Its advocates seek to demonstrate to our people its inutility and its futility, and they succeed admirably. They suggest the court amounts to so little we

ought to join it anyway, merely politely to accept the invitation to join; and then after having demonstrated that it is of little or no consequence they paradoxically claim that it is so important our membership in it is essential for the peace of the world. The President in his recent message, in three short sentences, presents the internationalists' minimizing argument. He says:

"We can not be summoned before this court. We can from time to time seek its services by agreement with other nations. These protocols permit our withdrawal from the court at any time without reproach or ill-will.

What a naïve description of a court! The ordinary American, with his conception of the courts of this land, may be pardoned some confusion of thought concerning the kind of court this is. A nation can not be summoned to it, say its advocates. From time to time its services may be sought, but only by agreement with other nations, and we can withdraw at any time without reproach or ill-will. But the emphasis is always laid by its advocates upon the cowardly right to scuttle and run. If this court has so little power, if it is without jurisdiction, if we can withdraw at any time without reproach or ill-will, why join a tribunal so weak and feeble? If, on the other hand, it is the entering wedge of the League of Nations, if our withdrawal would be well-nigh impossible under existing conditions, and if this court even possibly has a power menacing or dangerous to our policies or our institutions, we ought not, upon any specious plea of its futility or its inutility, to become a part of it.

The court has now been in existence for nearly 10 years. There is no American question that the most perfervid and hysterical internationalist can suggest that in all that 10 years would have been submitted by our country to the court. Innumerable questions will suggest themselves to the most sluggish intellect that might have been submitted to the court against us. I do not say decided, but submitted, and the consequent embarrassment and humiliation of our Nation can readily be foreseen. Upon the arguments of the internationalists, we do not join the court, therefore, to solve any particular problem of our own. We need no court for America or American questions. We would join it to be a part of other nations' problems. We would have abjured our policy of minding our own business to be a meddler in every other country's affairs. It is exactly this we would prevent.

Our problems and our policies are peculiar to ourselves. These we never should submit to any foreign tribunal. We have our tariff, immigration, and prohibition policies, and our great Monroe doctrine, the problem of the foreign debts due to us, the Panama Canal, about which there is the ever-recurring controversy as to tolls, and many others that no American in his right senses would tolerate interference with.

The realities of the present day forbid our adhesion to this court. Out of the welter of the World War came vast changes in the nations of the earth. The United States to-day is the creditor Nation of the world. Other nations regard us exactly as debtors who do not want to pay regard their creditors. It is neither wisdom nor statesmanship to complicate the situation. We are none too well liked as a people and our policies as a Nation are detested; and yet we are asked to submit ourselves to a so-called court of 15 judges, 14 of whom are foreigners. I do not speak in criticism of the judges of the court, but even judges possess a love of country, even judges have sympathies, and judges, after all, are human.

Imagine an Italian judge going home to Mussolini after rendering a decision against Italy! And while European diplomacy has been constantly shuffling the cards since the great World War, have you heard of any real question vitally affecting any of the great nations which has come before the court and been decided? Of the few decisions rendered some have been openly flouted; and we know that, although we pledged justice and equality to racial minorities, the weak who were ruthlessly taken by the Versailles treaty are still crying in vain for justice to the League of Nations and the court. And ever remember this is the league court, and our people are being cajoled and beguiled and deceived into joining by League advocates. I have the literature of the League of Nations Association of California, and it is the source in the West of propaganda for the court. Its president is the western spokesman for the court, and with perfect frankness he says entrance into the court will ultimately take us into the league, and while we will thus enter the league by the back door, he is willing to enter that way in order to get in. He simply avows openly what other league supporters, emulating the bad example of European diplomacy, conceal.

It is quite true that, as a member of the court, we would not be required to submit purely domestic questions for its adjudication; but there are domestic questions which it might be claimed threatened peace or were involved in treaties. The league takes cognizance under Article XI of any war or threat of war and any circumstance whatever affecting international relations which threatens to disturb either the peace or the good understanding between nations, and the court has jurisdiction of the interpretation of treaties.

The Exclusion Law was at one time asserted to be a violation of our treaties. The Alien Land Law of California, designed to preserve our agriculture for our own, is yet the subject of controversy and resentment. When California enacted the law, feeling ran high in Japan; and the claim was distinctly made, not only that the good understanding between two nations was disturbed, but some pro-Japanese citizens of the United States even yet assert that the law violates existing treaties. We deny it, of course, and it is to be hoped that the most fatuous administration would never submit what we had the legal and the moral right to do, to the arbitrament of any foreign tribunal. But assume us to be members of the court, and the demand made with the claim that we not only violated a treaty, but destroyed the good understanding between nations, our refusal to submit the question to a court we had just joined and extolled as the one means in all the world of preserving peace and maintaining good understanding between nations, would meet with hot resentment from other countries, and cause humiliating embarassment within our own. The Magdalena Bay incident, so vivid in our recollection, with the Lodge resolution still fresh in our memories, affords another instance of what might occur if we really accepted the jurisdiction of this court. Mexico has full power over her own territory. If she saw fit to transfer a bay with contiguous territory to another country, no international law (if there be such a thing) forbids. But with a doctrine peculiarly ours we served solemn notice that such a transfer the United States would not tolerate.

Examples of our policies different from those abroad could be multiplied indefinitely. It is as true to-day as when Washington wrote that "Europe has a set of primary interests which to us have none or a very remote relation." We have a set of primary interests all our own, some of which unfortunately greatly concern Europe, and which Europe deeply resents.

Joining a court, partly political in character, would be the most likely course to intensify that resentment.

The so-called World Court fails because it is not a world court or a court at all. It was deliberately made a part of the League of Nations, and extraneous political groups control its destinies. Through advisory opinions, it responds to the dictation of Old World diplomats and negatives its presumed judicial character. Its advocates in this country are the League of Nations enthusiasts. It was Mr. Root and Mr. Hoover, with others, who in 1920 told the American people in substance to vote for Mr. Harding as the means of having America join the league. They were wrong then; but if they have since recanted their opinion of the league and their desire to have the United States a part of it, the American people have not been taken into their confidence. The present Secretary of State entertained the same views. He now advises most strongly that we join the court. In our diplomacy we have a fatal facility for backing the wrong horse; and our recent experiences with Brazil and in other directions might at least teach us to be wary of official diplomatic advice.

This is an era of myths and misnomers. Not the least of these is the league court. In the sacred name of peace, timid and weak legislators can be frightened or cajoled into any ill-considered policy which is demanded by organized wealth or power. The sole defense of our country is the common sense and considered judgment of the people themselves. Under a definite and distinct national policy we have reached our present preeminence and our national greatness. The policy first declared by Washington was enunciated not for a day but for all time. Jefferson, Adams, and Monroe emphasized that policy. It was reiterated by Polk, Grant, Cleveland, and Roosevelt. In the Senate our beloved Senator Knox, of Pennsylvania, stood in the front rank of those who met the assault in our day. And since our birth as a Nation, the attack upon the course which, until now, the Republic has followed has been repelled by the American people. "Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?" With our first President the effort was made, and his firmness and courage kept us on our chosen path. The assault from without upon our definite national policy was as vigorous and as specious in 1820 as in 1920. At every possible interval between the endeavor has been renewed, sometimes in honeyed phrases and often in blunt demands, but ever before us has been the admonition of our first President, and preserved inviolate has been the policy he inaugurated. And now again, when the Creator has bestowed an unrivaled greatness upon our Nation, comes from those who represent us the assault which, in days past, has come from those without our borders. "The insidious wiles" bid us perpetuate a misnomer and embrace a myth. The first false step means our undoing. Joining the court means ultimate membership in the league; and then, God help us, we'll be subject to Old World diplomacy and in the maelstrom of European politics. Play our part in the world? Yes. Contribute our mite to peace and good understanding? Yes. But do it in our way, under our methods, with American leadership and guidance, pursuing our own unhampered course, always with justice, fairness, amity, and generosity to all nations, but preserving inviolate our own cherished policy.

THE CENTENARY OF THE BUILDING AND LOAN

Mr. GEORGE. Mr. President, the senior Senator from New York [Mr. COPELAND] on January 3, 1931, delivered a very interesting address at Rochester, N. Y., on the one hundredth anniversary of the founding of the building and loan association movement in this country. I ask unanimous consent that it may be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The address is as follows:

Any student of affairs must be painfully conscious of the all too common lack of social mindedness. In our country, as I see it, we guilty of excessive individualism. Individual success, the acquisition of wealth, the building up of personal influence, the development of kingly power—are not these the motivating im-

pulses that drive men to tremendous efforts and every sacrifice of brain and energy?

How much social planning is practiced? How much study is given our economic life with the sole purpose of bettering the common welfare?

Most of us worry, but over what? Over the distress of society? Over the economic perils of the Nation and the world?

Frankly, are not our worries over our personal affairs and the effect the general economic situation may have on us as individuals or as individual families?

Last Sunday I saw 9,000 unemployed men eating or waiting for a meal of meat stew, unbuttered bread, and black coffee. Such a heartbreaking sight is the outward and visible evidence of a disjointed social system.

It is another warning that we must do better in connecting up the parts of the social machine. There must be provided for every family in America a way to get food, heat, light, clothing, and decent housing. To say nothing of the educational and recreational facilities essential to happiness and health, the creature necessities, certainly, must be made available to every citizen.

The most outstanding example of what wise planning can do to promote the social welfare is the building and loan movement. This day marks the hundredth anniversary of that inspired and beneficient organization. Many a happy family in America to-day has reason to bless this association. Personally, I regard it as in many ways the most useful of the social agencies. It forward-looking vision of what should be, combined with the practical application of sane methods of administration, has given it consistent progress through each of its hundred years. It deserves the plaudits of the American people.

But let us not be satisfied with what has been. There remains much yet to be accomplished.

President Hoover's home-planning committee estimates that 20 per cent of the population, probably eight or nine million families, are not owners of homes. There has been a striking decrease in residential construction during the past year. It dropped off more than a billion dollars, a decline of 43 per cent.

Anything that interferes with home building is calamitous. the home is the fountainhead of health, morals, and good citizenship. What can happen when 500,000 persons live in 1 square mile, as is the case in New York City.

That is no way to live. Can you make good citizens of men and women who are thus deprived of possessions supposed to be held by every family? Can you bring up children with the average expectation as to goodness and the development of character?

Hundreds of great men and noble women have come from such surroundings. They have surmounted every difficulty and made their way to the top of human achievement. But who can doubt they succeeded in spite of environment?

Unemployment, poverty, and high rents result in overcrowded homes. They result in an attack upon the moral structure of the family. The necessity of piecing out the income by taking boarders has invaded the sanctity of the home and raised the illegitimacy record.

Capital can not disregard the evils born of vile housing. There is a limit beyond which the gulf between poverty and affluence can not be widened. The Fifth Avenues of our cities are not so far from the First Avenues that an outraged and infuriated mob might not swarm across that gulf to visit in anger the habitations of the rich. We are too complacent about the stability of the social order.

I have no desire to create class distinctions, or even to suggest the probability of social retaliations, but I do desire to make clear that in my opinion bad housing is a real menace to the security of government. If from no higher motive than self-preservation, there is reason enough why the money should be forthcoming to provide homes for the people of America.

I desire at once to disclaim the idea of any Utopian or socialistic scheme of relief. The remedy for the housing problem seems clear enough to me, but it does not lie in the direction of Government subventions for housing. I oppose all such schemes, either by the State or by the Nation. Likewise, I am against any of the ill-considered proposals of well-meaning statesmen for spending public money in doing things for the people that may best be done by themselves. Except in the fact of direct necessity, even the temporary expedient for the creation of State-supported agencies to provide housing, should be discouraged. That way, as the experience of England has demonstrated, is the way of waste, extravagance, and ultimate futility, along with the demoralization of the normal activities of private initiative and enterprise. The way out is the true American w y of wisely helping the people to help themselves. This will be done by increasing the incentives for individual thrift and industry and by removing the penalties that unwise taxation now imposes upon funds which should be employed in the creation of homes.

What I can not understand is the complacency of the public. The housing condition creates a situation which menaces the public health, the public safety, and, as I have said, the stability of government itself. To permit bad housing to exist is to menace the welfare of the community. If the bad housing is nation-wide, the menace is to the Nation. The social order itself depends on the regular employment and the state of the dwelling places of the social units.

The ostrich hides his head in the sand to escape the sight of approaching danger. What can we say of those comfortable citizens, in and out of public life, who persist in remaining ignorant of conditions which undermine the existing order? They are human ostriches.

It need hardly be stated that the housing problem, like some other serious ailments left over from the war, is a disease of many complications. No intelligent social doctor will expect to cure the disease and all its complications with one prescription. The investigations of Congress revealed the dislocation of normal productive processes caused by war needs and war revenue laws. It showed, too, the most pathetic evidences of human selfishness. Building-material profiteers, mortgage-money profiteers, and other selfish men figure largely in the picture.

In dealing with this as with other social and economic questions of the day, we must bear in mind that there is no lightning cure-all. There is no short cut to a normal world. We may not expect an immediate cure, but this fact must not deter us from seeking the easiest and quickest way to bring about substantial relief from existing conditions. That is all practical men can hope for at present.

One day some years ago, while I was commissioner of health of New York City, I sent an invitation to 60 men—presidents of banks and trust companies and insurance companies and great capitalists. I did it for two reasons. In the first place, I wanted once to be in a group of persons where they were all billionaires.

I told them about conditions in New York. I pictured it in terms worse than I have described it here, because I wanted to open the hearts and the purses of these men so that these houses would be provided. I pictured the terrible things that would happen in the way of disease. I said, "You people living on Fifth Avenue may think you are safe. You are not safe, and your children are not safe. So long as there is tuberculosis anywhere in this city and the servant girls come from the homes of the poor they will carry contagion into the homes of the rich." It had no effect. I told them about how they might smash the windows of Fifth Avenue, and it had more effect. When I got through, Mr. Stabler, of the Metropolitan Life, shook his fist and said, "Why haven't you told us these things before?" I said, "Mr. Stabler, I have spoken from every platform and have had more space in the newspapers than the President and Mayor Hylan combined. I have told this story, but you did not listen."

Why, my friends, the preservation of society and the preservation of government depend upon the employment and decent housing of the people. You know it is a terrible thing to have strangers come into our homes to piece out the income. The situation has become such that every family is cutting down on the number of rooms. In order to piece out the family income they have taken boarders. What does it mean as regards the morals of the community? Some time I wish I could read you letters I have had from broken-hearted mothers—victims of such a social condition as this—immoral, indecent. There must be found a way to remedy it.

Here is a thing I want you to remember. A baby born in a house of six rooms has twice as great a chance to live as the baby born in the house of three rooms. That is a significant thing. You can see why. A house of three rooms is not a home. The baby is put in a room with two or three adults, and the bedroom is the worst in the place. He gets no sunlight or fresh air. So it was found that a baby born in a house of six rooms has twice the chance to live. Think about that.

When we think about how the mothers of this world have suffered to bring these babies into the world, a decent citizenship will find a way to make it possible for the babies to live. Where these children are brought up in crowded places, twice as many will die as in an open community. So, on account of the mothers and babies, we want to do something to improve this condition.

The reasons for the present serious limitation in home ownership are not difficult to find. President Hoover cites poor financing as the chief factor. With that conclusion I am sure all will agree.

There is something radically defective with our financial and economic system, when a decent American citizen of sound health and steady income can not borrow the capital to finance his reasonable needs as a home seeker. This is particularly true of the person who owns a vacant building site or has accumulated a fair margin of security and is not seeking for charity.

If one had to depend upon the bank, he would be obliged to take there such collateral that a loan would be impossible in many instances. It is all very well for Mr. Morgan to tell about the value of character as collateral, but let an obscure citizen present himself at the bank, even though he bring evidence of high character, it will be mighty difficult for him to get any money unless he has gilt-edge financial security.

What I have to say is not intended as a reflection upon Mr. Morgan or upon the banking institutions, but I am presenting what everybody knows to be a fact. Bank examiners and bank officials are unwilling to assume risk, and in general they are to be commended because of their conservatism. But if the strict rules of banking are ever to be relaxed, it should be when men and women apply for money which is to be put into homes for their own occupancy. A man may risk his stocks and bonds, a woman may be willing to pawn her diamonds and pearls, but it is a rare individual who is willing to take any chance on the loss of the homestead. The home is the pride of every family. Men will fight for their homes, and women will die for them. In my opinion the safest loan that can possibly be made is the loan to a young couple seeking to establish a home.

Regardless of academic discussion, the fact remains that the banks have not furnished the funds on sufficiently liberal terms to make possible the easy building of homes. The building and

loan associations, with their more liberal terms as to the loan and its repayment, have done more to build modest little cottages in America than any other one institution in our financial world. In my section, the metropolitan area of New York City, the savings and loan associations are investing forty millions of dollars every year. I wish I could take you to hundreds of localities and to thousands of homes in my community, homes made possible by the liberal but safe methods of the savings and loan associations.

Nothing could be more fitting than the commemoration of the one hundredth anniversary of the building and loan movement in America. When that little group met around the stove not one of the men present could have dreamed of what they were inaugurating.

At the end of the century there are 12,000 of these associations. They have assets of over $8,000,000,000. Who can visualize such a sum?

Building and loan associations have assets of eight billion. They have financed 8,000,000 homes, and in the last 10 years helped to house 5,000,000 people.

When they met in Frankford they had no such vision. Their aim was—and I quote the language of the original records—"This association shall continue until every member shall have the opportunity of building or purchasing a dwelling house."

But that cooperative, noble undertaking of a century ago should challenge every one of us interested in the building and loan movement. It should be our motto not to build garages and commercial buildings but that "these associations shall continue until every family in America dwells in its own house!"

Spasmodic efforts have been made to encourage and promote home building. Not all such proposals have been wise ones.

There are many wild schemes afoot for the financing of home building by the Federal Government. I am out of sympathy with most of these. I would not think much of a government which failed to do its particular share in improving the social conditions of its citizenship, but I would not think much of a citizenship that could not work out some financial plan to house its people without subventions on the part of the Government.

I do favor, however, the passage of the home loan bank bill, which has slept so long in the pigeonholes of congressional committees. I quote the original description of the bill:

"It federates into regional banks the existing building and loan societies and enables them to raise money upon the mortgages in their vaults with which to finance new building construction. These societies, true people's banks, have sprung up voluntarily all over the country. The regional banks proposed will greatly increase the available capital of these institutions by permitting them to use their mortgages as security for the issuing of the loans, which they must in turn invest in further home building. As the issues of the loan (bonds) by the regional banks are to be tax exempt, like farm-loan bonds, and as they are guaranteed by the best of security—mortgages on the homes of the country—they can be easily sold. This bill is a step toward democracy in banking as well as a means of meeting a pressing national necessity."

I confess I have been out of sympathy with the tremendous outpouring of the exempt bonds. They have made it too easy for cities and other political subdivisions of government to borrow money. Municipal, county, school district, and State extravagances have been promoted by them.

To my mind, however, tax exemption for income derived from money invested in home building is entirely a different matter. If I had my way I would exempt from taxation a reasonable income derived from money invested in the bonds of savings and loan associations. I would not want to have John D. Rockefeller go out and build a lot of houses and give them rent free. I think that would lead to bad citizenship. I think the self-respect of any man is promoted if he does the building himself.

But I do not see any reason why we might not say, "Mr. Rockefeller, if you will invest some of your money in the securities of a building and loan association, we will grant you an exemption." That would be a perfectly legitimate use of the tax-exemption power as regards the Federal and State income. Suppose an income up to one or five thousand dollars, derived from securities of building and loan associations, were exempt—that would drive millions into the business. This money would go to an organization prepared to administer it safely and to put it out in such manner as to help the people of the United States to build homes.

There is another source of building money which I have not heard discussed. I refer to the fire-insurance companies and their investments of funds. I am not sure about the legal restrictions placed upon them, but it would seem to be most desirable that investment by fire-insurance corporations in savings and loan securities should be legalized by the States.

If any one institution has an interest in the erection of new buildings it is the fire-insurance companies. Their chief field of operation for increase of business is the host of new buildings erected every year. The more construction there is the better it is for the insurance companies, of course.

The quid pro quo should be the giving of assistance to the agency capable of serving the small home investor. It is worth thinking about.

It is said that opportunity knocks at the door but once. There came to an inn in Bethlehem the most precious privilege in all history. When Joseph and Mary knocked at the door, had a hospitable landlord welcomed them, his name would be written on the tablets of fame. He would have a place near the great white throne. But alas! St. Luke tells us "there was no room for them in the inn." The Holy Family was driven to the stable and the Babe was born in a manger.

Who can doubt that the men and women, the association or group, making it possible for the babies of America to be born in decent homes, will wipe out the disgrace of that refusal to provide a hospice 2,000 years ago? The failure of that innkeeper to furnish quarters for the Savior of the world should be a reminder to us not to overlook our manifest duty to the sons of men. The rich can take care of themselves. Let us do our full part in providing suitable homes for the lowly of our land.

COOPERATION OF EMPLOYERS WITH EMPLOYEES

Mr. DAVIS. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from the Pittsburgh Post-Gazette of this date on the cooperation of employers with employees. This editorial is signed by Paul Block, the publisher of the paper just named.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

NOW FOR 1931

For some time economists and business men have agreed that at least 75 per cent of our business troubles to-day are the result of the mental condition of the people.

The time has arrived when business should preach to itself to do its share of spending by continuing to invest in America's future. The first thing, therefore, is to assure our employees that for the coming year their positions are secure.

Such acts by employers will restore confidence to the 85 per cent of workers now employed. This, more than any other single thing, will prevent the hoarding of money that should be in circulation, and such expenditures will help bring employment to a substantial number of the other 15 per cent not now at work.

Business men should be willing to maintain their investment in the future of the country, whose buying power even now is great and can be made much greater if they do their share by greater effort and in more intensive selling. The United States has gone through many depressions and it has come through them stronger and more prosperous than before. There is no reason to believe that the present depression will end differently, but we can end it sooner if we cooperate for that purpose.

Let's begin that cooperation by assuring our employees that we want them to stay with us, that we are going to keep them with us, and let's start prosperity's return from that point.

The Federal Government is starting a billion-dollar program of expenditures. To this will be added several hundred millions of dollars to be spent by State and city administrations. These expenditures alone will bring back work and earnings not only to those who are working on part time but to many of those who are still unemployed.

So, Mr. Business Man, start the New Year with a resolution to keep all regular employees on your pay roll during 1931 and to invest in the future with extra efforts in selling and buying. Success will come to those who lead in these efforts as it always has in the past.

The publisher of this newspaper has just sent word to all the men and women associated with him that their positions are definitely secure.

WELFARE OF MOTHERS AND INFANTS

The VICE PRESIDENT. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The LEGISLATIVE CLERK. A bill (S. 255) for the promotion of the health and welfare of mothers and infants, and for other purposes.

Mr. JONES. Mr. President, the Senator from Utah [Mr. SMOOT] desires to call up the Interior Department appropriation bill at this time, so I ask unanimous consent that the unfinished business may be temporarily laid aside to enable him to do so.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

INTERIOR DEPARTMENT APPROPRIATIONS

Mr. SMOOT. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the bill (H. R. 14675) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes.

There being no objection, the Senate resumed the consideration of the bill.

The VICE PRESIDENT. On December 19 last the bill was before the Senate and all the committee amendments to page 21, line 2, were agreed to. The clerk will state the next amendment of the Committee on Appropriations.

Mr. SMOOT. Nearly all of the amendments in the bill apply to increases in salaries. I ask that all those increases be agreed to.

Mr. ROBINSON of Arkansas. If the Senator will indicate the amendments to which his request applies, I shall make no objection to it.

Mr. SMOOT. I will say to the Senator that when an amendment is reached which applies to salary increases I will immediately state that it is a salary-increase item.

Mr. ROBINSON of Arkansas. Very well.

The VICE PRESIDENT. The clerk will report the next committee amendment.

The next amendment of the Committee on Appropriations was, on page 21, line 2, after the name "Red River in Oklahoma," to insert a colon and the following proviso:

Provided, That said sum herein made available shall be paid out in two equal installments—one during the month of October and one during the month of March.

So as to read:

For payment to the Kiowa, Comanche, and Apache Indians, of Oklahoma, under such rules and regulations as the Secretary of the Interior may prescribe, $200,000, from the tribal trust fund established by joint resolution of Congress approved June 12, 1926 (44 Stat. p. 740), being a part of the Indians' share of the money derived from the south half of the Red River in Oklahoma: *Provided*, That said sum herein made available shall be paid out in two equal installments—one during the month of October and one during the month of March.

The amendment was agreed to.

The next amendment was, under the subhead "Industrial assistance and advancement," on page 21, line 14, after the word "lands," to strike out "$248,000" and insert "$250,000,'" so as to read:

For the preservation of timber on Indian reservations and allotments other than the Menominee Indian Reservation in Wisconsin, the education of Indians in the proper care of forests, and the general administration of forestry work, including fire prevention and payment of reasonable rewards for information leading to arrest and conviction of a person or persons setting forest fires in contravention of law on Indian lands, $250,000.

Mr. SMOOT. That is a salary increase.

The amendment was agreed to.

The next amendment was, on page 21, line 23, after the word "purpose," to strike out "$250,000" and insert "$255,500," so as to read:

For expenses incidental to the sale of timber, and for the expenses of administration, including fire prevention, of Indian forest lands from which such timber is sold to the extent that the proceeds of such sales are sufficient for that purpose, $255,500, reimbursable to the United States as provided in the act of February 14, 1920 (U. S. C., title 25, sec. 413):

Mr. SMOOT. That is a salary increase.

Mr. KING. Mr. President, I would like to ask my colleague if the $250,000 is available for the payment of salaries of persons who are permanently in the employ of the Government. My understanding is that it is largely for the purpose of fighting fires in the forests.

Mr. SMOOT. It is for the administration of the department in the forests, including fire prevention. That is only a part of the purpose of the appropriation. The incidental expense of the sale of timber is the main expense to be paid out of this appropriation, although the matter of the prevention of fire and the guarding of the forests against fires is included within it. It is exactly the same as appropriated last year with the exception of the increases in salaries.

Mr. KING. It seems to me there is a duplication.

Mr. SMOOT. It is just the same as last year, I will assure my colleague.

The amendment was agreed to.

The next amendment of the Committee on Appropriations was, on page 23, line 6, after the word "Indians," to strike out "$50,000" and insert "$70,000," so as to read:

For the purpose of obtaining remunerative employment for Indians, $70,000, and the unexpended balance for this purpose for the fiscal year 1931 is continued available for the same purpose for the fiscal year 1932.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, on page 23, line 12, after the word "equipment," to strike out "$382,000" and insert "$384,500"; so as to read:

For the purpose of developing agriculture and stock raising among the Indians, including necessary personnel, traveling and other expenses, and purchase of supplies and equipment, $384,500, of which not to exceed $15,000 may be used to conduct agricultural experiments and demonstrations on Indian school or agency farms and to maintain a supply of suitable plants for seed for issue to Indians.

Mr. SMOOT. That is a salary increase.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

The next amendment was, under the subhead "Irrigation and drainage," on page 29, line 16, after the word "exceed," to strike out "$220,000" and insert "$226,000"; so as to read:

In all, for irrigation on Indian reservations, not to exceed $226,000, together with the unexpended balance of the appropriation for this purpose for the fiscal year 1931, which is hereby continued available until June 30, 1932, reimbursable as provided in the act of August 1, 1914 (U. S. C., title 25, sec. 385).

Mr. SMOOT. The greater part of that is not for salary increases, but there is $5,000 for irrigation work and $1,000 for salary increases. It is on an Indian reservation. The department asked for $230,000, so it is a less amount than was really asked for by the department.

Mr. KING. If my colleague has had occasion to look into the matter, I shall be glad if he will advise us whether any part of the $226,000 is to be expended upon those irrigation projects which have been condemned absolutely by the commission.

Mr. SMOOT. These projects are all on Indian reservations, all in full operation to-day, and no one has ever questioned them in the past that I know of. The appropriations have been made annually for this purpose.

Mr. KING. Mr. President, I have before me a report by a commission known as the Preston commission. The commission was appointed in 1927 by Secretary of the Interior Hubert Work to make a survey of the irrigation activities of the Bureau of Indian Affairs. The commission consisted of Ray P. Teele, who unfortunately died before the investigation was completed; Porter J. Preston, engineer of the Bureau of Reclamation; and C. A. Engle, supervising engineer, Bureau of Indian Affairs. I have read this voluminous report, consisting of 500 pages of closely printed matter. In addition to a careful examination of irrigation projects and their administration, the report presents an array of facts showing the faults of and the weakness in the administration of Indian affairs. It contains evidence showing waste, extravagance, and inefficiency of the Indian Bureau in handling the property of Indians who are wards of the Government, and generally in the administration of the acts of Congress relating to Indians. The report recommends the abandonment of a number of irrigation projects, and with respect to a number of others it is recommended that no further appropriation shall be made until and unless additional data are obtained and further investigations shall be made; investigations to determine among other things whether water is or ever will be available, whether there are storage sites, whether it is feasible or desirable to carry forward extensions of existing projects.

The report is free from extravagant statements; it is a cool, dispassionate presentation of the facts found, and sensible and sound recommendations as to what should be done by the Indian Bureau in dealing with a multitude of matters discussed therein.

It is, however, a condemnation of the course of the Bureau of Indian Affairs in its handling of irrigation matters. I discover from an examination of the bill under consideration that as to a number of irrigation projects where the commission has recommended the abandonment of the same or suspension of any work thereon, appropriations are carried in the bill.

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to his colleague?

Mr. KING. I yield.

Mr. SMOOT. In going over the hearings held in the House I notice that the department asked for $242,000 to cover the projects named as found on pages 28 and 29 of the bill. That is the total of the appropriation asked. The House cut the amount to $220,000. We had to increase the salaries here as we have in all the other departments under the construction of the law by the department, so we simply added $5,000 for irrigation work and $1,000 for increase in salaries, and so hence not give the $243,000 asked for by the department. Therefore the House cut it in the first place and we added merely the small increases as I have just explained, so that the total is lower than the amount asked for by the department. All of the projects named in the item in the bill, as I understand it, are in operation on the reservations mentioned.

Mr. KING. I am not criticizing the Senate committee. The fault lies with the Indian Bureau in disregarding the results of investigations and the recommendations made by more than one committee. The officials of the bureau demand more and more each year, and the results of their labors are not commensurate with the expenditures made by the Government. Since 1923 the appropriations expended by the bureau have increased from $10,425,000 to over $22,000,000 for the fiscal year ending June 30, 1931. But replying to my colleague, I know that appropriations are carried in this bill for the Crow, Flathead, Blackfeet, and Fort Peck irrigation projects, all of which are dealt with in the Preston report.

Mr. SMOOT. Not in this item.

Mr. KING. Perhaps not in this item, but in the bill.

Mr. SMOOT. But not in this item at all.

Mr. KING. While I have the floor, and having called attention to the report, I shall detain the Senate for a little while, if my colleague will have patience, while I call attention to some features of this report.

Mr. SMOOT. Certainly.

Mr. KING. I do so for the reason that I think the Indian Bureau has not administered the affairs committed to its care in a manner to secure the best results. Perhaps Congress has been at fault and has not enacted wise and suitable laws to meet the varied and complex problems that are involved in guarding and guiding several hundred thousand Indians whose relation to the Government is not always easy to determine. As the years have passed the complaints of the Indians against the bureau and the Government have not diminished, and it must be confessed that the progress of the wards of the Government in industrial, educational, and cultural lines has not been satisfactory.

Reports that come to our ears from time to time of the exploitation of the Indians, of our failure to provide suitable health measures, and of their backward and undeveloped condition furnish indubitable evidence that in dealing with the Indians the Government has not adopted a plan or system or program calculated to secure the best results. I think the system is defective and that bureaucratic methods in enforcing it have materially contributed to the lamentable situation in which the Indians find themselves. It was hoped that with the advent of the present commissioner important and imperatively needed reforms would occur in the Indian Bureau, that many of the evils continued under preceding administrations would be eliminated, and that a new and brighter day would dawn for the Indians. I believe that the present Commissioner of Indian Affairs has approached the problems before him with a sincere desire to improve the condition of the Indians and to faithfully discharge the obligations resting upon him. I fear, however, that he has been unable to throw off the bureaucratic net which envelops every person who enters into Federal departments and bureaus.

There are branches and divisions and agencies and bureaucratic organizations within the Indian Bureau; the machinery is so complicated and ponderous that the head of the bureau if not courageous and dynamic will be crushed and rendered hopelessly inert.

There are 5,000 or more employees in the bureau, and requests are made for an increased personnel. In my opinion, there are now entirely too many. If they were properly occupied and the service was conducted on business lines, material reductions in expenditures would result and increased efficiency and better results would be obtained.

The Indian Bureau is a creature of slow growth; it rests upon many statutes, regulations, traditions, and precedents. There are conflicts in the laws, inconsistencies in the regulations, and oppressive and irrational practices. These make for confusion, waste, inefficiency, and produce most unfortunate consequences. Statutes, I think, are contradictory; many of them are so involved that it is difficult to interpret them; indeed, different interpretations are placed upon them by agencies of the Government. That there should be a change in the system of handling and caring for the Indians, it seems to me, must be obvious to any person who will make even a superficial examination of the Indian problem.

There are about 300,000 Indians in the United States under the jurisdiction of the United States. Speaking by and large, with respect to the greater number of them, I think their progress and development, educationally, culturally, morally, and otherwise, are such as to be disappointing to those who are interested in the Indians and concerned in our obligations to them. And in making this statement I am not disparaging the Indians. I am criticizing the Government and those who have had charge of them. We have had charge of the Indians for more than 140 years—ever since the foundation of the Government. In some instances the Indians have been dispoiled of their land and subjected to harsh and unjust rule and regulation. We have imposed upon them bureaucratic methods utterly incompatible with their progress and their moral, cultural, and industrial development.

Mr. President, I think there should be a radical change in the system under which we attempt to discharge the obligations resting upon us with respect to our wards.

We have said that the Indians are the wards of the Federal Government, and yet an investigation of conditions upon many reservations will show that they are no better off now than they were many years ago. Where improvement has been brought about it has been largely through the efforts and character of the Indians themselves. Their industrial progress has been disappointing, and the failure is almost entirely due to the indifference and inefficiency of the bureau and those connected with the administration of the affairs of the bureau.

The health of the Indians has been neglected and their death rate has been very great.

Not infrequently these matters have been brought to the attention of Congress and the bureau, but too little attention has been given to the correction of the conditions.

For a number of years, Mr. President, appeals for reform were made by the Indians to many Senators, including myself. Hundreds of Indians have appealed to me during the past 10 years for the enactment of legislation that would improve their condition and emancipate them from a bureaucratic system that they regarded as intolerable and preventive of their development and progress. A few years ago a number of representatives of Indian tribes communicated with me and insisted that they had been deprived of their lands, that relief was denied them, and that they were not permitted to protect their rights in the courts or secure relief for the wrongs done them. I took the matter up with Senators on both sides of the Chamber and sought the passage of general legislation that would enable the Indians to present their claims and their grievances to courts of competent jurisdiction which could pass upon their merits. Objection was made, but from time to time we passed measures dealing with specific cases, authorizing suits to be brought in the Court of Claims for the purpose of determining the validity of the contentions of the Indians.

I know in my own State that a large tract of land, a million acres or more, was taken by Executive order out of the territory which the Indians owned and was made available for public entry. No compensation was made them, no effort was made to ascertain the value of the land of which

they were thus deprived. Recently a bill which I offered passed the Senate, and the distinguished senior Senator from Wyoming [Mr. KENDRICK] deserves great credit for its passage, under which they are to receive a considerable sum for the lands of which they were deprived. It seemed to me, going back to the period to which I have just referred, when I consulted with Senators with regard to the grievances of the Indians, that a comprehensive survey should be made of the entire subject, not for the purpose of tearing down, not for the purpose of criticizing the conduct of any particular official, but with a view of determining whether we have fully discharged our duty, whether the laws were sufficiently broad and comprehensive to enable the Government, if it desired, and the Indian Bureau if its officials were solicitous for the welfare of the Indians and faithful in the discharge of their duties, to carry out the obligations which are ours to these wards who have had no voice in the selection of their guardians. Accordingly I offered a resolution calling for such comprehensive survey. I regret to say that the Indian Bureau fought the resolution with the utmost bitterness.

The then Indian commissioner came before the Indian Affairs Committee of the Senate and opposed any investigation by the Senate of the Indian system and the conduct of Indian affairs, though suggested, not with the view of criticizing him or anybody else, but with the view of determining whether the Government had done its full duty and whether or not a better system could be devised than the one in existence, one under which justice might be done to the Indians and the Government might discharge its full duty to it wards.

After years of effort the resolution was passed, and a committee was appointed of which the distinguished Senator from North Dakota [Mr. FRAZIER] is the chairman. That committee has made investigations upon a large number of the reservations, and the testimony which the committee has submitted, constituting several thousand pages of closely printed matter, much of which I have examined, indicates, Mr. President, that something is wrong with the Indian Bureau or with the administration of the laws or with the laws themselves dealing with the Indians.

The testimony discloses conditions which call for rectification. I am not sure what will be done, whether Congress will be ready and willing, when the final report shall have been submitted by the committee, to take the matter up and try to improve the system in the interest of the Indians and for the honor of the Government; our Government, however, can not afford to have the charge made that it does not deal justly and honorably with its wards, and that it will not properly care for them and protect their property and afford them the advantage essential for their development and civilization.

During the investigation, Mr. President, which is being made by the committee, it discovered the Preston report to which I have referred, which, so far as I know, had never previously been given publicity. May I ask the chairman of the committee, the Senator from North Dakota [Mr. FRAZIER], whether he, as a member of the Indian Affairs Committee and as chairman of the subcommittee, had any knowledge of the Preston report dealing with the irrigation problems of the Indian Bureau? Had that report ever been given any publicity by the Indian Bureau?

Mr. FRAZIER. Mr. President, I will say that, so far as I know, no publicity has been given to it.

Mr. KING. May I ask the Senator whether any publicity has ever been given by the department to the report of Mr. Lee Muck, forest valuation engineer, in which he discussed the timber resources of the Indians and the manner in which those timber reserves have been handled by the Indian Bureau?

Mr. FRAZIER. Mr. President, the particular report of Mr. Lee Muck, who is in the Forestry Service for the Indian Bureau, has not been made public so far as I know, or at least only a portion of it. When the Committee on Indian Affairs asked for a copy of the report from the department we were informed by a letter from the Secretary of the Interior that much of the report was confidential and that it was against their policy and would be a violation of certain agreements or contracts to make it public. We, therefore, held a secret session of the Subcommittee on Indian Affairs conducting the investigation, and I was instructed to ask for the full report of Mr. Lee Muck in regard to the timber and the way it is being handled on the Klamath Reservation, in Oregon, for the use of our committee in secret session. I have a letter from the Secretary of the Interior, received this morning, I think, stating that the report was confidential, but that if the committee would give the department notice as to when it would meet in secret session to consider the report, the department would be glad to send it down to the committee. So we have not had the full report as yet because of its confidential nature.

Mr. KING. Let me ask the Senator, if he will indulge me, another question. The Senator knows that upon some Indian reservations there are valuable timber resources?

Mr. FRAZIER. Yes; upon a number of them.

Mr. KING. And contracts have been made by the Indian Bureau with white lumbermen under which the latter enter upon the timber tracts and cut and remove large quantities of timber?

Mr. FRAZIER. That is correct.

Mr. KING. This report of Mr. Muck, as I am advised, deals with the timber resources of those reservations, and with these contracts, with their validity or invalidity, whether they are just or unjust to the Indians. If that be the case, upon what theory does the Interior Department withhold information from the public and from the Indians themselves with respect to such conditions and facts?

Mr. FRAZIER. Mr. President, the Commissioner of Indian Affairs orally, and the Secretary of the Interior by letter, stated that it would be a violation of the agreements and contracts with the lumber companies to make them public, so that they must be kept confidential; but inasmuch as the committee was a part of the Government they would be turned over to our committee in executive session.

Mr. KING. That is what some persons complain of, and is the cause of complaint by many Indians—the secrecy with respect to the manner in which the lands and funds and property of Indians have been and are being handled. Before this bill passes, in view of the statement made by the Senator, if an amendment is not suggested by the chairman of the Appropriations Committee or the chairman of the Indian Affairs Committee, I shall offer an amendment to this bill which will provide that no contracts shall be made by the Indian Bureau or any of its representatives which shall not be available to the public, and particularly to the Indians and to Congress.

I think it is indefensible for the Indian Bureau to enter into contracts with lumbermen or others which are held to be secret under the terms of which they may go upon forest reserves of the Indians and take away their timber. Senators ought to know what contracts are entered intond their terms. When the Indian Bureau comes here and asks, as it is doing now, for more than twenty-two millions of dollars for the next fiscal year, I think Senators are entitled to know just what use is to be made of this stupendous sum and the contracts which have been made by the bureau involving the rights and interests of those who are wards of the Government.

Returning to the Preston report, which I hold in my hand, covering hundreds of pages of small type, in which is discussed the conduct of the bureau in handling Indian irrigation projects, anybody who will read this report will be convinced that there has been waste and extravagance; that projects have been undertaken that had no merit, some of which have been abandoned and others of which must be abandoned if we shall stop the waste which has characterized the Indian Bureau in handling them.

First, may I say, Mr. President, that the Government has been most generous in dealing with the Indian Bureau. It has appropriated during the past sixty-odd years more than $500,000,000, to say nothing of the amount which has come from tribal funds, for the work of the Indian Bureau.





Briefly summarizing the committee report on the work and its general results, an area of 692,057 acres, as reported by the Indian Bureau, has been provided with "irrigation facilities," at a cost to June 30, 1927, of $27,140,782.62 for construction and $8,827,143.10 for operation and maintenance of the irrigation systems. Thus the total expenditure for irrigation on Indian reservations for the 60-year period 1867 to 1927 was $35,967,925.72; and the report shows that at that time it was contended by the Indian Bureau that a very large sum in addition would be required, making the aggregate considerably more than $56,000,000.

On the projects specially covered by this report Indians own 452,927 acres of land now provided with irrigation facilities, of which they irrigate 70,990 acres, or 16 per cent. Whites own 198,000 acres, of which they irrigate 131,427 acres, or 66 per cent. One hundred and seven thousand two hundred and thirty-one acres of Indian land are farmed by white lessees.

On the projects that are specifically covered by this report, which are the larger projects and which include over 91 per cent of the acreage now provided with irrigation facilities, 306,643 acres were irrigated in 1927, of which, as I have stated, the Indians irrigated 70,990 acres, or 23 per cent.

It will be observed, by reference to Table I of this report, that on many of the so-called Indian projects most of the farming, and in some cases practically all of it, is being done by whites, either lessees or owners.

On the Wapato project of the Yakima Reservation, the total acreage irrigated is 77,938 acres, of which only 4,661 acres, or 6 per cent, are reported as being irrigated by Indians; 38,862 acres, or 50 per cent, being irrigated by lessees; and 34,415 acres, or 44 per cent, by white owners.

On the Blackfeet project, in an irrigated area of 7,149 acres, only 44 acres, or about 0.6 of 1 per cent, are irrigated by the Indians. That project is condemned by this report; and, notwithstanding the condemnation, the bill carries, as I understand, an additional appropriation for this project.

On the Crow Reservation project, the Indians are irrigating 2,703 acres of the 22,892 acres irrigated.

On the Flathead Reservation the Indians are irrigating only 452 acres, or 1.3 per cent, of the 34,441 acres irrigated.

On the Wind River irrigation project Indians irrigate 6,697 acres of the 21,491 acres irrigated.

On the Fort Hall Reservation they irrigate 7,338 acres in a total of 27,055 acres.

On many projects the acreage utilized by Indians is constantly decreasing, while the acreage utilized by whites is increasing.

While it is true that the total cost to date, $35,967,925, includes the cost of some projects that have been abandoned and some others that will have to be abandoned and is, therefore, subject to reduction by the cost of such projects, it is also true that the acreage now reported as "irrigable from constructed works" includes in the aggregate a large acreage of nonirrigable land and unproductive land and land for which there is not an adequate water supply, so that the total irrigable acreage will be very materially reduced and the acre cost thus increased.

I may not be able to turn directly to the pages in this report. In a number of places statements are made that the Indian Bureau—what shall I say?—padded their reports, reported a larger acreage than was actually irrigated, larger acreage than that which they knew it was possible to irrigate. Indeed, there is a general condemnation of the exaggeration, of the unwarranted optimistic statements by the bureau respecting these irrigation projects.

Mr. President, I am going to take some time to put into the RECORD some of the facts set forth in this report, because I think that Congress and persons interested in the welfare of the Indians should be made acquainted with the failures and mistakes upon the part of the Indian Bureau in handling these irrigation projects and in inaugurating irrigation projects that were not feasible or practical.

Mr. BLACK. Mr. President, will the Senator yield to me?

Mr. KING. I yield.

Mr. BLACK. I should like to suggest to the Senator that while I do not want to interrupt his remarks I do want to move a reconsideration of the joint resolution which passed a short time ago, in my absence, carrying an appropriation for drought relief, in order that I may move the adoption of an amendment which I had intended to offer, and which I would have offered if I had been here. The amendment is vital, and therefore I want to get it in the joint resolution.

Mr. KING. Mr. President, if I do not lose the floor I shall be very glad to yield to my friend for that purpose.

Mr. BLACK. I desire to move a reconsideration of the action of the Senate on House Joint Resolution 447.

Mr. SMOOT. Mr. President, the Senator does not want action upon that motion at this time, does he?

Mr. BLACK. Before action is asked, I think a quorum should be called.

Mr. SMOOT. I shall object to the entering of that motion at this time if the Senator intends to displace this appropriation bill by its present consideration.

Mr. BLACK. I do not intend to insist on its coming up now while the Senator from Utah [Mr. KING] is on the floor.

Mr. SMOOT. The Senator will have two days.

Mr. BLACK. I do not want to delay the joint resolution for two days. I will state the situation exactly. I believe that when my amendment is shown to the Appropriations Committee they will agree to it, so that it will be done simply pro forma; but in the meantime they have asked that the joint resolution go to the House. I do not desire it to go to the House, and I have not had time to confer with the committee regarding the matter.

Mr. SMOOT. Under the rules, the Senator has the right to move for a reconsideration at any time within two days.

Mr. BLACK. That is correct.

Mr. SMOOT. Therefore I should like the Senator now simply to give notice that he will make that motion, and let us go on with the appropriation bill now and get through with it. Then the Senator can make his motion.

Mr. BLACK. I will take that course if the Senator asks to have the matter handled in that way. I simply did not want the joint resolution sent over to the House until I had a chance to have this amendment made to it.

Mr. SMOOT. All that the Senator desires to do now is to give notice that he is going to make that motion?

Mr. BLACK. That is correct.

Mr. KING. Recurring to the report, on page 2219—

On several projects large areas of Indian land have gone into white ownership through Government sales of Indian lands or sales made by fee-patent Indians. The irrigation charges (both construction and operation and maintenance) outstanding against such lands were not collected at the time of sale, nor was any provision made in the contract of sale for collecting from the purchaser or his assignees. We have been unable to secure any reliable data as to the acreage thus sold except on two projects. The reservation officials keep no record of sales made by fee-patent Indians. The Government will, of course, be unable to collect any part of the irrigation charges outstanding against the above-described lands.

I pause here to remark that the conduct of the Indian Bureau in respect of the sales of the lands referred to in this paragraph is incomprehensible. Indian lands where fee-simple titles were granted were sold to the whites. There was an obligation resting upon the owners of these lands to reimburse the Government, in part at least, for the costs of the construction of the irrigation projects.

But the report indicates that the purchasers escaped payments or obligations which it would seem should pass to them.

Yet the Indian Bureau apparently was derelict in the discharge of its duties and took no steps to protect the Government, as a result of which the vendees of the Indians, or assignees of the vendees, escaped liability to meet legitimate and proper charges which the Government should collect because of advancements made in the construction of the project of which they are in part the beneficiaries.

Mr. WALSH of Montana. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Montana?

Mr. KING. I yield.

Mr. WALSH of Montana. I am very deeply interested in the matter the Senator is discussing. I am apprehensive that most erroneous views will be taken concerning the matter on account of many of the statements made in the report the Senator is reading. I challenge now particularly the matter to which the Senator has just referred. Suppose an Indian has an allotment within an Indian reservation.

The project is carried on for the purpose of irrigating that land and other lands, and the Indian sells that land. I do not know whether the Senator from Utah has intended to convey the impression, but it would be gathered from his remarks that in such a case the Government would lose everything. Upon what consideration is such a conclusion arrived at? The construction charge is a lien against the land in whosesoever hands it goes. While it was in the hands of the Indian there was no personal obligation on the part of the Indian at all; his land was subject to be taken for the satisfaction of the unpaid portion of the construction charge. He sells, and, of course, the grantee takes the land burdened just exactly the same as it was in the hands of the Indian. What would the Senator have the Indian Office do in the matter to protect the interests of the United States?

Mr. KING. Mr. President, if the construction placed upon the transaction by this committee is correct, then it would appear that there were some omissions made in the transfers or some steps taken by the bureau or its representatives which were highly advantageous to the white purchasers and disadvantageous and unfair to the Government.

Mr. WALSH of Montana. The Senator is an able lawyer; and is thoroughly familiar with irrigation questions and with Indian affairs, and that kind of thing. What does he think of that kind of a statement?

Mr. KING. Let me read the statement which follows:

> In one instance legal action was brought in the Federal court for the collection of such charges outstanding against lands of the Crow Reservation which are now in white ownership, but this effort at collection failed.

I am not sufficiently familiar with these transactions, may I say to my friend from Montana, to account for the failure to impose upon the purchasers obligations which it would seem should have been assumed by them.

I would suppose, as the Senator has indicated, that there was a lien which attached to the land, and that the purchasers from the Indians would be required to pay the balance due the Government.

Mr. SMOOT. He would be, or he would lose the land.

Mr. KING. But this report—and I am reading from the report—states that such is not the case and that an effort to collect in this particular instance failed.

Mr. WALSH of Montana. That is why I challenged attention to it.

Mr. KING. I am very glad the Senator did, because, if the Government is unable to collect, there must have been some omission or failure upon the part of the bureau to fully protect the Government and, perhaps, the Indians.

Mr. WALSH of Montana. Of course, I have not in mind the particular Crow Reservation case to which reference has been made, and I have no kind of an idea why the proceeding failed. It may be that somebody thought of beginning a personal action to recover from the grantee who had not assumed the obligation.

Mr. KING. The next sentence is as follows:

> In the case of the Wind River Reservation both the Attorney General and the Solicitor for the Interior Department have rendered opinions to the effect that collections can not now be legally made. From the data at hand, which, however, is meager and unreliable, it is considered that the Government will sustain a loss of about $2,000,000 by reason of its inability to make collections on these lands now in white ownership.

Mr. WALSH of Montana. Who makes this report?

Mr. KING. Hon. Hubert Work, in 1927, appointed a committee consisting of Porter J. Preston, engineer, Bureau of Reclamation; C. A. Engle, supervising engineer, Bureau of Indian Affairs; and Ray P. Teele, who was the representative of the Agriculture Department, to make an investigation of the irrigation activities of the Indian Bureau, and they submitted a voluminous report, consisting of 500 pages, pursuant to the instructions of Secretary Work.

Mr. WALSH of Montana. There are many intricate questions connected with these Indian reclamation projects which ought to be settled by adjudication of the courts, but not along that line.

Mr. KING. I am not quarreling with the Senator, nor am I quarreling with those who made this report. I am challenging attention to the report, and if it contains erroneous statements, undoubtedly the Senator from Montana and others will point them out.

On the same page, page 2219, the committee reports as follows:

> Proposed abandonment of Fort Peck, Blackfeet, and Tongue River projects: Three projects, the Fort Peck, Blackfeet, and Northern Cheyenne or Tongue River, are considered as hopeless, and recommendations are herein made looking to their abandonment. After a very careful study of all the available data relating to these projects, including a field examination, we are firmly convinced that any further attempts to rehabilitate and to operate and maintain these projects, or any one of them, can result only in increasing the loss that must be accepted and sustained by the Government.

Yet I find, notwithstanding this report, that in the appropriation bill before us provisions are made for further work and activity upon two of these projects at least.

Referring now to the projects I have mentioned, the report states:

> These projects represent a net investment by the Government to June 30, 1927, of $2,360,109.40, being $941,029.17 for the Fort Peck project, $1,276,851.81 for the Blackfeet project, and $162,228.42 for the Northern Cheyenne or Tongue River development.
>
> It is our conclusion that the Fort Peck Reservation project presents a hopeless situation because of the inadequacy of the water supply.

May I say that, as I recall, there are only 44 acres irrigated by the Indians on that reservation. I read further:

> The streams supplying the various units of the project are small, and occasionally are dry at times during the irrigation season. There are no feasible storage sites. The storage already provided is inadequate, unsafe, and excessive in cost.
>
> Although this project represents an expenditure to June 30, 1927, of $941,029.17, there was irrigated during the season of 1927 only 2,730 acres, and it is complained that the water supply was inadequate even for this small acreage, and the Government is confronted by a claim alleging damage to crops as the result of insufficient water.
>
> For the period 1921 to 1927, inclusive, it cost the Government $91,711.71 to operate and maintain this project, and of this amount only $6,775.85, or about 7 per cent, was repaid by water users.
>
> We are firmly convinced that there is no hope for the recovery of any part of the Government's investment in this project, and that any further expenditures will simply be adding to the loss that eventually must be sustained.

Mr. WALSH of Montana. Mr. President, will the Senator from Utah yield?

Mr. KING. I yield.

Mr. WALSH of Montana. The 44 acres were on the Blackfeet Reservation, not on the Fort Peck Reservation. I think I am able to testify from personal knowledge that there are many more than 44 acres on the Fort Peck Reservation cultivated by the Indians. I would undertake to say that there are very many more than 44 acres of the Blackfeet Reservation cultivated by the Indians. But regardless of that, let us suppose there is an Indian allotment on the Fort Peck Reservation which is leased to a white man. The Indian is getting the benefit of the irrigation project in the rental he gets.

Mr. KING. Undoubtedly the Senator is right in stating the 44 acres irrigated by the Indians were upon the Blackfeet project. I inadvertently said Fort Peck.

Mr. WALSH of Montana. Moreover, on most of these reservations, the Fort Peck, for instance, and the Flathead, the lands were allotted, the remainder made subject to homestead entry after payment to the Indians of the value of the lands as they were appraised, and they were appraised in the light of the proposal of the Government to irrigate the lands.

Would the Senator think that now, after the lands have been bought on that basis and the Indians have been paid for them upon the basis of their being irrigated through the

Government project, we ought to stop the enterprise? Take the Flathead Reservation, for instance, a matter of which I have spoken here on the floor many times. The Flathead was opened, and a map was prepared showing just exactly where the great canals were to go. The land was then appraised. The lands under the canals were appraised high, of course, comparatively; the lands above the canals were appraised low, comparatively.

The settler had an opportunity to take his land either above the canal, where no water would ever be brought, or to take it under the canal, where the water was to be brought, and he paid a higher price for the land under the canal, and it went into the Indian fund, and the Indians are now enjoying the benefit of the money thus contributed. Would the Senator advocate now that we cease making any further appropriations in order to complete these projects?

Mr. KING. If they are hopeless; yes.

Mr. WALSH of Montana. Of course, if they are hopeless; but the hopelessness of them, according to this report, is to be determined upon the basis of the number of acres the Indians cultivate.

Mr. KING. Oh, no; the Senator is mistaken. The report does not state that fact, and I have not so stated. I concede that if the Indians are the beneficiaries by reason of the land being irrigated, and they lease the land, there is no ground of complaint upon that score. But this report does not complain because of the limited area that is irrigated by the Indians.

The matter to which I am referring now, as the report states, is that the water is not available, and because the quantity of land irrigated by Indians and whites is only 2,000 acres.

Mr. WALSH of Montana. I enter into no controversy about that. The Committee on Appropriations has had the matter of the Fort Peck project before it repeatedly for years. They have been discussing the question as to whether it ought or ought not to be completed.

Mr. FRAZIER. Mr. President, will the Senator from Utah yield to me?

Mr. KING. I yield.

Mr. FRAZIER. When a subcommittee of the Committee on Indian Affairs visited the Fort Peck Reservation a great deal of evidence was offered, as I recall, to the effect that there was not enough water available to make a good irrigation project; that a great deal of Indian money had been spent, ditches and laterals and that sort of thing built, and they found there was no water available. It was just a blunder on the part of the engineers.

Mr. KING. I think that is what the report states, that it is hopeless; and where it is hopeless there is no wisdom in the Government making further Federal appropriations or reimbursable appropriations. If projects are without merit—have failed because of lack of water or for other reasons—it is unjust to the taxpayers of the United States to waste more money and it is unjust to the Indians to take from their tribal funds moneys to waste upon such projects.

Concerning the Blackfeet Reservation the committee say:

> On the Blackfeet project, which represents a net investment by the Government to June 30, 1927, of $1,276,851.81, only 45 acres were farmed by Indians in 1926.
>
> The area now reported as irrigable from the canal system is 21,377 acres. Of this, 7,150 acres, or practically one-third, was irrigated in 1926; 45 acres by Indians and 7,105 acres by white lessees and owners. The Indians receive a rental of 50 cents an acre for their irrigable land, which is a small fraction of what it costs the Government to operate the project. The principal crop is wheat; the average yield for 1926, 13 bushels. During some seasons much of the project land is dry-farmed.

In discussing the Tongue River project, the committee report states:

> The evils of the allotting system: Reference to Table I of this report shows that, based on the acreage of land being used, many of the so-called Indian irrigation projects are in reality white projects. The acreage farmed by Indians is small in comparison with that farmed by whites and is continually decreasing, and under present conditions will continue to decrease.
>
> The continual decrease in the acreage farmed by Indians is the natural and logical result of the leasing system, and the leasing system in turn is the inevitable result of the allotting system.

May I say to the Senator from Montana that this report deals not only with what might be called irrigation matters per se, but with cognate questions, leasing and allotting, and generally with the situation which they found upon the various projects; and it contains recommendations in regard to various matters which they investigated.

I continue the reading:

> Once leasing was begun and the Indian saw the possibility of receiving without any effort on his part larger returns from his land than he himself was able to secure by his own labor the leasing system naturally became very popular. As the Indian expresses it, "Why should I try to farm my land when I can lease it to a white man and get more out of it than if I farmed it myself?"
>
> The result of the leasing system as practiced on some reservations is that an increasingly large number of Indians are living in indolence and profligacy from their land rentals. It is a virtual return to the ration system; in fact, it is far worse in its effects upon the Indians than the ration system, as it frequently gives them a relatively large income to be squandered in indolence and dissipation. This condition is worse on the Yakima than on any other reservation.
>
> This situation presents an urgent problem. Unless it can be curbed, much of the welfare work already done among these Indians will be of no avail. In an instance of this kind the irrigation system, instead of being a benefit to the Indians, is a curse.
>
> Two remedies suggest themselves for curing the evils growing out of the allotment to the Indians of more land than they can beneficially use: First, withhold the lease proceeds as a means of compelling all able-bodied Indians to support themselves by their own labor; and, second, grant fee patents for all lands except such an area for each family as is actually required to support a family, to be held under a trust patent issued to the head of the family, which would soon result in the sale to white of all surplus lands, or lands that the Indians themselves can not use. The success of the first suggestion is questionable, as an Indian deprived of his lease money would simply live with some of his relatives.

The committee discussed the lack of "real attempts to make farmers" out of the Indians or to teach them how to farm. The report deals not alone with irrigation, but with problems relating to the development and the improvement and civilization of the Indians.

> Projects and extensions of projects have been built without securing in advance the data necessary to determine their feasibility, such as a survey and classification of soils, determination of productive acreage that reasonably may be expected to contribute to defraying the cost of irrigation works, necessity for drainage, status of water rights, adequacy of water supply, and reasonably close approximation of cost.
>
> On but few of the projects examined is there complete, definite, and reliable information as to the acreage of productive land that can be irrigated. In consequence the per acre construction cost to be collected from the landowners is not definitely known, and in many cases not even approximately known. As an instance, on one project fully one-fourth of the land is worthless as the result of seepage and alkali. Unless this unproductive land is reclaimed by drainage, or that part of the construction cost heretofore apportioned against it is written off, the construction charge on the productive land will be proportionately increased.
>
> In some cases it seems apparent, as the result of overoptimism, coupled with a desire to demonstrate the feasibility of a project and thus bring about its construction, there has been a surrender on the part of the investigating engineer to the inherent human tendency to minimize difficulties and swell the irrigable acreage by the inclusion of lands that in all probability never can be profitably used. Until such areas are eliminated or suspended, the per acre cost is not known.

The report further states that "there is inadequate inspection and supervision of both construction and operation and maintenance work." That is a very temperate criticism of the methods employed by the engineering division of the Indian Bureau in the selection of projects and in getting data and in the cost of construction.

Mr. WALSH of Montana. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Montana?

Mr. KING. I yield.

Mr. WALSH of Montana. The Senator knows that the same kind of criticism was made against engineers of the Reclamation Service who undertook this work 25 or 30 years ago.

Mr. KING. Many of these projects are more recent than that.

Mr. WALSH of Montana. I am speaking now about the same kind of mistakes that were made by engineers of the general reclamation service. They have occurred in connection with every project.

Mr. KING. Not every one, but most of them.

Mr. WALSH of Montana. Practically all. That is to say, we have learned a great deal about the business of irrigation since that time.

Mr. KING. We ought to have learned, but I am not sure of success in that direction. An able engineer from Utah, Doctor Widtsoe, did the greater part of the work in making the report of the fact-finding commission which was created by Dr. Hubert Work, and, as I recall the report, it condemned many of the projects, urged the abandonment of some, and showed at least $40,000,000 or $50,000,000 hopelessly lost to the Government.

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. Does the junior Senator from Utah yield to his colleague?

Mr. KING. I yield.

Mr. SMOOT. Am I to understand the Senator's position to be that the projects he has spoken of now should be stricken from the bill and entirely abandoned? Does the Senator think that is the best policy to adopt?

Mr. KING. I think with respect to those which the commission examined and upon which they reported that further appropriations should not be made, and some abandoned, that the report should commend itself to the judgment of the Committee on Appropriations as well as the Senate.

Mr. SMOOT. I refer to the Blackfeet Indian Reservation. We have an appropriation of $46,000 this year for that project. I do not know whether the Senator has been up there lately or not.

Mr. KING. Not lately; that is, not for six or eight years.

Mr. SMOOT. In my opinion, although there have been difficulties in the past, I doubt whether it would be the proper policy now to abandon that project entirely, although there are some failures and have been and will be failures perhaps in the future. I think it would have a bad effect upon our policy toward the Indians to abandon such projects. I do not think we ought to cut off those appropriations now without at least giving notice that unless there is a change in the bureau we are going to do so and not try to cut them out of this appropriation bill.

Mr. KENDRICK. Mr. President——

The VICE PRESIDENT. Does the junior Senator from Utah yield to the Senator from Wyoming?

Mr. KING. I yield.

Mr. KENDRICK. I desire to say to the junior Senator from Utah that we at least ought to pass upon the Indian reclamation project in the same way and with the same consideration that we pass on the projects initiated and developed for the white man. Moreover, it is inconceivable to me that a man like Doctor Widtsoe would consider as a way out of the difficulty the abandonment of one of these projects upon which so much money has been expended. It is also inconceivable to me that in any place in the West, upon an Indian reservation or lands occupied by white men, any project which has been selected as worth while and upon which development has proceeded should ultimately be abandoned.

In that connection I ask the indulgence of the Senator from Utah to say that those of us who have lived as close neighbors to the Indians are not without hope as to their future progress. It is my observation that they are making headway. I am not any more satisfied with the present condition than is the junior Senator from Utah, but I do not believe that the solution of the problem is through charging off the amounts invested or abandoning the projects. Very recently we had in the Interior Department appropriation bill a plan which, to my way of thinking, would lead to more wholesome results in connection with the Indians than almost anything that has been proposed, and that was to provide sums which the department might employ in finding work for the Indians on the different reservations. I say without hesitation and without any fear of successful contradiction that the majority of Indians will work if given an opportunity to do so. I also believe, with all good faith in the bureaus here in Washington, that the Indians are not properly led or directed on their reservations—at least on the majority of them. I believe the direction of the farming operations on the Indian reservations is the lamest feature of all their plan of administration.

Mr. KING. I do not think I am in disagreement with my good friend from Wyoming. I believe in the Indians and I believe in measures that will lead to their further development and civilization.

Mr. WHEELER. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Montana?

Mr. KING. I yield.

Mr. WHEELER. I want to supplement what the Senator from Wyoming [Mr. KENDRICK] said with reference to the Indians' farming operations. Our observation has been, since we have been on the committee investigating farming operations and how they have been conducted, that they have been carried on by the Indian Bureau in the most slipshod fashion. As a matter of fact, we visited, I believe, pretty nearly all of the reservations in the country. We have not found 10 of the so-called farmers that have actually gone out and visited the Indians or attempted to show them how to conduct their farming operations. We have gone to places where we would have whole tribes of Indians present and have asked the whole tribe if any Indians there had ever been shown by any farmer how to plant his crops and how to farm. Almost invariably at every place not an Indian could say that a farmer had ever been on his place to show him how to do any farming of any kind or character.

In Oklahoma where we visited very recently we found the bureau had field agents down there. The field agents as a matter of fact had not visited their Indians at all. Some of the Indians were found living in their little shacks sick and half starved, without food or clothing or anything else; no doctor had ever visited them; no field agent had ever visited them; not a person belonging to the Indian Service had ever visited their homes or witnessed their condition.

Frankly, let me say to the senior Senator from Utah [Mr. SMOOT], in charge of the appropriation bill now before us, that unless there is some improvement in the Indian Service with reference to taking care of the health and condition of the Indians, unless the people working in the Indian Service actually go out and do something for the Indians and thus do something to earn their salaries, which they are not doing at the present time, then I would be in favor of doing away with the Indian Bureau entirely, because I think in many instances the Indians would be better off without the Indian Bureau than with it, considering the way it has been conducted in the past in many of these places.

I do not agree with all that the junior Senator from Utah [Mr. KING] has said with reference to reclamation projects, but it is certain that most of the Indian reclamation projects have been handled in a very poor way. The white people have been brought in there under the assumption that they were going to get irrigated lands and they have not gotten them. They have been starved out and driven away from the reservations. The Indians in many instances have not received any benefit from the Reclamation Service. If there is one bureau in the Government which, in my judgment, has been run in an unbusinesslike manner, it is the Indian Bureau. It is a pitiful condition in which we find the Indians when we go out on the Indian reservations from one end of the country to another. Something ought to be done about it. Somebody ought to do something to stir up the Indian Bureau and let us have the Indian Service conducted on a businesslike basis.

Mr. SMOOT. I am going to ask the Senator to give me the name of the Indian reservation on which these conditions prevail. I will then call the situation to the attention of the Indian Bureau. I want those conditions, if they are as stated, to be rectified. Furthermore, if there are any other Indian reservations, I do not care in what States they may be located, where similar conditions exist, they ought to be corrected.

Mr. WHEELER. Mr. President, I will give the Senator the name of one reservation right now. At Ponca City in Oklahoma—I think it was Ponca City—there appeared probably 200 Indians, I should judge—as many as could get into the room. I asked them if any of the field agents had ever visited them, and I think but one Indian testified that a field agent had visited him. The Senator from North Dakota [Mr. FRAZIER] and the Senator from Oklahoma [Mr. THOMAS] can tell the Senate as to the other Indian reservations in Oklahoma. However, we spent all of one Sunday driving around. We visited many houses and asked the occupants if any field agent had ever been there. We went into one of the shacks where a young man was lying sick on his bed and ascertained that no agent had ever visited his place at all. We called at another house where there was a sick child but no agent had ever visited that home at all—no doctor, no field agent, or other representative of the bureau had been there. Not only was that true as to the particular reservation, but the same thing happened in the case of a number of other reservations. The truth about the matter is that the Indians have been neglected.

Mr. SMOOT. Of course, no one can excuse a situation of that kind. I always like to secure direct action, so far as I am concerned, and I would not want to appropriate money from the Treasury of the United States to help to perpetuate conditions of the kind the Senator has narrated. I shall ask the bureau to go into the matter and ascertain whether such conditions exist; and if so, and there is any employee of the bureau who is neglecting his duty or if anyone in the service is being paid to correct such evils and is not doing so, I want such individual discharged from the service immediately.

Mr. WHEELER. There are many of them that should be discharged; there is no question about that. There are a number of superintendents who ought to be dismissed; there are a number of employees around some of the Indian reservations who have not been treating the Indians properly. The service needs a thorough overhauling.

I dislike to stand on the floor of the Senate constantly complaining about conditions in the Indian Bureau. I for one felt that they were going to be rectified to a large extent when the new commissioner came in, but I am sorry to have to say the conditions on the Indian reservations have not been rectified and that mighty little progress is being made, so far as benefiting the Indians is concerned.

If I may be permitted to intrude further upon the time of the junior Senator from Utah, let me say that we visited, for instance, some reservations where the bureau was endeavoring to get Indians to farm lands upon which no white man could make a living. Nevertheless, the effort is being put forth to make farmers out of the Indians on such land as that. It seems to me if we are going to try to do something for the Indians we ought to teach them to work with their hands. Some of them are capable of being machinists. We were told on one reservation in South Dakota that nearly all the members of the tribe were very clever at mechanics. The members of that tribe ought to have been taught how to use their hands; there ought to be some kind of employment agency to find them work and to look after them, for, after all, everybody knows that most of the Indians, in the state in which they are to-day, are mere children. We have had them under our control for many years and have appropriated thousands upon thousands of dollars——

Mr. KING. Tens of millions of dollars.

Mr. WHEELER. Yes, millions of dollars; and yet any Senator who will visit one of these Indian reservations will ascertain that the Indians have not made the progress or begun to make the progress that they should have made. Their schools have been poorly managed; their farming operations have been poorly conducted and supervised. In fact, in some instances, from appearances, it would seem that affairs might have been run by, perhaps a widow who knew nothing of the subject with which she was called upon to deal.

Mr. SMOOT. Mr. President, I want to say that Commissioner Rhoads impressed me very favorably. He seemed to be a very fair man and interested in the development and welfare of the Indians.

Mr. WHEELER. I want to pay this tribute to Commissioner Rhoads. I think he is a very honest and sincere man, and that he is trying to do good work, but certainly the bureau ought to wake up and get rid of some of its dead timber; it ought to clean house; and if that is not done pretty quickly, more will be heard about this subject on the floor of the Senate.

Mr. KING. Mr. President, may I say, in view of the fact that the name of Commissioner Rhoads has been mentioned, that I talked with him the other day? I agree with my colleague that Commissioner Rhoads has a deep interest in the Indians and is solicitous for their welfare, but, as I told Commissioner Rhoads—and I would not say anything on the floor of the Senate that I would not say to him personally in his office or elsewhere—I think he is enmeshed in the web of bureaucracy, and unless he possesses almost superhuman strength and courage and assumes a Rooseveltian attitude toward the bureaucrats around him, he will find at the end of next year he will have made no greater progress than will be made by the bureau by the end of this year. Bureaucracy is almost synonymous with inertia; it delights in inertia, exerting itself only to expand its authority and jurisdiction and to increase its personnel.

May I ask my friend from Montana if it is not a fact that the Navajos, who have been less subjected to Indian Bureau control than other Indians, are better off and have made greater progress than most of the Indians who have been under the immediate control of the bureau?

Mr. WHEELER. I am not in a position to answer the Senator's question because of the fact that I have never visited the Navajos.

Mr. SMOOT. Mr. President, I will say to my colleague that that is not altogether a fair comparison. The Indians of whom he speaks have advanced in civilization a great deal farther than other Indians have, and some of them, I agree with my colleague, could take care of themselves almost anywhere. If they were off the reservation they could take care of themselves, and many of them size up fairly well with the ordinary white man; but the bureau is dealing with all classes of Indians, what we may call the highly civilized Indians and those who are not civilized.

Mr. KING. Mr. President, I wish to say right at that point that I was a member of the Indian Affairs Committee for a number of years, but resigned because it seemed to me that the Indian Bureau was determined to adhere to the old traditions and policies; it refused to recognize conditions under a changed order; it would not adapt itself to the growing needs of the Indians, and, unfortunately—and I say it with regret—Congress seemed to rely upon the Indian Bureau and to follow its recommendations, instead of hewing out a new path and developing plans that would make for the improvement and cultural advancement and civilization of the Indians. I have a deep interest in the Indians; I believe from religious conviction that they are destined to be a great people and make contribution to our country's development, and I regret exceedingly that our Government has failed in its duty toward the Indians. During the more than 100 years that the Government has had control over them it has not discharged its duty with that fidelity that should have been shown toward helpless wards subjected to its control.

Mr. President, if Commissioner Rhoads will discharge at least one-fourth of the employees now in the Indian Bureau, get rid of some of the heads of organizations and interbureau agencies, put new men in and exercise the power he possesses, and carry out the fine humanitarian instincts which guide him, I am sure that there will be the dawn of a new and a brighter day for the Indians of this country, and they will emerge from the shadows in which they have lived and assume a high place in the communities in which they live.

Mr. WHEELER. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Montana?

Mr. KING. I yield.

Mr. WHEELER. I should like to call the attention of the senior Senator from Utah [Mr. SMOOT], while we are on this question, to an incident affecting the Quapaw Indians in Oklahoma. Most of them are about two-thirds white and many of them are college graduates. I do not know but what the junior Senator from Utah [Mr. KING] has called attention to the incident I have in mind.

Mr. KING. No.

Mr. WHEELER. When a lease to a mining claim on the Indians' property had expired the Indians came here and protested against the property being again leased to the same mining company on any terms because of the fact that the mining company, as they claimed, had been robbing the Indians of their ore. The department absolutely neglected to send the Indians a competent accountant to go over and check the accounts, but forced the Indians themselves to hire an accountant. When the Indians hired an accountant, who was competent to check the accounts, the department refused to O. K. the bill; and when it came to leasing the property for the Indians there was a provision put in the advertisement by the bureau that whoever leased the property would have to pay the mining company which had previously held the lease $200,000 for the equipment on the ground that it was owned by the mining company, notwithstanding the fact that the Government employee who was on the ground representing the Government testified that it was worth only $35,000, and notwithstanding the fact that there is no provision in the law permitting the Secretary of the Interior or the Assistant Secretary to require anybody who might lease such a property to pay the mining company for the equipment which it had used under its lease.

The lease which the Indians had with the mining company required the mining company, if it did not again lease the property, to move its equipment off the ground, and it was given 30 days' time in which to do so. When the Indian Bureau drew up the lease for this mining property and under those circumstances the Indians refused to sign it, the Assistant Secretary of the Interior directed the Indian agent to sign the names of the Indians to the lease, although those Indians were just as competent to take care of their business as you or I. However, they were forced to sign the lease in that way.

If that sort of thing is going to continue under the Indian Bureau, we had better not have an Indian Bureau. Their conduct in this instance was indefensible. That was not just the act of an agent down below but was the act of the Assistant Secretary of the Interior himself, who directed what I have described be done.

Mr. SMOOT. Mr. President, how long ago was that?

Mr. WHEELER. It happened during the past three months, I think.

Mr. KENDRICK. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Wyoming?

Mr. KING. I yield.

Mr. KENDRICK. Mr. President, I wish to say to the Senator from Montana that I have as little patience with inefficiency in the administration of governmental affairs as any Senator here. The Senator from Montana will agree with me, as will the Senator from Utah and others who are familiar with this problem that, however lofty his aims or however capable he may be, the Commissioner of Indian Affairs has to-day the most difficult and most complicated problem in the administration of his bureau that is involved in any department of the Government. As one who has for a long time been a member of the Indian Affairs Committee, and who has had an opportunity to view many of the angles of this problem and to know the conditions as they exist, it is my feeling that we, as a body, might very well give thought to plans for improving the methods of the bureau in a constructive way as we have not done in the past.

Mr. WHEELER. Yes; but let me call the Senator's attention to one fact, if the Senator from Utah will pardon me.

Mr. KING. I yield.

Mr. WHEELER. The trouble is they have no policy down there. The Members of the Senate have not the time, and should not be required to take the time, to check up constantly on this department. We ought to have a department down there that would come to Congress with some constructive policies for the Indians. They have not done it, however. Then they complain and say, "We have not appropriations enough, and we can not do these things because we have not the necessary appropriations."

On every reservation we went to we would say, "Why has not this been done, or why has not that been done?" "Because of the fact that Congress would not give us the necessary appropriations. We can not do it because we have not the money. These Indians have been neglected because we could not get the necessary money from Congress."

That was the first time it had ever been stated to the Committee on Indian Affairs since I have been a member of it that they could not get the necessary money. If they would come to the Congress and show the Appropriations Committee of the Senate that they actually need money for the purpose of taking care of the Indians properly, I think the Appropriations Committee of the Senate at least would gladly give them the money necessary to see that the Indians get the right kind of education and the right kind of treatment.

Mr. KENDRICK. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Wyoming?

Mr. KING. I yield.

Mr. KENDRICK. I desire to ask the Senator from Montana a further question. He is a member of the Indian Affairs Committee, which has recently concluded an investigation of a good many of the reservations. Would it not be the part of wisdom at this time for the Senator from Montana, with his intimate knowledge of this question and his disposition to examine into things as they are and not as they appear to be, to offer some recommendations on this subject?

Mr. WHEELER. I will say to the Senator that we propose to do so; but, as the Senator knows, it is a tremendously big job to visit all of these reservations, and we have found it a most difficult one for the Committee on Indian Affairs, particularly when we have our other duties to attend to. We are working on the matter now and intend to offer some constructive suggestions, and have been taking up the various matters from time to time with the Indian Bureau.

Mr. KENDRICK. Mr. President, may I ask the Senator one other question?

The VICE PRESIDENT. Does the Senator from Utah further yield to the Senator from Wyoming?

Mr. KING. I yield.

Mr. KENDRICK. Does not the Senator find in this matter many, many problems instead of one? And does it not appear to him that the solution of the problems is through localized management on each of the reservations rather than attempting to do so much of the work from a central bureau here?

Mr. WHEELER. I am inclined to agree with the Senator with reference to that. One of the troubles is that the Indian Bureau here in Washington does not know the local situations on particular reservations, and they treat all Indians alike; whereas, as a matter of fact, the more we have traveled about the Indian reservations the more we have found that what applies to one tribe of Indians does not always apply to another tribe of Indians. The bureau here, however, has treated them all more or less as if they were one and the same kind of Indians.

Mr. KING. Mr. President, may I say to my friend from Wyoming that the resolution under which the junior Senator from Montana and other Senators are acting in making this general investigation contemplates that after they shall have concluded their investigation they will submit bills for the purpose of correcting evils which I think are conceded

by most people to exist. Certainly the purpose of the investigation was not merely to criticise some one; but it was to discover whether the system under which the Indians are governed is defective, and if so, what steps should be taken, what laws should be enacted to improve the system, so that the Government may acquit itself of the duty resting upon it to take care of its wards in a proper way, and give them opportunities for industrial, cultural, educational, and moral advancement.

I feel sure that the committee, after they have concluded their efforts, will submit a number of recommendations, probably many, as well as a number of bills proposing important reform in connection with the Indian Bureau. I think their mission will have failed if they do not do that; and I feel confident that some recommendations will be made. Unfortunately, however, too often when reports are made they are disregarded.

I have in my hand now one of the committee's reports, signed by the Senator from North Dakota [Mr. FRAZIER], the Senator from Oklahoma [Mr. PINE], the Senator from Montana [Mr. WHEELER], the Senator from Wisconsin [Mr. LA FOLLETTE], and the Senator from Oklahoma [Mr. THOMAS], dealing with the Klamath Reservation. They made a comprehensive and searching investigation there and submitted their report. The Indian Bureau pays no attention to it; and it is reported that one of the representatives of the Indian Bureau, when he was there visiting the Indians, said, "Oh, what does it matter if a number of Senators come out here and make recommendations? They can not do anything"; and the bureau seems to be going along much the same old way, increasing the expenditures when the Indians wanted them diminished.

I have made an examination of the testimony and have read hundreds of pages taken by the committee. The facts show that the Klamath Indians are right in their demands for reduced appropriations, but the Indian Bureau demands more each year.

I was told by an Indian within the past week that in view of the fact that the committee made these recommendations, which were contemptuously treated by the bureau, the representatives of the bureau, who are at the Klamath Agency, are more dictatorial than ever, and have convinced some Indians that investigations by Senators are wholly nugatory; that Senators can accomplish nothing; that these representations intrenched the Indian Bureau in power and authority, so that the Indians are beginning to look upon the committees that visit them as having no authority or influence over them to direct their policies or to improve their situation.

As I say, I hold in my hand the unanimous report made by the committee dealing with Klamath Reservation. Do you think the Indian Bureau has paid the slightest attention to it? No. The same man, Arnold, that they condemned is in control and seems to exercise more power now than he ever did, notwithstanding it was recommended that he be dismissed from the service or transferred to some other place.

Mr. FRAZIER. Mr. President, will the Senator yield?

Mr. KING. I yield.

Mr. FRAZIER. In line with what the Senator from Utah has said in regard to Superintendent Arnold, of the Klamath Reservation, still being in authority there, according to the information we have from Indians who testified before us when we were out there and delegations that have come to Washington, Arnold is not only in authority there but in the meantime, since this report has been made, he has given some of his Indian friends positions on the pay roll, and they are raising more trouble than ever for the other Indians who have been fighting the system under which their property has been managed and controlled.

Mr. KING. The Senator might add that he has given positions to three who testified, when the committee was there, with respect to conditions that called for changes. They condemned the policy that was being pursued and the conduct of Mr. Arnold; but he has silenced them, so the claim is made by Indians, by giving them positions.

Mr. FRAZIER. I understand that that is true.

Mr. KING. Mr. President, I am reading from this report for no other purpose than to challenge attention to the fact that the irrigation system has not been satisfactory, and that recommendations have been made which have not been followed by the Indian Bureau. In fact, when recommendations were made, with respect not only to irrigation but other matters, the report seems to have slumbered silently. It never was given publicity; and the Indian Bureau proceeded in the same old way that it had walked in for years.

Mr. President, it is rather singular—and I depart from this report for just a moment—that the Indian Bureau is receiving larger appropriations every year, without any corresponding benefits to the Indians.

In 1923, $10,000,000 was appropriated for the Indian Bureau.

In 1924, $11,600,000 plus.
In 1925, $11,212,000.
In 1926, $15,312,000 plus.
In 1928, $16,496,000 plus.
In 1929, $15,967,000.
In 1930, $18,909,874.
In 1931, $22,363,430.

I am unable to state the amount this appropriation bill carries for the bureau, because the report accompanying the bill includes a large number of items for other branches of the Government.

Mr. SMOOT. Mr. President, does the Senator mean the amount of the bill as reported to the Senate?

Mr. KING. No; I have that; but for the Indian Bureau. It was estimated at $24,840,801 in Mr. CRAMTON'S report submitted to the House, and I think it carries substantially that amount now. So, Mr. President, from 1923 to 1932 we have more than doubled the appropriations for the Indians, and if any person can point to any corresponding benefits or advantages to the Indians for that enormous appropriation and increase, I shall be glad to have him indicate it.

I submit that a considerable part of that increase of more than 100 per cent is waste. It is for the employment of incompetent persons and the perpetuation of a bureaucratic system that has been injurious, instead of beneficial, to the Indians. If the present Indian Commissioner—upright, able man as he is—will wield the ax, and cut off one or two thousand employees, and put in men of ability and initiative, he will improve the condition of the Indians and diminish the costs that are to be met every year by the Government of the United States.

If we follow the path made by prior administrations, within a few years the amount appropriated annually will be thirty, forty, or fifty millions. We can not defend the enormous appropriations asked for by the Indian Bureau.

It does seem to me that the present Indian Commissioner, as evidence of his good faith and his earnestness for the correction of the evils, should have asked for a smaller appropriation instead of a much larger one. It seems as if he is pursuing the same course as his predecessors—calling for more appropriations and more employees—and that is the cry of all of the departments: "More soldiers! More sailors! More ships of war! More employees in the Interior Department and the Treasury Department and every bureau of the Government," until—and I have the figures here—we are called upon to expend this year, for the salaries of the employees of the Government, not what my friend from Colorado [Mr. PHIPPS] stated the other day, $300,000,000 plus, but more than $800,000,000.

In addition to that sum, there are the soldiers and the sailors, whose wants must be met. So that the aggregate appropriations this year for the employees of the Government, officers and civilians, sailors and soldiers, will amount to more than $1,200,000,000. This is more than it cost to run the entire Government in 1916. Of course that does not include the enormous appropriations for the ex-service men and for pensions, aggregating this year approximately a billion dollars, or close to it.

I repeat, Mr. President, the enormous appropriation carried by this bill for the Indian Bureau can not be defended. It is more than $24,000,000, and we can not wonder that

the appropriations are constantly increasing when we have a record before us such as that contained in the Preston report, and when we have before us a record such as contained in the three of four thousand pages of testimony taken by the committee of which the Senator from North Dakota [Mr. FRAZIER] is chairman.

If my colleague from Utah desires to learn more about the health of the Indians, the lack of care and attention given them, and the improper methods which have been employed by the department in caring for this important governmental agency, all he need do is to read those three or four thousand pages of testimony. I confess my eyes have grown weary as the days have gone by and I have gone through more than 2,800 pages of this fine-print testimony taken by the committee.

I agree with what the Senator from Wyoming suggested. There is no agency of the Government, no department of the Government, which has more complicated problems to solve and more important duties to perform than has the Indian Bureau. I sympathize very much with Mr. Rhoads, and I certainly hope he will have the courage to go forward and tread the path which the dictates of his heart demand that he shall.

After this diversion I return to the Preston report, to which I was calling attention when interrupted. I read now from page 2223:

> In our opinion the most serious error of the Indian irrigation service is in continuing to make extensions to projects where there is a question as to the adequacy of the water supply.

That will answer the question propounded by the Senator from Wyoming and the Senator from Montana, namely, would I abandon these projects? Certainly I would abandon those which have been condemned as hopeless, and I would refuse extensions where there is no proof that water is available. That is what this report challenges attention to, the hopelessness of some and the folly of giving money to extend some projects where there is an inadequate supply of water, where there are no places for the building of reservoirs, and where the climatic conditions are such as not to justify the building of reservoirs or the developing of irrigation systems. I read further:

> In the case of the Wind River and Crow Reservations, although it is admitted in reports on file in the Indian Office that the water supply has not always been adequate, and that storage will be necessary when the total acreage now under canal is being irrigated, yet it is admitted as doubtful whether there are any storage sites. Similar conditions exist on some of the other projects.

Mr. KENDRICK. Mr. President, will the Senator yield?

Mr. KING. I yield.

Mr. KENDRICK. I believe the Senator referred to the Crow as well as to the Wind River project.

Mr. KING. This report does so.

Mr. KENDRICK. It has been my good fortune—my privilege, at least—to know something of the country involved and to know something of the water supply. On the basis of long years of observation, I may say to the Senator without reservation that there is no question in anybody else's mind except in the minds of the engineers making the report about the water supply in each case of those two particular projects. The Wind River project is owned partly by the Shoshones and partly by the Arapahoes of Wyoming, and the water supply is not only abundant but there are ample reservoirs in the mountains to take care of any surplus that is required.

Mr. KING. I suppose the Senator is familiar with the fact that in those projects there are several subdivisions. It is not all in one compact form.

Mr. KENDRICK. The location is compact enough, so that one reservoir of considerable size would serve the entire area to be irrigated.

Mr. KING. I shall ask the Senator later to read the report respecting that. Of course, I do not expect it will change his opinion, but perhaps he will have some regard for the opinions of these experts who were sent there. I read further:

> In our judgment several projects already have been extended over larger areas than can be supplied with water. In such cases individuals as well as the Government will, of course, sustain heavy losses. This is a matter that we believe should have immediate attention.
>
> No further extensions should be made pending a most thorough investigation and study of all conditions affecting feasibility.

Mr. KENDRICK. Mr. President, in corroboration of my statement of a moment ago, I want to say to the Senator that the territory under irrigation on the Crow reserve is supplied from both the Little Big Horn River and the Big Horn River, and at the present time there is not, nor has there ever been, so far as I know, any shortage of water which might be diverted for irrigation within the valleys of either one of those streams.

Mr. KING. Mr. President, on page 2230 of this report, referring to the Fort Peck project, the commission say:

> The Fort Peck project is an instance of the latter method.

That is, of proceeding without knowledge:

> It cost approximately $1,000,000 to learn that the water supply is inadequate. By the other method, which is the one usually employed, it would have cost a few thousand dollars.

That is, by making the necessary survey in advance.

I read now from page 2231:

> It is our judgment that many of the projects have already been extended over larger areas than the water supply available will satisfactorily serve. It is our conclusion that in some cases extensions have been made either without the knowledge of the Indian Bureau or at least without a realization of the magnitude of the extensions and their significance. In some instances one is forced to the conclusion that the only purpose in making the extensions was as a pretext for reporting a larger acreage under constructed works and thus be in a position to secure larger congressional appropriations for operation and maintenance. As yet, since only a small part of the so-called irrigable land under constructed works is being utilized, there is not much complaint as to the insufficiency of the water supply. When, however, an attempt is made to irrigate all the land "under constructed works" instead of one-fourth or one-half of it as now, there is bound to be trouble and the Government will be confronted with claims both by Indians and by whites, demanding damages for failure to deliver water to land which has been allotted or sold with the promise that such land carries with it a water right. In reports on file in the Indian Office relating to both the Crow and the Wind River Reservation projects, it is admitted that there has not always been an adequate water supply for the acreage now in cultivation; that storage will or may be necessary when all the land is utilized; but at the same time doubt is expressed as to whether there are any feasible storage sites. It seems that this is a matter that should have received consideration before the canals were extended over the areas they now cover.

I read from page 2233:

> The result is that on the average Indian irrigation project only a small part of the land will be used by the Indians, and the acreage being used will be in small isolated tracts scattered over the entire project. This necessarily means that the irrigation system for the whole project must be operated and maintained for serving only a small part of the area that has been provided with irrigation facilities, and that the cost for serving this small acreage will be practically the same as it would be if the entire project acreage were utilized.
>
> The Indian usually is unable to pay irrigation charges even on the land he actually farms, so it can not be expected that he can pay such charges on his unused land. The irrigation operation and maintenance expense on Indian land not leased is usually provided for by congressional appropriations made for that purpose, which, in most cases, are reimbursable; that is, it is intended that the cost shall be repaid to the Government. Because the Indian is unable to pay his annual charge, it is usually assessed or charged against the land.

The report discusses at considerable length the sale of lands by the Indians; and, as I deduce from the report, I think there ought to be some restriction, because in time many of the Indians will be landless.

Mr. SHORTRIDGE. Mr. President, will the Senator yield to me?

Mr. KING. I yield.

Mr. SHORTRIDGE. In a given case, where the Senator claims action on the part of the Government is not wise, does the report point its finger as to who is responsible for the given thing done?

Mr. KING. Yes and no. It makes many recommendations and calls attention to the fact that in some instances movements were carried forward without the knowledge of the Indian Bureau, by which I presume the committee meant the head of the department; but the report makes the statement repeatedly that many of these projects were started

without sufficient data, without knowledge of the quantity of water available, or knowledge of the soil and climatic and other conditions.

Mr. SHORTRIDGE. Somewhere in the report the name of the person responsible for the given work, criticized, perhaps rightly, appears, so that the party responsible for the unwise act, if it be so, is known.

Mr. KING. I do not think that is done. Many of these projects, as was stated by the Senator from Montana, were started years ago, and I am not particularly criticizing those who started the projects. Private persons started projects, some of which failed, and the Reclamation Bureau commenced projects without adequate data, the result of which, as was indicated a little while ago in the discussion, was that the Government of the United States sustained heavy losses, which taxpayers will be compelled to meet.

The suggestion was made to me by one of the Senators that an executive session was desired.

Mr. SMOOT. Mr. President, I know of no request for an executive session to-night. I thought we could run on until 5 o'clock anyway.

Mr. HEFLIN and Mr. McNARY addressed the Chair.

The VICE PRESIDENT. Does the Senator yield; and if so, to whom?

Mr. KING. I yield to the Senator from Alabama, and then I will be very glad to yield to the Senator from Oregon.

Mr. HEFLIN. Before the Senator from Utah yields the floor and we go into executive session, I should like to say that my colleague [Mr. BLACK] has a very important amendment pending relating to a bill which passed the Senate a little while ago, the measure of the Senator from Arkansas [Mr. CARAWAY] relating to relief of the drought-stricken areas. I think it will only take a moment to consider that amendment. I wish the Senator would let us do that so the bill can go to the House promptly.

Mr. KING. I follow the leadership of my friend on the other side of the aisle, the Senator from Oregon [Mr. McNARY], in that matter. If that be agreeable to him I shall be glad to yield for that purpose.

Mr. McNARY. Mr. President, early in the day I promised the Senator from Montana [Mr. WALSH] that we would have an executive session this afternoon so that he might make entry of an appropriate motion. That does not mean necessarily that we shall go into executive session now. Coupled with that is a desire that we may get a unanimous-consent agreement fixing the time to present this motion. Of course, I do not know what the ruling of the Chair will be, but knowing the situation as I do I have no doubt that probably the Chair would hold the motion not debatable. Therefore, in order properly to present the motion and with a fair distribution of time for debate, I conceive that it would be wise that a unanimous-consent agreement be entered into. I shall not propose that until the end of the executive session.

Furthermore, it is the intention to take a recess this evening on account of the death of a Member of the other body. I ask the Senator from Utah [Mr. SMOOT], who has the bill in charge, if in a few moments he will yield the floor to me to enable us to go into executive session.

Mr. SMOOT. I ask my colleague if he has concluded his remarks?

Mr. KING. No; I have not.

Mr. SMOOT. How long will it take my colleague to conclude?

Mr. KING. I have not concluded calling attention to the report which I have had under discussion.

Mr. SMOOT. That is what I mean—his statement with reference to the report.

Mr. KING. I can finish my statement about the report in possibly 15 or 20 minutes. The Senator knows that more than half the time I have occupied the floor has been consumed by others to whom I have yielded.

Mr. SMOOT. I have no reference to that at all. I refer now to the proposal as to whether we could not now go on for a few minutes and let the Senator conclude his discussion of the report.

Mr. KING. Let me say to the Senator that there are a number of amendments to be offered to the bill now before us.

Mr. SMOOT. They will have to be offered after the committee amendments have been considered and disposed of. A unanimous-consent agreement was entered into that committee amendments should be considered first.

Mr. KING. I could just as well submit what I have to say respecting the report when we come to the Klamath Reservation, with reference to which I have a number of amendments in mind at the present time. So I am perfectly willing to yield the floor at this time and I shall take up some other features of the report when we come to a discussion of the Klamath-appropriation item.

Mr. McNARY and Mr. BLACK addressed the Chair.

The VICE PRESIDENT. The Senator from Oregon.

Mr. McNARY. I am obliged to the Senator from Utah. I think the senior Senator from Utah will probably lose nothing by yielding at this time to enable me to present my motion to proceed to the consideration of executive business. First, however, I yield to the Senator from Alabama [Mr. BLACK].

Mr. BLACK. What I desire to suggest to the Senator from Oregon is that I have given notice of a motion to recall the drought appropriation bill for the purpose of offering an amendment, which amendment I have submitted to the chairman of the Committee on Agriculture and Forestry, and which is in line with the unanimous understanding of that committee as to the distribution and loaning of the funds therein involved. I do not believe it will involve any argument whatever or that there will be the slightest objection. For that purpose I would like to ask unanimous consent.

Mr. McNARY. Personally and as chairman of the Committee on Agriculture and Forestry, and being somewhat conversant with the nature of the proposal, I would have no objection; but in the absence of the chairman of the Committee on Appropriations [Mr. JONES] I could not give my consent.

Mr. BLACK. Would the Senator object to sending for the Senator from Washington [Mr. JONES], chairman of the Committee on Appropriations, who is in the committee room? I do not believe there will be any objection on his part and it will allow us to get the bill into conference.

Mr. McNARY. I would suggest, in the absence of the chairman of the Committee on Appropriations, and in order not to have an awkward pause on the floor, that we proceed now to the consideration of executive business and then later return to legislative session when the chairman of the Committee on Appropriations will be here.

Mr. BLACK. That is agreeable to me.

EXECUTIVE SESSION

Mr. McNARY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate sundry messages from the President of the United States making nominations, which were referred to the appropriate committees.

POST-OFFICE NOMINATIONS REPORTED

Mr. PHIPPS, from the Committee on Post Offices and Post Roads, reported favorably sundry post-office nominations, which were ordered to be placed on the Executive Calendar.

Mr. WALSH of Montana. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Broussard	Davis	Goff
Barkley	Capper	Dill	Goldsborough
Bingham	Caraway	Fess	Gould
Black	Carey	Fletcher	Hale
Borah	Connally	Frazier	Harris
Bratton	Copeland	George	Hastings
Brock	Couzens	Glass	Hayden
Brookhart	Dale	Glenn	Hebert

Heflin	McNary	Phipps	Thomas, Okla.
Howell	Metcalf	Ransdell	Trammell
Johnson	Morrison	Robinson, Ark.	Tydings
Jones	Morrow	Sheppard	Wagner
Kean	Norbeck	Shipstead	Walcott
Kendrick	Norris	Shortridge	Walsh, Mont.
Keyes	Nye	Smoot	Watson
King	Oddie	Steiwer	Wheeler
McGill	Partridge	Thomas, Idaho	Williamson

THE TARIFF COMMISSION

The VICE PRESIDENT. Sixty-eight Senators have answered to their names. A quorum is present. Reports of committees are in order. There being no further reports of committees, the calendar is in order. The clerk will state the first business on the calendar.

The Chief Clerk read the nomination of Henry P. Fletcher to be a member of the United States Tariff Commission.

Mr. SMOOT. Mr. President, I ask that these nominations to the Tariff Commission go over. There is an agreement——

Mr. ROBINSON of Arkansas. There is an agreement of record that these nominations shall not be taken up until the 9th day of January. That would automatically carry them over. There is another matter I want to bring to the attention of the Senate in this connection. The Senator from North Carolina [Mr. SIMMONS] is very anxious to be present when these nominations are considered. He is not able to be here now and does not expect that he will be able to be here on the 9th day of January. I understand he does think he will be able to return by the 12th. I think it proper to bring this to the attention of the Senate now so that if it is desirable to do so a unanimous-consent agreement may be made to refix the time.

Mr. McNARY. Mr. President, I do not think the Senator from Arkansas has fully set forth the import and purpose of the unanimous-consent agreement. Before we adjourned for the holidays I proposed a unanimous-consent agreement that we should consider nominations for the Tariff Commission on the 9th day of January, at which time the Senator from Mississippi [Mr. HARRISON] stated that would be satisfactory provided the Senator from North Carolina [Mr. SIMMONS] could be present. I stated then, as the RECORD will show, that it was agreeable, if that was the order of the Senate, that it be either the 9th or the 12th as satisfactory or convenient to the Senator from North Carolina.

I am advised to-day by the Senator from Mississippi [Mr. HARRISON] and also by another Member of the Senate that the Senator from North Carolina [Mr. SIMMONS] will not be here on the 9th on account of sickness in his family and his own indisposition, but will be here on the morning of the 12th. I think in fairness and to carry out the spirit and intention of the original agreement we ought to get an agreement at this time for the 12th of January.

Mr. ROBINSON of Arkansas. That pleases me. I merely point out the fact that the agreement was made to proceed to consideration of the nominations on the 9th of January.

The VICE PRESIDENT. Without objection, the date will be changed to the 12th of January. The Chair notices a further agreement with reference to members of the Federal Reserve Board which will go over until after action is had on the Tariff Commission nominations. The clerk will state the next business on the calendar.

GENERAL LAND OFFICE

The Chief Clerk read the nomination of Henry A. Morgan to be register of the land office at Phoenix, Ariz.

The VICE PRESIDENT. Without objection, the nomination is confirmed, and the President will be notified.

COAST GUARD

The Chief Clerk read the nomination of Kenyon Spalding to be temporary ensign, in accordance with the act approved July 3, 1926.

The VICE PRESIDENT. Without objection, the nomination is confirmed, and the President will be notified.

FEDERAL POWER COMMISSION

Mr. WALSH of Montana. Mr. President, I have in mind to move a reconsideration of the vote by which the nomination of Mr. George Otis Smith, as a member of the Federal Power Commission, was confirmed and to request the President to return to the Senate the notification of the action of the Senate with respect thereto. I inquire of the Chair whether such a motion is debatable.

The VICE PRESIDENT. The motion to reconsider must be preceded by a motion requesting the President to return the notification. Under the rule the motion to request the President to return the papers is not debatable except by unanimous consent.

Mr. WALSH of Montana. Will the Chair refer me to the rule?

The VICE PRESIDENT. It is the general rule with reference to return of papers.

Mr. WALSH of Montana. I ask because after some study I was unable to find such a rule.

Mr. ROBINSON of Arkansas. A motion to reconsider is debatable.

The VICE PRESIDENT. A motion to reconsider is debatable. Under Rule XIII it is provided that—

> The motion to reconsider shall be accompanied by a motion to request the House to return the same; which last motion shall be acted upon immediately, and without debate, and if determined in the negative shall be a final disposition of the motion to reconsider.

Mr. WALSH of Montana. Mr. President, let me call the attention of the Chair to the fact that that is not the rule applicable to the instant case.

The VICE PRESIDENT. The Chair realizes that in the rule in reference to nominations there is no provision that there shall be no debate on a motion to request the President to return the notification; but what the Chair has read is under the heading "Reconsideration"; and the Chair is of the opinion, after having made some investigation, that the provision in Rule XIII is applicable.

Mr. WALSH of Montana. Mr. President, let me remark in that connection that Rule XIII is not a general rule; Rule XIII applies to reconsideration of a bill which has passed the Senate and gone to the House of Representatives; it is a specific rule applying to that specific case; while Rule XXXVIII is another specific rule applying to this specific case. I will read the rule, if the Chair will indulge me.

The VICE PRESIDENT. Certainly.

Mr. WALSH of Montana. Rule XXXVIII reads as follows:

> 3. When a nomination is confirmed or rejected, any Senator voting in the majority may move for a reconsideration on the same day on which the vote was taken, or on either of the next two days of actual executive session of the Senate; but if a notification of the confirmation or rejection of a nomination shall have been sent to the President before the expiration of the time within which a motion to reconsider may be made, the motion to reconsider shall be accompanied by a motion to request the President to return such notification to the Senate. Any motion to reconsider the vote on a nomination may be laid on the table without prejudice to the nomination, and shall be a final disposition of such motion.

If there were any general rule applying to all manner of reconsiderations, of course, it would be applicable and would cover this case; but why does Rule XIII control Rule XXXVIII any more than Rule XXXVIII controls Rule XIII? They both refer to specific instances. I am unable to follow the reasoning which would hold Rule XIII applicable in this instance.

The VICE PRESIDENT. Of course, it is immaterial to the Chair whether the question is debatable or not. The Chair is of opinion, however, that it is not debatable; but, if any Senator desires, the question will be submitted to the Senate as to whether or not it is debatable under the rule.

Mr. WALSH of Montana. If the Chair please, as soon as I read, for the information of the Senate, Rule XIII, I shall ask that the question be submitted to the Senate.

The VICE PRESIDENT. The Chair will be very glad to submit the question to the Senate.

Mr. SHIPSTEAD. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Minnesota?

Mr. WALSH of Montana. I do.

Mr. SHIPSTEAD. Has notice of the confirmation of Mr. Smith been sent to the President?

The VICE PRESIDENT. It has been.

Mr. SHIPSTEAD. And so ordered by the Senate?

The VICE PRESIDENT. It was.

Mr. WALSH of Montana. I will now read Rule XIII. Rule XIII consists of two paragraphs. It is headed "Reconsideration." The rule to which I have heretofore referred is Rule XXXVIII, which is under the heading of "Executive session." Rule XXXVI deals with executive sessions; Rule XXXVII deals with executive sessions; and Rule XXXVIII deals with executive sessions and is headed "Executive Session—Proceedings on Nominations." Paragraph 3 of that rule is the one to which I have just referred. Rule XIII refers to the general subject of reconsideration. It has two paragraphs. The first paragraph begins—

When a question has been decided by the Senate, any Senator voting with the prevailing side may—

And so forth.

Under paragraph 2:

When a bill—

When a bill—

resolution, report, amendment, order, or message, upon which a vote has been taken, shall have gone out of the possession of the Senate and been communicated to the House of Representatives—

When a bill, resolution, report, amendment, order, or message, upon which a vote has been taken, shall have gone out of the possession of the Senate and been communicated to the House of Representatives—

the motion to reconsider shall be accompanied by a motion to request the House to return the same; which last motion shall be acted upon immediately, and without debate, and if determined in the negative shall be a final disposition of the motion to reconsider.

Mr. President, the motion which I contemplate making is not a motion which refers in any manner whatever to any bill, resolution, report, amendment, order or message. Likewise, it has nothing to do with anything that has gone to the House of Representatives. Accordingly this paragraph of Rule XIII can not possibly have any relevancy to the question before us. I ask respectfully, Mr. President, that the question may be submitted to the Senate, and I ask for the yeas and nays.

Mr. BORAH. Mr. President, is the question that is being submitted to the Senate whether or not this matter is debatable?

The VICE PRESIDENT. That is the question.

Mr. BORAH. Mr. President, I am disposed to ask unanimous consent that we may be given an opportunity to debate it.

The VICE PRESIDENT. Is there objection?

Mr. WATSON. Mr. President——

Mr. ROBINSON of Arkansas. Mr. President, I do not object to the request for unanimous consent, but since this question as it arises involves the proceedings of the Senate, I think it ought to be determined. It is perfectly clear to me, as a matter of law, that in the instant case, neither on the motion to reconsider nor on the motion to return the notification is debate forbidden. The rule that has been cited by the Chair, as stated by the Senator from Montana [Mr. WALSH], relates to proceedings and messages between the two Houses and is expressly limited to that class of proceeding. It does not, therefore, govern the confirmation of nominations and notification to the President of such confirmation. Clearly it will be necessary to read into the rule that governs notification to the President respecting nominations language which is not there; it will be necessary to read into paragraph 3 of Rule XXXVIII, which reads, "A motion to reconsider shall be accompanied by a motion to request the President to return such notification to the Senate," the phrase "which latter motion shall be disposed of without debate," and so forth.

It is a well-known principle of law that there is never read language into any rule or statute when the language which is really written into the rule is plain, intelligible, and capable of application to the subject at issue.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Idaho?

Mr. ROBINSON of Arkansas. I yield.

Mr. BORAH. Do I understand the Senator is of the opinion that it would be better procedure to settle this question by having a vote upon it?

Mr. ROBINSON of Arkansas. Yes.

Mr. BORAH. Very well.

Mr. BRATTON. Let us have the yeas and nays.

The VICE PRESIDENT. The question is, Is a motion requesting the President to return the notification of the confirmation of Mr. Smith debatable? The yeas and nays have been requested. Is there a second?

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. BINGHAM. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Connecticut will state it.

Mr. BINGHAM. May the question be stated for the information of the Senate?

The VICE PRESIDENT. The question for the Senate to determine is whether or not a motion requesting the President to return the notification of the confirmation of Mr. Smith as a member of the Federal Power Commission is debatable. Those who think it is debatable will vote "yea," and those who think it is not debatable will vote "nay." The Secretary will resume the call of the roll.

The legislative clerk resumed the calling of the roll.

Mr. CAREY (when his name was called). I am paired with the junior Senator from Ohio [Mr. BULKLEY]. Not knowing how he would vote, I withhold my vote.

Mr. NORRIS (when Mr. LA FOLLETTE's name was called). The senior Senator from Wisconsin [Mr. LA FOLLETTE] is temporarily absent from the city. Upon this question he is paired with the Senator from Kansas [Mr. CAPPER]. If the Senator from Wisconsin were present, he would vote "yea."

Mr. MCNARY (when his name was called). I have a general pair with the Senator from Mississippi [Mr. HARRISON]. I am advised that if present he would vote as I intend to vote. Therefore I feel at liberty to vote and vote "yea."

Mr. ROBINSON of Arkansas (when his name was called). I have a pair with the Senator from Pennsylvania [Mr. REED], which I transfer to the Senator from Nevada [Mr. PITTMAN], and will vote. I vote "yea."

Mr. GLASS (when Mr. SWANSON's name was called). My colleague [Mr. SWANSON] is unavoidably absent. If present, he would vote "yea."

Mr. WAGNER (when his name was called). I am paired upon this question with the junior Senator from Missouri [Mr. PATTERSON]. I am not informed as to how he would vote if present. I transfer that pair to the junior Senator from Tennessee [Mr. BROCK] and vote "yea."

Mr. WATSON (when his name was called). I have a general pair with the senior Senator from South Carolina [Mr. SMITH], who is absent. I am not able to secure a transfer, and therefore withhold my vote. If I were permitted to vote, I should vote "nay."

The roll call was concluded.

Mr. NORRIS. The junior Senator from Wisconsin [Mr. BLAINE] is absent from the city. Upon this question he is paired with the Senator from California [Mr. SHORTRIDGE]. If the junior Senator from Wisconsin were present, he would vote "yea."

Mr. SHORTRIDGE (after having voted in the negative). In view of the statement made by the Senator from Nebraska, I withdraw my vote.

Mr. CAPPER. On this question I am paired with the senior Senator from Wisconsin [Mr. LA FOLLETTE], and therefore withhold my vote.

Mr. GOULD. I have a general pair with the Senator from South Carolina [Mr. BLEASE]. I do not know how he would vote if present, and therefore withhold my vote.

Mr. FESS. I wish to announce the following general pairs:

The Senator from Illinois [Mr. DENEEN] with the Senator from Iowa [Mr. STECK];

The Senator from Massachusetts [Mr. GILLETT] with the Senator from North Carolina [Mr. SIMMONS];

The Senator from Indiana [Mr. ROBINSON] with the Senator from Mississippi [Mr. STEPHENS];

The Senator from Delaware [Mr. TOWNSEND] with the Senator from Tennessee [Mr. MCKELLAR];

The Senator from Colorado [Mr. WATERMAN] with the Senator from Virginia [Mr. SWANSON]; and

The Senator from West Virginia [Mr. HATFIELD] with the Senator from Missouri [Mr. HAWES].

The result was announced—yeas 56, nays 4, as follows:

YEAS—56

Ashurst	Dill	Kendrick	Robinson, Ark.
Barkley	Frazier	King	Sheppard
Bingham	George	McGill	Shipstead
Black	Glass	McNary	Steiwer
Borah	Glenn	Metcalf	Thomas, Idaho
Bratton	Goldsborough	Morrison	Thomas, Okla.
Brookhart	Hale	Morrow	Trammell
Broussard	Harris	Norbeck	Tydings
Caraway	Hayden	Norris	Wagner
Connally	Heflin	Nye	Walcott
Copeland	Howell	Oddie	Walsh, Mass.
Couzens	Johnson	Partridge	Walsh, Mont.
Dale	Jones	Phipps	Wheeler
Davis	Kean	Ransdell	Williamson

NAYS—4

Hastings	Hebert	Keyes	Smoot

NOT VOTING—36

Blaine	Fletcher	McMaster	Simmons
Blease	Gillett	Moses	Smith
Brock	Goff	Patterson	Steck
Bulkley	Gould	Pine	Stephens
Capper	Harrison	Pittman	Swanson
Carey	Hatfield	Reed	Townsend
Cutting	Hawes	Robinson, Ind.	Vandenberg
Deneen	La Follette	Schall	Waterman
Fess	McKellar	Shortridge	Watson

So the Senate decided that a motion requesting the President to return notification of confirmation is debatable.

DROUGHT-RELIEF APPROPRIATION

Mr. JONES. Mr. President, as in legislative session I will state that, as the Senate knows, the $45,000,000 relief measure passed to-day; and a motion to reconsider that action has been entered. The Senator from Alabama [Mr. BLACK] desires to offer an amendment. It is an amendment to which I see no serious objection. As the joint resolution has to go to conference anyhow, I hope we may be permitted to dispose of that, so as to get as early action as possible on that measure.

I therefore ask, as in legislative session, that the vote by which the joint resolution passed may be reconsidered.

The VICE PRESIDENT. The Senator from Washington, as in legislative session, asks that the vote by which the joint resolution was passed, be reconsidered. Is there objection? The Chair hears none, and it is so ordered.

Mr. JONES. The Senator from Alabama has an amendment which he desires to present at this time.

The VICE PRESIDENT. Without objection, the vote by which the amendment was engrossed will be reconsidered.

Mr. ROBINSON of Arkansas. Oh, no, Mr. President; it is not proposed to reconsider the amendment that was agreed to. The reconsideration is for the purpose of permitting the Senator from Alabama to offer an additional amendment.

Mr. JONES. It is a reconsideration of the vote by which the joint resolution passed.

The VICE PRESIDENT. That has been done.

Mr. ROBINSON of Arkansas. I suggest that the Senator from Alabama be permitted to present his amendment.

The VICE PRESIDENT. The Chair believes that by reason of the fact that the motion was to engross the amendment, the engrossment should be reconsidered, and then the measure will be open to amendment. Without objection, that will be done.

Mr. ROBINSON of Arkansas. That has not been done before in the history of the Senate.

The VICE PRESIDENT. The Senator from Alabama will offer his amendment.

Mr. BLACK. I send an amendment to the desk and ask to have it stated.

The VICE PRESIDENT. The amendment will be stated.

The legislative clerk read as follows:

SECTION 3. In the administration of this fund the Secretary of Agriculture shall make loans in the drought and storm stricken areas without regard to county lines; and the Secretary of Agriculture shall not have right or authority to prescribe rules and regulations excluding farmers from the benefits of this appropriation on the sole ground that they reside in any particularly designated area.

The VICE PRESIDENT. Is there objection to the consideration of this amendment as in legislative session? The Chair hears none. The question is on agreeing to the amendment offered by the Senator from Alabama.

The amendment was agreed to.

The VICE PRESIDENT. Without objection, the joint resolution as amended will be engrossed. The question is on the third reading and passage of the joint resolution.

The joint resolution was ordered to a third reading, read the third time, and passed.

EXECUTIVE SESSION

The Senate resumed open executive session.

FEDERAL POWER COMMISSION

Mr. WALSH of Montana. Mr. President, I now move that the vote of the Senate, taken on the 20th day of December last, by which the Senate advised and consented to the nomination of George Otis Smith as a member of the Power Commission, be reconsidered, and that the President be requested to return to the Senate the notification of the action of the Senate in relation thereto.

Mr. NORRIS. Mr. President, will the Senator yield?

Mr. WALSH of Montana. I yield.

Mr. NORRIS. Since this matter will probably take some time in debate, and the time provided for making other motions which I understand the Senator intends to make in regard to two more members of the commission may expire, I should like to suggest to the Senator that he enter the motions at this time, so that they will be in order.

Mr. WALSH of Montana. If I may have the consent of the Senate, I shall be very glad to do so. I make the same motion, Mr. President, with reference to the vote by which the nomination of Mr. Garsaud was confirmed and the vote by which the nomination of Mr. Draper was confirmed.

The VICE PRESIDENT. The motions will be entered.

Mr. GLASS. Mr. President, why omit the others?

Mr. ROBINSON of Arkansas. Because the Senator voted in the negative. Some Senator who voted in the affirmative will have to make that motion.

Mr. WALSH of Montana. I shall make that clear as I proceed.

Mr. GLASS. Some Senator who did not vote in the negative ought to do the fair thing and move to reconsider the others.

Mr. WATSON. What is the motion? We could not hear it over here. Has the Senator made it?

The VICE PRESIDENT. Will the Senator from Montana repeat his motion?

Mr. WALSH of Montana. I had it in mind likewise to take similar action with reference to the action of the Senate on the nomination of Mr. Garsaud and the nomination of Mr. Draper. I now enter the same motions, with the same requests, that the President return the notifications.

The VICE PRESIDENT. May the Chair ask whether the Senator from Montana voted in the affirmative? Some question has been raised in regard to that matter. The Senator voted in the affirmative, did he not?

Mr. WALSH of Montana. I did.

The VICE PRESIDENT. Then the motions will be entered.

Mr. WALSH of Montana. Mr. President, two members of this commission were confirmed by the Senate on the 19th day of December, Messrs. Draper and Williamson, and three others on the 20th of December, Mr. Smith, Mr. McNinch, and Mr. Garsaud.

It will be recalled that the Senate adjourned for the holiday recess on the 20th day of December, shortly after the action to which I have referred was taken. The next day

was Sunday, the 21st. The following day—Monday, the 22d—is generally observed likewise as a holiday. On the 23d day of December, Tuesday, three members of this commission—Messrs. Smith, Garsaud, and Draper—assembled, having, as I assume, qualified by taking the requisite oath. Thereupon, two other members being absent, they dismissed from the service of the commission the general accountant, Mr. King, and the solicitor, Mr. Russell.

In justice to the commission, or at least to the three members named, it ought to be said that they, in some strange manner to which I shall refer later, took the position that by reason of the act spoken of as the reorganization act, the service and employment of all members of the commission automatically terminated; and they accordingly sent to all members formal notification that their service had thus terminated, but that all of them except Messrs. Russell and King and, I believe, Mr. Bonner, the executive secretary of the commission, were immediately reappointed for a period of 30 days.

It ought to be said in this connection, Mr. President, that Mr. Bonner had already given information to the public that he intended to sever his connection with the commission and not retain his position. The newspapers, at least, carried information to that effect. So it will be observed that from every practical standpoint the action of the commission operated only in the cases of King and Russell.

No other reason was given in the notification for the dismissal of these servants of the public, but the press carried notice of the alleged justification for its action. The United States Daily of the next day, December 24, contains the following, after telling of the dismissal of King and Russell:

"Too much internal friction and not enough external results" were assigned by Doctor Smith as the reason for the action of the newly created commission.

Shortly before notice of dismissal was given to Mr. Russell and Mr. King, Frank E. Bonner, the executive secretary of the commission, resigned.

Senators NORRIS (Republican), of Nebraska; BROOKHART (Republican), of Iowa; and WALSH (Democrat), of Montana in their statements signified dissatisfaction with the commission's action.

All civil-service employees of the former commission were advised in an order signed by Doctor Smith that their services had ended automatically with the passing of the old commission, December 22, but the chairman stated orally that the Civil Service Commission has been asked to permit the temporary employment of these workers for 30 days, adding that it is probable that most of them will be retained permanently.

Messrs. Russell and King were not informed that they would be kept temporarily, Doctor Smith said.

So that it will be observed that, by whatever process may be named, or whatever circumlocution may have been pursued or observed, the operation was to sever the relation of King and Russell from the service, and no one else.

Mr. President, the reason assigned, it will be observed, is that there was friction in the commission. That the friction existed has been very well known. So far as King and Russell are concerned, I have not heard a word uttered from any source whatever to the effect that these two men have not been loyal, faithful, and zealous public servants. Not a word by way of criticism, as far as I have been able to learn, has been uttered against either of them, and I have abundant reasons for knowing that they have been both devoted and faithful public servants.

On the other hand, it is publicly charged as well as privately discussed that Mr. Bonner, the executive secretary of the commission, has, by his acts from the time he took office, betrayed an undue friendliness to the power interests, and a total disregard of the interests of the public in relation to the work of the commission, and that that difference has given rise to numerous clashes between him on the one side and the accountant of the commission, Mr. King, and the solicitor of the commission, on the other side, and I might likewise add, the very able and very modest general counsel of the commission, Mr. Russell.

Now, Mr. President, with a bare majority of the commission in office, as the very first act of the commission, and without giving a hearing at all to these men, one of whom, Mr. King, is in the classified service, they are severed from the public service. I might say in this connection that Mr. Russell went to the Power Commission something like two years ago, after three to four years of faithful service with the Interstate Commerce Commission, and upon the recommendation of the members of that commission.

Mr. DILL. Mr. President——

The PRESIDING OFFICER (Mr. ROBINSON of Arkansas in the chair). Does the Senator from Montana yield to the Senator from Washington?

Mr. WALSH of Montana. I yield.

Mr. DILL. Is the Senator familiar with the fact that Mr. Smith, previous to his confirmation, had a conference with Mr. Russell, in which he assured him that his work was entirely satisfactory, and that he was entirely in agreement with him, and that as a result of that Mr. Russell came and talked with Members of the Senate trying to get them to vote to support Mr. Smith's confirmation?

Mr. WALSH of Montana. I am unadvised concerning any talk between Mr. Smith and Mr. Russell. I am advised, however, that Mr. Russell, having the very highest regard for Mr. Smith, as did I myself, importuned Senators to vote for the confirmation of Mr. Smith.

Mr. President, when these matters were before the Committee on Interstate Commerce for consideration the question of the retention by the commission of Mr. Bonner was under consideration. Various nominees coming before the commission for interrogation were asked as to their attitude touching the retention of Mr. Bonner as executive secretary. In other words, there was a widespread belief that Mr. Bonner had not been entirely faithful to the discharge of his duties, or, at least, that he was biased and prejudiced in favor of the power companies against the public. In those circumstances, without anyone making a single charge against King or Russell, without either being subject to criticism, so far as I have been able to discover, they were dismissed from the service, forsooth, because there was friction in the commission.

Mr. BRATTON. Mr. President, will the Senator yield?

Mr. WALSH of Montana. I yield.

Mr. BRATTON. My attention was called to a newspaper story to the effect that the three commissioners who joined in this action had agreed with the other two members of the commission that no action would be taken in the premises until they were all present. So far as I know, the three commissioners who did act have never denied that statement. To be explicit, the newspaper story was that Commissioner McNinch stated that he had been assured by the three who acted that no action touching the counsel and the accountant would be taken until the full commission was present. It is strange, to my mind, that the three commissioners involved would remain quiet in the face of a charge of that kind, which goes to the full limit of common honesty. Does the Senator have any information as to their attitude upon that subject?

Mr. WALSH of Montana. No; I have only the information the Senator has that such a statement was carried by the press.

Mr. BROUSSARD. Will the Senator permit me to make a statement with reference to the question asked by the Senator from New Mexico?

Mr. WALSH of Montana. I yield for that purpose.

Mr. BROUSSARD. I think it is well to have the statement now in the RECORD. My understanding is that it is true that they were to take no affirmative action. The three commissioners, finding themselves alone here, after consulting the law, seeing that these employees went out of office automatically, merely served notice that they went out of office, and that they would take no action either to retain them or anything else, because that involved the selection of employees; and on January 2, at a meeting of the commissioners in which the two other commissioners participated, that action was practically indorsed by the entire commission.

Mr. BRATTON. Mr. President, let me ask, Did the commission, at the meeting at which the three were present, notify other employees that they were reemployed?

Mr. BROUSSARD. All employees under the civil service, including Mr. Bonner, my information is, were notified that they had made a request of the Civil Service Commission to retain them for 30 days.

Mr. WALSH of Montana. I will try to give the Senate the status of the matter. On learning of this action by the commission, I addressed to Doctor Smith a communication, as follows:

DECEMBER 23, 1930.

Hon. GEORGE OTIS SMITH,
Chairman Federal Power Commission.

MY DEAR MR. SMITH: I venture to write to you to express my amazement at the intelligence received this morning of the dismissal of Russell and King.

I am unable to interpret this action in any light except as punishment of two devoted public servants for the faithful discharge of the duties that were devolved upon them.

So far as I have been able to learn, not a word has ever been uttered against either implying anything more than excessive zeal in safeguarding the interests of the public.

It is a matter of profound regret to me that the confidence I hoped the country would have in the new commission, of which you have become the head, should be so early and so rudely disturbed. It seems to me a matter of no consequence whatever that differences had subsisted between the two gentlemen named and the executive secretary of the commission, who was widely charged with being unduly friendly to the privilege-seeking power interests. The only offense of the other gentlemen was that in devotion to the public interest they clashed with him.

Respectfully yours,

T. J. WALSH.

To that Doctor Smith replied as follows:

DECEMBER 23, 1930.

MY DEAR SENATOR WALSH: I hasten to reply to your letter of to-day.

An important fact which the early editions failed to report is that Bonner, Russell, and King were treated exactly alike. The inclosed carbon will show the notice given all employees holding "civil-service" positions; with the exception of the final sentence the same wording was used in these letters addressed to the three men holding appointive positions. Mr. Bonner did not resign before this notice was handed to him, nor did he claim to me that he had, and, indeed, under our interpretation of the automatic action of the law he could not resign to-day.

No charges were filed against any one of the three former officials, and therefore no entry can lie against their civil-service record. The only action voted by the commission was postponement of the filling of these three vacancies.

Our reason for treating the three men alike is to stop immediately the internal strife which has made the staff anything but a working body. I for one intend to have a staff that will work together on the matters before the commission, but recently that has been impossible.

I have full confidence that our purpose will be to safeguard the interests of the public, and do it effectively if we have a united body of workers.

I hope and trust that in due time I may regain your confidence.

Very respectfully yours,

GEO. OTIS SMITH.

The accompanying notice was as follows:

FEDERAL POWER COMMISSION, *December 23, 1930.*

To the CIVIL SERVICE EMPLOYEES:
To BONNER, RUSSELL, KING:

In connection with the organization of the Federal Power Commission as provided in the act of June 23, 1930, it is understood that your services automatically terminated on December 22 with the going out of existence of the commission under which you have been employed.

In line with the authority contained in the above-mentioned act the commission will proceed later to appoint such officers and employees as are necessary in the execution of its functions as soon as it can be determined what personnel is required. In the meantime the Civil Service Commission has been requested to authorize your temporary employment for not exceeding 30 days.

By order of the commission.

GEO. OTIS SMITH, *Chairman.*

There is included in this a portion of the order in brackets concerning which Mr. Smith says: "To Bonner, Russell, and King"; that is to say, with respect to them the notice did not include this language:

As soon as it can be determined what personnel is required. In the meantime the Civil Service Commission has been requested to authorize your temporary employment for not exceeding 30 days.

That is to say, all of them except the three mentioned were given notice at once that they were reemployed by the commission for a period of not more than 30 days.

Mr. President, Mr. Russell is a citizen of my State, a lawyer of excellent attainments and of the very highest purposes. That is a matter of very small consequence, however, and I place no stress upon it at all.

This action by the commission I interpret as a notice to every man in the public service that should he find anything going wrong in the bureau or branch of the Government in which he is located, anything detrimental to the public interest, even anything suggesting corruption in any of his associates in that particular branch of the Government, whether the individual involved is on the same plane with him, whether he is a subordinate, whether he is his superior officer, he is to keep his mouth shut about it under pain of dismissal from the service if he gets into a quarrel with the man whose action he undertakes to criticize in any way whatever.

Mr. BARKLEY. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Kentucky?

Mr. WALSH of Montana. I yield.

Mr. BARKLEY. Was there anything in the circumstances surrounding the reorganization of the commission which required such precipitous haste on the part of the three who happened to be able to get together to take the oath of office as to require action of this sort before all five could take the oath and reorganize the commission?

Mr. WALSH of Montana. Not a thing. It is perfectly well known that we passed this act at the last session of Congress and that the old commission remained in office during all the time until the new commission qualified on the 22d day of December after they had been confirmed by the Senate. There was nothing in the situation whatever that required precipitation.

Mr. BARKLEY. Does the Senator know whether there is any inference to be drawn from the fact that three of them were not willing to wait until all five could meet?

Mr. WALSH of Montana. For various reasons I can not escape the sinister significance of such precipitate action.

Mr. McNARY. Mr. President, will the Senator yield to enable me to submit a unanimous-consent request, and then will the Senator likewise yield to the Senator from New York [Mr. COPELAND] to submit a resolution?

Mr. WALSH of Montana. I yield.

Mr. McNARY. I ask unanimous consent that when the Senate recesses to-day it recess until 12 o'clock noon to-morrow to meet in executive session.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. ROBINSON of Arkansas. May I inquire of the Senator whether it is his intention to interfere with the special order for 2 o'clock to-morrow?

Mr. McNARY. No. I think so far as that is concerned it will be carried out.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Farrell, its enrolling clerk, communicated to the Senate the intelligence of the death of Hon. DAVID J. O'CONNELL, late a Representative from the State of New York, and transmitted the resolutions of the House thereon.

DEATH OF REPRESENTATIVE O'CONNELL

The VICE PRESIDENT. The Chair lays before the Senate resolutions of the House of Representatives, which will be read.

The legislative clerk read as follows:

IN THE HOUSE OF REPRESENTATIVES.

Resolved, That the House has heard with profound sorrow of the death of the Hon. DAVID J. O'CONNELL, a Representative from the State of New York.

Resolved, That the clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect this House do now adjourn.

Mr. COPELAND. Mr. President, his many friends heard with great unhappiness of the sudden death of Representative O'CONNELL. He was a respected and much-beloved citizen of Brooklyn. He was an honored Member of the lower House. Personally, I regarded him as one of the sweetest, most tender, most charming men of my acquaintance.

I offer the following resolutions and ask for immediate consideration.

The VICE PRESIDENT. The resolutions will be read.

The resolutions (S. Res. 392) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. DAVID J. O'CONNELL, late a Representative from the State of New York.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Mr. COPELAND. I offer the following resolution and ask for its immediate consideration.

The resolution was read:

Resolved, That as a further mark of respect to the memory of the deceased Representative the Senate do now recess until 12 o'clock to-morrow.

The resolution was unanimously agreed to; and the Senate (at 5 o'clock and 5 minutes p. m.) took a recess until 12 o'clock noon to-morrow, Tuesday, January 6, 1931.

NOMINATIONS

Executive nominations received by the Senate January 5, 1931

SECRETARIES IN THE DIPLOMATIC SERVICE

Maurice L. Stafford, of California, now a Foreign Service officer of class 6 and a consul, to be also a secretary in the Diplomatic Service of the United States of America.

Burton Y. Berry, of Indiana, now a Foreign Service officer, unclassified, and a vice consul of career, to be also a secretary in the Diplomatic Service of the United States of America.

CONSULS GENERAL

Lucien Memminger, of South Carolina, now a Foreign Service officer of class 4 and a consul, to be a consul general of the United States of America.

Willys R. Peck, of California, now a Foreign Service officer of class 1 and a consul, to be a consul general of the United States of America.

ASSOCIATE JUSTICES OF THE COURT OF APPEALS, DISTRICT OF COLUMBIA

D. Lawrence Groner, of Virginia, to be an associate justice of the Court of Appeals, District of Columbia. (Additional position.)

William Hitz, of the District of Columbia, to be an associate justice of the Court of Appeals of the District of Columbia. (Additional position.)

JUDGE OF THE MUNICIPAL COURT, DISTRICT OF COLUMBIA

George C. Aukam, of the District of Columbia, to be a judge of the municipal court, District of Columbia. (He is now serving in this position under an appointment which expired January 4, 1931.)

COMPTROLLER OF CUSTOMS

Charles C. Cantrell, of Louisiana, to be comptroller of customs in customs collection district No. 20, with headquarters at New Orleans, La., in place of Walter L. Cohen, deceased.

COMMISSIONER OF IMMIGRATION

Luther Weedin, of Washington, to be commissioner of immigration at the Port of Seattle, Wash.

REGISTERS OF THE LAND OFFICE

Albert G. Stubblefield, of Colorado, to be register of the land office at Pueblo, Colo. (Reappointment.)

William Ashley, of Idaho, to be register of the land office at Coeur d'Alene, Idaho. (Reappointment.)

PUBLIC HEALTH SERVICE

Dr. Mason V. Hargett to be an assistant surgeon in the Public Health Service, to take effect from date of oath.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 5, 1931

REGISTER OF THE GENERAL LAND OFFICE

Henry A. Morgan to be register of the land office at Phoenix, Ariz. (Reappointment.)

COAST GUARD

Kenyon Spalding to be temporary ensign.

HOUSE OF REPRESENTATIVES

MONDAY, JANUARY 5, 1931

The House met at 12 o'clock noon and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

With accents of love and praise, with blessings secret, sweet, and precious, we own Thee, O God, to be our Father. With solemn expectancy we turn to Thee as the infinite source of all wisdom. With calm indifference to all unjust criticism, with absorbing interest and eager anticipation, may we strive to serve our country and be an abiding blessing to all our people. Bless us and inspire us with a pure, strong, vigorous type of statesmanship that holds no ignorant zeal or questioning loyalty or superficial sentiment. The Lord God of Hosts be with us day by day and let us sincerely hope to give our Republic entire satisfaction and place upon the temples of man unfortunate, man unemployed, and man who kept our flag unsullied the crown of our deepest gratitude and just appreciation. Again we wait. The hour came while the stars were paling and the dawn was whitening—the mantle fell from the shoulders of a Member of this Chamber and our true friend left us. We thank Thee, Father, for the strange peace that fell on him from above as he entered upon his eternal rest. Be gracious and merciful unto his loving hearthstone. Amen.

The Journal of the proceedings of Saturday, December 20, 1930, was read and approved.

MESSAGE FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and joint resolutions of the House of the following titles:

On December 20, 1930:

H. R. 14804. An act making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment; and

H. J. Res. 444. Joint resolution making an appropriation to supply a deficiency in the appropriation for the fiscal year 1931 for expenses of special and select committees of the House of Representatives.

On December 22, 1930:

H. R. 15359. An act making an additional appropriation to carry out the provisions of the agricultural marketing act, approved June 15, 1929.

On December 23, 1930:

H. J. Res. 253. Joint resolution to provide for the expenses of a delegation of the United States to the sixth meeting of the Congress of Military Medicine and Pharmacy to be held at Budapest in 1931.

BIRTHDAY OF REPRESENTATIVE WILLIAM R. WOOD

Mr. BYRNS. Mr. Speaker, I ask unanimous consent to proceed for one minute.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. BYRNS. Mr. Speaker, this is the seventieth anniversary of the birth of our highly esteemed colleague the gentleman from Indiana, the distinguished chairman of the

Committee on Appropriations, Mr. WOOD. [Applause, the Members rising.]

I am sure that I express the unanimous and heartfelt sentiment of every Member of the House on both sides of the Chamber when I say that we congratulate the gentleman from Indiana on having reached this milestone in good health, and that we wish for him many, many happy returns of the day and many more years of usefulness in the service of his country, and that during all the years in which we hope he may continue to serve his country he will enjoy the same good health he enjoys to-day. There is nothing, I feel sure, which can afford a Member so much satisfaction as to feel after long years of faithful service that he has the respect, the confidence, and the friendship of all his colleagues. The gentleman from Indiana is entitled to share that satisfaction, and we wish for him long life, great happiness, and much prosperity. [Applause.]

Mr. FRENCH. Mr. Speaker, I ask unanimous consent to proceed out of order for one minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. FRENCH. Mr. Speaker and Members of the House, it is said with regard to men that they are as old as they feel, and I think no modification need be made of that general statement with respect to the distinguished chairman of the Committee on Appropriations [Mr. WOOD]. If the membership of this House might appraise the age of our colleague by his efficiency, by his work, by his enthusiasm, by the fidelity which he brings to any undertaking which he carries forward in this great body, we should say that the eminent chairman of the Committee on Appropriations is just now reaching those years that mark the splendid prime of life.

I am sure the ranking member of the Committee on Appropriations on the Democratic side has not only expressed the thought of his colleagues on the other side of the aisle, but of this side as well, and that all the members of the Committee on Appropriations and of this Chamber wish for our distinguished chairman many years of health and activity and unselfish usefulness, devoted to the Nation's service that will match the contributions he has rendered during the years he has been a Member of this body. [Applause.]

LEAVE OF ABSENCE

Mr. FREAR. Mr. Speaker, I ask unanimous consent that leave of absence be granted to my colleague [Mr. REILLY] on account of illness.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

NATIONAL FORESTS HISTORICAL DATA

Mr. LEAVITT. Mr. Speaker, I ask unanimous consent to extend my remarks by inserting in the RECORD an address delivered by Raphael Zon, of the United States Forestry Service, at the Thirtieth Annual Convention of the Society of American Foresters on last Tuesday.

The SPEAKER. The gentleman from Montana [Mr. LEAVITT] asks unanimous consent to extend his own remarks by the publication of the address mentioned. Is there objection?

There was no objection.

Mr. LEAVITT. Mr. Speaker, on last Tuesday evening at the thirtieth annual dinner of the Society of American Foresters, Rapheal Zon, one of the most distinguished members of the United States Forest Service and of the forestry profession, delivered the occasional address. His speech contained historical data which should be preserved and a presentation of great value depicting the conception, growth, and future of the forestry movement in this country. I ask that Mr. Zon's address be printed in the RECORD for the purpose of promoting a better understanding of the progress of forest conservation in America.

The address is as follows:

I do not know of any country in the world which has made a more marvelous and rapid progress in forestry than the United States in the 30 years from 1900 to 1930. This is not an oratorical gesture nor an attempt at hyperbolic statements, pardonable as they may be at birthday celebrations. It is an actual fact.

A whole historic epoch is crowded into this 30-year period. Within the last 30 years we have witnessed the birth and the development of one of the greatest national movements—the movement for conservation. It has marked a revolutionary change in our traditional, age-old public-land policy. Within this period we have seen the rise of a new profession—the profession of forestry.

The pioneering spirit, the daring, the enthusiasm, the sacrifices, and, above all, the heroic figure of the undaunted and sagacious leader, the type of leader that arises possibly once in a century, Gifford Pinchot, lend an almost romantic atmosphere to this period and make it truly an American epic. To do justice to it would take the pen of a Milton or the eloquence of a Clay or Burke.

Our society came into being at the beginning of this period, and its members were the shock troops in the battle for conservation. Being a cross section of the entire profession, it is the best yardstick and barometer for gaging the growth of forestry in this country.

The record of our achievements, if we look at them not too closely with the natural impatience of zealots but from a distance of 30 years ago, is very impressive:

1. Out of a neglected and rapidly dissipating public domain some 56,000,000 acres have been set aside as national forests and put under management. Some 4,000,000 acres were added by purchase or exchange. We have to-day one-fifth of all the forest land in public control, almost as much as in some European countries, and more is being added through acquisition or exchange at the rate of some half million acres per year.

2. Orderly management has been brought out of the chaotic condition of millions of acres of our western range, which now provide forage for nearly 8,000,000 cattle and sheep.

3. Tolerable fire protection is now provided for four-fifths of all forest land.

4. Practically every State in the Union has now a State forest department, which maintains a fire-protective system and makes some effort at restocking denuded lands. New York is now entering on a most ambitious forest program, which contemplates the expenditure of some $19,000,000 in 11 years.

5. Forest planting is progressing at the rate of some 100,000 acres a year.

6. Forest taxation laws, to encourage forest practice by private owners, have been passed in a number of States.

7. Over 31,000,000 people enjoyed the recreational facilities of the national forests last year.

8. The number of professional foresters in three decades has risen from half a dozen to over 2,500 and from 1 or 2 forest schools at the beginning of the century we have now 25.

9. We have produced a forest literature that is beginning to command the respect of the world, and our Journal of Forestry is an outstanding professional organ.

10. We have overcome the indifference of the large masses of the people to the conservation of natural resources. Our most bitter opponents of yesterday are our best friends to-day. And no movement has to-day as much popular support as forestry.

11. We have even broken into the citadel of the lumber industry. If we have not succeeded yet in converting the lumbermen to the practice of forestry, the idea of forestry does not seem to them now so impractical as it did a few decades ago. They are willing to use the best brains of the profession—to be sure, only the best brains—in the solution of their own problems. A number of pulp and paper mills are seriously looking to forestry as a means of providing their future raw materials, and a few lumber companies are even playing with the idea of reforestation and selective logging.

These are the tangible public accomplishments. On the intangible side, the technical growth and the accumulation of knowledge, progress was no less significant.

As a computer 30 years ago on the eighth floor of the Atlantic Building, I used to prepare volume tables based on the tree diameters alone, involving simplest arithmetic. To-day the most expert mathematical thought and analysis are applied to the determination of the volume of trees. The volume of the tree, if it is not a frustum cone, is a mathematical expression of the ratio between the diameter breast high and the diameter halfway up the tree. Several formulas are used to determine the accuracy of the volumes. If the aggregate difference, for instance, is two and one-half times more than the average deviation divided by the square root of the number of observations, the tables are discarded as unreliable.

The preparation of yield tables used to be a pretty simple process. To-day it is a most solemn ritual, which makes the head of an old-timer swim. If you do not refer to coefficient of alienation, Charlieu's Series A and Series B, differential equations, multiple correlations, and even spurious correlations, you are just a nobody, just a simpleton who does not belong.

The old-timers were interested only in a few simple curves, and they were not always of the mathematical kind. To-day, even youngsters just out of school glibly talk of all kinds of curves, parabolic, hyperbolic, exponential, harmonized, and anamorphous.

Everything must be correlated. Not long ago one of those keen young forest mathematicians referred to one of our laws of growth as being a spurious correlation. I thought at first of getting offended. It sounded as if we were being accused of putting over something that was not so. But when it was explained to me that spurious correlation is a perfectly legitimate mathematical





correlation, except that it is spurious, I was satisfied that our prestige had not suffered.

Even if we old-timers have at times a sneaking suspicion, undoubtedly because of our own backwardness, that these young mathematicians do not know any more than we do, we must admit that it is a long, long road from simple arithmetic to differential equations and Charlieu's Series A and B.

And this is true of every other branch of forestry. How much did we know of botany, plant physiology, and soils 30 years ago? To-day we have foresters who can call every living plant in the forest and every blade of grass on the range by its first name. They can tell you exactly how and why the sap rises 250 feet to the top of the Douglas fir. Their sharp eyes can tell at a glance from the character of the vegetation alone the type and the profile of any soil to a depth of four and even more feet.

Verily, forestry in 30 years has risen from the lowly level of the cow-puncher and the lumberjack to the position of a most profound science. Some foresters now breathe the same rarefied air as Milliken, Clements, John Merriam, and other Olympians, and literally rub elbows with them.

Thirty years ago, when a forest supervisor had a grammar-school education, he was looked upon by his associates with some suspicion as being overeducated. To-day a large number of forest rangers modestly conceal the fact that they are holding degrees of master of forestry from the best institutes of forest learning in this country. And one or two forest rangers, I understand, can even put a Ph. D. after their names.

If 30 years ago you proudly proclaimed to a newspaper man that you were a forester, the chances were that you would see a reference to yourself as a member of the Exalted Fraternal Order of Forresters, with two r's. To-day a forester in his own name with one r is known in the remotest hamlet of our country, and I suspect even in the Halls of Congress.

Thirty years ago foresters were looked upon as cranks, subject to ridicule. They had practically no influence in the counsels of our Government—Federal, State, of local. To-day we have foresters as governors of great Commonwealths, and who knows, a forester may soon hold the highest position in the land. We have foresters in the Halls of Congress, foresters as great philanthropists, great educators, authors—even contributors to the Saturday Evening Post, captains of the movie industry, economists, chiefs of bureaus, great administrators, colonels and majors by the score, and captains without number. Now, a small group of men which can produce from among its own midst in such a short time such a large number of useful citizens must possess the qualities of mind and soul and must have the fiber of which true leaders are made.

To-night is the foresters' festival. We celebrate to-night the vindication of the foresters' ideas. A small group of young, enthusiastic men and women, inexperienced in the affairs of the world and business, had the prophetic vision and the courage to live up to it. The economic and historic march of events has proved that their ideas were sound and practical. There is no room for any gloom or pessimism in the ranks of foresters. The economic and social forces of the world are working with them, and I am as certain as that day follows night that in another 25 or 30 years forestry will be firmly enthroned, not only in the minds of the people but actually in the woods.

At times some of us become infected with the gloom that now permeates the lumber industry. We, of course, sympathize with the difficulties of a great and basic industry. But the lumbermen's difficulties are to a large measure of their own making. The specter of a diminishing per capita consumption of wood that is haunting the lumber industry, its fear of increase in the use of substitutes for wood, and also its apprehension that there may be an overproduction of forest products can not be part of a defeatist psychology of foresters who know history and can intelligently interpret the economic future.

The need for wood, and especially forests, will last as long as the human race will last on this planet. Countries like Sweden and Finland, whose very existence depends upon the products of the forest, are not worrying that there may be too much forest, but are continuously improving the old forest and planting new.

If one would believe our cellulose chemists, the age of lumber is passing and its place is being taken by wood fiber and cellulose. In spite of all these predictions pulpwood still constitutes only 6 or 7 per cent of our total annual cut. It is possible that in the distant future their predictions may come true, but for generations yet lumber will be the most highly prized product of the forest.

All our calculations for future needs for forest products deal with domestic needs. In practically every other field of industrial endeavor production far exceeds our domestic needs. Why should we confine ourselves in timber production only to our domestic needs? We have here on the North American Continent the finest plant for growing timber found anywhere in the temperate region, the largest number of useful species of any country in the world. Yet we are satisfied to work this plant only to a fraction of its capacity and are willing to surrender the production of this world-wide needed commodity to such countries as Sweden, Finland, Russia, and Canada, the bulk of whose forests lie within the Arctic Circle, and which have at most half a dozen species to work with.

Wood is the most elastic organic matter and can be molded in a thousand different shapes and forms. Human civilization, more and more, depends upon organic matter. The pronouncements of chemists, at times bombastic, that eventually everything will be produced synthetically, overlook the fact that even for synthetic products organic matter is necessary as raw material. They may produce artificial silk, but they need the fiber of wood for that purpose. They may produce generator gas, but they need the carbon of organic matter stored by plants either in past geologic epochs or in modern times.

How much carbon do you think chemists could extract directly from the air, without the help of growing green plants, for the synthetic manufacture of all the carbohydrates? Mighty little. Organic matter, whether synthetically produced from other raw organic materials or derived directly from the plant itself, is the basis of our civilization. All that the chemists can do is to modify one raw organic material into another organic product of a more finished, useable form. As a matter of fact, the future looks to the chlorophyl engineers, as President Wilbur once so well expressed, to foresters, and to other growers of plants for the substance of life.

Another famous engineer once defined the green plant as the binder of energy, the animal as the binder of space, and man as the binder of time. The greatest moving force in the entire world is energy, and it must come eventually from the green plants and, above all, from the forest as the highest expression of plant life.

Foresters, however, are not concerned merely with the material product of the forest. Forests are an important factor in the climate of the world. They regulate water and save soil. They are the home of wild life and the lungs—the breathing spaces—and playground of mankind.

There is another aspect of forestry which even surpasses all other benefits. This is the future of our countryside.

Not long ago more than 50 per cent of our people were engaged in agriculture and lived in the country. To-day only 20 per cent of our population are on the farms. With ample machinery, 15 per cent of the population are enough to-day to produce all the food that is required, and 10 per cent properly educated farmers could do it. In the last 10 years 4,000,000 people have left the land, 19,000,000 acres have gone out of cultivation, and 76,000 farms have ceased to exist as farms.

If 90 per cent of our people are going to live in the big cities and only 10 per cent on the land, I believe there is a great peril to life and to the quality of our future citizenship. Go to the Lancashire factories of England, or any other big industrial city of Europe or America, observe the shriveled, anæmic, and bloodless people, the third generation of city-bred folks. Humanity is like the ancient legendary giant Antæus, who drew strength from touching the earth. A city population which has lost contact with the earth for several generations has no likeness to the noble Adam, the father of all humanity.

If only 10 per cent of the population are to live outside the cities on farms, what is to become of the unlimited vastness of our land? If not agriculture, what else except forests.

There is even a greater significance to the maintenance and upbuilding of our forests, and with them all our primary natural resources, that goes to the heart of our future economic existence. We are reaching an impasse in our national economic situation which at this moment is very acute. Whatever we, like King Midas of old, touched has turned into gold, and yet we are economically starving, surrounded by mountains of gold.

There is overproduction in practically every line of industry, even in agriculture. Our mill capacity is larger than the amount of products that can be consumed. The machine age, by introduction of new machinery and improved technique, is replacing men, both in the factory and on the farm. These displaced men and women can not enter new productive fields. In the last 10 years some 500,000 people were replaced by machines alone in the factories, and probably a similar number on the farms. These displaced workers seek employment in the field of personal service, in garages, and in service stations. Some become near-parasites and many enter upon lives of actual crime.

As their purchasing power is decreased the market for the products of the factory and farm is also decreased. And here is the paradox: The greater our technical progress, both on the farm and in the factory, the graver becomes the economic situation.

And what is the answer? A new outlet must be found for the surplus capital, whose reinvestment in overexpanded industry only adds to overproduction and aggravates the situation. At times we hear expressions like, "Oh, if only a new industry would arise on the horizon, an industry similar to the automobile industry of 25 years ago." This would release the accumulated capital, place the large number of unemployed in productive occupations, and revitalize the whole economic structure. Capital is now seeking investment in foreign fields. The most absurd doctrines are being propounded, like the doctrine of waste, according to which the products of the factory must be used up, worn out, and wasted as fast as they are produced, or the doctrine of the production of luxuries, and similar economically unsound panaceas.

Yet, the outlet for our accumulated surplus capital and human energy is right at home—right at our own doors—if we only had leaders in our economic and industrial field who had the vision to see it and grasp it.

This outlet lies in diverting the surplus capital and surplus human labor into repairing and building up our primary natural resources.

We have gone through this continent as an invading army, pitched our tents, built our main streets just long enough to skim the cream and waste the rest. We have destroyed our forests; we have almost exhausted our mines; we have depleted most of the fertility of our soils and allowed it to be washed away; we have

disfigured the beautiful landscape of our country; we have polluted our rivers and turned them from objects of utility into sources of menace to life and property.

We have been on this continent now for over 150 years. Frankly, this is not a bad country. As a matter of fact, there is no better country in the world. Then why not at last get settled, not for another hundred years but for 1,000 or 2,000 years. Let us begin to build for permanency; let us build for beauty; and let us develop here a culture that will surpass the culture of ancient Greece and Rome.

While the productive power of man has been increased many fold the productive power of nature has been throttled, crushed, and reduced to insignificance. We have built, and are still building, one of the greatest industrial structures in the world, on a foundation that is continuously becoming smaller and weaker. We can not go on like this. Other countries are arising on the historic horizon. They have rich, unimpaired natural resources. If these countries borrow our industrial technique, our economic supremacy may be readily challenged. That country will prove the victor in this economic struggle which has used its primary basic resources most conservatively and intelligently.

If we can divert our surplus capital and labor into these neglected fields—which are the basis of our industrial greatness—new opportunities for productive labor will be opened to millions of people, their purchasing power will be greatly increased, submarginal farm lands will be removed from the market, the rewards for agricultural labor will be greatly increased, the balance between factory and farm will be restored, and the farmers will again become the largest consumers of the products of the factory.

We must revise our old slogans and courageously abandon worn-out shibboleths which in their own times may have served a good purpose. In this country we do not need so much a new freedom as a new faith in our own destiny, a new patriotism, and a new love for the country. Unless we get this new faith I am very much afraid that we are headed toward economic stagnation and social troubles.

Our economic salvation lies, to a large extent, in diverting large sums of money into the reforesting of our cut-over land, in the control of floods, in the improvement of our rivers, in stopping erosion, in restoring the fertility of the land, in developing water power for the benefit of all the people, in the building up of our institutions of learning, research, social welfare, and culture.

As a matter of fact, what do we do in an economic crisis like this but appropriate large sums of money for public works to start the wheels of industry moving? These works, started under economic and often political pressure, are often hastily conceived and poorly planned. What we are trying to do hurriedly at a time of crisis should become the regular, premeditated, definite policy of the Government—Federal, State, and local.

You may say, "Yes; this is true; but does it not mean largely public enterprises?" To a great extent, yes; but there are also fields open for private enterprises under public supervision and with public assistance.

Take, for instance, the field of forestry. An analysis of the income-tax returns of our industries—not in a year of depression but in a fairly good year; in 1926, for instance—shows that the total assets of our big industrial corporations amounted to some $250,000,000,000. The net returns on these assets were about $8,000,000,000, or about 3 per cent.

Why, there is no forest in this country, except possibly the swamp forest of the northern Lake States, which is not earning through growth alone, without the effort of man, from 2½ to 3 per cent.

It is pathetic to watch how the lumber industry of the Pacific Northwest is trying desperately to liquidate its assets in the Douglas fir forests. The industry has a mill capacity in that region of some 14,500,000,000 feet. It can actually market only 8,000,000,000 feet, and it has a stand of timber in private hands that will last from 30 to 40 years. Carrying charges and taxes will bankrupt the industry long before the assets can be liquidated. It can not be done. It can no more be done than if the people of the District of Columbia would attempt all at once to liquidate their houses by trying to sell them. Convert these assets into permanent investments and earn 3 per cent—and this means forestry—and the whole economic complexion of the lumber industry is changed.

Forestry played an important part in awakening the public conscience to the conservation of natural resources. It has performed a gigantic task. But what we have done so far pales into insignificance compared with what is ahead of us. Conservation of natural resources is no longer a mere theory, a sentiment. It is to-day an economic necessity; it is almost a question of economic life or death.

At such a time how ridiculous it is to worry over whether we may have too many forests, whether forestry will pay or not. We foresters have a big part to play in the economic salvation of our country. If we tackle this problem with the same devotion, the same enthusiasm, and the same faith that we have had in the past we will perform a social service and will retain for this country the justly earned fame as the promised land, as the land of hope and opportunity for the common man.

THE NATIOAL BANKRUPTCY ACT

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to extend my remarks by printing in the RECORD an address delivered on August 21, 1930, by the Solicitor General of the United States before the American Bar Association on the national bankruptcy act.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Thre was no objection.

ADDRESS BY HON. THOMAS D. THACHER, SOLICITOR GENERAL OF THE UNITED STATES

One looks back upon five years in the United States District Court for the Southern District of New York as the most delightful professional experience a lawyer could have. The wide sweep of the court's jurisdiction brings a variety of questions for determination which is constantly refreshing, and gives one a sense of contact with this amazing civilization of ours which can be shared by few. If our English friends could imagine an English judge trying jury cases in Kings Bench one month, sitting in chancery the next, then going into admiralty to try not only collision cases but commercial causes as well, then moving over to the Old Bailey for a term devoted to the trial of criminal causes, and coming back to the high court to hear and determine all interlocutory motions and to conduct all the work in chambers, they would only have an incomplete idea of the work of a district judge. Because on top of all that there are naturalization and bankruptcy.

One of the many statutes with which a Federal judge must be familiar is the bankruptcy act, and for years the administration of that act had been a source of grave concern to the judges of the southern district of New York engaged in its administration. It was obvious that estates were badly administered, with much needless delay and wasteful expenditure of money. There was little benefit in the statute for the creditor; and the ease with which debtors procured discharge from their debts, without investigation of the causes of their failure, seemed to encourage fraud and dishonesty in trade. One could not avoid the impression that back of many of the proceedings brought into court there was crookedness and collusion. There came a time, early in 1929, when these things were brought to light and made public, and a thoroughgoing investigation was had. It fell to my lot to hear the evidence, to exercise the authority of the court in disciplinary actions against attorneys, and to devise, in conference with my colleagues, measures of administrative reform designed to eliminate the control of bankrupt estates by a most unsavory and untrustworthy lot of persons who had theretofore found it possible to control proceedings in bankruptcy for their own benefit. This was accomplished by the selection of a financial institution of the highest standing to take responsibility, under appointment of the court, for the administration of every estate in bankruptcy until the creditors might choose a trustee to represent them.

These measures were at best a makeshift to make the best of a bad law and to palliate evils which are inherent in the law itself when it is administered in a city like New York. One thing was entirely clear from the facts developed, and that was that if the evils attendant upon the administration of this statute in New York prevailed throughout the United States the very theory of the statute was wrong, and it should be thoroughly overhauled.

On July 29 last President Hoover announced:

"I have authorized the Attorney General to undertake an exhaustive investigation into the whole question of bankruptcy law and practice. It will be a most extensive and vigorous investigation. The work will be under the direction of the Solicitor General, and he will be assisted by the Department of Commerce.

"The losses through bankruptcy in the last five years exceed $3,000,000,000, and are now averaging $750,000,000 per annum. The purpose of the investigation is, of course, to propose to Congress some essential reforms in the bankruptcy law and practice."

The investigation directed by the President is well under way. Its purpose will be to lay foundations of fact upon which sound conclusions and wise remedies may be predicated. It is, of course, too early to state facts or draw conclusions, but there are certain principles which appear to be sufficiently obvious to justify statement as a basis for discussion.

There are three purposes which the bankruptcy law should be designed to accomplish in the public interest:

(1) Prompt and efficient realization, liquidation, and distribution to the creditors of the commercial wreckage of the bankrupt estate.

(2) The discharge from their indebtedness of honest debtors, overwhelmed by financial misfortune through no fault of their own.

(3) The prevention of reckless and dishonest practices in trade.

To those who are experienced in bankruptcy the mere statement of such purposes must appear idealistic, and I hasten to say that such knowledge and experience as I have of the workings of the bankruptcy statute in New York City convince me that it is perfectly designed:

(1) To promote inefficiency in the administration of bankrupt estates;

(2) To grant discharges without investigation, and therefore without discrimination between misfortune justifying a discharge and misconduct deserving of measures to prevent its recurrence; and

(3) To encourage dishonesty and reckless disregard of business integrity on the part of large numbers of people who, taking advantage of the freedom with which credit is extended in this

country, incur indebtedness which they know they can not pay, and then have recourse to the statute to be discharged of their debts.

Inefficiency in administration necessarily results from the theory upon which the act proceeds: That the creditors, because of their interest in salvaging the estate for the partial payment of their debts, will take active control and responsibility for its administration, whereas it appears that during the four years from 1925 to 1928, inclusive, creditors did not even take the trouble to file claims exceeding $1,000,000,000 in amount and representing over 30 per cent of all the scheduled liabilities. Perhaps some of the liabilities scheduled were nonexistent, and no doubt some creditors did not take the trouble to file claims because the estates had no assets. But the fact that almost one-third of all the liabilities scheduled are abandoned is striking evidence that creditors do not seriously concern themselves with the administration of bankrupt estates. That they do not find it worth while to do so is apparent upon the face of the returns. In 60 per cent of all the cases in bankruptcy there are no assets, and in a very much larger percentage there are no dividends, because the nominal assets surrendered by the debtor are consumed in the course of administration. The average dividend payment during five years ending June 30, 1929, was approximately 8¼ cents on the dollar, while losses incurred by creditors during this period exceeded $3,800,000,000. The simple fact is that business men have no time to waste in such fruitless efforts to save money. They prefer to write off their losses and spend their time in more profitable pursuits. They expect little from bankruptcies, get less, and do nothing. They decline the invitation of the statute to throw good money after bad in pursuit of the vanishing assets of a bankrupt estate. And yet the very gospel of the statute is that they may be relied upon to be active in its administration. With the inevitable breakdown of creditor control, the control and responsibility of administration passed—at least in New York—into irresponsible and dishonest hands. And so it is justly said that the law as I have seen it in operation is perfectly designed to promote inefficiency in the administration of bankrupt estates.

But the statute leaves to the creditors not only the administration of the estate but also the investigation of the bankrupt's conduct, the opposition to his discharge, and, to a very large extent, his prosecution for criminal offenses. And this brings us to the second point: That the statute is perfectly designed to grant discharges without investigation, and therefore without discrimination between misfortune justifying a discharge and misconduct deserving of measures to prevent its recurrence.

The simple fact is that the bankrupt is not examined except in the most perfunctory way, unless there is hope that through his examination concealed assets may be discovered. There is no inquiry with respect to the causes of his failure or his conduct in connection therewith. And so it results that if a dishonest debtor succeeds in wasting or concealing all of the property which he has acquired with money borrowed from his creditors he may come into bankruptcy where there will be no funds with which to pay the expense of an investigation or proceedings in opposition to his discharge. Unless his conduct has been so outrageous as to arouse his creditors to the point of contributing money for his prosecution he may reasonably expect to procure his discharge without disclosure of the cause of his failure or his personal conduct in connection therewith, and to go free, discharged of his debt, to repeat his offense.

I received the other day a letter from an industrial employee in which he said that many of his fellow workers were accustomed to "pay their debts by postal card." This, he said, referred to a practice quite prevalent among them of running up bills without intention or ability to pay, and then filing a petition in bankruptcy, with the result that all the creditors receive for their debt is a postal card from the referee in bankruptcy. Similar complaints have come in from all parts of the country from small merchants, who must of necessity extend credit without security, in reliance upon the honesty of the ordinary citizen.

The extent of this evil is indicated by the fact that of all the persons, firms, and corporations adjudicated bankrupt during the four years from 1925 to 1928, inclusive, 57 per cent of them were wage earners, professional men, and others not included among farmers, merchants, and manufacturers. Such persons who are not engaged in trade have as a rule no occasion to come into bankruptcy unless they have been living beyond their means on money borrowed from their creditors. The statute affords them an easy way to escape the payment of their just debts, and the small business man who extends them credit has no remedy. A law which tolerates injustice is bad, but a law which encourages such practices on the part of hundreds of salaried people is a corrupting influence in the community which should not be tolerated.

And so the third proposition seems to me to be reasonably clear, namely, that the present statute is perfectly designed to encourage dishonesty and reckless disregard of business integrity on the part of large numbers of people who, taking advantage of the freedom with which credit is extended in this country, incur indebtedness which they know they can not pay, and then have recourse to the statute to be discharged of their debts.

These are the evils which mar the very face of the law, and upon which, I venture to say, there will be very little controversy. But when one comes to speak of remedies, that is a different matter. And it is too early to be specific in proposing changes in the law. It will be the purpose of the investigation now being conducted to lay the solid foundation of fact upon which sound remedies may be predicted.

We are accustomed in this country to look with admiration upon the enforcement, administration, and observance of law in England and to take pride in the fact that our institutions are rooted in English soil. But we have too long neglected the example of the English people in dealing with and solving these problems which now confront us.

If Joseph Chamberlain could have sat with me in the investigation of the administration of bankruptcy in the southern district of New York, quite recently concluded, and after hearing the evidence, had analyzed the evils disclosed, and their underlying causes, he would have spoken precisely as he did when, in March, 1883, he brought forward his bill for the reform of the English bankruptcy law and moved its second reading in the House of Commons. He said, at that time, of the then existing statute, that it—

"Had favored the debtors at the expense of the creditors, and had favored that class of the community which lived by preying upon bankrupt estates at the expense of creditors and debtors alike. It had made it easy for debtors, by paying a small dividend, or no dividend at all, to escape absolutely from all their liabilities without anything in the nature of an effective examination of the circumstances which had brought them into that position; while, at the same time, it had stimulated extravagant and even fraudulent administration of assets by giving opportunities to interested parties to deal with them in an entirely irresponsible and uncontrolled way. The causes for those defects were almost as much on the surface as the defects themselves. They were, in the first place, that there had been, under the present law, no sufficient provision for an impartial or independent examination into the causes of each bankruptcy, and the conduct of each bankrupt. Secondly, such investigation as had been undertaken, perfunctory and inadequate as it generally was, had been thrown upon the creditors; and, contrary to all sound policy and principle, they had been invited to throw good money after bad, and undertake a public duty at their private charge. In the third place, the provisions for the punishment of misconduct, however grievous, had been altogether inadequate, and, moreover, the application of those provisions, instead of being left with responsible authorities, had been left almost entirely to the creditors, who, in many instances, might be interested in hushing up questions which they were expected to investigate. And, lastly, the arrangements for the supervision and control of persons intrusted by the law with the administration of bankrupts' estates were so inadequate and insufficient that they could, practically, do what they liked.

"So far, he would have the general voice of the house with him; and before he proceeded further, he had to ask the house to keep in mind two main, and, at the same time, distinct objects of any good bankruptcy law. Those were, firstly, in the honest administration of bankrupt estates, with a view to the fair and speedy distribution of the assets among the creditors, whose property they were; and, in the second place, their object should be following the idea that prevention was better than cure, to do something to improve the general tone of commercial morality, to promote honest trade, and to lessen the number of failures."

There is not a line or a word of this statement made in England almost 50 years ago which need be altered in analyzing the problems which now confront the people of this country if they are resolved to have a good bankruptcy law.

It was my privilege last fall to study the English statute in actual operation, and it was an inspiration to learn from personal contact with the judges, registrars, lawyers, and officials responsible for its administration that there is in England a bankruptcy law which not only affords efficient and honest administration, but has vastly improved the general tone of commercial morality and promoted honesty and fair dealing in trade. This has been accomplished by insisting that the investigation of the causes of each bankruptcy and the conduct of each bankrupt is a public duty, which must be assumed by the Government and not left to the creditors, to be conducted, if they choose, at private expense. Furthermore, the statute recognizes that the public is gravely concerned in the discharge of the bankrupt, and fixes conditions to the granting of a discharge which give the courts ample discretion to withhold this privilege if the bankrupt has been dishonest or reckless in dealing with his creditors. To these provisions the law adds the most serious consequences, if a discharge is withheld, which in operation have the effect of depriving the undischarged bankrupt of the opportunity to borrow money, and virtually make of him a commercial outcast, thus protecting the community against the recurrence of commercial fraud and dishonesty.

In contrast to such a system the philosophy of our statute is that the creditors alone are concerned in the administration of the estate and the discharge of the bankrupt. The enormous losses involved, the great number of bankruptcies in which there are no assets, the fact that over half the adjudications are against salaried and professional people, who have presumably been living beyond their means at the expense of their creditors, the inadequacy or entire lack of investigation by creditors in such cases, the known indifference of creditors to the proper control of administration in small estates, and the resultant exploitation of these estates by unreliable proxy holders, the scandals which from time to time have attended the administration of the statute, and the general dissatisfaction which is felt throughout the commercial community, is sufficient cause for approaching this whole subject with a sense of public concern and public duty, and with a determination to provide such remedies as may be necessary to deal with the situation with complete adequacy.

I am acutely aware that we can not transplant the English statute. It will not fit in all its details into our legal and political system. But if we have the will, we should certainly be able to devise the forms of law suitable to our own conditions, through which similar principles may be brought into operation to produce results comparable to those accomplished in England. The problem is not a simple one. For instance, in England the duty of investigation, opposition to discharge, and prosecution is placed upon the official receiver. It would be difficult, and probably unwise, to attempt to set up in this country such an elaborate organization for the supervision of the administration of bankrupt estates as there is in the board of trade in England. But in our system we have an office unknown in England. The United States attorneys are the local representatives of the Government in all matters civil and criminal which come before the courts. If it be concluded that the Government should assume the responsibility for the investigation of each bankruptcy and the conduct of each bankrupt, it may well be that the United States attorneys should assume these duties. This would assure effective and speedy prosecution wherever dishonesty is disclosed.

In proposing adequate remedies many other problems will be presented, and please do not misunderstand what I have said this afternoon. The thoughts which I have attempted to express have been long considered, but they are thrown out at this time tentatively and to provoke discussion and consideration in an effort to focus thought upon the problems which will be presented when concrete measures are proposed.

DEATH OF HON. GERRIT DIEKEMA, FORMER MEMBER OF HOUSE OF REPRESENTATIVES

Mr. MAPES. Mr. Speaker, I ask unanimous consent to proceed for five minutes to announce the death of a former Member of this House.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MAPES. Mr. Speaker, at 2 o'clock this afternoon funeral services will be held in Hope College Memorial Chapel in the city of Holland, Mich., for Gerrit John Diekema, a former Member of the House, who died December 20, 1930, at The Hague at his post of duty as envoy extraordinary and minister plenipotentiary of the United States to the Netherlands. After the services his body will be interred in the Pilgrim Home Cemetery of that city.

Mr. Diekema had a remarkably brilliant and distinguished career, full of activity and accomplishments.

He was born of Holland parentage in Holland, Mich., March 27, 1859, and made that city his home until his death, leaving it only temporarily at different times as his official duties called him elsewhere. Graduating from Hope College in 1881 and from the law department of the University of Michigan in 1883, he soon attained for himself a position of leadership not only in the immediate community in which he lived but throughout the State as well, a position which he occupied with constantly increasing influence and distinction for a period of over 40 years and up to the day of his death. For years he was recognized as the foremost citizen of his county.

In addition to carrying on an extensive and responsible law practice, he was a bank president and director in others, college trustee, director of various industrial and business corporations, a leader in his church, teacher of a large adult class in Sunday school every Sunday morning—in short, for a generation he has been a leader in nearly every movement to promote the welfare of the community in which he lived.

No meeting of the Republican Party in Michigan was complete without him.

He was an unusually public-spirited and a most useful citizen.

As was well expressed by the editor of the Holland Daily Sentinel upon the announcement of the death of Mr. Diekema:

> There has hardly been a forward movement in Holland during all those years, whether in business or politics, or education or religion, that has not felt the guiding hand of Holland's departed leader.

And by his lifelong friend, the editor of the Holland City News, Mr. Ben Mulder:

> Interwoven into the records of Holland's citizenry in every pursuit of war and peace is the record from youth to maturity of this foremost citizen, endowed with qualities that made him patriot, statesman, orator, lawyer, banker, and Christian gentleman.

Among the positions of a public nature which he occupied are: A member of the Michigan House of Representatives from 1885 to 1891 and in 1889 its speaker; mayor of his home city in 1895; delegate to the Republican National Convention in 1896; chairman of the Republican State central committee for 10 consecutive years early in the century and again in 1927; a member of the Spanish treaty claims commission in 1901 until he resigned in 1907; a Member of the House of Representatives of the United States from 1907 to 1911; manager of the Republican Speakers' Bureau in Chicago in 1912; envoy extraordinary and minister plenipotentiary to the Netherlands from September 11, 1929, until his death.

He gave himself whole-heartedly to any work he undertook and he performed the duties of these various positions with ability and distinction. He was particularly adapted and well qualified to serve as minister to the Netherlands, and in the short time since his appointment had made a notable and brilliant record there.

The State and Nation have suffered a distinct loss in his death. It will be difficult to fill his place. Western Michigan will not be the same without him.

ADJUSTED-COMPENSATION CERTIFICATES

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the payment of the soldiers' adjusted certificates.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, if the average veteran of the World War ever needed what the Government owes him, he needs it now.

Nothing would help more at this time than to pay the veterans' adjusted-service certificates off. If paid on the basis of their present value, the veterans of the average State would receive approximately $35,000,000. We propose to make it optional with the veterans. Those who prefer to hold their certificates would be permitted to do so. We must pay these certificates off some time; why not now?

Why does President Hoover oppose paying these certificates off? Is it because Mr. Mellon opposes it?

We are in the midst of one of the greatest economic depressions in all history. It is accentuated by an overexpansion of industries as a result of artificial stimulation, inflation of industrial stocks, depression of agricultural values, and a contraction of the currency which so limits the circulating medium as to render our money supply entirely inadequate.

As was recently pointed out by one of the leading financiers of the world, a large proportion of the entire gold supply of the world is now in the United States. On October 31, 1930, the amount of gold in this country was $4,534,573,215—more than 100 per cent of the total outstanding American currency.

On October 31, 1920, we had $1,600,000,000 less gold in this country than we have now, yet there was $53.01 in currency per capita in circulation. Our debts were contracted on that basis, our standards of living and our wage scale were regulated accordingly. But now the currency has been contracted to where there is only $36.42 per person in circulation, $16.59 less than in 1920, although we have $1,600,000,000 more gold than we had then. There can be no relief for unemployment, there can be no hope for the return of prosperity for agriculture, there can be no hope for anything but falling wages for labor, organized or unorganized, until the circulating medium of this country is increased and more money put into circulation.

This can be done by passing the bill to pay off the soldiers' bonus, or adjusted-service certificates, at once. They must be paid some time; why not now? This Government paid billions of dollars to the war contractors and profiteers after the war closed. It gave to foreign countries in the settlement of their debts to us more than $7,500,000,000—more than twice enough to pay these certificates off.

Within the last seven years, Mr. Mellon, the Secretary of the Treasury, has given back to the big interests of this country in tax refunds approximately $4,000,000,000—more than enough to pay these certificates off. Many of those interests made their fortunes out of the war. The income taxes of those interests and the individuals of large fortunes, who made or increased their fortunes during the war, have been reduced more than $700,000,000 a year. This alone would have paid these certificates off in a few years.

Since the war we have paid on an average of a billion dollars a year on our national debt. At this rate we will pay it off in a few years. We have extended foreign countries' debts to us over 62 years. As soon as our debts are paid off these countries will begin to clamor for us to cancel their debts to us. They will be aided and abetted by the predatory interests in this country who will want to strengthen their loans in foreign countries at the expense of the American taxpayers. Those interests are now opposing paying off these veterans' certificates. They opposed giving them in the first place. So did Mr. Mellon.

We might extend our national debts over 62 years, so that they would fall due as our foreign debts are paid. Then they would cancel each other as far as possible. Then we could use some of these funds to pay our just debt to our own veterans.

They told us we were fighting this war for future generations. Then let future generations help pay for it, and let our own veterans get some benefit of our taxes while they are yet alive.

By paying these certificates off now we would not only relieve our veterans but we would help the whole country. This artificial panic would be broken, agricultural values would rise, the wheels of industry would begin to turn, labor would find employment at living wages, business would take on new life, the American people would be inspired with renewed hope, and our country would step forward into a new era of prosperity.

ELIZABETH ROBINSON

Mr. UNDERHILL. Mr. Speaker, I present a privileged resolution from the Committee on Accounts, House Resolution 312, and ask unanimous consent for its immediate consideration.

The SPEAKER. The gentleman from Massachusetts offers a resolution, which the Clerk will report.

The Clerk read the resolution, as follows:

House Resolution 312

Resolved, There shall be paid out of the contingent fund of the House of Representatives to Elizabeth Robinson, the widow of William Robinson, late an employee of the House, an amount equal to six months' compensation and an additional amount not exceeding $250 to defray the funeral expenses and last illness of the said William Robinson.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The resolution was agreed to.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate further insists upon its amendments to the bill (H. R. 14246) entitled "An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1932, and for other purposes," disagreed to by the House; asks a further conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. PHIPPS, Mr. SMOOT, Mr. MOSES, Mr. HARRIS, and Mr. GLASS to be the conferees on the part of the Senate.

TO ENCOURAGE TRAVEL IN AND TO THE UNITED STATES

Mr. DYER. Mr. Speaker, I ask unanimous consent to proceed for not to exceed one minute.

The SPEAKER. The gentleman from Missouri asks unanimous consent to proceed for one minute. Is there objection?

There was no objection.

Mr. DYER. Mr. Speaker, I wish to call the attention of the House to a bill that I recently introduced for the purposes of facilitating and encouraging travel within the United States and its possessions and from foreign countries to the United States. The bill is H. R. 13553 and was introduced by me on the 1st day of December, 1930. The bill is as follows:

H. R. 13553

A bill to promote travel to and in the United States and its possessions, thereby promoting American business; and to encourage foreign travel in the United States

Be it enacted, etc., That the Secretary of Commerce is hereby authorized and directed to establish a division to be known as a travel division in the Bureau of Foreign and Domestic Commerce of the Department of Commerce. Such division shall, under his direction and in cooperation with existing transportation and travel agencies, study, encourage, promote, and develop the travel of foreigners and of citizens of the United States in the United States and its possessions.

SEC. 2. The aforesaid travel division is authorized to employ personal services in the District of Columbia and elsewhere, rent of offices outside the District of Columbia, telephone service, purchase of furniture and equipment, stationery and supplies, typewriting, adding, duplicating, and computing machines, accessories and repairs, books of reference and periodicals, maps, reports, documents, plans, specifications, exhibits, manuscripts, newspapers (foreign and domestic), and all other publications, traveling expenses of officers and employees, ice and drinking water for office purposes, and all other incidental expenses not included in the foregoing. Authority is granted to make payments in advance for subscriptions for newspapers, rent, telephone, and other similar services.

SEC. 3. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this act.

SEC. 4. This act shall take effect immediately.

A public hearing will be held by the Committee on Interstate and Foreign Commerce of the House on the 23d day of this month at 10 o'clock and I will be very glad if the Members generally will attend the hearing that they may have the advantage of a full explanation of the proposed legislation and its purposes, as I am most anxious to secure favorable action upon the bill by the Congress at the present session.

I introduced this bill at the request of the International Travel Federation, which was organized last January in the headquarters building of the United States Chamber of Commerce, Washington, by representatives of practically all the travel industry, such as the railroads, steamships, automobiles, busses, hotels, banks, and other travel bureaus, American Community Advertising Association, American Travel Development Association, International Association of Convention Bureaus, chambers of commerce, convention and publicity bureaus, air transportation, moving pictures, travel trade papers and press, and in fact many others who were actuated by a disinterested desire to see the travel industry in this country coordinated, developed, and stimulated. The International Travel Federation will continue this work, broadening its fields and endeavoring to assist every media of travel, direct or indirect.

At the convention of the American Hotel Association at San Antonio, Tex., on October 10 last, I delivered an address upon this subject and I include a part of that address, which is as follows:

Under the legislation I propose the Department of Commerce will be given all the authority it needs to establish the travel division.

This legislation should be enacted into law, because it will enable our Federal Government, through the Department of Commerce, to lend its weight and influence to encouraging our own people and those of other countries seeing America. Our trade commissioners all over the world will then officially be likewise travel commissioners. They, with information furnished by the department touching the things in America to see, will be of great help by fully advising foreigners that contemplate a trip to the United States. Other countries are doing this now, why not ours? France spends a million dollars a year to encourage people of other countries to come to Paris. Every year Americans, alone, visiting France leave there more than double the amount that

France appropriates for this purpose. Japan is another that gives special attention to advertising its country to the world. They get out beautiful leaflets and booklets telling about Japan, its places of interest, its hotels, railroads, steamships, and so forth. The result is that thousands of visitors from other countries flock to Japan. From one of these booklets issued from the Office of the Japanese Foreign Affairs at Tokyo, profusely illustrated, with many color gravures bearing a close resemblance to Japanese prints, I take the following statement:

In order to save time, trouble, and expense, visitors to Japan should avail themselves of the facilities offered by the Japan Tourist Bureau, an organization established in 1912, which cooperates with the Japanese Government Railways, other railways and steamship companies, hotels, and other interests catering to foreign visitors. The bureau is not conducted as a money-making enterprise; its service, of the highest order, is rendered free of charge, its aim being to assist travelers and business men in every possible way, and with an organization covering Japan and China, its aid is invaluable to strangers. Its employees are willing and anxious to serve the traveling public and are pleased to furnish travel information, plan tours, arrange itineraries, secure hotel accommodations, provide letters of introduction, social and business, and obtain admission to private places of interest, museums, supply travel literature, etc. The bureau also issues tickets to every important place in the world. The location of offices of the bureau is given at the end of this guide.

This method we will pursue when this legislation we are urging is enacted. Many other countries are spending money on tourist publicity, as follows: Germany, 500,000,000 francs annually; Spain, more than 100,000,000; and Italy, 50,000,000 francs. Many countries have subsidized bureaus in this country to encourage Americans to visit them, as follows: Germany, France, Belgium, Switzerland, Italy, Holland, and England. If it did not pay these countries to advertize they would not do it. Let us follow their examples.

The officials of the travel division would also work with other branches of the Government to eliminate useless complaints often made by foreigners coming to this country and otherwise show foreigners we welcome them here to see and visit our country. We will do all possible in every way to make them have a good time. The expense of operating such a travel division would not be great, as we have practically all the machinery now set up and very little would have to be added. The cooperation of the hotels, railroads, and so forth, would be without expense to the Government.

We have in America things to attract our own people and foreigners as well. All we need is to show them and to have the facilities through Government cooperation for giving them proper attention as they travel about our country. Famous Pikes Peak has more "climbers" riding and walking up its slopes every year than any other high mountain in the world. Our national parks in grandeur and beauty are unsurpassed. Our mountains, glaciers, lakes, and canyons have scenery unmatched. Other things we have worth seeing are the summer capital at Black Hills, S. Dak.; the Devils Tower in Wyoming; the redwoods of California; the Yosemite Valley; the movie studios in Hollywood; the Imperial Valley and the famous ride across the desert into Arizona; the Hopi Indians; an Idaho sand storm; the Columbia River Valley in Oregon; the Raton Pass; Colorado Springs; the Garden of the Gods; the Ozarks; the Blue Ridges in Virginia; the Natural Bridge; and the National Capital, with its storehouses of knowledge and historical interest. From the Pacific to the Atlantic and from the Gulf of Mexico to Canada every hour we can interest and benefit those who travel in the United States. Then there is New England. There is no better place to enjoy a real rest and vacation. Tourists there last year left $250,000,000. It ought to be at least a billion. In Maine, New Hampshire, and Vermont there can be found no better fishing, hunting, and camping, nor more delightful hosts.

Our own people expended last year $4,000,000,000 for travel—three billion in this country and one in foreign. We do not want to keep our people away from foreign travel, but we want Americans to see America and foreigners to do likewise. We are fully justified in urging everyone to see America and enjoy a vacation while viewing its beauties and wonders of nature.

Next in importance is the building up of this industry, because travel or tourism is a real industry. It is already in most countries. We can make it so here by having the Government cooperate with private business. I cite you a few examples of what is being done in this respect now as an evidence of what we will do when we have the travel division under Government supervision. The roadside stands, of which there are some 125,000, do a business of half a billion dollars annually. How much more will this amount to when travel is properly encouraged as a regular business. Money expended by tourists is divided in many ways. Transportation gets 7 to 10 per cent; garages and accessories get 11½ per cent; confectionery and incidentals, 6 per cent; theaters and amusements, 8½ per cent. The tourists' money, therefore, does not, as some would claim, go all to the hotels or to transportation. It is divided so as to benefit commercial interests as a whole. The hotel business is nevertheless a great industry and is entitled to much consideration. I am in hopes that this legislation, when enacted into law, will be of help to it. There are in the United States to-day some 26,000 hotels, valued at $5,000,000,000, and doing a business of approximately a billion and a half dollars.

I can not mention all the lines of business that will be benefited by increased travel. It is evident that it will help railways, steamships, and automobiles. There is another item I would like to mention. That is paraphernalia for motor camping. This amounts to some four hundred millions of dollars. As travel develops and increases the various industries it benefits will increase, and employment given more and more to American capital and American labor.

The United States is specially equipped for travel and we are spending millions of dollars annually for good roads. Our other means of transportation are splendid and all the time getting better. Now is the time for the Government and for business to get together and go after tourists. If we do as I have outlined, it will go a long way to a return of prosperity and enable Americans to become better acquainted. That of itself will do much to create a friendly feeling and a harmonious pull "all together" for our country and the prosperity and happiness of all our people. This is also true as to the peoples of the earth. We are now in close proximity to one another by reason of the great advancement made in transportation to reach each other. Half a century ago it took the *Empress of China* six months to make the trip from New York to Canton, China, one-half the way around the earth. Now, with our fast trains, steamboats, and airships, the United States and China are only a few days apart. The result of this is that the people of the United States are better acquainted with not only the people of Asia but also of Europe, South America, and North America. We become friends through visiting. It likewise benefits commerce and trade. To know and understand a people makes for a friendly feeling. That we have the facilities now for visiting other countries and others visiting us, we must do what we can to encourage it. Instead of spending money for wars and preparing for war, we should use more to encourage the nationals of the other countries to come and see us. We want to tell them what we have here worth their while to come to see. We want them to know we are their friends.

The Government of the United States can not use the taxpayers' money to a better advantage than to advertise to the world the wonderful country and things we have here, thus encouraging foreigners to come and visit us. In addition, let us educate those of our own citizens to the wonderful things we have in America and tell them of the many places in our own country where they can spend a delightful vacation and one of great benefit to them in many ways. The Government is being asked by this legislation for its cooperation. We want the President and the Congress to say that encouraging travel in the United States is a part of the business of the Government.

RIZAL'S MARTYRDOM

Mr. OSIAS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting an address I de-

livered at the exercises commemorating the thirty-fourth anniversary of the execution of José Rizal, the great Filipino patriot and martyr, held under the auspices of the Filipino Youth Independence Movement of America at the International House, New York City, December 30, 1930.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The address is as follows:

December 30 is a national holiday in the Philippines. It has been so designated by our island government in obedience to a sentiment which is nation-wide. It is commemorative of the death of José Rizal, the greatest not alone of the Filipinos but of the brown race. Wherever two or more Filipinos are gathered together they meet on such a day in his name and in remembrance of his life, his achievement, and his sacrifice.

To some unfamiliar with the soul of the Filipino people, it may seem strange that Rizal's death, which comes on the 30th of December, and not his birthday, which comes on June 19, should be more widely observed. It is because his death has to us a greater solemnity; it is because we are a people who have undergone suffering, and Rizal suffered most for his country; it is because the Filipinos have a history of martyrdom, and Rizal was the greatest martyr of them all. His execution was the climax of his life. It marks the triumph of the idealism of a people devoted to their freedom and consecrated to their individual and national self-realization.

Rizal Day is a day of reconsecration. The observance of such a day is an occasion for deepening our devotion to the welfare of our people and our determination to achieve the liberation of our country. It is a manifestation of our adoration for Rizal and of our love for the ideals and principles for which he lived and suffered, labored and died.

Rizal was a man who rose to great heights despite opposition and hostility. Rizal epitomized in his person the best and highest qualities of his people. Because he succeeded to become great among the greatest, he thereby revealed the high potentialities of his race. History has at last vindicated him. With universal acclaim he is looked upon as a great patriot, a true hero, and a real martyr. Towering among his contemporaries, Rizal, like all who are truly great, is progressively contemporaneous with the ages.

RIZAL'S EARLY MATURITY

To Filipinos who delight in Rizal's poems, to those who have studied his Noli Me Tangere, El Filibusterismo, and other writings, it is unnecessary to detail his biography. Skeptics become converts after a cursory study of Rizal's life and works. Sympathizers become his devotees upon knowing more of his service and the legacy which he left.

Rizal intellectually matured early. He learned his letters at his mother's knee in his infancy. He showed rapid development under a private tutor in early childhood. As a student in Manila his rating in every subject was excellent (sobresaliente). His early compositions, while yet in his teens, revealed him to be a keen observer. A youth of the deepest emotions, he sympathized with his people, whom he knew to have suffered injustice, oppression, and cruelty.

His subsequent travels and studies abroad only served further to develop his robust mentality. The persecution of his people, his family, and of himself whetted his desire to learn and to serve. He broadened his foundation and engaged in specialization for the purpose of making himself useful. Upon attaining manhood, Rizal was a man of deep convictions. Serving, he enriched life and elevated the standards of life in the land of his birth. All these clearly denote a preparation which was adequate and a foundation secure. They show, furthermore, a strong devotion to principles deeply rooted.

RIZAL'S VERSATILITY

José Rizal was an exceedingly versatile man. He was not only a versatile Filipino; he was a versatile man. His versatility is recognized throughout the Philippines and by the entire Filipino people. Had he lived in a country other than the Philippines and belonged to a race other than the brown, his versatility would have equally merited universal recognition. It is because he was a genuine martyr. He was a martyr to duty. He was a martyr to an ideal. He demonstrated to what heights a human being may attain. He was a martyr not only of the Philippines but of the world.

He was an oculist of renown. One of his greatest personal triumphs was the restoration of the sight of his own mother beloved. He studied medicine with his usual thoroughness and became a doctor, achieving fame. Patients he had, even in Dapitan exiled, of other nationalities and from countries beyond the seas. Practical man that he was, with meager instruments and inadequate tools, and with the help of but a few boys, he designed and constructed during his banishment an aqueduct which has been highly commended by modern engineers. To this day it stands as a monument to his courage and tenacity. A student of affairs, he became a great reformer. Convinced of the need of evolutionary processes, he reposed great faith in the efficacy of education as a means of social reconstruction. He himself managed and administered a school. He conceived plans for educative agencies and institutions. His writings abound with educational and pedagogical principles which, at this modern age, are still advanced. Endowed with an artistic temperament he left his mark on drawing, painting, and sculpture. Possessed of a scientific mind he enjoyed the comradeship of European scientists. Museums in Europe contain specimens and contributions which mutely attest to his scientific intellect. In an age and under circumstances more or less unfavorable to literary pursuits, the products of his pen are a contribution to literature. He was an extraordinary polyglot, having acquired mastery of his own language, French, and Spanish, and having studied Hebrew, Arabic, Greek, Italian, English, German, Chinese, and Japanese. He wrote virile and inspired verse, thought-provoking essays, and novels that will live. Extraordinarily versatile, Rizal left an enduring mark upon every line of activity to which he devoted himself during his relatively brief but fruitful span of life.

RIZAL'S UNITY OF LIFE

Before discussing an aspect of Rizal's character, it is necessary to bear in mind that his success was not due to any one particular quality which he possessed. Rather it was due to the symmetrical development of his faculties and the perfect control of his varied capacities and the wise direction of his integrated life. This Filipino hero developed assiduously his endowments. He disciplined his faculties. He possessed a keen sense of the practical and the idealistic. He had a coherent mentality at once logical and philosophic. His whole life was directed toward a goal that was clear, definite, noble, and wholly unselfish.

RIZAL A MARTYR

Conscious, then, of the totality of a well-developed character, we are the better prepared to admire him in one of his various rôles, that of a true martyr.

Rizal was a martyr in sentiment. His heart beat in unison with those of his people who were made to bear the yoke of tyranny and oppression. He was a careful observer and the records of his accurate observations were written in his heart and conscience. He studied judiciously and his discriminating judgment deepened what he felt so profoundly for his people.

Rizal was a martyr in thought. His whole plan of life was tinged with genuine melancholy. In society and in solitude he analyzed what his people most needed; he thought of those things that would bring about the redemption of a country harassed by foreign rule and impoverished by a state of subjugation.

Rizal was a martyr in spirit. He reflected the stoicism and resignation of a people heroic and long suffering. Chastened by so much sorrow, inspired by so much bitterness, and emboldened by an abiding faith in the destiny of his people his great intellect asserted itself in ways that were unconquered and unconquerable. Rizal's tried soul and outraged spirit rose in peaceful rebellion against an impossible existing order and blazed the path that leads to his country's redemption.

Rizal was a martyr in fact. Witnessing in infancy, in youth, and in manhood the martyrdom of his people, the bitter pangs were brought home to his family. Later he himself was a victim. He was ridiculed and he was maligned. He was persecuted and he was exiled. He was tried and he was imprisoned. He was tortured and finally on the memorable morning of December 30, 1896, he was executed.

His enemies and oppressors thought they had forever killed and eliminated him. But what an error! Blunder of blunders. Is not the spirit of a great man immortal? Do not his achievements live after him? Martyrs never die. Rizal lives.

Rizal, the poet, who voiced the longings of his aspiring people in inspired verse; Rizal, the novelist, who relived in his works the bitter sufferings of a subject people; Rizal, the essayist, who depicted in masterpieces the ignominy which a dependent existence entails; Rizal, the reformer, whose principles are his people's guide; Rizal, the thinker, whose example is an eternal sermon; Rizal, the patriot, the hero, the martyr—he will never die.

Sacrificed at the altar of his country's good, he penned with a firm hand the night before his execution, an immortal poem which breathes his spirit of martyrdom. His Last Farewell opens with this stanza:

> Farewell, dear fatherland, clime of the sun caress'd,
> Pearl of the Orient seas, our Eden lost;
> Gladly now I go to give thee this faded life's best,
> And were it brighter, fresher or more blest
> Still would I give it thee, nor count the cost.

It was an epic song of triumph.

Rizal, in an extremely dangerous epoch and under a ruthless régime, dared what others shunned. He trod where others feared to tread. Armed with a holy cause, he was unconcerned with the warnings of personal danger and unafraid of threats of death. Torture and persecution did not deter him from the prosecution of his vision. Wedded to reason and truth, he was undaunted, confident of the ultimate victory of justice and right. Clean and clear in his conscience, he gladly went to his Calvary and serenely met a martyr's fate. Verily, death to him was rest, for he lived not for himself but for others. Thirteen million Filipinos glory in the martyrdom of a great man who happily lost himself that his country and people may live.

Countless numbers now look upon him as their ideal and their idol. Generations yet unborn will continue to regard Rizal great among the greatest, one of the world's immortals, because he incarnated in himself the soul of a people distinctive for their joy in suffering, glory in sacrifice, self-realization in martyrdom.

ADJUSTED-COMPENSATION CERTIFICATES

Mr. ALMON. Mr. Speaker, I ask unanimous consent to proceed for five minutes.

The SPEAKER. The gentleman from Alabama asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. ALMON. Mr. Speaker and gentlemen of the House, on December 5, 1930, I introduced a bill (H. R. 14567) to provide payment to the veterans of the World War the face value of their adjusted-service certificates, and provide for issuance of bonds with which to raise money to pay these certificates. Other Members of the House introduced similar bills. They are all pending before the Committee on Ways and Means. We have been unable to get this committee to hold any hearings and report either of these bills. I have also signed a petition on the Clerk's desk for the purpose of forcing a report from this committee. I sincerely hope that a majority of the Members of the House will sign this petition and in that way secure action at this session.

The Treasury Department is opposing this legislation and claims that it would result in an increase of taxation and that it might retard business recovery.

The Government could issue bonds at a very low rate with which to take up these certificates and there would be no increase of taxation. Our economic condition is at such a low ebb as to cause genuine suffering throughout the country. This condition is brought about largely by lack of money in circulation.

A large number of those who are suffering and in need are ex-service men and their families. At no time probably in their lives will they ever need more the assistance to secure the bare necessities of life, and there will never be a time when they would enjoy the benefits of the proceeds of these certificates as at this particular time. The Government will pay these certificates, but probably at a time when money can not be borrowed with as low a rate of interest as at this time.

Practically every dollar of this money will be put into channels of trade and again start the wheels of industry turning. The payment of these certificates would be a tremendous factor in restoring normal times, and in bringing about prosperity in the place of this great depression.

If there could be a referendum and vote given the ex-service men on this question I have no doubt but that it would be practically unanimous in favor of payment at this time. [Applause.] I have received a great many letters from ex-service men in which they state that due to the drought and the financial panic they are in great distress. Some are unable to secure food and clothing for their wives and children and are appealing to us to make provision for the payment of these certificates which they now hold.

I supported a bill providing for a cash bonus and voted to pass it over the veto of the President, but we failed. I also voted for the adjusted-service certificates, frequently referred to as the soldiers' bonus, because it was that or nothing. It is an obligation of the Government and will have to be paid, and, as I have said before, there never will be a time when it will be of such great service to the ex-service men and their families as at this particular time. So I want to urge the members of the Ways and Means Committee to take up this question at once and report to the House a bill providing for the payment of these certificates as quickly as possible.

I favor payment in full of these certificates. The administration costs of paying a part would be as great as full payment. No good reason can be given for payment in part. Some claim that the full amount could not be raised, but there is nothing to this. It is folly to say that the Government can not borrow the money necessary to make these payments and at a very low rate of interest, probably less than 2 per cent.

There are at this date 3,478,956 veterans of the World War holding the adjusted-service certificates in amounts ranging from $51 to $1,585. These certificates are frequently called the soldiers' bonus certificates, but they do not represent a bonus but a debt admitted by the Government for the valiant service rendered by the veterans of the World War. They are dated January 1, 1925, and due January 1, 1945.

The SPEAKER. The time of the gentleman from Alabama has expired.

Mr. BYRNS. Mr. Speaker, I ask unanimous consent that the gentleman may proceed for five additional minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. ALMON. In 1919 Congress adopted a policy that our Government should follow in paying the national debt. Congress considered that the World War was fought for posterity and that the present generation should not be required to pay all of the expenses of the war. If this policy had been carried out $3,000,000,000 indebtedness would have been paid during the past 10 years; instead of that amount there has been paid $7,000,000,000. The war debt has been reduced during this time from $26,000,000,000 to $16,000,000,000. Foreign Governments owe us on long-term bonds about $11,000,000,000. After deducting the value of these bonds from $16,000,000,000 there is but little of the public debt left to be paid by the present generation.

Since we are far ahead of the program in paying the national debt why not permit payments on the national debt by diverting to the payment of these adjusted-service certificates, and after they are paid our Government will then be $4,000,000,000 ahead of the program outlined by Congress in 1919 for the retirement of our national debt, and in doing so there would be no increase of taxation. The payment in full of the adjusted-service certificates will only require $3,513,745,560. There is in the Treasury at this time a reserve fund to be used to retire these certificates when due to the amount of $748,222,715, and after deducting this amount from the former the remainder could be raised by a bond issue in the amount of only $2,765,522,845.

So I urge each Member of the House who has not signed the petition prepared by Representative PATMAN, of Texas, to require the Ways and Means Committee to report his bill for the payment of the adjusted-service certificates to do so, as that is the only way that we can consider this question at this session.

The rank and file of the World War veterans will never again need the money which should be paid them on these certificates as badly as they do now. We are receiving thousands of letters each day stating that many of the veterans are depending upon friends and charity for the necessities of life for themselves and their families. [Applause.]

You can not go back to your ex-service men and say you did all you could to get this thing settled unless you sign this petition, and I know that when you do return home you will be expected to explain why you were not in favor of it if you do not sign the petition.

Mr. FREAR. Will the gentleman yield?

Mr. ALMON. Yes.

Mr. FREAR. Does the gentleman believe in the adjusted-compensation proposition which the minority leader [Mr. GARNER] has offered? That is an entirely different proposition from the one the gentleman has been talking about.

Mr. ALMON. Under the rules of this House, if a committee fails and refuses to report a bill, 218 Members of this House may sign a petition asking that such committee report it, and if that many Members sign such a petition, then I am sure the committee will report out the bill. That is why I am urging 118 more Members to sign the petition, which is on the Clerk's desk, regardless of their politics. I ask them to sign this petition and let some bill, at least, on this subject come before this House to be considered at this session. Give the House an opportunity to vote on it. Give us a roll call in the House and we will pass it. [Applause.]

During the good times following the Great War many of the ex-service men were able to hold their certificates, but since this world-wide financial depression, the drought, and other adversities they are no longer able to do so. The pittance that they can secure in the way of loans is so small that it is of no benefit to them, and they should not be required longer to resort to this expediency, but they should be paid in cash.

Action of this kind on the part of Congress would meet with the general approval of the public. Nothing that we could do at the extra session would meet with greater favor than to provide for payment of the amounts due these ex-service men on their adjusted-service certificates. [Applause.] I urge and insist that this be done. Let us give a favorable response to the distressed call of these veterans, who fought and won the greatest war in the history of the world, by requiring the Government to pay them in cash all that is due them without further delay. [Applause.]

The SPEAKER. The time of the gentleman from Alabama has again expired.

Mr. FREAR. Mr. Speaker, I ask unanimous consent to proceed for one minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. FREAR. Mr. Speaker, when the bonus bill was originally before the Ways and Means Committee I was in favor of paying the bonus or adjusted compensation in cash at that time. There are now half a dozen bills before the Congress on the same proposition but carrying different conditions. That being so, why should we attempt here to single out one bill and ask the committee to report it. There are a number of bills proposed, and I am in favor of anything that the committee can agree upon, and I believe that same situation confronts the average Member of the House.

Mr. HASTINGS. Will the gentleman yield?

Mr. FREAR. Yes.

Mr. HASTINGS. Do I understand the gentleman is in favor of having the Ways and Means Committee meet and report out some bill?

Mr. FREAR. Yes; I am in favor of that, and at this session, if that is what the gentleman means.

INVESTIGATION OF THE FEDERAL RESERVE SYSTEM

Mr. HOWARD. Mr. Speaker, I ask unanimous consent to proceed more or less out of order for seven minutes.

The SPEAKER. The gentleman from Nebraska asks unanimous consent to proceed in comparative order for seven minutes. Is there objection?

There was no objection.

Mr. HOWARD. Mr. Speaker, it has been said that all the world loves a lover. It has also been said that every American citizen with red things in his blood loves a fighter.

I want to call the attention of those of you who were not here a few days ago to a remarkable exhibition of the fighting quality of one American citizen. I refer to Mr. McFADDEN, chairman of the Committee on Banking and Currency, who had the temerity to stand here and spit in the face of the most powerful bulldog this world of ours has known, the Federal reserve banking system. I had thought for some time that the Federal reserve system was gradually being transferred into the hands of international bankers, but I did not know that it had been so positively transferred until I heard the address of Chairman McFADDEN.

I was so impressed by that address that I introduced this morning a resolution calling upon the Committee on Banking and Currency to investigate very seriously the charges lodged by the chairman of the Banking and Currency Committee, with the further request that if the committee should discover that those charges had been well sustained it should then make a request upon the chairman of the Committee on the Judiciary to prepare and present legislation to correct the evils which the chairman alleged.

My purpose now, Mr. Speaker, is to direct the attention of the House to the pendency of the resolution which was presented by me this morning, with the hope that it will be speedily considered. [Applause.]

So serious is the charge made by Chairman McFADDEN that it must not be permitted to go unnoticed. A more serious charge has not been hurled against any department of the Government in recent years. And certainly it will not be denied that the New York branch of the Federal reserve system is part and parcel of the Government, although the charge made by Chairman McFADDEN clearly indicates that the New York branch is now practically the private property of international bankers and operated for the purpose of private profit.

While the charge of maladministration made by Chairman McFADDEN ran directly against the New York branch of the Federal reserve system, perhaps the investigation contemplated by my resolution should be confined to that particular branch, and yet it must be true that the conduct of that institution should be familiar to those charged with administration of the system as a whole, and it might be well for the committee to examine into the attitude and practices of the general administering officials of the entire system.

Long ago men began speaking softly about the transfer of the New York branch of the Federal reserve system to the control and profit of international bankers, but of late the speaking has grown louder. It has now reached a pitch which enables the average ear to hear frequently the charge that that branch has become America's master criminal, and the shame of it is that our own master American criminal is not altogether American, but largely of foreign extraction.

Yes; I know my resolution is oddly drawn. If in usual form it would call upon the Committee on Banking and Currency to report legislation to cure the existing evil and to restore the entire Federal reserve system to its intended functioning as a helper of every legitimate industry in time of stress. However, I have thought best to suggest invitation to the Committee on the Judiciary to draft legislation needed, believing that a committee composed exclusively of master legal minds might be best qualified to that end.

To permit the serious challenge thrown against the practices of the New York branch of the Federal reserve system to go unnoticed will be instant confession by this House—

First. That this House regards the magnificent presentation by Chairman McFADDEN as mere twaddle; or

Second. That this House hesitates to offend the mighty power which has swept our Federal reserve system off the solid foundation created for it by the Congress, content now to let that system rest upon the foundation of financial sand to which it has been transferred by the arrogant international banking syndicate now in unfettered control of the New York branch of the system.

YORKTOWN SESQUICENTENNIAL CELEBRATION

Mr. BLAND. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing some remarks of my own on the Yorktown Sesquicentennial Celebration, including therein quotations from certain historical writings.

The SPEAKER. The gentleman from Virginia asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

Mr. BLAND. Mr. Speaker, Congress and the public should know something about the plans for the sesquicentennial celebration at Yorktown in October, 1931, and for the preservation of Yorktown for all time as a national shrine. In the past five years several sesquicentennial celebrations have been held in the United States. The exposition at Philadelphia commemorated the one hundred and fiftieth anniversary of the adoption of the Declaration of Independence. Bunker Hill, Bennington, the independence of Vermont, Saratoga and the surrender of Burgoyne, the capture of Vincennes by George Rogers Clark, the Battle of Kings Mountain, and the work of the Continental Congress at York, Pa., have been commemorated in an appropriate manner. There have been other similar exercises, all commemorating outstanding events in American history.

In 1932 exercises will be held throughout the United States to commemorate the two hundredth anniversary of the birth of Gen. George Washington.

The crowning event of Washington's military career was the victory which he won at Yorktown. This glorious culmination of Washington's military service came exactly four months and three days before his fiftieth birthday. The one hundred and fiftieth anniversary of the surrender at Yorktown and the permanent establishment of American independence will precede by four months and three days the nation-wide celebration of the two hundredth anni-

versary of the birth of the great soldier whose genius created this Nation.

The year of the celebration of the two hundredth anniversary of Washington's birth will also be the three hundred and twenty-fifth anniversary of the establishment at Jamestown, Va., of the first permanent English settlement in the New World.

It is proper that the commemoration of Washington's final military achievement which established this Nation shall be of such proportions as to correspond with the celebrations which will commemorate his birth. The Nation should celebrate the Nation's birth in a manner in keeping with the celebration of Washington's birth.

These reasons impelled the Congress of the United States to create a national commission to prepare and report a plan and a program for the commemoration of the siege and surrender at Yorktown, Va.

The United States Yorktown Sesquicentennial Commission consists of five Senators of the United States and five Members of the House of Representatives of the United States. The Senate members are Hon. CLAUDE A. SWANSON, of Virginia, chairman; Hon. DAVID A. REED, of Pennsylvania; Hon. HIRAM BINGHAM, of Connecticut; Hon. JOHN G. TOWNSEND, Jr., of Delaware; and Hon. ROBERT F. WAGNER, of New York.

The House members are Hon. ROBERT L. BACON, of New York; Hon. ROY G. FITZGERALD, of Ohio; Hon. GEORGE R. STOBBS, of Massachusetts; Hon. JOSEPH W. BYRNS, of Tennessee; and Hon. CHARLES R. CRISP, of Georgia, vice chairman of the commission.

The commission has recommended that the ceremonies be held for four days, one of which shall be the 19th day of October, 1931, the anniversary of the surrender. On that day the President of the United States will make the principal address.

The national commission in its report filed January 31, 1930, said:

> This commission strongly urges that this great event be celebrated in a manner which will be worthy of this Nation and which will promote good will and amity with all the world. The celebration will seek to exalt the principles of political freedom for which the Revolutionary fathers fought, and the ideals of liberty upon which our institutions are founded. It will inspire love of country and devotion to its ideals. It will recall to younger generations the struggles of the past. It will perpetuate the principles upon which the Nation was built and upon which its future must rest.
>
> Yorktown was the glorious culmination of a long struggle filled with tragic memories and heroic achievements. Yorktown is the place where the immortal truths declared in Philadelphia were made permanently effective. It is the birthplace of the Nation, and the one hundred and fiftieth anniversary of the surrender should be celebrated in a manner befitting the importance of the event and the greatness of this country.

SESQUICENTENNIAL CELEBRATION SIMILAR TO CENTENNIAL CELEBRATION

The commission recommended exercises along the same general lines as the Centennial Celebration at Yorktown in 1881, consisting of educational and commemorative exercises, assemblages of patriotic societies, and military and naval reviews and parades. The commission said:

> The exercises contemplated are similar to those held in commemoration of the one hundredth anniversary of the surrender, at which time there were present the President of the United States and his Cabinet, ex-Presidents of the United States, the Chief Justice and the Associate Justices of the Supreme Court of the United States, ex-Vice Presidents of the United States, Members of the Senate and House of Representatives of the United States, the Diplomatic Corps, distinguished officers of the Army and Navy, governors of different States in the Union with their staffs, representatives of foreign powers, descendants of participants in the siege and surrender, military and naval units from the United States and foreign powers, military units from the original thirteen States, mayors of principal cities in the United States, patriotic organizations, and many other distinguished guests.

CHARACTER OF THE CENTENNIAL CELEBRATION IN 1881

The exercises in 1881 covered a period of 15 days, of which the first 11 days were under the auspices of the Yorktown Centennial Association, a nonprofit-making corporation, organized for the express purpose of holding the centennial. The last three days of the celebration were devoted to the national exercises conducted by the congressional commission.

On the 6th day of October the exercises commenced with a welcome by the Governor of Virginia. Commissioners appointed by the governors of other States were present. The 6th day of October was selected as the opening day because it was the anniversary of the opening of the first parallel of the siege by the allied armies in 1781.

The 7th day of October was the anniversary of the entrance into the parallel by the light infantry. It was devoted to the reception of delegates representing railroads, steamships, and other transportation companies.

The 8th of October was educational day and was occupied by the universities, colleges, schools, and other institutions of learning.

The 9th and 16th were Sundays, and religious exercises were held on the ground.

The 10th was the anniversary of the opening of the fire from the American batteries, when Washington, in person, fired the first gun. On that day the municipalities of the cities and towns of the Colonial States were represented, and the delegates from chambers of commerce, boards of trade, produce exchanges, and other commercial bodies were received. The evening of that day was the anniversary of the conflagration when the British vessels in the harbor, set on fire by the French batteries, were consumed. There was a pyrotechnic display by land and water.

The 11th was the anniversary of the opening of the second parallel by the American division under Baron von Steuben. On that day the Germans of the United States were present by delegations from their several societies. The industrial and mechanical arts were also represented through their organizations.

The 12th was assigned to the farmers and planters.

The 13th was devoted to financial institutions of the country, banks, bankers, and insurance companies, and was in respect to the memory of Robert Morris.

The 14th was the anniversary of the storming of the British redoubts by the allied troops, the French on the right and the Americans on the left, and this day was given over to the Society of the Cincinnati.

The 15th was given up exclusively to the descendants of the officers and soldiers of the Revolution.

The 17th, Monday, was the anniversary of the request of Lord Cornwallis for a cessation of hostilities. It was also the anniversary of the surrender of Burgoyne at Saratoga, and on that day the Masons, the Odd Fellows, and other fraternal orders, the militia and the municipal fire departments were received and were escorted to their quarters.

The national exercises were held on the 18th, 19th, and 20th.

The first 12 days of the centennial exercises may be called opening day, transportation day, educational day, divine service, municipal and commercial day, industries and mechanics day, farmers' and planters' day, finance day, Society of the Cincinnati day, Sons and Daughters of Revolution day, divine service, reception day for militia, Masons, Knights Templars, Odd Fellows, municipal fire department and other orders, and so forth.

On each of the 15 days of the celebration there were educational and inspirational addresses, with some distinguished orator, educator, business man, statesman, or other eminent citizen presiding or making the address of the occasion.

The national program covered the 18th, 19th, and 20th. The signal events of these three days were: On the 18th the laying of the corner-stone of the present monument, with addresses by the Governor of Virginia and by the chairman of the congressional commission; oration by Past Grand Master Beverly R. Welford, jr.; outdoor concerts, morning, afternoon, and evening; reception by the Governor of Virginia; pyrotechnic displays and a dance.

On the 19th a brief address by the President of the United States; responses by representatives of the French and German guests; a centennial hymn written for the occasion and sung by a specially trained choir of several hundred voices; a centennial ode prepared for the celebration and rendered by the choir, accompanied by the Marine

Band; an oration by Hon. Robert C. Winthrop, distinguished son of Massachusetts; an original poem, written and read by James Barron Hope, of Virginia; open-air concerts, morning, afternoon, and evening; and a dance, with another brilliant pyrotechnic display at night.

On the 20th there was a military review and naval drill, at which the President of the United States and distinguished guests were present. By order of President Arthur the exercises concluded with a salute to the British flag. Harrison Forbes, an eminent newspaper correspondent of Great Britain, was present in an unofficial capacity. In an article contributed by him to one of the New York newspapers he expressed his regret that Great Britain was not represented at the centennial, for, said he, there was nothing said or done that could have offended the sensibilities of Britons. All mention of Great Britain as the mother country was with love and affection, and these sentiments, he said, were cordially received.

The militia in attendance from various States numbered 9,477. In addition there were present 706 Master Masons and 277 Knights Templars, making a total encampment of approximately 10,500 persons.

The Governor of Pennsylvania was present with his staff and the Eighteenth Regiment, approximately 800 strong.

The Governor of New Jersey came with his staff and the New Jersey Battalion, National Guard, with 702 men.

The Governor of North Carolina was there with his staff and with 572 men.

The Governor of Michigan attended accompanied by his staff and 291 men.

There were also in attendance upon those exercises—

The Governor of Vermont, his staff, and 183 men.

The Governor of New York, his staff, and 374 men.

The Governor of Maryland, his staff, and 808 men.

The Governor of Kentucky, his staff, and 228 men.

The Governor of Maine and members of his staff.

The Governor of South Carolina, his staff, and 310 men.

The Governor of Rhode Island, his staff, and 124 men.

The Governor of New Hampshire, his staff, and 195 men.

The Governor of Connecticut, his staff, and a regiment with an approximate strength of 462 men.

The Governor of Delaware, his staff, and 252 men.

The Governor of Massachusetts, his staff, and 652 men, including 128 cadets.

The Governor of Virginia, his staff, and 1,087 men, including 128 cadets of the Virginia Military Institute.

Georgia was represented by a battery of 22 men.

There were present also veterans from soldiers' homes of 388 men, a detachment from the First Regiment Veterans' Unions consisting of 26 men, 1,000 men of the Regular Army, and 1,112 men constituting the naval brigade from the fleet which were quartered on the ships in the harbor.

There were thousands of civilians who attended the exercises in 1881 and larger numbers may be expected in 1931. The centennial exercises were held only 16 years after the Civil War, when the Yorktown Peninsula and the State of Virginia had not recovered from the prostration of that war. Transportation facilities were wholly inadequate. The Chesapeake & Ohio Railroad Co. was then completing its line to Newport News from Richmond. Transportation to and from Yorktown was principally by water. Temporary wharves were built for the accommodation of the steamers. Landings and smaller wharves were built for the use of the small boats in carrying persons to and from the fleet and smaller craft in the harbor. The Centennial Association, a private corporation organized for the purpose of the celebration, bought Temple Farm and provided camp grounds, parade grounds, review fields, and the greater part of the land needed for the celebration. There were provided grand stands, speakers' stands, a reception hall, other necessary buildings, water, and light.

PROBLEMS OF THE SESQUICENTENNIAL CELEBRATION

Our problems are more complex and more difficult than in 1881. The land area is more restricted now, as much of it is so used that it can not be secured. The land will cost more now and is owned by many persons. We must have temporary wharves, water, lights, grand stands, band stands, comfort stations, rest rooms, sanitary facilities, roadways connecting historic sites, parking spaces for automobiles, and other facilities.

Improved transportation assures an attendance much larger than in 1881. The Rockefeller restoration in Williamsburg and the developments on the Yorktown Peninsula will prove an invitation none will care to resist. The activities of the World War brought millions of persons into that section, when we consider the boys who went to France from Hampton Roads, those who returned from France, the naval rendezvous at Yorktown, the business interests centered around Hampton Roads, and the activities there before and afer we entered the war. The citizens' and reserve officers' military training camps at Fortress Monroe and Fort Eustis have been attended annually by hundreds of young men, many of whom are now in active business life. These will desire to return in large numbers for an event of such great importance, and preparation must be made to receive them.

The Yorktown Sesquicentennial Association (Inc.) has been organized under the laws of the State of Virginia for the purpose of working with the United States commission, the Virginia commission, and any and all other organizations, associations, or agencies that may desire to make this celebration a success. Dr. W. A. R. Goodwin, of Williamsburg, Va., is president of that corporation. It is expressly provided that it shall not make any profits. It will perform work similar to that of the Yorktown Centennial Association in 1881, through which the national commission and the State organizations then worked. This association desires the support and assistance of all of the States of the Union.

The national commission will not confine its activities to Yorktown alone. It will endeavor to interest all of the States in a proper commemoration of the surrender. All of the States have been requested to appoint commissions for this work. All State institutions, religious bodies, churches, universities, colleges and schools, fraternal orders, patriotic organizations, civic and community clubs, municipalities, and citizens of the United States are urged to hold appropriate exercises in commemoration of the close of the Revolutionary War and the commencement of our national existence.

Arrangements have been made for the issuance of commemorative stamps.

Congress has enacted legislation authorizing the President of the United States when, in his opinion it is appropriate for him to do so, to extend to such Governments and individuals as the President may determine, an invitation to unite with the Government and people of the United States in a fit and appropriate observance of the one hundred and fiftieth anniversary of the surrender. An appropriation of $25,000 has been made for that purpose.

Congress has authorized an appropriation of $200,000 for the celebration, and the sum of $8,000 has been appropriated. A part of this fund has been applied to the survey of the Yorktown area so that historic sites may be located and properly marked. An intensive study has been made, lines of parallels and redoubts determined, camp grounds of military units located, and an immense amount of work of great historic importance has been performed. Considerably more money will be needed to provide a proper celebration.

The Senate has ordered the publication as a Senate document of unpublished letters which passed between Washington and De Grasse. This document, which will be of great interest, has been practically completed and will be published soon.

The Yorktown Sesquicentennial Association (Inc.) has begun an active campaign to provide funds for the celebration, in addition to the appropriations provided by Congress. The officials of that association, with the exception of an executive secretary and his assistant, will receive no compensation for their services.

COLONIAL NATIONAL MONUMENT

Congress has authorized the creation of the Colonial National Monument. It will consist of Jamestown, parts of

Williamsburg, and the battlefield at Yorktown, with a highway connecting those points. To avoid duplication of effort and to secure economy of expenditure, the National Sesquicentennial Commission, the State commission, and the Yorktown Sesquicentennial Association are cooperating with the National Park Service of the Department of the Interior, which has jurisdiction of the proposed park. It is hoped that some of the work necessary for the sesquicentennial may at the same time prove of permanent benefit to the park.

If facilities reasonably necessary for the celebration are provided, the comfort of visitors properly cared for, and a celebration provided in keeping with the dignity of the Nation or the events to be commemorated, it will require considerably more money than the $200,000 authorized by Congress.

The George Washington Bicentennial exercises will be held in 1932. Large crowds will visit Washington and the eastern United States for that celebration. They should have an opportunity to visit Yorktown, and it is hoped that the facilities provided for the sesquicentennial celebration may possess sufficient permanency for them to be used throughout 1932. They should be available for all who care to use them.

The sesquicentennial celebration will feature also the establishment of the Colonial National Monument and the colonial period of American history, which began at Jamestown, less than 20 miles away, in 1607, and closed at Yorktown in 1781.

The historical significance of Yorktown is splendidly portrayed in an admirable address delivered on October 20, 1930, at Yorktown by Hon. LOUIS C. CRAMTON, of Michigan, author of the bill for the creation of the Colonial National Monument. This speech has been printed in the CONGRESSIONAL RECORD, and copies can be secured by any person who may be interested.

YORKTOWN BELONGS TO THE NATION

Yorktown does not belong to Virginia alone. It belongs to the Nation. It was the plan of the Yorktown Centennial Association in 1881 that the Temple Farm, then owned by that association, should pass to the United States, but the assassination of President Garfield so distracted public attention that the association was unable to raise sufficient funds to complete the purchase.

In 1882 the Legislature of the State of New Jersey passed a joint resolution urging that the Temple Farm, which was the battlefield, be purchased and that the Moore House, in which the articles of capitulation were negotiated, should be preserved. That resolution recited that the Moore House and Temple Farm upon which it was situated would carry with them through all time the memories of the siege and victory by which the allied armies of France and the American Colonies had secured our national independence.

The New Jersey resolution recited that during the recent centennial celebration by the citizens and the representatives of the Republic of France and the United States of America the hope had been expressed by the descendants of the officers of both France and America, who commanded on the field in 1781, that the farm and house should be preserved and perpetuated as a memorial of the friendly alliance which then and ever since has existed between the two nations, as well as in respect to the memories of those who fell in or survived the struggle that ended the protracted war and gave peace and hope to a then impoverished people.

The resolution recited that the sentiment expressed during the centennial celebration by representatives of the French Republic, by the descendants of French officers who commanded on the field of Yorktown in 1781, and by the descendants of colonial officers, was that the Government should take charge of and preserve and perpetuate the property. This sentiment the New Jersey General Assembly said they believed to be the sentiment of the American people.

In June, 1890, a number of Members of Congress, members of the Carpenters' Association of Philadelphia, and citizens of Baltimore, Washington, Richmond, and Philadelphia visited Yorktown to inspect the completed monument. They organized and appointed a committee of 13 Members of Congress. That committee recited the resolution of New Jersey and referred to the fact that the Moore House, in which the articles of capitulation had been prepared, "still stands, and is in the same condition that it was at that time."

They said:

> It was repaired in 1881 and furnished by the Centennial Association, organized under the laws of the State of Virginia, to aid the national committee in securing the accommodation for visitors during the celebration. Among those that occupied the building on that occasion were the descendants of General Lafayette, De Rochambeau, and other French families prominently connected with the siege and surrender.
>
> Your committee can not recommend too strongly the securing of this historic spot by the General Government. While Mount Vernon, where rests the mortal remains of the Father of His Country, has become a Nation's shrine; Yorktown, where freedom was at last made secure, should be the Nation's care, preserved inviolate, as the scene of Washington's crowning triumph.

On October 20, 1890, the Carpenters' Company, of Philadelphia, concluded the indorsement of the report recommending the purchase of the Moore House with the following words:

> That house was the place in which independence was secured as conceived and given life in the hall of Carpenters' Company. The buildings are in American history inseparably connected, and for these reasons should be secured by the Government and opened to the public. We hope that Congress will at once give the subject favorable consideration.

Nothing was accomplished, however, until a few years ago. Through the generosity of John D. Rockefeller, jr., the Moore House was purchased in order to save it for ultimate ownership by the United States. It will be transferred to the United States for the price paid and without interest and taxes.

The bill for the Colonial National Monument has authorized the establishment of a monument which will include the battlefield at Yorktown and make it a national shrine.

There is still much work that needs to be done. On the battlefield at Yorktown were men from all of the thirteen original States. Their descendants are now scattered throughout the Nation. To the peoples of the world Yorktown is or should be the holy spot where triumphed those principles of government which have been accepted by all the civilized nations.

In the celebration at Yorktown in 1931 all patriotic citizens of the Republic should have a part. Contributors for that celebration, whether large or small, will have their names permanently preserved in a book to be filed among the public records of the county in which Yorktown is located. All expenditures will be carefully audited. The chief executives of all the States have been asked to organize their people first for their participation in the sesquicentennial celebration, and then for them to assist in making Yorktown the shrine it should be. Yorktown belongs to all of us. The blood of our ancestors baptized and hallowed its soil. Men from all the States shared in its struggles, its trials, its triumphs, and its glories.

The national commission should like to see in each State some effective organization devoted to the purpose of making the sesquicentennial in 1931 a success.

The national commission desires the people of the different States to feel that this is their celebration and their work and to realize that we must all work together now as the Revolutionary patriots worked together, fought together, suffered together, and triumphed together 150 years ago.

We have no doubt that there will be in attendance representatives of various foreign powers and descendants of distinguished participants in the siege. In that event many of the States will desire now, as they did 50 years ago, to have these guests visit them and partake of their hospitality. If so, preparation for that purpose will have to be made.

We must realize that there remain only a few months in which to prepare for this celebration, and the national commission will welcome the assistance of all citizens of the Republic.

DROUGHT RELIEF

Mr. WOOD. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H. J. Res. 447) making appropriation to carry out the provisions of the public resolution entitled "Joint resolution for the relief of farmers in the drought and/or storm stricken areas of the United States," approved December 20, 1930.

The SPEAKER. The gentleman from Indiana asks unanimous consent for the present consideration of a joint resolution, which the Clerk will report.

The Clerk read as follows:

Resolved, etc., That to enable the Secretary of Agriculture to carry into effect the provisions of the public resolution entitled "Joint resolution for the relief of farmers in the drought and/or storm stricken areas of the United States," approved December 20, 1930, including the employment of persons and means in the city of Washington and elsewhere, printing, purchase of law books not to exceed $1,000, rent in the District of Columbia and elsewhere, and for the collection of moneys due the United States on account of loans made thereunder, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $45,000,000, to remain available until June 30, 1932, of which amount not to exceed $80,000 may be expended for departmental personal services in the District of Columbia.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

Mr. GARNER. Mr. Speaker, reserving the right to object, and I do not intend to object to the consideration of the resolution; but as I understand it, the Speaker has recognized the gentleman from Indiana to submit this unanimous-consent request on this day, it being unanimous-consent day, and motions to suspend the rules being in order, on account of the emergency of the proposed legislation, and, as I understand, it is not the custom of the Chair to recognize gentlemen on this day to ask unanimous consent for consideration of legislation unless it is of an emergency character.

The SPEAKER. The gentleman states the case correctly. Is there objection to the present consideration of the joint resolution? [After a pause.] The Chair hears none, and the gentleman from Indiana is recognized for five minutes.

Mr. HASTINGS. Mr. Speaker, I hope the gentleman from Indiana intends to make some brief explanation of the resolution, as it is a matter of such unusual interest throughout the entire country.

Mr. WOOD. Mr. Speaker and gentlemen of the House, I do not know that any considerable explanation is necessary with respect to this resolution. The Committee on Appropriations, acting upon the authorization of the law approved December 20, 1930, has proposed to appropriate the entire amount of the authorization, $45,000,000.

Mr. DYER. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. DYER. According to the Director of the Census, more than half of the people of the United States reside in the cities. Will any of this money go to the people in the cities, or will it all go to the country?

Mr. WOOD. Expressing my individual opinion, from what I understand to be the purpose of this appropriation, it will be loaned to the farmers of the country for crop purposes.

Mr. DYER. Is the gentleman going to bring in a relief bill for the benefit of the unemployed in the cities, that contain more than half of the people of the United States?

Mr. WOOD. We will cross that bridge when we come to it. We have not come to that yet.

Mr. McDUFFIE. Will the gentleman yield?

Mr. WOOD. Yes.

Mr. McDUFFIE. I notice the resolution carries a provision for $1,000 for the purchase of law books. Does not the gentleman think it is a rather far-fetched idea to provide for the purchase of law books in connection with the administration of this resolution?

Mr. WOOD. I may say to the gentleman that we inquired into that matter at some considerable length. It occurred to the committee at first blush that that amount was, perhaps, exorbitant, but we are informed by the Department of Agriculture, or by those who will have charge of the administration of this fund, that in order that they may obtain the security for loans which are provided for under the act, it will be necessary for them to be provided with all the different acts of the various States where there are to be beneficiaries under the appropriation.

Mr. McDUFFIE. It occurs to me, if the gentleman will permit, that the various State agricultural departments or the Extension Service of the Government in every State could get all the information necessary for the administration of this act.

Mr. WOOD. I think in a measure that is true, but there are many States that have different requirements as to mortgages, the filing and recording of them, and so forth. We thought that all this information and perhaps copies of State laws might be obtained without any expense to the National Government at all, but some of the States have acts requiring the secretary of state, or whoever may furnish these laws, to charge a sale price for them, and this official either has to pay it himself out of his own pocket or else they can not be obtained unless we buy them.

Mr. McDUFFIE. Are not these acts all available here in Washington?

Mr. WOOD. No; they are not.

Mr. McDUFFIE. The Library is supposed to have them.

Mr. WOOD. That may possibly be true with respect to this year, but as the gentleman, as well as everyone else who has had any experience along this line, knows, the different legislatures are constantly changing their acts with reference to these matters; and I will say to the gentleman, and I think this will satisfy him, the Department of Agriculture will try to get all this information without any cost, and there will be none of this $1,000 expended unless it is absolutely necessary.

Mr. McDUFFIE. Personally, I feel that we ought to strike that provision from the resolution.

Mr. WOOD. If we did strike it from the resolution it might cause a lot of trouble.

Mr. BLANTON. Will the gentleman yield for a question?

Mr. WOOD. I yield.

The SPEAKER. The time of the gentleman from Indiana has expired.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that the gentleman may have five additional minutes.

The SPEAKER. Without objection, the gentleman from Indiana is recognized for five additional minutes.

There was no objection.

Mr. BLANTON. I want to ask the gentleman this question: The Federal Land Bank of Houston, Tex., which is 1 of the 12 established banks, has already foreclosed against over 500 farms in the drought or otherwise stricken areas of the State of Texas, and these banks have announced a policy of not granting a single extension. Unless some steps are taken to stop these wholesale foreclosures against farms and to grant extensions of interest payments in these drought-stricken areas, how are we rendering aid by appropriating $45,000,000 to loan the farmers to help them plant another crop when their farms are going to be taken away from them?

Mr. WOOD. I will say to the gentleman from Texas that that is aside from the provisions of this bill.

Mr. BLANTON. Yes; but it is a most important emergency now existing, and steps ought to be taken for the suspension of these foreclosures and provide for a proper redemption of those farms already taken away from the farmers.

Mr. WOOD. That may be a good thing, but that would have to be done by some sort of legislation.

Mr. HASTINGS. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. HASTINGS. I would like for the chairman of the committee to explain to the House so that it may be carried by the Associated Press something about the terms on which these loans will be made, the length of time, and the rate of interest.

Mr. WOOD. That is purely a matter of administration. It will vary, I expect, in different localities with respect to the various needs.

Mr. HASTINGS. Was it not developed in the hearings as to what the rate of interest was to be?

Mr. WOOD. I understand that the rate in matters of this sort is usually 5 per cent.

Mr. HASTINGS. What is the length of time on which the loans are to be made?

Mr. WOOD. That is purely a matter of administration.

Mr. HASTINGS. That has not yet been determined by the Department of Agriculture?

Mr. WOOD. No; and it could not be for various reasons. The law provides loans for the crop of 1931. It will depend on the crop. If it was on a cotton crop, it may be for the full term of the development and maturity of the cotton crop. If it is to a wheat farmer, it will have its application as far as the season is concerned.

Mr. McFADDEN. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. McFADDEN. I was interested in the statement of the gentleman from Texas [Mr. BLANTON], wherein he inquired whether or not some relief could not be given to the borrowers of the Federal farm loan system in those sections afflicted by the drought. I would like to ask the gentleman to make this clear, because I did not hear the answer—whether or not such a situation as that where interest is overdue and the amortization payments are overdue in the drought area—whether any relief would be afforded to the farmers now under this bill.

Mr. WOOD. It could not be afforded under this authorization because it is entirely outside.

Mr. McFADDEN. I wanted that statement to be made clear. There is another question because of the fact that there has been much discussion since this bill left this body as to whether or not any of this money was to be used for personal relief, such as food and sustenance for human beings. Do I understand that this money can be used to buy food and clothing for actual needs of human beings in the drought areas?

Mr. WOOD. That is a pretty intricate question. The purpose of this legislation and the purpose of this appropriation is to enable the farmer to buy feed for his work stock, to buy seed for his crop, and to buy fertilizer. They have to secure whatever loan is made to them by a mortgage on the crop. I take it that if they got the loan and gave the security satisfactorily to the Agricultural Department and they sought to buy something to keep the family alive, their right to do that would depend upon the conditions of the loan as fixed by the Department of Agriculture.

The SPEAKER. The time of the gentleman from Indiana has again expired.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that the gentleman's time be extended five minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. BLANTON. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. BLANTON. I want to state to the gentleman from Pennsylvania [Mr. McFADDEN], the chairman of the Committee on Banking and Currency, that there are a bunch of bills now pending before his committee directing Federal land banks to grant extensions and to suspend foreclosures. I have just introduced another, being House Joint Resolution No. 451, to the same effect, granting extensions to distressed farmers in drought-stricken areas; and I hope the distinguished gentleman will take some of these bills up with his committee and consider them, and promptly report one to the House for immediate passage. There is also a bunch of similar bills in the Senate.

Mr. McFADDEN. I will say to the gentleman that the legislation already suggested by the various bills to which he has referred would deal vitally with the basic principles and the fundamentals of the Federal farm loan system. We do not want to impair the Federal farm loan system by charity operations.

Mr. McCLINTIC of Oklahoma. Will the gentleman yield?

Mr. McFADDEN. I will yield if I have the right.

Mr. McCLINTIC of Oklahoma. As I understand it now, the Federal farm loan system, through its officials, has the right to extend past-due payments if the facts warrant it. Is not that correct?

Mr. McFADDEN. They have certain options in an administrative way, whereby they can be lenient, and it is my understanding that they are being as lenient as they can with safety.

Mr. McCLINTIC of Oklahoma. Some time ago I took the matter up with the Federal farm loan system and called attention to a specific case. I received in reply a communication that one of their appraisers or investigators would be sent to interview the man in question, and that if the facts warranted it he would be carried over until another year. That was the information given me. Therefore I concluded that the Federal Farm Loan Board now has the right to take care of any kind of emergency, if it is necessary.

Mr. McFADDEN. They have considerable latitude in that respect, but under the stress of conditions like the present we must not impair the solidarity of the Federal farm loan system.

Mr. KETCHAM. Mr. Speaker, will the gentleman yield?

Mr. WOOD. I yield.

Mr. KETCHAM. Referring to the question asked by the distinguished gentleman from Missouri with reference to whether or not the provisions of this resolution would afford any relief to those out of employment in the cities, is it not a fact that by the adoption of this resolution, whether it be directly or indirectly, we do the best thing that can be done to bring relief to the cities of the United States by getting agriculture promptly and quickly upon a remunerative basis?

Mr. WOOD. That is absolutely correct.

The SPEAKER. The time of the gentleman from Indiana has expired.

Mr. BLANTON. Mr. Speaker, the colloquy which the gentleman from Pennsylvania [Mr. McFADDEN] and I had a moment ago with the gentleman from Indiana [Mr. WOOD] is a most pertinent one, and highly important.

A farmer can not farm if his farm is taken away from him. It will be futile for us to provide this $45,000,000 to be loaned to distressed farmers in drought-stricken areas, if we permit Federal land banks to demand their pound of flesh in this hour of emergency, and take away these farm homes through foreclosures.

On August 12, 1930, I wired President Hoover as follows:

ABILENE, TEX., *August 12, 1930.*

Hon. HERBERT HOOVER,
President United States,
The White House, Washington, D. C.

I respectfully suggest that the most feasible and efficacious way to aid helpless farmers in drought areas would be to direct Federal farm loan bureaus and Federal land and intermediate credit banks to extend all payments until November, 1931, and to direct Interstate Commerce Commission to grant special emergency freight rates on all shipments of farm products. If payment of interest and other maturities on farm loans are demanded, wholesale foreclosures will inevitably result and many farmers will lose homes. Numerous farmers now suffering from three successive crop failures will need financing for food and seed to enable them to plant another crop.

THOMAS L. BLANTON.

Nothing was done by the administration except to refer the matter to the Secretary of Agriculture, and to the Federal Farm Loan Board.

On August 27, 1930, I placed before Hon. H. M. Gossett, president of the Federal Land Bank of Houston, Tex., specific cases where concerning small interest payments becoming due his officials had demanded that the interest must be paid even if the farms had to be sold at great sacrifice, and he had forced poor widows to sell their work stock, milch cows, and laying hens at about one-third their value to make

their payments, and I urged him to be lenient and to make extensions where the borrower was worthy and deserving.

President Gossett did not reply to my urgent telegram until 19 days thereafter, when on September 15, 1930, he asserted that it was his intention to foreclose against the 11,666 farms in the drought area of Texas if payments were not made promptly.

As I have permission of the House to print in the RECORD in connection with these remarks my resolution introduced to-day, I want it to appear at this juncture.

The proposed measure is as follows:

[H. J. Res. 451, in the House of Representatives, Seventy-first Congress, third session, January 5, 1931]

Mr. BLANTON introduced the following joint resolution, which was referred to the Committee on Banking and Currency and ordered to be printed:

Joint resolution authorizing and directing Federal land banks to suspend and withhold foreclosure of any mortgage securing a loan made by such bank in what is known as the drought area of the United States where because of crop failure the borrower is unable to make payment of interest or principal due, and to provide for redemption of any such lands foreclosed since April 1, 1930

Whereas it was the intent and purpose of Congress when passing the Federal farm loan act in July, 1916, to aid and protect farmers in times of distress, and not to ruin and rob them of their farms; and

Whereas when creating Federal land banks Congress provided that if the initial $750,000 capital required for every Federal land bank was not subscribed within 30 days, the Secretary of the Treasury should subscribe for it on behalf of the United States; that all salaries and expenses of the Federal Farm Loan Board supervising such banks be paid annually by the Government; that such banks be national depositaries; that the capital, reserve, surplus, and income of every Federal land bank be exempt from all taxes, Federal, State, municipal, and local; that the mortgages and bonds of said banks shall be deemed and held to be instrumentalities of the Government of the United States; that the bonds of said banks shall be a lawful investment for all fiduciary and trust funds, and may be accepted as security for all public deposits, and other subsidies were extended to said Federal land banks by the Government to enable them to grant special aid and protection to distressed farmers; and

Whereas certain portions of the agricultural sections of the United States have been inflicted with prolonged and continued droughts, certain localities having suffered three successive crop failures, making it impossible for certain farmers who are borrowers from the Federal land banks to meet the interest and other maturities on their loans; and

Whereas the Federal land banks have harshly adopted the policy of granting no extensions regardless of circumstances, and illustrative of such policy the Federal Land Bank of Houston, Tex., one of the 12 such banks authorized and created by Congress, in its booklet distributed to its 56,767 farmers who have borrowed $151,600,000, entitled "Why the Federal Land Bank Can Grant No Extensions," has cold-bloodedly announced: "All borrowers should understand that it is a waste of time to ask for extensions. If one can not pay, then he should sell his farm to one who can and will"; and asserting further in such booklet that the Federal land bank is not a Government institution, and that this bank at Houston has already foreclosed 124 farms, and that its associations have already foreclosed 320 other farms in Texas; and

Whereas said Houston bank in August, 1930, notified Mrs. Effie May Wilson, of Rotan, Tex., a poor woman with an invalid husband, who had suffered three successive crop failures, that unless her interest payment of $68 was paid immediately, with 8 per cent penalty interest, foreclosure of her farm would ensue, thus forcing her to sacrifice her work stock, family milch cows, and laying hens at one-third their value; and said bank notified Mrs. O. A. Hoberson, a poor widow of Cape, Tex., that she must pay her $101 interest at once, "even though it becomes necessary that you sell your place to get the money," or her 121-acre farm would be foreclosed, and her work stock and milch cows were already mortgaged to a local bank for supplies, and she was thus threatened with the loss of her farm, worth over twice the amount of the mortgage against it, but which would not be sold because of said general depression, and that when these specific cases were brought to the attention of said bank, President Gossett replied that it was his intention to foreclose against the 11,666 farms in the drought area of Texas if interest payments were not made promptly; and

Whereas Congress alone can stop this wholesale foreclosure of farms, and without appropriate action these distressed farmers and their wives and little hungry children will be turned out into the cold and lose their homes: Therefore be it

Resolved, etc., That until January 1, 1932, all Federal land banks are directed (1) to withhold and suspend suits on and foreclosures of any mortgage securing a loan made by such bank on farm lands situated in the drought area of the United States, or in territory devastated by hail, floods, or tornado, where the borrower is financially unable to make the payments due; and (2) to extend the time for the payment of any such indebtedness to become due during 1931 until January 1, 1932.

SEC. 2. The Secretary of the Treasury is directed to advance to any such bank, out of any money in the Treasury not otherwise appropriated, that Congress may appropriate a sum sufficient to cover the amount of the interest payable by such bank during the period mentioned in section 1 hereof, on any Federal farm loan bond issued by it to the extent of maturities thus extended. The sums so advanced shall be used exclusively for the purpose of making such interest payments and the Federal land bank receiving any such advance shall repay the same to the United States without interest in such manner and under such terms and conditions as the Secretary of the Treasury and the Federal Farm Loan Board, acting jointly, shall prescribe.

SEC. 3. Any Federal land bank which has acquired, during a period of 12 months preceding the date of approval of this act, the land of any borrower from such bank upon foreclosure of a mortgage securing a loan made by the bank to such borrower is directed, if the bank still holds title to such land, to permit such borrower to redeem his interest in the land so acquired by the bank. Such redemption shall be permitted upon the payment by January 1, 1932, of all installments due under the terms of such mortgage to the time of such redemption. In the event of any such redemption the mortgage shall be revived and continued as security for all subsequent installments payable under the terms of the mortgage.

Mr. BLANTON. I sincerely hope that the gentleman from Pennsylvania [Mr. MCFADDEN] and his Committee on Banking and Currency will promptly consider and favorably report to the House for passage either my above resolution, or one of the similar measures now pending before such committee. Such a measure should be passed without delay.

Just before we adjourned for the Christmas holidays we passed a bill appropriating an additional $150,000,000 for the Federal Farm Board, to enable it to try to render some assistance to farmers. We also passed a measure providing $116,000,000 to relieve unemployment, of which sum $80,000,000 becomes additional funds for building public highways, to be spent in every congressional district in the United States. We also passed in the House legislation authorizing this $45,000,000, which we are now appropriating, to be loaned to distressed farmers in drought-stricken areas of the United States. I have helped to incite and pass all of these measures. I do not know just how much relief they are going to afford to men and women and little children now suffering over the United States, but they were the best we could get the administration to allow, and we have to take our chances on them. But they will be futile and of little avail, so far as distressed farmers are concerned, if we allow these Federal land banks to unroof our farmers and take their farms away through foreclosures.

This question is now fairly before this Congress. It has been fairly placed before this administration. If relief from these foreclosures is not granted, let the President and his administration be responsible and take the consequences.

Let me call attention to one other matter: Reduced freight rates were granted on feed, but not on seeds. Receiving a number of complaints, on October 14, 1930, I wired Secretary Hyde that the business men of Abilene had shipped in two cars of seed wheat which they were distributing to farmers at actual cost for sowing purposes, and that the Texas & Pacific Railroad had charged full freight tariff on same. The chamber of commerce in Breckenridge experienced the same treatment. I urged the Department of Agriculture to have seed grain given the same emergency reduced freight rates as had been accorded to stock feed and other commodities.

On October 15, 1930, Dr. C. W. Warburton wired me that his department had requested that reduced freight rates be allowed on seed grain, but that the railroads had refused to grant same. Why was it that the Department of Agriculture did not get the Interstate Commerce Commission to compel the railroads to grant it? Did it leave the matter entirely with the railroads?

I am one of those here, Mr. Speaker, who is going to demand on behalf of the suffering people throughout the United States that some real beneficial relief be granted them. For years I have fought on this floor against anarchy and bolshevism, but it is not anarchy and bolshevism for helpless farmers in England, Ark., to demand food for their starving wives and children. It is just what you and I would demand if our wives and children were starving. And Congress must not let them starve.

Mr. BYRNS. Mr. Speaker, I ask to be recognized for five minutes.

The SPEAKER. The gentleman from Tennessee is recognized for five minutes.

Mr. BYRNS. Mr. Speaker, I rise simply to express my gratification that every one in the House seems to approve this appropriation of $45,000,000, to be loaned to drought-stricken farmers, or to farmers in the drought-stricken areas. Personally, I would have been glad to support a larger sum and would have done so if the law had so authorized. I feel that a larger sum ought to have been appropriated for this purpose, and I voted for the amendment to the authorization bill providing for $60,000,000, feeling that it was needed, and that the administration should have that fund at its command, knowing that if he did not have bona fide applications for that amount the excess sum would remain in the Treasury.

I am peculiarly pleased that there is no opposition to the $45,000,000 appropriation, in view of the fact that many of the leaders on the other side of the Chamber took such a positive and emphatic stand against making an appropriation of more than $30,000,000. I was surprised and greatly pleased when I read in the Washington Post this morning an interview with my highly esteemed friend, the gentleman from Connecticut [Mr. TILSON], the leader on the majority side, in which he referred to the fact that we were about to appropriate $45,000,000 for the relief of the drought-stricken farmers, and, as I read the interview, he expressed some satisfaction in the fact that we were doing at least that much for the farmer. My surprise was caused by the fact that I knew when the bill was under consideration the gentleman was one of those who most forcefully opposed increasing the sum over and above $30,000,000. I congratulate the distinguished majority leader on the fact that he has finally changed his mind. He is a wise leader who knows which way his crowd is headed. [Applause.]

Mr. JONES of Texas. Mr. Speaker, will the gentleman yield?

Mr. BYRNS. Yes.

Mr. JONES of Texas. The item of $1,000 for law books was referred to a moment ago. It is not the intention of that item, is it, to use the law books to make it harder for the farmers to get the money?

Mr. BYRNS. That matter was gone into by the committee, and I think the entire committee when it was first proposed was disposed to strike it out. Doctor Warburton, the representative of the Agricultural Department, who with the Secretary appeared before the committee, stated that it might possibly be needed. He said it was necessary for those representing the legal department in the Department of Agriculture to know just what the laws relating to chattel mortgages, registration, and the various statutes affecting such mortgages were in the various States, and that they differed in the various States. They had found from experience that some States were not in a position to furnish copies of these particular laws, and he stated this was an emergency proposition and would be used only in cases where they could not procure the information quickly from the States, and that this would enable the department to act quickly in all cases and prevent possible delay in some States.

Mr. JONES of Texas. My question was facetious. I understood the necessity of their having the various laws available. I am glad the committee saw fit to appropriate the full forty-five millions.

The SPEAKER. The time of the gentleman from Tennessee has expired.

Mr. BLACK. Mr. Speaker and gentlemen of the House, this bill appropriates money to take care of some farmers who have suffered by an act of God, not by an act of the administration necessarily, because so far we have not gotten to the point where we think the President of the United States has any direct connection with God Almighty. However, Mr. Speaker, the people of the cities are starving and suffering and they are in distress through acts of the administration or through lack of action by the administration, but there is no movement made by the administration forces to take care of the distress in the cities. I think it is about time that the men from the big cities, from all of the cities, should organize in this House to protect the people in our voting backgrounds. Year in and year out we have been pouring city taxes into farming districts for farm relief. In good times and in bad the farmers are always here with their hats in their hands begging for relief from the Government. We can not even get the administration forces to consider Senator WAGNER's bills in aid of the unemployed, making opportunity for the unemployed.

I was interested in the colloquy between my friend from Michigan [Mr. KETCHAM] and the distinguished chairman of the committee, the gentleman from Indiana [Mr. WOOD]. The gentleman from Michigan asked whether this were not the best way to help the city people by getting food for the farmers. Let us try it the other way. We will help farmers by getting a little food to the city people. I do not know what his idea is. I suppose when the farmers are well fed they will send them to the city and transfuse a little well-fed blood from the farmers to the city people.

I want to congratulate my good friend the President on keeping one pledge. He has kept one pledge. This is from his speech of acceptance:

> Our workers with their average weekly wages can to-day buy two and often three times more bread and butter than any wage earner of Europe. At one time we demanded for our workers a "full dinner pail." We have now gone far beyond that conception. To-day we demand larger comfort and greater participation in leisure.

He kept that promise and he has given us a surplus of leisure.

Mr. CRISP. Mr. Speaker, I ask unanimous consent to proceed for five minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CRISP. Gentlemen of the House, I may be able to give some of you some information as to how this fund will be administered.

With the exception of a few counties, my State will not be able to participate in this loan, but for two years loans have been made by the Government in certain Southern States, my own State included, for flood damages. The policy pursued by the Department of Agriculture, under the direction of Doctor Warburton, will, I presume, be the plan followed in the administration of this fund. That policy was that as a condition precedent to a loan being made, the borrower could not borrow the money from any other source. Then he had to give a first-mortgage lien on his crop. If he was a tenant, the landlord had to waive his superior lien, the Government having a first lien on the crop to be produced.

The maturity of those notes was arranged in accordance with the nature of the crop, the maturity date being placed sufficiently in the future to enable the crop to mature. They charged 5 per cent interest on those loans. A loan committee was appointed in each of the counties which was to receive any of the funds, to pass upon the application for loans. On that committee was a banker, some business men, and the county agent, and when the applications were made, setting out all the facts, this loan committee passed on the applications. If the committee recommended the loan to be made, it was sent to the Federal agent at Columbia. That was the policy pursued in the administration of the other loans.

Year before last, in my own State, 94 per cent of the amount loaned was collected and repaid. I do not have the figures of the amount collected last year—1930.

Mr. BYRNS. Will the gentleman yield?

Mr. CRISP. I yield.

Mr. BYRNS. May I say to the gentleman I am sure he will take pride in the fact that of all States in which loans have been made during the past, Georgia has the best record in the matter of repayments.

Mr. CRISP. My modesty prevented me from throwing a bouquet at my own people, but I do recognize that fact and I appreciate it. Georgians will pay their obligations if it is possible for them to do so.



Mr. BYRNS. I think the gentleman will find that Doctor Warburton states that according to collections made this year the average collection is 94 per cent.

Mr. CRISP. That is true, although while we had a good crop the price is about one-third of what it was last year. Our economic situation is distressing, but we had a good crop, and I have advised my people that I do not see how they can ask for a loan under this drought-relief measure when we had a good crop.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. CRISP. I yield.

Mr. LAGUARDIA. What provision will be made for the recording of these liens for the Government? Will it be the same as for a chattel mortgage?

Mr. CRISP. Under the law of Georgia the clerks of the court, who record these papers, are not paid salaries. They are entitled to so much per 100 words for recording mortgages, deeds, and so forth. The Department of Agriculture took the matter up with the various clerks and endeavored to get them to charge a minimum price for recording these liens, and a great many of the clerks made a nominal charge of 15 cents or 25 cents.

Mr. LAGUARDIA. But the liens will be recorded so that a purchaser would have notice?

Mr. CRISP. Oh, yes. They are recorded. I will say to my friend from New York that, of course, under the law when a mortgage is recorded it is legal notice to everyone, but in addition to that the department, before the crop matures, sends out a notice to all banks, cotton factors, and others dealing in these commodities of the fact that they have this lien on the crop, and put them on actual notice that if they bought it they would buy at their peril. They do that in addition to the recording of the martgages, which, of course, legally gives full notice.

Mr. LAGUARDIA. Will the gentleman add, for the purpose of the RECORD, that this extra notice is not necessary.

Mr. CRISP. It was not necessary.

Mr. BRAND of Georgia. Will the gentleman yield?

Mr. CRISP. I yield.

The SPEAKER. The time of the gentleman from Georgia has expired.

Mr. BRAND of Georgia. Mr. Speaker, I ask unanimous consent that the gentleman may proceed for one additional minute.

The SPEAKER. Without objection, the time of the gentleman from Georgia [Mr. CRISP] will be extended one minute.

There was no objection.

Mr. BRAND of Georgia. Doctor Warburton, in answer to my question, when he appeared as a witness before the Committee on Agriculture, on the last drought bill relating to the Southeastern States, said that Georgia had paid back a greater percentage of the loan than any other State in the Union.

Mr. CRISP. Yes. That is highly to the credit of Georgia.

Mr. SABATH. Mr. Speaker, I ask unanimous consent to proceed for five minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SABATH. Mr. Speaker and Members of the House, for many, many years I have voted for every farm-relief measure and for every bill that would tend to aid the farmers, and I shall gladly vote for this appropriation; but, the time has arrived when it is absolutely necessary that we also take care, not only of the farmers but the millions of starving people in the cities. I deplore the fact that I am obliged to make this statement, but even in the great city of Chicago there are thousands and thousands of people who are without food and without shelter. We are doing the best we can to provide for them. As I stated, I will gladly vote for any appropriation to relieve any distressed people, but the time has arrived when we should take into consideration that there are other people than those in the farming communities who need relief.

Now, I wish to address myself to the Members of the House who profess to represent the real farmers living on the farms, and I am going to ask them whether they believe the farmer will be benefited to any extent by this appropriation. Personally, I am of the opinion that the greater the yield, the greater the crop, the less the farmer will receive; and from the experience I have had for many years in farming I can not see how any of the farmers can return or repay this money to the Government. I believe the farmers and the country as a whole would be better off if we would produce less, so that the farmer could secure fair prices for the crop that he raises. In this way the money that we will advance to increase crops will mean only a reduction of the farmers' revenues.

If prices should continue as they are now for wheat, corn, or for any other farm crop, I can not see how a farmer can raise a crop and secure any compensation for his labor or his services.

Mr. PATTERSON. Will the gentleman yield?

Mr. SABATH. Yes.

Mr. PATTERSON. Does the gentleman from Illinois believe there is a surplus of food in the United States to-day?

Mr. SABATH. Well, of course there is, and the gentleman knows there is.

Mr. PATTERSON. Then why is it that these millions of people who are hungry do not have some of that surplus?

Mr. SABATH. Because of the deplorable conditions which are permitted to exist, which have thrown 7,000,000 people out of employment and who therefore lack the means to purchase any food. If Congress and the administration would take the proper steps, I think conditions could be adjusted and would be adjusted so as to bring about relief within a short space of time. Unfortunately, there are a few Wall Street financiers and manipulators who are responsible for the prevailing conditions, but somehow or other we are not strong enough or we do not have courage enough to eliminate these deplorable evils and these deplorable conditions which prevail throughout this Nation.

Within a couple of days I am going to submit to the House facts and figures which will astound you gentlemen and which will prove beyond any question that we can bring about a resumption of business and that we can bring about relief of present conditions if we are courageous enough to act. [Applause.]

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for five minutes. [Applause.]

The SPEAKER. Is there objection?

There was no objection.

Mr. SCHAFER of Wisconsin. Mr. Speaker and Members of the House, although I represent a city district I am glad to support the bill which is now pending. I take the floor at this time to state that I sincerely hope that in the near future we will have a bill and resolution before us for a vote which will provide relief not only for the farmers but for all of the people of our great country—a resolution providing for the repeal of the eighteenth amendment [applause] which has changed our Constitution from a charter of rights and liberties to a criminal-statute book, and a bill providing for the repeal of the sumptuary Volstead and Jones Acts enacted thereunder.

I was surprised to see the gentleman from Texas, my good friend Mr. BLANTON, inject himself into the debate this afternoon and call attention to the deplorable condition of the farmers in his great State of Texas. We can not but remember that less than a year ago the father of the eighteenth amendment, who comes from the great State of Texas, delivered a radio broadcast over a chain system from the Nation's Capital and pictured the wonderful prosperity on the farms and in the cities of our land, including the State of Texas. He told of the good prices being received for farm products, the good wages being paid, the increased savings accounts, the increased bank deposits, the increased life-insurance policies, and home ownerships, and so forth, and as a climax he claimed that all of the exceptional prosperity which existed in the State of Texas as

well as in the rest of the Nation was the result of 10 years of prohibition. If at that time business conditions and prosperity could be claimed as the result of prohibition, then my friends, the exponents of the eighteenth amendment from the State of Texas must necessarily at this time agree that the present extraordinary depression is caused by 10 years of these sumptuary prohibition laws.

In the last election even the people of the State of Illinois spoke overwhelmingly in opposition to prohibition. There were many Members in this House from the State of Illinois who told us that a referendum in that State would show that Illinois was dry. I sincerely hope that my Republican brethren will heed the prohibition casualties in the last election and repeal the sumptuary dry laws. I ask them to remember the misrepresentation in the last campaign through the political maneuvering of demagogic Democrats. [Applause.]

From the evils of prohibition we can not expect any relief from the Democratic Party. The heart of the Democratic Party is below the Mason and Dixon line, which is the heart of the dry movement. [Applause.] The Democratic politicians and statesmen from below the Mason and Dixon line are so dry when it comes to voting and talking that they squeak. In the last presidential campaign the Democratic Party wrote into its platform the driest plank of any party and then jumped on the band wagon of the Governor of New York and followed the whip crack of Mr. Raskob. I suppose that in the next presidential election those southern dry Democratis will again follow Mr. Raskob. When we examine the record of the Democratic Party with reference to these sumptuary prohibition laws we must realize that we can not expect any relief from that party. After the election of 1928, when the appropriation for the enforcement of prohibition came before this House, the Democratic leaders endeavored to provide $25,000,000 more of the people's money to enforce these iniquitous laws, and a record vote shows that nearly all the Democrats followed them.

So, my good wet Republican brethren, take care of your own party and do not fall for the maneuvers of the dry Democratic Party from the Southland when it follows the whip crack of Mr. Raskob in presidential campaigns. [Applause.]

The SPEAKER. The time of the gentleman from Wisconsin has expired.

Mr. PARKS. Mr. Speaker, I ask unanimous consent to proceed for five minutes.

The SPEAKER. Without objection, the gentleman from Arkansas is recognized for five minutes.

There was no objection.

Mr. PARKS. Mr. Speaker and gentleman of the House, I have witnessed and listened to what occurs to me as one of the most marvelous things I ever imagined could happen in this great Congress. With millions of people walking the streets of the cities and the highways and the lanes and the fields of the country, begging for bread, we have taken up time here for a man who has large unemployment in his district and in his city to deliver a lecture on the liquor question. [Applause.]

I live in a State that never appealed to this Congress before in all its history, and to-day, without any fault of their own, under this marvelous Republican-prosperity administration, we have 50,000 people whose families are without bread. It is not their fault. They are not men who do not want employment. They are men that have given their service and offered their lives to their country and are willing to do it to-day, and here we stand frittering away the time of this Congress listening to a speech on the liquor question. I bring to you now the voice of starving children. I bring to you to-day the voice of the fathers and mothers of this land who are appealing to this Congress to give them an opportunity to earn a dollar. We are not asking charity. We have had the most serious drought that ever fell upon any land. We have had the greatest calamity in the business world that has come since the Civil War. Men by the thousands are marching from one place to another seeking employment. They are good citizens, men who went to the World War, men who all their lives have made contributions to charity, but to-day their children are without food, without clothing, without an opportunity to go to school, and here we stand turning a deaf ear to such an appeal from them.

Mr. JOHNSON of Oklahoma. Will the gentleman yield?

Mr. PARKS. With pleasure.

Mr. JOHNSON of Oklahoma. May I say to my good friend from Arkansas that I am deeply interested in the forceful appeal he is making for the hungry and starving citizens of Arkansas? Permit me to remind the gentleman, however, that of the $45,000,000 this Congress is about to appropriate for so-called drought relief not one penny under the interpretation as announced by the Secretary of Agriculture will be spent for food for the starving people of Arkansas, Oklahoma, or any other State, unless the Caraway amendment, or some other amendment, is adopted allocating a portion of this relief fund to buy food for the hungry; that this administration considers it more important to feed a cow or a calf than a hungry mother or a starving child.

Mr. PARKS. Yes. They tell you that we will feed the jackasses, but not the babies. That is the declaration of this administration, although not in actual words.

Now, I want to say something about the Red Cross. Nobody has greater reverence for the Red Cross than I have. They say they can handle the situation. I say to you that they can not do it. They have four and a half million dollars to take care of the distress in this Nation. Think of it! Two dollars and seventy-five cents per month is what they give to a starving man's family. The Red Cross has not the money. They may have the will to do it, but they have not the money. This Congress ought to give $40,000,000 to the Red Cross now, and let them feed these starving children.

Mr. GOLDER. Will the gentleman yield?

Mr. PARKS. With pleasure.

Mr. GOLDER. May I ask how much the gentleman's State has appropriated for the relief of the starving within his own State?

Mr. PARKS. The gentleman means the State legislature?

Mr. GOLDER. Yes.

Mr. PARKS. It is not in session and has not been in session.

Mr. GOLDER. Does the governor have the right to call it into special session?

Mr. PARKS. Yes. It meets in a few days, but the State has not the capacity. The State is busted too. My God, do you think starving people can pay money into a State treasury? They can not pay their taxes this year.

Mr. GOLDER. That is a sad commentary on the gentleman's State.

Mr. PARKS. It is a sad commentary. Whose fault is it? They are honest, law-abiding working men and women. The gentleman may live in a district where everybody has plenty of money, but my people are farming people, business people, and they are even oil people. The great oil companies are refusing to buy the products of the independent oil operators in order to shut them down, and they are in a sad condition.

The SPEAKER. The time of the gentleman from Arkansas has expired.

Mr. WOOD and Mr. PATTERSON rose.

Mr. WOOD. Mr. Speaker, I move the previous question.

The previous question was ordered.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. WOOD, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

THE DEFICIENCY APPROPRIATION BILL

Mr. WOOD, chairman of the Committee on Appropriations, by direction of that committee, submitted a report on the bill (H. R. 15592, Rept. No. 2178) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1931, and for prior fiscal years, to provide urgent supplemental appropriations for

the fiscal year ending June 30, 1931, and for other purposes, which was read the first and second time, and with the accompanying report, referred to the Committee of the Whole House on the state of the Union and ordered printed.

Mr. BYRNS reserved all points of order.

Mr. TILSON. Mr. Speaker, I wish to announce that the bill that has just been reported from the Committee on Appropriations, the deficiency appropriation bill, will be taken up for consideration to-morrow.

ARMY APPROPRIATION BILL

Mr. BARBOUR, from the Committee on Appropriations by direction of that committee reported the bill (H. R. 15503, Rept. No. 2179) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1932, and for other purposes, which was read a first and second time, and with the accompanying report referred to the Committee of the Whole House on the state of the Union and ordered printed.

Mr. COLLINS reserved all points of order.

A PROPOSED CURE FOR THE FINANCIAL DEPRESSION

Mr. McCLINTIC of Oklahoma. Mr. Speaker, I ask unanimous consent to extend my own remarks by printing a letter received from the district that I represent.

The SPEAKER. Is there objection?

There was no objection.

Mr. McCLINTIC of Oklahoma. Mr. Speaker, this morning, before breakfast, I was awakened by a messenger who brought a special-delivery letter from a certain individual residing in Boston, Mass., in which he asked permission to address a joint session of the Senate and House of Representatives for the purpose of presenting a plan which would solve the chaotic condition that exists throughout the Nation. I have received a number of communications containing suggestions as to reasons covering the present financial depression, and while I do not know very much concerning the merits of such pronouncements, yet I have decided that inasmuch as one of the authors of such a plan resides in the congressional district I have the honor to represent to present the same to the United States Congress without comment. It is as follows:

JANUARY 1, 1931.

Hon. JAMES V. McCLINTIC,
Washington, D. C.

MY DEAR SIR: Here I am again. But this time with an open proclamation, as the only authority in the whole universe, on the present great economic chaos of the nations and as the only man who can deliver the goods. I am still the discoverer and author of the "Universal Constitution," for whose "introduction" the present great economic chaos of the nations is being introduced. And therefore as long as this instrument remains in reserve, the present great economic chaos of the nations is to continue without abatement until the "Universal Constitution" shall have been accepted by all nations in all its fullness and design.

So you see principally I am depending upon the present great economic chaos of the nations for the introduction of my work. But, as this instrument is a direct governmental affair, there is also a human side to this constitution, and of this design I am informing you, as the duly representative in our Government, of what there is in store for all nations and under what conditions they may be delivered from the present universal chaos, of which they are an object of force.

Please permit me at this point of discussion to correct a slight but not unimportant misapprehension on your part concerning the "Universal Constitution." From your letter, dated June 27, 1930, I understand that you look upon my work as a spiritual matter and therefore not appropriate for political application. Here is the solution: My work is a direct commercial issue but with a spiritual design. Not a spiritual issue. You will not find one single statement—unless designed for education—either in my letter or in the printed booklet, which are not of direct commercial application.

But here is a commercialized secret. A reversal has taken place in the economic foundation of human government, from 1914 unto 1928, because of an "outconstructed" design. Prior to 1914 the issue of the nations was a commercial issue, but with a political design. Whereas since 1928 the issue of the nations is a commercial issue, but with a spiritual design. And of this change the present great economic chaos does not respond to any political nor commercial treatment. If no reversal had taken place, and if there was still a political design in the present great economic chaos, and if not "outconstructed," it should be comparably small matter to restore the world to normalcy. Indeed, it would restore itself of its own laws, as it always has done prior to 1914. But alas! The great issue before the nations at this event is economic, but the principle involved and the remedy constitute a "moral issue." And of this design the present great economic chaos will develop into a world-wide "moral uprising" against the present organized system, because there is no honor, wealth, nor position of men exempt from the present economic insolvency.

Money appropriations for commercial expansion constitute no remedy for an "outconstructed" system. They not even constitute temporary relief, and in most instances made bad matters worse. A boat that is sinking can not be kept afloat by adding more weight. Therefore, the present great economic chaos can not be remedied through a commercial adjustment as the term of the issue would indicate, but demands a new world order.

Both the minds of the nations and the institutions of the nations are insolvent, because of an "outconstructed" design of world government. Which fact is commercially introducing itself. Our Nation, although in the same boat with all the other nations of the world, has occupied a preferred position commercially in this great chasm of insolvency up to 1928. But in 1928 the veil of this preferred commercial position slowly began to lift itself when with the beginning and following the New York stock market crash the institutions of this Nation find themselves in the same commercial chasm common with all nations. It is a commercial delusion to think that this our Nation can remedy its own present economic chaos independently of other nations. It can not be done.

The causes of the great chaos are not many, but only one for all nations, and the remedy is one for all nations.

There is an involuntary self-destructive proclivity incorporated in the present institutions of the nations because of an "outconstructed" design. The year of 1930 has been a very destructive one, especially for this Nation. But the year of 1931 will be far more destructive to the commercial structure of this Nation than its predecessor. The big city institutions of this Nation will keep on falling as if they had the "flu."

In accordance with the universal, unobstructed progress of the present great economic chaos, toward a designed end, great elemental disturbances may add an additional calamity to an already universal insolvency. But I do not place any weight upon that which is abstract. But all of my judgment is based upon knowledge of the true "cause and objective," as the same is incorporated and forthcoming from the present great economic chaos which is already here.

This is the first time in the history of the world that a universal demand is made upon both men and his government, to know the true "cause" of the present great economic chaos of the nations, because of an "outconstructed" design, every issue of men constitutes a commercial blockade, both without and within each nation. All other political and commercial chaos of nations prior to 1914 were self-adjusting issues because they were not universally "outconstructed." And although both governments and private institutions have spent millions of dollars and have exhausted every means of investigating the present cause, the year of 1931 will make a greater demand upon the governments for knowledge than any of its predecessors, because of its increasing terror and "moral" servitude.

A year ago I stated this country must choose between a dictatorship or commercial destruction. Which statement holds good for 1931. But unless our Government, first of all, knows of the true cause of the present economic chaos and its objective, I would not advise such a dictatorship. You can cure a sick giant with poison, and kill him with poison—it is all a matter of knowledge.

And, therefore, I am introducing myself as the only authority in the whole universe concerning the true "cause and its remedy" of the present great chaos of the nations. And if those who are connected with the responsibility of our Government are prepared to know what is the matter with the world, I am ready to demonstrate personally my universal, as well as national authority on this subject, in such a plain manner from which no nation has recourse.

Now, my dear Mr. McCLINTIC, you have no doubt gained the impression from my printed literature, and from personal correspondence for over a number of years, that I already long ago claimed to be the only authority in the whole world on the present change in the world's administration. But I had to wait to come out in the open with my declaration until the present great economic chaos of the nations should self-introduce the fact that there is no one—outside myself—who knows what's the matter with the world, to use a common expression frequently used by the "best minds" when the chaos is in question.

My challenge, directed against all organized and unorganized expert knowledge of the whole world, as to the only authority on the present issue of the nations, is rather representative of the power incorporated in the great chaos, which is defying every effort of the nations to restore the world to normalcy, because a new world order is in its process, and therefore only a personal challenge as a "second cause."

I don't know whether official Washington is prepared at "this day" to either accept or refuse to know the cause of the world's chaos. I leave this decision and the manner of introduction to your judgment, provided you see clear to do anything at all in the matter. My conclusion as to the introduction of this subject matter is this, that neither the President nor the Members of Congress know whether they are prepared or not for anything like this until the news be presented to them.

The world is entering the new year with the dark clouds of an insolvent mind and an insolvent institution hovering above

every foreign capital. From hence they spread their calamity over all their constituents, searching in vain for a remedy. But the same dark clouds of an insolvent mind and an insolvent institution are hovering over the Capital of this Nation. From hence these dark clouds of human philosophy cover the whole Nation with an "unobstructed" insolvency that is forcing the "scribes" of the Nation to proclaim ever now and then "that there is no man who knows what's the matter with the world." What a philosophy? What a condition. And how true?

Who wouldn't like to know, as there can be no remedy without first knowing the cause of the world's sick giant?

Please pardon me for such a lengthy letter. My mission seems to demand it. I have added a few new pages to the printed matter, and, therefore, I take the pleasure in sending you another copy under separate cover for your further information on the great issue before men and nations at this event.

Respectfully yours,

J. BRUNKEN.

P. S.—Dictatorship or Commercial Destruction—Which? See page 62 A. Caught in a Trap. See page 10 A. What Has Become of the "Law of Supply and Demand"? See page 36 A–B.

To say that the institutions of this Nation are "bankrupt" is misleading in the extreme. If this Nation was financially and commercially bankrupt, in the old-time sense of the word, there is a remedy. But, as they are confronted with an "out-constructed" bankruptcy, which is not only a commercial bankruptcy, but also constitutes an "insolvency" of the mind, nothing but entirely New World government can satisfy the present situation. The present great economic chaos of the nations is only a demonstration of the insolvency of the minds of men, and, therefore, the issue calls for knowledge instead of merchandising.

J. B.

ALASKA GAME LAW

Mr. SNELL took the chair as Speaker pro tempore.

The first business on the Consent Calendar was the bill (H. R. 11285) to amend the Alaska game laws.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that this bill go over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

AMENDING THE IMMIGRATION ACT OF 1917

The next business on the Consent Calendar was the bill (H. R. 10881) to amend section 24 of the immigration act of 1917, as amended.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that this bill go over without prejudice.

The SPEAKER pro tempore. Is there objection?

Mr. LAGUARDIA. Reserving the right to object, I recall that the gentleman from Wisconsin and the gentleman from Ohio had quite a lengthy discussion on this bill when it was last up. It is my impression that at the close of the last session the gentleman from Wisconsin had seen the merits of the bill and had withdrawn his objection.

Mr. STAFFORD. The gentleman is mistaken about our having a long discussion on this bill. It was on a bill relating to naturalization——

Mr. LAGUARDIA. The bills are somewhat related.

Mr. STAFFORD. I do not think that at the present time the bill in its present form should be considered. I wish to give further consideration to the various things recommended by the committee.

Mr. LAGUARDIA. Will the gentleman be ready to consider it on the next consent day?

Mr. STAFFORD. Either with an objection or an amendment. I understand the gentleman from New York has a large number of constituents affected by these bills.

Mr. LAGUARDIA. There is not one resides in my district but I served with some of these men 25 years ago and I know that they are underpaid.

Mr. STAFFORD. The gentleman wishes to single out one branch of the service instead of considering the whole service.

Mr. LAGUARDIA. My record on this floor does not carry out the gentleman's statement at all.

Mr. STAFFORD. The gentleman is in favor of increasing all salaries regardless of the merits.

Mr. LAGUARDIA. That is not so.

Mr. JENKINS. The gentleman from Wisconsin is an expert and probably understands these matters as well as anyone else; I would like to ask the gentleman if, when he studies the bill again and he finds any objection, he will be kind enough to communicate with the gentleman from New York and myself, and we will do what we can to obviate his objection.

Mr. STAFFORD. There is no formal ban on any Member coming to my office and conferring with me on any occasion, even at midnight or an early hour, with regard to these bills.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection, so the bill was passed over without prejudice.

TO AMEND SECTION 22 OF THE FEDERAL RESERVE ACT

The next business on the Consent Calendar was the bill (H. R. 10560) to amend section 22 of the Federal reserve act.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

Mr. LAGUARDIA. Reserving the right to object, I want to ask the gentleman from Georgia if an amendment at the end of this bill, something like this, would not meet some of the objections—that nothing in this act shall affect any law of any State or the right of prosecution thereunder. A judgment of conviction or acquittal on the merits under the law of any State shall be a bar to any prosecution hereunder for the same act or offense.

Mr. LAGUARDIA. Besides, if the State steps in and acquires jurisdiction that would be sufficient.

Mr. BRAND of Georgia. I have no objection to that amendment.

Mr. BLANTON. When this bill was under consideration on last consent day, the statement was made that there were no false reports relative to certain banks which had suspended, but since then knowledge has come to us that a large bank in New York, one in Philadelphia, and one in Baltimore were closed because of false reports.

Mr. LAGUARDIA. The gentleman can readily understand in panicky days how easy it is to start something.

Mr. BLANTON. And therefore it shows how very important this bill is and that it should have been passed long ago.

Mr. LAGUARDIA. We have such a State law, as the gentleman knows. Objection was raised every time the gentleman from Georgia sought an opportunity to have his bill considered, as to the conflict between the State laws and the jurisdiction of the Federal laws. I think this amendment, which I have taken from another bill which passed this House, will safeguard the State prosecution, and if the State steps in and takes jurisdiction, that is all we seek to do.

Mr. BRAND of Georgia. I freely admit that this objection has been urged and entertained by several gentlemen on both sides of the House, and, being a wise suggestion, I gladly accept the amendment.

Mr. RAMSEYER. If the State steps in and takes jurisdiction, what is the necessity for a Federal law?

Mr. LAGUARDIA. Because some States have no State laws, and this is in reference to Federal reserve banks.

Mr. BRAND of Georgia. National banks and member banks of the Federal reserve system.

Mr. RAMSEYER. The States have just as much interest in protecting the property of the national banks as they have of the State banks. The national banks are owned by local stockholders unless they are chain banks. They are patronized by the local people. If a State is content to go without a law like this, why should the Federal Government step in with its power to protect only the national banks and not the State banks?

Mr. LAGUARDIA. What would the gentleman do in case a deliberate, vicious, and malicious movement should start a run on a bank through a telephone message, say, from the State of New Jersey over to the State of New York?

Mr. RAMSEYER. To begin with, I do not think such a thing would disturb sensible people in another State.

Mr. LAGUARDIA. But you are not dealing with sensible people when you are dealing with depositors who have been stuck so often. You can not blame them for being panicky.

Mr. BRAND of Georgia. How can a State bank slander law of one State take care of a case when false and malicious reports involve a national bank or member bank of the Federal reserve system located in another State?

Mr. RAMSEYER. The States can make it criminal to slander any bank or trust company. A national bank is a bank operating within a State, and certainly the State law can cover the case of a national bank as well as it can cover the case of a State bank. Robbery or burglary of a national bank is an offense against State laws. State laws cover offenses against national banks as well as against State banks. Robbery from a national bank or burglary from a national bank is covered by State law.

Mr. BRAND of Georgia. But these State laws do not cover such cases as are contemplated to be taken care of and reached by the pending bill. State laws do not extend to or include false and malicious reports made in one State about banks located in a different State.

Mr. RAMSEYER. Why does not the gentleman propose a law making it a crime to rob a national bank and then carry the proceeds of the robbery across a State line? That would be along the line of the Dyer automobile theft law.

Mr. STAFFORD. The gentleman from Georgia states that the State laws are not broad enough to include such malicious acts committed against national banks. I have examined the local law of the State of Wisconsin, and it is broad enough to cover offenses against all banks.

Mr. BUSBY. That is not the situation at all; but suppose you have national banks in States where they have no State laws.

Mr. RAMSEYER. What kind of State laws?

Mr. BUSBY. Against slander, covering the same field that this bill covers. The Government wants to protect these national banks, and how is it going to be done if there is no State law, if a law similar to this is not enacted?

Mr. RAMSEYER. Would the gentleman propose a law making it a crime to burglarize a national bank? The States know how to take care of and protect the property of both national banks and State banks. Reserving the right to object, Mr. Speaker, let me state this: This bill, or a bill of similar purport, was before the House last March, I think probably about the 5th or 6th. It was called up by the Committee on Banking and Currency and was thoroughly discussed and debated. I probably would be credited with leading the opposition to the bill. At that time I stated my objections to that kind of a bill quite fully. I am still opposed to the principle of this bill, just as strongly opposed to it as I was when the bill was up before. If the gentleman insists upon having it considered, I shall be forced to object.

Mr. BRAND of Georgia. Will the gentleman allow me to answer the question that he asked?

Mr. RAMSEYER. I simply reserve the right to object, and I shall yield to the gentleman.

Mr. BRAND of Georgia. I want to answer the gentleman's question by quoting a few lines from the annual report of the Comptroller of the Currency.

Mr. RAMSEYER. Oh, I have read that.

Mr. BRAND of Georgia. When the gentleman asks a question he should not object to listening to the answer thereto. A good many Members on both sides may not have seen what the Comptroller General said on the subject.

Mr. RAMSEYER. If the gentleman wants to read that for the information of other Members of the House, I yield.

Mr. BRAND of Georgia. Here is what Mr. Pole, Comptroller of the Currency, said:

> It is again recommended that a law be enacted making it a criminal offense to maliciously, or with intent to deceive, make, publish, or circulate any false report concerning any national bank or any other member of the Federal reserve system which imputes insolvency or unsound financial condition, or which may tend to cause a general withdrawal of deposits from such bank or may otherwise injure the business or good will of such bank.

And that is my answer to one of the gentleman's questions. And this is my answer to the other one:

> Although the majority of our States have enacted bank slander laws, any one State law does not reach into another State. Therefore, where false and malicious reports may be circulated from State to State by wire, telephone, or radio, neither State can reach the offender in the other State. There are a number of such instances reported from time to time, and while bank slander bills have been passed in a majority of the States, as indicated above, a man who may be in California and maliciously publishes or circulates information derogatory, for instance, to a bank in St. Louis, the State law of Missouri can not reach this man, nor can any law effective in California assume any jurisdiction.

This is an excerpt from the report submitted on this bill by the chairman of the Committee on Banking and Currency of the House.

Mr. RAMSEYER. The gentleman is here and has heard all of that.

Mr. BRAND of Georgia. The gentleman was not here when this bill was called. I sent for him. He left the Chamber under the impression that this calendar would not be called to-day.

Mr. RAMSEYER. Well, the gentleman is here now.

Mr. BRAND of Georgia. Does the gentleman from Iowa object to stating his real reason for opposing this bill?

Mr. RAMSEYER. I stated my reasons when the bill was being considered before, and the gentleman from Georgia was present and heard those reasons and answered them in his way. I am opposed to extending Federal jurisdiction in criminal cases unless it is absolutely necessary. There is no such necessity for it in this case.

Mr. BRAND of Georgia. The general assembly of the gentleman's State has passed such a law.

Mr. RAMSEYER. Certainly. I am not objecting to the States passing laws to protect their banks, both national and State, against slander if they see fit to do so. My State has taken care of that kind of crime.

Mr. BRAND of Georgia. Your State passed a similar law to that which I am proposing here, except that it is stronger.

Mr. RAMSEYER. We have laws against theft and robbery and burglary, but the gentleman is not here advocating that the Federal Government should go there and displace the State in the enforcement of laws to protect property?

Mr. BRAND of Georgia. Of course not.

Mr. RAMSEYER. This is a law to protect property. The States ought to take care of that. If this bill is passed, we will have the same experience with this law that we have with the Dyer automobile theft law. The States simply laid down on the enforcing of laws against theft of automobiles. If an automobile happened to be carried over a State line, the case is turned over to Uncle Sam, and that is what will happen under the law proposed here.

Mr. BRAND of Georgia. Will the gentleman yield for a question?

Mr. RAMSEYER. Certainly.

Mr. BRAND of Georgia. The gentleman is a good lawyer——

Mr. RAMSEYER. That is not a question.

Mr. BRAND of Georgia. Does the gentleman contend that a State which has enacted a law against bank slander has jurisdiction to prosecute for interstate slanders based upon a false and malicious report against the solvency of a national bank or member bank of the Federal reserve system in another State?

Mr. RAMSEYER. I do not have the least doubt that a State law can be drawn to include slander of national banks. It is a new law in our State.

Mr. BRAND of Georgia. Well, why did the general assembly of the gentleman's State pass such a law?

Mr. RAMSEYER. They passed the law to protect national banks and State banks and trust companies against slander.

Mr. BRAND of Georgia. The Iowa statute will not protect national banks or State banks, members of the Federal reserve system, because the law does not extend to interstate slanders. The gentleman from Iowa did not know his State had enacted a bank slander bill when he spoke on the bill in March, 1929. He then distinctly stated that his State had passed no such law.

Mr. RAMSEYER. This law was passed by the last general assembly, which met in 1929, and I admit that at the time

this bill was being considered previously I did not know such a law had been passed in the State of Iowa.

Mr. BRAND of Georgia. Yes. But the gentleman said not that he did not know such a law had been passed by his State but that his State had passed no such law.

Mr. RAMSEYER. I admit it.

Mr. BRAND of Georgia. The gentleman did not do that until he saw proof of it.

Mr. RAMSEYER. Certainly not. Why should I admit anything until I see proof of it?

Mr. BRAND of Georgia. The gentleman innocently misled this House, because he made the positive statement in his address that the State of Iowa had passed no such law.

Mr. RAMSEYER. No, no; I was not misleading the House. I told the House then that if the Legislature of Iowa, on the demand of the people of the State, saw fit to pass such a law, that was up to them.

Mr. BRAND of Georgia. But the gentleman said Iowa had never passed any such law. This was an emphatic statement by a strong and influential Member of Congress, and was calculated to mislead.

Mr. RAMSEYER. I did. I admit I was in error then.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. RAMSEYER. I yield.

Mr. LAGUARDIA. The people in Iowa saw the necessity of such a law.

Mr. RAMSEYER. Yes.

Mr. DYER. Will the gentleman yield?

Mr. RAMSEYER. Yes; I yield.

Mr. DYER. If any State has a law that is defective and will not enable the State to properly prosecute those who would be covered by this legislation, that law can be amended. They can cover everything that is intended to be covered by this legislation if they desire to do so.

Mr. RAMSEYER. Certainly.

Mr. DYER. I think the Members of the House know very well that when Congress enacts a law making a certain offense punishable immediately the States turn everything over to the Federal courts and clog the Federal courts, and the States do nothing. They save the expense in connection with the prosecutions and they turn it all over to the Federal Government. I think the gentleman from Iowa is very timely in his statement that the States ought to do something in connection with prosecuting crime and not try to have the Federal Government take over the entire load.

Mr. CRAMTON. Will the gentleman yield?

Mr. DYER. Certainly.

Mr. CRAMTON. Does the gentleman not think it would be wise if the States would take over a part of the burden of punishing those who steal automobiles?

Mr. DYER. They do.

Mr. CRAMTON. There is quite a tendency to turn that over to the United States Government.

Mr. DYER. They do some of it, but they get out of every possible case. Wherever there is a chance for the State to get out, they get out. If a car is stolen in one State and is driven 20 miles into another State and the man is arrested there, he can be punished in the State court, but he is immediately turned over to the Federal court and the Federal court does not have the machinery for the prosecution of young boys. Recently a probation system has been established which is a great help, which permits the court to place some of these young men on probation. But prior to that time they were loading the penitentiaries with boys 18 or 19 or 20 years of age.

Mr. BRAND of Georgia. Would the gentleman from Iowa still object to this legislation if the amendment proposed by the gentleman from New York is added to it?

Mr. RAMSEYER. The amendment proposed by the gentleman from New York does not overcome my objection to the principle of the legislation. I object.

DIVISION OF SAFETY IN THE BUREAU OF LABOR STATISTICS

The next business on the Consent Calendar was the bill (H. R. 995) to create in the Bureau of Labor Statistics of the Department of Labor a division of safety.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, the gentleman from Indiana [Mr. HOGG] has been so kind as to furnish me with a letter from the Secretary of Labor indorsing this bill. I note that the letter from the Secretary does not suggest that he has consulted the Budget, as is the custom with such bills before making a favorable report upon them. I am going to ask consent to extend my remarks by inserting the letter, since I have referred to it.

The letter does urge the need of more personnel, but I am going to be obliged to ask that the bill go over because of the lack of a Budget report.

At the same time I would like to direct the attention of the department to this question, as to whether it is not possible now for the department to organize the personnel necessary to do this very thing? I am satisfied they have the authority, but in order to exercise that authority they will be obliged to go to the Budget, to the Appropriations Committee, and to the Congress and get the necessary money authorized. So they seek to beat the devil around the stump and take a short cut. They seek to get Congress to direct that the personnel be employed; but, in my judgment, this legislation is not at all necessary, and I hope the new Secretary will direct his attention somewhat to that phase of the question.

Mr. HOGG of Indiana. Mr. Speaker and gentlemen, this bill not only has the indorsement of the present Secretary of Labor but it had the emphatic indorsement of the former Secretary of Labor, Senator DAVIS.

Mr. CRAMTON. But not in any report ever made to Congress that my attention has been directed to.

Mr. HOGG of Indiana. The proceedings had before the Committee on Labor show his indorsement and deep concern that this bill be enacted, all of which may be seen if the gentleman from Michigan will take the trouble to examine the proceedings of the Committee on Labor.

Mr. CRAMTON. Has the gentleman any question about the authority of the Department of Labor now to collect statistics about accidents?

Mr. HOGG of Indiana. The object of this bill is not only to increase power of the Department of Labor to secure fuller statistics about accidents but to empower it to establish a museum wherein it may instruct and teach the smaller industrial concerns of this country how to avoid at least some of the many accidents which occur every day.

Mr. CRAMTON. Has the gentleman any question about the authority of the department to do that now, provided they get the money?

Mr. HOGG of Indiana. The department can not do that now. I want to say to the gentleman from Michigan and to the House that this is a most important measure. More than 20,000 laborers every year are being killed in the smaller factories of our country, and 200,000 of them are being injured parmanently, because of the lack of necessary care. What this bill does is to educate the smaller institutions of the country in such a way as to prevent at least a part of this most tragic and unnecessary loss in the mankind of America. I trust the gentleman from Michigan will not object. I have taken this up with the Budget and it offers no objection to it; it simply does not recommend passage. Secretary Doak says that the bill is worth an hundredfold of what it will cost. Human life is by far of more value than an opinion of the Budget.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. HOGG of Indiana. I yield.

Mr. LAGUARDIA. From our experience we know that the gentleman from Michigan and his fellow members on the Appropriations Committee always say that when a request is made to include something in an appropriation bill it is necessary to pass the necessary legislation to authorize the appropriation. Now, if we pass the necessary legislation, then the department will have to go before the Appropriations Committee and there go down on their knees, as everybody must do before that great committee, and make out their case and prove it beyond any reasonable doubt in

order to get the money, so that the Committee on Appropriations is in no way estopped from exercising its prerogative in fixing the amount that it thinks should be appropriated for this purpose.

Mr. CRAMTON. Unfortunately, that has not been the experience of the Appropriations Committee, and if special legislation is passed directing a certain thing to be done and the Appropriations Committee does not provide the money, then they get a panning from my friend from New York and others who are equally capable and astute in panning. I am now insisting that since they have a Bureau of Labor Statistics, that bureau has full authority to do this work, and it is desirable before we insist on their setting up an organization that the Bureau of the Budget check up to see what is being done by other bureaus and avoid duplication.

I will ask, Mr. Speaker, unanimous consent to extend my remarks by inserting the letter of the Secretary of Labor, to which I have referred.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The letter is as follows:

DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, December 30, 1930.

Hon. DAVID HOGG,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN HOGG: I have your letter of December 29, with a copy of your bill for the creation of a division of safety in the Bureau of Labor Statistics.

I need not here go into the lack of adequate statistics of industrial accidents, which forms the background for the purposes of this bill. All of this was detailed in the hearings before the House Committee on Labor, has been reiterated several times in the annual reports of this department, and is adequately summarized in the report of the House committee, No. 1392, which accompanied your bill at the second session of the present Congress.

There is, however, one point that does not seem to have been touched upon by anyone in the discussion of the bill, and that is the effect that its provisions will have upon supplying needed information to the small manufacturers and industrial operations throughout the country. It is in the smaller factories and upon the smaller industrial projects that industrial accidents are increasing most significantly at the present time.

These smaller employers of labor are not in a position to join such organizations as the National Safety Council; they are not in line to receive the industrial safety codes of the American Standards Association; they are not in position to employ safety engineers, nor to keep up with modern safety appliances and practices. This bill would enable the Department of Labor, through the Bureau of Labor Statistics, "to collect statistics of industrial accidents in all lines of employment; to collate and analyze such statistics with special reference to their causes, effects, and occupational distribution; to make general and special studies and investigations of labor-safety plans and devices of various kinds and of their need and adaptation as relates to different classes of machinery, processes of production, and undertakings of whatever nature in which labor is employed; to study all phases of the subject of occupational hazards and their prevention; and to make public the results of such investigations, examinations, and studies from time to time." Such information as is here indicated, made accessible to the small employer, would, in my judgment, reduce the accident rates among this class of employers sufficiently to save the cost and suffering of human accidents many hundredfold times more than any cost that could develop under this bill.

There is no other agency now even attempting to combine and unify such industrial accident reports as are available, except the work at present being done by the Bureau of Labor Statistics. Admittedly this work is wholly inadequate. Greater completeness of industrial-accident reporting, greater unity in the method of reporting, must be secured on the part of the States before such a clearing house as the bureau has attempted to maintain can be effective.

I am not only heartily in favor of the enactment of this bill but perhaps I ought to say to you that owing to the death of one of the employees of the bureau specializing upon this work and to the fact that the expert in charge of this work will within a few months have reached the age of retirement, and the necessity which faces the Bureau of Labor Statistics of radical curtailment of some lines of its activities in order to maintain other necessary lines, there is every prospect that the work now being done along this line will have to be abandoned. If this becomes necessary, it will put the Government in the position of having no contact with the vitally human problem of industrial accidents and workmen's compensation outside of the information furnished by the Interstate Commerce Commission upon the railway accidents and the Bureau of Mines upon accidents to miners. The enactment of this bill will materially strengthen the position of the bureau.

Sincerely yours,

W. N. DOAK, *Secretary.*

Mr. HOGG of Indiana. Will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. HOGG of Indiana. Mr. Speaker, the objection urged by the gentleman from Michigan is fully covered in the bill because it specifically provides that the work to be done by the proposed division of safety shall not duplicate in any way the work done by the Public Health Service, the Bureau of Mines, the Interstate Commerce Commission, or by any other governmental agency. The bill covers a wide field and covers a situation that is costing the workmen of America 20,000 lives every year and 200,000 permanently injured. There is no reason for waiting until the Bureau of the Budget gets ready to make a favorable report before the Congress of the United States has the right to enact this important legislation.

Mr. CRAMTON. The Congress has every right to enact it, but if the Congress is going to have a budget system that amounts to anything, it must at least give the Budget an opportunity to study the particular problem before we act upon it whether we follow this report or not.

Mr. LaGUARDIA. But this does not take away from the Budget any opportunity to pass upon the appropriation when it comes to them in the regular way.

Mr. CRAMTON. I am quite familiar with past history on that subject.

Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice in the hope the gentleman will get a favorable report from the Budget.

The SPEAKER pro tempore. The gentleman from Michigan asks unanimous consent that this bill be passed over without prejudice. Is there objection?

There was no objection.

ALLOTMENTS OF NATIONAL AID TO ROADS IN ALABAMA

Mr. ALMON. Mr. Speaker, I ask unanimous consent to extend in the RECORD a letter which I have received from the Director of Public Roads, giving the allocation of national aid to roads in the State of Alabama.

The SPEAKER pro tempore. The gentleman from Alabama asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

Mr. ALMON. Mr. Speaker, under leave to extend my remarks in the RECORD I include the following letter from Thomas H. MacDonald, Director of Public Roads, showing the allocation of funds for road construction in the State of Alabama:

UNITED STATES DEPARTMENT OF AGRICULTURE,
BUREAU OF PUBLIC ROADS,
Washington, D. C., December 30, 1930.

Hon. EDWARD B. ALMON,
House of Representatives.

DEAR MR. ALMON: I have your letter of December 29, requesting advice as to the amounts of Federal-aid funds available to the State of Alabama.

The following tabulation shows the unobligated balances as of December 1, 1930, of the regular Federal-aid funds apportioned to the State of Alabama, by fiscal years, together with the period of availability. These funds are for use under the terms of the Federal highway act and must be matched.

Fiscal year	Amount	Available until—
1930	$64,472.96	June 30, 1932
1931	2,595,620.00	June 30, 1933
Reapportionment of Hawaii's unexpended 1928 apportionment	7,015.00	Do.
1932	2,615,434.00	June 30, 1934
	5,282,541.96	

Under the act of December 20, 1930, making emergency appropriations for public works to relieve unemployment, $80,000,000 was made available to the States for use in lieu of State funds in matching their regular Federal-aid funds. Alabama's share of the $80,000,000 is $1,698,645. These funds can be used in matching regular Federal-aid funds on emergency projects and will take the place of the State funds ordinarily required. Under the terms of the act, however, these funds will only be available for paying the State's share of the cost of work done before September 1, 1931. Following that date only the regular Federal pro rata will be paid on emergency projects, and the State must meet its share of the cost of work done after September 1, 1931, from State funds. Funds so advanced from this emergency appropriation will be de-

ducted over a period of five years from the future apportionments of Federal aid, beginning with the fiscal year 1933.

On December 1, 1930, there remained an unobligated balance of $1,165,816.60 of the $1,660,000 flood-relief appropriation for Alabama. These funds must be matched by State funds and are available until June 30, 1931. The agricultural bill for 1932, which has passed the House and is now before the Senate, carries a provision making these funds available until June 30, 1932.

Very truly yours,

THOMAS H. MACDONALD,
Chief of Bureau.

MICHAUD DIVISION OF THE FORT HALL INDIAN IRRIGATION PROJECT, IDAHO

The next business on the Consent Calendar was the bill (H. R. 10880) authorizing the construction of the Michaud division of the Fort Hall Indian irrigation project, Idaho, an appropriation therefor, and the completion of the project, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SMITH of Idaho. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Idaho?

There was no objection.

RADIO DIVISION OF THE DEPARTMENT OF COMMERCE

The next business on the Consent Calendar was the resolution (S. J. Res. 176) transferring the functions of the radio division of the Department of Commerce to the Federal Radio Commission.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the present consideration of the joint resolution?

Mr. JENKINS. Mr. Speaker, reserving the right to object——

Mr. SABATH and Mr. RAMSPECK objected.

SURVEY OF PUBLIC LANDS LYING WITHIN THE LIMITS OF LAND GRANTS

The next business on the Consent Calendar was the bill (H. R. 7254) to amend an act entitled "An act making an appropriation for the survey of public lands lying within the limits of land grants, to provide for the forfeiture to the United States of unsurveyed land grants to railroads, and for other purposes," approved June 25, 1910.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

PUBLIC WORKS AT PARRIS ISLAND, S. C.

The next business on the Consent Calendar was the bill (H. R. 11367) to provide for certain public works at Parris Island, S. C.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. I object, Mr. Speaker.

Mr. HARE. Mr. Speaker, will the gentleman reserve his objection a moment?

Mr. LAGUARDIA. Certainly, I withhold it.

Mr. HARE. I would like to make a statement in behalf of this bill and submit my remarks to the gentleman from New York for his immediate consideration.

The Secretary of the Navy and the Navy Department have given this matter considerable study and have in effect approved the building project provided for in the bill. As the gentleman may know, the barracks at Parris Island are the only marine barracks on the eastern coast of the United States. All recruits are sent to this station for early training, and it has been found that it is one of the most healthful barracks in the United States. The mortality during the war was lower at Parris Island than at any other training station in the United States, and, as I said, the Navy Department has suggested and recommended the building program be begun as early as practicable. We have nothing there now but some old shacks built during the war, many of them decayed. The soldiers stationed there are not cared for properly, and we feel that this program should be begun at the earliest possible date. It would be very appropriate at this time, because it would aid materially in giving employment to the unemployed.

Mr. LAGUARDIA. The Acting Secretary of the Navy in the report says:

> The Navy Department could only recommend the enactment of the proposed bill, if such action could be taken without prejudice to the priority of the items considered more urgent and essential to the Navy. If the proposed bill be enacted, the projects therein would thereby be given priority over items of more urgency, many of which are of long standing in the list of urgent projects contained in the base, development program and many of which have been sought from Congress but not yet obtained.

Mr. HARE. In answer to that I will say that I gathered from the hearings that the Navy Department's only objection to this bill at that time was the possible lack of sufficient funds to take care of it along with other projects already recommended. I understand now that we have passed an appropriation bill of upward of $100,000,000 for the purpose of accommodating all of the places where projects were formerly recommended and approved. If that is true, then this project would not have priority over existing projects because they would have been taken care of in their regular order. As a matter of fact, this bill under consideration does not carry an appropriation with it. It is only an authorization, whereas the projects referred to by the Secretary have probably been authorized by the appropriation bill referred to and passed before the holidays. The money has now been appropriated and the projects will be completed without this bill having any priority whatsoever. I hope the gentleman from New York will not insist upon his objection and let this bill go through so that in the due course of time we may secure an appropriation sufficient to carry out the proposed building program.

Mr. LAGUARDIA. I do not think we should consider this bill at this time and for the present I object.

WIDENING WISCONSIN AVENUE

The next business on the Consent Calendar was the bill (S. 3895) to authorize the Commissioners of the District of Columbia to widen Wisconsin Avenue abutting squares 1299, 1300, and 1935.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. COLLINS. I ask unanimous consent that the bill go over without prejudice.

There was no objection.

CLERICAL ASSISTANTS TO CLERKS OF STATE COURTS

The next business on the Consent Calendar was the bill (H. R. 12740) relating to clerical assistants to clerks of State courts exercising naturalization jurisdiction.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. RAMSEYER). Is there objection?

Mr. LAGUARDIA. Reserving the right to object, I am constrained to object to the bill in its present form. It is an unusual exception permitting them to take fees and use a part of those fees to pay salaries without turning all the fees into the Treasury but appropriating it for extra help necessary.

Mr. CRAMTON. I stated when the bill was called up before that I had an amendment drafted by the clerk of the Appropriations Committee, by my request, which, in my judgment, would meet that objection. Without the amendment I would object, because I agree entirely with the gentleman from New York. With the amendment I would not object.

Mr. JENKINS. Mr. Speaker, reserving the right to object, the gentlemen who are interested in this, Mr. WAINWRIGHT, of New York, and Mr. JOHNSON, chairman of the Committee on Immigration, are not in the Chamber at present, and I ask that the bill go over without prejudice.

Mr. LAGUARDIA. Reserving the right to object.

Mr. SCHAFER of Wisconsin. I object.

Mr. JENKINS. Will not the gentleman from Wisconsin reserve his objection? I want to say that this bill is one of great importance. There is no serious objection to it on the part of anybody.

Mr. CRAMTON. My understanding is that my amendment meets the objection of the gentleman from New York as well as my own.

Mr. DICKSTEIN. It does not meet his objection at all.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COLLINS. Reserving the right to object, I have this objection to the bill: The constitutions of most of the States provide that a State officer can not at the same time be a Federal officer, and that is what this bill undertakes to do. It gives these officers a dual status. With this in mind, I can not permit this bill to pass without raising the objection.

Mr. JENKINS. That has been the objection raised heretofore, but it will appear from what I know about this bill that there are only one or two cases in the United States that this will so affect. In the district represented by the gentleman from New York [Mr. WAINWRIGHT] it appears there is an unusual amount of naturalization and immigration, and this clerk is seriously put to the task of doing the work. The clerks of practically all courts of record in the country do this work now, and this is to facilitate the work in the courts doing large naturalization business.

Mr. COLLINS. I have an idea that it is a bad policy to permit officers to act in the dual capacity of a State officer and a Federal officer.

Mr. CABLE. Does the gentleman object to the State clerks acting as representatives of the Government in naturalization proceedings? That is the uniform rule throughout this country.

Mr. COLLINS. I object, because the constitution of my State and those of others forbids the practice.

Mr. JENKINS. Every clerk of a State court in the whole United States—at least I know that it is in my State—handles naturalization matters. It is for the benefit of those who wish to become naturalized and where there are no United States courts available. They must have ready access to a court to save expense. That is what this is for. It so happens that in one or two cases it throws an enormous amount of work on the clerk.

Mr. STAFFORD. How come that this bill was not submitted to the Secretary of Labor for his comment?

Mr. JENKINS. I dare say that if the report does not show that if the Secretary of Labor has commented upon it, then that the Bureau of Naturalization, which is the interested part of the Department of Labor, is in favor of this matter.

Mr. STAFFORD. In my reading of the bill I notice that under existing law the clerks of State courts are now privileged to receive an allowance from the National Government where the naturalization fees are in excess of $6,000. It is now proposed to eliminate the $6,000 asked and make provision only for those where the fees are in excess of $30,000. Yet there is nothing in the report, no letter from the department, showing the need for eliminating that class, where the fees are under $30,000 and up to $6,000. This bill should not be brought up for consideration without some explanation of why you eliminate the allowance fees of all those clerks of courts where the fees are from $6,000 to $30,000.

Mr. CABLE. There is no intention and the bill does not eliminate any fees now paid to the clerks of State courts. This is an exceptional case, where there is no Federal court near by, and the clerk of this particular court spends a great deal of the taxpayers' money of that county in naturalization proceedings.

Mr. STAFFORD. I am relying upon the report of the committee, which is in conformance with the Ramseyer rule, found on page 2, showing the changes in existing law. You eliminate all that which now provides for the National Government paying a fee to clerks of State courts where the fees are in excess of $6,000 and you amend it by providing only for the payment of the fees to clerks where the fees are in excess of $30,000. I think this bill should go over without prejudice or objection should be made to it. I do not want to object to the bill in the absence of my friend from New York [Mr. WAINWRIGHT].

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COLLINS. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

ENROLLMENT OF INDIANS, KLAMATH INDIAN RESERVATION, OREG.

The next business on the Consent Calendar was the bill (S. 3156) providing for the final enrollment of the Indians of the Klamath Indian Reservation, in the State of Oregon.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER pro tempore. Is there objection?

Mr. ARENTZ. Mr. Speaker, I reserve the right to object. From the statements made by the members of this tribe before our committee, urging the necessity of this legislation, enrollment of the Indians of the tribe, I would like to have this considered at this time, or I would like to have the gentleman's slant.

Mr. CRAMTON. I have two slants. First, the members of the tribe who have appeared before the gentleman's committee, my guess is, have now been discharged as representatives of that tribe and their credentials have been recalled, if I have in mind the right people. Secondly, I was taken by surprise to-day. I should have known that this was consent day, but I was confused and thought that it was next Monday, and have not made the study that I had intended to make before this bill was reached.

Mr. BUTLER. If the gentleman will yield, I had intended to prefer the same request. I represent these people.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

RESERVING CERTAIN LANDS IN ARIZONA FOR PAPAGO INDIANS

The next business on the Consent Calendar was the bill (S. 2231) to reserve certain lands on the public domain in Arizona for the use and benefit of the Papago Indians, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. DOUGLAS of Arizona. Mr. Speaker, I reserve the right to object. I have two amendments that I desire to offer.

Mr. STAFFORD. Mr. Speaker, this is a Senate bill. I have not refreshed my memory for some time as to this bill, and I have some question marks against the bill on my notes. Would the gentleman have any objection to the bill being passed over without prejudice?

Mr. DOUGLAS of Arizona. This is a bill to authorize the purchase of certain lands within the Papago Indian Reservation and to set them aside as an addition to that reservation.

Mr. STAFFORD. I asked if the gentleman would have any objection to letting the bill be passed over without prejudice?

Mr. DOUGLAS of Arizona. Yes, I do object, for the reason that it has been passed over without prejudice several times before, pending an agreement as to the language of an amendment which was to have been offered by the gentleman from Michigan [Mr. CRAMTON.]

Mr. LAGUARDIA. Does the gentleman's amendment in any way restrict the scope or purpose of the bill?

Mr. DOUGLAS of Arizona. No. The gentleman from Michigan [Mr. CRAMTON] had an amendment to offer to the effect that no part of the moneys authorized to be appropriated in the act shall become available until all of the lands

designated had been acquired. There was one objection to that language.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Reserving the right to object, I have a note on this bill as to the reason for purchasing these lands, and then having them subject to this disposition under the mining law.

Mr. DOUGLAS of Arizona. That has always been the practice.

Mr. STAFFORD. But why should we purchase lands to be added to an Indian Reservation and then make them subject to disposition under the mining laws?

Mr. DOUGLAS of Arizona. The original Indian Reservation was set aside under such provision, and it would be highly unfair to have a certain part of the reservation subject to the mining laws and certain other parts of the reservation not subject to the mining laws.

Mr. CRAMTON. Will the gentleman yield?

Mr. DOUGLAS of Arizona. I yield.

Mr. CRAMTON. The last time this bill was called I suggested an amendment which the gentleman has in mind, on page 2, line 25, after the word "hereof" to insert the following:

No part of said amount to be available unless all of the privately owned lands within said addition shall be acquired for not more than said amount.

So that we would know they were not going to buy a part of it and then come back for more money. The gentleman from Arizona has suggested an amendment to put in the words "except mining claims." Since the House met to-day I called the Commissioner of Indian Affairs and directed his attention to that exception, and since this bill has been under discussion I have received a message from him stating that that amendment would be satisfactory. Hence, if the bill comes up for consideration I have in mind to offer, on page 2, line 25, the amendment I have just suggested, with the amendment suggested by the gentleman from Arizona [Mr. DOUGLAS].

Mr. STAFFORD. May we have the benefit of the amendments suggested by the gentleman from Arizona?

Mr. DOUGLAS of Arizona. The amendments which I sent to the Clerk's desk were for the purpose of also authorizing purchase of lands in sections 25, 35, and 36, township 17 south, range 4 east of the Gila and Salt River meridian, and in addition thereto the language of the amendment sent to the desk contains the language of the amendment offered by the gentleman from Michigan [Mr. CRAMTON], modified by the language which I suggested, and as I have explained heretofore, also providing for the purchase of sections 25, 35, and 36.

Mr. CRAMTON. May I ask the gentleman from Arizona if the amendments which the gentleman from Arizona has in mind are the same as shown in the draft of the bill which I now present to him?

Mr. DOUGLAS of Arizona. Yes. They are exactly, with the exception of one amendment in which the gentleman from Montana [Mr. LEAVITT] and I have agreed, and which has the approval of the Commissioner of Indian Affairs.

Mr. CRAMTON. We would like to know what that amendment is.

Mr. DOUGLAS of Arizona. Mr. Speaker, may the Clerk read the two amendments which I have sent to the desk? I think they will clarify the situation.

The SPEAKER pro tempore. The Clerk will read for information the amendments suggested by the gentleman from Arizona.

The Clerk read as follows:

Proposed amendment by Mr. DOUGLAS of Arizona: On page 2, in line 8, after the word "lands," insert the words "except mining claims."

Mr. DOUGLAS of Arizona. Now, before reading the second amendment, may I say to the gentleman from Michigan that without the amendment just read, the language of section 1 would be a bar to the setting aside of these lands.

Mr. CRAMTON. I will say it is entirely agreeable to me, and as I understand the further amendment which the gentleman has referred to, it is only an increase in the acreage without an increase in the cost?

Mr. DOUGLAS of Arizona. That is it exactly.

Mr. CRAMTON. That is all satisfactory to me.

Mr. STAFFORD. How much additional acreage will that comprise?

Mr. DOUGLAS of Arizona. If the gentleman will wait a moment until the second amendment is read, I think that will answer the gentleman's question.

The Clerk read the amendment, as follows:

Proposed amendment by Mr. DOUGLAS of Arizona: Page 2, line 25, after the word "hereof," strike out the colon and insert in lieu thereof a semicolon and the words "and also in sections 25, 35, and 36, township 17 south, range 4 east, of the Gila and Salt River meridian in Arizona, no part of said amount to be available unless all the privately owned lands except mining claims within said addition shall be acquired for not more than said amount.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That all vacant, unreserved, and undisposed of public lands within townships 11, 12, and 13 south, range 1 east; townships 11 and 12 south, range 2 east; township 11 south, range 3 east; township 11 south, range 4 east; townships 11 and 12 south, range 5 east; townships 12 and 13 south, range 1 west; townships 12, 13, and 14 south, range 2 west; townships 13 and 14 south, range 3 west; and township 14 south, range 4 west; townships 12, 13, 14, 15, and 16 south, range 7 east; townships 14, 15, and 16 south, range 6 east; and townships 14 and 15 south, range 8 east, of the Gila and Salt River meridian, in Arizona, be, and they are, exclusive of a tribal right to the minerals therein, hereby reserved for the use and occupancy of the Papago Indians as an addition to the Papago Indian Reservation, Ariz., whenever all privately owned lands within said addition have been purchased and acquired as hereinafter authorized: *Provided*, That all valid rights and claims which have attached to the lands prior to approval hereof shall not be affected by this act: *And provided further*, That all such lands shall be subject to disposition under the mining laws as provided in the Executive order of February 1, 1917, creating the Papago Indian Reservation.

SEC. 2. There is hereby authorized to be appropriated, from any funds in the Treasury of the United States not otherwise appropriated, the sum of $165,000, or so much thereof as may be necessary, to be used by the Secretary of the Interior, in his discretion, in the purchase and acquiring of title to certain privately owned lands, improvements, and equipment located within the area described in section 1 hereof: *Provided*, That in the event title to any privately owned land is acquired by purchase, the land so purchased shall become part of the Papago Indian Reservation: *And provided further*, That the State of Arizona may relinquish such tracts within the townships referred to in section 1 of this act as it may see fit in favor of the Papago Indians, and shall have the right to select other unreserved and nonmineral public lands within the State of Arizona equal in area to that relinquished, said lieu selections to be made in the same manner as is provided for in the enabling act of June 20, 1910 (36 Stat. L. 557).

With the following committee amendment:

On page 2, line 11, after the word "act," insert the following: "*Provided further*, That lands acquired hereunder shall remain tribal lands and shall not be subject to allotment to individual Indians under the General Allotment Act."

The committee amendment was agreed to.

Mr. DOUGLAS of Arizona. Mr. Speaker, I offer an amendment, which I have sent to the Clerk's desk.

The SPEAKER pro tempore. The gentleman from Arizona offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. DOUGLAS of Arizona: On page 2, in line 8, after the word "lands," insert the words "except mining claims."

The amendment was agreed to.

Mr. DOUGLAS of Arizona. I offer another amendment, which I have sent to the Clerk's desk, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Arizona offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. DOUGLAS of Arizona: Page 2, line 25, after the word "hereof," strike out the colon and insert a semicolon and the following:

"And also in sections 25, 35, and 36, township 17, south, range 4 east of the Gila and Salt River Meridian in Arizona, no part of said amount to be available unless all the privately owned lands except mining claims within said addition shall be acquired for not more than said amount."

The amendment was agreed to.

The bill was ordered to be read a third time, was read a third time, and passed.

A motion to reconsider was laid on the table.

ADDRESS BY HON. WILLIAM R. WOOD, OF INDIANA

Mr. VESTAL. Mr. Speaker, I ask unanimous consent to have placed in the RECORD a speech made by my colleague, the Hon. WILL R. WOOD, last Saturday night over the Columbia Broadcasting System, on the subject of the direct primary, the destruction of representative government, and so forth.

The SPEAKER pro tempore. The gentleman from Indiana asks unanimous consent to insert in the RECORD a speech made by his colleague, Mr. WOOD, last Saturday night over the Columbia Broadcasting System, on the subject of the direct primary. Is there objection?

Mr. BLANTON. Mr. Speaker, reserving the right to object, I want to ask the distinguished gentleman from Indiana whether or not he is backing up the position taken by his eminent colleague [Mr. WOOD], namely, that of taking away from the people their right to be heard at the polls in the selection of their officers of the Government.

Mr. VESTAL. The fact is, I will say to my distinguished friend, that I did not hear the speech.

Mr. BLANTON. If the gentleman had heard the speech and if he had known that the speech attempted to take away from the people of the United States the right to select their own representatives at the ballot box I do not think he would ask to have it placed in the RECORD.

The SPEAKER pro tempore. Is there objection?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, no one is a better judge of the good judgment of the people in primaries than the gentleman from Texas.

Mr. BLANTON. And the gentleman from New York. [Laughter.]

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. VESTAL. Mr. Speaker, under the leave to extend my remarks in the RECORD I include the following speech made by Hon. WILLIAM R. WOOD over the radio last Saturday night on the subject of the direct primary:

THE DIRECT PRIMARY—DESTRUCTIVE OF REPRESENTATIVE GOVERNMENT

Ours is a representative form of government. How best may it be preserved? How may it be destroyed? These are questions uppermost in the minds of thoughtful citizens of to-day. It is commonly observed that our political situation is more nearly chaotic than it has been since the trying period when the Union itself was in danger of disruption. Certainly it has never been more out of keeping with the spirit of our institutions. It is an unsatisfactory condition but a healthful sign that so many have begun to take stock to see what brought it about and how it may be remedied.

There is general acceptance of the fact that if we are to remain a republic—a representative form of government—we can do so only through the agency of political parties. The necessity for the party system was an early development under our form of government, and outstanding American statesmen have been its advocates. Leaders of the two great political parties of to-day are in agreement that the 2-party system is essential to our form of government. Even the agitators, who conform the least to orderly party procedure, while using the party as a vehicle to ride into office, profess to agree to the principle. They agree to the principle, but do everything in their power to thwart its application.

What, then, with such general agreement as to its desirability, has caused the tendency, ever growing and obvious to all, toward the breaking down of the system that has made our Government the most stable in the world? There have been contributing causes, but to my mind the direct-primary system of making party nominations has done more to break it down than all other causes combined. Its twin so-called reform, the popular election of Senators, has proved the very reverse of a reform, in my opinion, but the primary struck deeper and wider. Unlinked to the primary system, the popular election of Senators could scarcely have created such a situation as we have in the Senate to-day, where groups, blocs, and coalitions contend with each other very much after the manner of the European practice we view with so much alarm.

I do not say that but for the direct primary we could have escaped the world-wide political unrest, but I firmly believe that under the convention system we would have been in a vastly stronger position to maintain our own political equilibrium. To my mind the confusion that has resulted proves conclusively that as an effort toward bringing the people nearer to their Government the direct-primary system has been a failure; that it has, in fact, removed them farther from it. Under its workings issues multiply, nonessentials absorb the attention of the voters, and the results of each succeeding election, contradicting themselves, make it more and more impossible for political observers to arrive at definite conclusions.

The theory of the advocates of the direct primary was that under its workings the best man would win, but in too many instances it turns out to be only the best advertiser, or the best supplied with cash. Under its marvelous workings any form of notoriety becomes a political asset and the champion marathon dancer or tree sitter may look hopefully to a political future if he does not have a taste for the talkies. The demagogue thrives under it, group and sectional interests achieve results out of all proportion to their deserts, organized and vociferous minorities confuse and confound the issues until even the most intelligent voter is at a loss to express his will at the polls. Is it any wonder, then, that those nominated and elected under this misleading system to represent the voters are so often at a loss to know how to represent them?

It is pertinent to present-day political conditions to observe that the great convention which debated, formulated, and finally adopted the American Constitution, which has withstood the test of over 150 years, was a convention composed of delegates that in turn had been selected by other delegate bodies in their home States. It is impossible to conceive of a situation in which greater issues were at stake, issues which involved the destinies of this newly born Nation and the welfare of all those American colonists who had sacrificed everything in order to win political freedom and the right to set up for themselves a Government patterned after their own ideas and embodying their own aspirations.

I ask you also to consider that this convention was composed of delegates elected by other conventions at a time and during a period when that direct and simplest form of popular government was in full bloom, namely, the town-meeting system. There is something unusually significant in the fact that when it came to the tremendous decisions involved in the drafting of a Constitution for the Nation that the town-meeting methods were abandoned and our forefathers relied upon the ability, sanity, conservatism of a convention.

Fisher Ames, in the Massachusetts convention which ratified the Constitution, in addressing himself to the subject of delegating responsibility and final authority to members of a convention in contrast to the town-meeting methods of government so long employed by that great Commonwealth, said: "I know but one purpose which the people can effect without delegation, and that is to destroy government. That they can not erect a government is evinced by our being thus assembled in their behalf."

So we find the most distinguished precedent of the convention system of handling public affairs in that great constitutional convention which wrote the charter of our Government, pronounced "the greatest work ever struck off at a given time by the hand and brain of man," giving us a Government where freedom and order go hand in hand and liberty is safeguarded by law.

There have been a number of efforts since that day to improve the machinery of government, both in this country and in other countries. However well intentioned some of these efforts have been, all of them have failed in that the methods they substituted and the new forms they put into effect did not bring about either a more democratic government, on the one hand, or a more stable government on the other. They have ranged all the way from the rule of the mob and the decree of the guillotine in the bloody French Revolution to the absolutism of the Czars of Russia, the military despotism of the Turks, and the benevolent monarchy of England. To-day the Government of the United States of America is the oldest in existence. By that I mean no other government, with the possible exception of some of the family dynasties of India and the Orient which existed at the time of the adoption of the American Constitution, is in existence to-day in the same form and substance; and with one or two exceptions, none of the governments which were in existence then are in existence to-day at all. What a tribute to the representative system of handling public affairs!

We have had political experimenting in the United States, but, happily, to date our experiments have not been violent, as were those of European nations. With the single exception of the Civil War, which was successfully conducted to a close, there has been no attempt in this country to overthrow our Federal Government and tear up the American Constitution. Our experiments have been more or less sugar-coated. They have been wrapped in the pleasing habiliments of so-called idealism. They have been urged in the name of the common people. Most of them purported to make government by the people more direct. Most of them have proved failures.

The popular primary was adopted, according to its partisans, for the purpose of putting control of political parties, and particularly party nominations, "in the hands of the people." The main arguments used when the agitation for the direct primary was at its height, some 20 years ago, were that under the old convention system of selecting party nominees the people had no voice; the conventions were boss controlled; the nominees were hand picked and not representative of the people; the convention system was corrupt. These pretty well cover the charges that were made against the old convention system, and were the base upon which there was a popular demand for the adoption of the primary system of making party nominations.

What has happened? Primary election returns show that winners of party primaries are frequently nominated by from 3 to 7 per cent of the total eligible party vote of their constituency. Clearly there is no "rule of the people" in such a system.

There have been explanations offered of this condition that are worthy of consideration. The experience of party primaries, by and large, justifies the statement that they too frequently turn into campaigns of personalities characterized by all sorts of mud slinging and quasi-libelous speech, instead of intelligent, temperate discussion of issues and principles. There has been a growing tendency to make demagogic appeals to prejudice and ignorance, to certain classes and factions, all of which tends to bring the entire primary to a low level. As a natural result men of standing in the professional or business world hesitate to enter party primaries and face a campaign of billingsgate by some shyster opponent or be made the target of unfair attack by some organization. From that angle the primary system in many sections of our country has almost eliminated the very class of men which the American people should have in public office.

This is another angle. It is common knowledge that the primary system is making it impossible for any except the very rich man, or man who has the backing of organized wealth in one form or another, to make a campaign for nomination in statewide primaries. Nor is the immense expenditure of money necessary to conduct a primary campaign necessarily a corrupt expenditure. A candidate for a State office in a party primary, unless he is very widely known, has to bring his name before the voters of his party. He can not simply announce his candidacy and then go about his private business in the expectation that there will be a general outpouring of the public on nomination day to support him. He has to advertise himself the same as a motor car, a breakfast food, a radio, or a toilet soap. That costs money. It requires the organizing of headquarters, the rental of rooms, the employment of stenographers, the purchase of supplies, the writing of letters, the buying of stamps.

Under this system, in many instances, individuals spend more money in their primary campaigns than do party committees working for a whole ticket in the general elections. Charges of corruption are bound to arise in the bitter rivalry of such individual campaigns and have flown right and left throughout the land. So it has been deemed necessary under this primary system which was to purify politics to appoint legislative inquisitorial committees to mop up after it about everywhere that it has been at work. Spies are set abroad in the land and are in turn spied upon. Whatever the necessity for such a régime, foreign to the spirit of our institutions, it is a by-product of the primary system itself and an outstanding example of its evils.

These are plain, practical facts regarding the primary nominating system. On the face of it it eliminates poor men and men who do not care, because of ethical reasons, to place themselves under obligations to political bondsmen in connection with the discharge of their official duties in event they are successful. To say that such a system affords a correct expression of the people is to deny the whole theory of representative government.

Some of you may be of the opinion this is too severe an indictment of the primary system. Some of you may believe you have in mind instances which prove that my conclusions are too sweeping. There may be some exceptions to this rule, but they are so few they prove the rule.

Where this condition exists, and it does exist, in some variation, in practically every State and community which has the popular primary, we do not have representative government, a government of the people, but a government of interests, or classes, or organizations, who back men to fill public offices and finance their campaigns, fully expecting to control their actions after they have taken the oath of office.

Because of this, our Government is becoming a government of special interests rather than a government of the people. These interests may be road-building interests; they may be contractors desiring to do business with the State or municipality; they may be organizations working in the professed cause of good government; or some organization with a high-sounding title, financed by those interested in getting us embroiled and entangled in foreign alliances and international organizations; or organizations which represent a very limited class of citizens; or they may be sinister organizations which operate largely in the dark, but operate none the less powerfully and almost invariably corruptly. These are the influences, which are, by reason of, and through the medium of the primary system, getting their hands on the throat of popular government, and there is no way to get away from this condition, in my opinion, except to repeal the primary laws and go back to the convention system.

Instead of the office seeking the person, the person is compelled to seek the office. Instead of the people getting better service from their public officials, as a result of the primary, they get worse service. Instead of making it impossible or harder for corrupt influences to control party nominees, the primary system has made it easier for these influences to foist themselves upon the party, and also has made it harder for the party and the people to get rid of them.

The old-fashioned political boss, whatever his shortcomings, did not, as a rule, attempt to foist upon the party men without character and without mental equipment. The men the convention system drafted for service were men of standing, of mentality, and of high character. Those who made up the convention took small chances on having their slate "shot to pieces" in a campaign by the opposition, because the ticket was defective in character or brains. All had an investment in the party machine which had been built up through long years of effort. All felt their influence in party affairs at stake. They did not care to risk their investment or lose their influence by putting up a ticket that could not stand the acid test of public analysis. If you do not believe this is true, compare the men in public office to-day with those of a generation ago, and draw your own conclusions.

The difference is due to this fundamental fact. In the old convention system the man who was nominated owed his nomination to the party machinery. He went into office pledged to carry out the party platform. The party platform in those days meant something. Nominees for office were bound by it, and in event they disregarded it after election it meant their political death.

The primary system has made party platforms absolutely meaningless, even though parties in some primary States still hold conventions and adopt platforms. Inasmuch as these platform-adopting conventions have no power over the candidates, they can not see to it that the platform pledges are translated into public action. Inasmuch as such conventions have no power to punish candidates who do not carry out the platform, such candidates may feel free to ignore all party pledges. Under the present system, a candidate may be his own organization, his own platform, his own policy maker. Such a candidate need have no regard for party organization or party pledges. You can not carry out party platforms and party pledges unless you have discipline. You can not have discipline unless you have a system which makes it possible for the party machinery and the party organization to compel men nominated on its ticket to do what the party has promised to do.

A candidate for public office with a strong belief in a representative form of government and a consequent belief in political parties and party responsibility must proceed, then, in spite of, rather than by reason of, the primary system. He must recognize that he is under a handicap and proceed as best he can to live up to his beliefs under that handicap.

I have dwelt upon the evils and the failure of the popular primary system at length, because I regard it as the most important subject confronting the American people. Unless our system of 2-party government is preserved, it really matters very little what platforms our parties may adopt, for they would be meaningless; what pledges they may make, for they would be incapable of redemption; what policies they may advocate, for they would have no substance and no chance of fulfillment.

In a word, I believe the direct primary to be destructive of representative government.

Thank you. Good night.

APPROPRIATION FOR THE UINTAH, WHITE RIVER, AND UNCOMPAHGRE BANDS OF UTE INDIANS IN THE STATE OF UTAH

The next business on the Consent Calendar was the bill (S. 615) authorizing an appropriation for payment to the Uintah, White River, and Uncompahgre Bands of Ute Indians in the State of Utah for certain lands, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, there are several important bills on the calendar, of which this is one, which on a former occasion I asked to have passed over without prejudice. I had intended to be prepared when they were called again, but I became confused as to which was consent day, having the impression it was next Monday, and I am not now prepared. Hence, I am compelled to ask that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

ACQUISITION OF CERTAIN TIMBERLANDS IN THE STATE OF OREGON

The next business on the Consent Calendar was the bill (S. 3557) to provide for the acquisition of certain timberlands and the sale thereof to the State of Oregon for recreational and scenic purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BUTLER. Mr. Speaker, I ask unanimous consent that this bill be recommitted to the Public Lands Committee.

The SPEAKER pro tempore. The gentleman from Oregon asks unanimous consent that this bill be recommitted to the Committee on the Public Lands. Is there objection?

There was no objection.

REDEMPTION OF INTERNAL REVENUE STAMPS

The next business on the Consent Calendar was the bill (H. R. 10658) to amend section 1 of the act of May 12, 1900 (ch. 393, 31 Stat. 177), as amended (U. S. C., sec. 1174, ch. 21, title 26).

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LaGUARDIA. Mr. Speaker, reserving the right to object, when this bill was on the calendar last Monday I stated then my objections to it. If we are to embark upon a system of refunding taxes, the time is not very distant when it will be impossible to make any reasonable estimate of the income and revenue of the Government.

Here is a proposition to permit the refunding of taxes on cigars and tobacco. It has always been my understanding that that tax is a manufacturers' tax; and if that is so, I can not see any justification for making an exception.

The gentleman from Kentucky [Mr. THATCHER] was kind enough to talk with me about this matter, but let me suggest this to him: Take a case where goods have been spoiled and they are not marketable. If we establish the precedent of returning the tax paid on tobacco and cigars because they are not marketable, do we not establish a precedent so that an importer may say, "I paid my customs duties on these importations but the goods are no good, give my money back to me." If we should do that, where would it lead to?

Mr. THATCHER. May I answer the gentleman?

Mr. LaGUARDIA. Certainly.

Mr. THATCHER. If the gentleman will read the report of the Secretary of the Treasury, he will find that in recommending the passage of the bill he speaks of the very feature of which the gentleman speaks as one possible item involved, but it is shown from the report that there are many cases where tobacco and manufactured products may go into the hands of a dealer and for one reason or another may become damaged or nonsalable.

According to the report of the Secretary of the Treasury, in all probability the amount of taxes that would be refunded under this proposed law would immediately be repaid by the tax payments on newly manufactured products to take their place. For instance, there are cases where manufactured tobacco products in transit in freight cars with kerosene products become saturated and unfit for use. Under present conditions there can be no refund whatever to the manufacturer, to the jobber, or to anybody else unless these damaged goods are exported; and the result has been that in order to get any refund at all products of this sort have been dumped abroad for sale with the inevitable result that American tobacco products in foreign countries receive a bad name and a bad reputation.

Mr. LaGUARDIA. Did the gentleman ever smoke a foreign-made cigar in Europe?

Mr. THATCHER. I do not happen to smoke at all.

Mr. LaGUARDIA. No matter how saturated with kerosene they may be, they are always better than the ones you can buy over there.

Mr. THATCHER. I may say further that the Treasury Department will control this matter by reasonable regulations, so there really will be no practical reduction of revenue, and it will work for the increased sale of the tobacco in the hands of the producers of the country, as well as operate for the benefit of others.

Mr. LaGUARDIA. Mr. Speaker, I am constrained to object.

Mr. THATCHER. Will not the gentleman let it go over without prejudice?

Mr. LaGUARDIA. Yes. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

CLOSING OF STREETS, ROADS, ETC., IN THE DISTRICT OF COLUMBIA

The next business on the Consent Calendar was the bill (H. R. 11013) to authorize the Commissioners of the District of Columbia to close streets, roads, highways, or alleys in the District of Columbia rendered useless or unnecessary, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LaGUARDIA. Mr. Speaker, reserving the right to object, I do not quite see the wisdom of turning over to the commissioners authority to close streets. I think that, perhaps, the entire law with respect to the District of Columbia must some day be revised, and I do not think we ought to do it piecemeal or in this way; and, for the present, I object.

JURISDICTION OVER SULLYS HILL NATIONAL PARK

The next business on the Consent Calendar was the bill (H. R. 8534) for the transfer of jurisdiction over Sullys Hill National Park from the Department of the Interior to the Department of Agriculture, to be maintained as the Sullys Hill National Game Preserve, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LaGUARDIA. Mr. Speaker, although it may not be necessary, I am going to offer a slight amendment, because I think it will establish a good precedent, inserting a proviso that no hunting shall be permitted within this proposed game preserve.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

ADDITIONAL DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF ILLINOIS

The next business on the Consent Calendar was the bill (H. R. 11967) to provide for the appointment of an additional district judge for the southern district of Illinois.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SCHAFER of Wisconsin. Mr. Speaker, reserving the right to object, I would like to be assured by some Member from Illinois that it is necessary to create this additional judgeship. I also desire to obtain some information as to whether or not the congestion of the Federal dockets in Illinois is due to an extraordinary number of pending Federal prohibition cases.

Mr. SABATH. I can answer the gentleman by saying that the additional amount of work in Illinois, as well as everywhere else, is, of course, due to prohibition. Our dockets are crowded and additional judges are needed unless we amend or repeal the Volstead Act. If we could amend or repeal the Volstead Act, these additional judges would not be necessary. I really believe that as soon as we amend or repeal the prohibition law, one-half of the judges that have been recently appointed will have no work to do.

Mr. CRAMTON. Mr. Speaker, if the gentleman will yield; I take it from the fact the gentleman is pressing this measure under that line of reasoning, it is an indication the gentleman has no hope of an early repeal of the eighteenth amendment?

Mr. SABATH. Not the eighteenth amendment, but I do believe that the people are aroused and are desirous of having the Volstead Act repealed, and that will not take very long.

Mr. SCHAFER of Wisconsin. Does the gentleman believe that if this bill passes, the violators of the sacred prohibition laws will have speedy trials?

Mr. SABATH. Not only will they receive earlier trial, but I believe a great many other people who have been forced into court on civil matters will obtain their day in court.

Mr. SCHAFER of Wisconsin. Then in the gentleman's judgment this bill which is now before us is another example of the extraordinary drain on the taxpayers' treasury, due to the fact that we have the sumptuary eighteenth amendment and the legislation enacted thereunder?

Mr. SABATH. Yes.

Mr. SCHAFER of Wisconsin. I shall not object.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HOGG of Indiana. Mr. Speaker, I object.

COMPENSATION OF THE SECRETARY OF THE TERRITORY OF ALASKA

The next business on the Consent Calendar was the bill (H. R. 11368) to fix the annual compensation of the Secretary of the Territory of Alaska.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. BLANTON. Reserving the right to object, the gentleman from Michigan objected to the salary of the governor being raised, which was a companion bill to this.

Mr. CRAMTON. My friend is a little fast; the Delegate from Alaska objected to the bill increasing the salary of the governor. Later, when this was reached——

Mr. BLANTON. The gentleman from Michigan stated that when the salary bill was passed granting the present salary to the Governor of Alaska that it was passed without the membership of Congress knowing anything about it—that it was slipped through, and he thought that this bill ought to stand aside. Is he still of the same opinion?

Mr. CRAMTON. The gentleman is very near the facts, but not exactly.

Mr. BLANTON. Was the salary bill slipped over without the membership knowing about it?

Mr. CRAMTON. That bill is not before us to-day.

Mr. BLANTON. Was the bill slipped over, as the gentleman heretofore stated?

Mr. CRAMTON. I have so stated.

The SPEAKER pro tempore. Is there objection?

Mr. BLANTON. I object.

Mr. KVALE. Will the gentleman reserve his objection?

Mr. BLANTON. I will reserve it if the gentleman wishes.

Mr. KVALE. I would like to make this statement in the absence of any printed hearings. Hearings were conducted at which a representative of the department appeared, described the situation, and listed 26 specific duties which the secretary of Alaska performs in his capacity of secretary, and during the absence of the governor functioning as chief executive.

Mr. BLANTON. A part of them was the duty of the governor.

Mr. KVALE. They were specific duties of the office of the secretary; they are listed here in the stenographic record of the hearings before our committee.

Mr. BLANTON. I imagine that the secretary gets as large a salary as most officers of his caliber and station do in the State of the gentleman who now has the floor.

Mr. KVALE. I want to say that the author of the bill is my colleague [Mr. MAAS], and he is not in the Chamber at this moment.

Mr. BLANTON. The Governor of the State of Texas gets $4,000 a year but he ought to have $10,000. The people of my State have twice passed upon it, however, and they say that $4,000 is sufficient.

Mr. BURTNESS. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. BURTNESS. Is the $4,000 the salary for both husband and wife when you have two governors? [Laughter.]

Mr. BLANTON. We do not have two governors; we have got back to the good old system of having one governor, a man governor. Mr. Speaker, I object.

MINIMUM AGE LIMIT FOR ENLISTMENT IN NAVAL RESERVE OR MARINE CORPS RESERVE

The next business on the Consent Calendar was the bill (H. R. 6145) to regulate the minimum age limit for enlistments in the Naval Reserve or Marine Corps Reserve.

The Clerk read the title to the bill.

The SPEAKER pro tempore (Mr. SNELL). Is there objection?

Mr. LAGUARDIA. Reserving the right to object, I do not think the age ought to be extended unless an amendment is offered making the minimum age 17 years.

Mr. HANCOCK. I have an amendment making the minimum age limit 17 years, and requiring the consent of the parents.

Mr. STAFFORD. This is for enlistment in the Naval Reserve Corps. I think a boy 17 years old ought to know his own mind.

Mr. HANCOCK. This is the same rule as in the Navy.

Mr. STAFFORD. Yes; when they enlist in the Navy, but this is an enlistment in the Naval Reserve Corps for summer training. I see no reason why we should extend this and require the parents' consent.

Mr. HANCOCK. This is a case where the parties enlisted have had the consent of the parents.

Mr. COLLINS. Does the gentleman think that the parents ought to accompany these youngsters, so that they will be protected from all danger?

Mr. HANCOCK. The consent of the parents is a part of the enlistment in the National Guard.

Mr. STAFFORD. The result will be that you are going to cripple the enlistments of this service. Will the gentleman read the proposed amendment?

Mr. HANCOCK. The bill as proposed to be amended would read:

That hereafter the minimum age limit for enlistment in the Naval Reserve or the Marine Corps Reserve shall be 17, provided that the candidate for enlistment under 18 years of age must obtain the consent of his parents or guardian.

That follows the rule in the National Guard.

Mr. COLLINS. Mr. Speaker, I ask unanimous consent that this bill go over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

NATIONAL DEFENSE ACT

The next business on the Consent Calendar was the bill (H. R. 12918) to amend the national defense act of June 3, 1916, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. I object.

PRELIMINARY SURVEY, WACCAMAW RIVER, N. C. AND S. C.

The next business on the Consent Calendar was the bill (H. R. 10264) to provide a preliminary survey of the Waccamaw River, N. C. and S. C., with a view to the control of its floods.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to cause a survey to be made of Waccamaw River, N. C. and S. C., with a view to control of its floods in accordance with the provisions of section 3 of an act entitled "An act to provide for control of the floods of the Mississippi River, and of the Sacramento River, Calif., and for other purposes," approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for such purposes.

With the following committee amendments:

Page 1, line 4, strike out the word "survey" and insert "preliminary examination."

Page 2, line 1, strike out the words "such purpose" and insert "examinations, surveys, and contingencies of rivers and harbors."

The committee amendments were agreed to, and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

The title was amended to read: "A bill to provide a preliminary examination of Waccamaw River, N. C. and S. C., with a view to the control of its floods."

NATIONAL DEFENSE ACT

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the bill (H. R. 12918) to amend the national defense act of June 3, 1916, as amended, No. 774 on the Consent Calendar, go over without prejudice. The gentleman from Ohio [Mr. SPEAKS], author of the bill, has spoken to me about this matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection, and it was so ordered.

ADDITIONAL DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF ILLINOIS

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent to return to 763 on the Consent Calendar (H. R. 11967), to provide for the appointment of an additional district judge for the southern district of Illinois.

The SPEAKER pro tempore. The gentleman from Pennsylvania asks unanimous consent to return to No. 763 on the calendar, which the Clerk will report.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. SABATH. Mr. Speaker, I reserve the right to object. Is this the bill for the new district they are trying to create?

Mr. GRAHAM. No; this is another bill.

Mr. SABATH. I do not know enough about the nature of this district.

Mr. GRAHAM. The committee reported this unanimously.

Mr. IRWIN. This is quite a large district and at present there is only one judge. It runs down to the southern part of the State. Part of the territory in my district is comprised within this district. The courts are very much congested. All the other districts have more than one judge.

Mr. SABATH. In view of what the gentleman from Pennsylvania states I have no objection.

Mr. STAFFORD. Mr. Speaker, I reserve the right to object. I see that there were pending at the close of business on June 30, 1929, 294 public health and safety cases, 48 regulation of commerce cases, 26 postal cases, 10 banking and finance cases. I ask unanimous consent that this bill go over without prejudice.

Mr. GRAHAM. Oh, I do not think that is quite fair.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania that we return to No. 763 on the calendar?

Mr. STAFFORD. I have no objection to returning, subject to the bill going over without prejudice.

Mr. COLLINS. Mr. Speaker, I object. Let us get on with this calendar.

FRENCH BROAD RIVER

The next business on the Consent Calendar was the bill (H. R. 10720) to authorize a preliminary examination of the French Broad River for the purpose of flood control.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I would like to know from the author of the bill or some Member acquainted with the facts whether the survey of this river has anything to do with the French Broad River that is purposed to be taken over in the building of the Cove Creek Dam in the Muscle Shoals project?

Mr. DRIVER. I will say to the gentleman from Wisconsin this is a tributary of the Tennessee River. It is one of the rivers which make up the Tennessee River.

Mr. STAFFORD. As I understand the Cove Creek project, it is purposed to flood French Broad River and several other streams?

Mr. DRIVER. It has nothing at all to do with that. This is in North Carolina, entirely removed from the Tennessee section, in the district represented by Mr. PRITCHARD. It is a preliminary survey to ascertain whether or not flood-control works could be made appropriate to the protection of that North Carolina end of it.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination to be made of the French Broad River from Asheville, N. C., to the junction in Transylvania County, N. C., of the north and west forks of said river, with a view to the control of floods in accordance with the provisions of an act entitled "An act to provide for control of the floods of the Mississippi River and the Sacramento River, Calif., and for other purposes," approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

With the following committee amendment:

On page 1, line 5, strike out "Board" and insert "Broad."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

CROW INDIAN RESERVATION, MONT.

The next business on the Consent Calendar was the bill (H. R. 12871) providing for the sale of isolated tracts in the former Crow Indian Reservation, Mont.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LaGUARDIA. Reserving the right to object, has the abutting and adjoining owner priority to buy one of these isolated tracts?

Mr. LEAVITT. He has in a way, in that the lands are generally worth more to him than anyone else, so he can bid more.

Mr. LaGUARDIA. He has priority?

Mr. LEAVITT. Yes; in that way.

Mr. LaGUARDIA. Are they advertised?

Mr. LEAVITT. They are.

Mr. LaGUARDIA. There is no danger that some one now holding land might find himself surrounded and he become isolated?

Mr. LEAVITT. No. There is no such danger. This bill simply extends to this area, which at one time was a part of the Crow Indian Reservation, the provisions of the law which now apply on all other areas of public lands for the disposition of isolated tracts. The Crow Indian Reservation was purchased outright by the Government in 1891 and then thrown open to settlement under a law which required payment of $1.50 an acre, and that was later merged into the general homestead act. This proposed law would now extend to that area the provisions of the isolated tract act which now apply to other areas of public lands. As an area of public land is settled up, it is natural that because of rough topography or the description of lands on which application is made, some tracts will be isolated, not large enough or not of a character to provide a home unit. So they lie there unused so far as ownership is concerned.

Mr. STAFFORD. Will the gentleman yield?

Mr. LEAVITT. I yield.

Mr. STAFFORD. Will the gentleman inform the House as to the method which is to be followed in the disposition of these lands; that is, whether it will be by private sale or by public sale as provided in section 2455? As I understand the existing law, there is nothing to forbid the Secretary of the Interior from selling these lands at public auction for not less than $1.25 per acre?

Mr. LEAVITT. That is the case. This will extend those provisions that now pertain to all other public lands, to these public lands under exactly the same conditions.

Mr. STAFFORD. Yes; but, as I understand the law to-day, the Secretary of the Interior has a right to sell these lands at public auction for not less than $1.25 an acre. Is it the purpose of this law to lift that restriction?

Mr. LEAVITT. No, no. At the present time that law does not apply to these particular isolated tracts. The laws under which this former part of the Crow Reservation was restored to entry, were not extended to include section 2455, or, I should have said, section 2455 was not extended to these lands.

Mr. STAFFORD. Why not? Is the gentleman seeking to exempt section 2455 from its effect as to these lands?

Mr. LEAVITT. No. We are seeking to do exactly the opposite. We are seeking to extend section 2455 to these lands.

Mr. STAFFORD. I was in error. So the lands will be put up at public auction?

Mr. LEAVITT. Yes. The wording of that section is just as the gentleman would require—

It shall be lawful for the Secretary of the Interior to order into market and sell at public auction, at the land office of the

district in which the land is situated, for not less than $1.25 an acre, any isolated or disconnected tract or parcel of the public domain—

And so forth.

The gentleman from New York [Mr. LAGUARDIA] asked if the contiguous owner has preference. He has preference as a matter of fact and as a matter of experience, because the land is worth more to him than to anyone else.

Mr. LAGUARDIA. But it might have an annoying purpose for some one else.

Mr. LEAVITT. It might, of course; but it does not work out that way. It can not be sold at public auction and then only one man allowed to bid.

Mr. LAGUARDIA. Yes; I understand.

Mr. LEAVITT. When I said that the contiguous owner had preference, I meant he had preference from the fact that it is worth more to him than to anyone else.

Mr. LAGUARDIA. He will at least get notice of the sale?

Mr. LEAVITT. Yes. It is generally put up for sale at his request.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the provisions of section 2455 of the Revised Statutes of the United States, as amended by the act of March 9, 1928 (45 Stat. L. 253; U. S. C., 2d supp., title 43, ch. 28, sec. 1171), be, and the same are hereby, extended and made applicable to lands within the portion of the Crow Indian Reservation, Mont., ceded by the act of March 3, 1891 (26 Stat. L. 1040).

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

CONSTRUCTION OF A METAL-CLAD DIRIGIBLE

Mr. TABER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing some questions and answers submitted to the War Department and the Navy Department with reference to the construction of a proposed metal-clad dirigible, which do not appear in the regular hearings.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent to extend his remarks in the manner indicated. Is there objection?

There was no objection.

Mr. TABER. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following questions and answers submitted to the War Department and the Navy Department with reference to the construction of a proposed metal-clad dirigible, which do not appear in the regular hearings.

Questions and answers submitted to Hon. David S. Ingalls, Assistant Secretary of the Navy, in charge of aeronautics, by myself, a member of the Subcommittee on Appropriations for the War Department, with reference to the metal-clad airship.

The questions and answers are as follows:

Question 1. During the time since the delivery of the *ZMC–2*, how many hours has it been in operation?

Answer. The Navy Department's metal-clad airship *ZMC–2* has had a total of 279 hours' operation since September, 1929.

Question 2. During that same time, how many hours has a nonrigid ship of comparatively the same type been in operation?

Answer. The Navy has, during the same period, operated two fabric nonrigid airships of the same size as this metal-clad airship. One of these has operated 366 hours, the other has operated 388 hours.

Question 3. What have been the results of the operation and what are the advantages and the disadvantages of this type of ship as compared with either the nonrigid type, which the Navy now has, or the Zeppelin type?

Answer. It is impossible at this time to draw definite and positive conclusions from the small *ZMC–2* metal-clad airship. An important matter is durability, and this can not be appraised with information that has been accumulated to date. As to performance of the *ZMC–2*, is holds gas as well as fabric-type airships. Its handling qualities have been the subject of some criticism by pilots, but this feature is not necessarily chargeable to metal-clad construction. The superheating effects of gas inclosed in a metal hull as opposed to similar effects with a fabric hull are now under study, but it is too early to draw any conclusions. In brief, the *ZMC–2* to date has performed satisfactorily, but has not so far developed any advantages over comparable types of airships. On the other hand, there are no marked disadvantages that have appeared, and which are chargeable to metal-clad construction. The intention of the Navy Department is to continue the *ZMC–2* in service, to try to learn from it what lessons we can; to try to draw no premature or unwarranted conclusions.

Question 4. How does the metal clad hold its helium pressure as compared with the other?

Answer. The *ZMC–2* metal-clad airship should be classed as a "pressure-type" airship. This means that in flight the gas within the hull must always be under pressure; otherwise failure of the airship is likely to occur. In principle, a flexible fabric diaphragm, or ballonet, is inserted horizontally in the hull of the airship. The lifting gas, helium, lies above this diaphragm; below it there is air. As the airship rises the helium expands, the diaphragm is forced downward, and air is forced out of the ballonet. As the airship descends the helium contracts and additional air is forced into the ballonet. By manipulations of controls and air scoops, the pilot maintains the interior hull pressure within certain specified limits.

Question 5. Is a higher helium pressure required in the metal clad than in the other?

Answer. The *ZMC–2* airship is normally flown at a somewhat higher interior hull pressure than a fabric "pressure" or nonrigid airship of similar size, and, of course, at a much higher pressure than a Zeppelin-type airship.

Question 6. What is the pressure required in both types of airships?

Answer. A fabric nonrigid or pressure-type airship normally operates at 1 to 1½ inches in water, whereas the *ZMC–2* metal-clad airship is operated at 1½ to 2 inches of water.

Question 7. How much of the skin now on the *Los Angeles* is part of the original?

Answer. Approximately 75 per cent of the present outer cover on the *Los Angeles* is the same cover as originally applied in 1923–24.

Question 8. Is the metal clad a rigid airship as such, or is it dependent for its structural integrity upon air or gas pressure from the inside?

Answer. As stated, the *ZMC-2* metal-clad airship operates on pressure principles and is properly classified as a "pressure-type" airship. It requires interior hull pressure to preserve its structural integrity at any but very moderate speeds. The interior framing is just sufficient to prevent collapse of the hull plating when the airship is stationary. A rigid-type airship, as exemplified by the Zeppelin type of construction, has a rigid framework inclosing the gas containers and the structural integrity of the airship is independent of the gas pressure within the hull. There are minor reservations to these general statements, but it does not appear to be important to go into technical details. In a manner of speaking, a Zeppelin-type airship operates at zero internal pressure.

Question 9. How is the pressure available?

Answer. The *ZMC-2* metal-clad airship obtains its interior pressure as outlined under question 4. The pilot has at his command scoops which "pick up" pressure from the air as the ship travels through the air and this pressure can be made proportional to the ship's speed. In other words, for higher speeds higher internal pressures are required. As a precautionary measure, blowers are provided to insure that when the airship is stationary the internal pressure may not fall below a certain specified minimum.

Question 10. State whether or not the proposed design of the 100-ton ship is dependent upon air or gas pressure in the same way.

Answer. The information which the Navy Department has on the proposed design of a 100-ton metal-clad airship is very meager and of a general nature. It is understood that this proposed airship will operate upon pressure principles similar to those outlined for the *ZMC-2*. It is a fundamental that unless hull framing comparable in magnitude and strength to that provided in Zeppelin-type airships is provided, the hull covering, or plating, must be placed under pressure in order that this plating may take the loads which come upon it.

Question 11. What effect would a break of moderate size have in either the hull of the Zeppelin or the airship?

Answer. A break of moderate size in the hull of a Zeppelin-type airship would not necessarily involve a loss of gas (or gas pressure), and, since the Zeppelin type does not depend upon pressure for its structural integrity, a loss of gas would be serious only in that a certain amount of lift would be lost. Because the structure of a Zeppelin-type airship is complex and there is overlapping of structural members, minor failures do not as a rule destroy the structural integrity of the airship but merely throw increased burdens upon adjacent members, and failure of the airship does not occur.

Question 12. What effect does such a break have in the hull of the proposed metal clad?

Answer. As regards a pressure-type airship, a break of moderate size would involve loss of interior hull pressure to an extent which might prove fatal. Instances of this have occurred with fabric pressure airships. Depending upon the extent to which interior pressure can be maintained by artificial methods and the amount of strength possessed by the hull, a pressure airship might be able to proceed at very much reduced speed.

Question 13. Is it possible to move around in the hull of the Zeppelin?

Answer. It is possible to move around easily in the hull of a Zeppelin-type airship.

Question 14. Is it possible to move around in the hull of the proposed metal clad?

Answer. This question is difficult to answer precisely because of the meager information available on the proposed 100-ton metal-clad airship; but because of the necessity for keeping the hull always under pressure, it is difficult to see how adequate accessibility to the interior can be arranged unless some of the crew are to carry on their duties in an air-locked chamber.

Question 15. What are the difficulties of moving around in the hull of either?

Answer. The difficulties of moving around in the hull of a Zeppelin-type airship are those of climbing around on any large structure. Moving around within a pressure-type airship is complicated as outlined under question No. 14.

Question 16. What are the advantages or disadvantages of the two ships for military purposes?

Answer. The advantages and disadvantages of a Zeppelin-type airship and a metal-clad airship for military purposes are matters provocative of considerable discussion. Without going into any such discussion, I list in parallel columns the principal advantages of each type as they appear to me. The disadvantages of the two types can be inferred from this tabulation:

METAL-CLAD AIRSHIP	RIGID AIRSHIP
Possibly less loss of gas by leakage.	Operation is independent of internal pressure.
Less variation of lift by absorption and loss of water in fabric.	Overlapping structure makes for added safety.
Slightly less danger from fire.	Cheaper to construct. (How much is not known at present.)
Greater strength attainable for ground handling by increasing the internal pressure.	More easily repaired.
Less frequent renewal of fabric.	Structure more easily inspected.
	Less liable to loss of strength by corrosion.
	Gas cells accessible, and readily replaced.
	Less variation of lift by superheat.
	Longer total life of ship.
	Interior compartments are possible for carrying engines, airplanes, etc.

Question 17. Is there a possibility of overcoming these disadvantages; and if so, how?

Answer. I would not wish to go on record as saying there are not possibilities of overcoming some of the disadvantages indicated as applying to the metal-clad airship, but I have no hesitancy in stating that, considering the two types in their present states of development, the Zeppelin-type airship is preferable for naval purposes.

Question 18. How would the cost compare between the two types of airships?

Answer. As regards cost, it is impossible to be specific. We have no real information as to the cost of either the Zeppelin type or the metal-clad type of airship. The *ZMC–2* cost considerably more than originally estimated by the firm which built her, and because of the higher degree of precision required to fabricate a metal hull I believe the cost of a metal-clad airship will always be higher than that of a comparable Zeppelin-type airship.

Question 19. What would you regard as the length of life of either the metal clad or the Zeppelin?

Answer. Again there is no real data on which to base an opinion as to the relative life of the two types of airship. My opinion is that the probable life of a Zeppelin type is around 10 to 12 years and the life of a metal-clad airship about three-quarters that period. Naturally replacement parts will be required for each type during these periods. Because of the difficulty of replacing it, the life of a metal-clad airship is probably the life of its thin hull plating, and it is believed that thin sheets deteriorate faster than thicker sections.

Question 20. I have always assumed that the Navy and Army had an understanding that the Navy would confine itself to the rigid type of airships and the Army to nonrigid airships, in the lighter-than-air class. I would like to know if there has been any change between the two services or if you or anyone else of the Bureau of Aeronautics has made any statement that they would waive such an arrangement.

Answer. There is an agreement approved by the joint board which places the development of rigid airships with the Navy Department. It is under this agreement that the Navy Department has proceeded with its work on the *Shenandoah*, *Los Angeles*, and the two new airships now under construction. There is no restriction as to the use of rigid airships by either the Army or Navy after they are developed. I know of no similar mandate which charges the Army with the development of nonrigid airships, although the Army Air Service has devoted most of its attention to that type of airship, the Navy confining its attention to the operation of only two or three nonrigid airships for training and experimental purposes. When the matter of procurement of the *ZMC–2* was an active topic of discussion in 1926 the question arose as to whether its development should be lodged with the Army or with the Navy. At that time the Army waived whatever claim it might have on the development of the *ZMC–2* "pressure type" airship in favor of the Navy. A year ago there was an exchange of correspondence between the Chief of the Bureau of Aeronautics and the proponents of the proposed 100-ton metal-clad airship wherein the Bureau of Aeronautics stated neither authorization nor appropriations were available for the procurement of such an airship by the Navy. The proponents of the 100-ton metal-clad airship replied, stating that they felt free to develop whatever interest they could in the Army toward the procurement of such an airship. I inclose copies of the correspondence in question.

Question 21. Will you also tell me whether or not it is desirable or necessary, in times of peace, that whenever an airship is expected to stay in any particular place for a considerable length of time that a hangar be provided for it?

Answer. While I believe the use of airships at mooring masts is in its infancy and that it is possible to base airships on mooring masts for extensive periods—say, a month or more—at the present time, and that as development proceeds this period will be lengthened, I would regard it as inadvisable not to provide housing facilities for every airship that is in existence. In other words, there should be hangar space for every airship, although an airship does not necessarily have to base entirely on a particular shed.

Question 22. Of what value could a small appropriation be unless it is intended to go ahead with the construction of an airship?

Answer. It is difficult to say how a small appropriation for the preparation of plans, specifications, and experimental work would prove of any real value unless it is the intention to go ahead and actually construct an airship to those plans and specifications. For maximum benefit, the preparation of plans and specifications should really proceed simultaneously with construction work, as in an engineering project of such magnitude I consider the two matters, design and construction, really should proceed simultaneously.

Question 23. Also as to whether or not the two dirigibles now under contract with the Goodyear people will give a complete opportunity of maneuvering the two ships so as to tell absolutely whether or not large-sized airships have value for military purposes with either the Army or the Navy?

Answer. I consider that the two dirigibles now under construction for the Navy Department, when in the air and provided with adequate operating base facilities, will give complete opportunity of determining definitely whether or not large-size airships have value for naval purposes. It is somewhat difficult and embarrassing for me to comment on Army requirements, but I should think it possible to draw direct conclusions and inferences from the operation of these airships as to their value for use with the Army.

Sincerely yours,

DAVID S. INGALLS.

Questions and answers submitted to Hon. Trubee Davison, Assistant Secretary of War, in charge of aviation, by myself, a member of the Subcommittee on Appropriations for the War Department, with reference to the metal-clad airship.

The questions and answers are as follows:

Question 1. What can you tell me in regard to duralumin and its life? Does it corrode and crumble?

Answer. It is difficult to give the life of duralumin structures because it is dependent upon type of atmospheric corrosion, thickness of sections, and protective coatings. The Bureau of Standards, in cooperation with the Bureau of Aeronautics, has been conducting extensive tests on the aging and weathering of structural members in the airship *Los Angeles*. Their tests show gradual loss in strength, a pronounced reduction in elongation, and a marked tendency toward embrittlement. The safe life of a structure such as the *ZMC–2* under commercial operating conditions might be estimated to be at least five years. However, this is a highly controversial subject.

There is a so-called intercrystalline corrosion which is different than is ordinarily encountered in other metals. This corrosion has received a tremendous amount of attention by the manufacturers of aluminum alloys, by the Bureau of Standards, and the Air Corps. It has not been completely eliminated. The only answer to this problem will be the service test on the *ZMC–2*. This airship has not been exposed to the operating conditions that a larger airship would be subjected to long enough at this time to give a correct answer.

The Air Corps should make a careful study of the metal shell of the *ZMC–2* after it has been exposed to the weather for a longer period before it adopts this covering for any airship.

Question 2. Is it desirable or necessary, in times of peace, whenever an airship is expected to stay in any particular place for a considerable length of time, that a hangar be provided for it?

Answer. A hangar for large Army airships should, in the future be considered only for repair bases. Army airship development should be toward types that will withstand the elements and be suitable for anchorage at mooring masts when not actually in flight.

Question 3. Could an appropriation of $200,000 for plans, specifications, and experimental work in connection with metal-clad airships serve any useful purpose unless we shall determine to build and use one?

Answer. The purchase of the experimental plans for this airship at this time is not warranted, unless it is intended to construct the airship if the design is approved. Long experience in aircraft construction has shown that the preparation of experimental plans and specifications, to be of substantial value, should go hand in hand with actual construction.

Question 4. Whether or not the two dirigibles now under contract with the Goodyear people will give a complete opportunity of maneuvering the two ships so as to tell absolutely whether or not large-sized airships have value for military purposes with either the Army or Navy?

Answer. It is believed that the same tactical information can be obtained from the two Goodyear airships as from the proposed airship development. From a tactical point of view, the development will be basically the same. It is impossible at this time to state whether there will be any difference in performance and air worthiness between the two types of ships that would affect their tactical use.

Question 5. What can you tell me about the difference in structural character of the proposed ship as in comparison with the *ZMC-2*?

Answer. The War Department has so little direct information on the proposed airship that it is unable to make any real comparison of the structural characteristics of the proposed airship with those of the *ZMC-2*.

Question 6. Will you give me your views as to what the committee should do with this proposition?

Answer. In this connection it is thought only fair to point out that this project is being fostered by competent engineers and business executives of national reputation, and it is apparent that these men have great faith in the ultimate success of this type of airship. Many difficult engineering problems will no doubt be encountered in the design and construction of such an airship. Similar problems are usually encountered in the design and construction of aircraft which is radically different from existing types. In this case the first step—the *ZMC-2*—has proven a success from an experimental point of view up to the present time. In my opinion the construction of the 100-ton metal-clad airship is the next logical step to be taken if the development of the metal-covered airship is to be continued. It is also my opinion that if this project is undertaken much will be learned which will be of value to the science of aerostatics. The War Department has reported unfavorably on the project because:

a. It does not feel that such a costly lighter-than-air project should be undertaken until its heavier-than-air requirements, which are more important from a national-defense point of view, have been completely taken care of.

b. It considers the metal-clad airship to fall within the category of rigid airships and its development to be a function of the Navy Department in accordance with a joint agreement of the Army and Navy which assigns, for reasons of economy, the development of rigid airships to the Navy Department.

Sincerely yours,

F. TRUBEE DAVISON,
Assistant Secretary of War.

ACCEPTANCE OF DONATIONS TO OR ON BEHALF OF INSTITUTIONS CONDUCTED FOR THE BENEFIT OF INDIANS

The next business on the Consent Calendar was the bill (H. R. 13053) to authorize the Secretary of the Interior to accept donations to or in behalf of institutions conducted for the benefit of Indians.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, I have always objected to the acceptance of donations made to the Government. I have been overruled by this House on two occasions, but I do not believe in the desirability of embarking on a policy of having the Government accept donations of lands or other things. It seems to me that is unbecoming in a democracy. If we need any lands, we ought to buy them and not depend on donations. I think the whole policy is unsound. As I pointed out when we had the bill before the House permitting the Secretary of the Treasury to accept donations of land for public buildings, any town or any group of men in a town would be very willing to give land if they could get a public building for a certain purpose. It is unfair, and I do not think we ought to do it.

Mr. LEAVITT. Of course, this proposal applies only to Indians who are the wards of the Government. The Government at the present time has no authority to accept funds to be expended for the education of an Indian child beyond what the Government itself does in the way of furnishing education. The Government has no authority to accept, for a group of Indians who are the wards of the Government, a donation that would endow a hospital, that would build a hospital, or anything of that kind.

Mr. LAGUARDIA. The gentleman was present when we passed the Interior Department appropriation bill just before the recess and he heard the distinguished gentleman from Michigan tell the House about all we were doing for Indian education and Indian care.

Mr. LEAVITT. The Government is furnishing a tremendous amount, but the Indian child is deprived of a privilege which any white child enjoys, that of receiving help in the way of securing an education. Many great singers have only become so because some community or some individual of wealth decided that those young persons had a talent which should be developed, and they provided for that development.

Mr. LAGUARDIA. This will not affect the gift of a scholarship to an individual?

Mr. LEAVITT. Oh, yes.

Mr. JENKINS. Any Indian child can go out and enter a public institution?

Mr. LEAVITT. If he has the funds, but he does not have the funds.

Mr. LAGUARDIA. There is nothing to prevent an Indian from accepting a scholarship?

Mr. LEAVITT. But in this case it would be expended in the same way that Government funds would be expended, under proper supervision.

Mr. JENKINS. Can the gentleman cite any precedent on which to base this action?

Mr. LEAVITT. Oh, yes. In my own State, in Glacier Park, as shown in the report, there were special provisions made which permit the Government to accept land, accept money, and rights of way for certain purposes. Of course, I know of no precedent that would have to do with individual people, because the Indians are the only wards of the Government.

Mr. CRAMTON. I do not imagine they would have any trouble in accepting a gift for an individual Indian; the Indian can take care of that all right, but I do join with the gentleman in the desirability of legislation that would permit the acceptance of a gift for the benefit of a certain school, a hospital, or other institution. For instance, if a wealthy person living in the city of Phoenix, where we now have a large Indian school accommodating about 800 pupils, and where we are about to build a 100-bed tubercular sanatorium—if a wealthy person or a person not so wealthy in Phoenix became interested in the work of that institution and desired to give a particular convenience for that particular institution, it is rather absurd for the Interior Department to say they have no authority to accept it. I can not see any injury that would come from the acceptance of desirable gifts. I do not have them definitely in mind, but I do know there is general legislation which authorizes the acceptance of gifts for the carrying on of the Park Service, for instance, museums are being donated, and scientific equipment for the national parks. We authorize the National Capital Park and Planning Commission to accept gifts of land, and so forth, and I think if we went through the whole Government service we would find a great many precedents for it.

Mr. LEAVITT. Then there are precedents in the case of other municipalities. For instance, here in Washington, in connection with the Corcoran Art Gallery, by congressional act we provided for the extension of that wonderful art gallery through the acceptance of a gift from former Senator W. A. Clark.

Mr. LAGUARDIA. And each specific gift accepted?

Mr. LEAVITT. Yes. I am referring to the Clark collection.

Mr. LAGUARDIA. That was all right. We passed a bill giving the Secretary of the Treasury blanket authority to accept gifts of land and now we are asked to pass another bill. I may say that the gentleman will live to see the time when this matter of gifts of land to the Government is going to lead to great abuse.

Mr. BLANTON. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. BLANTON. The gentleman spoke about gifts of post-office sites. Does the gentleman object to citizens getting a desirable site at a reasonable cost to them and then giving it to the Government, whereas if they were precluded from doing that, the owner of the site, when the Government went to buy it, would charge perhaps four times its value?

Mr. LAGUARDIA. As a matter of policy, the gentleman can cite many instances where it would be of benefit to the Government; but I will say to the gentleman that any such general policy is going to lead to great abuse.

Mr. BLANTON. I am in favor of the Government taking everything anybody wants to give it, because it is robbed so many times.

Mr. LAGUARDIA. But it will cost the Government more in the long run.

Mr. BLANTON. I doubt it.

Mr. STAFFORD. If the gentleman will permit, I can not appreciate the objection of the gentleman from New York. I think these gifts are on a par with bequests made to educational institutions and endowments of various private institutions.

Mr. LAGUARDIA. But they are private institutions.

Mr. STAFFORD. Suppose they are private institutions, wherein is there any difference? As in the supposititious case instanced by the gentleman from Michigan [Mr. CRAMTON], why should not a local, humanitarian person give large sums of money for a hospital or for a school for the Indians?

Mr. CRAMTON. If the gentleman will permit, we can get quite close to home, the Congressional Library has received innumerable gifts, and when the question of purchasing the Vollbehr incunabula was being considered, the question was raised by the Librarian of Congress as to whether Congress ought to inaugurate a policy of buying museum collections. He was afraid this would interfere with the past policy of gifts of such collections to the Government.

Mr. STAFFORD. I remember distinctly I was somewhat chided by the gentleman from New York [Mr. LAGUARDIA] for objecting to a gift of a large collection of curios and art objects in the city of New York. What possible objection could there be to this?

Mr. LAGUARDIA. The gentleman misses the point entirely.

Mr. STAFFORD. I grant that was a specific bequest, but there are no strings tied to any of these bequests.

Mr. LAGUARDIA. Oh, no; but this is blanket authority to accept gifts and the policy is bad, and anything the gentleman might say to the contrary does not make it any different, because every illustration given by the gentleman from Michigan or the gentleman from Montana is an exception, and I say that when a gift is offered or tendered to the United States, it ought to come before the Congress and the Congress ought to pass upon it.

Mr. HASTINGS. If the gentleman from New York will permit, perhaps, the gentleman has not had an opportunity to study the situation with respect to a number of these Indian schools and hospitals. They are all overcrowded.

Mr. LAGUARDIA. Let me say to the gentleman that I was speaking of the general policy of donations being made to the Government.

Mr. HASTINGS. I was just about to say that they are all overcrowded.

Mr. LAGUARDIA. Then we ought to provide for them. If the schools are overcrowded we ought to appropriate and provide for them.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized in his discretion to accept contributions or donations of funds or other property, real, personal, or mixed, which may be tendered to, or for the benefit of, Federal Indian schools, hospitals, or other institutions conducted for the benefit of Indians, or for the advancement of the Indian race, and to apply or dispose of such donations for the use and benefit of such school, hospital, or other institution or for the benefit of individual Indians.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

FEDERAL BUILDING PROGRAM

The next business on the Consent Calendar was the bill (H. R. 14040) to enable the Secretary of the Treasury to expedite work on the Federal building program authorized by the act of Congress entitled "An act to provide for the construction of certain public buildings and for other purposes," approved May 25, 1926, and acts amendatory thereof.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, I want to point out that it may be necessary to give a certain amount of discretion to the Secretary of the Treasury, but such discretion should not be so wide as to permit him to limit those who may bid.

Mr. JENKINS. Exactly.

Mr. LAGUARDIA. If you want to give him certain discretion, give him the discretion after the bids are in, and I would suggest that instead of saying he should restrict the competition in bidding, we say that he may restrict the awarding of contracts to such persons, firms, or corporations as possess the qualifications which he deems necessary. It seems to me that is sufficient latitude to give him.

Mr. ELLIOTT. Will the gentleman yield?

Mr. LAGUARDIA. Certainly.

Mr. ELLIOTT. The trouble is not in the awarding of the contracts; it is a question of so many irresponsible persons engaging in the bidding.

Mr. LAGUARDIA. He can disregard them.

Mr. ELLIOTT. That is what they want to do.

Mr. LAGUARDIA. That is what the bill should provide.

Mr. ELLIOTT. The language may be a little broader than it ought to be, but we have had this question up, and I want to call the gentleman's attention to the fact that the other day, on one of these big contracts, they called for 115 different sets of blue prints for that one building. Over half of them went to persons that did not even bid at all. There were something like 55 bids that came in, and a large number of them came from men who could not have handled the contract if they had obtained it. This is what they are trying to avoid.

Mr. LAGUARDIA. The gentleman from Indiana must concede that it is extremely dangerous to say to the Secretary of the Treasury or to the head of any department that he shall have such latitude as to limit those who may bid on contracts.

Now, we will go along with the gentleman in giving some discretion to the Secretary of the Treasury if he believes it is justified. Look at page 2:

To restrict the competition in bidding on the construction of public buildings to such persons, firms, or corporations only as possess the qualifications which he deems necessary and proper in the public interests to require.

Strike out "require" and strike out "competition in bidding" and then it is open to all reputable bidders, reliable firms.

Mr. COLLINS. Why not strike out the enacting clause?

Mr. LAGUARDIA. Oh, no; this would give him some discretion. Unless the bill is amended I shall object.

Mr. ELLIOTT. Mr. Speaker, I ask unanimous consent that this bill go over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

CONVEYANCE OF CERTAIN LANDS IN THE STATE OF ALABAMA

The next business on the Consent Calendar was the bill (H. R. 12094) to provide for the conveyance of certain lands in the State of Alabama to vocational or other educational uses, rather than to park or game-preserve purposes, or to dispose of the lands upon condition that they shall be used for educational purposes only.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed, upon payment of $1.25 per acre, to transfer and convey to the State of Alabama, subject to valid existing rights, including rights heretofore granted to Henry T.

Henderson and associates by act of Congress approved June 30, 1906, the following-described parcels of land: In township 8 south, range 9 east, Huntsville meridian, lots 1, 2, 3, and 4, section 1; lots 1, 2, and 3, section 2; lots 1 and 2, section 10; lots 1, 2, 3, 4, 5, and 6, section 11; lot 1, section 12; lots 1, 2, and 3, section 14; lots 1, 2, 3, and 4, section 15; lots 1, 2, 3, and 4, section 22; lots 1, 2, 3, and 4, section 23; lots 1 and 2, section 26; east half northeast quarter and lots 1, 2, 3, 4, and 5, section 27; lot 1, section 28; lots 1, 2, 3, and 4, section 33; and lots 1 and 2, section 34, containing 1,625.19 acres, more or less, the same to be held and made available permanently by said State, its transferees or lessees, for vocational or other educational purposes: *Provided*, That should the State of Alabama or its transferees or lessees fail to keep and hold the said land for vocational or other educational purposes, or devote it to any use inconsistent with such purposes, then at the option of the Secretary of the Interior, after due notice to said State and such proceedings as he shall determine, title to said lands shall revert to and be reinvested in the United States.

With the following committee amendment:

Page 2, line 20, after the word "States," strike out the period and in lieu thereof insert a colon and the following:

"*Provided*, That there shall be reserved to the United States all gas, oil, coal, or other mineral deposits found at any time in the said lands and the right to prospect for, mine, and remove the same: *Provided further*, That there is expressly reserved to the United States, its permittees or licensees, the right to enter upon, take, or use any or all of said lands for power purposes in accordance with the terms and conditions of section 24 of the Federal water power act (41 Stat. 1063).

"SEC. 2. The act entitled 'An act to provide for conveyance of certain lands in the State of Alabama for State park and game-preserve purposes,' approved February 17, 1927, is hereby repealed."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

The title was amended.

NEEDLES ROCKS WILD-LIFE REFUGE

The next business on the Consent Calendar was the bill (H. R. 13276) to establish the Needles Rocks wild-life refuge.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. LAGUARDIA. Reserving the right to object, would the gentleman object to an amendment that there shall be no hunting on the refuge?

Mr. ARENTZ. That is the very purpose of the bill. It is a reserve, and no hunting could take place.

Mr. STAFFORD. I wish to inquire of the author of the bill or the gentleman from Michigan how many wild-life refuges there are in the country under the jurisdiction of the Federal Government?

Mr. CRAMTON. They are not under the jurisdiction of the Park Service, whose work I am familiar with, and I can not answer the gentleman as to the number. They are under the Biological Survey. The number is increasing; we have created several within the last two years, and the last one was the Cheyenne Bottoms, in the State of Kansas, which was created within a year.

Mr. STAFFORD. It occurred to me that the State of Nevada, which has no great burdens, should take jurisdiction over this refuge.

Mr. ARENTZ. Well, this is an anomalous situation.

Mr. STAFFORD. Twenty-four years ago we donated to Wisconsin all the islands north of a certain latitude. I grant that there is need for this conservation of wild life, but why should not the State do it?

Mr. ARENTZ. These islands stick up out of a most beautiful lake, and that lake happens to be on an Indian reservation. The rocks are on an Indian reservation, and the only way they can conserve this wild life, this bird life, upon these jutting rocks, these pyramids sticking out of the lake, is to make it a game refuge under the Biological Survey. Otherwise they are going to be ransacked from time to time by the Indians themselves, not because they do not appreciate bird life but they see something interesting. I hope the gentleman from Wisconsin will withdraw his objection.

Mr. LAGUARDIA. Mr. Speaker, will the gentleman yield?

Mr. ARENTZ. Yes.

Mr. LAGUARDIA. Does the gentleman say that permits are never granted to hunt in these refuges?

Mr. STAFFORD. Permits are granted to hunt on Indian reservations by the local superintendents.

Mr. ARENTZ. But not on a bird refuge of this sort.

Mr. LAGUARDIA. There has been hunting on bird refuges?

Mr. ARENTZ. I think it would be a good idea to adopt the amendment proposed.

Mr. LEAVITT. We have no objection on the part of the committee to its going in as a part of the bill.

Mr. LAGUARDIA. I am going to offer it in order to establish that custom.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That the islands known as "The Needles Rocks" in Pyramid Lake, within the Pyramid Lake Indian Reservation, Nevada, and all lands under water appurtenant thereto, located approximately in what would be, if surveyed, sections 1, 12, and 13, township 26 north, range 20 east, and section 6, township 26 north, range 21 east, Diablo meridian, Nevada, are hereby reserved and set apart for the use of the Department of Agriculture, subject to all valid existing rights, as a refuge and breeding ground for birds, to be known as the Needles Rocks Wild Life Refuge.

Mr. LAGUARDIA. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 1, line 12, after the word "refuge," strike out the period, insert a colon, and the following: "*Provided*, That no hunting shall be permitted in the said wild life refuge."

The amendment was agreed to.

Mr. BLANTON. Mr. Speaker, I offer to amend by striking out the words in line 12, "wild life refuge," and ask unanimous consent to speak for five minutes out of order.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. BLANTON. Mr. Speaker, our colleague from Wisconsin [Mr. SCHAFER] is a most delightful gentleman, earnest and active and conscientious. He came here with two purposes in view. One was to protect the railroad men and other worthy laborers of his section of the country, and he has done it most zealously and efficiently, and the other to speak in favor of Milwaukee beer and booze whenever the occasion warrants it. He has been most efficient along that line also.

He was criticized this morning for using time during the passage of a bill to grant a $45,000,000 loan to the distressed farmers, to again array himself against the eighteenth amendment and the Volstead Act. The gentleman who criticized him did not realize that for several weeks during the Christmas holidays, before and after, our friend from Milwaukee has been indisposed, and this desire to speak against prohibition has been growing on him all the time while he was laid up. He had to get that out of his system this morning.

I want to say to him that it is not prohibition that is causing the present depression in the country. With his Republican colleagues he voted for a billion-dollar tariff wall to be erected around this country, which has stopped our trade with foreign countries. He voted for that bill when it denied a proper tariff of $1 a barrel on crude petroleum that comes into the country from foreign countries where it is produced by peon labor, and where the Standard Oil and the big Dutch-Shell Co. and other big companies operate. With the oil thus produced in those countries they are able to lay down gasoline, produced from this foreign petroleum, in New York for 4 cents a gallon, when it is sold here in the District of Columbia, less than 300 miles away from New York, for 16 cents a gallon.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. The gentleman did not yield to me, but I yield to him.

Mr. SCHAFER of Wisconsin. The gentleman from Wisconsin is always only too glad to vote for a proper protective tariff to protect independent oil producers, but I would

like to ask the gentleman this question: If that oil protection had been granted in the tariff bill, would the gentleman have voted for the bill?

Mr. BLANTON. I would vote for that $1 per barrel protection on crude oil, but I would not vote for the iniquitous billion-dollar tariff bill, because that is the law that has destroyed the business life of this country.

Mr. Speaker, the words that pro forma I have moved to strike out of this bill are "wild life refuge." My friend from Wisconsin would like to have wild refuges not only in Milwaukee, where his wild life can have its own will, but he would like to have this wild life refuge in Washington and in every city in the universe. In this day when we have highways that permit speeds of 75 and 80 miles an hour I would like to ask him if he wants to have his daughter and wife go out upon them, with roadhouses between here and Baltimore and between here and Richmond? No; he would not, because he knows that they would not be safe.

I call his attention to the statement made by Mr. Thomas Edison, which I placed in this RECORD the other day, where Mr. Edison said that before the prohibition law went into effect, on Saturday nights the women used to flock to his plant to watch when the pay-roll envelope came in so that they could get enough out of it to keep them and their little children alive during the next week, and that after this law was passed the women ceased to come, and they did not appear because they got the benefit of the entire pay roll. The gentleman from Wisconsin ought to be behind a situation like that.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. In just one moment. The gentleman from Milwaukee not only voted for this iniquitous billion-dollar tariff wall to be erected around this country but he wants to be a wet, and yet in 1928 he voted against a man who was really the wet candidate of the Nation.

The SPEAKER pro tempore. The time of the gentleman from Texas has expired.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I move to strike out the last word and ask unanimous consent to speak out of order for five minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I supported and voted for President Hoover in the last election and, as a wet, I certainly could not have obtained any satisfaction if I had supported for the highest office within the gift of the American people a candidate who pussy footed and trimmed on the prohibition question as the Democratic candidate did. If you will scan the political planks of both major parties you will find the Democratic Party had the driest plank of either.

In his speech in Milwaukee, Wis., the Democratic candidate for President in the last election correctly admitted that before the President could act on a modification or repeal of the laws enacted under the eighteenth amendment, Congress would have to act. He correctly admitted that the President, under our Constitution, could not repeal or amend an amendment or any part of the Constitution. He told the people that he would assume leadership in the fight against the present prohibition laws. Why, Mr. Speaker, the Democratic candidate had an opportunity to show leadership on the wet question and he was tried and found wanting. Over three-fourths of the delegates to the Democratic convention were Smith delegates, and the place for him to have shown leadership was on the floor of that convention through his delegates and at least prevented the incorporation of that dry plank if not incorporating a wet one.

How was he going to show leadership, having admitted that the Congress had first to act on the eighteenth amendment and the Volstead Act by going to St. Louis and consuming seven minutes talking for the election of the Anti-Saloon League candidate for the Senate on the Democratic ticket? How could he show leadership by asking for the election of the Democratic congressional candidates from below the Mason-Dixon line nearly all of whom were politically the driest of the dry?

Mr. BLANTON. Will the gentleman yield?

Mr. SCHAFER of Wisconsin. I yield.

Mr. BLANTON. On November 4, last, did not the people of the United States turn down the gentleman's choice?

Mr. SCHAFER of Wisconsin. To whom does the gentleman from Texas refer?

Mr. BLANTON. I refer to Mr. Hoover and his administration and his policies?

Mr. SCHAFER of Wisconsin. I would not state that they turned down President Hoover. If it were not for the demagogic, hypocritical action of political trimming Democrats we would not have the business depression that now exists. [Applause.]

The gentleman from Texas talked about road houses. I suggest that if he will make a survey he will find that there are just as many now as there were before prohibition, and in fact more. If the gentleman will look at the police statistics in his own State of Texas he will find that in the State of Texas, as well as in Atlanta, Ga., where our former colleague, the mouthpiece of the Anti-Saloon League, Mr. Upshaw, came from, the arrests for driving vehicles while intoxicated and the arrests for drunkenness have increased by leaps and bounds under prohibition. We will also find this to be true in the State of Ohio, where the disreputable Anti-Saloon League was created, reared, and is functioning to-day with its national headquarters. In fact the police statistics from practically every State in the Union indicate that prohibition has increased the number of drunks and drunken vehicle drivers far out of proportion to the increase in population and number of automobiles.

Mr. BLANTON. Will my friend yield for a question?

Mr. SCHAFER of Wisconsin. I yield.

Mr. BLANTON. Then I understand the gentleman from Wisconsin is backing up the gentleman from Indiana [Mr. WOOD] in calling Senator NORRIS a demagogue? Is that true?

Mr. SCHAFER of Wisconsin. I am not the guardian of the gentleman from Indiana. As far as I am concerned, in the near future I expect to make a speech on the floor of this House and present evidence which will indicate that some of these sanctimonious, pseudo Republicans who ought to be candidates on the Democratic ticket could well investigate their own elections.

The SPEAKER pro tempore. The time of the gentleman from Wisconsin has expired.

Mr. SABATH. I rise in opposition to the amendment of the gentleman from Wisconsin.

Mr. Speaker, ladies, and gentlemen, it seems to me the gentleman from Wisconsin, due to his new alignment, has been weaned away from the honest principles that he formerly advocated and is given from time to time to make rash and amusing charges. Not only does he charge the Democrats with the panic for which his Republican Party is responsible and which they brought about, but he even charges his former coworkers who remained honest to the principle of progressive policies with dishonesty. It is to be regretted that such a sincere wet as the gentleman from Wisconsin [Mr. SCHAFER] should have gone astray so far.

For instance, in his own State, if I am not mistaken, there was an election in November and his candidate for governor was badly defeated, and a progressive wet who has the sympathy of the Democrats of Wisconsin has been elected by a tremendous majority in that State.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. SABATH. I can not yield. I will yield later on.

Mr. SCHAFER of Wisconsin. The wet candidate for governor was defeated in Wisconsin and a dry elected.

Mr. SABATH. If that is true, the gentleman's influence in Wisconsin is not as great since he parted company with the progressives and joined the reactionaries; but surely he will not charge the defeat of his former governor to the fact that he was a wet, and must concede that his defeat was due to his alignment with Hoover's administration. But that in

itself is not of such importance. The one I am interested in is the gentleman from Wisconsin, whom I have admired for his courageous and able crusade against prohibition. Therefore, I regret and feel that it comes with mighty poor grace from that stalwart—now standpat—Republican from Wisconsin to criticize his former progressive Republican colleagues. Having the friendship I have for him, I deeply regret that the gentleman from Wisconsin has not remained true to his former associates and the progressive policies he formerly advocated, and I do hope that within a very short space of time he will come to realize the mistake he has made and return into the fold of the real, honest Democrats who sometimes, unfortunately, run on a Republican ticket as progressives, but who aid the cause of Democracy and the people, whom the Democratic Party is at all times trying to relieve, aid, and assist.

Now, as to charging the Democratic Party with this panic. I feel that this charge is due to his illness, as it must have affected his memory and knowledge of conditions, as he seems to forget the ones who are really responsible for these panicky conditions, namely, the Republican Party, and here, in a measure, I agree with him, the entry of prohibition.

The SPEAKER pro tempore. The time of the gentleman from Illinois has expired.

Mr. SABATH. Mr. Speaker, I ask unanimous consent to proceed for three additional minutes.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. BLACK. Will the gentleman yield?

Mr. SABATH. Yes.

Mr. BLACK. Does not the gentleman realize that the gentleman from Wisconsin is God's Christmas gift to Hoover?

Mr. SABATH. During these trying times most any contribution is gracefully received. But I feel that it is of only short duration, as I know that he can not feel at home in these—to him, strange—yes, foreign—environments.

Mr. Speaker, the gentleman from Wisconsin should know that the Republican Party, of which he is now one of the leaders, is responsible, as it has failed to act and has failed to legislate to relieve conditions. Notwithstanding that they have a majority in the House, a majority in the Senate, and a Republican President. They have failed to adopt measures and legislation that would have prevented the crash and the panic, as the President in his message himself admits. If they had been true to the pledges they gave the people, they would have stopped the New York Wall Street gambling. They would have stopped short selling on the New York Stock Exchange, and could have, and would have, again brought back the confidence of the people of the United States. They could have easily adopted or secured action from the Federal Reserve Board which should have made eligible for rediscount municipal bonds, finance corporation paper, and mortgages given by home owners for rediscount purposes, thereby saving not only hundreds of thousands of homes and farms now being foreclosed but also hundreds of banks from bankruptcy and receiverships and relieving the strain of the seven to eight thousand banks which, due to the high New York financiers and manipulators, and the failure of the administration to properly act, have been driven into nearly unbearable situations. There is no question in my mind that they could have stopped the tremendous destruction of property and lives throughout the entire United States. [Applause.] Therefore, the gentleman from Wisconsin must wake up and realize and familiarize himself with conditions, and place the responsibility where it properly belongs, on the Republican Party, of which he is now a member, and on the Wall Street element which dictates its policies. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Illinois has again expired.

The pro forma amendment was withdrawn.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

POSTING OF NOTICES OF PETITIONS FOR CITIZENSHIP

The next business on the Consent Calendar was the bill (H. R. 10672) to amend the naturalization laws in respect of posting of notices of petitions for citizenship.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 5 of the naturalization act of June 29, 1906, as amended, is amended to read as follows:

"SEC. 5. The clerk of the court shall, if the petitioner requests it at the time of filing the petition for citizenship, issue a subpœna for the witnesses named by such petitioner to appear upon the day set for the final hearing, but in case such witnesses can not be produced upon the final hearing other witnesses may be summoned upon notice to the Bureau of Naturalization, in such manner and at such time as the Commissioner of Naturalization, with the approval of the Secretary of Labor, may by regulation prescribe."

SEC. 2. So much of section 6 of such act, as amended, as reads "and in no case shall final action be had upon a petition until at least 90 days have elapsed after filing and posting the notice of such petition" is amended to read as follows: "and in no case shall final action be had upon a petition until at least 90 days have elapsed after filing of such petition."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote whereby the bill was passed was laid on the table.

MONUMENT TO WILLIAM HOWARD TAFT AT MANILA

The next business on the Consent Calendar was Senate Joint Resolution 177, to provide for the erection of a monument to William Howard Taft at Manila, P. I.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, may I ask the gentleman from Massachusetts if any plan or design of the proposed monument has been considered?

Mr. LUCE. Not so far as I know.

Mr. LAGUARDIA. Of course, it would be approved by the Fine Arts Commission, as the bill provides?

Mr. LUCE. Yes.

Mr. LAGUARDIA. That is something, anyhow.

Mr. DYER. May I ask the gentleman from Massachusettes whether the funds to erect this monument will come out of the Treasury of the United States or out of the treasury of the Philippine Islands?

Mr. LUCE. They will come out of the Treasury of the United States.

Mr. STAFFORD. Will the gentleman make some statement as to the basis on which it is determined that $35,000 will be adequate for a fitting monument to the former Governor of the Philippines, the former President of the United States, and the late Chief Justice of the United States? On what does the gentleman base that estimate of $35,000?

Mr. LUCE. Simply on the experience of the committee in dealing with things of this sort.

Mr. STAFFORD. What kind of a monument do you contemplate erecting in honor of the former Governor of the Philippines, the former President of the United States, and the late Chief Justice of the United States?

Mr. LUCE. I am not aware that there has been any thought given to the nature of the monument.

Mr. STAFFORD. What does the gentleman say as to the kind of a monument which can be erected for $35,000? If we are going to erect any monument, we ought to erect a monument that will be fitting to the man, and $35,000 would not go very far these days.

Mr. LUCE. That is certainly true but the judgment of the Fine Arts Commission commends itself to the Committee on the Library, and inasmuch as the Fine Arts Commission always consults the Committee on the Library and gives it an opportunity to share in a decision upon any of these things the general authority here given would seem to be ample.

Mr. STAFFORD. We can, perhaps, erect just a statue for $35,000 with a suitable pedestal, but if we are going to erect a monument, we should erect one in proper style.

Mr. LaGUARDIA. The gentleman knows, of course, it will have to be a very small affair.

Mr. STAFFORD. Very small for $35,000.

Mr. PATTERSON. Will my friend from Wisconsin yield to me a moment?

Mr. STAFFORD. Pardon me a moment. I think if we are going to present to the people of the Philippines a statue in memory of the great man who did so much to heal the breach that existed shortly after we took possession of those islands, we ought to provide ample means to do it, and $35,000 will not be sufficient.

Mr. LaGUARDIA. And it is also to include transportation.

Mr. STAFFORD. Thirty-five thousand dollars will not be an approach to it.

I ask unanimous consent that this bill go over without prejudice so that the Committee on the Library may consider an amount that will be adequate to erect a proper and fitting memorial to the distinguished public services of the former Governor of the Philippines and the former President and Chief Justice of the United States.

Mr. LaGUARDIA. I want to say to the gentleman from Wisconsin that I have taken that question up with the Fine Arts Commission and I expect a reply from them on that very point. I dictated the letter yesterday.

Mr. STAFFORD. I understand from the gentleman from New York that he has taken this question up with the Fine Arts Commission as to what character of monument can be erected with this limit of appropriation, and I think if we are going to present a monument to the Philippine people in commemoration of the worthy work of William Howard Taft, it should be a really fitting one. We are spending hundreds of millions of dollars on post-office buildings, and so let us do this work as the United States Government should do it.

Mr. LUCE. Mr. Speaker, I ask that the gentleman's request be withheld for a moment, simply that I may say that I personally should not have the slightest objection to whatever increase in this sum appeals to the judgment of the House. It was the opinion of the committee that this would be adequate to the needs. If the House thinks otherwise, the Committee on the Library will be grateful.

Mr. PATTERSON. Will the gentleman yield for a question?

Mr. LUCE. Certainly.

Mr. PATTERSON. Has any request come from the Philippine Islands, or did anybody appear before the committee making this request? I notice the report does not mention that the Philippine people are requesting this money.

Mr. LUCE. I do not recall the source of the request. The bill had passed the Senate and approved itself to your committee.

The SPEAKER pro tempore. Without objection, the bill will be passed over without prejudice.

There was no objection.

MEDALS OF HONOR AND AWARDS TO GOVERNMENT EMPLOYEES, ETC.

The next business on the Consent Calendar was the bill (H. R. 12922) providing for medals of honor and awards to Government employees for distinguished service in science or for voluntary risk of life and health beyond the ordinary risks of duty.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, I object.

Mr. O'CONNOR of New York. Will the gentleman reserve his objection a moment?

Mr. BLANTON. Yes.

Mr. O'CONNOR of New York. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

SECRETARY OF THE TERRITORY OF ALASKA

Mr. KVALE. Mr. Speaker, I ask unanimous consent to return to Calendar No. 769 (H. R. 11368), to fix the annual compensation of the secretary of the Territory of Alaska, and to vacate the proceedings thereunder. The objection has been withdrawn in order that I may be permitted to ask that the bill go over without prejudice.

The SPEAKER pro tempore. The gentleman from Minnesota asks unanimous consent to return to Calendar No. 769 and to vacate the proceedings had thereunder. Is there objection?

There was no objection.

The SPEAKER pro tempore. The gentleman from Minnesota asks unanimous consent that the bill may go over without prejudice. Is there objection?

There was no objection.

CLAIM OF CHOCTAW AND CHICKASAW INDIAN NATIONS

The next business on the Consent Calendar was the bill (S. 3165) conferring jurisdiction upon the Court of Claims to hear, consider, and report upon a claim of the Choctaw and Chickasaw Indian Nations or Tribes for fair and just compensation for the remainder of the leased-district lands.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that this bill may go over without prejudice. I have not had time to examine it.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

USE OF OSAGE FUNDS FOR ATTORNEYS' FEES

The next business on the Consent Calendar was the bill (H. R. 13132) authorizing the use of Osage funds for attorneys' fees and expenses of litigation.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LaGUARDIA. Mr. Speaker, reserving the right to object, it seems to me the first question that will be raised will be whether or not the act of March 3, 1921, is constitutional—whether Congress had the power to extend the time after the previous bill granting 25 years of life to the particular lease.

Mr. LEAVITT. Of course, Congress has taken that action.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that this bill go over without prejudice. The gentleman from Oklahoma [Mr. HASTINGS] wants to look into it.

Mr. HASTINGS. Mr. Speaker, I have not had time to study this bill. It was only brought to my attention to-day, and I want to ask the gentleman from Montana whether there will be any amendment offered to the bill or whether it will go through just as it is reported?

Mr. LEAVITT. It will go through just as reported, so far as the committee is concerned.

Mr. HASTINGS. In the title of the bill it refers to the use of the funds and in the bill itself you provide that this is authorized to be appropriated. You could authorize the use of it without any appropriation and I want to know whether we are going to have the double check against the use of this money. If we are not I am going to object to it when it comes up for consideration. If you will amend the title so it is authorized to be appropriated, and perhaps offer some other slight amendments, I would not have any objection; but I have not had an opportunity to study it and I join with the gentleman from Texas in asking that it go over without prejudice.

Mr. LEAVITT. If the gentleman will withhold that for a moment I would like to make a statement to the House about the bill. It is really an emergency matter.

Mr. HASTINGS. Let me ask whether any suit has been brought?

Mr. LEAVITT. Of course not, as yet, because the original date had not been reached when the restrictions on these lands would have been removed, but just as soon as the original date set in 1931 is reached, there are a great many white owners who have purchased surface rights from these Indians, including oil companies, who intend, according to the information of the committee, to begin suit against these Indians to take from the Indians the oil which lies under the surface.

Mr. HASTINGS. The gentleman knows that no man in this House will go further to protect the Indians than I will, but I do not like the language in line 16. I can understand easily that if this bill passes and the $100,000 fee is provided for, some attorneys may persuade the Osage Council that it is for the interests of the tribe to bring a suit in order that they may get the attorney fees. If the act of 1921 or 1929 is called in question I will join with the gentleman from Montana, and everybody else in the House, to see that an adequate sum is placed at the disposal of the department to employ attorneys to defend the Osage Tribe.

Mr. LEAVITT. If this Congress adjourns without having passed such legislation they will have the Indians at their mercy.

Mr. HASTINGS. I am from the State of Oklahoma, and I will take the responsibility if the gentleman will allow it to go over so that we can analyze the language more carefully. All I want to know is that the Osage Tribe is adequately protected by this legislation.

Mr. LEAVITT. And this bill is to enable the attorneys to properly defend the Osage Council. It is in pursuance of the representations of the Osage Council.

Mr. HASTINGS. The gentleman knows that the Osage Council might be overreached by enterprising attorneys who want to be employed in this suit. Let me say to the gentleman from Montana that he may have no fear but that I will aid him in seeing that an adequate sum is placed at the disposal of the Secretary of the Interior to defend every right that these Osage Indians have. We want to critically examine the language itself. The tribe is in my State and I think there is some added responsibility upon me in a matter of this kind, and I am unwilling that the bill should go through without a more careful examination.

Mr. LAGUARDIA. I would like to ask the gentleman a question: This is anticipating litigation based upon the validity of an act of Congress?

Mr. HASTINGS. Yes.

Mr. LAGUARDIA. Does it not become the duty of the Attorney General to defend the action?

Mr. HASTINGS. I have no objection to the employment of special counsel to do it in order that the Indians may be better protected.

I want to emphasize, as a member of the subcommittee, the fact that we appropriated $259,000 out of the Osage Indians' fund to manage their affairs. Every dollar that is expended on behalf of the Osage Tribe comes out of their funds. We used to use their funds when there were 2,229 allottees getting ten or twelve thousand dollars per annum. The amount is now reduced to about one-tenth and yet we appropriate from their funds the extravagant sum of $259,000. I accept criticism myself in part for it, but I think it is the duty of the House to more carefully protect the wards of the Government, and I am asking more time to carefully examine this bill.

Mr. LEAVITT. That is the purpose of this bill, to protect the wards of the Government in a very critical situation, because of laws that the Congress has enacted with reference to this tribe. These Indians are in the position of requiring the best lawyers that can be secured.

Mr. HASTINGS. Will not the gentleman consent to let the bill go over in order that we may more carefully examine the language? I am unwilling that the bill should be passed without a closer examination, and I ask that it go over without prejudice.

Mr. LEAVITT. Of course, Mr. Speaker, I can not object to having the bill go over without prejudice under the circumstances, but I call the gentleman's attention to the fact that I introduced this bill on the 24th of last June, that it has been pending since that time, and that it was brought to the attention of the committee as an emergency matter in this session by the department charged with the welfare of these Indians, as a thing that must be done in this session. For that reason action was taken and the bill has been presented. Of course, I can not object to the request of the gentleman.

Mr. HASTINGS. It was introduced some six months ago, and, as yet, no suit has been brought.

Mr. LEAVITT. No suit could be brought until the expiration of the first period of restriction, which will be later in the year.

Mr. HASTINGS. That will be in the next three or four months?

Mr. LAGUARDIA. On March 3.

Mr. CHINDBLOM. When was the bill reported to the House?

Mr. LEAVITT. December 17.

Mr. CHINDBLOM. Then the bill has been on the calendar only a short time.

Mr. HASTINGS. We took a recess for the holidays on the 20th of December. This bill did not go on the calendar until about the time we took that recess. I did not know that it was on the calendar until to-day. I am not satisfied with the language used in the bill. I have no hesitation in saying that I will go as far as anyone in having an adequate sum appropriated to protect these Indians, but I am not satisfied with the language in the bill. For that reason I join with others in asking that the bill go over without prejudice.

The SPEAKER pro tempore. Without objection, the bill will go over without prejudice.

There was no objection.

SITE FOR LOCKS AND DAM NO. 4, MONONGAHELA RIVER

The next business on the Consent Calendar was House Joint Resolution 441, amending section 1 of the act entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved July 3, 1930, relating to the Monongahela River, Pa.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

There was no objection.

The Clerk read the resolution, as follows:

Resolved, etc., That the provision relating to the Monongahela River, Pa., in section 1 of the act entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved July 3, 1930, is hereby amended to read as follows:

"Monongahela River, Pa., in accordance with the report submitted in Rivers and Harbors Committee Document, No. 22, Seventieth Congress, second session: *Provided*, That the Chief of Engineers may, in his discretion, locate the new locks and dam above the existing structure and on such site as he may deem most desirable."

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the joint resolution was agreed to was laid on the table.

DISPOSITION OF UNPLATTED PORTIONS OF GOVERNMENT TOWN SITES ON IRRIGATION PROJECTS

The next business on the Consent Calendar was the bill (H. R. 14056) to amend the act approved March 2, 1929, entitled "An act to authorize the disposition of unplatted portions of Government town sites on irrigation projects under the reclamation act of June 17, 1902, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I assume that the gentleman will have no objection to limiting the time to five years within which the payment must be made, to conform to the original act? This amendatory act would grant to the Secretary of the Interior unlimited time in which to provide for terms of payment.

Mr. LEAVITT. I have no objection to such an amendment.

Mr. LAGUARDIA. Did not the original act permit the sale of this property on the installment basis as well as for cash?

Mr. LEAVITT. Yes; the general law has done so.

Mr. LAGUARDIA. That being so, why is this amendment necessary?

Mr. LEAVITT. Because we wrote into the particular law enacted last session the words "for cash" and it was found in experience that the areas could not be sold for cash.

Mr. LAGUARDIA. But the original law did provide for sale on the installment basis?

Mr. LEAVITT. Yes; the general law.

Mr. STAFFORD. The installments to be paid within five years.

Mr. LEAVITT. I have no objection to such an amendment as the gentleman suggests.

Mr. STAFFORD. I think it is the intention of the committee to have this conform to the original act, and the original act limits it to five years.

Mr. LEAVITT. I have no objection to such an amendment.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of the act of March 2, 1929, entitled "An act to authorize the disposition of unplatted portions of Government town sites on irrigation projects under the reclamation act of June 17, 1902, and for other purposes" (45 Stat. L. 1522; U. S. C., Supp. III, title 43, sec. 571), be amended to read:

"That the Secretary of the Interior is hereby authorized, in his discretion, to appraise, and sell, at public auction, to the highest bidder, from time to time, under such terms as to time of payment as he may require, any or all of the unplatted portions of Government town sites created under the act of April 16, 1906 (34 Stat. 116), or any irrigation project constructed under the act of June 17, 1902 (32 Stat. 388), or acts amendatory thereof or supplementary thereto: *Provided*, That any land so offered for sale and not disposed of may afterwards be sold, at not less than the appraised value, at private sale, under such regulations as the Secretary of the Interior may prescribe. Patents made in pursuance of such sale shall convey all the right, title, and interest of the United States in or to the land so sold."

With the following committee amendment:

Page 2, line 6, strike out the word "or" and insert the word "on."

The committee amendment was agreed to.

Mr. STAFFORD. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 2, line 4, after the word "require," insert "but in no event for any period longer than five years."

The amendment was agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

CONSTRUCTION OF BUILDING AT FORT SAM HOUSTON

The next business on the Consent Calendar was the bill (H. R. 4501) to authorize funds for the construction of a building at Fort Sam Houston.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, this is a rather unusual proceeding. First we authorize the appropriation of certain money, and then appropriate it, and then there comes in a request asking for $5,000 of the original appropriation to be expended for another purpose. Will the $587,975, less the $5,000 it is proposed to take away, be sufficient to complete the school and flying field at San Antonio?

Mr. WURZBACH. Whether that will complete the entire project?

Mr. LAGUARDIA. Yes.

Mr. WURZBACH. Oh, no; not by several millions; but that is immaterial in the consideration of this bill. By transferring the $5,000 that was originally appropriated for the housing of the equipment and radio-transmitter equipment at the new flying field to Fort Sam Houston, which is the old station at San Antonio, they will be able to consolidate the radio-transmitter equipment in one house at Fort Sam Houston to take care of not only the radio transmission at Fort Sam Houston but for all of the flying fields around San Antonio.

Mr. LAGUARDIA. Why does not the gentleman bring in a bill simply authorizing $5,000 to be appropriated for that purpose?

Mr. WURZBACH. Because there was an authorization made, as shown by the report of the Secretary of War, for $30,000 for the housing of the radio-transmitter equipment at Fort Sam Houston.

It requires $5,000. There was also an authorization made for housing similar equipment for new flying field, so it is in the interest of economy to consolidate these activities under one roof. This is a bill that was introduced by the chairman of the Committee on Military Affairs.

Mr. LAGUARDIA. Yes. It comes from the War Department.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That not to exceed $5,000 of the unexpended balance of the appropriation of $587,975, appropriated for the new flying school and flying field at San Antonio, Tex., in the second deficiency act, fiscal year 1928, approved May 29, 1928, in accordance with the authority contained in the act approved February 18, 1928, is hereby authorized to be made available for the construction of a building on the Fort Sam Houston Military Reservation, Tex., for housing radio transmitter equipment.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

The SPEAKER. That is the last of the bills eligible under the Consent Calendar.

ADDRESS BY HON. W. N. DOAK, SECRETARY OF LABOR

Mr. CABLE. Mr. Speaker, I ask unanimous consent to extend my remarks by inserting an address delivered by Mr. Doak, Secretary of Labor, over the radio on January 4.

The SPEAKER. The gentleman from Ohio asks unanimous consent to extend his remarks by printing an address delivered by the Secretary of Labor. Is there objection?

There was no objection.

Mr. CABLE. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following:

ACTIVITIES OF THE DEPARTMENT OF LABOR

My friends of the radio audience, it is a pleasure indeed, in the few minutes I have to speak to you, to mention something of my concept of the duties of the Secretary of Labor, and particularly to speak of some of the important phases of the department's activities.

The organic act of the Department of Labor enjoins the Secretary to foster, promote, and develop the welfare of the wage earners of the United States—to improve their working conditions and to advance their opportunities for profitable employment. Being in entire accord with these principles, I shall exert my best efforts to further the intent and purpose of the organic act.

The Secretary of Labor is empowered under the law to act as mediator and to appoint conciliators in labor disputes whenever, in his judgment, the interests of industrial peace require it to be done.

Other important duties and functions authorized and directed by law relate to supervision of the immigration and naturalization and related laws; statistics as to the conditions of labor, labor interests, and labor controversies; cooperation in the promotion of vocational education; the direction of matters relating to children and child life; the formulation and standardization of policies to promote the welfare of wage-earning women who have to toil, the improvement of their working conditions, and advancement of their opportunities for profitable employment; the advancement and strengthening of the United States Employment Service—and other general functions.

For nearly a quarter of a century my activities have centered around the fostering of a better spirit of human relationship between the employer and the employed. The reward for sound reasoning between employers and employees is industrial peace. My every effort has been directed toward this worthy goal. In my opinion, there never was nor will there at any future time be any labor dispute that could not or can not be settled through nego-

tiations without resort to conflict; that is, if the parties at interest will reason together and approach their problems in the proper spirit.

Ill-advised or peremptory conclusions on the part of either employer or employee retard progress and disturb our industrial tranquillity. Just as a nation is judged by the acts of its people so is industry and the labor employed therein judged by the nation. Labor problems are matters of public concern. As nearly 45,000,000 of our population are classed as gainfully employed, it becomes all the more important that the differences arising between employer and employee be settled jointly and in the right spirit.

We have just passed through a year which has been fraught with considerable unemployment and some distress and uneasiness among our wage earners, principally because of the effects of the world depression, which involved our Nation as well. In recent years new problems of intense human concern have presented themselves in the form of displaced workers through the rapid mechanization of industry, changing methods of mass production, and other complexities which are really symbols of our rapidly advancing civilization. Nevertheless, unless offset by equally advancing safeguards, looking to the welfare of our wage earners, these problems must give us grave concern.

The prosperity of America rests upon the prosperity of our workers. To keep our wage earners regularly employed at liberal wages should be our chief concern. To stabilize our rapid advancement and to safeguard, economically as well as otherwise, every member of our population is the goal toward which we have set our hearts. Encouraging proofs of our determination to achieve these aims are evidence in many ways as we turn our faces toward the new year.

Building construction programs in city, State, and Nation, inspired very largely by the National Government—through President Hoover's conferences, last autumn, with business, labor, and financial leaders, wherein it was agreed to do everything possible to maintain the existing wage rates—are outstanding examples which clearly show the zeal of Government and citizen to safeguard the public weal of our whole commonwealth.

Never has a President in our history taken such aggressive steps to assist labor through a great depression. Labor deserves such worthy consideration; labor appreciates these significant efforts, and others taken, on the part of our Chief Executive in the preservation of their interests. And labor, along with industry and finance, is doing its part to encourage and promote economic recovery and stabilization of our advanced civilization. It is a notable thing that for the first time in our history we should have passed a year in the midst of a gigantic national depression without strikes, lockouts, starvation, and public discord.

Never before have we had a great depression when it was not necessary for the police to clear the streets, for the governors to call out the militia, and in most great depressions, for the Federal Government to call out troops to preserve order. We have had scarcely a ripple in our social peace and it is the first time in all American history that a President has piloted the Nation through a year of major depression and preserved internal peace.

In every other depression wages have been reduced anywhere from 10 to 30 per cent or more. In all the major industries to-day, standards of wages hold fast because of agreements brought about by the President. In all European countries there is also depression and there is great unemployment, constant reductions of wages, many of them at the direct request of governments. And there is much social disorder. It is due to the President of the United States to-day that I present to you this contrasting picture between our country and those abroad, for it is the policies of our great President that have brought these results to the American people during the past year.

One of the most important steps in the development of American Government policy was the enactment of restrictive immigration legislation a few years ago. Its real advantages are not limited alone to our 115,000,000 citizens, but are extended also to the 7,000,000 aliens who have settled here, many of whom are in the process of becoming citizens by naturalization. Much has been said and written of the motives of men and women coming to the United States, but I think we can truthfully say that the pressure of economic circumstances or the ambition to gain more satisfactory material rewards has been the greatest factor in swelling our population by immigration.

Many years ago a few of our more progressive thinkers recognized the fact that the United States could not continue to absorb the surplus populations of European countries. The tide of immigration reached its height shortly before the World War, when a single year brought us as many as 1,200,000 new arrivals. Their coming complicated our social life and increased our great economic and political problems. After the World War we very wisely decided to restrict the numbers of persons entitled to admission. It is impossible to estimate what might have occurred if this decision had not been made. To-day we are admitting considerably less than 200,000 annually, and most of these are persons who have some family ties already long established in our country. It is especially in times of unemployment, such as the present, that we can express our gratitude to those leaders who brought about this restriction of immigration.

This policy means a direct lessening of competition in the labor market. It affects each home. We realize this especially when we consider the rapid development of labor-saving machinery and modern productive methods.

My conviction is that by strict limitation and a wise selection of immigration we can make America stronger in every way, hastening the day when our population shall be more homogeneous. Such a policy gives assurance to our working people that their jobs will be safe and secure from competition of hands imported from abroad.

The United States Employment Service, even with its present limited appropriations, is the principal Federal agency which is ever seeking to bring the man and the job together. In times such as these through which we are now passing, when the job-getting instrumentalities of the Nation are scarcely sufficient to keep a steady line of men and women moving through the employment gates to gainful labor, the value of a Federal employment service can not be fully measured.

This service could well be expanded and extended. Many job-finding problems arise daily, coming from immigration, population changes, and from the yearly employment maturity of some 2,000,000 boys and girls. They arise also from worthy specific needs, such as those of war veterans or other special groups, who stand in need of assistance. Economic changes, particularly, give rise to heavy demands upon this valuable Federal service. It is our hope that many of the job-finding problems may be met nationally by a Federal employment service, properly equipped, adequately financed, and adapted to the increasing demands properly made upon it from every State in our Union.

In conclusion permit me to leave you with these three thoughts:

To stabilize our economic advancement and to safeguard and make secure every citizen and home is our goal.

Regular employment and the prosperity of our workers are requisite to a nation economically progressive.

Peace in industry attained and maintained by mutual conference and confidence of the parties at interest is a practical objective.

My friends, good night.

BRIDGE ACROSS MISSISSIPPI RIVER AT PRAIRIE DU CHIEN, WIS.

Mr. NELSON of Wisconsin. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 14446) to extend the time for completing the construction of a bridge across the Mississippi River at or near the city of Prairie du Chien, Wis. This is an emergency measure, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

Mr. LAGUARDIA. Reserving the right to object, what is the emergency if you have not done anything for three years?

Mr. NELSON of Wisconsin. The construction of the bridge has begun. We are only asking an extension for one year. The time fixed by the law will expire on March 7, 1931, therefore the bridge can not be completed within the period fixed. The delay was due at first to the difficulty of selling bonds. We all know what the market conditions have been for several years. There was also difficulty subsequently in finding a reliable company that would finance the project, but this was overcome when the Prairie du Chien Bridge Co. was able to enter into terms with the Florida Bros. & Co., of Osceola, Ark. There was also some delay because of difference of views as to the exact place upon which the bridge should cross the river between Prairie du Chien and McGregor. These difficulties have now all been overcome, and if this franchise is extended there will be $800,000 available for construction during the next six months. This means much in the solution of the local unemployment problem. We are only asking, therefore, this extension in order that all parties may know that there is no question about the legal right of parties interested to go on with the work.

Mr. LAGUARDIA. You have actually commenced digging and building?

Mr. NELSON of Wisconsin. Two piers, together with the large anchor foundations on the Iowa side; complete excavation of the large east anchor on the Prairie du Chien shore; all piling driven in excavation and machinery set up on ground ready to pour this anchor. The island right of way has been cleared, the timber and stumpage removed, engineering and legal fees and printing of bonds paid for.

Mr. DYER. Will the gentleman yield?

Mr. NELSON of Wisconsin. I yield.

Mr. DYER. Will the gentleman state what kind of a bridge this is?

Mr. NELSON of Wisconsin. It is a toll bridge.

Mr. DYER. A private toll bridge?

Mr. NELSON of Wisconsin. A private toll bridge.

Mr. DYER. I am unalterably opposed to toll bridges.

Mr. NELSON of Wisconsin. But the gentleman is not opposed to a private toll bridge after money has been invested, Congress having consented. The War Department has agreed to the extension. The Department of Agriculture, in their report, state there is no objection. In good faith we have to allow them to complete the bridge now. I trust the gentleman will not object.

Mr. DYER. I shall not object, but I desire to state that I am unalterably opposed to toll bridges, and if this were just bringing the bill up, unless I had an opportunity to get more information, I certainly would object.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the time for completing the construction of a bridge across the Mississippi River, at or near the city of Prairie du Chien, Wis., authorized to be built by J. H. Peacock, F. G. Bell, S. V. Taylor, E. C. Amann, and C. E. Ferris, their heirs, legal representatives, and assigns, by an act of Congress approved March 7, 1928, is hereby extended one year from March 7, 1931.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

MESSAGE FROM THE PRESIDENT—ANNUAL REPORT OF UNITED STATES CIVIL SERVICE COMMISSION

The SPEAKER laid before the House the following message from the President, which was read and, together with the accompanying papers, referred to the Committee on the Civil Service.

To the Congress of the United States:

As required by the act of Congress to regulate and improve the civil service of the United States, approved January 16, 1883, I transmit herewith the Forty-seventh Annual Report of the United States Civil Service Commission for the fiscal year ended June 30, 1930.

HERBERT HOOVER.

THE WHITE HOUSE, *January 5, 1931.*

YELLOWSTONE NATIONAL PARK BOUNDARY COMMISSION (H. DOC. NO. 710)

The SPEAKER laid before the House a further message from the President, which was read, and, together with the accompanying papers, referred to the Committee on the Public Lands and ordered printed, with the illustrations.

To the Congress of the United States:

I am transmitting herewith for the consideration of Congress the final report of the Yellowstone National Park Boundary Commission on an inspection of areas involved in the proposed adjustment of the southeast, south, and southwest boundaries of the Yellowstone National Park, made pursuant to Public Resolution No. 94, Seventieth Congress, approved February 28, 1929.

HERBERT HOOVER.

THE WHITE HOUSE, *January 5, 1931.*

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. STEAGALL (at the request of Mr. HILL of Alabama), on account of illness; and

To Mr. WOLVERTON of New Jersey (at the request of Mr. EATON of New Jersey), on account of death of mother.

BILL PRESENTED TO THE PRESIDENT

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee did on December 22, 1930, present to the President, for his approval, a bill of the House of the following title:

H. R. 15359. An act making an additional appropriation to carry out the provisions of the agricultural marketing act, approved June 15, 1929.

THE LATE HON. DAVID J. O'CONNELL

Mr. BLACK. Mr. Speaker, sadly do I call the attention of the House to the death of our beloved comrade, DAVE O'CONNELL. No better indication of his make-up could be offered than at this time to refer to him as "DAVE O'CONNELL," for not as "Mr. O'CONNELL" but as "DAVE O'CONNELL" he was known and held in high esteem by every Member of this House and its officials.

He served approximately 10 years in this Chamber; 10 years of fine, humanitarian service; 10 years of constructive effort to better the conditions of his fellow men.

Mr. Speaker, I offer a resolution, which I send to the Clerk's desk.

The SPEAKER. The gentleman from New York offers a resolution, which the Clerk will report.

The Clerk read as follows:

House Resolution 327

Resolved, That the House has heard with profound sorrow of the death of the Hon. DAVID J. O'CONNELL, a Representative from the State of New York.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect this House do now adjourn.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

ADJOURNMENT

Accordingly (at 3 o'clock and 55 minutes p. m.) the House adjourned until to-morrow, Tuesday, January 6, 1931, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Tuesday, January 6, 1931, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON APPROPRIATIONS

(10 a. m.)

Independent offices appropriation bill.
District of Columbia appropriation bill.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

745. A letter from the Secretary of War, transmitting report from the Chief of Engineers, United States Army, on Wallkill River, N. Y. and N. J. (H. Doc. No. 704); to the Committee on Rivers and Harbors and ordered to be printed with illustrations.

746. A letter from the Secretary of War, transmitting report from the Chief of Engineers, United States Army, on preliminary examination of Jeremy Creek, S. C., with a view to providing an approach to McClellanville, and of Jeremy Creek, S. C., from Morrison's Landing to Graham's factory; to the Committee on Rivers and Harbors.

747. A letter from the Secretary of War, transmitting a draft of a bill for the relief of A. J. Segel; to the Committee on Claims.

748. A letter from the Secretary of War, transmitting a draft of a bill to authorize appropriations for construction, alteration, and remodeling of buildings and installations at San Juan and Henry Barracks, P. R., and for other purposes; to the Committee on Military Affairs.

749. A letter from the Secretary of War, transmitting a draft of a bill to authorize an appropriation for the preservation and repair of historical fortifications at Fort Niagara, N. Y., and for other purposes; to the Committee on Military Affairs.

750. A letter from the Secretary of War, transmitting a draft of a bill to authorize the Secretary of War to acquire 75 acres of land, more or less, in the vicinity of and for use in connection with the present military reservation at Fort Ringgold, Tex., and for other purposes; to the Committee on Military Affairs.

751. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill to amend the naval appropriation act for the fiscal year ending June 30, 1917, relating to the method of promotion of officers recommended for promotion by a line selection board; to the Committee on Naval Affairs.

752. A letter from the Secretary of the Treasury, transmitting a draft of a bill to amend sections 1 and 7 of the second Liberty bond act, as amended; to the Committee on Ways and Means.

753. A letter from the Secretary of Navy, transmitting a draft of a proposed bill extending the bankruptcy laws of the United States to the Virgin Islands of the United States; to the Committee on Insular Affairs.

754. A communication from the President of the United States, transmitting a supplemental estimate of appropriation pertaining to the Legislative Establishment, United States Senate, for the fiscal year 1931, in the sum of $10,000 (H. Doc. No. 707); to the Committee on Appropriations and ordered to be printed.

755. A letter from the Comptroller of the Currency, transmitting annual report of the Comptroller of the Currency covering the activities of the Currency Bureau for the year ended October 31, 1930; to the Committee on Banking and Currency.

756. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of Agriculture, amounting to $45,000,000, for the fiscal year 1931, to remain available until June 30, 1932, for the purpose of making advances or loans to farmers as contemplated by the joint resolution entitled "Joint resolution for the relief of farmers in the drought and/or storm stricken areas of the United States," approved December 20, 1930 (H. Doc. No. 706); to the Committee on Appropriations and ordered to be printed.

757. A communication from the President of the United States, transmitting a supplemental estimate of appropriations pertaining to the legislative establishment, Library of Congress, for the fiscal year 1932, in the sum of $26,500 (H. Doc. No. 705); to the Committee on Appropriations and ordered to be printed.

758. A communication from the President of the United States, transmitting a supplemental estimate of appropriations, as follows: For the United States-Yorktown Sesquicentennial Commission, fiscal years 1931 and 1932, $192,000; for the Department of the Interior, National Park Service, fiscal years 1931 and 1932, $135,000; fiscal year 1931, $500,000; amounting in all to $827,000 (H. Doc. No. 702); to the Committee on Appropriations and ordered to be printed.

759. A communication from the President of the United States, transmitting a supplemental estimate of appropriations pertaining to the legislative establishment under the Architect of the Capitol for the fiscal year 1932 in the sum of $5,000 (H. Doc. No. 703); to the Committee on Appropriations and ordered to be printed.

760. A communication from the President of the United States, transmitting an amendment to the estimates of appropriations for the United States Shipping Board and Merchant Fleet Corporation contained in the Budget for the fiscal year 1932, in addition to the amendment transmitted on December 18, 1930 (H. Doc. No. 697; H. Doc. No. 709); to the Committee on Appropriations and ordered to be printed.

761. A letter from the Comptroller General of the United States, transmitting a report showing the officers of the Government who were delinquent in rendering or transmitting their accounts to the proper offices in Washington during the fiscal year ended June 30, 1930; to the Committee on Expenditures in the Executive Departments.

762. A letter from the Secretary of War, transmitting provision under the item of the appropriation Arming, Equipping, and Training the National Guard and carried in the War Department appropriation act, fiscal year 1930, approved February 28, 1929 (H. Doc. No. 708); to the Committee on Expenditures in the Executive Departments and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. WOOD: Committee on Appropriations. H. J. Res. 447. A joint resolution making an appropriation to carry out the provisions of the public resolution entitled "Joint resolution for the relief of farmers in the drought and/or storm stricken areas of the United States," approved December 20, 1930; without amendment (Rept. No. 2175). Referred to the Committee of the Whole House on the state of the Union.

Mr. TEMPLE: Committee on Foreign Affairs. H. J. Res. 416. A joint resolution to increase the amount authorized to be appropriated for the expenses of participation by the United States in the International Exposition of Colonial and Overseas Countries to be held at Paris, France, in 1931; without amendment (Rept. No. 2177). Referred to the Committee of the Whole House on the state of the Union.

Mr. WOOD: Committee on Appropriations. H. R. 15592. A bill making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1931, and for prior fiscal years, to provide urgent supplemental appropriations for the fiscal year ending June 30, 1931, and for other purposes; without amendment (Rept. No. 2178). Referred to the Committee of the Whole House on the state of the Union.

Mr. BARBOUR: Committee on Appropriations. H. R. 15593. A bill making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1932, and for other purposes; without amendment (Rept. No. 2179). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. JOHNSON of Nebraska: Committee on Claims. H. R. 5046. A bill for the relief of Capt. Asa G. Ayer; with amendment (Rept. No. 2172). Referred to the Committee of the Whole House.

Mr. BOX: Committee on Claims. H. R. 6726. A bill for the relief of Lehde & Schoenhut; with amendment (Rept. No. 2173). Referred to the Committee of the Whole House.

Mr. CHRISTGAU: Committee on Claims. H. R. 10513. A bill for the relief of Ralph LaVern Walker; with amendment (Rept. No. 2174). Referred to the Committee of the Whole House.

Mr. UNDERHILL: Committee on Accounts. H. Res. 312. A resolution to pay Elizabeth Robinson, widow of William Robinson, late an employee of the House, six months' compensation and $250 to defray the funeral expenses of said William Robinson (Rept. No. 2176). Ordered to be printed.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 13611) granting an increase of pension to Emma Teagarden; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 15409) for the relief of John Joseph Ames; Committee on Invalid Pensions discharged, and referred to the Committee on Claims.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. GARNER: A bill (H. R. 15589) to provide for the payment to veterans of the cash-surrender value of their adjusted-service certificates; to the Committee on Ways and Means.

By Mr. SELVIG: A bill (H. R. 15590) providing for the sale of Chippewa Indian land to the State of Minnesota; to the Committee on the Public Lands.

By Mr. KNUTSON: A bill (H. R. 15591) granting the consent of Congress to the State of Minnesota to construct, maintain, and operate a bridge across the Mississippi River at or near Brainerd, Minn.; to the Committee on Interstate and Foreign Commerce.

By Mr. WOOD: A bill (H. R. 15592) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1931, and for prior years,

to provide urgent supplemental appropriations for the fiscal year ending June 30, 1931, and for other purposes; to the Committee on Appropriations.

By Mr. BARBOUR: A bill (H. R. 15593) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1932, and for other purposes; to the Committee on Appropriations.

By Mr. SWICK: A bill (H. R. 15594) authorizing the construction of a bridge across the Mahoning River at Edinburg, Lawrence County, Pa.; to the Committee on Interstate and Foreign Commerce.

By Mr. BURTNESS: A bill (H. R. 15595) to place an embargo on certain agricultural products; to the Committee on Ways and Means.

By Mr. CRAMTON: A bill (H. R. 15596) to authorize the Secretary of War to construct a water main to Selfridge Field, Mich.; to the Committee on Military Affairs.

By Mr. KNUTSON: A bill (H. R. 15597) to amend section 307 of the tariff act of 1930; to the Committee on Ways and Means.

By Mr. DENISON: A bill (H. R. 15598) to extend the times for commencing and completing the construction of a bridge across the Ohio River at Mound City, Ill.; to the Committee on Interstate and Foreign Commerce.

By Mr. FITZGERALD: A bill (H. R. 15599) to provide for the erection of a Federal building at Miamisburg, Ohio; to the Committee on Public Buildings and Grounds.

By Mr. KNUTSON: A bill (H. R. 15600) to regulate the discharge of water from certain reservoirs at the headwaters of the upper Mississippi River; to the Committee on Rivers and Harbors.

By Mr. LEAVITT: A bill (H. R. 15601) to provide funds for cooperation with the school board at Poplar, Mont., in the extension of the high-school building to be available to Indian children of the Fort Peck Indian Reservation; to the Committee on Indian Affairs.

Also, a bill (H. R. 15602) to enable coordinated Federal effort to meet emergencies caused by forest-destroying insects and diseases; to the Committee on Agriculture.

Also (by departmental request), a bill (H. R. 15603) to extend the restrictive period against alienation, lease, mortgage, or other encumbrance of any interest of restricted heirs of members of the Five Civilized Tribes, and for other purposes; to the Committee on Indian Affairs.

Also (by departmental request), a bill (H. R. 15604), to amend the act of June 21, 1906 (34 Stats. 325), entitled "An act making appropriations for the current and contingent expenses of the Indian Department, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the year ending June 30, 1907"; to the Committee on Indian Affairs.

By Mr. LUDLOW: A bill (H. R. 15605) to amend section 501 of the World War adjusted compensation act, approved May 19, 1924; to the Committee on Ways and Means.

By Mr. WHITE: A bill (H. R. 15606) authorizing the purchase of land and construction of a building for a radio station near Grand Island, Nebr.; to the Committee on the Merchant Marine and Fisheries.

By Mr. WILLIAMSON: A bill (H. R. 15607) to prohibit the importation of certain articles of merchandise from the Union of Soviet Socialist Republics; to the Committee on Ways and Means.

By Mr. TEMPLE: A bill (H. R. 15608) to authorize the modification of the boundary line between the Panama Canal Zone and the Republic of Panama, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ZIHLMAN: A bill (H. R. 15609) to amend section 115a of an act entitled "An act to establish a code of law for the District of Columbia," as amended; to the Committee on the District of Columbia.

By Mr. EVANS of California: A bill (H. R. 15610) to authorize the coinage of silver 50-cent pieces in commemoration of the one hundred and fiftieth anniversary of the founding of the city of Los Angeles, State of California; to the Committee on Coinage, Weights, and Measures.

By Mr. HOPE: A bill (H. R. 15611) to require the marking of imported petroleum and petroleum products and the manufactured products thereof made in the United States; to the Committee on Ways and Means.

By Mr. McDUFFIE: A bill (H. R. 15612) to extend the benefits of the joint resolution entitled "Joint resolution for the relief of farmers in the drought and/or storm stricken areas of the United States," approved December 20, 1930, to producers of citrus fruit in frost-stricken areas of the United States; to the Committee on Agriculture.

By Mr. CARLEY: A bill (H. R. 15613) providing for an examination and survey of Coney Island Creek, N. Y.; to the Committee on Rivers and Harbors.

By Mr. ALMON: A bill (H. R. 15614) to provide for the suspension of immigration of aliens into the United States; to the Committee on Immigration and Naturalization.

By Mr. SELVIG: A bill (H. R. 15615) to promote the public health of all who are engaged in the service or defense of the United States in the Army and Navy and all of the Government, and to encourage the dairy industry in the interest of the general welfare; to the Committee on Agriculture.

By Mr. CRAMTON: A bill (H. R. 15616) to authorize an appropriation for the construction of a building at Selfridge Field; to the Committee on Military Affairs.

By Mr. GLOVER: A bill (H. R. 15617) to aid agricultural-extension work in the drought-stricken areas; to the Committee on Agriculture.

By Mr. DICKINSON: A bill (H. R. 15618) to amend the grain futures act; to the Committee on Agriculture.

By Mr. REID of Illinois: A bill (H. R. 15619) to amend the act entitled "An act for the acquisition of land in the District of Columbia"; to the Committee on the District of Columbia.

By Mr. McLEOD: A bill (H. R. 15620) to authorize the Secretary of War to lend War Department equipment for use at the Thirteenth National Convention of the American Legion at Detroit, Mich., during the month of September, 1931; to the Committee on Military Affairs.

By Mr. JOHNSON of South Dakota: A bill (H. R. 15621) to amend the World War veterans' act, 1924, as amended; to the Committee on World War Veterans' Legislation.

By Mr. BLAND: A bill (H. R. 15622) to authorize the attendance of the Marine Band at the sesquicentennial celebration to be held at Yorktown, Va., in October, 1931; to the Committee on Naval Affairs.

By Mr. HOWARD: Resolution (H. Res. 328) for investigation of charges made by Chairman McFADDEN, of Banking and Currency Committee, regarding alleged control of the New York branch of the Federal reserve by international bankers; to the Committee on Rules.

By Mr. WOOD: Joint resolution (H. J. Res. 447) making an appropriation to carry out the provisions of the public resolution entitled "Joint resolution for the relief of farmers in the drought and/or stricken areas of the United States," approved December 20, 1930; to the Committee on Appropriations.

By Mr. CHINDBLOM: Joint resolution (H. J. Res. 448) providing for the participation of the United States in A Century of Progress (the Chicago World's Fair Centennial Celebration) to be held at Chicago, Ill., in 1933, authorizing an appropriation therefor, and for other purposes; to the Committee on the Library.

By Mr. DICKSTEIN: Joint resolution (H. J. Res. 449) authorizing the appropriation of $25,000,000 for temporary post-office work; to the Committee on Appropriations.

By Mr. BURTNESS: Joint resolution (H. J. Res. 450) authorizing a new administration building at Veterans' Bureau Hospital No. 109, at Fargo, N. Dak.; to the Committee on World War Veterans' Legislation.

By Mr. BLANTON: Joint resolution (H. J. Res. 451) authorizing and directing Federal land banks to suspend and withhold foreclosure of any mortgage securing a loan made by such bank in what is known as the drought area of the United States where because of crop failure the borrower is unable to make payment of interest or principal due, and to

provide for redemption of any such lands foreclosed since April 1, 1930; to the Committee on Banking and Currency.

By Mr. JONES of Texas: Joint resolution (H. J. Res. 452) authorizing and directing the Farm Board to establish and maintain a rate-adjustment division for the benefit of agriculture; to the Committee on Agriculture.

MEMORIALS

Under clause 3 of Rule XXII, memorials were presented and referred as follows:

Memorial of the municipal government of San Jacinto, Masbate, P. I., voicing the sentiment of every Filipino against the appointment of Nicholas Roosevelt as vice Governor General of the Philippines; to the Committee on Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ARNOLD: A bill (H. R. 15623) granting an increase of pension to Elizabeth E. Preble; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15624) granting an increase of pension to Elizabeth Harrison; to the Committee on Invalid Pensions.

By Mr. AYRES: A bill (H. R. 15625) granting an increase of pension to Adda Laura Morrison; to the Committee on Invalid Pensions.

By Mr. BLAND: A bill (H. R. 15626) for the relief of W. Barnard Bates; to the Committee on Military Affairs.

By Mr. BOYLAN: A bill (H. R. 15627) for the relief of Charles Miller; to the Committee on Claims.

By Mr. BOWMAN: A bill (H. R. 15628) granting a pension to Sarah A. Martin; to the Committee on Invalid Pensions.

By Mr. BUCKBEE: A bill (H. R. 15629) granting an increase of pension to Ruth E. Colvin; to the Committee on Invalid Pensions.

By Mr. CANFIELD: A bill (H. R. 15630) granting an increase of pension to Nancy A. Johnson; to the Committee on Invalid Pensions.

By Mr. CHALMERS: A bill (H. R. 15631) granting an increase of pension to Rebecca V. Ogden; to the Committee on Invalid Pensions.

By Mr. CLARK of Maryland: A bill (H. R. 15632) for the relief of Walter Aaronson; to the Committee on Claims.

By Mr. COCHRAN of Missouri: A bill (H. R. 15633) granting an increase of pension to Meta Tellkamp; to the Committee on Invalid Pensions.

By Mr. COOKE: A bill (H. R. 15634) granting an increase of pension to Mary J. Nichols; to the Committee on Pensions.

By Mr. CRADDOCK: A bill (H. R. 15635) granting a pension to Arthur Pate; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15636) granting a pension to Galena B. Clark; to the Committee on Pensions.

By Mr. CRAMTON: A bill (H. R. 15637) granting a pention to Maud Patterson; to the Committee on Pensions.

By Mr. CROWTHER: A bill (H. R. 15638) for the relief of Lee M. Allen; to the Committee on Military Affairs.

By Mr. CULKIN: A bill (H. R. 15639) granting a pension to Almon O. Watson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15640) granting a pension to Mary E. Riley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15641) granting an increase of pension to Ellen M. Stowell; to the Committee on Invalid Pensions.

By Mr. DICKSTEIN: A bill (H. R. 15642) for the relief of Columbia Casualty Co.; to the Committee on Claims.

By Mr. DRIVER: A bill (H. R. 15643) for the relief of A. J. Stotts; to the Committee on Claims.

By Mr. DYER: A bill (H. R. 15644) granting an increase of pension to Josephine Smith; to the Committee on Invalid Pensions.

By Mr. EATON of Colorado: A bill (H. R. 15645) granting an increase of pension to Melissa A. Moore; to the Committee on Invalid Pensions.

By Mr. EATON of New Jersey: A bill (H. R. 15646) for the relief of Theresa Alloway; to the Committee on Military Affairs.

By Mr. ELLIS: A bill (H. R. 15647) granting a pension to William Murrell; to the Committee on Invalid Pensions.

By Mr. EVANS of California: A bill (H. R. 15648) relating to 50,000 inches of the waters of the Colorado River for the irrigation of lands in townships in Riverside County, State of California; to the Committee on the Public Lands.

By Mr. FINLEY: A bill (H. R. 15649) granting a pension to Nancy Triplet; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15650) granting a pension to Mary French; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15651) granting a pension to Josephine Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15652) granting a pension to William B. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15653) granting a pension to Nannie M. Brock; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15654) granting a pension to Fred Sandlin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15655) granting an increase of pension to Edward Hail; to the Committee on Pensions.

Also, a bill (H. R. 15656) granting an increase of pension to George W. Allen; to the Committee on Pensions.

Also, a bill (H. R. 15657) granting a pension to Frank Broyles; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15658) granting an increase of pension to Elizabeth Lloyd; to the Committee on Invalid Pensions.

By Mr. FISH: A bill (H. R. 15659) continuing the employment of Edward Augustine Savoy; to the Committee on the Civil Service.

By Mr. FITZGERALD: A bill (H. R. 15660) granting a pension to Mayme Gienandt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15661) granting an increase of pension to Susan E. Raser; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15662) granting an increase of pension to Sibbia A. Brotherton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15663) granting a pension to James F. Deal; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15664) granting a pension to Katherine R. Brink; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15665) for the relief of heirs of Warren C. Vesta; to the Committee on Claims.

By Mr. FRENCH: A bill (H. R. 15666) to authorize the Secretary of the Interior to adjudicate the claims of F. A. McConnell, Fred Amyx, H. A. Pugh, and W. E. Lively; to the Committee on Irrigation and Reclamation.

By Mr. GARBER of Oklahoma: A bill (H. R. 15667) for the relief of John M. Whitson; to the Committee on Military Affairs.

By Mr. GIFFORD: A bill (H. R. 15668) for the relief of Willie B. Cleverly; to the Committee on Claims.

Also, a bill (H. R. 15669) for the relief of the estate of Marcellino M. Gilmette; to the Committee on Claims.

By Mr. GUYER: A bill (H. R. 15670) granting an increase of pension to Mary L. Parker; to the Committee on Invalid Pensions.

By Mr. HARDY: A bill (H. R. 15671) granting a pension to Clara E. Jackson; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 15672) for the relief of Willard L. Coppernoll; to the Committee on War Claims.

Also, a bill (H. R. 15673) for the sale of certain lands; to the Committee on the Public Lands.

By Mr. HESS: A bill (H. R. 15674) granting a pension to Irene Wilkins; to the Committee on Pensions.

Also, a bill (H. R. 15675) granting a pension to Florence Tebbenhoff; to the Committee on Pensions.

By Mr. HOGG of Indiana: A bill (H. R. 15676) granting an increase of pension to Alma Niedhammer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15677) granting a pension to Catherine Keyser; to the Committee on Invalid Pensions.

By Mr. HOOPER (with accompanying papers): A bill (H. R. 15678) granting a pension to Ida M. Johnson; to the Committee on Invalid Pensions.

By Mr. HOPE: A bill (H. R. 15679) granting a pension to Alvesta Otto; to the Committee on Invalid Pensions.

By Mr. JOHNSTON of Missouri: A bill (H. R. 15680) granting a pension to Nan A. Benson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15681) granting a pension to Mollie Bouldin; to the Committee on Invalid Pensions.

By Mr. JONAS of North Carolina: A bill (H. R. 15682) for the relief of Mellie Bennett; to the Committee on Invalid Pensions.

By Mr. KEARNS: A bill (H. R. 15683) granting an increase of pension to Ollie Day; to the Committee on Invalid Pensions.

By Mr. KENDALL of Pennsylvania: A bill (H. R. 15684) granting an increase of pension to Rachel Walter; to the Committee on Invalid Pensions.

By Mr. KURTZ: A bill (H. R. 15685) granting an increase of pension to Mary J. Fields; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15686) granting an increase of pension to Amanda Walker; to the Committee on Invalid Pensions.

By Mr. LEAVITT: A bill (H. R. 15687) to authorize the issuance of a patent to certain lands in the State of Montana to Florence Kerr Facey; to the Committee on the Public Lands.

Also, a bill (H. R. 15688) for the relief of Joseph J. Pickett; to the Committee on Indian Affairs.

By Mr. LETTS: A bill (H. R. 15689) for the relief of John M. Norton; to the Committee on Military Affairs.

By Mr. LONGWORTH: A bill (H. R. 15690) granting an increase of pension to Maria R. Horton; to the Committee on Invalid Pensions.

By Mr. LUDLOW: A bill (H. R. 15691) granting a pension to George E. Ryan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15692) granting a pension to Annie Lewis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15693) granting a pension to Jesse C. Huey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15694) for the relief of Anna H. Jones; to the Committee on Claims.

Also, a bill (H. R. 15695) authorizing the Secretary of War to award the congressional medal of honor to Joseph A. Minturn; to the Committee on Military Affairs.

Also, a bill (H. R. 15696) for the relief of Raymond D. Woods; to the Committee on Claims.

Also, a bill (H. R. 15697) for the relief of Ruby F. Voiles; to the Committee on Claims.

By Mr. McKEOWN: A bill (H. R. 15698) granting a pension to Scott Westfall; to the Committee on Invalid Pensions.

By Mr. MAGRADY: A bill (H. R. 15699) granting an increase of pension to Margaret R. Geisinger; to the Committee on Invalid Pensions.

By. Mr. MANLOVE: A bill (H. R. 15700) granting a pension to Martha Shipman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15701) granting an increase of pension to Lucy Cossairt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15702) granting an increase of pension to Martha J. Smith; to the Committee on Invalid Pensions.

By Mr. MAPES: A bill (H. R. 15703) granting a pension to Sarah Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15704) granting an increase of pension to Louisa Manterstock; to the Committee on Invalid Pensions.

By Mr. MENGES: A bill (H. R. 15705) granting an increase of pension to Margaret J. Miller; to the Committee on Invalid Pensions.

By Mr. MERRITT: A bill (H. R. 15706) granting a pension to Alice G. Talbot; to the Committee on Pensions.

By Mr. MICHENER: A bill (H. R. 15707) for the relief of Lewis W. Burden; to the Committee on Claims.

By Mr. MILLIGAN: A bill (H. R. 15708) granting an increase of pension to Sarah A. Griffith; to the Committee on Invalid Pensions.

By Mr. MOORE of Kentucky: A bill (H. R. 15709) granting a pension to Lucinda Bratcher; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15710) granting a pension to Elizabeth Hodge; to the Committee on Invalid Pensions.

By Mr. MOREHEAD: A bill (H. R. 15711) for the relief of John Lester Ritchey; to the Committee on Naval Affairs.

Also, a bill (H. R. 15712) making appropriation to restore water of high mineral content on land owned and controlled by the Federal Government; to the Committee on Claims.

By Mr. MURPHY: A bill (H. R. 15713) granting an increase of pension to Myra Bilyen; to the Committee on Invalid Pensions.

By Mr. NELSON of Wisconsin: A bill (H. R. 15714) granting a pension to Annie Williams; to the Committee on Pensions.

Also, a bill (H. R. 15715) granting a pension to Sarah Hayter; to the Committee on Invalid Pensions.

By Mr. PARKER: A bill (H. R. 15716) granting an increase of pension to Dorleskia J. White; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15717) granting a pension to Mary Ella Holcomb; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15718) granting a pension to Mary E. Dixon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15719) granting a pension to Julia Coward; to the Committee on Invalid Pensions.

By Mr. PURNELL: A bill (H. R. 15720) granting an increase of pension to Nancy J. McWilliams; to the Committee on Invalid Pensions.

By Mrs. ROGERS: A bill (H. R. 15721) granting a pension to Jane Carr Wood; to the Committee on Pensions.

Also, a bill (H. R. 15722) authorizing payment of compensation to Annie Hiscock; to the Committee on War Claims.

By Mr. SHREVE: A bill (H. R. 15723) granting an increase of pension to Alice D. Janes; to the Committee on Invalid Pensions.

By Mr. SEIBERLING: A bill (H. R. 15724) granting a pension to Sarah Penberty; to the Committee on Pensions.

Also, a bill (H. R. 15725) granting a pension to Samuel Puff Bailey; to the Committee on Pensions.

Also, a bill (H. R. 15726) granting a pension to Effie Spencer; to the Committee on Invalid Pensions.

By Mr. SCHAFER of Wisconsin: A bill (H. R. 15727) for the relief of George B. Amann; to the Committee on Claims.

Also, a bill (H. R. 15728) for the relief of Lars W. Larson; to the Committee on Claims.

Also, a bill (H. R. 15729) for the relief of John A. Nehmer; to the Committee on Claims.

Also, a bill (H. R. 15730) for the relief of William Lechner; to the Committee on Military Affairs.

Also, a bill (H. R. 15731) granting an increase on pension to John F. Kopczynski; to the Committee on Pensions.

Also, a bill (H. R. 15732) granting an increase of pension to Leroy Palmer; to the Committee on Pensions.

Also, a bill (H. R. 15733) granting a pension to Delia E. Curtis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15734) granting a pension to Mollie Withrow; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15735) granting a pension to Carl H. Ziebell; to the Committee on Pensions.

Also, a bill (H. R. 15736) granting a pension to Elizabeth Kelly; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15737) granting a pension to John Joseph Peczeker; to the Committee on Pensions.

Also, a bill (H. R. 15738) granting a pension to Hakon B. Duee; to the Committee on Pensions.

Also, a bill (H. R. 15739) granting a pension to James H. Forrest; to the Committee on Pensions.

Also, a bill (H. R. 15740) granting a pension to Charles W. Hanna; to the Committee on Pensions.

Also, a bill (H. R. 15741) granting a pension to Merle W. Richards; to the Committee on Pensions.

Also, a bill (H. R. 15742) granting a pension to John Mienckowski; to the Committee on Pensions.

Also, a bill (H. R. 15743) granting a pension to David L. Wiltgen; to the Committee on Pensions.

Also, a bill (H. R. 15744) for the relief of Albert Janik; to the Committee on Military Affairs.

By Mr. SNELL: A bill (H. R. 15745) granting an increase of pension to Melissa M. Day; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15746) granting an increase of pension to Maria F. West; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15747) granting an increase of pension to Ellen Morrell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15748) granting an increase of pension to Octavia Partlow; to the Committee on Invalid Pensions.

By Mr. STONE: A bill (H. R. 15749) granting a pension to Annie E. Leavitt (with accompanying papers); to the Committee on Pensions.

By Mr. STRONG of Kansas: A bill (H. R. 15750) granting an increase of pension to Rosa Craig; to the Committee on Invalid Pensions.

By Mr. THOMPSON: A bill (H. R. 15751) granting an increase of pension to Mary E. Stewart; to the Committee on Invalid Pensions.

By Mr. THURSTON: A bill (H. R. 15752) granting a pension to Ella D. White; to the Committee on Invalid Pensions.

By Mr. TIMBERLAKE: A bill (H. R. 15753) granting a pension to Mary I. Thomas; to the Committee on Invalid Pensions.

By Mr. VINSON of Georgia: A bill (H. R. 15754) granting a pension to Sarah V. Dent; to the Committee on Invalid Pensions.

By Mr. WELCH of California: A bill (H. R. 15755) for the relief of John C. McCann; to the Committee on Naval Affairs.

By Mr. WASON: A bill (H. R. 15756) granting a pension to Harriet Trombly; to the Committee on Pensions.

By Mrs. WINGO: A bill (H. R. 15757) granting a pension to George Leo Haight; to the Committee on Pensions.

Also, a bill (H. R. 15758) for the relief of Isaac Pierce; to the Committee on Military Affairs.

By Mr. WOLVERTON of West Virginia: A bill (H. R. 15759) granting an increase of pension to Susan J. Waldo; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15760) granting an increase of pension to Annie C. Parker; to the Committee on Invalid Pensions.

By Mr. WOOD: A bill (H. R. 15761) granting an increase of pension to Malissa J. Boyer; to the Committee on Invalid Pensions.

By Mr. WOODRUFF: A bill (H. R. 15762) granting an increase of pension to Emily Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15763) granting an increase of pension to Ida I. Secor; to the Committee on Invalid Pensions.

By Mr. YATES: A bill (H. R. 15764) granting an increase of pension to Susie Williams; to the Committee on Invalid Pensions.

By Mr. ZIHLMAN: A bill (H. R. 15765) granting an increase of pension to Sarah E. Reed; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8341. Petition of Chamber of Commerce of the State of New York, urging the executive and legislative branches of the Government of the United States to take steps for the protection of American political institutions and economic interest; to the Committee on Communist Propaganda.

8342. Petition of citizens of Brooklyn, N. Y., urging the passage of House bill 7884, prohibiting vivisection of animals; to the Committee on the District of Columbia.

8343. Petition of Florida League of Municipalities, urging Congress of the United States to enact legislation to authorize the immediate issuance of employment bonds to an ultimate total of $1,000,000,000; to the Committee on Ways and Means.

8344. Petition of National Council Travelers Salemen's Association, unanimously indorsing the President's program to combat the economic depression, and advocated that the President call a national conference of industries, or to appoint a commission of outstanding representatives of business, for the purpose of reviewing the operations of existing laws; to the Committee on the Judiciary.

8345. By Mr. ALDRICH: Petitions of nine residents of the second congressional district of Rhode Island, urging passage of House bill 7884; to the Committee on the District of Columbia.

8346. By Mr. BARBOUR: Resolutions adopted by Teachers' Institute of Tulare County, Calif., and Woman's Christian Temperance Union of Exeter, Calif., urging enactment of legislation for Federal supervision of motion pictures; to the Committee on Interstate and Foreign Commerce.

8347. Also, resolution adopted by Gen. Wesley Merritt Camp, No. 91, United Spanish War Veterans, Hanford, Calif., urging passage of House bills 9333 and 9933, providing travel pay for Volunteer officers and soldiers who served in the Philippines beyond the period of their enlistment; to the Committee on War Claims.

8348. By Mr. CHALMERS: Resolution adopted by the city council of Toledo, Ohio, urging the American Legion, Department of Ohio, the United States Senators from Ohio, and Congressman from the ninth congressional district of Ohio to use all means at their disposal to promote and further the immediate passage of legislation providing that veterans of the World War shall at once receive the benefits of the national adjusted compensation; to the Committee on Ways and Means.

8349. By Mr. CHIPERFIELD: Petition of Verne R. Jackson and others, urging payment of adjusted-compensation certificates at face value; to the Committee on Ways and Means.

8350. By Mr. CRAMTON: Petition signed by Maynard Brannick and nine other residents of Sanilac County, Mich., urging passage of the McLeod bill for cash payment of World War adjusted-compensation certificates; to the Committee on World War Veterans' Legislation.

8351. By Mr. CULLEN: Petition of the Associated Cooperage Industries of America, urging an amendment to the Volstead Act to permit the manufacture of light wines and beer, and the prompt yearly issuance of permits for the manufacture of medicinal whisky, which would give work to many of our citizens and help to alleviate the unemployment situation; to the Committee on the Judiciary.

8352. By Mr. EATON of Colorado: Resolution adopted by the Rocky Mountain Association of Petroleum Geologists, relative to cooperation of the States and the United States for publication of bulletins and reports of the United States Geological Survey and the United States Bureau of Mines, and also relative to an increase in appropriations for these bureaus to enable them to publish promptly the results of their investigations; to the Committee on Appropriations.

8353. By Mr. EVANS of California: Petition signed by John P. Jones and approximately 10 others, urging the passage of House bill 7884; to the Committee on the District of Columbia.

8354. Also, petition signed by Canby A. Seamens and 29 others, favoring further immigration restrictions; to the Committee on Immigration and Naturalization.

8355. By Mr. FRENCH: Petition of Union Sunday School, Lewiston, Idaho, urging enactment of a law for the Federal supervision of motion pictures establishing higher standards before production for films that are to be licensed for interstate and international commerce; to the Committee on the Judiciary.

8356. Also, petition of war mother of World War, Lewiston, Idaho, urging enactment of a law for the Federal supervision of motion pictures establishing higher standards before production for films that are to be licensed for interstate and international commerce; to the Committee on the Judiciary.

8357. Also, petition of Young People's Branch of the Woman's Christian Temperance Union, Lewiston, Idaho, urging enactment of law for the Federal supervision of motion pictures establishing higher standards before production for films that are to be licensed for interstate and international commerce; to the Committee on the Judiciary.

8358. By Mr. GARBER of Oklahoma: Petition of citizens of various towns and cities in Oklahoma, asking for cash



payment of World War veterans' adjusted-service certificates; to the Committee on Ways and Means.

8359. Also, petition of Erwin McDowell, Grand Army of the Republic Circle, indorsing House bill 9986; to the Committee on Interstate and Foreign Commerce.

8360. Also, petition of 300 petroleum producers in the "small-well" area of northeastern Oklahoma, seeking imposition of protective tariff on petroleum; to the Committee on Interstate and Foreign Commerce.

8361. Also, petition of Women's Moderation Union, asking modification of prohibition laws; to the Committee on the Judiciary.

8362. Also, petition of Woman's Bible Class, Enid, Okla., indorsing House bill 9986; to the Committee on Interstate and Foreign Commerce.

8363. Also, petition of postal employees at Hominy, Okla., protesting against continuance of postal survey; to the Committee on the Post Office and Post Roads.

8364. Also, petition of Oklahoma Cotton Growers' Association, indorsing and supporting work of the Federal Farm Board; to the Committee on Agriculture.

8365. Also, petition of Chippewa-Broadway Business Association, indorsing House bill 19266; to the Committee on Interstate and Foreign Commerce.

8366. Also, petition of Val J. Peter, publisher Oklahoma Staats-Zeitung, in opposition to House Joint Resolution 427; to the Committee on Immigration and Naturalization.

8367. Also, petition of Military Order of the World War, indorsing various patriotic measures and legislation for the welfare of Army, Navy, Marine Corps, and allied services; to the Committee on Military Affairs.

8368. Also, petition of Woman's Club of Enid, Okla.; Woman's Missionary Society, University Place Church, Enid, Okla.; Hillerman Woman's Christian Temperance Union, Enid, Okla.; Waukomis Woman's Christian Temperance Union, Waukomis, Okla.; indorsing House bill 9986; to the Committee on Interstate and Foreign Commerce.

8369. Also, petition of Associated Cooperage Industries of America to amend the Volstead Act; to the Committee on the Judiciary.

8370. By Mr. HALE: Petition of New England Anti-Vivisection Society, Boston, Mass., by Wegia H. H. Tracy, executive secretary, signed by 156 registered voters of the first congressional district of New Hampshire, in support of House bill 7884, recommending favorable consideration of same, as reported by the committee without qualification or amendment; to the Committee on the District of Columbia.

8371. Also, petition of New England Anti-Vivisection Society, of Boston, Mass., by Miss Lois Drew Beck, chairman at large, signed by 133 registered voters of the first congressional district of New Hampshire, in support of House bill 7884, recommending that it do pass without qualification or amendment; to the Committee on the District of Columbia.

8372. By Mr. HICKEY: Petition of Willis W. MacCorkle and other citizens of South Bend, Ind., to amend the World War veterans' adjusted compensation act, May 19, 1924, and to provide thereby for immediate cash redemption of soldiers' bonus certificates; to the Committee on Ways and Means.

8373. By Mr. HUDSON: Petition of members of the Woman's Christian Temperance Union of Leesville, S. C., urging the passage of House bill 9986, a bill to regulate the moving-picture industry of the United States; to the Committee on Interstate and Foreign Commerce.

8374. Also, petition of members of nine Michigan State organizations interested in child welfare, assembled under date of December 10, 1930, indorsing and urging favorable action on maternity aid and rural health service as embraced in Senate bills 255, 4738, 5440, and House bill 12995; to the Committee on Interstate and Foreign Commerce.

8375. By Mr. JOHNSON of Nebraska: Petition of the Nebraska Veterinary Medical Association, opposing the passage of House bill 7884; to the Committee on the District of Columbia.

8376. By Mr. JOHNSON of Texas: Petition of Lufkin Chamber of Commerce, Lufkin, Tex., opposing railroad consolidations and mergers; to the Committee on Interstate and Foreign Commerce.

8377. Also, petition of Stephen A. Graves Post, No. 307, American Legion, Kerens, Tex., urging payment of adjusted-service certificates issued to World War veterans; to the Committee on Ways and Means.

8378. Also, petition of Texas Academy of Science, indorsing House bill 9599; to the Committee on Agriculture.

8379. By Mr. KENDALL of Pennsylvania: Petition of sundry citizens of Fayette City, Pa., asking that Congress pass the necessary legislation to provide for the immediate payment of the adjusted-service certificates held by veterans of the World War; to the Committee on Ways and Means.

8380. By Mr. O'CONNOR of New York: Resolutions of the Women's Moderation Union, favoring legislation to end prohibition; to the Committee on the Judiciary.

8381. By Mr. SANDERS of Texas: Petition of S. A. King and numerous other citizens of Wood County, Tex., urging the immediate passage of an immigration-restriction law barring all immigration of whatever character for a period of not less than two years as an aid to American labor and economic recovery, and urging the exclusion of Filipinos, Mexicans, and similar types, as well as Europeans; to the Committee on Immigration and Naturalization.

8382. Also, petition of S. A. King and numerous other citizens of Wood County, Tex., asking for the passage of the Sparks-Capper bill which provides that aliens shall be excluded from the count of the whole number of persons in each State in apportioning Representatives among the several States according to their respective numbers; to the Committee on the Judiciary.

8383. By Mr. SELVIG: Petition of Dean E. P. Lyon, University of Minnesota Medical School, opposing passage of bill to prohibit experiments on dogs in the District of Columbia; to the Committee on the District of Columbia.

8384. Also, petition of Raymond A. Kent, president University of Louisville, Louisville, Ky., opposing passage of bill to prohibit experiments on dogs in District of Columbia; to the Committee on the District of Columbia.

8385. By Mr. STONE: Petition signed by A. R. Smith, adjutant, and M. M. Klein, post commander, to compensate the ex-service men of the last World War for the adjusted-service certificates which were issued to compensate the soldiers for their services; to the Committee on Ways and Means.

8386. Also, petition signed by D. L. Ownsley, secretary, and 300 petroleum producers in the "small-well" area, urging protective tariff upon imported petroleum and its refined by-products; to the Committee on Ways and Means.

8387. By Mr. STRONG of Pennsylvania: Petition of citizens of Clarion County, Pa., in favor of the immediate cash payment of adjusted-service certificates; to the Committee on Ways and Means.

8388. Also, petition of citizens of Armstrong County, Pa., in favor of the immediate cash payment of adjusted-service certificates; to the Committee on Ways and Means.

8389. Also, petition of citizens of Jefferson County, Pa., in favor of the immediate cash payment of adjusted-service certificates; to the Committee on Ways and Means.

8390. By Mr. TEMPLE: Petition of H. H. Donaldson, 359 North Jefferson Avenue, Canonsburg, Pa., in support of legislation providing for the payment of adjusted-service certificates; to the Committee on Ways and Means.

8391. Also, resolution of West Alexander Post, No. 656, American Legion, West Alexander, Pa., in support of the Patman adjusted compensation bill; to the Committee on Ways and Means.

8392. Also, resolution of Pittsburgh Conference of the Methodist Episcopal Church, indorsing the measures which have been presented to change the basis of representation in the House of Representatives from population to citizenship; to the Committee on the Judiciary.

8393. By Mr. UNDERHILL: Petition of persons in favor of House bill 7884 for the exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

8394. By Mr. WASON: Petition of 81 residents of the second congressional district of New Hampshire, advocating the passage of House bill 7884 for the exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

8395. By Mr. WILLIAMS: Petition of North Texas Oil & Gas Co., protesting the importation of crude oil and its refined products into the United States; to the Committee on Ways and Means.

8396. By Mr. YATES: Petition of Robert H. Streeper, commander, Madison County Council, the American Legion, Alton, Ill., and 500 members of the Madison County council, requesting the passage of legislation to make available payment in cash the insurance now held by former service men; to the Committee on Ways and Means.

8397. Also, petition of Creroa Adams & Co., Thirty-sixth and Morgan Streets, Chicago, Ill., protesting the passage of any legislation that will increase the rate of postage on first-class mail; to the Committee on the Post Office and Post Roads.

8398. Also, petition of Theodore Hoffman Post, No. 1769, Veterans of Foreign Wars, Effingham, Ill., through Wendell W. Harris, post adjutant, urging the passage of House bill 3493; to the Committee on the Ways and Means.

SENATE

TUESDAY, JANUARY 6, 1931

(Legislative day of Monday, January 5, 1931)

The Senate met at 12 o'clock meridian in executive session, on the expiration of the recess.

The VICE PRESIDENT. As in legislative session, the Senate, by unanimous consent, will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the House had passed the bill (S. 2231) to reserve certain lands on the public domain in Arizona for the use and benefit of the Papago Indians, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed bills and a joint resolution of the following titles, in which it requested the concurrence of the Senate:

H. R. 4501. An act to authorize funds for the construction of a building at Fort Sam Houston;

H. R. 10264. An act to provide a preliminary examination of Waccamaw River, North and South Carolina, with a view to the control of its floods;

H. R. 10672. An act to amend the naturalization laws in respect of posting of notices of petitions for citizenship;

H. R. 10720. An act to authorize a preliminary examination of the French Broad River for the purpose of flood control;

H. R. 12094. An act to provide for conveyance of certain lands in the State of Alabama to vocational or other educational uses or to dispose of the lands upon condition that they shall be used for such purposes;

H. R. 12871. An act providing for the sale of isolated tracts in the former Crow Indian Reservation, Mont.;

H. R. 13053. An act to authorize the Secretary of the Interior to accept donations to or in behalf of institutions conducted for the benefit of Indians;

H. R. 13276. An act to establish the Needles Rocks Wild Life Refuge;

H. R. 14056. An act to amend the act approved March 2, 1929, entitled "An act to authorize the disposition of unplatted portions of Government town sites on irrigation projects under the reclamation act of June 17, 1902, and for other purposes";

H. R. 14446. An act to extend the time for completing the construction of a bridge across the Mississippi River at or near the city of Prairie du Chien, Wis.; and

H. J. Res. 441. Joint resolution amending section 1 of the act entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved July 3, 1930, relating to the Monongahela River, Pa.

CALL OF THE ROLL

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Dill	Kendrick	Shortridge
Barkley	Fess	Keyes	Smoot
Bingham	Fletcher	King	Steck
Black	Frazier	McGill	Steiwer
Blease	George	McMaster	Swanson
Borah	Glass	McNary	Thomas, Idaho
Bratton	Glenn	Metcalf	Thomas, Okla.
Brock	Goff	Morrison	Trammell
Brookhart	Goldsborough	Morrow	Tydings
Broussard	Gould	Norbeck	Wagner
Bulkley	Hale	Norris	Walcott
Capper	Harris	Nye	Walsh, Mass.
Caraway	Hastings	Oddie	Walsh, Mont.
Carey	Hayden	Partridge	Waterman
Connally	Hebert	Phipps	Watson
Copeland	Heflin	Ransdell	Wheeler
Couzens	Howell	Robinson, Ark.	Williamson
Cutting	Johnson	Robinson, Ind.	
Dale	Jones	Sheppard	
Davis	Kean	Shipstead	

Mr. HASTINGS. My colleague the junior Senator from Delaware [Mr. TOWNSEND] is necessarily detained from the Senate to-day. I ask that this announcement may stand for the day.

Mr. GOFF. I desire to announce that my colleague the junior Senator from West Virginia [Mr. HATFIELD] is necessarily absent from the Senate. I will let this announcement stand for the day.

Mr. COUZENS. My colleague the junior Senator from Michigan [Mr. VANDENBERG] is detained in Michigan on account of the funeral of the late minister to the Netherlands, Gerrit J. Diekema.

The VICE PRESIDENT. Seventy-seven Senators have answered to their names. A quorum is present.

As in legislative session,

ANNUAL REPORT OF SECRETARY OF THE SENATE

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Senate, submitting, pursuant to law, a statement of the receipts and expenditures of the Senate, showing in detail the items of expense under proper appropriations, the aggregate thereof, and exhibiting the exact condition of all public moneys received, paid out, and remaining in his possession from July 1, 1929, to June 30, 1930, which, with the accompanying report, was ordered to lie on the table and to be printed.

TRIBUTE TO THE MEMORY OF HON. FRANK L. GREENE

The VICE PRESIDENT laid before the Senate the following communication:

ST. ALBANS, VT., *January 3, 1931.*

Mr. EDWIN P. THAYER,
Secretary of the United States Senate, Washington, D. C.

MY DEAR MR. THAYER: May I ask you to convey to the Members of the United States Senate the sincere appreciation of myself and my family in this our greatest sorrow for their thoughtful consideration, expressed in the beautiful floral tribute sent in memory of my dear husband, FRANK L. GREENE.

Faithfully yours,

JESSIE R. GREENE.

SENATOR FROM MONTANA

Mr. WHEELER presented the credentials of THOMAS J. WALSH, chosen a Senator from the State of Montana for the term commencing March 4, 1931, which were read and ordered to be placed on file, as follows:

STATE OF MONTANA,
EXECUTIVE OFFICE,
Helena.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 4th day of November, 1930, THOMAS J. WALSH was duly chosen by the qualified electors of

the State of Montana a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1931.

Witness his excelency our governor, J. E. Erickson, and our seal hereto affixed at Helena, this 12th day of December, in the year of our Lord 1930

J. E. ERICKSON,
Governor.

By the governor:
[SEAL.]

W. E. HARMON,
Secretary of State.

PETITIONS

Mr. HALE presented petitions of sundry citizens of the State of Maine, praying for the passage of legislation for the exemption of dogs from vivisection in the District of Columbia, which were referred to the Committee on the District of Columbia.

Mr. BROOKHART presented a petition of sundry citizens of Cedar Rapids, Iowa, praying for the passage of legislation providing for the payment in cash of adjusted-compensation certificates of ex-service men, which was referred to the Committee on Finance.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McGILL:

A bill (S. 5536) granting a pension to Elizabeth Bridgman; and

A bill (S. 5537) granting a pension to Angeline Toland; to the Committee on Pensions.

By Mr. BROOKHART:

A bill (S. 5538) granting a pension to Nancy E. Kerrihard (with accompanying papers); to the Committee on Pensions.

By Mr. JOHNSON:

A bill (S. 5539) granting a pension to John Adams;

A bill (S. 5540) granting a pension to Julia C. Benner; and

A bill (S. 5541) granting an increase of pension to Mary E. Watson; to the Committee on Pensions.

By Mr. CAPPER:

A bill (S. 5542) to amend the grain futures act; to the Committee on Agriculture and Forestry.

By Mr. SWANSON:

A bill (S. 5543) to confer citizenship upon certain members of the Byrd antarctic expedition; to the Committee on Immigration.

A bill (S. 5544) for the relief of C. H. Beasley & Bro. (Inc.) (with accompanying papers); to the Committee on Claims.

A bill (S. 5545) to amend an act approved February 24, 1925, entitled "An act to provide for the construction of a memorial bridge across the Potomac River from a point near the Lincoln Memorial, in the city of Washington, to an appropriate point in the State of Virginia, and for other purposes"; to the Committee on Public Buildings and Grounds.

A bill (S. 5546) to amend section 2 of Public Resolution No. 89, Seventy-first Congress, approved June 17, 1930, entitled "Joint resolution providing for the participation of the United States in the celebration of the one hundred and fiftieth anniversary of the siege of Yorktown, Va., and the surrender of Lord Cornwallis on October 19, 1781, and authorizing an appropriation to be used in connection with such celebration, and for other purposes"; to the Committee on the Library.

By Mr. DALE:

A bill (S. 5547) granting an increase of pension to Rose A. Fernan (with accompanying papers); and

A bill (S. 5548) granting an increase of pension to Nettie Jerome (with accompanying papers); to the Committee on Pensions.

By Mr. NORBECK:

A bill (S. 5549) granting a pension to Bear Dog (with accompanying papers);

A bill (S. 5550) granting a pension to Eagleman (with accompanying papers); and

A bill (S. 5551) granting a pension to Ralph J. Gipson (with accompanying papers); to the Committee on Pensions.

By Mr. THOMAS of Oklahoma:

A bill (S. 5552) for the relief of Elizabeth Casteel; to the Committee on Claims.

A bill (S. 5553) to amend section 3 of the act approved May 10, 1928, entitled "An act to extend the period of restriction in lands of certain members of the Five Civilized Tribes, and for other purposes," (Public, No. 360, 70th Cong., S. 3594); to the Committee on Indian Affairs.

By Mr. BULKLEY:

A bill (S. 5554) granting an increase of pension to Anna Martin (with accompanying papers); to the Committee on Pensions.

By Mr. GOLDSBOROUGH:

A bill (S. 5555) for the relief of Alexander M. Proctor; to the Committee on Military Affairs.

By Mr. HAYDEN:

A bill (S. 5557) to amend the act of May 23, 1930 (46 Stat. 378); to the Committee on Indian Affairs.

By Mr. WATSON:

A bill (S. 5558) granting a pension to Ellen R. Copeland (with accompanying papers);

A bill (S. 5559) granting a pension to Hannah A. Polen (with accompanying papers);

A bill (S. 5560) granting an increase of pension to Sarah J. Roberson (with accompanying papers); and

A bill (S. 5561) granting an increase of pension to Catharine A. Sweetland (with accompanying papers); to the Committee on Pensions.

By Mr. RANSDELL:

A bill (S. 5562) for the relief of Nelvil J. Thomas, jr.; to the Committee on Naval Affairs.

A bill (S. 5563) to authorize the issuance of an unrestricted patent to Judson M. Grimmet; to the Committee on Public Lands and Surveys.

APPORTIONMENT OF FEDERAL POSITIONS AT WASHINGTON

Mr. HEFLIN. I introduce, by request, a bill proposing to amend the civil service law, which I ask may be printed in the RECORD, and that the papers which I send to the Secretary's desk may also be referred to the committee to accompany the bill.

The bill (S. 5556) providing for the enforcement of the civil service act for apportionment of positions in the Federal service at Washington, and for other purposes, was read the first time by its title and the second time at length, and, with the accompanying papers, referred to the Committee on Civil Service, as follows:

Be it enacted, etc., That the civil service act for apportionment of positions in the Federal service at Washington among the States and the District of Columbia on the basis of population shall be enforced by all branches of the Government, the executive departments, commissions, boards, and agencies as to appointments, promotions, and reductions, and employees shall be classified according to their civil-service status; and the Civil Service Commission shall include in its annual report to Congress each year a list of such employees in the apportioned service, segregated by States, showing where they work and salary they receive. The Civil Service Commission shall also include in its annual report to Congress each year a list of employees in the unapportioned service, segregated by States, showing where such employees work and salary they receive. The Civil Service Commission shall also include in its annual report to Congress each year a list of new appointees in both the apportioned and unapportioned service, segregated by States, showing where they work and salary they receive. The Civil Service Commission shall also include in its annual report to Congress each year a list of employees who retire, resign, or are dropped from the service, and how their vacancies are filled.

An officer or clerk who violates this law shall be removed from office.

SEC. 2. Ex-service men and women and permanent civil-service employees, residents of States whose quotas are in arrears, who have been discharged because of reductions of force shall be restored to duty as of date they were discharged, as much unemployment exists in all the States, and necessary reductions shall be made of residents of the District of Columbia, Virginia, and Maryland, whose appointments since November 11, 1918, are over 10,000 in excess of their quotas allowed under the civil service law according to civil-service report filed with the Senate December 3, 1930, Senate Document 224; and the Civil Service Commission in its 1926 annual report stated that over 2,000 temporaries were given permanent appointment by Executive order August 22, 1925, without examination, which was less than three months after issuance of a new Executive order for reduction of force on June 4, 1925, by which permanent civil-service employees from

States whose quotas are in arrears, who had given years of faithful service, were discharged in 1926 because of "reduction of force," although they had been retained under the 1921 Executive order for reduction of force according to efficiency rather than years of service in the unclassified service and dependents, as provided by the 1925 Executive order for reduction of force.

SEC. 3. Application for restoration to duty shall be made within six months after passage of this act.

EXECUTIVE MESSAGES

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Latta, one of his secretaries.

AMENDMENT TO AGRICULTURAL APPROPRIATION BILL

Mr. WHEELER submitted an amendment intended to be proposed by him to House bill 15256, the Agricultural Department appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 17, line 17, after the word "warnings," insert a comma and the following: "including the establishment and maintenance of a meteorological station at Missoula, Mont."

On page 18, line 8, strike out "$2,577,200" and insert in lieu thereof "$2,587,200."

FEDERAL LAND BANKS AND JOINT-STOCK LAND BANKS

Mr. FLETCHER submitted the following resolution (S. Res. 393), which was referred to the Committee on Banking and Currency:

Resolved, That the Federal Farm Loan Board is requested to submit to the Senate, within 20 days after the date of adoption of this resolution, the following information:

(1) By States, the number of loans now outstanding made by Federal land banks, respectively, under the supervision of the board and the total amounts so loaned by each bank; (2) the number of persons to whom such loans have been made, specifying the number of such persons who are meeting their payments and the number failing to meet their payments, and the amounts involved; (3) what disposition is made of the lands foreclosed because of the failure to repay money so borrowed; (4) the amount of loans made by each bank in the calendar year 1929 and in the calendar year of 1930, and to what extent these loans were made from the proceeds of bonds; the number of foreclosure suits that were instituted by each bank during the calendar years of 1929 and 1930, respectively; the number of farms and the acreage acquired by the banks, respectively, as a result of foreclosure or otherwise, and the amount of the cost thereof, including the amount of the loans involved, interest and expenses, showing the total amount involved as to each bank; (5) give the total amount of bonds sold in the calendar year 1929 and the same during the calendar year of 1930, and the terms thereof, whether sales were made at or above par and at what rate of interest; (6) what is being done by the Federal Farm Loan Board and the Federal land banks to encourage the organization of national farm-loan associations and the negotiation of loans, and give the attitude, and reasons therefor, toward applications for loans; the amount of losses incurred by each of the Federal land banks to date and compare that with the total amount of business done; what is the cost of administration, and how does that compare with the amount of business done; show whether or not the cost of administration has increased and the sale of bonds decreased and the number and amount of loans decreased—comparing the years of 1929 and 1930; (7) state the amount and character of assets, separate real estate from personal property, of each Federal land bank, and the amount and nature of the liabilities of each such bank; (8) state the number of joint-stock land banks and their status, how many have been liquidated or discontinued and with what result; how many are in process of liquidation and how many in active operation, and how do their assets compare with their liabilities; (9) state whether Federal land-bank bonds are being offered and quoted below par, and why; also state at what price joint-stock land-bank bonds are being offered and give the reasons therefor.

AIR MAIL CONTRACTS

Mr. DILL. I submit a resolution requesting the Postmaster General to furnish information to the Senate regarding air mail contracts, which I ask may lie on the table.

The resolution (S. Res. 394) was read and ordered to lie on the table, as follows:

Whereas the United Aircraft (Inc.) controls the Boeing Air Transport (Inc.), Pacific Air Transport (Inc.), National Air Transport (Inc.), Varney Air Lines (Inc.), and Aviation Corporation (Inc.), and all said corporations are engaged in the business of carrying air mail and hold air mail contracts from the Post Office Department; and

Whereas the United Aircraft also owns the Boeing Airplane Co., the Pratt & Whitney Aircraft Co., and the Hamilton Standard Propellar Corporation, all said companies being manufacturers of airplanes and equipment for airplanes; and

Whereas the United Aircraft also operates a factory in Vancouver, British Columbia, a city on the newly established Canadian-American air line; and

Whereas the Post Office Department has established air mail routes to all parts of the United States except to that section from St. Paul west to Seattle, and does not plan to establish air mail service to the northwestern part of the United States except by feeder and branch lines to certain towns to the north from the east and west air mail route running from Chicago to Cheyenne, Salt Lake, and San Francisco; and

Whereas the announced policy of the Post Office Department is to extend established lines instead of creating new lines, thereby making it impossible for new air mail and transport companies to bid for contracts over new routes, and thereby still further enlarging the control of the United Aircraft (Inc.) of the Government air mail business; and

Whereas the Boeing Air Transport (Inc.) is opposed to the Senate amendment providing $750,000 additional for the air mail appropriation in the post office appropriation bill for the fiscal year 1931–32, which would provide for the Northern Air Ways mail route from St. Paul to Seattle; and

Whereas the Post Office Department proposes to use the additional funds for additional air mail service provided in the post office appropriation bill for the fiscal year 1931–32 to extend existing air mail routes in sections of the country already reasonably well supplied with air mail facilities, instead of establishing the new route from St. Paul to Seattle; and

Whereas the Post Office Department has recently approved the extension of the air mail route from St. Paul to Winnipeg, thus indicating an extension for connection with the Boeing Air Transport lines into the central part of Canada and Seattle, Wash.; and

Whereas it is probable that the Post Office Department will extend the San Francisco-Seattle route to Vancouver and Calgary, British Columbia, thus giving the Boeing Air Transport lines entrance to far-western Canada, and making possible the extension of the air mail route from Calgary to Winnipeg for subsidiary companies of the United Aircraft and for the carrying of Alaskan mail through Canada to St. Paul instead of by the American route through Seattle; and

Whereas these facts and other developments clearly indicate that the control of Government air mail contracts is rapidly coming under the direction of the aviation monopoly hereinbefore described: Now, therefore, be it

Resolved, That the Postmaster General is hereby requested to furnish the Senate the following facts:

1. The name and termination of each existing air mail route in the United States, what part of said route was established as an original route and what part is an extension of the original route, and the name of the person, firm, or corporation holding the contract for carrying of mail over said route and the terms of contract for each route.

2. The new routes to be established by the air mail appropriation provided in the appropriation bill for 1931–32 for air mail service in continental United States when it becomes a law, and also what extensions of routes will be made and to what person, firm, or corporation each added extension will bring additional contracts for air mail service.

3. Names of officers and attorneys of parent corporations, subsidiary, or affiliated corporations holding air mail contracts, who have been employees or officials of the United States Government within the past five years.

4. The requirements by the Post Office Department for the establishment of new air mail routes or extension of air mail routes previous to their establishment as to airports, distances between emergency landing fields, and other aids to navigation and whether or not such requirements have been met previous to the establishment or extension of air mail routes in the past.

NANNIE L. KING

Mr. HEFLIN. Mr. President, by request I submit a Senate resolution for reference to the proper committee.

The resolution (S. Res. 395) was read and referred to the Committee on Military Affairs, as follows:

Resolved, That the Secretary of War be, and hereby is, directed to furnish the Senate by January 20, 1931, duplicate photostat copies of all original correspondence and duplicate typewritten copies of all carbon copies of correspondence with any and all persons, the Civil Service Commission, other departments or interdepartmental correspondence, as well as correspondence on file at the Quartermaster General's office from the camp supply officer, Camp Knox, Ky., and with Nannie L. King, relating to appointment and discharge of Nannie L. King, Stithton, Ky. (Camp Knox), together with photostat copies of the efficiency reports from the camp supply officer, Camp Knox, to the Quartermaster General for June 30, 1919, December 31, 1919, June 30, 1920, December 31, 1920, December 31, 1921, and June 30, 1921; also copy of telegram dated February 17, 1920, from The Adjutant General of the Army to Col. G. Arthur Hadsell, Quartermaster Corps, Camp Knox, Ky., under which Secretary of War Davis approved said discharge by letter dated December 17, 1925, and which telegram Secretary of War Davis stated in his answer to Mandamus No. 71252, Supreme Court of the District of Columbia, was transmittal of orders of Secretary of War Davis for discharge of said Nannie L. King: Be it further

Resolved, That duplicate photostat copies of orders of Secretary of War Baker for reduction of civilian employees in 1918 be supplied; also Personnel Notices Nos. 8, 43, and 47, 1919, P. S. and T. Division, and Personnel Notices 23 and 25, 1918, P. S. and T. Division, connected with said alleged telegram of February 17, 1920, under which said Nannie L. King was discharged.

Resolved further, That the Attorney General be, and hereby is, directed to furnish the Senate by January 12, 1931, duplicate copies of approval of said Nannie L. King's discharge by two Secretaries of War under said telegram of February 17, 1920, from The Adjutant General to the camp supply officer, Camp Knox, Ky., as alleged in objections of the Attorney General filed in No. F-87, Court of Claims of the United States, by Frank J. Keating, January 27, 1928, together with copy of approval by the Quartermaster General of said discharge under said telegram, as alleged in above-mentioned objections, and that the Attorney General also furnish duplicate copies of the objections and motion to strike amended petition, filed by the Attorney General in F-87, Court of Claims of the United States.

All of said records to be referred to the Senate Judiciary Committee.

COMMITTEE SERVICE

On motion of Mr. ROBINSON of Arkansas, and by unanimous consent, it was—

Ordered, That Mr. BRATTON be excused from further service as a member of the Committee on Banking and Currency, and that he be assigned to membership on the Committee on the Judiciary; and

That Mr. MORRISON be assigned to service on the Committee on Appropriations and the Committee on Banking and Currency.

RATIFICATION OF CONSTITUTIONAL AMENDMENTS (S. DOC. NO. 240)

Mr. FESS. Mr. President, in recent years many requests have come to Senators and Congressmen for information with reference to the ratification of constitutional amendments by the various States. A request was made for the compilation of this data by the Congressional Library. I now hold in my hand a very voluminous document which represents the action of each State upon each amendment to the Constitution. I think it well worth while to have it made a public document. I therefore ask unanimous consent, as in legislative session, that it may be published as a public document.

The VICE PRESIDENT. Without objection, it is so ordered.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolution were severally read twice by their titles and referred as indicated below:

H. R. 4501. An act to authorize funds for the construction of a building at Fort Sam Houston; to the Committee on Military Affairs.

H. R. 10264. An act to provide a preliminary examination of Waccamaw River, N. C. and S. C., with a view to the control of its floods;

H. R. 10720. An act to authorize a preliminary examination of the French Broad River for the purpose of flood control; and

H. R. 14446. An act to extend the time for completing the construction of a bridge across the Mississippi River at or near the city of Prairie du Chien, Wis.; to the Committee on Commerce.

H. R. 10672. An act to amend the naturalization laws in respect of posting of notices of petitions for citizenship; to the Committee on Immigration.

H. R. 12094. An act to provide for conveyance of certain lands in the State of Alabama to vocational or other educational uses or to dispose of the lands upon condition that they shall be used for such purposes; to the Committee on Public Lands and Surveys.

H. R. 12871. An act providing for the sale of isolated tracts in the former Crow Indian Reservation, Mont.;

H. R. 13053. An act to authorize the Secretary of the Interior to accept donations to or in behalf of institutions conducted for the benefit of Indians; and

H. R. 13276. An act to establish the Needles Rocks Wild Life Refuge; to the Committee on Indian Affairs.

H. R. 14056. An act to amend the act approved March 2, 1929, entitled "An act to authorize the disposition of unplatted portions of Government town sites on irrigation projects under the reclamation act of June 17, 1902, and for other purposes"; to the Committee on Irrigation and Reclamation.

H. J. Res. 441. Joint resolution amending section 1 of the act entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved July 3, 1930, relating to the Monongahela River, Pa.; to the calendar.

FEDERAL POWER COMMISSION

The Senate being in executive session,

Mr. WALSH of Montana. Mr. President, the attention of the Senate was directed yesterday to the interview with Doctor Smith reported in the newspapers to the effect that the dismissals were occasioned by reason of friction which existed among the employees of the commission. There was, indeed, friction between Bonner and Russell. There was likewise friction between King and Bonner. There was also friction between Lawson and Bonner. There was no want of harmony whatever between the three gentlemen named—Mr. King, accountant of the commission; Mr. Russell, solicitor of the commission; and Mr. Lawson, counsel for the commission. The friction that existed seemed to be between all three of those gentlemen on the one side and Mr. Bonner on the other side.

It will be borne in mind that no inquiry whatever was made as to whether the three gentlemen mentioned were right and Mr. Bonner was wrong in the clashing which occurred, and for aught we know they were right and Bonner was wrong. What would we think of a business house which was run on those principles? Without any inquiry into the right or the wrong of the controversy all three were dismissed. Of course, as I have indicated, Bonner having already expressed his purpose of severing his connection with the commission, the order operated effectively only as against Russell and King. But what would we think of a business house having an auditor whose business it was to check up the accounts of salesmen out on the road and a salesman comes in with a padded account? The auditor complains to him about his expense account and insists that he revise it; that there are items in it that ought not to be allowed at all. They get into quite a controversy about the matter. Again the thing occurs and again a clash arises between the two. The manager of the business says, "There is friction in the house, and I dismiss both of you."

There was a practice among the Romans that when any considerable number of men were involved in a difficulty in the army, if a mutiny of any kind arose, or theft occurred, the perpetrators of which were not easily discerned, every tenth man in the company was executed, a process known as decimation. This is said to have been resorted to by Blücher when a mutiny arose among his troops or a portion of them immediately before the Battle of Waterloo. All the world was aghast at the idea of dismissing men from the service without any inquiry at all as to their culpability for the purpose of serving a warning to anyone else who might be tempted to engage in like practices.

Thus we have it here. A clash arises; friction exists between public servants engaged in similar or related work; and they are all dismissed without any inquiry at all as to whether individuals are culpable or not. However, Mr. President, about this friction, Bonner had already, through the public press, declared his purpose to resign and to sever his connection with the commission. That would have relieved the friction; there would not be any more friction when he was gone.

I have before me a copy of the Washington Post of Saturday, December 13, 1930, some 10 days before the action taken by the commission, which is the subject of these remarks. Here is an article entitled "Bonner to Quit Post With Power Board. Secretary to Relinquish Post as Result of Criticism by His Superiors." I do not detain the Senate by reading the article, but the text fully sustains the heading to which I have adverted. When Mr. Bonner was out there was not going to be any more friction; there was no occasion for dismissing anybody in order to avoid further friction among the employees of the commission.

Mr. GOFF. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from West Virginia?

Mr. WALSH of Montana. I yield to the Senator from West Virginia.

Mr. GOFF. I should like to ask the Senator from Montana if he has not been informed that Mr. Bonner never resigned and never tendered his resignation to either the old or the new commission?

Mr. WALSH of Montana. I have been so informed; but I have likewise been informed that he had already announced his purpose to resign.

Mr. GOFF. He announced it only through the public press and not through any communication to his superior officers.

Mr. WALSH of Montana. That is entirely sufficient for my purpose. His resignation, then, was to be anticipated.

Mr. GOFF. Was this anticipatory resignation, then, to govern the action of the commission?

Mr. BROOKHART. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Iowa?

Mr. WALSH of Montana. I yield.

Mr. BROOKHART. In reference to the announcement of the resignation, there was also a letter about it to the chairman of the Interstate Commerce Committee, the Senator from Michigan [Mr. COUZENS], which very plainly showed his purpose.

Mr. WALSH of Montana. At least, Mr. President, when Mr. Bonner had announced his purpose to resign, there seemed to be no occasion for the indecent haste that was exhibited by the commission in gathering three members together a day or two after they were confirmed in order to take the action which is here under discussion.

Mr. GOFF. Mr. President, will the Senator from Montana yield to me there?

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from West Virginia?

Mr. WALSH of Montana. I yield.

Mr. GOFF. I do not wish to interrupt the Senator from Montana in his argument, but I want to ask him this question: It is not his contention, is it, that a newspaper article to the effect that an official intends to resign can be accepted by the commission authorized to accept his resignation as an offer to resign?

Mr. WALSH of Montana. Mr. President, there is no occasion to answer a question of that character at all. Mr. Bonner had announced publicly his purpose to resign. The members of the commission might have waited at least a day or a week or over the Christmas holidays until the other two members qualified in order to see whether he was going to resign or not.

However, Mr. President, accordingly this claim of removal because of friction is a perfectly obvious pretense. There must have been some other ground actuating these gentlemen in the course they took in this matter. That conclusion is enforced by the hollow pretense they make that the employees of the commission were automatically severed from it by reason of the so-called reorganization of the commission.

Mr. BLACK. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Alabama?

Mr. WALSH of Montana. I yield.

Mr. BLACK. Referring to newspaper articles, as I understand, these three gentlemen met hastily and all the evidence they could legitimately have had, I assume, as to any friction at all was from newspaper articles. Did they conduct any investigation?

Mr. WALSH of Montana. The Senator from Alabama will remember that the friction was very clearly disclosed in the investigation conducted by the Interstate Commerce Committee.

Mr. BLACK. That information was in newspaper articles also; the newspapers published the facts.

Mr. WALSH of Montana. Exactly.

Mr. BLACK. And the three members of the commission met, and, without any investigation of their own, acted immediately.

Mr. WALSH of Montana. Exactly. They did.

Mr. BLACK. And they had no official notice from these employees, so far as the Senator knows, that there was friction between them?

Mr. WALSH of Montana. The Senator from Alabama is quite right; they had exactly the same sort of information concerning the friction as they had concerning Mr. Bonner's purpose to resign.

Mr. President, it will be recalled that in the notice sent to these gentlemen, as well as to other employees of the commission, it was stated that they had been automatically severed from the commission by reason of the act. I hope that some of the Members of the Senate, at least the lawyers of the body, have copies of the act, a copy of which I have before me. There is absolutely nothing in it, either by express declaration or by reasonable inference, that will sustain the contention that the employees of the commission were automatically severed by reason of the enactment of this act. This act, Mr. President, is an amendment of the water power act of 1920. It starts out—

> That sections 1 and 2 of the Federal water power act are amended to read as follows.

And then follows the provision by which, instead of the commission consisting of three members of the Cabinet, it shall consist of five members, to be appointed by the President and confirmed by the Senate. The act remains intact substantially except for this change.

Mr. WHEELER. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to his colleague?

Mr. WALSH of Montana. Yes.

Mr. WHEELER. I am glad the Senator has called attention to that, because that was clearly the intention entertained by some of the members of the Interstate Commerce Committee who had to do with the passing of this particular law, namely, that the employees should not be automatically discharged.

Mr. WALSH of Montana. There is, I think, nothing in this act which any lawyer can assert operates automatically to sever from the commission every employee in its service. Upon what basis can any such contention as that be made? Mr. President, the appointment of Mr. King as general accountant for the commission was in pursuance of an order made by the old commission. There are many orders that were made by the commission. Is it contended that every order made by the commission is automatically nullified by the enactment of this amendment to the law? I do not follow the contention, because I have no hesitancy in saying that it is simply absurd.

Mr. COUZENS. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Michigan?

Mr. WALSH of Montana. I yield.

Mr. COUZENS. Does not the Senator think that section 2 might imply what has been contended for?

Mr. WALSH of Montana. Will the Senator kindly give me his views about the matter?

Mr. COUZENS. I asked the Senator the question; I am not making a speech.

Mr. WALSH of Montana. I will be glad to answer. Section 2 reads in part:

> The commission shall have authority to appoint, prescribe the duties, and fix the salaries of a secretary, a chief engineer, a general counsel, a solicitor, and a chief accountant; and may, subject to the civil service laws, appoint such other officers and employees as are necessary in the execution of its functions and fix their salaries in accordance with the classification act of 1923, as amended.

So it is merely an amendment of the old law which I have before me here.

Mr. COUZENS. Will the Senator yield further at that point?

The VICE PRESIDENT. Does the Senator from Montana yield further to the Senator from Michigan?

Mr. WALSH of Montana. Yes.

Mr. COUZENS. I should like to know how the commission could do all these things if the places were all filled. If the places were all filled, how could the Power Commission do all that is required of them in section 2?

Mr. WALSH of Montana. That is merely an amendment of the law as it stands.

Mr. COUZENS. No; it is more than an amendment; it is an addition to it.

Mr. WALSH of Montana. I say it is an amendment. The commission theretofore had the power to appoint its assistants; it had the power, certainly, to appoint the executive secretary.

Mr. COUZENS. That is true, and the law provides for the new commission doing that.

Mr. WALSH of Montana. Exactly; it provides for the new commission doing it whenever a vacancy shall occur.

Mr. COUZENS. No; it does not say that at all.

Mr. WALSH of Montana. Very well; I do not care to discuss that question. We frequently amend statutes creating commissions. They are already given power to appoint certain officers and that kind of thing, and we revise the statute by reenacting it as it is with certain changes. That does automatically sever the connection of every employee.

I want you to imagine, however, Mr. President, that it did. Of what consequence is it, anyway? Suppose we give that construction to the law; suppose we say that the connection of the employees with the commission is automatically severed. Bear in mind that all except these three were, by the act of the commission, immediately restored for at least 30 days.

It will probably interest those of the Members of the Senate who have not followed this controversy very closely to have some idea of what was the occasion for the clashes resulting in the friction which is offered as the excuse for their dismissal. In general, they arose by reason of the fact that the three gentlemen named—Mr. Russell, Mr. King, and Mr. Lawson—were endeavoring to assert and maintain the rights of the people with respect to the disposition of the power resources of the country as against what they believed to be undue friendliness on the part of Bonner toward the privilege-seeking interests that were endeavoring to secure concessions from the commission. Whether they were right in that contention or whether they were wrong in the contention, I merely now state what the source of the clashes was. Particularly, Mr. President, the clash arose over the accounting which is required by the commission of the corporations applying for and securing the permits and licenses. It will be borne in mind that the law provides that after 50 years the Government may take over the property created by the licensee or permittee upon paying to him or it the actual investment which has been made. Accordingly, Mr. President, in order that the question should not be one that would be mooted 50 years in the future, the commission required, as it was authorized by the law to require, every permittee to make an exact accounting of every dollar which went into its investment, and it was the duty of Mr. King as general accountant to go over those statements and reports and check them off and reject, if he could, those items which he deemed were not properly chargeable as a part of the investment account, and it became the duty of Mr. King to interrogate the licensees carefully in order to establish the contention made by the accountant that particular items were not justly chargeable. Their respective duties in this particular matter and the occasion for the clashes which ensued are very succinctly stated in an editorial in the New York World of Thursday, December 25, 1930, which I read, as follows:

TWO DISMISSALS FROM THE PUBLIC SERVICE

The new Federal Power Commission is off to a flying start. Its five members were confirmed by the Senate on Wednesday of last week. On Tuesday of this week the commission issued its first official order, summarily discharging Charles F. Russell and William V. King, who served the old commission as solicitor and chief accountant.

We are in no position to judge the extent to which these two men were technically qualified for the offices which they have occupied for some years. We do know that both men have frequently appeared in controversies centering upon the work of the commission and that they have usually appeared in the rôle of advocates of more stringent regulation. It was Mr. Russell who filed charges before a committee of the Senate in February of this year to the effect that various important public-utility companies operating under the Federal power act have been permitted to inflate their capital accounts by many million dollars. It was Mr. King, in the rôle of chief accountant, who furnished the same committee with data which led Senator COUZENS to describe the administration of the power act as "the rottenest exhibition of government" he had ever seen. Both men, in short, seem to be of the sort frequently described by some of the private power corporations as "trouble makers." That is, they ask unpleasant questions and insist upon compliance with inconvenient regulations. It may be that in pursuit of what they believe to be their duty they have shown themselves at times to be unduly suspicious, doctrinaire, and too easily alarmed by any threat to the public's interests. These are not grievous faults, considering the light-hearted complacency with which the power act has been administered.

It is a somewhat astonishing fact that these two men should have been discharged so promptly by the new commission. We are not surprised that the incident has created a stir in Washington or that it seems certain to be debated by the Senate.

Some effort is made to discredit the movement in behalf of which I speak by suggesting that it is an insurgent move. I do not know whether I am accounted a member of that class or not; but I am very sure that the Philadelphia Record can not be so regarded. It is as staid and conservative an old newspaper as the country affords. I have here an editorial from that journal, of date December 24, 1930, which I read. It is entitled:

WILL THESE DISMISSALS END THE FIGHT FOR REAL UTILITY REGULATION?

Voltaire was informed that the British had just court-martialed and executed a famous admiral who had displeased his superiors. "Pour encourager les autres," was his ironic comment.

That historic cynicism might well be whispered in Washington to-day in connection with the dismissal of Charles A. Russell, solicitor, and William V. King, chief accountant, by the Federal Power Commission.

The executive firing squad for the only two Federal officials who have consistently striven for effective regulation of public utilities and have courageously opposed practices of capital inflation by some of those interests.

A grim warning—well calculated "to encourage the others" in office who might be inclined to champion the public interest.

And well calculated to enlighten the country as to the reality of this "power question," which some say is the fanciful creation of a few insurgent Senators and corporation-baiting agitators.

* * * * * * *

Actually the problems of safeguarding both property and public rights in the power and utility fields has been developing for several years.

It has become steadily more urgent with the progress of amalgamations and holding-company mergers, which confront the Nation with approaching monopoly of some of the chief necessaries of existence.

It has become a pressing issue in national affairs, and in many States by reason of the demonstrated weaknesses in regulation.

It has been made acute by repeated efforts of some combines to evade both State and Federal control.

And now it is accentuated by moves which will be widely regarded as indicating a virtual alliance between the Hoover administration and the interests accused of exploiting the public.

The Senate committee showed its uneasiness by close scrutiny of the five members of the new Federal commission, which was created by Congress to succeed the ineffectual body made up of three members of the Cabinet.

None of the appointees is of more than mediocre ability, and one or two were questioned sharply as to their alleged friendship with power companies. But the nominations were finally approved.

And the first act of the commission was to remove the two subordinates who have charged wholesale stock watering by some concerns and their protection by certain State regulatory bodies.

It was King and Russell who charged flagrant manipulation by the Clarion River Power Co., of Pennsylvania.

They produced figures to show that an actual investment of $4,645,085 had been "written up" to $11,032,816—an alleged inflation of $6,387,731, or 137 per cent.

When the former Federal commission disallowed the $6,000,000 of "blue sky" as part of the capital upon which the rates might be based the company sought an injunction.

Solicitor Russell recited his figures in court and accused the Public Service Commission of Pennsylvania of permitting an unconscionable gouge of consumers.

The company challenged the jurisdiction of the court. It held that neither Federal nor State authorities could subtract a dollar from any valuation it chose to assert.

The Pennsylvania commission, despite its discreditable record, denounced Russell and demanded his repudiation. He repeated his charges of neglect of duty, and Governor-elect Pinchot says they are "emphatically true."

But King and Russell are ejected from office with a promptitude which suggests that President Hoover selected his appointees to the Federal commission with that purpose especially in view.

* * * * * * *

The public has been assured again and again that there isn't any "power trust"; that there is no such thing as utility influence in governmental affairs or inflation in utility financing; that Federal control of utilities is a policy only little less dangerous than Government ownership; that State powers and State rights in such matters must be jealously preserved.

Yet here is the open challenge that neither Federal nor State authority can check the capital basis of rates, and that corporations or combines may charge what they please.

Here, furthermore, is notice that Federal officials who question the system will do so at their peril.

The Record is amazed at the hardihood of the administration in thus accentuating a policy of protecting and promoting practices which virtually nullify regulation and open the way to exploitation of the public.

But the Record is the more amazed that utilities which are honestly financed and conducted still seem by their silence to condone those practices.

In friendly concern it asks them whether it is shrewd politics or sound business thus to invite continued agitation against the industry and risk the good will they have earned.

Mr. President, reference was made here to the inflation in the capitalization of these companies and the lack of effectiveness in State regulation. When I went before the Interstate Commerce Committee in support of a resolution I introduced some years ago, asking for an investigation into the finances of these public-utility corporations, I was confronted by the chairman of the Pennsylvania Public Utilities Commission, who brought to bear in support of his contention a withered frame that excited the sympathy of everybody there, and who pretended to tell that there was no occasion for the investigation subsequently conducted by the Federal Trade Commission because the whole matter was being very carefully taken care of by the various State commissions.

Another matter, Mr. President:

An effort is made to center this matter upon the personality of Mr. Russell, who is an aggressive, forceful fighter, such a man as is needed to conduct these investigations so that they may have a real result; and Mr. King is rather kept in the background of public denunciation of the acts of these officers. Mr. King was engaged in this work, and doing it exceedingly effectively, before Mr. Russell ever came to the Power Commission. I called attention heretofore to a report made by Mr. King concerning the financial statement made by the Alabama Power Co. concerning the expenditures in connection with the Coosa Dam, in which Mr. King demonstrated four years ago that the expenditures in that enterprise were inflated by at least $8,000,000. That, as I say, was before Mr. Russell came to the commission at all.

The Senator from Virginia [Mr. GLASS] inquired the other day, "Why limit this effort to reconsider to three of the commissioners? Why not take them all?"

I do not desire to go over the ground that was traversed when these matters were before us heretofore. I confine myself exclusively to those things that have transpired since as indicative of the fitness of these gentlemen for the positions they occupy and the propriety of their serving upon this great commission. I know nothing that has transpired since derogatory to either Mr. McNinch or Mr. Williamson. I address my remarks to the three members of the commission who, in indecent haste, took this course so easily subject to reprehension.

Mr. HASTINGS. Mr. President——

The PRESIDING OFFICER (Mr. FESS in the chair). Does the Senator from Montana yield to the Senator from Delaware?

Mr. WALSH of Montana. I yield.

Mr. HASTINGS. Before the Senator completes his argument I should like to inquire about the effectiveness of passing this resolution to reconsider these nominations. I understand that it is within the rules; but I wish to inquire of the Senator what is the position of the Senate with respect to any nomination by the President where they have consented to that appointment, and so notified the President, and the appointee takes the oath of office. After that is there anything that the Senate of the United States can do about it, merely because the motion to reconsider is within the rules?

That is the thing that is troubling me. In other words, when the President sends here, for instance, the nomination of a justice of the Supreme Court, and it is passed upon by the Senate, and the President is notified the same day, and the justice of the Supreme Court takes his oath, I want to know how anybody, except by impeachment proceedings, can get that man off the bench.

Mr. WALSH of Montana. The Senator, then, thinks the Senate did not have any power to pass Rule XXXVIII?

Mr. HASTINGS. No; the rule is all right, but——

Mr. WALSH of Montana. But the Senator, as I understand, says the rule is nugatory, ineffective?

Mr. HASTINGS. When the Senate has passed upon a nomination, and the President has been notified, and the nominee takes the oath of office, I assume that the President of the United States is not bound, for instance, to know the rules of the Senate and not bound to wait until all possible opportunity for reconsideration takes place.

Mr. WALSH of Montana. That is where the Senator and I differ. Of course, everybody takes notice of the rules of the Senate.

Mr. HASTINGS. Do I understand the Senator to contend, then, that the President of the United States can not legally name anybody until the opportunity for reconsideration in the Senate has passed?

Mr. WALSH of Montana. He has already named some one.

Mr. HASTINGS. Having named him, does the Senator contend that he has been illegally named?

Mr. WALSH of Montana. No.

Mr. HASTINGS. Then how effective is the Senator's resolution if we pass it?

Mr. WALSH of Montana. Mr. President, the Senator is confusing himself. The Senate has not concluded its action. It has purposely withheld final determination of the matter under its rule. The President of the United States knows what the rules of the Senate are. The President of the United States knows that any action taken by the Senate in relation to the confirmation of a nomination may be reconsidered on either of the next two days of actual executive session thereafter. He is bound to take notice of it.

Mr. HASTINGS. Then the Senator does contend that the nominations of these people and their oaths of office are all nullities and illegal?

Mr. WALSH of Montana. Nobody questions the legality of the nomination. The question is, has the Senate finally passed on the matter?

Mr. HASTINGS. I ask the Senator the question whether these people have legally taken the oaths of office, and if they have, what can the Senate do about it?

Mr. WALSH of Montana. The oath of office does not bother anybody except one who wants to be bothered. The Senate rules expressly provide that any action taken by the Senate in relation to a nomination may be reconsidered. The Senate may change its mind about the matter, if a motion is made on the same day or on either of the next two days of actual executive session. The President of the United States, the appointee, and all are required to take notice of that, just as they take notice of the fact that the Senate has not acted in the first place.

Mr. BARKLEY. Mr. President, will the Senator yield to me?

Mr. WALSH of Montana. I yield.

Mr. BARKLEY. The question asked by the Senator from Delaware has been bothering me considerably, and, with great deference to the legal ability, the sincerity, and the frankness of the Senator from Montana, his answer is not quite satisfactory.

I would like to ask the Senator's view about this. Undoubtedly the rule which gives any Senator who voted with the majority a right to move to reconsider is a valid rule.

That rule, however, of course, like any other rule, may be waived by unanimous consent. When we pass on a nomination and vote by a majority to confirm, and the Vice President, from the chair, announces that the Senate advises and consents to the nomination, and announces that the President will accordingly be notified, no Senator objecting to that, is that tantamount to unanimous consent on the part of the Senate that the 2-day provision may be waived and the President notified of the nomination so as to authorize the taking of the oath of office?

Mr. WALSH of Montana. Mr. President, it is perfectly obvious that it is a waiver of the time prescribed by the rule for giving the notice, and that is all it is. The President would be notified in due course under the rule if no such action were taken. But we agree that he may be notified at once, so the waiver is only as to the time within which notice shall be given.

Mr. BARKLEY. Having done that, having given the consent of the Senate——

Mr. WALSH of Montana. That is, we give the consent of the Senate that he may be notified to-day instead of to-morrow.

Mr. BARKLEY. Instead of day after to-morrow.

Mr. WALSH of Montana. Yes; instead of day after to-morrow.

Mr. BARKLEY. And acting on that notice he issues a commission, and the appointee takes the oath of office. While we may under the rule have the right to reconsider our action, it is a very serious question in my mind whether our reconsideration of the action after all those steps have been taken and the appointment has been consummated can operate to deny a man the right to his office. That is a serious question, which bothers me.

Mr. WALSH of Montana. We undoubtedly waive the time within which the notification may go, but how does the Senator reach the conclusion that we waive the right to move for a reconsideration of the action?

Mr. BARKLEY. I do not reach the conclusion; technically, I think we have the right to move to reconsider, but having taken all the steps which involve a waiver of the suspension of the appointment pending that two days, I am wondering whether, after we have acted, if we should act, to reconsider, we will not have done a moot thing. It might express our own opinion as to what we wish we had done, it might condemn our own haste in agreeing that the President might be notified in advance, but whether legally it can be done is a serious question.

Mr. WALSH of Montana. We will cross that bridge when we reach it. We have not come to it yet.

Mr. BARKLEY. I know, but suppose the rule provides that the motion can not be made, where the President has been notified, unless there is a request for a return of the papers. Of course, if the President, acting upon that request, returns the papers to the Senate, it might or might not present a new legal consideration; but if he should decline to return the papers, in what position would the Senate be?

Mr. HASTINGS. Mr. President, may I ask the Senator from Montana another question?

Mr. WALSH of Montana. I would rather answer this question first.

Mr. HASTINGS. Very well.

Mr. WALSH of Montana. Of course, if the Senate is acting within its power under the Constitution, as I contend it is, I can not conceive that the President of the United States will refuse to return the papers. Of course, if he conceives that the Senate of the United States is acting in defiance of the Constitution, he will govern himself accordingly. But if he conceives that it is acting within its power—and I can not see how it is not, under the plain rules of the Senate—I can not conceive that he will not return the papers. I have endeavored to find out whether the House of Representatives, for instance, has ever declined a request of the Senate to return papers, and I have not been able to find such an instance.

Mr. BARKLEY. I am informed that it has done so. I want to say to the Senator that I am in entire sympathy with his attitude in condemnation of the hasty action of these three commissioners in discharging the three men in question. I agree entirely with the Senator's position in that matter, as to the impropriety of it, and the suspicious circumstances surrounding it, but even so, I can not entirely rid myself of the difficulty which presents itself.

Mr. WALSH of Montana. Perhaps the Senator will find it easier if he reflects upon a situation in litigation. Let us consider a decree in equity, for instance. Under the rules of the court one has a week within which to move for a review of the conclusion of the court. He gives notice of it.

Mr. BARKLEY. But he can waive that right at any time during the week.

Mr. WALSH of Montana. He can, of course.

Mr. BARKLEY. He may take such action as to estop himself from the assertion of his right under the rule later.

Mr. WALSH of Montana. Yes; he could do so; but I do not know just now what he would do that would operate as a waiver of that right. I concede that he can, but I can not conceive that waiving the time within which notice shall be given to the President of the confirmation of a nomination operates as a waiver of the right to move for a reconsideration.

Mr. BARKLEY. If the Senator will suffer another interruption, what would be the reasonable object of the Senate in waiving the right to a 2-day period within which to notify the President? Why would it want to notify the President if it still had in the back of its head the idea that it was going to reconsider?

Mr. WALSH of Montana. I suppose because in nine hundred and ninety-nine out of one thousand cases we do not reconsider, so that they may go right on.

Mr. BARKLEY. The fact that it is nine hundred and ninety-nine out of one thousand does not seem to affect the principle involved. What was the object of the rule in saying that we can in some cases waive that 2-day suspension, so that the President may be notified and the appointment consummated by the issuance of the commission and the taking of the oath of office?

Mr. WALSH of Montana. The Senator will remember, of course, that the commission is mere evidence of the appointment.

Mr. BARKLEY. It is more than evidence, because if it did not issue the appointee could never begin the performance of his duty.

Mr. BORAH. Oh, yes, he could.

Mr. WALSH of Montana. The rule is otherwise.

Mr. BARKLEY. Suppose the President declined to issue the commission after the Senate had acted on an appointment?

Mr. WALSH of Montana. If he did that it would be tantamount to removal.

Mr. BARKLEY. It might be under the late decision of the Supreme Court, but under the decision in the Marbury case it would not.

Mr. WALSH of Montana. We have to proceed under the latest decision.

Mr. HASTINGS. Mr. President, will the Senator yield to me?

Mr. WALSH of Montana. I yield to the Senator from Delaware.

Mr. HASTINGS. I wanted to ask the Senator whether he did not think that the purpose of the notice to the President was to give him the impression, at least, that the Senate had finally acted upon the appointment? Is not that the purpose of the notice, to show that the Senate has acted?

Mr. WALSH of Montana. No; I am sure that is not the purpose, because let us assume that there was no waiver of the notice at all, that the time simply elapsed and the two days expired, and the notice was given to the President, but in the meantime there had been no executive session of the Senate at all, and after the lapse of two days there was an executive session of the Senate and some one rose and moved to reconsider. The notice does not affect the matter of the reconsideration, in my mind, at all.

Mr. HASTINGS. Does the Senator contend that the President has to follow the proceedings of the Senate and

keep himself informed as to when it holds executive sessions, and when the time expires, and all that? Is not the President entitled to have some notice from the Senate, at some time, that it has finally acted on a nomination?

Mr. WALSH of Montana. It might be necessary to change the rules of the Senate, but they now provide as I have indicated.

Mr. BORAH. Mr. President, will the Senator yield?

Mr. WALSH of Montana. I yield to the Senator from Idaho.

Mr. BORAH. Something was said about the part which the issuing of the commission plays in this matter. It is stated in the syllabus in the case of Marbury against Madison:

A commission is not necessary to the appointment of an officer by the Executive.
A commission is only evidence of an appointment.
Delivery is not necessary to the validity of letters patent.

Mr. WALSH of Montana. I think that point is settled.

Mr. BRATTON. Mr. President, will the Senator yield?

Mr. WALSH of Montana. I yield.

Mr. BRATTON. It seems to me that if the notification goes forward within the 2-day period—that is to say, two days of actual executive session—it goes forward subject to the power of the Senate to reconsider at any time within the prescribed period. It is not an unconditional and irrevocable act.

Mr. WALSH of Montana. It seems to me that if we may reconsider after the 2-day period we may equally well reconsider after the 1-day period if the 2-day period has not been waived by the Senate. It does not seem to me that the direction of the Senate that the President be immediately notified changes the situation in any respect whatever.

Mr. WHEELER. Mr. President, I do not see why we talk about waiving the time, because as a matter of fact the RECORD does not show that we did waive the time. The RECORD with reference to the Smith case I will read. With reference to Garsaud there was nothing said about notifying the President, but with reference to Smith the CONGRESSIONAL RECORD of December 20, page 1276, reads as follows:

The PRESIDENT pro tempore. The Senate advises and consents to the nomination, and the President will be notified.

He does not say that "without objection, the Senate directs that the President shall be notified now." It simply says that he shall be notified. When? Not to-day, not immediately, but whenever, under the rules, I presume, he should be notified. With reference to Garsaud the RECORD shows that absolutely nothing was said with reference to the President being notified at all. So why the talk about waiving anything? The rule of the Senate provides, as a matter of fact, that one can make a motion that the President be notified, or I assume that if the President pro tempore had said, "If there is no objection, the President will be notified," that might have been considered a waiver. But there is no waiver in this instance, as I read the RECORD.

Mr. BROUSSARD. Mr. President, will the Senator from Montana yield to me?

Mr. WALSH of Montana. I yield.

Mr. BROUSSARD. With reference to the statement made by the junior Senator from Montana [Mr. WHEELER], I claim that a statement was made in the Garsaud case similar to the statement made in the Smith case.

Mr. WHEELER. Let us read the RECORD.

Mr. BROUSSARD. I read the RECORD.

Mr. WHEELER. Let us read the RECORD on it.

Mr. BROUSSARD. I think the Journal of the Senate will prevail over the RECORD.

Mr. WHEELER. Let me read the RECORD on it. I have not consulted the Journal.

Mr. WALSH of Montana. I yield to my colleague.

Mr. WHEELER. The RECORD, page 1279, says:

So the Senate advised and consented to the nomination of Marcel Garsaud to be a member of the Federal Power Commission.

That is all the RECORD states about the matter.

Mr. BROUSSARD. I understand the Journal shows that the statement was made.

Mr. WHEELER. I do not know what the Journal shows, because I did not consult it. What I have read is what is shown by the report of the Official Reporter who was taking down the proceedings.

Mr. BRATTON. Mr. President, will the Senator from Montana yield again?

Mr. WALSH of Montana. I yield.

Mr. BRATTON. It seems to me that an analysis of the situation would lead to this conclusion: It is the affirmative vote of the Senate, in its finality, which gives validity to a confirmation. A notification to the President is merely evidence of the action taken by the Senate. If the notification goes forward within the 2-day period, it simply serves to notify the President that the Senate has voted affirmatively. But always it is conditioned upon the power of the Senate to reconsider within the prescribed time, namely, two days of actual executive session. If this notice went forward, in the meantime, it being merely evidence of the action taken by the Senate, it was accompanied with the condition that the Senate reserved unto itself the vested power to reconsider within the prescribed period.

It seems to me the notification to the President is of like consequence in this situation, it merely being evidence of the vote taken by the Senate and that vote being subject to the right of the Senate to reconsider.

Mr. WALSH of Montana. I think the position of the Senator from New Mexico is absolutely correct. The notice is merely notice that the Senate has voted in favor of the confirmation, but it still reserves the right, within the limited time of two executive sessions, to entertain a motion to reconsider the action.

Mr. BROUSSARD. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Louisiana?

Mr. WALSH of Montana. I yield.

Mr. BROUSSARD. I think the situation presented would be similar to a case where a bill was sent from this body to the House. I would like to ask the Senator what would be his opinion of this situation: After sending the documents to the House and the House having taken action thereon, what effect would result from a motion to reconsider after the action of the House had been taken on the matter?

Mr. WALSH of Montana. I would not undertake to answer that, because that is quite a different situation.

Mr. BROUSSARD. I was trying to find the difference.

Mr. WALSH of Montana. I see no difference. There is no action in it by the President of the United States. As indicated, the title becomes complete upon final action of the Senate.

Mr. BROUSSARD. Without the notification from the Senate the President may not go further in the appointment. He is stopped. But when he is notified that is a different case, and so it is when a bill is sent from this body to the House. Before it is acted upon in the House we may move to reconsider and ask that the papers be returned. What would be the situation if the House acted before the motion was made in the Senate?

Mr. WALSH of Montana. I regard the action of the President in issuing a commission, if he did issue a commission, as entirely different from action in the House. It is mere evidence, while the other becomes necessary to the enactment of the legislation.

Mr. BRATTON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from New Mexico?

Mr. WALSH of Montana. I yield.

Mr. BRATTON. Would the Senator from Louisiana contend, if a man were elected to a State office, that he had no title to the office merely because a paper called a commission failed to issue? A paper called a commission is just evidence of his election to the office and consequently his title to the office.

Mr. WALSH of Montana. And it may be impeached.

Mr. BRATTON. Yes; it may be impeached. The issuance of the commission is no title to the office. It is merely evidence of the action taken.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. WALSH of Montana. I yield.

Mr. BARKLEY. Based upon that suggestion, then, the issuance of the commission plays no part here; but where the President nominates and the Senate confirms and the President is notified, assuming the commission is not necessary, but acting upon the notification of the Senate he takes the oath of office, then do we have any right to act?

Mr. BRATTON. I give the Senator the benefit of my opinion, and it is only my opinion, and that is that if he takes the oath of office within the time allotted to the Senate under its rule for reconsideration, he takes the oath of office conditional upon the power of the Senate to reconsider. If the Senate reconsiders within the time, he has no title to the office.

Mr. BARKLEY. There has been no decision of the Supreme Court upon that point that I know of.

Mr. BRATTON. No; none about which I know anything.

Mr. WHEELER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to his colleague?

Mr. WALSH of Montana. I yield.

Mr. WHEELER. There have been a number of decisions by courts holding substantially that very thing; that is, that a man gains no vested right in the office provided that he takes the office subject to some future condition taking place. There are innumerable cases to that effect.

Mr. BRATTON. Mr. President, if the Senator from Montana will yield further to enable me to make an additional observation to the junior Senator from Montana——

Mr. WALSH of Montana. I yield.

Mr. BRATTON. I do not think taking the oath of an office gives title to the office. Title to the office depends upon a nomination by the President and confirmation by the Senate, and until the Senate has acted in the final degree no title to the office exists or, at most, it is only a conditional title to the office. If during that interim the nominee takes the oath, I think he acquires no additional right, nor does he foreclose the Senate from its power to reconsider.

Mr. BARKLEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Kentucky?

Mr. WALSH of Montana. I yield.

Mr. BARKLEY. If a man is elected to office and has a majority of the votes and the result has been certified and he takes the oath of office, that oath of office would be subject to the right of any contestant under the law. He does not waive his right later in a legal procedure to deprive him of whatever claim he may have to the office. Of course, that is not a parallel case, but using it as an analogy, the Senate having completed its confirmation and having notified the President, does that notification operate as such a waiver on the part of the Senate that a man has the right to go ahead and take the oath of office and enter upon the discharge of his duties?

Mr. BRATTON. I should say that it is not quite accurate to say that the Senate had completed its action in the premises. It did confirm, but subject to the right to reconsider, and until the permitted time within which to reconsider has passed it had the power to reconsider and consequently had not completed the matter.

Mr. WALSH of Montana. It is not so much a question of action taken by the Senate in this matter as that the right of the Senate to take action has been questioned. Perhaps a reference to Throop on Public Offices, section 89, may help us in arriving at a just conclusion. This is entitled "When Appointing Body May or May Not Reconsider its Action," and reads:

> Where the two branches of a city council meet in joint convention for the purpose of appointing a city officer, and the ballots are taken and counted, but before the result is declared the meeting agrees to vote anew, and thereupon another person is chosen, the second appointment is valid. But it was held in Maine that after a city officer has been declared to be chosen by the board of aldermen, and the declaration recorded, the board can not at any adjourned meeting, held the next day, reconsider its action and choose another. In New York, where the supervisors of a county, under a general statutory power to make rules for the conduct of their proceedings, adopted a rule that a motion for reconsideration might be made by any member, but only on the same day or the day following that on which the decision proposed to be reconsidered was made; and on the 2d of January a resolution was adopted appointing B librarian for the year, and on the 3d of January a motion to reconsider that resolution was made and adopted and on the 4th the resolution was rescinded, and on the 7th a resolution appointing K librarian was adopted, it was held that K's appointment was valid.

Mr. President, of course the Constitution authorizes and empowers the Senate to make rules for the regulation of its business. Pursuant to that power granted this body by the Constitution, it made this rule to the effect that the confirmation is not final until after the time has elapsed within which a motion to reconsider may be entertained by the Senate.

Mr. BLACK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Alabama?

Mr. WALSH of Montana. I yield.

Mr. BLACK. Does the Senator think it would be possible to make such a radical departure from the usual custom as to imply that Senators had waived a rule without some express statement from the Chair informing Senators that a waiver was anticipated or requested? As I gather it, the idea seems to be that because the statement is made that the President would be notified, that would be a waiver of an express rule of the Senate which has been in effect for years.

Mr. WALSH of Montana. Let me remark that unquestionably it is a waiver of that rule which provides that the President will be notified after the lapse of two days.

Mr. BLACK. That is a different rule.

Mr. WALSH of Montana. We have waived that rule; but who can assert that we have waived the rule which gives any Senator within two days the right to move a reconsideration?

Mr. BLACK. That is a different rule; and if I properly construe it, a majority of the Senate could notify the President by motion to that effect; but that would not suspend the rule, showing that the two are entirely separate and distinct. It would have to be expressly put to the Senate as a waiver of the rule, and not as a waiver of a separate rule with reference to notice.

Mr. GOFF. Mr. President, will the Senator yield?

Mr. WALSH of Montana. I yield.

Mr. GOFF. I would like to ask the Senator from Alabama if it is his contention that the Chair should instruct the Senate as to the legal effect of any action or of any language used the deduction from which leads to an irresistible legal conclusion?

Mr. BLACK. I will answer that by saying that I have never considered it to be the duty of the Chair to do any such thing.

Mr. GOFF. I understood the Senator to say so.

Mr. BLACK. No; the Senator misunderstood it, and that is due to the Senator, and not to what I said. I have never understood, however, sitting here as Senators, that when the Chair asks something which is indicated as a waiver of one rule, we would thereby be compelled to believe that it would amount to the waiver of an entirely separate and distinct rule with an entirely separate and distinct number in the list of rules. There are two rules, one providing for reconsideration and one providing for notice to the President. Notice to the President can be given by majority vote of the Senate while a motion for reconsideration is pending. That does not mean that we have waived our right to reconsider. They are two separate and distinct rules affecting two separate and distinct subjects; and when it is submitted to the Senate that we shall waive the rule with reference to giving notice, that does not indicate nor imply nor is anyone entitled to deduce that we are thereby waiving another separate and distinct rule with reference to reconsideration within two days.

Mr. GOFF. I thank the Senator from Montana, and when I take the floor in my own right I shall reply to what the Senator from Alabama has just said.

Mr. WALSH of Montana. Mr. President, I regret to be forced to the conclusion that the responsibility for this action which I have criticized rests almost exclusively upon the shoulders of Dr. George Otis Smith. He alone among the members of the commission was in a position to know much, if anything, about the controversy which gave rise to the dismissals. He doubtless knew, by reason of his position in the department, pretty much of the details of the controversy. The other gentlemen in all probability were quite ignorant about them. I am not able to accept the conclusion that this was simply a kind of "bonehead" thing that almost anybody might be guilty of once in the course of a lifetime.

Doctor Smith is a very able man. He has served the Nation excellently in his position as head of the Geological Survey. I have had abundant occasion to come in contact with him. I hold him in the very highest esteem. I was glad to vote for him. I felt by reason of his associations and his past record that he was wedded to the idea of conservation of our natural resources and opposed to the exploitation of them by private corporations and interests. But I have endeavored to find some explanation of his conduct in this case that would in a way extenuate what I regard as the offense and confirm me in the opinion that I had before with respect to the propriety of his appointment to this office. But I am unable to reach any conclusion except one of two, either that he acted under direction from some higher authority or that he is wedded to the views concerning the disposition of our power resources for which Mr. Bonner stands; and if he is, I think he is unfit for this place.

With respect to the other two gentlemen who participated in this action, if they can be hurried into action of this character without any information on the subject at all or the rights or wrongs of the controversy just simply because Doctor Smith represented the situation to them, I think they are equally unfitted for the position, and accordingly I shall join in the proceeding to reconsider the vote by which all three were confirmed.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate sundry messages from the President of the United States making nominations, which were referred to the appropriate committees.

REPORTS OF POSTAL NOMINATIONS

Mr. PHIPPS, from the Committee on Post Offices and Post Roads, reported favorably sundry post-office nominations, which were placed on the Executive Calendar.

DROUGHT CONDITIONS IN OKLAHOMA

As in legislative session,

Mr. THOMAS of Oklahoma. Mr. President, I send to the desk two telegrams and a reply to those two telegrams, which I ask unanimous consent may be read.

The PRESIDING OFFICER (Mr. FESS in the chair). Without objection, the telegrams will be read.

The Chief Clerk read as follows:

ALTUS, OKLA., *January 5, 1931.*

Senator ELMER THOMAS,
Washington, D. C.:

Read article on page 3, to-day's Oklahoman, regard to farmers' riot in Arkansas. We are afraid of such here and sympathize with them to the fullest extent. Urge farm relief measure to include food and fuel and publish same immediately. Conditions more serious than anticipated. We will work with you, but for God's sake do something now.

H. T. KIMBELL,
Chairman Jackson County Drought Relief Committee.

OKLAHOMA CITY, OKLA., *January 6, 1931.*

Senator ELMER THOMAS:

We believe food riot at England, Ark., might be repeated in any one of dozen Oklahoma counties. Believe great need is apparent in other States; urge Congress to make food loans available for administration through Red Cross to avert serious developments which may be anticipated before spring unless steps taken to feed helpless.

THE DAILY OKLAHOMAN AND OKLAHOMA CITY TIMES.

JANUARY 6, 1931.

H. T. KIMBELL,
Chairman Jackson County Drought Relief Committee,
Altus, Okla.:

Replying to message, advise that on yesterday the House passed bill appropriating $45,000,000 for relief purposes. Bill came to Senate immediately, wherein we added $15,000,000 additional to be used for purchasing food. Bill now goes to conference. This morning's Washington papers state that House leaders plan to reject Senate proposal indicating that President and Secretary of Agriculture are likewise opposed to any funds being appropriated for purchasing food. Representations made here that Red Cross can and will take care of task of feeding needy people. Administration leaders are apparently insensible to extent of distress throughout country and are apparently unaware of the near state of revolution that exists in many sections of drought-stricken areas. Will continue to support proposals for relief of our suffering population.

ELMER THOMAS.

FAITH CURES FOR UNEMPLOYMENT

Mr. COUZENS. Mr. President, I ask unanimous consent to have printed in the RECORD an article from the American Mercury for the current month entitled "Faith Cures for Unemployment," by Abraham Epstein.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the American Mercury for January, 1931]

FAITH CURES FOR UNEMPLOYMENT

By Abraham Epstein

It was a shrewd English industrialist who, upon his return from a visit to the United States about a year ago, observed that the main difference between American and British men of his order was that while the latter were always decrying their Government and complaining about the state of business, the Americans merely doubled their exports of buncombe when times were bad. Great quantities of this commodity have always been consumed internally in the United States, but since foreign countries, in retaliation against the Grundy tariff, have reduced their importations of it, the domestic consumption has multiplied a hundredfold. Producing hokum, indeed, is to-day the only really prosperous industry in America.

Never has our national capacity for swallowing it been more strikingly revealed than since President Hoover, one bright morning, discovered that there were 3,500,000 unemployed in the United States—apparently a million more than the night before. For nearly two years all our elder statesmen had held fast to the belief that the sure way to cure the unemployment disease was to deny its existence. Despite constantly mounting returns since early in 1929, the administration refused to acknowledge that the problem was serious until a few weeks before election. It remained unperturbed, indeed, even when the business-activity index in September reached a new low point "in the provisional figure of 76.3, which was 3.3 points below the 81.6 which marked the low point in March, 1921, of the great depression of that year." The national medical board, composed of Secretaries Davis, Lamont, and Mellon, kept up a stream of encouraging bedside bulletins, all to the effect that recovery was just around the corner.

When it finally dawned on official Washington that the return of prosperity had been somewhat delayed and was not likely to come before Tuesday, November 4, an urgent call was made for a Moses—to wit, for Col. Arthur H. Woods, who in the 1921 crisis had displayed his genius as a restorer—to hurry to the rescue. Colonel Woods responded without delay; but being tongue-tied like his biblical predecessor, he called in his smooth-tongued brother Aaron—Mr. Edward Bernays, high priest of publicity directors—to speak for him. With the arrival of the two eminent virtuosi at the Capital, the flourishing American hokum industry began a boom. As a result of their performance, in fact, half of the American people were kept so busy ingesting optimism that the problem of the unemployed practically solved itself—in the newspapers, at least. At once the great automobile industry of Detroit began to reemploy a few thousand of its nearly 100,000 idle men; New York, by gigantic efforts, found jobs for about 5,000; half a dozen home owners in Kalamazoo inaugurated a roof-mending drive; and the farmers of Kansas employed three or four painters to spruce up their barns.

About three weeks before election the American press, which, outside its financial pages, had always minimized the depression, blared forth with front-page appeals to the entire country—men, women, and children—to arm itself against the great and sudden national enemy. Above all, the people were called upon to organize themselves into boards, councils, and committees. The result was a luxuriant growth of confidence-week committees, pep committees, buy-more clubs, better and bigger breadline associations, and give more, spend a dollar a week more, spend $5 a week more, start your factory going, improve the national frame of mind, give a job, eat steak instead of eggs for breakfast, keep money in circulation, and ride in taxis instead of walking organizations. One new committee a day, urged Washington, and prosperity would be bound to return.

Hundreds of statesmen and industrial leaders rushed to the press with statements brimming over with free advice to buy

more, just as before the stock crash they had counseled us not to sell America short. The mathematically inclined Edward E. Shumaker, president of the R. C. A.-Victor Co., computed that "if every industry in the United States that is now closed down or working part time would resume normal operation, we would almost immediately have prosperity, despite the fact that this depression is world-wide. If every wage earner in the United States would buy now to the extent of an additional 15 cents a day, it would release enough capital to employ a million unemployed at $5 a day. It would mean $2,190,000,000 back in circulation each year. The difference between prosperity and hard times in the country, after all, is only the additional expenditure of $1 a week per capita."

Mr. Shumaker's calculations led him to conclude that "a steady job is the best reason for not fearing the future that anyone can have." And the chain-newspaper owner, Paul Block, printed his words of wisdom as a leading editorial on the front pages of his publications. Even Senator-elect DWIGHT W. MORROW cautioned us that "this propaganda of hoarding money must cease."

Indeed, the response to Washington's appeal was so excellent that it soon became necessary to establish special supercommittees to bring order into the chaos of the innumerable committees. According to the New York Times, the New York central committee was appointed for the purpose of coordinating the "efforts and program" of "34 private relief agencies; the department of public welfare (which, by the way, subsequently declined to be coordinated on the ground, in the words of Mayor James J. Walker, that 'we can not wait for conferences when people are hungry and in danger of being dispossessed'); the board of child welfare; 14 private agencies providing lodgings and care for the homeless, as well as the municipal lodging house; 32 non-profit-making employment agencies and the municipal and State employment bureaus; various emergency organizations including the emergency employment committee, the mayor's emergency committee, the Salvation Army, and other organizations conducting bread lines; newspapers engaged in relief work; associations of churches, ministers, individual churches, lodges, civic bodies, luncheon clubs, settlements, the Lower East Side Community Council, and others."

In some places demands were made for the organization of additional coordinating committees to coordinate the coordinating committees. Indeed, if membership in all such clubs and committees had been on a salary basis, and limited to the unemployed instead of to the already overworked, the problem would have been solved automatically.

II

Ridiculous as this behavior may seem, it was but a natural result of the infantile social outlook prevailing in the United States, and the national weakness for highly flavored economic theories—especially theories hot from the oven. During the prosperous days we developed a new economic theory of optimism and gave it our entire trust. It was only a few years ago that a Harvard professor discovered this theory. It was based primarily on the ancient doctrine of a chosen people, to which the Jews have laid claim unsuccessfully for over 3,000 years The Almighty, in His infinite wisdom, it appeared, had placed a protecting hand over the United States, so that no possible evil could befall us. The country, we were told, was immune from the social and economic ills which plagued the unregenerate nations. All disease germs, of course, whether physiological or economic, were everywhere the same. But while abroad the most elaborate medical care and sanitation had to be resorted to, we were solemnly assured that a few doses of pap would suffice to allay every sort of economic fever in America.

It was the contention of these Pollyanna economists that though we were an industrial country like the nations of western Europe, and though our workers were confronted with the same hazards resulting from modern production—unemployment, accidents, invalidity, old-age dependency, widowhood, and orphanage—there was, nevertheless, no need in the United States for facing these problems. All the economic metaphysicians were sure that because of our "sturdy individualism," a more refined texture underlay our industrial society, and that no evil could really trouble the American people.

A beautiful structure in the air was thus erected on a base of nonsense. The rock upon which the new economic theory was raised was the statistical average, by means of which more crimes have been committed than by the whole corps of Chicago gunmen. By adding all the incomes in the United States and dividing by the population, each and every family in the land was "statistized" into an "average" income of at least $3,000 in 1928. This method of calculation gave Henry Ford and me the same incomes—but naturally I could not collect quite as much as he did. The millions of workers whose annual wages never amounted to $1,500 were persuaded that, in reality, their family incomes—if their wives and babies were taken into consideration—were, statistically speaking, many times that amount, and that there was no limit to their further earnings.

The presumably high American wage rate was the most important pillar of this castle in Spain. No consideration, of course, was given to high rents and food bills, to high medical costs, to long periods of unemployment, to seasonal occupations, and to the constantly rising standard of living. The high-wage theory was talked and bragged about, despite the fact that even in the best wage-paying State, New York, in the heyday of prosperity, the average weekly earnings of factory workers—a legitimate statistical unit—when they worked, never exceeded $29.99 during any one year!

Our bankers, meanwhile, saw their safes grow bigger and bulkier. It was comparatively simple to add the workers' small savings to the business men's large time deposits, divide the total, and draw the conclusion that there was a "savings" deposit of more than $200 for each of us, and that in the 15-year period ending in 1927 our per capita "savings" deposits had trebled, while the number of depositors had quadrupled. The fact that the so-called savings increases during this period amounted to over 400 per cent in the national banks, to over 300 per cent in trust companies, to 350 per cent in State banks, and to only slightly over 100 per cent in the mutual savings banks—the real depositories of the working masses—was conveniently overlooked. And so was the fact that the dollar dropped 50 per cent in purchasing power between 1912 and 1927. A theory that "workers' capitalism" was impending was propounded in the face of the fact that from 1911 to 1924 actual average savings rose by but 27 per cent for the entire Nation and by but 20 per cent for thrifty New England.

So enrapturing did the American scene appear that Lewis E. Pierson, chairman of the board of the American Exchange-Irving Trust Co., declared in an interview in 1928 that—

"The people of America have more money than they know what to do with. * * * Nearly everybody in America has more money than he needs to live. * * * There are more millionaires than ever before, but there are fewer beggars. * * * It did come suddenly. A dozen years ago we were comparatively poor. Many of us, individually, were actually poor, in distress and want. To-day, in America, poverty in the true sense is practically unknown. * * * Everybody has money. It is the commonest thing there is. You have it; your neighbors have it—more money than you ever had before."

"This condition," continued Mr. Pierson, "has arisen because of the discovery of an economic secret that by increased production at lower unit cost the manufacturer is enabled to increase wages and widen his market for commodities, thus accomplishing 'the seeming paradox of lifting himself by his own bootstraps.'"

When, at about the same time, it was discovered that scattered groups of wage earners were being persuaded or cajoled into buying stock in the corporations by which they were employed the cabalists quickly concluded that, regardless of the growing centralization of wealth and the frequent mergers, it would be a matter of only a few years before the American workers would own our industries. This, they proclaimed, constituted an "unprecedented economic revolution." It followed from this that we could never have capitalistic control in this country since "we were really on the road toward true socialism."

As a matter of fact, only 1 in every 25 industrial wage earners, including managers and executives, was buying corporation stock, and the total value of the purchases of such persons reached no more than 1 per cent of the stock outstanding. But since these wage earners, during fifty-odd years of industrialism, had thus acquired 1 per cent, it was easy to forecast that in a few years more they would secure control of the remaining 99 per cent. Meanwhile the new economic paradise was to be helped in, the wizards told us, through the instrumentality of the growing labor banks. Unfortunately, most of these banks have since gone into bankruptcy or shut up shop.

Before that fatal Thursday in October, 1929, we were assured that every American man, woman, and child was wallowing in such wealth that all were gambling on the stock exchange. However, shortly after the crash Dr. Julius Klein, Assistant Secretary of Commerce, declared that "no one knows the number of persons engaged in this speculative activity, but even if we accepted the apparently liberal estimate of some nonofficial observers who place the speculative accounts at about a million, these would still involve less than 4 per cent of all the families in the entire Nation. Or if we put it on the basis of individuals, the ratio would be less than 1 per cent of the total population." The Nation as a whole, he consoled us complacently, was as "sound" as ever.

In an article in the American Mercury for September last I showed how flimsy was the claim made a year or so ago regarding the extent of life insurance in the United States. Men of vision boasted and raved about the 95,000,000 insurance policies in force in this country and Canada. They forgot to add that 72,000,000 of these policies were in industrial insurance, with an average face value of $197.50, or less than half the average cost of the funeral which such a policy is supposed to cover, while even the ordinary life policy, on the average, was for only about $2,500.

III

Is it any wonder that a nation fed assiduously for almost a decade on such rubbish should continue to believe in it despite the shrieking facts which belie it? Our attitude has changed only in this respect: A little over a year ago we were merely sentimental; to-day we are hysterical. Not many of the bewildering number of proposals and remedies announced officially or unofficially since unemployment was tardily admitted to be a problem have been more than ludicrous. Essentially they all fall into three categories: (1) The half-witted; (2) the socially dangerous; and (3) the half-baked.

1. In the first group may be included confidence buttons and weeks; bigger and better bread lines, with special lines for women and children; "Buy now," whether you need it or not; "Spend $5 a week more," whether you have it or not; "Spruce up, clean up, and wash up," or "Let us all take in one another's wash"; "Let all the unemployed sell apples and all the employed eat them"; "What the country needs is a spending spree"; "Start your factory going," whether you have orders or not; "Give a job till

June"; "Get the football teams to play post-season games"; "Improve the traffic signs"; and "Let's have two post offices" where we now have one—an adaptation of the earlier and stillborn two and three car family plan.

2. To the second category belong many of the latest programs for providing relief for the destitute. There seems to be a concerted drive to place upon the poorest among the employed the burden of their unemployed brethren. They are asked to stagger their employment or to share their jobs and their salaries with the idle. Certain other helpless classes of employees are entreated and cajoled to contribute a portion of their earnings. With the little they have left they are urged to go on a spending spree.

A committee organized in New York, and composed of 24 members, of whom 16 are bankers, 2 brokers, and 4 bank directors, devised the plan of sending 10,000 of New York's hundreds of thousands of unemployed into the parks at $3 a day for five days a week, later changed to three days a week at $5 a day. This apparently humane scheme is obviously fraught with the greatest social danger. If 10,000 men are put to work at $15 a week, while millions of the workers now employed have their working week reduced to three or four days at the regular daily rates, what will happen to our boasted high wages? What will become of our high standard of living? Where is our increased purchasing power to come from? And what assurance is there that the millions of workers, once reduced to a standard of $12 or $15 a week, will ever be able to fight their way back to their former standard?

Is it not strange that the first public suggestion of the necessity for a reduced standard of living came at the last convention of the American Bankers' Association? President Hoover himself was forced to digress from his prepared speech before that convention to scold the bankers for their open heresy. True, their brethren in New York City have promised to raise $150,000 weekly to provide work in the parks for 10,000. But what about the bulk of the unemployed who can not be crowded into the parks?

With the best and most ingenious minds of the Nation struggling heroically with this monster of unemployment, the simple fact that in 1928 only $50,000,000,000 of the national income of $90,000,000,000 went for wages and salaries has been curiously overlooked. Since the lowly wage earners are now called upon, in the name of mercy, to assist the involuntarily idle, should not something be done about the $40,000,000,000 received by non wage earners? But so far as I know, no suggestion has come from our official saviors for the use, through taxation, of a portion of this non-wage-earning income for a nation-wide program of unemployment relief, which might conceivably increase purchasing power effectively and help restore normal conditions. When unemployment became serious in Canada, a recent special session of Parliament appropriated $20,000,000 for a relief program. But the first step taken by Congress in the present emergency was to grant a generous relief contribution—in the form of an income-tax reduction of $160,000,000. To whom? To the unemployed or the destitute? Not at all. To the richest of our people, who had no need of any such benefit.

Some cautious souls, indeed, seem to be desperately afraid lest a really fundamental relief program win favor. For example, the learned elder Will H. Hays, of Hollywood, warns against hasty action, since "prosperity with a record of no doles, without pauperization, and without *onerous taxation*" [the italics are mine] "is bound to return." And the philanthropically inclined Walter S. Gifford, president of the American Telephone & Telegraph Co., does not want us ever to think in terms of relief legislation. According to the New York Times, he was lately urging assistance for "the needy in what he said was the best way, a 'typical American way,' for individuals and groups to come forward of their own initiative and help through the medium of welfare agencies with their trained and experienced personnel."

Similarly the prophetic Roger W. Babson reveals his regard for social stability by advising us to organize instruction classes for the unemployed. "Such classes," he says, "would take up the slack" and serve "to keep up the morale of men and women to whom the dreary repetition of daily trudging sidewalks looking for jobs, when there are no jobs, is a tragic reality."

The venerable Martin W. Littleton was even more candid. After the New York State Chamber of Commerce had been assured by its president, during its annual after-dinner speechmaking period, that "Federal, State, and municipal efforts to relieve unemployment are producing results," he attacked Senator WILLIAM E. BORAH for his recent statement that "no dollar in the Treasury is sacred as long as a single hungry man walks the streets unemployed." Mr. Littleton warned the business men that "no dollar in the Treasury is sacred as long as public men intrusted with its keeping entertain those views." Growing effusive, he went on: "It is not the function of government to set itself as a judge as to when men are hungry and when they should be paid." He cautioned against humanitarian zeal permitting the Government to expand and take over the rights and duties of individuals.

3. Among the other solemnly offered "solutions" are the half-baked suggestions that the "stabilization of industry," the "scheduling of production," and public works will "abolish" the unemployment problem.

The shortcomings of all these proposals are obvious enough. For nearly 15 years certain companies have been cited as having "stabilized" employment. But an examination of their stabilization programs shows not only that the claims of their achievements are greatly exaggerated but that practically all of them represent small industries of types which lend themselves to the relative regularization of work. Since we are much given to ablutions, a certain soap company can readily effect greater production stability than can, let us say, a ladies' tailoring establishment, ruled by fashions dictated from Paris, which vanish almost as quickly as they appear.

So long as tomatoes and peaches and pumpkins insist on growing at special seasons of the year, the canning industry can never be stabilized, all our great economic experts to the contrary notwithstanding. So long as the Republicans will increase the tariff, and the Democrats pretend to reduce it, American manufacturers will adjust their productive capacities accordingly. Likewise the automobile industry, which provides bread, and sometimes also oleomargarine, to about 4,000,000 people, can not be stabilized and regulated under our present competitive production methods. As the New York Times said recently: "Never, so long as summer gives way to winter and depression follows feverish prosperity, will every laborer be able to work every week every year."

The individual employer is just as much a victim of this anarchy as the individual workman. No special incentive is necessary to prod a manufacturer into keeping his factory going day and night. He would gladly do so if he could. But if orders do not come in, no amount of moral suasion will make him open his gates. To anyone who has the slightest knowledge of the chaos essentially inherent in modern industry, the notion of stabilization as a means to prevent unemployment is naïve.

While public works may temporarily help somewhat to alleviate the evil, the plan is, at best, only a minor form of relief and not a preventive. Public works' programs are, in their nature, strictly limited by public demand and taxation. Certainly it would not be profitable to put unemployed teachers, clerks, plumbers, and printers on the roads with pick and shovel.

IV

Is there, then, no solution? No and yes. There is, of course, no way of "abolishing" unemployment. It is as inherent in our social and economic system as the machines and overstocked shelves which are at the bottom of the trouble. Promises to wipe it out will prove no more fruitful than Mr. Hoover's pledge two years ago to "abolish" poverty. So long as we follow a laissez-faire system of production with no central planning; so long as we permit and encourage every manufacturer to undersell every other one; so long as we constantly introduce new and more efficient machinery; and so long as most of our industrial wage earners receive a wage bearing no relation to their productivity, we shall have unemployment.

Under present conditions, the problem, instead of lessening, will grow more intense as the years go by. But while we can not "abolish" unemployment, we can, at least, alleviate some of its evils and ameliorate the destitution and tragedy following in its train. Before we can do this, however, we must stop talking about its "abolition." Propaganda by a national research organization to the effect that while in Great Britain "unemployment has become a continuous feature of economic life, * * * in this country such conditions arise only from time to time," will not be helpful.

Americans must quit fooling themselves into believing that somehow this disaster has sprung upon us overnight, like a flood, and that we may appeal to the Red Cross to rescue the refugees. Like sensible people we must face the problem realistically and stop behaving in a way which serves as the most eloquent proof of our simian ancestry. Ever since the beginning of American industry we have had unemployment. We shall continue to suffer from it as long as the present industrial system prevails.

According to the Twelfth Census in 1900, 5,277,472 out of 23,753,836 gainfully occupied male Americans 10 years of age and over, or 22 per cent, were without work for a certain period during the year; and 1,241,492 wage-earning females out of a total of 5,319,397, or 23.3 per cent, were unemployed for some time during the year. Thus 6,468,964 persons out of a total of 29,073,233 were unemployed for certain periods during the year. The same census revealed that more than 2,550,000 of these men and women were out of work for from 4 to 6 months, and approximately 736,000 for from 7 to 12 months. A year later, in 1901, 49.8 per cent, or about half of the 25,440 heads of families investigated by the Bureau of Labor, were idle for some period during the year. And in 1910 the New York State Commission on Employers' Liability and Unemployment, after studying the extent of enforced idleness in the State of New York, concluded:

"While there is little accurate information available as to the exact number of unemployed at any one time, there is enough to show that about 40 per cent of our wage earners suffer some unemployment every year, that on the average they lose 10 weeks each, and that the loss in wages amounts to 20 per cent of what the earnings would be were employment steady throughout the year."

In 1918 the Helen S. Trounstine Foundation prepared a careful study of unemployment fluctuations. This survey covered the period from 1902 to 1917. Summarizing his findings, its investigator concluded:

"The number of unemployed in cities of the United States (entirely omitting agricultural labor, for which no reliable data are now available) has fluctuated between 1,000,000 and 6,000,000. * * * The average number of unemployed has been 2,500,000 workers, or nearly 10 per cent of the active supply."

In a report issued in 1922 the National Industrial Conference Board estimated the normal number of unemployed among the 12,800,000 workers in American manufacturing and mechanical industries at about 1,800,000, or approximately 14 per cent. The

average number of days lost by each industrial wage earner was about 42 a year, representing 14 per cent of his working time. After a comprehensive study of industrial employment in 1922, Dr. Ernest S. Bradford said:

"Industrial wage earners in those States for which data are available lose about 10 per cent of their working time through unemployment, mainly from lack of work and exclusive of idleness due to sickness and labor disputes. On this basis, an average of at least 1,500,000 industrial wage earners in the United States are constantly unemployed, taking poor and prosperous years together. * * * From such data as are available, it appears that partial unemployment, due to part-time operation of plants, shutdowns, time lost on account of waiting, and related causes, is responsible for a loss of about 10 per cent more of the working time of industrial wage earners."

According to the President's committee on recent economic changes, the number of unemployed in 1920—a year of the greatest employment in time of peace—was 1,401,000. In the "normal" year of 1923 there were 1,532,000, while in the "prosperous" years of 1925 and 1927 the idle numbered 1,775,000 and 2,055,000, respectively. At the present time the estimates range from 3,500,000 to 10,000,000, depending upon the estimator's politics.

Once we look at the question realistically, we can discover certain more or less promising methods of alleviation. We can certainly abolish bread lines, as every other nation has done. We must discard the magic and misleading incantation: "We do not want the European dole system." The inference here has not a word of truth in it. We are to-day the only industrial nation really on the dole. Our entire present scheme of relief is based on the most degrading form of charity. There are no bread lines in the whole of Europe, for all its relative poverty. Well may we ponder the courageous words of Father John A. Ryan:

"When I think of what has been happening since unemployment began, and when I see the futility of the leaders, I wish we might double the number of communists in this country, to put the fear, if not of God, then the fear of something else, into the hearts of our leaders—not only our industrialists but our politicians and statesmen. I don't care how far you go in the list of politicians and statesmen, either."

To alleviate unemployment we must first have real leadership and a new outlook. It must be based upon reality, not upon Pollyanna propaganda, "faith," or "confidence." No competent and permanent solution can be effected unless it embodies the following:

1. A real knowledge of the number of the unemployed and of the length of their unemployment. It does not at all befit our present administration to become hysterical now when only a few months ago it refused to approve proper appropriations for Senator WAGNER'S bill, which would at least have given us the exact number of the unemployed, without which nothing constructive can possibly be done.

2. Unemployment exchanges, so that the job and the unemployed worker may be brought together.

3. Stabilization of those industries which can possibly be stabilized.

4. As much public work as is needed, so that some workers may find employment in this work.

5. Adequate old-age pensions, so as to remove the veteran workers from the bread lines and from overcrowding the unemployment bureaus. They should be rewarded for the services which they have given us—a debt we owe to them and which we alone of all industrial nations have as yet refused to acknowledge. The aged workers constitute a very large proportion of the present unemployed. It is estimated that about 750,000 persons would be immediately eliminated from industry by a pension beginning at the age of 65, and that thereafter at least 150,000 persons could leave industry annually.

6. The raising of the working age of children so as to eliminate their competition from the labor market, provide their fathers with jobs, and help them to become better citizens and give them a better start in life. There are still about 1,000,000 children between the ages of 10 and 16 employed in the United States.

7. We can introduce the 48-hour week in American industry. While it is now the fashion to talk of the 5-day week and the 6-hour day, it is worth remembering that the great masses of workers in the United States still work more than 8 hours a day, and that many still work 10 and 12 hours a day for seven days in the week.

8. Wages should be raised so as to give the workers a greater amount of purchasing power and make it possible for them to consume more of the goods they produce.

9. Let us inaugurate a nation-wide and state-wide housing program. While thousands of apartments are vacant in most of our cities, millions of workers are still living in slums. A subsidized housing program for working-class families would help us back to prosperity.

10. Last, but not least, we must inaugurate a national system of unemployment insurance which would provide adequate funds to take care of the inevitably unemployed. The adoption of such a plan would wipe out the bread lines overnight and restore self-confidence and respect to millions who are now dependent upon "scientific" charity and apple sales.

One fundamental principle must underlie the entire program. It is neither fair nor possible to place the burden of unemployment entirely upon those who can least afford to bear it. The social and economic load must be distributed on the widest possible number and must be shared by those classes which can best afford to bear it. Charity appeals, even if promoted by high-paid publicity agents, will not meet the problem. For every rich person who is a generous giver there are scores who never contribute a penny. The wealthy are the first to tighten their purses when depression sets in. The chairman of the Newark Community Chest drive, which failed by $200,000 of its goal, recently declared that "factory employees, office workers, and retail-store clerks have oversubscribed the quotas assigned them. Only in the ranks of the well-to-do is there a deficit." Mr. Frank P. Walsh accused many New York employers of quietly laying off hundreds of workers "while donating comparatively modest sums with a fanfare of publicity."

There is only one way to make wealth do its duty—by a properly graded income tax. The present tax is a farce, for it presses heaviest upon the poor. It is high time for adequate tax legislation. Blah, bluff, and buncombe will not meet the problem.

FEDERAL POWER COMMISSION

The Senate being in executive session,

Mr. GOFF obtained the floor.

Mr. HALE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Davis	Jones	Sheppard
Barkley	Dill	Kean	Shortridge
Bingham	Fess	Kendrick	Smoot
Black	Fletcher	Keyes	Steck
Blease	Frazier	King	Steiwer
Borah	George	McGill	Swanson
Bratton	Glass	McMaster	Thomas, Idaho
Brock	Glenn	McNary	Thomas, Okla.
Brookhart	Goff	Metcalf	Trammell
Broussard	Goldsborough	Morrison	Tydings
Bulkley	Gould	Morrow	Wagner
Capper	Hale	Norbeck	Walcott
Caraway	Harris	Norris	Walsh, Mass.
Carey	Hastings	Oddie	Walsh, Mont.
Connally	Hayden	Partridge	Waterman
Copeland	Hebert	Phipps	Watson
Couzens	Heflin	Pittman	Wheeler
Cutting	Howell	Ransdell	Williamson
Dale	Johnson	Robinson, Ark.	

The VICE PRESIDENT. Seventy-five Senators having answered to their names, a quorum is present.

Mr. GOFF addressed the Senate and spoke for 40 minutes without concluding his speech, which appears entire January 7.

MODERNIZATION OF BATTLESHIPS

The VICE PRESIDENT. The hour of 2 o'clock having arrived, the Senate, under its unanimous-consent order of December 20 last, will proceed in legislative session to the consideration of the special order at this time, namely, the motion to reconsider the vote on the passage of the bill (S. 4750) to authorize alterations and repairs to certain naval vessels; and the consideration of executive business will be temporarily suspended for that purpose. The question is on the motion of the Senator from Utah [Mr. KING] to reconsider the vote on the passage of Senate bill 4750. The Senator from Virginia [Mr. SWANSON] will be recognized now, and the Senator from West Virginia [Mr. GOFF] will be recognized when the Senate resumes executive session.

Mr. SWANSON. Mr. President, this is a question of the reconsideration of the vote on the passage of the bill authorizing the modernization of three United States battleships—the *New Mexico*, the *Mississippi* and the *Idaho*. It is not an appropriation bill, but is merely an authorization which will permit the Appropriations Committee to propose the appropriations necessary within the limit of $30,000,000 authorized in the bill. It is very important that this measure should pass at an early date.

Mr. FRAZIER. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from North Dakota?

Mr. SWANSON. I yield.

Mr. FRAZIER. There are a number of Senators interested in this matter who are not present, and I would like to suggest the absence of a quorum.

The VICE PRESIDENT. Does the Senator from Virginia yield for that purpose?

Mr. SWANSON. Very well; I yield for that purpose.

Mr. FRAZIER. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Dill	Kendrick	Shipstead
Barkley	Fess	Keyes	Shortridge
Bingham	Fletcher	King	Smoot
Black	Frazier	McGill	Steck
Blease	George	McKellar	Steiwer
Borah	Glass	McMaster	Swanson
Bratton	Glenn	McNary	Thomas, Idaho
Brock	Goff	Metcalf	Thomas, Okla.
Brookhart	Goldsborough	Morrison	Trammell
Broussard	Gould	Morrow	Tydings
Bulkley	Hale	Norbeck	Wagner
Capper	Harris	Norris	Walcott
Caraway	Hastings	Nye	Walsh, Mass.
Carey	Hayden	Oddie	Walsh, Mont.
Connally	Hebert	Partridge	Waterman
Copeland	Heflin	Phipps	Watson
Couzens	Howell	Ransdell	Wheeler
Cutting	Johnson	Robinson, Ark.	Williamson
Dale	Jones	Robinson, Ind.	
Davis	Kean	Sheppard	

The VICE PRESIDENT. Seventy-eight Senators have answered to their names. A quorum is present. The Senator from Virginia will proceed.

Mr. SWANSON. Mr. President, when the absence of a quorum was suggested and the roll was called to ascertain if a quorum was present I was stating to the Senate that this is a motion to reconsider the vote by which the bill was passed providing for the modernization of three United States battleships—the *Mississippi*, the *Idaho*, and the *New Mexico*—at an expense not to exceed $30,000,000. The bill provides merely an authorization, and the amount must be carried by an appropriation bill when the authorization has been properly made. Of course, it takes some time to prepare and complete the modernization plans.

I wish to say in this connection that I am perfectly willing that there shall be a fair debate on the matter. There has been complaint that the authorization bill was passed by unanimous consent under the order for the presentation of reports of committees, and that unanimous consent ought not to have been asked for its consideration, but that it ought to have gone to the calendar and taken its place on the calendar to be considered in due course.

If the bill had gone to the calendar, then the next time the calendar was called a motion could have been made to take it up for consideration, although under the rule of the Senate, before 2 o'clock that would have permitted only five minutes for each Senator to discuss the bill.

Mr. BROOKHART. Mr. President——

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from Iowa?

Mr. SWANSON. I yield.

Mr. BROOKHART. I ask the Senator if it is not true that he called up the measure when there had been no quorum call and asked unanimous consent for its consideration and passage, when all of us known to be opposed to it were absent at the time. We now urge the Senator to let the bill go to the calendar.

Mr. SWANSON. Mr. President, 10 battleships have been modernized and $47,000,000 has been spent for the modernization of battleships in the past few years. This is the first time I have ever heard of any opposition to such a procedure. It is the first time anyone ever opposed it. Every Senator had the right to expect, when we had been pursuing that course for five or six years, that authorization in the present case would not be opposed.

Mr. BROOKHART. I wanted to persuade the Senator, if I could——

Mr. SWANSON. I had no idea of letting the measure go to the calendar.

Mr. BROOKHART. I wanted to persuade the Senator, if I could, to be reasonable and let it go to the calendar.

Mr. SWANSON. I have not the slightest idea of letting it go to the calendar. If the Senate does not want to pass it, it can reconsider its vote by which it did pass it and then, of course, it goes to the calendar.

Mr. BROOKHART. As a matter of course, heretofore under such a situation we have always let measures of any character be reconsidered when a request to that effect was submitted by a Senator within the time. I never heard of a case where a Senator held on in this way and refused to grant another Senator's request for a reconsideration.

Mr. SWANSON. There were some 500 amendments in the tariff bill that were voted on and a reconsideration of all of them could have been had under the rule of the Senate providing that when a bill has passed, within three days any Senator interested can move its reconsideration. When a bill is passed by the Senate, it goes to the House in due course. This bill had not yet gone to the House. Senators should read the RECORD. Is the business of the Senate to be delayed by Senators who do not attend the sessions of the Senate? I am always here during the morning hour, when reports of committees are presented and when Senators are apt to ask unanimous consent for the consideration of many matters of business. Why should Senators ask for the reconsideration of measures which are urgent and which have been passed by the Senate? This measure was passed in the manner in which probably one-third of the legislation is passed in this body. Are we to sit here and not transact any business because some Senator might oppose a practice which has been followed on many occasions during the past 10 years? For 10 years these things have been done and no one has interposed an objection.

In addition to that the rule requires that before unanimous consent is given for the consideration of a measure, the bill shall be read. The RECORD shows in this instance that the bill was read. Whether it was read in full or not I can not say. I was not listening. I have heard it said that it was not read in full but simply by title. Any Senator had the right to have the bill read in full. Nobody was hurt by not having it read in full. If a majority of the Senate do not want to pass the bill, Senators can vote to reconsider the vote by which it was passed and the bill will then go to the calendar.

Mr. BROOKHART. Mr. President——

The PRESIDING OFFICER (Mr. WALCOTT in the chair). Does the Senator from Virginia yield to the Senator from Iowa?

Mr. SWANSON. I yield.

Mr. BROOKHART. On that morning, as on every morning, there should have been a quorum call. It is customary to have a quorum call.

Mr. SWANSON. I have never heard of any such custom, although it is occasionally done.

Mr. BROOKHART. Instead of doing as we customarily do—that is, having a quorum call—the Senator from Virginia merely rose and asked unanimous consent for the consideration of the bill.

Mr. SWANSON. I made the report from the committee to which the bill had been referred. Why was not the Senator from Iowa here attending to his business?

Mr. BROOKHART. The Senator from Virginia was too quick for me.

Mr. SWANSON. Quick nothing! It was done in the regular order and in the usual way.

Mr. BROOKHART. I was here in time for any roll call, but there was no roll call.

Mr. SWANSON. Any Senator present had the right to call attention to the fact that there was no quorum present, if he thought there was none, and a quorum call would have been ordered. The Senator from Iowa should have been here attending to business.

One-third of the legislation passed by the Senate is passed during the morning hour when reports of committees are made and some Senator in charge of a bill asks unanimous consent for its immediate consideration. There is nothing unusual in that.

Mr. BROOKHART. But I never heard of any Senator who came in and got unanimous consent in that way refusing the request of another Senator, who was not present at the time but came in later, to have the matter reconsidered.

Mr. SWANSON. If the Senator had been here and had objected to my request for unanimous consent for the immediate consideration of the bill it would have gone to the calendar.

Mr. BROOKHART. But, Mr. President——

Mr. SWANSON. The Senator can speak in his own time.

Mr. BROOKHART. Very well.

Mr. SHORTRIDGE. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from California?

Mr. SWANSON. I yield.

Mr. SHORTRIDGE. I understood the Senator from Virginia to state, and I fully agree with him, that upon the motion now pending the merits of the proposition may be fully discussed. Therefore, if the Senator from Iowa wishes to support the motion or to enter into a discussion of the whole subject matter, he can do so in his own time. Therefore, I suggest that the Senator from Virginia proceed with his argument uninterrupted.

Mr. SWANSON. Mr. President, the Senate has a full opportunity to pass on the question but under the motion to consider, one Senator can not object and let his imperial will be the law of the Senate. I have no purpose to move to lay this motion on the table until the fullest debate that is desired may have been had; let the Senators have all the debate they want; but the Senate then ought to decide whether it wants to modernize these battleships. As I have said, 10 have been modernized, at a cost of $47,000,000, and this is the first time I have heard objection to it; so far as I know, it is the first time anybody has interposed an objection.

Mr. FRAZIER. Mr. President, will the Senator yield?

Mr. SWANSON. I yield.

Mr. FRAZIER. A similar bill to this was reported to the House and placed on the House Calendar during the latter part of June last. It is still on the House Calendar; it is not brought up because objection has been made to it in the other House.

Mr. SWANSON. Of course, objection can be made in that body, just as the Senator has a right to object here.

Mr. FRAZIER. But the Senator said that he had never heard of any objection.

Mr. SWANSON. I repeat, I have not heard of any objection. The House Calendar may be crowded, but I have heard no objection in the House to the proposal.

Mr. President, let us see what this proposition is. As I said, it is merely an authorization. I had hoped that Senators would confine their opposition to the appropriation itself when it shall come before the body. They can fight it then if they desire; but very rarely is there a fight made on an authorization, because it has got to be followed by an appropriation. In olden times the Committee on Naval Affairs recommended the appropriations itself, and such items as this did not require an authorization; but under the rules of the Senate to-day the procedure is different. However, when an authorization is given nobody's rights are hurt, because subsequently the actual appropriation must be made. The only purpose it accomplishes is to authorize the Committee on Appropriations to bring the item before the Senate for consideration, and, of course, then full debate can be had.

Now let us see what this proposition is. Under the Washington treaty we were limited to 18 battleships; under the London treaty we agreed to sink 3 battleships, thus reducing the number to 15. This is a proposal to modernize three of the remaining battleships; it is proposed to authorize the Appropriations Committee to recommend an appropriation not exceeding the specified limit for that purpose.

When the London treaty was under discussion here I stated in my address in behalf of that treaty that there were seven old ships which should be modernized. I stated in that speech also that it would cost $70,000,000 to modernize them, but that if we should modernize those seven ships then our battleship fleet would be on a parity with that of Great Britain, while if we did not do so our battleship fleet would be grossly inadequate and Great Britain would be supreme on the sea.

The London treaty contemplated the modernization of these seven battleships. That treaty provided that the guns might be elevated and that they could be modernized in other ways by providing deck protection, by providing blisters, and everything else necessary to make the ships efficient, capable, and worthy to be part of a great battle fleet.

There has been no lack of knowledge as to the cost of modernizing these ships. During the discussion of the naval limitations treaty before the committee and in addresses here on the floor, including the one made by me, it was said that it would require about $70,000,000 to modernize these seven ships. Consequently everybody who was at all familiar with naval matters or interested in them knew that the modernization of these ships was necessary in order to make our Battle Fleet equal to that of Great Britain.

What is done when a ship is modernized? In the first place, there have been great improvements in connection with protection against torpedoes. Blisters are put on the ships in order to protect them from torpedo attack.

Second. The guns are elevated.

Mr. FRAZIER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from North Dakota?

Mr. SWANSON. I do.

Mr. FRAZIER. I do not mean to obstruct, but I do not understand clearly what is meant by "blisters."

Mr. SWANSON. Blisters are put on the outside of the hull of a ship in order to afford protection. Furthermore, after the guns are elevated and more deck armor is put on it is necessary to make the ship buoyant in order to keep its regular depth in the water. So blisters are put on for those two purposes.

Second, as I have said, it is necessary to elevate the guns. At their present elevation the guns can shoot 22,000 yards, possibly 23,000 yards; but when the guns are elevated they can shoot 35,000 yards. So by elevating the guns their range is increased from 23,000 yards to about 35,000 yards.

The battleships of the American Navy which have been recently constructed have a range of 35,000 yards. Mr. President, it is exceedingly undesirable to have a fleet some of the vessels of which can shoot only 22,000 yards while others can shoot 35,000 yards. The program of modernization will give us ships with guns having a uniform range of 35,000 yards, which is absolutely necessary in order to make our battleships equal to those of Great Britain.

When battleships were first constructed there were no such things as airplanes to spot the shooting, and the decks were not protected sufficiently. The fighting was at lesser ranges, and the effort was to hit the hull of the ship. Now, however, under the method of spot shooting and because of the increased range, a projectile may go over the hull and strike on the deck of the ship. Therefore it is necessary to put armor on the deck so that by such a shot the ship may not be destroyed and go to the bottom. All modern ships are built in that way.

Furthermore, the machinery of battleships has been improved so as to give the ships greater speed, and likewise the method of gun control has been changed. The proposal for the modernization of the battleships will provide for our vessels modern gun control. With $10,000,000 the Navy believes that the ships can be modernized in such a way as to be as powerful almost as if they had been replaced by the building of new vessels which would cost between thirty and forty million dollars.

Some who opposed the London treaty advocated that the Government should avail itself of the right of replacement under the Washington treaty and scrap all the older battleships and not modernize them. The Navy, however, reached the conclusion that about $20,000,000 would be saved per ship by modernizing it, and if the ships were modernized in that way they would be practically as efficient as new ships. I am willing to admit that they would not be quite so efficient, but we would save about $20,000,000 for each ship by modernizing them rather than exercising the privilege of replacement under the Washington treaty.

Mr. BROOKHART. Mr. President——

Mr. SWANSON. I yield to the Senator from Iowa.

Mr. BROOKHART. Does the Senator have any idea of how difficult it is to hit an object 25,000 yards away?

Mr. SWANSON. Under the conduct of naval operations now, as I understand them, an airplane goes up, locates where the enemy ship is and signals to its own ship the probable range, whether it is 30,000 yards, 35,000 yards, or 25,000 yards. The ship to which the airplane is attached then makes a salvo shot, which is spotted by the airplane. If the projectiles fall a thousand yards short of the target, the airplane signals the ship how many yards short of the target the projectiles fall. The battleships of all navies now use what is called "spotted salvo shooting," and they can shoot in this way much more accurately than formerly when shots were fired at the hull of the adversary ship. I do not think, however, they could do quite as well as the Senator could with his rifle.

Mr. BROOKHART. They can not hit anything at 22,000 yards, let alone 35,000 yards.

Mr. ODDIE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Nevada?

Mr. SWANSON. I yield.

Mr. ODDIE. Mr. President, I think in justice to the known skill of our Navy the Senator from Iowa should inform himself as to what it has done. During recent naval maneuvers in target practice at 30,000 yards some of our ships made magnificent records. One of our ships two years ago made a hit a minute on a target which was far smaller than a ship at 30,000 yards, and that has become a frequent occurrence.

Mr. BROOKHART. How many shots did the ship fire?

Mr. SWANSON. Mr. President, if the Senator will permit me——

The PRESIDING OFFICER. The Senator from Virginia has the floor.

Mr. SWANSON. As I have said, an expert on shooting and range finding is in an airplane. He endeavors to ascertain the distance to the enemy ship and signals to his own ship what the range is, whether it be 20,000 or 30,000 or 35,000 yards. The shots can be fired almost in seconds rather than in minutes. The expert in the airplane estimates, for example, that the shot falls a thousand yards beyond or a thousand yards short of the enemy vessel. He signals that information, and in that way the accurate range is ascertained and the shooting is much better than under the old system. When the ships of the British Navy changed their method to "salvo spot shooting" there was a revolution in the method of handling the guns of the navy. Naval officers tell me that it is the most accurate way in the world by which vessels can shoot unless the vessels are right in front of each other. Of course, if the adversary vessels are within four or five thousand yards of each other, they can find the range for themselves, but they can not do that when the distance is so great that they are not within sight.

For an American battleship to go without its guns elevated, without modern equipment, without modern gun control, and without deck protection would be to invite the enemy to destroy it. To place our battleships in such a position, it seems to me, would be almost criminal, for we would thereby be sending the men of our Navy to do unequal battle. If we are not going to modernize our ships, the best thing to do is to scrap them absolutely and completely. I know of no difference of opinion among naval authorities on that point.

Mr. BROOKHART. Mr. President——

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Iowa?

Mr. SWANSON. I yield.

Mr. BROOKHART. Our highest naval authority says that the only safe place for battleships during a war would be as far up the Mississippi River as we could get them; and, of course, if they were up there they would not fire either 22,000 yards or 35,000 yards, for if they should do so they would kill somebody.

Mr. SWANSON. Why are battleships put in places of refuge? Why did the British keep their battleships in a safe place? They knew if their battleship fleet were destroyed, by submarines or otherwise, Great Britain would have to surrender to Germany on account of its fleet. The safety of a nation is so dependent on its great battle fleet that it rarely takes any chance of losing it. The British battleship fleet did go out and participate in the Battle of Jutland, but no official who has the safety of his nation at heart would recklessly risk its battle fleet and suffer the chance of its being destroyed and of the enemy battle fleet becoming supreme.

What is the object of the navy? The object of the navy is to control the surface of the sea. Why is it desired to control the surface of the sea? In order that commerce may proceed uninterrupted; in order that a government may project its military power where it pleases; in order that it may send where it pleases its army and also its marines, and I am glad to learn that the Senator from Iowa has become an honorary colonel of the Marine Corps of the United States.

The important thing is to control the surface of the sea. How is the surface of the sea controlled? First, it is controlled by surface ships. Commerce does not go under the sea in submarines. Commerce can not go on airplanes. They have not been developed to that point. The nation that controls the surface of the sea controls the flow of commerce in time of war, controls where military power shall be projected in time of war, and when other nations shall be prevented from projecting their military power in time of war.

The capital ship is the main battery for controlling the surface of the sea. If a nation had but two capital ships, and others had none, it would control the surface of the sea. Airplanes are the right arm of the fleet to help control the surface of the sea. Submarines are the left arm of the fleet to help control the surface of the sea. All of them are mere elements in the control of the surface of the sea, to let a nation's commerce go uninterrupted in war, or uninterrupted when other nations are in war. All these other agencies are simply elements in the control of the surface of the sea.

I have presented the issue distinctly to the Senate. The modernization of these battleships will cost us $10,000,000 each, while new ones will cost between thirty and forty million dollars each, so that the modernization will result in a great saving. Some people fought the London treaty because they thought we ought to defeat the treaty and take replacements under the Washington conference treaty. I thought otherwise. I thought if these ships were modernized, as the London treaty gives us the right to do by a certain provision authorizing us to put on blisters, to elevate the guns, to put in new machinery, and to make these ships completely up-to-date, our Navy would be equal to that of Great Britain; and I think it would be a little superior, as I said when I spoke in behalf of the London treaty. If we do not want a navy equal to that of Great Britain, if we want to be a second-rate or third-rate naval power, we can very easily reach that end by defeating this provision and not modernizing these battleships.

That is the issue.

Mr. SHORTRIDGE. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from California?

Mr. SWANSON. Yes.

Mr. SHORTRIDGE. I understand from what the Senator says that it has been agreed by those competent to pass on the question that these three battleships can be modernized, and at an expense not exceeding $10,000,000 each.

Mr. SWANSON. That is right.

Mr. SHORTRIDGE. And that when thus modernized in the way suggested by experts they will be substantially as efficient as originally built vessels.

Mr. SWANSON. They would be more efficient than when originally built.

Mr. SHORTRIDGE. That is agreed, is it not, and we may understand that as we proceed in this discussion?

Mr. SWANSON. I doubt whether either one of these ships would be exactly equal to the *Rodney*, of the British Navy. I will be frank about that. It would be substantially equal; but with our superiority in guns and elevations, as I disclosed in my speech upon the London treaty, I am satisfied that the aggregate of our battleships thus modernized is certainly equal to the fleet of Great Britain, if not superior, and it is a cheaper way to attain the result. I discussed how we could save about $20,000,000 on each ship. Others differed from me and thought we ought to sink these ships and replace them with *Rodneys*. I did not differ with them, except that I thought the increased cost did not give us sufficient superiority to justify a greatly increased cost.

Mr. SHORTRIDGE. If the Senator will pardon me, agreeing with him, I should like to have the RECORD speak to this effect, if it be so—that when modernized as contemplated they will be efficient vessels for the purposes designed.

Mr. SWANSON. Absolutely. They will have deck protection. They will have elevated guns. They will have protection against torpedoes. They will have all the protection that the most modern battleship possesses, in every respect.

Mr. SHORTRIDGE. That is the point I wanted to bring out.

Mr. SWANSON. And it would be a great mistake and a great expense not to modernize these ships and carry out the purposes outlined in the London treaty.

I voted for the London treaty. I spoke in its behalf. I think that treaty gives us a navy equal to that of Great Britain, which I think is necessary and important. I believe it will result in the peace of the world for these two navies to be equal. I am not willing to have a navy inferior to that of Great Britain. I am not willing that the tobacco crop, the cotton crop, the wheat crop, the corn crop, the exports of the United States, shall have access to the seas and markets of the world simply by the consent or sufferance of any nation. I think that with a fleet equal to that of Great Britain or any other nation we will be able to maintain our rights on the sea. We are more of an export nation now than we ever have been. Our prosperity is more dependent on access to foreign markets than ever before. If there ever was a time when it was important that America should have access to foreign markets as a matter of right, as a matter of power of her Navy, and not a matter of sufferance or condition by any other nation, I think that time has arrived; and I think the importance of maintaining that state of affairs will increase each year.

The issue is plain. If we do not want to carry out the provisions of the London treaty, if we are not willing to have 15 battleships equal to the 15 battleships of Great Britain, there is but one issue: That is, defeat this modernization bill. We shall be a very poor second to the navy of Great Britain, and some people think we shall not be equal to the fleet of Japan, if this modernization does not take place. In addition to that, modernization is the cheapest way to get equality, and both the cheapest and the most efficient way to carry out the London pact.

Mr. BROOKHART. Mr. President——

Mr. SWANSON. I yield to the Senator from Iowa.

Mr. BROOKHART. Does the Senator construe the London treaty to require us to build 15 battleships?

Mr. SWANSON. No: the London treaty gives us permission to modernize these ships. It gives us permission to have a battle fleet equal to that of Great Britain and in the ratio of five to three to Japan. In order to accomplish that, when there was a doubt about it, we were authorized to elevate our guns, put on torpedo protection, deck protection, and all kinds of modern improvements, so that our ships could be 15 to 15 for Great Britain and 5 to 3 with Japan. It is discretionary with us. It is for us to determine whether we want to be a second-rate or a third-rate naval power. There is no compulsion to make us build up to the authorization of the treaty. There is nothing in the treaty to that effect. The Senator is right.

Mr. BROOKHART. If we decide, then, as a matter of efficiency, that the battleship is worthless in war and a waste of money, we do not have to waste that money in building?

Mr. SWANSON. If the battleship is worthless, if it does not carry out the purposes which every naval expert in the navies of all the world says it carries out by controlling the surface of the seas, if we think it is worthless, we ought not to vote a cent of money for it. I would not do it, and the Senator ought not to.

Mr. BROOKHART. That is what I think.

Mr. SWANSON. My judgment is, however, that the surface of the sea is controlled by surface ships; and aircraft and submarines are merely the right and left arms to enable the surface ships to control the surface of the sea. Whoever controls the surface of the sea controls its commerce and controls where its military power shall be projected.

That is the issue. If the Senate wants us to have a second-class or a third-class navy, let it defeat this bill, because we can not build new ones under the London treaty. We can not replace these ships. It is the modernization of these ships or nothing; and the treaty which so provided has been ratified. I know that some Senators argued, and argued with force, that we had better exercise our replacement rights under the Washington treaty—sink these ships and build ships like the *Rodney*. I differed from them.

That is the issue. The Senate, if it wants to have that kind of a fleet, can defeat this modernization bill, and that is what we will have—a second or third rate navy.

Mr. HEFLIN. Mr. President, I hope this motion to reconsider will prevail.

I do not think the Senate can seriously consider at this time the appropriation of $30,000,000 to remodel some of these old battleships when we have millions of people in distress in the United States. Fine, patriotic men and women who have supported their country in time of war, who love it and sustain it and contribute to its strength and glory in time of peace, are in want this day. They are assembling at various places in the South and petitioning Congress, their Senators and Members of the House here, to hurry relief to them. Mothers of our race in this Nation are begging for bread. The husband, whose strong arm sustained them when he had the means with which to do it, is standing empty handed and desperate to-day because he can not supply those dependent upon him with the actual necessities of life.

Hail and storm have ruined the crops in some sections. The drought has withered the plants in the field in other sections. Debts are hanging over not hundreds, not thousands, but millions of patriotic Americans; and, Senators, I want to beg you to defer this matter of appropriating money to remodel old battleships while men and women and children starve. Let us go to their rescue now. These things that are upon them are things over which they have no control. Providence has done this. The weather has wrought this ruin; and certainly this the greatest Nation of all the earth will not deny these people now that which is necessary to sustain their lives.

Senators, let us not appropriate this money for battleships now. This matter can wait. Let us take it up two or three weeks from now. Let those who furnish material to build battleships wait until starving men, women, and children are fed.

Ah, Senators, when you break the morale of an upstanding, patriotic American citizen—when you make him desperate—you make a bolshevist out of him, and an anarchist, and then an enemy to orderly government. Do not do that. Let this great Government hasten to the rescue of these people in distress. Let it show that it is not only willing but glad to extend to them the help that is needed to prevent them and their families from starving.

Senators, I have just received a telegram from D. T. Tatum, the vice president of the La Fayette Bank, in my home town, saying that in that section men are breaking into stores; that the situation is desperate; and that if something is not done, and done speedily, the performance in Arkansas will be but a mild-mannered affair.

Let us not turn a deaf ear to people in distress now and engage in the business of appropriating $30,000,000 to reconstruct three battleships. I repeat that matter can wait. Pending now is the new proposition of our entering the World Court. Much is being said about setting up a great international institution to promote peace and prevent war, and the remodeling of these three battleships can wait for a while. But hungry men and women and children starving must be fed.

Let us postpone final action on the battleships. Let us reconsider this measure, put it on the calendar and let it stay there until the Senate in its own good judgment wants to consider it, when these urgent matters that I speak of are out of the way.

My God! Who wants to hold up the Government of the United States at a time like this, and take out of the Treasury $30,000,000 to enrich those who furnish materials to build battleships, while men and women and children, starving, are begging for help in obtaining food on which to live.

Senators, I have read a letter to-day which I received from a man in Texas. He said:

> I do not believe that you Senators understand just what the condition in the country is. Some Senators and Congressmen up there will legislate for the big interests, but the cry of the poor in distress seems to mean but little to them.

That is the way some of these people who are out yonder in the States feel when they witness the aggravating and inexcusable delay in the passing by the House of the drought-relief measures. Out in the common walks of life, far from the large cities, there are thousands of them in the midst of starvation, with ruin of their crops spread around them and the cry of hungry children sounding in their ears. And yet we are asked here and now to let this $30,000,000 battleship matter go on through to the House and to the President.

Mr. SHORTRIDGE. Mr. President, will the Senator yield?

Mr. HEFLIN. I yield.

Mr. SHORTRIDGE. The Senator from Alabama comes from a great State. An intelligent, capable, patriotic people live in the State of Alabama. Does he tell us to-day that the noble men and women of competence of that State are unable to assist or care for the less fortunate? Is it so that the well-to-do people of Alabama will suffer their own fellow citizens to starve, and is it necessary for Alabama, through the voices of her Senators, to call upon the Nation, to call upon Uncle Sam, at this hour? In other words, to answer my own question, I indulge myself in the belief that the people of Alabama—and I have reason for having affection for that State—are capable, generous, charitable, and kind, and that they are not calling, are not asking, if you please, to be assisted in caring for those presently unfortunate.

Mr. HEFLIN. Mr. President, I might very appropriately reply to the Senator by asking, did he suppose that when the earthquake struck San Francisco a few years ago and distress was in that city, those people would call upon the Government of the United States for help when there were so many rich men in California who could have, if they would have, given them the necessary financial assistance? I recall voting to appropriate money to meet the needs of those in distress in the Senator's own great city of San Francisco.

I want to say to the Senator regarding my own State that there are 67 counties in it. The farmers in 39 had crop failure on account of the drought last year. There is great distress among many farmers in 28 other counties, outside of the 39 that I have mentioned. So the Senator can see to what extent the distress in my State is.

Debts contracted by those farmers when cotton was selling at 18 cents a pound are now to be paid when the price is 10 cents a pound. The debt-paying power of the farmer has been greatly reduced.

He can not help that. The merchant to whom he owes money has the farmer's debts on his books, and the farmer can not pay. The banks which the merchants owe are in distress because the farmer can not pay the merchant, and the merchant can not pay the bank. So, Senators, distress widespread and of a serious nature obtains in my State, and what is true of my State is true of many other Southern States.

A bank in my town failed last Friday, and that bank is run by some of the best men in the State. The head of that bank is a big merchant in my town. When his bank fails, something is radically wrong. Money is owing to the bank, but it can not collect. The farmers in many places not only are without substance with which to pay their debts but in thousands of instances in my State they have not sufficient substance upon which to live. I am sorry that is true, but the Senator from California knows it is a fact. I know the Senator is acquainted with the story of Dives and Lazarus. Old Dives could have fed Lazarus, but he would not. Lazarus got only the crumbs that fell from his table, and old Dives, cold-blooded, crafty, avaricious old sinner that he was, even permitted the dogs to lick Lazarus's sores.

Mr. SHORTRIDGE. And Dives went to hell, did he not?

Mr. HEFLIN. If we wait upon the generosity of the mighty rich to go out and feed the struggling, starving poor, they will never have their hunger satisfied.

Mr. SHORTRIDGE. Mr. President, will the Senator permit me to tell the fate of Dives and Lazarus? Dives went below, and Lazarus rested in Abraham's bosom.

Mr. HEFLIN. We want these people in Alabama to rest ultimately in Abraham's bosom, but we do not want them to go there by the way of starvation. That is the position I take. Let Dives stay where he is. I know a great many gentlemen, crafty, avaricious fellows, who are going to be there with him one of these days—not gentlemen in this body, however. [Laughter.]

Mr. SHORTRIDGE. Riches will never take me there.

Mr. HEFLIN. I know how generous hearted and noble my friend the Senator from California is, and I know the spirit in which he propounded his question to me; but I say to him again, conditions in my State are simply dreadful. I receive letters every day from men in the State asking me if I know where they can borrow $500, $1,500, $2,000, whether I can lend it to them to save their little homes and a few acres of land. I have not the money to lend them. Perhaps I never thought as much of this world's goods as I should have.

I have not paid as much attention to the accumulation of this world's goods as I should have for my own good. But I am not pining about that. God has been good to me. He has blessed me with good health, and He has been with me in many battles I have fought, and I am going to try my best to serve Him and His humanity as long as it is within my power to do so. But, Senators, I want to say to you before I take my seat that if this condition is not mended, and mended soon, we are going to have in places something akin to revolution in this country. That may be a pretty strong statement to make, but I am not the only Senator here who feels that way. You can hear it whispered about in this Chamber as Senators talk to each other about the distressing conditions in their States. It is a desperate situation, Senators, when you find hundreds of men assembling, as they did in Arkansas, desperate, determined men, saying, "We have got to have something to eat. Our wives and children are hungry. They are crying for food and we must get it for them." Senators, when that stage is reached the situation is not only serious but desperate.

A telegram I received to-day, as I have said, stated that the performance in Arkansas would be a mild-mannered affair compared with what would happen in Alabama if relief was not granted immediately. Hungry men are already breaking in stores we are told. They are breaking into post offices in various places. They are robbing banks and banks are failing. Just yesterday the president of the American Bankers' Association gave out a very cold-blooded, cruel, and remarkable statement. The headline in the Star last night was "Sees United States banking on sounder basis. R. C. Stephenson says failure of weak institutions will have good effect."

My God! That puts him in the attitude of saying, "It is all right and a good thing for these little banking institutions out in the States to fail. Let them go. It is good

for the great banking interests for these little banks to fall by the way."

Mr. President, that is a cold-blooded and heartless statement for a great banker to make, rejoicing over the misfortune of the little banks, having no concern for the people who deposit their money in them; rejoicing and saying, "We have now weeded out the small institutions." In other words, he is saying in substance, "We have waited and watched these small banking institutions growing weaker and weaker, until they have finally fallen and perished," and looking down upon their prostrate forms he says, "It is all well and good that they are out of the way. It will strengthen the larger banking institutions." I have no patience with such a position.

Mr. SHORTRIDGE. Mr. President, will the Senator yield?

Mr. HEFLIN. I yield.

Mr. SHORTRIDGE. It is not my purpose to break in upon the thread of the Senator's remarks, but Senate bill 4750 is not, as we know, an appropriation bill; it is an authorization measure. Suppose it were an appropriation bill. I would like to have the Senator's view with respect to this phase of the matter. Suppose we appropriated this money for the purposes designed.

It would certainly set in motion labor, give employment to mechanics, and would it not to some degree solve, or tend to solve, the unemployment condition? Would it not alleviate to some degree unemployment conditions, even though the money distributed for wages and for materials should go immediately to factories and institutions of that character engaged in the work in hand, and in that sense be beneficial to the country?

Mr. HEFLIN. It would be beneficial no doubt to that locality where the ships were built and benefit a few hundred wage earners. It would benefit very greatly those who furnish the material to build the ships. There is where the main cost comes—in the steel, for instance. But, Mr. President, the authorization of which the Senator speaks is but the forerunner of the appropriation itself. While I am addressing the Senate at this very moment they are wrangling over on the House side over the $15,000,000 we appropriated yesterday to be used exclusively in supplying food to starving Americans. It is doubtful whether the House will pass upon that important, pressing question to-day.

Mr. President, I do not want to engage in a filibuster. I have opposed an extra session of Congress obtained through a program of filibuster, but I want to announce to my colleagues now that I am ready to join them to tie up all legislation in this body, if necessary, until the bill with that $15,000,000 amendment for starving Americans goes through the other House, reaches the President, and is signed. I do not intend that the battleship builders of America, those who make their millions out of the material furnished to build our battleships, shall flourish in rank luxury and clip their coupons at leisure through hurried legislation here while starving millions out in the States lift their hands and their voices pitifully pleading with their Government for some of the wherewith upon which to live.

Mr. President, we will be within our rights and be justified in filibustering for such a cause. Let us stand together in this matter. It is no time to lay out a program for battleship building when so many of our people are pleading for help in obtaining food.

Let us serve notice that it takes the two Houses to transact business at the Capitol, and if the other House continues to hold hard and fast, the relief measures that we passed through this body with practically a unanimous vote while distress is seen and felt in so many States of the Union and millions of patriotic Americans are becoming more desperate day by day and their condition becoming more distressing and more pitiful, we will engage in a filibuster to prevent other legislation until these relief measures are disposed of.

Mr. President, I appeal to the Senate to vote to reconsider this 3-battleship measure, put it upon the calendar, and then let us get down to business and vote these other measures through. Who doubts for a moment that if the tocsin of war should sound the sons of these homes now in distress would come forth with heads erect and with steady step to don the uniform and shoulder arms to fight as their fathers have fought for their country? They would respond everywhere gladly as they have in the past. When they are fighting against the grim monster of hunger who stands menacingly at the gates of their homes, the Government, worth billions, is asked to stop everything else and have them wait while the Senate appropriates $30,000,000 to remodel old battleships—and this, as I have said, while hungry people are looking to us for aid.

Mr. KING. Mr. President, will the Senator yield?

Mr. HEFLIN. Certainly.

Mr. KING. In addition to the $30,000,000 asked by the pending bill, there is another bill, may I tell the Senator, sponsored by the Senator from Maine [Mr. HALE], calling for an appropriation of $27,650,000 for aircraft carriers, and so forth, $20,780,000 additional for cruisers, for another cruiser $16,605,000, submarines $17,600,000, and other large appropriations. In addition to that, we have a naval appropriation bill, which will soon be before us, which asks more than $350,000,000, a War Department appropriation bill which is now before the House asking for $440,000,000; so we will be called upon to appropriate, before the Congress adjourns, nearly $1,000,000,000 for naval craft and for military and naval expenses for the next year.

Mr. HALE. Mr. President, will the Senator yield?

Mr. HEFLIN. I yield to the Senator from Maine.

Mr. HALE. The Senator is somewhat mistaken about his figures. The Senator speaks of an authorization for building ships which appear in the construction bill which I introduced in the Senate some time ago. The total of the figures in the bill, as I recall it, amounts to about $80,000,000, and that amount will be spread out over a period of years. It will probably be three years, in any event, before all of that $80,000,000 is expended.

So far as the bill now before us is concerned, as the Senator from California [Mr. SHORTRIDGE] has explained, it is an authorization and not an appropriation. It is an authorization for the modernization of three ships to cost substantially $30,000,000. But the Navy Department does not propose to ask in the appropriation for modernization more than two at the present time or during the ensuing year.

Our battleship force has already been cut down by the London treaty from 18 ships to 15, and if we take more than 2 out of that 15 and then take out the ships that have to be taken out on account of their annual overhaul, we shall not be left with a sufficient number of battleships in commission. So that instead of about $30,000,000 the appropriation in reality will be somewhat less than $20,000,000.

Mr. KING. Mr. President, if the Senator from Alabama will yield further——

Mr. HEFLIN. Certainly.

Mr. KING. I think I can state with some knowledge, after investigating the situation, that before this Congress shall have adjourned appropriations and not authorizations will be made aggregating more than $800,000,000 for the Army and Navy during the next fiscal year.

Mr. HALE. That may be; but the Senator mentioned $1,000,000,000.

Mr. HEFLIN. He said nearly $1,000,000,000, as I understood him, and $800,000,000 is nearly $1,000,000,000.

Mr. HALE. The Senator will recall that last year the annual naval appropriations amounted to something like $360,000,000. If we are going to try to live up to the London treaty, we shall have a larger construction account than we had last year, but even with that it is not probable that there will be naval appropriations of much over $400,000,000.

Mr. KING. Four hundred million dollars for the Navy?

Mr. HALE. Yes; it will be somewhat over $400,000,000.

Mr. KING. More than $400,000,000 in peace times. Germany, when it was alleged she was seeking to conquer the world and to build up a great navy in competition with Great Britain, never asked for $400,000,000 in any one year.

Mr. HALE. Germany never paid her men decent wages as we do in this country and as we will continue to do.

Mr. HEFLIN. Mr. President, I had not intended to occupy the floor as long as I have, and but for these interruptions I would not have done so. What I have said is said by a Senator who believes in a good Navy, in an adequate Navy. I have always voted for an adequate Navy. We have an adequate Navy now. We have next to the best Navy in the world and we can wait a little while on naval work until these other urgent matters are attended to.

Mr. HALE. I would like to ask the Senator if he realizes what waiting on this matter means?

Mr. HEFLIN. I know what it means to starving people to have them wait.

Mr. HALE. To modernize these battleships requires the labor of 1,200 men per ship and that labor will be employed for a period of 18 months. The sooner we get the bill through and get to work the sooner these men will be employed. I think the Senator will find that no labor organization is opposing the bill.

Mr. FRAZIER. Mr. President, will the Senator yield?

Mr. HEFLIN. In a moment. According to the Senator's own statement these three battleships would give employment to 3,600 men.

Mr. HALE. No; two battleships would use 2,400 men.

Mr. HEFLIN. I am trying to get relief for 20,000,000 people who are in great distress this minute.

Mr. HALE. The relief that Congress seeks to give to the suffering people is to give them employment, and this is directly in line with that principle and does give employment to a considerable number of men. If we postpone action on the bill we are keeping out of work a certain number of men who need that work.

Mr. HEFLIN. No. The difference is this: The measure we are seeking to pass is not to give employment to men primarily. It is the loaning of money that they are going to pay back to the Government. I was astounded on yesterday when told that the Government is going to extract the interest on that money now when it is parceled out after we have appropriated it. That is not the way to stimulate patriotism. It is no way to treat these people, who are in distress because of no action of their own, by doling out money to them and giving it to them grudgingly, not giving it, but loaning it to them and saying to them, "When we loan you this money we are not going to trust you for the interest, but we are going to take it out now." That is a parsimonious and mean spirit to display toward men and women whose sons must defend this country in the hour of its peril, to save its life when danger comes. It is a miserable and mean program, and I do not care who is doing it.

Mr. HALE. None of which alters the fact that if the Senator is successful in his contention a certain number of men who would otherwise have had work will be kept out of work now.

Mr. HEFLIN. I want these men employed. They will work by the day and will be paid their wage. The money is theirs. They return nothing to the Government. But the people I am talking about produce that which feeds and clothes the world, and they are going to pay it back to the Government and pay it back with interest. We are doing nothing for them but making a loan out of the great treasure house of this, the greatest Nation in all the world, and we are asked to stop here now and appropriate $30,000,000 to remodel three old battleships. That can be looked after later. Let us help the people who are in distress now.

Mr. FRAZIER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from North Dakota?

Mr. HEFLIN. Certainly.

Mr. FRAZIER. I wanted to refer to the statement of the chairman of the Committee on Naval Affairs, the Senator from Maine [Mr. HALE]. As I understand it from the report of the hearings, there are some battleships being modernized now. The work will take until at least the 1st of March to be completed, and if the bill is passed now the work can not begin until at least the 1st of March, because the navy yards are busy with other work at the present time.

Mr. HEFLIN. Mr. President, the situation with the people I am pleading for here to-day is that if we do not get relief to them soon they will be all but starved before the 1st of March.

Senators, I have in my office papers giving notice of the foreclosure of Government land-bank mortgages on farms where the farmers have paid their annual payments for years, and now comes the drought, and because of hard times they could not raise the money to meet the payments. Accordingly foreclosure notices are sent out, the hammer falls at the courthouse door, and sold is the home and the farm of the farmer. Out and down the road this farmer walks with his wife and little children, going God knows where, bereft of his home by the richest Government on the earth. That is going on now.

The senior Senator from South Carolina [Mr. SMITH] has a measure pending, and I am going to support it, which would allow the payments now due to be made a part of the principal of the debt and carried in that way, extending the time for payments and let these men and women stay on their farms. Senators, they have become attached to their farm homes. They love their homes and farms. To be taken out and driven away and their homes sold to another who buys them at a miserable and measly price is wrong. Some of them, we are told, are being bought up by some great land companies which expect to organize and after a while bring their foreign cheap labor into the South and West and produce wheat and cotton under the direction of foreign ownership and authority.

That, I fear, is what we will have some day in the United States. We will have a great land-owning concern operated from other countries; we will have labor that will come in here through changed immigration perhaps, and, if not through immigration, then through smuggling. They will seek to operate foreign-owned and controlled farms in the United States. Whither are we drifting?

I am speaking for the honest yeomanry of the country; I am speaking now not for the captains of industry, not for the Ship Trust, not for the money king or the steel king, but for the patriotic masses of America who are in great distress.

> Princes and lords may flourish or may fade,—
> A breath can make them, as a breath has made;
> But a bold peasantry, their country's pride,
> When once destroy'd, can never be supplied.

I am pleading for those people in the common walks of life who are looking hopefully and trustfully to their Government to aid them when nothing else under heaven will aid them. This is the only place they can go with any hope of having their petition granted; they can get aid nowhere else. They have tried to do so; they have exhausted every means at their command.

And now in this time of their grave troubles and deep distress they stand at the door of their great and noble Government and ask for aid and they shall not ask in vain.

Mr. NORRIS. Mr. President, I wish to call attention to what appears to me to be the parliamentary situation in regard to this bill, although I may be mistaken about it. This is a motion to reconsider the vote by which was passed a bill providing an authorization of $30,000,000 to recondition three battleships of the Navy. The bill was passed when there was practically no one in the Chamber; it was passed without a roll call.

Mr. SWANSON. Mr. President, I myself was present. Was the Senator here?

Mr. NORRIS. No; I was not here.

Mr. SWANSON. There was a very good attendance on the morning when the bill was passed. Unanimous-consent requests for the passage of measures are usually made before 2 o'clock. That was the case in this instance, when there was, as I have said, a good attendance present. I think the Senator from Alabama [Mr. HEFLIN] was here.

Mr. HEFLIN. Yes, I was here; but I hardly knew what was going on. [Laughter.]

Mr. NORRIS. I have an idea that practically no Senator in the Chamber knew what was going on except the Senator from Virginia.

Mr. SWANSON. I made a statement, and the bill was read, I will say to the Senator.

Mr. NORRIS. We know how bills are read under such circumstances.

Mr. SWANSON. If the request had been made after 2 o'clock, or at a later hour in the afternoon, the situation might have been different; but it was made in the morning hour. Senators are present at that hour to speak; they are present to make unanimous-consent requests. The usual custom is to make requests for unanimous consent before 2 o'clock. That has been the custom of the Senate.

Mr. NORRIS. Mr. President, the usual custom——

Mr. BROOKHART. Mr. President——

Mr. NORRIS. Let me say a word, now that I have the floor. When a bill of this importance is passed, without the calling of a quorum, without any debate, with practically nobody knowing what is going on, during the morning hour or any other hour, the usual custom, so far as I know, without exception is, that any Senator asking that the vote may be reconsidered and the bill placed on the calendar has his request acceded to. If he says he wants to debate it, he is accorded that privilege, and the vote by which the bill was passed is reconsidered by unanimous consent.

Mr. President, we do not usually pass bills of this importance by unanimous consent; we would not think of doing such a thing ordinarily. I do not know of an instance like it. It seems to me, as a matter of common courtesy to those who are opposed to this proposed legislation, that the Senator from Virginia ought to be willing, as a matter of form almost, to have the vote by which this bill was passed reconsidered and have it take its regular course. Any one Senator objecting at the time it was considered could have prevented its consideration and put the bill on the calendar, where it ought to have gone. It is an uncommon thing for a Senator to ask for the passage of a bill such as this by unanimous consent when he knows that sentiment on it is sharply divided. Those opposing the measure may constitute a minority, but they represent a large minority of earnest, honest men who are opposed to the appropriation of $30,000,000 at the present time to recondition these three battleships. It is a debatable question. I am not trying to discuss its merits. I merely want to call attention to the fact that the bill went through the Senate without any consideration, and the RECORD so shows.

The bill was passed on December 8, 1930, and on page 296 of the CONGRESSIONAL RECORD of that date the space taken by the action on this bill is just two-thirds the length of my finger.

Mr. SWANSON. Will the Senator read what I said at that time?

Mr. NORRIS. I am going to read it. That was all the time that was taken in considering a measure proposing to take $30,000,000 out of the Treasury of the United States. I concede that the Senator from Virginia had a perfectly technical right to do what he did; I am not complaining about that. Such things sometimes happen. It has happened that I have secured the passage of a bill of some importance—but never one of the importance of the bill now under discussion, involving so much money—without a roll call, with no discussion, and with no debate; but when a Senator rose the next day and said, "I was interested in that measure; I did not happen to be here; there was no roll call, and I want to debate it," at once, by unanimous consent, the vote by which the measure passed was reconsidered. I do not understand really how anybody could take a contrary view. If we are going to put through measures of this importance, involving great sums of money, when Senators do not know what is taking place, and but few of them are present, we are soon going to confront a condition where every bill will be objected to, and we will not get a single bill through this body by unanimous consent. Now I will read just what happened:

Mr. SWANSON. From the Committee on Naval Affairs I report back favorably without amendment the bill (S. 4750) to authorize alterations and repairs to certain naval vessels, and I submit a report (No. 1164) thereon.

This is pursuant to the policy heretofore adopted of modernizing our battleships so as to carry out the terms of the Kellogg peace treaty.

Mr. SWANSON. That ought to read "the terms of the London treaty and the Washington conference."

Mr. NORRIS. Yes; I suppose so; instead of the "Kellogg peace treaty."

Mr. BROOKHART. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Iowa?

Mr. NORRIS. I yield.

Mr. BROOKHART. I once called the attention of the Senator from Virginia to that mistake and told him that he was so excited about getting the bill through that he did not even put it under the right treaty.

Mr. NORRIS. I will read on what the RECORD shows as having occurred at the time the bill was passed:

It is simply an authorization. An appropriation must be made, and it must be made very soon or else thousands of people in the various navy yards will be discharged and add to the unemployment situation. Therefore I ask unanimous consent for the immediate consideration of the bill.

The VICE PRESIDENT. Let it be reported for the information of the Senate.

The bill was read, considered by unanimous consent, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Then a copy of the bill follows. I will read it, but before I do so let me say a word of explanation. All Senators will understand, but the casual reader of the CONGRESSIONAL RECORD may not understand what really occurred. It says here:

The bill was read, considered by unanimous consent, ordered to be engrossed for a third reading, read the third time, and passed.

Of course, the bill was not read except by its title. That is all. The bill never was read in the Senate, it is safe to say.

Mr. BROOKHART. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Iowa?

Mr. NORRIS. I yield.

Mr. BROOKHART. The Senator from Idaho [Mr. BORAH] told me that he was present and that the bill was not read, and he certainly would have objected to the bill authorizing an appropriation of $30,000,000 if it had been read.

Mr. NORRIS. There are dozens of Senators who would have objected if they had known about it.

Mr. SWANSON. Mr. President, I do not know whether the clerk read the bill or not, but it is his own fault if he did not read it, because the rule requires all bills to be read before unanimous consent is obtained to consider them.

Mr. HEFLIN. I think it is certain the bill was not read. The Senator will observe from the report in the RECORD that it nowhere calls attention to the fact that it would require $30,000,000 to do the work proposed.

Mr. NORRIS. I will read the bill itself from the same column of the CONGRESSIONAL RECORD:

Be it enacted, etc., That for the purpose of modernizing the U. S. S. *New Mexico, Mississippi,* and *Idaho* alterations and repairs to such vessels are hereby authorized at a total cost not to exceed the sum of $30,000,000 in all. The alterations to the capital ships herein authorized shall be subject to the limitations prescribed in the treaty limiting naval armaments, ratified August 17, 1923.

Mr. President, unless somebody else read it from the floor, I venture to say that that is the first time the bill has ever been read in full on the floor of the Senate. We know how these bills are read. The Vice President says, "Third reading of the bill," and the clerk says, "A bill authorizing an appropriation for the repair of certain naval vessels." That is all he reads.

I simply want to call attention to the fact that a large number of Senators who are opposed to the proposed legislation—conscientiously and honestly opposed to it, although they may be in a minority—want an opportunity to take it up in the regular way and discuss it. Under such circum-

stances, it seems to me the Senator from Virginia, in accordance with his usual custom of being courteous under all circumstances and under all conditions—I have never seen him otherwise; even when he gets mad he is courteous [laughter]—would be glad to say, out of consideration for other Senators, "I have no objection to the vote by which the bill was passed being reconsidered."

Mr. SWANSON. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Virginia?

Mr. NORRIS. I yield.

Mr. SWANSON. Has the Senator concluded?

Mr. NORRIS. No; I have not concluded.

Mr. SWANSON. Very well; I will wait until the Senator shall have finished.

Mr. NORRIS. Mr. President, I want to say to other Senators that it seems to me when we have a condition like this confronting us, regardless of what we think about the merits of this bill, it ought not to be put on the statute books by any gerrymandering consideration like this. A bill of this kind is entitled to consideration. It is only fair to those who are opposed to it and those who are in favor of it that it should take its place on the calendar like other bills, come up in the regular way, and be discussed.

When we consider the calendar and take up bills by unanimous consent nobody thinks of demanding that a bill of this importance should be taken up under such a call. I do not know of an instance where a bill involving this much money is considered by unanimous consent when it is reported—a bill involving also important economic governmental considerations, where the people of the country as well as the Members of the Senate are divided, perhaps nearly equally, upon the theory. I do not know of an instance where such a bill, when the report is made, is considered by unanimous consent. It is out of the ordinary. It is not the usual way of transacting business. The report which the Senator made never was read. No Member of the Senate had an opportunity to read it before the bill was passed; and I can not myself see what other course we can properly pursue than to let the bill be reconsidered.

Mr. BROOKHART. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Iowa?

Mr. NORRIS. I yield to the Senator.

Mr. BROOKHART. I call the Senator's attention to the threat which, as I understood, was made by the Senator from Virginia in the first part of this proceeding, that when this debate had reached a stage where he deemed it sufficient debate he proposed to move to lay this motion on the table. I think the Senator from Nebraska was not in the Chamber when the Senator from Virginia made that statement at the beginning of the debate.

Mr. NORRIS. I did not hear that statement; no.

Mr. SWANSON. Mr. President, is the Senator through?

Mr. NORRIS. No; when I get through I will sit down.

Mr. President, I certainly can not conceive that that will take place, although it is in order under our rules as a matter of parliamentary law for that motion to be made now by any Senator who has the floor and recognition from the Chair. I concede that if debate went on and on and on for an unreasonable time, the time would come when a motion to lay on the table would be justified.

The Senator from Virginia has been here so long, however, he is so well beloved by all of his fellow Senators, he has always treated us without any exception in such a universally courteous and kind and gentlemanly manner that it seems to me that from him there ought not to come a step now to put a blot upon the great reputation that he so justly deserves and has maintained for so many years before his fellows in the Senate.

I can not conceive, Mr. President, that the Senator from Virginia would take this kind of a technical parliamentary advantage. I do not believe he will when he thinks about it.

Mr. SWANSON. Mr. President, I am sorry that my remarks are not considered debate by the Senator from Nebraska. He said there was no debate whatever on this bill. I had an idea that I made a pretty fair statement of what was contained in the bill. I stated that it was a measure for the modernization of three battleships. We have modernized 10, at a cost of $47,000,000.

Mr. FRAZIER. Mr. President, will the Senator yield?

Mr. SWANSON. Yes.

Mr. FRAZIER. In the modernization of the other battleships heretofore no amount like $10,000,000 per ship has been expended.

Mr. SWANSON. That is true. The amount averaged about $4,700,000 each; but these are larger ships. They have deck protection, and are more expensive. They are larger and more expensive ships.

Mr. NORRIS. Mr. President——

Mr. SWANSON. I debated this matter when the London treaty was before the Senate, and I think the Senator listened to me a part of the time. He does not listen to me very much. He does not count my remarks as debate. I stated that it was urgent to get this modernization through at once, or else thousands of men—four or five or possibly five or six thousand men in the navy yards—would be discharged. The two battleships we are now modernizing—the *Arizona* and the *Pennsylvania*, I think; I do not remember the name of the other one——

Mr. NORRIS. How much did the modernization of those battleships cost?

Mr. SWANSON. A little over $6,000,000.

Mr. FRAZIER. For the two of them?

Mr. SWANSON. No; $6,000,000 each; somewhere between six and seven million dollars each. They will go out on the 1st of March. The appropriations must be made for these ships to come into the places where this work is to be done, or else there will be five or six thousand people out of employment.

The purpose of the Navy Department is, if this bill goes through within a reasonable time, instead of laying off these men in the summer time, as soon as a ship is designated to go to a navy yard and the individuals are known who are going to work on it, to give them their leave now. They will take their leave now with pay, instead of unemployment without pay; and the department has been very urgent about the necessity of it.

The bill was introduced by the Senator from Pennsylvania [Mr. REED]. I reported the bill. I did not make a long report, as I was not very well. I asked unanimous consent for its consideration, and stated the reason why I did so—that if it was not done, the people would be thrown out of employment.

Mr. FRAZIER. Mr. President——

Mr. SWANSON. I left after this action was taken; and I did not know until the next day, when I saw it in the papers, that a motion had been made to reconsider. I then saw the Senator from Utah [Mr. KING], and he told me he had made the motion to reconsider, and I discussed the matter with him.

I state now that I do not think this bill ought to pass unless the judgment of the Senate favors it. I think it ought to pass whether the Senator from North Dakota [Mr. FRAZIER] favors it or not. This is the rule of the majority, not the imperial will of 1 man or 2 men or 3 men. Under the conditions to-day, the Senate can control this matter. Why do some Senators want the bill to go to the calendar? They want it to go to the calendar because when the calendar is called one or two Senators can object, and I would have to get a special order to get it through. I think these men are entitled to a better show. If a majority of the Senate favor this bill, I think they ought to pass it. If they do not favor it, they ought not to pass it.

I stated that I am going to give the fullest opportunity for the fullest debate and the fullest understanding of the bill. Not until the time comes when there is a filibuster, as suggested by the Senator from Nebraska, do I feel that I should be justified in moving to lay the motion to reconsider on the table.

Mr. FRAZIER. Mr. President——

Mr. SWANSON. Who is hurt unless a minority wants to run the Senate? We will have a yea-and-nay vote on the motion to reconsider.

Mr. NORRIS. Mr. President, will the Senator yield?

Mr. SWANSON. I will say frankly that one of these battleships is being modernized in the Norfolk Navy Yard. I hope, though I have no assurance to that effect, that another one will go there. I hope that will be the case. I am frank to admit it; but I know full well that if this bill does not go through before the 4th of March, three or four thousand men there will be without employment and in distress and want.

I am willing to let this bill be debated to the fullest extent, and then take a vote on it. I have not tried to cut off anybody from debate. I stated that I thought I made a fair statement of what the case was in my opening here this evening, but I do not know whether the Senator heard me or not. It is a question of whether or not the Senate want to take this action. As far as I am concerned, they can have all the debate on it that is desired. All I ask is that a vote may be taken. If the Senate do not want to vote for it, if they do not want to have a Navy equal to that of England, let them vote down the bill. I have no grievance. I have no complaint.

I understand that but a day ago $75,000,000 was appropriated for roads by unanimous consent, just as this was appropriated, and the amount was increased to $120,000,000.

Mr. NORRIS. Mr. President, may I ask the Senator a question?

Mr. SWANSON. I will state flatly that bills appropriating millions and millions of dollars are called up here and read simply in the ordinary way and passed without having the debate that this bill has had. I should like to know how anybody is hurt except four or five Senators who want to prevent a matter from coming up by direction of the Senate. If they want to prevent consideration, I can understand how they might be hurt; but how anybody can be hurt or prejudiced when there will be a yea-and-nay vote, I do not see. I will hold up my hand to give you a yea-and-nay vote.

Now I yield to the Senator from Nebraska.

Mr. NORRIS. Mr. President, I think now the Senator has evolved a new process of legislation. I want to ask him whether he is really in earnest about it; and, if he is, whether he would favor the rule that would have to be adopted by the Senate to carry out his theories.

When a committee reports a bill, let it be considered as having passed the Senate. Then let it be in order for anyone to make a motion to reconsider it; and then, as the Senator says, have a roll call on whether Senators want the bill to become law or whether they do not, after a full debate on the motion to reconsider. Does the Senator think that is the proper way to legislate in the Senate?

Mr. SWANSON. This is a matter that is very urgent. This is the first time any fight has ever been made on it.

Mr. NORRIS. This is the only chance anybody has had to make a fight on it.

Mr. SWANSON. I do not mean on this bill. We have modernized 10 battleships and nobody has ever opposed it before.

Mr. NORRIS. I am not sure that I should vote against the bill if it came up in the regular way; but I do not like the method the Senator is trying to use.

Mr. SWANSON. Senators talk about advantage being taken. The first time I ever heard that there was any opposition to this measure was when the Senator from Utah made the motion for reconsideration, and I came into the Senate the next day.

Mr. NORRIS. Exactly.

Mr. SWANSON. Ten times this very thing has been done here. At once I stated that I would not move to lay the motion on the table; I would move to take it up and consider it, and I thought the Senate should have the fullest and fairest debate, and the majority should control. The only reason why it is not desired to do it now is because four or five Senators want to prevent this bill from passing until the 4th of March.

Now, let us get down to this. If Senators will consent to fix a date to vote on this bill, I will make a motion to reconsider it, and let it come up.

Mr. NORRIS. The Senator does not need to make a motion. The motion is pending now.

Mr. SWANSON. I say I will ask unanimous consent to reconsider the passage of the bill and let the bill come up, not on its passage, if the Senator from Nebraska and those others who are fighting this bill will agree to a day to vote.

Mr. NORRIS. Mr. President, I ask unanimous consent that the bill be reconsidered, and that it be taken up on the first legislative day in February.

Mr. SWANSON. That would not give us quite time enough.

Mr. NORRIS. It would not?

Mr. SWANSON. No.

Mr. NORRIS. The Senator does not want to displace the unfinished business; does he?

Mr. SWANSON. If we are going to modernize these ships, they certainly ought to be modernized now, with about five or ten thousand people likely to be out of employment.

Mr. NORRIS. The Senator does not advocate this bill as an employment measure; does he?

Mr. SWANSON. Both.

Mr. NORRIS. If that is the reason, then let us modernize 100 ships.

Mr. SWANSON. Oh, no! These are the ones that we are going to modernize finally.

Mr. NORRIS. I have an idea that that is true, and that they are going to be modernized at Norfolk, too.

Mr. SWANSON. I do not know that they are. I will say frankly that I hope so, however.

Mr. HEFLIN. Mr. President——

The VICE PRESIDENT. One at a time.

Mr. NORRIS. I am willing that they should be.

Mr. HEFLIN. Mr. President——

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from Alabama?

Mr. SWANSON. I will yield to fix up a unanimous-consent agreement.

Mr. NORRIS. I will say to the Senator that I believe that the ships ought to be modernized; and I think, from the very able way, although very technical way, in which the Senator has brought about the legislation, that the department will not only modernize them all at Norfolk but will modernize everything else at Norfolk.

Mr. SWANSON. I hope so. I want to have the best possible work done.

Mr. HEFLIN. Mr. President——

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from Alabama?

Mr. SWANSON. I yield.

Mr. HEFLIN. I want to say to the Senator from Virginia that if he will agree to a future date for taking up this matter after it is reconsidered, I think it will be better for his measure. I think a good many Senators are not going to vote to appropriate $30,000,000 until these drought-relief measures are out of the way and enacted into law.

Mr. SWANSON. This is not a bill to appropriate the money. This is simply an authorization to allow the Appropriations Committee to consider it in connection with other matters.

Mr. HEFLIN. I understand.

Mr. SWANSON. Under our rules we can not consider everything and decide which matter is the most urgent. The Naval Affairs Committee can not make an appropriation. It makes authorizations of appropriations for things it thinks ought to be done. All the committees make such authorizations, which then go to the Appropriations Committee. They consider the authorizations and report bills for appropriations.

I have stated to those opposed to this measure that they could fight it equally as well when the bills for appropria-

tions were reported; that I thought that was the best time to fight it. I simply want this to go to the Appropriations Commitee to be considered with other authorizations.

Mr. HEFLIN. Mr. President, the Senator will agree with me that an authorization from the Naval Affairs Committee as now constituted, a splendid and efficient Naval Affairs Committee, is just like a warrant for a man's arrest; it is certain to be executed.

Mr. SWANSON. That has not always been the case. I am willing to have fixed a time to vote. If any time in the next 10 days is suggested, I will ask unanimous consent to have the vote reconsidered, and ask for the fixing of a time to vote.

Mr. NORRIS. Let me say to the Senator that I would not have any objection to that.

Mr. SWANSON. If the Senator will make such a request, I will agree.

Mr. NORRIS. The objection probably would come from those who are behind these other important matters of legislation, like the unfinished business, for instance, which has been kicked about here for several weeks. We would have to get their consent.

Mr. SWANSON. All I ask is that Senators let this authorization go to the Committee on Appropriations. Our Budget system does not seem to be fairly understood. The committees report bills making authorizations based on department needs. They go to the Committee on Appropriations, which considers them on their relative merits. The Committee on Appropriations might determine they would not appropriate any of this money at this time, and that would end the matter with us. What we thought was that while the committee was considering all these things, between five and ten thousand men would be out of employment, and that this authorization ought to be considered with others.

Mr. HEFLIN. Mr. President, will the Senator yield?

Mr. SWANSON. I yield.

Mr. HEFLIN. I have a suggestion to make to the Senator which I believe will get rid of this question for the time being. That is to ask unanimous consent that this motion to reconsider be considered as agreed to, and that the bill lie upon the table, to be voted upon by the Senate 10 days after this day.

Mr. SWANSON. Let us fix a day and a specific hour.

Mr. HEFLIN. It can lie upon the table, and the Senator can call it up, under such an agreement.

Mr. SWANSON. What day would that bring us to? Make it at 4 o'clock on some certain day. I would be glad to have the matter debated now. Some have the idea that an authorization carries with it an appropriation. We have reported authorizations from the Committee on Naval Affairs which have never been considered. I have never fought authorizations very seriously because I know full well that the Committee on Appropriations considers them in connection with others. Why are we not entitled to have this considered with other measures? That is all I ask. I am willing to have the motion reconsidered, and to fix an hour and a date for a vote. Ten days would give us plenty of time.

Mr. HEFLIN. Then, Mr. President, I ask unanimous consent that the motion to reconsider be assumed as agreed to, and that the measure lie upon the table, to be voted upon at 4 o'clock on January 16, 10 days from to-day.

Mr. SWANSON. I consent to that.

The VICE PRESIDENT. Before that request is presented to the Senate, it will be necessary to call a quorum.

Mr. NORRIS. Mr. President, I want to make a suggestion to Senators. In the unanimous-consent order there should be some time fixed when the bill would be laid before the Senate, so that amendments could be offered. Debate amounts to but little unless there is the right to offer amendments. Under the proposed unanimous-consent agreement the unfinished business might be before the Senate up to the very minute proposed, and it would never be in order to offer an amendment. The Senator should include in his unanimous-consent request some such provision, and I would not object, no matter how much time the Senator fixes.

Mr. ROBINSON of Arkansas. How much time should be fixed?

Mr. NORRIS. I have no idea; but there should be some opportunity for debate.

Mr. ROBINSON of Arkansas. Mr. President, I do believe that it is possible to reach an agreement which will conserve the time of the Senate and at the same time afford fair opportunity for debate. I suggest to the Senator from Alabama that he amend his request for unanimous consent so as to provide that when the Senate convenes on the 14th of January his bill be laid before the Senate, and that, except by unanimous consent, it shall continue before the Senate until voted upon at not later than 4 o'clock on the 16th.

Mr. HEFLIN. I accept the suggestion of the Senator from Arkansas—and I would like to have the attention of the Senator from Virginia and the Senator from Nebraska—that this measure be laid before the Senate on the 14th of January for consideration or discussion, and that it may not be voted upon until 4 o'clock in the afternoon of the 16th, except by unanimous consent.

Mr. SWANSON. I agree to that.

The VICE PRESIDENT. As a vote is asked for, there must be a quorum called. The Chair will first ask whether there is any objection on the part of Senators present. If not, the Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Fess	Keyes	Shipstead
Barkley	Fletcher	King	Shortridge
Bingham	Frazier	McGill	Smoot
Black	George	McKellar	Steck
Blease	Glass	McMaster	Steiwer
Borah	Glenn	McNary	Swanson
Bratton	Goff	Metcalf	Thomas, Idaho
Brock	Goldsborough	Morrison	Thomas, Okla.
Brookhart	Gould	Morrow	Trammell
Broussard	Hale	Norbeck	Tydings
Bulkley	Harris	Norris	Wagner
Capper	Hastings	Nye	Walcott
Caraway	Hayden	Oddie	Walsh, Mass.
Carey	Hebert	Partridge	Walsh, Mont.
Connally	Heflin	Phipps	Waterman
Copeland	Howell	Pittman	Watson
Couzens	Johnson	Ransdell	Wheeler
Dale	Jones	Robinson, Ark.	Williamson
Davis	Kean	Robinson, Ind.	
Dill	Kendrick	Sheppard	

The VICE PRESIDENT. Seventy-eight Senators having answered to their names, a quorum is present. The Secretary will state the unanimous-consent request.

The Chief Clerk read as follows:

Ordered, by unanimous consent, that the motion to reconsider be agreed to, that upon the convening of the Senate on the calendar day of Wednesday, January 14, 1931, the bill (S. 4750) to authorize alterations to certain naval vessels, be taken up for consideration, the unfinished business, if any, then pending being temporarily laid aside, and that except by unanimous consent it shall continue before the Senate and that a vote be taken without further debate at 4 o'clock p. m. on Friday, January 16, 1931, upon the passage of the said bill and any amendment proposed thereto.

Mr. HEFLIN. Mr. President, I want to state to Senators who have just entered the Chamber the amendment to the request I made that this matter be not considered now finally, but that final action be postponed for 10 days. The Senator from Arkansas suggested that the bill be laid before the Senate in time to give opportunity for debate if anybody wanted to debate it. That is why it is to be laid before the Senate before the day on which it is to be voted upon.

Mr. BROOKHART. Mr. President, I think that the vote should be fixed at 4 o'clock and not at "not later than 4 o'clock," so we may know when we are to vote.

Mr. HEFLIN. I have no objection, although the Senator understands that there is embodied in the request a provision that we shall vote at 4 o'clock unless by unanimous consent the vote is had earlier.

Mr. BROOKHART. That is not the way it was stated.

The VICE PRESIDENT. Let that provision be read again.

The Chief Clerk read as follows:

And that a vote be taken, without further debate, not later than 4 o'clock p. m. Friday, January 16, 1931, upon the passage of the said bill and any amendments proposed thereto.

Mr. BROOKHART. I want to have the agreement modified so we shall vote at 4 o'clock.

Mr. ROBINSON of Arkansas. I do not think there is any objection to that modification.

Mr. JONES. Mr. President, I want to ask the Senator in charge of the bill whether there are likely to be any amendments presented to it. If that is likely, then we ought not to fix a definite time to vote on the bill and amendments. There ought to be some opportunity for considering any amendment that may be offered.

Mr. HEFLIN. There will be two days.

Mr. JONES. Yes; but an amendment may be offered when we are about ready to vote on the bill, and then there will be no opportunity to discuss it.

Mr. ROBINSON of Arkansas. The bill is merely an authorization for the modernization of battleships, and it is not conceivable that any very complicated amendments will be proposed.

Mr. JONES. If it is merely an authorization, that is really the important thing, because the Appropriations Committee are practically bound by the authorization. If it is thought that there are not likely to be any important amendments pending or offered that we have not had an opportunity to discuss and that none will be offered, I shall not insist upon my suggestion, although as a general rule I propose to insist on it hereafter in connection with any unanimous-consent proposal for fixing a time to vote upon any measure.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered. The Senate will resume the consideration of executive business and the Senator from West Virginia [Mr. GOFF] is recognized.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator from West Virginia yield to me before he proceeds?

Mr. GOFF. Certainly.

ANNIVERSARY OF BIRTH OF SENATOR FLETCHER

Mr. ROBINSON of Arkansas. Mr. President, just a few moments of the time of the Senate is taken to call attention to a fact which may for a short time at least relieve the tension under which Senators are laboring.

This is the birthday of one of the most useful, highly respected, and dearly beloved Members of the Senate of the United States—the anniversary of his birth. Great influence has been exerted to prevent the disclosure of the date of his birth or the number of this anniversary. However, the senior Senator from Florida [Mr. FLETCHER] has given consent that they shall be revealed. The record discloses that he was born on the 6th day of January, 1859. For many years he has served in the Senate, and prior to the beginning of that service he filled other public positions of great responsibility. There is no one among us who enjoys a fuller measure of confidence on the part of his associates. I have asked the Senate to pause for just a moment that I might pay him my humble tribute of respect and admiration. He is 72 years old, and it is our hope that he may live many, many years to continue his faithful and effective service.

Mr. HEFLIN. Mr. President, as a Senator from the sister State of Alabama, I heartily concur in the beautiful things the Senator from Arkansas [Mr. ROBINSON] has said about the able and distinguished Senator from Florida [Mr. FLETCHER]. He is a faithful, able, and industrious Senator. I have known and highly esteemed him for many years. He rings true on all great public questions. I recall a little verse that fits him admirably. He possesses—

> The silvery hair of an honored age,
> The eye of deathless youth.
> Write on his life's untarnished page,
> He dares to speak the truth.

Mr. FLETCHER. Mr. President, will the Senator from West Virginia yield to me just a moment before he proceeds?

Mr. GOFF. With pleasure.

Mr. FLETCHER. Mr. President, I desire to take a moment to express in a few words my appreciation of the kindness of the Senate and of the remarks that have been made by the two Senators who have just spoken. The knowledge that I have the respect and confidence of my colleagues in this body adds very greatly to my happiness.

I was greatly impressed when the Chaplain of the Senate recited that very interesting poem, How Beautiful It Is to Be Alive. In this connection, assured as I am of good health at this time, I may say that the greatest satisfaction and pleasure at my age is the assurance of the possession of friends and the contemplated joys of meeting them and associating with them in years to come.

Mr. GOFF. Mr. President, before I proceed with the argument I want to add just a word to what has been said in recognition of the great and exceptional services of our distinguished friend from Florida. I intended to make these references when the Senator asked me if he could occupy the floor for a moment.

I want to add simply this testimony of my own personal knowledge. It covers a period of 10 years during which I have known Senator FLETCHER. I knew him when I was in one of the great executive departments of the Government when with the United States Shipping Board. Everyone there had the greatest confidence in him and spoke his name only in high admiration and perfect reliance. He had not only the love and admiration then of his associates in the United States Senate and his friends in the House of Representatives, but he had the same measure of love and devotion of men in the executive departments of the United States Government.

My work carried me then into the Interstate Commerce Commission, and I talked then and there with members of that body about the great things for which Senator FLETCHER stood and the way that he fearlessly and in a purely statesmanlike way advocated the things in which he believed. I knew him subsequently in the Department of Justice when I was there, and he had the same high measure of respect shown him by the people in that executive department of our Government irrespective of what might be their political affiliation.

So, Mr. President, I join in unrestricted praise in hoping that he may remain here for many, many years to come. The longer he stays I know the closer he will come to the hearts and the deeper he will enter into the affections of his associates.

Mr. TRAMMELL. Mr. President, coming from the same State which the senior Senator from Florida [Mr. FLETCHER] represents in part in the Senate, I wish to extend Florida's congratulations that he has reached this anniversary in his life and also to say that Florida is to be congratulated, as well as the Senator himself, that he still remains in the Senate representing our State in the able, patriotic, and intelligent way in which he has now performed that duty for about 20 years. My wish, speaking for Florida, is that he may have many happy returns and long represent our State in this body.

FEDERAL POWER COMMISSION

The Senate being in executive session, Mr. GOFF resumed his speech and spoke, with interruptions, for about an hour, when he yielded the floor for the day. His speech is published entire in the RECORD of January 7.

REPORTS OF THE COMMITTEE ON AGRICULTURE AND FORESTRY

As in legislative session,

Mr. MCNARY, from the Committee on Agriculture and Forestry, to which were referred the following Senate resolutions, reported them each without amendment and moved that they be referred to the Committee to Audit and Control the Contingent Expenses of the Senate, which motion was agreed to:

S. Res. 374. Resolution requesting the Committee on Interstate Commerce to investigate and report to the Senate the reasons for the failure of the price of bread to reflect the decline in the price of wheat and flour; and

S. Res. 384. Resolution to ascertain why whole-wheat flour and brown and unrefined sugar prices are higher, respectively, than white flour and white and refined sugar prices.

MISSISSIPPI RIVER BRIDGE AT PRAIRIE DU CHIEN, WIS.

Mr. DALE. As in legislative session, I report from the Committee on Commerce the bill (H. R. 14446) to extend the time for completing the construction of a bridge across the Mississippi River at or near the city of Prairie du Chien, Wis. I call the attention of the Senator from Arkansas [Mr. ROBINSON] to the bill.

Mr. ROBINSON of Arkansas. In the absence of the Senator from Wisconsin I have been requested to ask the action of the Senate on this bill. The bill would extend for one year from March 7, 1931, the time for completing construction of the bridge. The original act was approved March 7, 1928. Two piers have been finished, but the work will be discontinued unless the bill shall be passed with reasonable promptness. I ask unanimous consent for its present consideration.

The PRESIDING OFFICER (Mr. FESS in the chair). Is there objection?

Mr. BROOKHART. Mr. President, I was interested in a bridge bill for a neighboring city to Prairie du Chien. There has been some controversy between the two, each one of them wanting a bridge permit of its own. However, they have reached an agreement among themselves that neither will object to the passage of the other's bill. For that reason I make no objection to the consideration of this bill at this time.

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

CONSIDERATION OF BRIDGE BILLS

As in legislative session,

Mr. BROUSSARD. Mr. President, there are 14 or 15 bridge bills on the calendar. All of them reported favorably by the Committee on Commerce. Ten of them relate to bridges in the State of Louisiana and three of them to interstate bridges over the Sabine River in Texas. A large amount of money has been voted for the construction of those bridges, and I am very anxious that the bills should be passed. I ask unanimous consent that they may be considered at this time.

Mr. McNARY. May I ask the Senator if the bills have been favorably reported by the Senate Committee on Commerce?

Mr. BROUSSARD. They have been reported and are on the calendar. I ask unanimous consent that they may be considered at this time.

The PRESIDING OFFICER. Is there objection to the consideration of the bridge bills on the calendar en bloc?

There being no objection, the following Senate bills, which had been reported without amendment, were considered, ordered to be engrossed for a third reading, read the third time, and passed:

A bill (S. 4803) granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Red River at or near Shreveport, La.

A bill (S. 4804) granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Atchafalaya River at or near Krotz Springs, La.

A bill (S. 4806) granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Red River at or near Alexandria, La.

A bill (S. 4809) granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Ouachita River at or near Sterlington, La.

A bill (S. 5457) authorizing the State of Louisiana and the State of Texas to construct, maintain, and operate a free highway bridge across the Sabine River where Louisiana Highway No. 6 meets Texas Highway No. 21.

A bill (S. 5458) authorizing the State of Louisiana and the State of Texas to construct, maintain, and operate a free highway bridge across the Sabine River where Louisiana Highway No. 7 meets Texas Highway No. 7.

The following House bill, which had been reported without amendment, was considered, ordered to a third reading, read the third time, and passed:

A bill (H. R. 13130) granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Bogue Chitto River between Sun and Bush, St. Tammany Parish, La.

OUACHITA RIVER BRIDGES, LOUISIANA

The Senate proceeded to consider the bill (S. 4810) granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Ouachita River at or near Monroe, La., which had been reported from the Committee on Commerce with amendments.

The amendments were, on page 1, line 3, after the word "the" where it occurs the first time, to strike out "consent of Congress is hereby granted to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge and approaches thereto" and insert "times for commencing and completing the construction of a bridge authorized by act of Congress approved January 26, 1925, as amended by act approved February 6, 1928, to be built by the State Highway Commission of Louisiana, across the"; on page 2, line 1, after the name "Ouachita River," to strike out "at a point suitable to the interests of navigation," and in line 2, after the name "Louisiana," to strike out "in accordance with the provisions of an act entitled 'An act to regulate the construction of bridges over navigable waters,' approved March 23, 1906" and insert "are hereby further extended one and three years, respectively, from February 6, 1931," so as to make the bill read:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge authorized by act of Congress approved January 26, 1925, as amended by act approved February 6, 1928, to be built by the State Highway Commission of Louisiana, across the Ouachita River, at or near Monroe, Ouachita Parish, La., are hereby further extended one and three years, respectively, from February 6, 1931.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to extend the time for construction of a free highway bridge across the Ouachita River at or near Monroe, La."

The Senate proceeded to consider the bill (S. 4811) granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Ouachita River at or near Harrisonburg, La., which had been reported from the Committee on Commerce with amendments.

The amendments were, on page 1, line 3, after the word "the" where it occurs the first time, to strike out "consent of Congress is hereby granted to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge and approaches thereto" and insert "times for commencing and completing the construction of a bridge authorized by act of Congress approved March 10, 1926, as amended by act approved March 10, 1928, to be built by the State Highway Commission of Louisiana"; on page 2, line 2, after the name "Ouachita River," to strike out "at a point suitable to the interests of navigation," and in line 4, after the name "Louisiana," to strike out "in accordance with the provisions of an act entitled 'An act to regulate the construction of bridges over navigable waters,' approved March 23, 1906" and insert "are hereby further extended

one and three years, respectively, from March 10, 1931," so as to make the bill read:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge authorized by act of Congress approved March 10, 1926, as amended by act approved March 10, 1928, to be built by the State Highway Commission of Louisiana, across the Ouachita River at or near Harrisonburg, Catahoula Parish, La., are hereby further extended one and three years, respectively, from March 10, 1931.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to extend the time for construction of a free highway bridge across the Ouachita River at or near Harrisonburg, La."

BLACK RIVER BRIDGE, LA.

The Senate proceeded to consider the bill (S. 4812) granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Black River at or near Jonesville, La., which had been reported from the Committee on Commerce with amendments.

The amendments were, on page 1, line 3, after the word "the" where it occurs the first time, to strike out "consent of Congress is hereby granted to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge and approaches thereto across" and insert "times for commencing and completing the construction of a bridge authorized by act of Congress approved March 10, 1926, as amended by act approved February 6, 1928, to be built by the State Highway Commission of Louisiana, across"; on page 2, line 1, after the name "Black River," to strike out "at a point suitable to the interests of navigation," and in line 3, after the name "Louisiana," to strike out "in accordance with the provisions of an act entitled 'An act to regulate the construction of bridges over navigable waters,' approved March 23, 1906" and insert "are hereby further extended one and three years, respectively, from February 6, 1931," so as to make the bill read:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge authorized by act of Congress approved March 10, 1926, as amended by act approved February 6, 1928, to be built by the State Highway Commission of Louisiana, across the Black River, at or near Jonesville, Catahoula, and Concordia Parishes, La., are hereby further extended one and three years, respectively, from February 6, 1931.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to extend the time for construction of a free highway bridge across the Black River at or near Jonesville, La."

ATCHAFALAYA RIVER BRIDGE, LA.

The Senate proceeded to consider the bill (S. 4803) granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Atchafalaya River at or near Morgan City, La., which had been reported from the Committee on Commerce with amendments.

The amendments were, on page 1, line 3, after the word "the" where it occurs the first time, to strike out "consent of Congress is hereby granted to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge and approaches thereto" and insert "times for commencing and completing the construction of a bridge authorized by act of Congress approved March 10, 1928, to be built by the Louisiana Highway Commission"; in line 9, after the name "Atchafalaya River," to strike out "at a point suitable to the interests of navigation"; and on page 2, line 2, after the name "Louisiana," to strike out "in accordance with the provisions of an act entitled 'An act to regulate the construction of bridges over navigable waters,' approved March 23, 1906" and insert "are hereby extended one and three years, respectively, from the date of approval hereof," so as to make the bill read:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge authorized by act of Congress approved March 10, 1928, to be built by the Louisiana Highway Commission across the Atchafalaya River at or near Morgan City, St. Mary Parish, La., are hereby extended one and three years, respectively, from the date of approval hereof.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to extend the time for constructing a bridge across the Atchafalaya River at or near Morgan City, La."

RED RIVER BRIDGES, LA.

The Senate proceeded to consider the bill (S. 4805) granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Red River at or near Moncla, La., which had been reported from the Committee on Commerce with amendments.

The amendments were, on page 1, line 3, after the word "the" where it occurs the first time, to strike out "consent of Congress is hereby granted to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge and approaches thereto" and insert "times for commencing and completing the construction of a bridge authorized by act of Congress approved March 10, 1928, to be built by the Louisiana Highway Commission of the State of Louisiana"; on page 2, line 1, after the name "Red River," to strike out "at a point suitable to the interests of navigation"; and in line 3, after the name "Louisiana," to strike out "in accordance with the provisions of an act entitled 'An act to regulate the construction of bridges over navigable waters,' approved March 23, 1906" and insert "are hereby extended one and three years, respectively, from March 10, 1931," so as to make the bill read:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge authorized by act of Congress approved March 10, 1928, to be built by the Louisiana Highway Commission of the State of Louisiana across the Red River at or near Moncla, Avoyelles Parish, La., are hereby extended one and three years, respectively, from March 10, 1931.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to extend the time for construction of a free highway bridge across the Red River at or near Moncla, La."

The Senate proceeded to consider the bill (S. 4807) granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Red River at or near Coushatta, La., which had been reported from the Committee on Commerce with amendments.

The amendments were, on page 1, line 3, after the word "the" where it occurs the first time, to strike out "consent of Congress is hereby granted to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge and approaches thereto across" and insert "times for commencing and completing the construction of a bridge authorized by act of Congress approved February 3, 1928, as amended by act approved February 13, 1929, to be built by the State Highway Commission of Louisiana, across"; on page 2, line 1, after the name "Red River," to strike out "at a point suitable to the interests of navigation," and in line 3, after the name "Louisiana," to strike out "in accordance with the provisions of an act entitled 'An act to regulate the construction of bridges over navigable waters,' approved March 23, 1906" and insert "are hereby

further extended one and three years, respectively, from February 13, 1931," so as to make the bill read:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge authorized by act of Congress approved February 3, 1928, as amended by act approved February 13, 1929, to be built by the State Highway Commission of Louisiana, across the Red River at or near Coushatta, Red River Parish, La., are hereby further extended one and three years, respectively, from February 13, 1931.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to extend the time for construction of a free highway bridge across the Red River at or near Coushatta, La."

SABINE RIVER BRIDGE, LA.

The Senate proceeded to consider the bill (S. 5456) to extend the time for construction of a free highway bridge across the Sabine River where Louisiana Highway No. 21 meets Texas Highway No. 45, which had been reported from the Committee on Commerce with amendments.

The amendments were, on page 2, line 1, after the word "from," to strike out "January 29, 1931" and insert "the date of approval hereof," and on the same page, after line 2, to insert a new section, as follows:

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

So as to make the bill read:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge authorized by act of Congress approved January 29, 1929, to be built by the State of Louisiana and the State of Texas across the Sabine River where Louisiana Highway No. 21 meets Texas Highway No. 45, are hereby extended one and three years, respectively, from the date of approval hereof.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RECESS

Mr. McNARY. As in executive session, I move that the Senate take a recess until 12 o'clock noon to-morrow.

The motion was agreed to; and (at 5 o'clock and 21 minutes p. m.) the Senate, in executive session, took a recess until to-morrow, Wednesday, January 7, 1931, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 6 (legislative day of January 5), 1931

ASSISTANT ATTORNEY GENERAL

Nugent Dodds, of Michigan, to be Assistant Attorney General, to succeed Oscar R. Luhring, resigned.

UNITED STATES ATTORNEY

Simon E. Sobeloff, of Maryland, to be United States attorney, district of Maryland, to succeed Amos W. W. Woodcock, resigned.

PUBLIC HEALTH SERVICE

Senior Surg. Eugene H. Mullan to be a medical director in the Public Health Service, to rank as such from February 2, 1931.

The following-named doctors to be assistant dental surgeons in the grade of assistant surgeon in the Public Health Service, to take effect from date of oath:

Fritz R. Jackson.
David Cooper.
Gordon G. Braendle.
Julien G. Manser.
Joseph H. Gazin.

HOUSE OF REPRESENTATIVES

TUESDAY, JANUARY 6, 1931

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Heavenly Father, Thou art still unfolding for us the same wonderful providence as when the patriarchs trod the sands ages ago. In the presence of Thy perpetual bounties, rebuke us in love for our failures. Thy mercy is as a fruitful, fragrant vine climbing over the rough edges and places at our roadside. O Thou art the unchangeable, everlasting God who fainteth not, neither is weary. We praise Thee, who art infinite in excellence, transcendent in power, and God over all. Rise, O Sun of Righteousness, with healing in Thy beams and bring us to our best intelligence and our best natures. Hasten us on between the posts of duty. Through Christ our blessed Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed, with amendments, in which the concurrence of the House is requested, a joint resolution of the House of the following title:

H. J. Res. 447. Joint resolution making an appropriation to carry out the provisions of the public resolution entitled "Joint resolution for the relief of farmers in the drought and/or storm stricken areas of the United States," approved December 20, 1930.

ORDER OF BUSINESS

Mr. TILSON. Mr. Speaker, I wish to propound a unanimous-consent request. To-morrow is Calendar Wednesday. As a rule, I should not be willing to have anyone address the House on Calendar Wednesday; but on to-morrow will be held the funeral of Marshal Joffre, and I think it would be most appropriate that exercises suitable for the occasion be held in this Chamber. There is nothing more suitable that I can think of than to have a Member address the House on the life of Marshal Joffre. I therefore ask that after the reading of the Journal to-morrow the gentleman from Pennsylvania, Mr. BECK, be allowed to address the House for 40 minutes on the life of Marshal Joffre.

The SPEAKER. The gentleman from Connecticut asks unanimous consent that to-morrow, after the reading of the Journal, the gentleman from Pennsylvania, Mr. BECK, may address the House for 40 minutes on the life of Marshal Joffre. Is there objection?

There was no objection.

THE FEDERAL FARM BOARD

Mr. McCLINTIC of Oklahoma. Mr. Speaker, I ask unanimous consent to address the House for six minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. McCLINTIC of Oklahoma. Mr. Speaker, I ask unanimous consent to extend my remarks by inserting a letter written by Senator THOMAS of Oklahoma.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. McCLINTIC of Oklahoma. Mr. Speaker, one of the most amazing statements ever given out to the press was the one by Hon. John Simpson, of Oklahoma City, president of the Farmers' Union of the United States. This statement was based on information given to him in a letter dated November 26, 1930, written by Senator ELMER THOMAS, who is at present a Senator from the State of Oklahoma. The contents of this letter revert to a statement made by Chairman Legge, of the Federal Farm Board, before the Senate Agricultural Committee, and Mr. Simpson charged that Chairman Legge made the statement, first, that the sum of $25,000,000 had been lost by dealing in wheat; second, that the sum of $40,000,000 had been lost in cotton; that the

board had paid $250,000 as brokers' fees covering contracts executed on the various boards of trade, and further stated that the board could have caused the price of wheat to advance to $1 per bushel if it were desirable. There was also given to this committee, according to the statement made by Mr. Simpson, that on Saturday, November 22, the board sold 3,500,000 bushels of wheat on the Chicago exchange for the reason they did not desire to see the price of wheat go up. In addition, according to a statement made in Senator THOMAS's letter, Chairman Legge stated that the board did not desire at that time to see the price of cotton advance. When it is taken into consideration that the production of cotton and wheat are the chief agricultural assets of the United States, it is beyond my conception to see how any public servant charged with the responsibility of aiding our farmers could favor such a policy. Everyone knows that such industries as the coffee growers of Brazil, the diamond industry of Africa, and the fruit growers' exchange of the United States have successfully taken care of marketing conditions by regulating the supply of a commodity and causing the same to be fed to the market in such a way as to maintain a fair price. Therefore, if the statement charged to Chairman Legge were made to the Senate committee and the information I am now giving is an accurate account of what has taken place with respect to the Federal Farm Board dealing in futures, it must be construed that those charged with this responsibility have practiced sabotage on the American farmer and instead of rendering him assistance have deliberately participated in his downfall.

More than 25 per cent of all the money authorized to be expended by the Farm Board has been lost by dealing in futures and trying to manipulate prices up and down, if the statement contained in Senator THOMAS's letter is correct. These funds belong to the taxpayers. Every Member of Congress is charged with a certain amount of responsibility; and as I view it, it is my duty to aid in bringing about a proper investigation, having in mind if the members of the Farm Board have deliberately wasted public funds and brought about a chaotic condition in prices that relate to farm products then they should be immediately discharged and some one appointed who has the proper viewpoint and is willing to proceed in a sane manner to carry out the wishes of the majority of the Members of Congress. Therefore, I sincerely hope that the party in power will proceed in making an investigation, and if they do not, there is one thing sure, the subject will not be overlooked at a later date, when it is possible to have the kind of machinery necessary to go into every detail of what seems to be a policy that instead of helping the farmer has practically destroyed him.

Mr. Legge has charged Mr. Simpson as being an unmitigated liar, thereby reflecting upon the integrity of Senator THOMAS, who furnished him this information. In order that there may be no misunderstanding as to the information contained in the Senator's letter, I think it is pertinent to have the same brought to the attention of the House. I also wish to say that Senator THOMAS needs no defense from my hands when it comes to truth and veracity, as his reputation along this line is well known to all of the people of Oklahoma, he having performed the longest service of any legislator in our State.

Mr. Speaker, I ask unanimous consent that Senator THOMAS's letter, which contains this information, be read by the Clerk for the information of the House.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent that the letter referred to be read by the Clerk. Is there objection?

Mr. RAMSEYER. Mr. Speaker, reserving the right to object, I want to ask the gentleman whose letter he is asking to have read?

Mr. McCLINTIC of Oklahoma. The letter written by Senator THOMAS of Oklahoma, a Member of the United States Senate, that contains the information on which this controversy is based.

Mr. RAMSEYER. Did the gentleman also ask consent to have printed in the RECORD Mr. Simpson's letter denouncing the Farm Board and Mr. Legge?

Mr. McCLINTIC of Oklahoma. I do not have Mr. Simpson's letter. All I have is the statement which he gave to the press, but if the gentleman so desires I will be pleased to have it read.

Mr. RAMSEYER. I am not asking the gentleman to incorporate in the RECORD the letter written by Mr. Simpson, because that letter has been published in the newspapers. Did the gentleman in this morning's mail receive a copy of the letter written by Mr. Legge addressed to Mr. Simpson, in which he answers the charges made by Mr. Simpson and brands them as false?

Mr. McCLINTIC of Oklahoma. I will say to the gentleman that if he has such a letter I will be pleased to have it put in the RECORD. The only object I have in bringing this subject to the attention of the House is because such grave charges have been made, charges that relate to the great industry known as agriculture, and this House is entitled to the information.

The SPEAKER. The time of the gentleman from Oklahoma has expired.

Mr. RAMSEYER. Mr. Speaker, I ask unanimous consent that the gentleman from Oklahoma be permitted to proceed for five more minutes.

The SPEAKER. Without objection, it is so ordered.

Mr. RAMSEYER. I have not a copy of Mr. Legge's letter here, and I do not know whether any Member happens to have it in his pocket or not.

Mr. SABATH. It was delivered in the mail this morning.

Mr. RAMSEYER. Yes. Will the gentleman from Oklahoma consent, following the letter which is to be read, to having the letter of Mr. Legge also read?

Mr. McCLINTIC of Oklahoma. Certainly.

Mr. RAMSEYER. Will the gentleman incorporate that in his unanimous-consent request?

Mr. McCLINTIC of Oklahoma. Mr. Speaker, I want to say to the House that I have no desire to make any charges that are not accurate.

Mr. HASTINGS. I think in all fairness the Simpson letter should be read or incorporated in the RECORD, so that they all may be considered together.

Mr. RAMSEYER. If the Simpson letter is going in, and I have no objection to that, I want Mr. Legge's letter read into the RECORD following both the Thomas letter and the Simpson letter.

Mr. McCLINTIC of Oklahoma. I feel that this matter is of such grave importance that this House should have the facts, and, if necessary, a proper investigation should be made. Therefore I now ask that the two letters brought to the attention of the House be read by the Clerk.

Mr. JONES of Texas. If the gentleman will yield, in order that the entire controversy may be brought to light, why not have Mr. Simpson's statement also read?

Mr. McCLINTIC of Oklahoma. At the present time I do not have the same.

Mr. HASTINGS. I suggest that my colleague ask permission to have that printed in the RECORD so it will follow the other matter.

Mr. McCLINTIC of Oklahoma. I will incorporate that in my request.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent, following the reading of the letter of Senator THOMAS, that the letter of Mr. Legge may be read to the House and that he may insert in the RECORD the statement of Mr. Simpson. Is there objection?

Mr. RAMSEYER. Mr. Speaker, the letter of Mr. Simpson having been written before the letter of Mr. Legge, it seems to me it should be printed in the RECORD before the letter of Mr. Legge is printed. The letter of Mr. Legge should be the last statement to appear.

Mr. McCLINTIC of Oklahoma. Yes.

Mr. JONES of Texas. That is all right.

Mr. BANKHEAD. Mr. Speaker, reserving the right to object, and, of course, I shall not object, would not the gentleman from Oklahoma be content if all these matters were printed in the RECORD without taking the time of the House to read them now?

Mr. McCLINTIC of Oklahoma. I think the letter coming from a former Member of this body, who is now serving in the Senate, should be read, because it gives the basis for the charge, and it will also give the House an opportunity to know whether or not there are any others who were present when this testimony was given.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read as follows:

NOVEMBER 26, 1930.

Hon. JOHN A. SIMPSON,
President the National Farmers' Union,
18 North Klein, Oklahoma City, Okla.

DEAR JOHN: I thank you sincerely for your message authorizing me to act as your representative in connection with the conference just held between the Farm Board and the Senate Committee on Agriculture. The hearing disclosed some rather startling facts. After the hearing had progressed for a day and a half I got a rather definite impression of the attitude of the Federal Farm Board. While the members of the Farm Board answered our questions, yet it was apparent that the board did not desire to make public, and even did not desire to advise freely the Senate committee, of some of the activities in which the board had been engaged.

After two days' effort we finally secured admissions from the board that it had bought and sold grain and cotton on the exchanges and had used a very large sum of public moneys for that purpose. As a result of our questioning and the answers derived I prepared an analysis of the wheat situation and submitted same to the conference, and after having same considered Mr. Legge admitted that the board now has a practical control or monopoly of the American wheat situation, and that the board could, at its will, place the price of wheat at any figure which it desired. In order that you might know what brought this admission from the board, I am submitting herewith an analysis of the wheat situation based upon admissions made by the board, and, of course, with such admissions only one conclusion is possible.

Mr. Legge further testified that on last Saturday, November 22, after the board had entered the buying side of the wheat market, wheat started for a rise, and the board, not desiring to see wheat go up at this time, stepped in the market and sold 3,500,000 bushels on the Chicago exchange, which caused a break in the market and checked the rise for the time being. The board told our committee that they did not desire to see wheat advance in price at this time; and, on the other hand, wanted to keep it low so that it could be within the reach of the buying public during these depressed times; and also that they desired to see wheat kept so low as to make it economically possible to be fed to hogs and livestock instead of corn. By this admission it is apparent that the board is using the distress of the wheat farmers to help the hog and stock growers, and also to help the millers and bakers, and in addition to injuring the wheat growers the board is placing wheat in competition with corn as a feed for livestock.

The only reason given by the board for not desiring wheat to increase in price at this time is the fact that the board has on hand and under contract some 100,000,000 bushels, and that if wheat is permitted to advance in price the owners of wheat will begin to make deliveries and flood and even bury Chicago in a mountain of wheat by tendering same at that point under existing contracts to the Federal Farm Board. The board says that it does not have storage facilities to take care of the wheat and, for that reason, is opposed to any policy which would have the influence of bringing about deliveries of actual wheat. To me this was an amazing admission, and I am of the opinion that if the wheat farmers could know of the inside workings of the board the protest against its policies would become more pronounced.

Instead of the Farm Board buying wheat from the actual farmers, it is buying the wheat on the grain exchange and taking deliveries under future contracts. It costs approximately one-fourth cent per bushel to handle wheat on the exchanges, so that the board has already expended some $250,000 of public funds in the purchase of future contracts on the Chicago exchange. The board admitted to our committee that on the cotton already owned and in control of the board it stands a loss to date of some $40,000,000, and that on the wheat under contract it stands a loss of $25,000,000, making a total loss of $65,000,000. With this gigantic loss in wheat the board does not seem to be interested in having wheat go up so that this loss, or at least a portion of it, can be regained.

Mr. Legge admitted that it would be an easy matter to force the price of wheat to at least $1 per bushel and that same could be done practically any time the board so desired. If the price of wheat should be raised to $1 per bushel the Farm Board could thereby wipe out its loss in all the wheat it owns, because much of this wheat has been purchased at from 69 cents up.

The committee has not had a chance to consider and analyze the evidence given us, and I am giving you, in a brief way, my reaction to the evidence submitted, and as soon as we have a chance to give the matter more attention I will advise you more fully. Unless the Farm Board changes its attitude and represents the farmers directly, and not other interests, I am sure it is only a question of a very short time until the law will be repealed and, of course, the board discharged.

Another amazing admission was made that the board does not desire, at this time, to see the prices of cotton advance; and, on the other hand, Mr. Legge stated that cotton now was about low enough for the textile mills to commence purchasing same, indicating that he was using the distress among the cotton farmers to help the textile interests.

In the conference something was said about the control of the production of wheat. The Farm Board, and especially Secretary Hyde, has tried to make the country believe that the depression in wheat has been brought about by the short selling by the Russian Government; however, as you know, the traders in the wheat pit are not advised when an order comes in for the sale of any given quantity of wheat, just who or what interest is offering wheat for sale, and, so far as the market is concerned, there is no difference between short selling by the Russian Government and a sale of actual wheat on hand made by the United States Government. When I began to question Secretary Hyde about the difference on the price of wheat, he was forced to admit that, so far as the market price was concerned, a sale of wheat on the exchange has the same effect on the market whether made by an individual, firm, or the Russian or American Governments. The evidence further disclosed that the total sales made by the Russian Government totaled approximately 7,500,000 bushels and were made over a period of several weeks, yet the board admits that it has bought and sold more than 100,000,000 bushels of wheat on the exchanges.

Mr. Legge laid the cause of the wheat distress very largely at the door of the western Kansas farmers. He said that, despite the appeals made by the Government to the western Kansas farmers to curtail their production of wheat, these farmers have annually increased their acreage, thus Russia and Kansas are to-day blamed by the Farm Board for the overproduction and the depressed price of American wheat. However, Mr. Legge complimented Oklahoma farmers by stating that we had responded to his appeal for a curtailment of wheat acreage.

I hope you may find it convenient to come up this way some time soon, where we will all be glad to see you. I extend sincere congratulations and wish for your administration every possible success.

Sincerely your friend,

ELMER THOMAS.

Mr. RAMSEYER. Mr. Speaker, is the gentleman from Oklahoma going to have Mr. Simpson's letter read now?

Mr. McCLINTIC of Oklahoma. I regret exceedingly that I do not have the letter of Mr. Simpson. I have not seen it, but if I can obtain it, I will be pleased to put it in the RECORD.

Mr. RAMSEYER. Just as a word of explanation, this letter from Mr. Legge is in answer to a letter written by Mr. Simpson to Mr. Legge. So far as I know, the letter which has just been read, which was a confidential letter from Senator THOMAS to Mr. Simpson, has never before been made public.

Mr. McCLINTIC of Oklahoma. No.

Mr. RAMSEYER. The letter that is now about to be read by the Clerk is in answer to a letter written by Mr. Simpson.

Mr. McCLINTIC of Oklahoma. But the gentleman will bear this thought in mind. Mr. Simpson telegraphed Senator THOMAS to represent him at a meeting of this board to which he had evidently been invited.

Mr. RAMSEYER. An executive meeting of the Senate Committee on Agriculture.

Mr. McCLINTIC of Oklahoma. Consequently, Senator THOMAS did that which any of us would have done, made a report to Mr. Simpson of what took place.

Mr. RAMSEYER. I am not questioning that. I simply want the House to know that this letter from Mr. Legge is in answer to a letter written by Mr. Simpson and not an answer to the letter written by Senator THOMAS which has just been read; and I understand that if the gentleman can do so, he will get the letter of Mr. Simpson and have it inserted in the RECORD just before the letter of Mr. Legge.

Mr. BURTNESS. Will the gentleman from Iowa yield for a question to be put to the gentleman from Oklahoma [Mr. McCLINTIC]?

Mr. RAMSEYER. I have submitted a request, but I do not know whether I have the floor to yield time to other gentlemen.

The SPEAKER. The time of the gentleman from Oklahoma [Mr. McCLINTIC] has expired.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that the gentleman may have two additional minutes.

The SPEAKER. Consent has been given for the reading of certain letters, not to an extension of time. The gentleman from Iowa is suggesting, and the gentleman from Okla-



homa is agreeing, that in his printed remarks he will insert at this point a letter from Mr. Simpson to be followed by the reading of the letter from Mr. Legge. Is there objection?

There was no objection.

Mr. BLANTON. Mr. Speaker, I ask that the gentleman from Oklahoma may have two minutes more.

The SPEAKER. The Chair thinks the letter should be read first, and then the gentleman can submit the request if he desires. The Clerk will proceed.

The letter from John A. Simpson to Alexander Legge is as follows:

OKLAHOMA CITY, OKLA., *December 24, 1930.*

Mr. ALEXANDER LEGGE,
Chairman Federal Farm Board, Washington, D. C.

SIR: In a rather long and wide experience with life and men I have found that he who shouts "liar" when an accusation is leveled at him usually has little but the power of his voice with which to clear himself. Were I so inclined, I feel sure that I could win over you in any name-calling contest. You, sir, may have acquired some slight experience in shouting and bellowing at underlings while you were head of the Harvester Trust, but I have driven mules and called hogs to the feed trough. These two farm occupations, I submit, would certainly qualify me to carry on a discussion with you, were I to permit you to outline the conditions on which the discussion would proceed.

But, sir, I refuse to permit you to drag any discussion of the issues between us down to the gutter or parley further with you if you insist that any argument with you must be on the level of a barroom brawl. I made certain charges which involved you as an official. I want you to get that point. You as a person are of the utmost insignificance to me. I lack the time, the taste, and the inclination to meet you socially. Whatever importance you may possess is as an official. In my official capacity as national president of the Farmers' Union I found it necessary to descend to criticizing your official attitude on certain matters. Your attempt to strut like a 2-cent Mussolini when you replied to my charges fails to intimidate me.

I made certain charges against you in your official capacity; these charges I stand ready to prove before any responsible investigating body or group.

Therefore, sir, I challenge you, if you feel innocent of the charges, to join with me in urging passage by the Senate of the Walsh resolution calling for an investigation of the marketing activities of the Farm Board. Shouting "liar" does not clear you of those charges; a Senate investigation might, though I am convinced it would not. Are you willing to urge such an investigation, or will you attempt to cover up with barks, bellows, and shouts?

The charges that I made against you were two. First, I charged that you testified at a recent Agriculture Committee hearing that the Farm Board, through its marketing agencies, had bought and sold on the wheat exchange to the extent of 100,000,000 bushels of wheat, and that on November 22 your set-ups sold on the Chicago exchange three and one-half million bushels of wheat for the purpose of breaking the price. You testified that the Farm Board and its set-ups also bought and sold on the cotton exchange; you further testified before this committee that you wanted wheat to be kept low so that it could be fed to hogs instead of corn; you further testified that you did not want to see cotton advance in price; that the textile mills needed cotton at just about the price that it is now.

Second, I charged that the Farm Board marketing agencies were using Federal money to force farm organizations to subscribe to and approve of Farm Board policies.

These things, sir, I stand ready to prove to any responsible investigating body, as I have pointed out before.

I close, assuring you, sir, that your rather feeble attempt at name calling leaves me a free moral agent and unafraid.

JOHN A. SIMPSON,
National President Farmers' Union.

The Clerk read as follows:

FEDERAL FARM BOARD,
Washington, D. C.

The Federal Farm Board to-day (January 2, 1931) made public the following letter written by Mr. Alexander Legge, chairman, in response to a communication from Mr. John A. Simpson, president Farmers' Education and Cooperative Union, Oklahoma City, Okla.:

DECEMBER 31, 1930.

Mr. JOHN A. SIMPSON,
Farmers' Educational and Cooperative Union,
Oklahoma City, Okla.

DEAR MR. SIMPSON: I am in receipt of your letter of December 24 and can see no good resulting to the farmers from a further exchange of personalities between us. It would be highly improper for me to enter into any discussion of what was said in an executive session of a Senate committee, but I do want to repeat most emphatically that the statements you have been using as having been made by me at this hearing are absolutely untrue.

Entirely aside from anything which happened at this meeting, isn't it rather absurd to accuse us of trying to depress the price of wheat at a time when the domestic markets are 25 to 35 cents a bushel, depending on where the wheat might be located, above what it would bring if exported to-day, the Liverpool price averaging at present approximately 20 cents a bushel under the Chicago figure for the same grade of wheat? Don't you realize that in taking this position you are aligning yourself with the interests which are so bitterly opposing all efforts to aid agriculture in an effective way?

So far as I know no resolution has been introduced in Congress asking for an investigation of the Farm Board, but have been informed that the private traders in grain and cotton have been trying to have such a resolution introduced. Do you wish to place yourself in the position of supporting their activities? So far as the board is concerned we have nothing to conceal and have always tried to furnish to the various committees of Congress such information as they have asked for. Should they wish to make a special investigation they will receive the fullest cooperation from us.

Of course, we would be sorry to see the administration of the agricultural marketing act drawn into partisan politics. This act was passed by the friends of agriculture without regard to party lines. The board has taken no part in political activities of any kind. The job assigned us is to assist the farmer in building and operating his own marketing system so that he will get the full market value for his products and to aid him in other ways to place the industry of agriculture on a permanently sound financial basis. Our work is being done the way we believe to be in the best interests of the producer and we are going to continue straight ahead. If you doubt that real progress is being made, we invite you to call upon the farm organizations that are participating in the program laid down by Congress.

Yours truly,

ALEX LEGGE,
Chairman Federal Farm Board.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that the gentleman's time be extended for two minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. BLANTON. Will the gentleman from Oklahoma yield?

Mr. McCLINTIC of Oklahoma. I yield.

Mr. BLANTON. I want to ask the gentleman if it is not a fact, regardless of the denial made by Mr. Legge, that what the wheat farmers of Kansas and the West are most concerned in is whether the statements in Senator THOMAS's letter to Mr. Simpson are true, and if true they do not care anything about Mr. Legge's denial?

Mr. McCLINTIC of Oklahoma. I want to say that in every mail I receive letters deploring the attitude and action of the Federal Farm Board, and requesting that everything possible be done to protect the taxpayers' money so that it will not be wasted and lost in the manner such as I have brought to the attention of the House. The following letter is pertinent to this subject:

MANGUM, OKLA., *January 1, 1931.*

Hon. JIM V. McCLINTIC,
The People's Congressman, Washington, D. C.

DEAR MR. JIM: Please pardon me for taking this your very valuable time, but feel it my duty to discuss with your honor the deplorable condition of the cotton trade and the country generally, as all lines are upset and afraid to make a move, as in former times, owing to fear of actions of the Farm Board, who seemingly has the power and authority to crush all who follow his usual line of procedure.

I could name innumerable former well-to-do farmers in this great Southwest who have stubbornly upheld the associations until they are practically broke, but, as you well know, we humans are prone to admit defeat, and rather than admit the fallacy of such an undertaking they are not saying much, but would welcome a congressional investigation of the activities of the Farm Board, and you will have to admit that no one except a few slick-tongued politicians have benefited by such by furnishing nice, fat positions (not jobs) to them and their friends, and we the taxpayers are getting our fill of such business.

I feel certain that if you understood this situation as the average business man does that you would be the first man in Washington to take some action toward stopping this unreasonable expenditure of our Government's money where a mere handful only is being benefited, so please get started in this investigation and show us just what has happened and where the country at large is being benefited.

I have kept a close tab on the Oklahoma association, and they have made the membership good money one year—slight amount one year and lost the other eight years of their existence—and when we have a bad egg, do we try and nurse it back to soundness? No, sir. And the sooner we learn that supply and demand will never be supplanted by legislation the better for the country generally.

If necessary, can circulate a petition here getting 75 per cent of our business men indorse these sentiments.

Very truly yours,

C. E. DANIELS.

Mr. BURTNESS. Will the gentleman yield?

Mr. McCLINTIC of Oklahoma. I yield.

Mr. BURTNESS. Does the gentleman himself believe that the Federal Farm Board has proceeded with a view to lowering the price of wheat paid to the producer?

Mr. McCLINTIC of Oklahoma. If the testimony is true in the letter of Senator THOMAS, it is admitted that they broke the market purposely.

Mr. BURTNESS. That is not an answer to the question that I put to the gentleman. I asked whether he personally believes that the Federal Farm Board proceeded to break the wheat market and pay the producers of wheat in the United States a lower price than they would have obtained if it had not been for activities of the Farm Board?

Mr. McCLINTIC of Oklahoma. Personally I have never been able to conceive of the correct policy and activity of a government going on the Board of Trade and depressing the market.

Mr. BURTNESS. How does the gentleman account for the fact that wheat in the Minneapolis market to-day is selling for at least 15 cents more than wheat is selling for in the Winnipeg market, wheat of a comparable grade?

Mr. McCLINTIC of Oklahoma. I will answer the gentleman's question in my own way. It seems to me if the board has the facility of increasing the price of wheat and cotton when it knows that agriculture is in the worst condition possible, far worse than it has been for many years, then the board should have proceeded in a manner so as to cause a rise in the price of those commodities.

Mr. BURTNESS. I agree with the gentleman, but he has not answered my question.

Mr. McCLINTIC of Oklahoma. I believe the law of supply and demand has something to do with this situation. I am not posted statistically as to the number of bushels of wheat produced in Canada or the United States, and therefore I can not technically answer the gentleman's question.

Mr. BURTNESS. Does the gentleman believe that the present world price of wheat and cotton is due to the law of supply and demand or the activities of the Federal Farm Board?

Mr. McCLINTIC of Oklahoma. The law of supply and demand has a proper bearing on every activity of agriculture, and if the price is abnormally raised or lowered sooner or later the price will seek its level when the extra pressure has been withdrawn.

Mr. BURTNESS. How much higher than the world price does the gentleman think the Farm Board can keep wheat prices in the United States?

Mr. McCLINTIC of Oklahoma. I do not believe the Farm Board should deal in futures. I took this position in 1923 when I introduced the following bill to prevent just such a situation as now confronts the Nation:

A bill to prohibit speculation in grain and food products

Be it enacted, etc., That any and all sales or purchases of grain, foodstuffs, or other agricultural food products that are not for prompt delivery or are not intended to be actually delivered by the seller or received by the buyer are hereby prohibited and made unlawful: *Provided*, That contracts made for the protection of stocks in the possession of a buyer or seller shall not be affected by this act.

SEC. 2. That any person buying or selling in violation of this act any grain, foodstuffs, or agricultural food products shall, upon conviction thereof, be imprisoned for not less than 1 and not more than 10 years.

SEC. 3. That the word "person" shall mean any person, partnership, association, or corporation, their managers, and officers and agents, who in any way participate in the forbidden acts.

The SPEAKER. The time of the gentleman from Oklahoma has again expired.

Mr. BURTNESS. Mr. Speaker, I ask unanimous consent that I may proceed for five minutes.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota?

Mr. BLANTON. Reserving the right to object, and I shall not object, I hope the gentleman will tell us why if this board can raise the price of wheat to a dollar and save its loss, why it does not do so.

Mr. GARNER. Mr. Speaker, reserving the right to object, I want to make one statement: I do not know who is responsible, but somebody has the responsibility to protect the business of the House. We have been 40 minutes discussing something that could have been discussed in Committee of the Whole House on the state of the Union. I repeat that somebody ought to be responsible for the transaction of business.

Mr. BURTNESS. May I ask the distinguished minority leader who started this controversy?

Mr. GARNER. I am not responsible for the conduct of the business of the House. The gentleman from Oklahoma [Mr. McCLINTIC] asked unanimous consent to proceed with this matter this morning. He told me this morning that he was going to ask unanimous consent. I said to him that I would not object; and I ask the gentleman from Oklahoma if I did not make that statement to him this morning?

Mr. McCLINTIC of Oklahoma. The distinguished minority leader is correct, but I felt this matter was of such grave importance that it should be brought to the attention of the House, and whenever I conclude that my duty lies along a certain path I proceed, regardless of any suggestion which comes from other Members, either from this side or the other side.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. BURTNESS. Mr. Speaker and Members of the House, I do not rise at all for the purpose of defending the Farm Board in all its activities. I do not pretend to hold any brief for the Farm Board. That able, hard-headed, and aggressive Scotchman who heads the board is thoroughly able to defend himself.

I do feel, however, that charges of the sort presented to-day by the gentleman from Oklahoma [Mr. McCLINTIC] ought not to be made on the floor of the House without at least some answer to them, when the indisputed facts, taken as a whole, are such, it seems to me, as to be in themselves an absolute denial of the charges.

I have always entertained some doubt as to the advisability of the board or agencies controlled by it simply buying wheat and storing it up as a surplus, thus holding that wheat in its hands so that it may become a threat tending to depress the market, and it is months ago since I asked the board to make an announcement whenever it bought wheat that it would not again sell that wheat in the domestic market but would export it whenever possible. They did not see fit to follow my suggestion, perhaps for reasons sufficient to themselves. Personally, I feel that failure was a mistake, for if they adopted that attitude I think we would receive the full benefit of the tariff duty.

But when the charge is made in the face of what the board has done, that it has deliberately broken the wheat market, that it is deliberately proceeding in such a way as to give the American wheat farmer a lower price than he would otherwise receive, I think it is time that the charge be denied by anyone interested in fair treatment.

I hope each and every one of the Members of the House will read the testimony given by Mr. Legge in the hearings held by the Committee on Appropriations the other day upon the $150,000,000 appropriation that was made, because in those hearings you will find a good deal of information with reference to the condition of the wheat market in this country, and you can not read that testimony without becoming alarmed and I think without becoming assured that there is no future for the wheat farmer in this country if he is to rely upon the export market. We all know something about the condition of the world market price at the present time, the lowest market for 34 years. Every one of you, if you will study the market quotations since the Farm Board actually went to work something like a year ago last September will be forced to admit that at least twice during that period the Farm Board has stepped in and boosted wheat prices. The first time was when it set a pegged price of $1.25 for wheat

at the Minneapolis terminal something more than a year ago and sustained that price for several months. The other time was the operations commenced a few weeks ago.

But critics tell us in the same breath when criticizing the Farm Board for not increasing the price that it has lost $25,000,000 of money.

Of course, they have lost substantial amounts, and no one knows how great they are going to be, whether they are going to amount to that or not; but this is true, that the loss of $25,000,000, if that is the correct figure, has gone into the pockets of the men who are producing the wheat in this country. And the very fact that comparable wheat is to-day selling for at least 15 cents above the world market shows that it was the activities of the Farm Board, commenced when the debacle occurred in the Liverpool and Winnipeg markets some months ago, that have kept the price at 15 cents or thereabouts higher than the world price, and surely that has been for the benefit of the individuals who have sold wheat since that time. In fact, there can not be any question about it.

Mr. Legge's testimony before the Committee on Appropriations the other day indicated that some 17,000,000 bushels of wheat, or thereabouts, are now being consumed every week in the United States. On a basis of 15 cents a bushel increase, that means about two and a half million dollars extra money paid each week to the wheat producers If you will take the trouble to look at page 4 of these hearings, you will find out how much has been invested by the Farm Board in its various activities. In the grain stabilization itself they have advanced $104,000,000 and in the cotton stabilization more than $36,000,000. These sums are in addition to the loans that have been made to the cooperatives of both products for the purpose of their carrying on their business and for facility loans.

Mr. McCLINTIC of Oklahoma. Mr. Speaker, will the gentleman yield?

Mr. BURTNESS. Yes.

Mr. McCLINTIC of Oklahoma. What is the gentleman's opinion of a policy that will cause $40,000,000 to be lost on cotton in addition to the $25,000,000 lost on wheat?

Mr. BURTNESS. I realize that the Farm Board can not possibly increase the price to the American producer above the world price to any material extent, for any appreciable length of time, without taking a loss, and that is due to the fact that Congress and the country refused to approve the so-called equalization fee when the farmers of the country were willing to accept the loss themselves. [Applause.] The loss, therefore, must come from the Treasury under the present marketing act. The board can not increase prices without a loss to the Treasury.

The SPEAKER. The time of the gentleman from North Dakota has expired.

Mr. BURTNESS. Under leave to extend my remarks I attach hereto the table referred to, and which I commend to the study of all persons interested in the work of the Farm Board:

Statement by commodities showing amounts of commitments approved, commitments canceled, net commitments, advances, repayments, balances outstanding, and balance of commitments available for advances, in connection with all loans made by the Federal Farm Board under provisions of the agricultural marketing act as shown by the records of the treasurer's office, Federal Farm Board, as of November 30, 1930 (effective date)

Commodity	Total amount of commitments approved	Amount of commitments canceled	Net commitments	Amount advanced	Repayments	Amount outstanding	Balance of commitments available for advances
Beans	$564,438.41	$113,000.00	$451,438.41	$284,323.64	$57,760.34	$228,563.30	$167,114.77
Cotton	136,078,037.99	20,652,657.42	115,425,380.57	99,098,144.48	43,852,277.25	55,265,867.23	16,327,236.09
Dairy products	16,280,000.00	1,563,130.25	14,716,869.75	7,937,048.75	2,924,121.27	5,012,927.48	6,770,821.00
Fruits and vegetables:							
Citrus fruits	3,800,000.00	500,000.00	3,300,000.00	2,658,184.00	417,110.87	2,241,073.13	641,816.00
Grapes and raisins	21,236,200.00	1,631,875.00	19,604,325.00	17,330,701.53	3,241,029.54	14,089,671.99	2,273,623.47
Other deciduous fruits	2,454,500.00	125,322.64	2,329,177.36	1,150,534.20	84,777.70	1,065,756.50	1,178,643.16
Miscellaneous fruits and vegetables	806,000.00		806,000.00	69,550.00		69,550.00	736,450.00
Grain	57,141,902.60	10,175,367.66	46,966,534.94	39,089,582.59	14,032,324.30	25,057,258.29	7,876,952.35
Honey	135,000.00		135,000.00	45,839.00	6,008.58	39,830.42	89,161.00
Livestock	17,450,000.00	9,320,295.74	8,129,704.26	3,679,704.26	1,227,832.34	2,451,871.92	4,450,000.00
Nuts	233,000.00		233,000.00	165,517.48		165,517.48	67,482.52
Potatoes	205,000.00	9,000.00	196,000.00	196,000.00	46,000.00	150,000.00	
Poultry and eggs	430,000.00	15,000.00	415,000.00	235,000.00		235,000.00	180,000.00
Rice	1,784,000.00	463,000.00	1,321,000.00	833,455.24	147,558.58	685,896.66	487,544.76
Seeds	101,800.00	22,874.24	78,925.76	41,741.62	6,741.62	35,000.00	37,184.14
Tobacco	3,250,000.00	1,304,731.90	1,945,268.10	1,423,438.73	505,178.74	918,259.99	521,829.37
Wool and mohair	12,303,639.00	14,826.00	12,288,863.00	11,792,044.10	2,113,855.87	9,678,188.23	496,818.90
Total	274,253,568.00	45,911,080.85	228,342,487.15	186,030,809.62	68,642,577.00	117,388,232.62	42,311,677.53
Grain stabilization	108,000,000.00	3,000,000.00	105,000,000.00	104,000,000.00	51,539,212.17	52,460,787.83	1,000,000.00
Cotton stabilization	40,000,000.00		40,000,000.00	36,138,723.26	5,001,485.67	31,137,237.59	3,861,276.74
Grand total	422,253,568.00	48,911,080.85	373,342,487.15	326,169,532.88	125,183,274.84	200,986,258.04	47,172,954.27

Under such extension I also include some excerpts from Mr. Legge's testimony before the Appropriations Committee:

ACCOMPLISHMENTS OF BOARD

The CHAIRMAN. Mr. Legge, can you tell us of any good you have done?

Mr. LEGGE. That is a pretty big order, Mr. Chairman.

The CHAIRMAN. I suspect that is true, but when this matter comes up on the floor there will be all sorts of questions from those who are in favor of the board, as well as from those who are trying to break it down. We ought to have some information so we can answer those questions.

Mr. LEGGE. As to what the final outcome will be we do not know. You can not say until the final close of your operations what your gains or losses may be. That is particularly true of grain. The grain market to-day is fully 20 cents above the world parity, or what wheat would bring if it were exported. At the close of the market on Saturday Liverpool wheat was 69⅜, while the Chicago market was 70⅛, and the transportation cost is 15½ cents. It may be that in the end the taxpayer will lose. As I say, we do not know what the outcome will be. In the meantime, we are consuming 17,000,000 bushels per week, with the advantage of this difference in price, which means $2,500,000 to the wheat grower as compared with the export price. Therefore, at the present time the grower is getting that advantage. How much of that we will lose in the final clean-up of the stabilization operations is beyond us. We do not know about that.

The CHAIRMAN. Of course, that is dependent on world conditions, on transportation conditions, and other things. This thing is supposed to be built up on the theory that we will not sustain any considerable losses in its operation. Can you look into the future somewhat and tell us what the probability is with reference to these loans?

Mr. LEGGE. It will be just anybody's guess. All the time we are making some progress. You were speaking a moment ago of wheat, and I will say that for 62 consecutive months, up until last month, there was every month an increase in the visible supply of world and domestic wheat over the visible supply of world and domestic wheat in the corresponding months of the previous year. That is, we have pyramided a surplus consecutively, every month, for 62 months. Now, in view of that, what has happened to the market is easy to understand. The surplus has been building up, bigger and bigger, all the time, until the last month, when, for the first time, it took a turn in the other direction. November showed the first decline in the world's visible supply of wheat and also in the domestic supply of wheat, and in the North American supply of wheat. In November the tide turned and began working in the other direction.

The CHAIRMAN. With reports showing that the visible supply is decreasing, will you not have a corresponding increase in the price?

Mr. LEGGE. That has not come yet. There has been no increase in the price. The prices are artifically maintained. It is true to-day that, low as the price is, it is artifically maintained, not only on wheat but on other grains.

The CHAIRMAN. How is the price artifically maintained?

Mr. LEGGE. By the operations of the stabilization corporation.

The CHAIRMAN. What have you to say with reference to cotton?

Mr. LEGGE. Cotton is in very much the same condition at the moment. There is very little improvement in cotton. The spinning business all over the world seems to be prostrate. It is just about as dead as it can be. It has improved a little bit. There has been a little more activity in the last 60 days than in some of the previous months, but it is very slow, and consumption of cotton is not increasing as it is on wheat. The wheat situation is being helped very markedly through the feeding operations. We have a short corn crop this year, and an enormous quantity of wheat is being fed to livestock.

The CHAIRMAN. Some of it is burned for fuel, is it not?

Mr. LEGGE. I think the quantity that is burned in that way is rather negligible. Somebody who is real cold, and has nothing else to burn, may burn it, but I do not think that affects the visible supply very much.

The CHAIRMAN. I take it that the great inexorable law of supply and demand controls the price, and that the low price of wheat is largely due to the fact that there is more wheat in existence than there is a demand for.

Mr. LEGGE. Yes, sir; absolutely. From the export standpoint, I do not see any hope for the American wheat producer in competition with the peon labor of Argentina and the practically serf labor of Russia, with their lower standards of living.

The CHAIRMAN. If we have lost hope for it, what is the remedy?

Mr. LEGGE. The remedy, so far as the wheat grower of America is concerned, except in instances where he can profitably use it for feeding livestock, is to reduce the production to the domestic consumption basis.

The CHAIRMAN. Would it benefit the farmer if you could induce him to curtail production?

Mr. LEGGE. I have personally canvassed every wheat-producing State in the Union during the last six months, and we are making some headway there. For instance, the spring-wheat area of the country had a reduction of 5 per cent last year.

The CHAIRMAN. How much would the acreage have to be reduced in order to bring about some beneficial results?

Mr. LEGGE. Except as feeding to livestock might offset some of it, we would have to have a 22 per cent reduction to put it on a strictly domestic-consumption basis. Taking into consideration the wheat which is fed to livestock, it will take less than that, perhaps, to balance the production with the consumption.

The CHAIRMAN. How do you go about that, in your effort to get a curtailed production?

Mr. LEGGE. It is purely educational; we try to lay before farmers the facts. We say to them, "Here is the situation that you have been facing, and it is one that you can not ignore." We say to them, "These are the conditions that are depressing the market here, and they have been going on all over the world." The world's acreage of wheat has increased some 42,000,000 acres within 14 years.

Mr. BYRNS. Do you think that you will reach the point, through education or otherwise, where you will be able to curtail the production of wheat and of other farm products down to a point where it will be only sufficient to meet domestic consumption?

Mr. LEGGE. I do.

Mr. BYRNS. Of course, it is a rather black picture that you draw when you say that they can not look further to foreign markets.

Mr. LEGGE. We are making that statement only on that particular commodity.

Mr. BYRNS. How much wheat does the Grain Stabilization Corporation have on hand?

Mr. LEGGE. It has 64,000,000 or 65,000,000 bushels of actual cash wheat in elevators and storage, and probably 60,000,000 bushels under futures contracts.

Mr. BYRNS. Has the board come to any conclusion as to what it proposes to do with that wheat?

Mr. LEGGE. A portion of that wheat is going to be required in the domestic trade before the new crop comes in, but not all of it. What may happen to the balance, or what may have to be carried farther ahead, is still a question.

Mr. BYRNS. I suppose you propose to feed it out in a manner that will not be calculated to break the market?

Mr. LEGGE. Yes, sir.

Mr. BYRNS. As it is needed.

Mr. LEGGE. Yes, sir.

Mr. BYRNS. It costs a good deal to store it, does it not?

Mr. LEGGE. Yes, sir; it is an expensive proposition. We are criticized by the public somewhat because of our dealings in futures. Now, futures is the basis on which wheat has been handled for 70 years. If you should sell a boatload of wheat to a man, nine times out of ten he has futures contracts that he turns in in settlement for the wheat. In dealing with it under the present set-up, the same facilities must be used that everybody else uses in the market. For instance, in the case of the wheat that has recently been purchased, futures were bought rather than the cash wheat, for this reason, that you would have to pay about 2½ cents more for actual cash wheat than for futures contracts for the same number of bushels to be delivered in some other month. The cash wheat has been at a premium. If futures were not bought, the private trader would have an advantage to the extent of that differential.

Mr. BYRNS. What would have happened if the Grain Stabilization Corporation had not purchased this wheat?

Mr. LEGGE. I have letters from some of the most conservative millers and some of the largest buyers of grain in this country saying that, except for these purchases by the board, wheat would be 25 cents per bushel throughout the country to-day.

Mr. BYRNS. What did you pay for the wheat you bought?

Mr. LEGGE. At the present time, the average cost of the wheat purchased is around to-day's market, which is about 76 to 77 cents per bushel.

* * * * * * *

Mr. AYRES. Just what service does the Stabilization Corporation perform?

Mr. LEGGE. The service of trying to maintain, in the case of extreme depression or a surplus of the commodity, a stabilized price.

Mr. AYRES. That is, they go on the market and purchase at times when the price is deemed to be too low?

Mr. LEGGE. That is the theory.

Mr. AYRES. And sell when it is deemed to be too high; is that the idea?

Mr. LEGGE. Yes; but we have not had any trouble of that kind yet. I have here a memorandum from the Department of Agriculture which will give you some idea of the benefits derived from the stabilization operations.

This is for the month of October, showing an average price at Winnipeg of 68 cents a bushel and an average price at Minneapolis of 83 cents a bushel, or a difference of 15 cents a bushel average for the month of October on comparable grades of wheat. Our grading system is not the same as between Canada and here, but the market recognizes No. 3 Manitoba on the same sale basis as No. 1 Dakota, or our northern spring-wheat grade, and the spread for that month was 36 cents.

On oats there was very little difference, the Winnipeg price being 33 cents and the Chicago price 36 cents.

On barley, however, the Winnipeg price was 32 cents and the Minneapolis price was 54 cents, reflecting the full 20-cent tariff on barley as between the Canadian price and the domestic price.

On rye, the Winnipeg price was 37 cents, and the Minneapolis price was 49 cents; on flaxseed, the Winnipeg price was $1.29, and the Minneapolis price was 80 cents. That was the average for the month, which might be taken as evidence that——

Mr. DICKINSON (interposing). Have you anything on corn?

Mr. LEGGE. No; the Canadian comparison does not give corn, but I can give you prices on corn using a comparison with the Argentine prices. The Argentine corn price for November averaged 35 cents a bushel at Buenos Aires, while here it averaged 71 cents a bushel in Chicago.

The CHAIRMAN. That difference represents the amount of the tariff?

Mr. LEGGE. The tariff is 25 cents. I am sorry to say there are considerable quantities of corn coming in and paying the tariff at the present time.

The CHAIRMAN. You say there is a considerable amount of corn coming in from corn-producing countries?

Mr. LEGGE. Yes; they unloaded 90,000 bushels from Cape Town, South Africa, last week, and paid the tariff on it.

The CHAIRMAN. Then we did not put the tariff high enough.

RELIEF OF DROUGHT AND FLOOD SUFFERERS

Mr. WOOD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table House Joint Resolution 447, making appropriations to carry out the provisions of public resolution entitled "Joint resolution for the relief of farmers in the drought and storm stricken areas of the United States," with Senate amendments thereto, disagree to the Senate amendments, and ask for a conference, and that conferees be appointed.

The SPEAKER. The gentleman from Indiana asks unanimous consent to take from the Speaker's table House Joint Resolution 447, with Senate amendments thereto, disagree to the Senate amendments, and ask for a conference. The Clerk will report the joint resolution and the Senate amendments.

The Clerk read the title of the joint resolution.

The Clerk read the Senate amendments, as follows:

Page 2, after line 7, insert:

"SEC. 2. That the Secretary of Agriculture is hereby authorized for the crop of 1931 to make advances or loans to farmers in the drought and storm stricken areas where he shall find that an emergency for such assistance exists, for the purchase of food under such terms as may be prescribed by the Secretary of Agriculture. Such advances or loans shall be made on the same terms as the provision of said Joint Resolution No. 211 makes for the loans or advances for seed, feed, etc., subject to all the qualifications of said Senate Joint Resolution No. 211. For carrying out the purposes of this section, including all expenses and charges incurred in so doing, there is hereby appropriated out of any money in the Treasury not otherwise appropriated, the sum of $15,000,000."

Page 2, after line 7, insert:

"SEC. 3. In the administration of this fund the Secretary of Agriculture shall make loans in the drought and storm stricken areas, without regard to county lines, and the Secretary of Agriculture shall not have right or authority to prescribe rules and regulations excluding farmers from the benefits of this appropriation on the sole ground that they reside in any particularly designated area."

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

Mr. GARNER. Mr. Speaker, reserving the right to object, may I ask the gentleman from Indiana if there is any disposition on the part of his committee or upon the part of the conferees to be appointed to give the House a chance to vote on these amendments and assert itself?

Mr. WOOD. If the conferees are appointed and the Senate does not recede, no doubt the House will have an opportunity to vote upon them.

Mr. GARNER. The gentleman knows this is a very important matter. It has been discussed pro and con throughout the press and on the floor of the House. Is not the gentleman disposed to give the House an opportunity to express itself on this matter before it goes to conference?

Mr. WOOD. The House can have an opportunity to express itself now if it desires to do so.

Mr. GARNER. It just occurred to me that in a matter of so much importance the House ought to have an opportunity to express itself, and I suggest to the gentleman from Indiana the method by which the House may express itself.

Mr. BYRNS. If the gentleman will yield, I have been advised that there is probability of an objection being made to sending this bill to conference unless the gentleman will agree to bring it back and have a vote in the House. It seems to me that in the interest of quick passage of the bill it would be better to agree to bring it back and allow the House to vote upon it, as I think the House is entitled to, if it desires that privilege.

Mr. WOOD. If that is the policy to be pursued in this or in any other matter where there is dispute between the two Houses, it practically results in there being no conference.

Mr. BYRNS. It would be a conference in this sense, that there are two amendments, for instance——

Mr. WOOD. I think this measure should go to the conferees for a full and free conference just the same as on any other measure.

Mr. LAGUARDIA. Reserving the right to object, I want to ask one question. Will this bill be subject to amendment on the food provision, to strike out "farmers" and make the food benefits universal wherever they may be needed? A great deal has been said, Mr. Speaker, and I want to call it to the attention of the gentleman from Indiana [Mr. WOOD], about assisting the farmers, for whom we have voted repeatedly. But now the time has come when Congress will either make relief universal or this bill is not going to go to conference. [Applause.] Now, the House may have your choice. If food is to be provided then it should apply to the cities as well, and the bill will go right back to the committee. If you will agree to make this food provision applicable to the people of my and other cities who need it, I will go along with you. I am ready to assume the responsibility of preventing consideration right now, and you are either going to treat all needy American citizens alike or else we are going to know the reason why.

Mr. GARNER. Will the gentleman yield for a question?

Mr. LAGUARDIA. Certainly, I yield.

Mr. GARNER. I will say that is in line with the suggestion I made to the gentleman from Indiana. The rules of the House provide ways by which these matters may be considered by the House of Representatives, where the gentleman from New York [Mr. LAGUARDIA] could offer an amendment to the Senate amendments and perfect it as the House might seem proper; but if it is merely sent to conference, with the conferees set against any change, there is no opportunity for this House to amend it. Will the gentleman from New York not help us get an opportunity for the House to fully express itself on this matter?

Mr. LAGUARDIA. Yes; but I will go a step farther and say I am not as young and innocent as I was when I first met the gentleman from Texas. I want a gentleman's agreement that no point of order will be raised to an amendment making it applicable to the cities.

Mr. HOWARD. I will give that agreement. [Laughter and applause.]

Mr. LAGUARDIA. Further reserving the right to object, I serve notice now that I shall object unless I can get that assurance.

Mr. CRAMTON. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. CRAMTON. I think the gentleman from Nebraska [Mr. HOWARD] has already given the gentleman the best assurance he can get.

Mr. LAGUARDIA. The gentleman from Nebraska [Mr. HOWARD] is human. He understands conditions. Of course, I know he will go along; but, unfortunately, the gentleman from Nebraska is not talking for the entire membership of this House. I will take the gentleman's word for himself, of course.

Mr. HOWARD. What better could the gentleman get?

Mr. LAGUARDIA. Nothing.

Mr. BANKHEAD. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. BANKHEAD. It seems to me the gentleman ought to address his inquiry to the chairman of the committee.

Mr. LAGUARDIA. I am.

Mr. BANKHEAD. We are wasting time unless we can get some expression from the gentleman from Indiana.

Mr. WOOD. I understand objection has already been made.

Mr. CRAMTON. Mr. Speaker, I ask for the regular order.

Mr. LAGUARDIA. I object.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

Mr. LAGUARDIA. Reserving the right to object——

Mr. PATTERSON. Reserving the right to object, I want to propound an inquiry.

The SPEAKER. Regular order has been demanded.

Mr. PATTERSON, Mr. SABATH, and Mr. LAGUARDIA objected.

URGENT DEFICIENCY APPROPRIATION BILL

Mr. WOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 15592) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1931, and for prior fiscal years, to provide urgent supplemental appropriations for the fiscal year ending June 30, 1931, and for other purposes, and pending that motion I would like to have an agreement with reference to the division of time. Will the gentleman from Tennessee [Mr. BYRNS] state whether he has any demands for time?

Mr. BYRNS. I will say to the gentleman from Indiana that I have several requests for time. Those who have asked for time have convinced me from the character of speeches they usually make that they will be very interesting and instructive to the House. I hope the gentleman will allow the time to run along for a little while and see if we can not get along in that way.

Mr. WOOD. The time to be divided equally?

Mr. BYRNS. Yes.

Mr. WOOD. Mr. Speaker, then I ask unanimous consent that the time be not fixed definitely at this time, but that debate be permitted to run along, the time to be divided and controlled equally between the gentleman from Tennessee [Mr. BYRNS] and myself. We would like to finish the debate to-day, if possible.

The SPEAKER. The gentleman from Indiana moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15592, and pending that asks unanimous consent that the time for general debate be equally divided between himself and the gentleman from Tennessee [Mr. BYRNS]. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Indiana.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 15592) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1931, and for prior fiscal years, to provide urgent supplemental appropriations for the fiscal year ending June 30, 1931, and for other purposes, with Mr. LEAVITT in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15592, the first deficiency bill, which the Clerk will report by title.

The Clerk read the title of the bill.

Mr. WOOD. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

Mr. PATTERSON. Mr. Chairman, it seems to me that inasmuch as gentlemen can not get an opportunity to offer amendments, I object, in order to give us time in which to consider these things more thoroughly.

The Clerk began the reading of the bill.

Mr. DYER. Mr. Chairman, it is impossible to hear the reading of the bill by the Clerk. We must have order or we can not hear it. I ask unanimous consent that the first reading of the bill be dispensed with in the interest of public business.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. BYRNS. Mr. Chairman, I yield 30 minutes to the gentleman from Texas [Mr. RAYBURN].

Mr. RAYBURN. Mr. Chairman, the consolidation of railroads should not be thrust into partisan politics. Both Republicans and Democrats use the railroads. There are weak roads on which service should be preserved in practically every congressional district. Nearly every Member of this House, regardless of whether he is a Democrat or a Republican, has constituents who have invested all that they have in properties situated on weak roads. If service should be suspended on those roads, it would bring ruin to those doing business in the little towns along them and would dry up sources of employment for many wage earners. In 1920 the Democrats in Congress joined with the Republicans in working out an amendment of the transportation act looking to preservation of service on the weak lines and to a more orderly grouping of properties in the larger systems. A Democratic President signed the bill.

There is nothing new about the consolidation of railroads. It has been going on for practically a hundred years. First, there was an end-to-end grouping of little short lines into what finally came to constitute some of the main trunk lines of the country. Some systems like the New York Central and the Pennsylvania have emerged with a total mileage greater than the entire railway mileage in any one of most of the States of the Union. Before the transportation act was amended consolidation or grouping of railroads was subject to no supervision whatsoever. Great financial giants struggled for the control of important properties, as in the case of the fight between the Harriman and Hill interests in the Northwest. These fights were ruthless. They demoralized the stock exchange, brought ruin to thousands of innocent investors, and sometimes resulted in fastening upon a property bonded indebtedness which it could not carry. In 1920 Congress resolved that acquisitions of control of railroads one by another in the future should be supervised by an agent of Congress. It was also resolved that instead of permitting grouping of the carriers to go along the opportunistic lines determined by unregulated and unsupervised financial interests that these systems should be put together in the future with a regard for the public interest. That means, first, with a view to preserving service upon existing properties; second, with a view to improving the service on the railroads; third, with a view to effecting economies wherever possible; and, fourth, with a view to simplifying the regulation of these carriers. It was believed that it would be practicable to bring about well-balanced and competitive systems and not permit some fortunate group to get control of the most strategic properties and leave ill-balanced systems to struggle along as halting competitors.

In my State we had several short-line properties which prospered when there was a good crop and which went into the hands of receivers when floods or drought destroyed the crops in the localities they served. Several of these relatively small roads were acquired by the Missouri Pacific system. Since those acquisitions the service on all of these lines has been greatly improved. The communities have been able to develop in the security of more adequate transportation. A drought or other pestilence in a territory of 200 miles has not had the effect of throwing that particular property into receivership because it is tied in with several others which serve communities at the time more fortunate.

There was another proposal to tie together several competitive lines out of St. Louis and Kansas City to and across my State. That proposal our people did not like and the commission refused to approve it. Without this supervision of the commission the proposed consolidation which our people thought contrary to their best economic interests would have gone through, and the shippers along those lines would have had to sit helpless. Their complaints would have been futile. But under the transportation act as amended in 1920 they were able to go to an agency of the Congress, make their complaints, introduce proof, and in this instance won their case, and the proposed consolidation to which they objected has been abandoned. In its final plan the commission has subsequently so allocated those properties as we believe to be in the interest of our section and of the entire country. In fact, the shippers and commercial interests of Texas joined with those of Oklahoma, Arkansas, Kansas, and Missouri in the hearings on the tentative plan and earnestly represented and made proof showing that it was to the interest of the Southwest that they should make such a recommendation for future railway consolidation as the commission has proposed in its final plan.

Under the final plan for the consolidation of railroads eight systems were proposed west of the Mississippi River. Seven of these proposed systems enter and cross some part of the State of Texas, which would bring to us of the great Southwest competition in service among the railroads finding their terminals on the Gulf ports.

For 10 years we have had this provision. For 10 years acquisition of control of railroads has been going forward under Government supervision. Some applications have been granted. Others have been denied. It is well known that in the East there has emerged during this decade a fourth system which had not existed in 1920. This fourth system, Chesapeake-Nickel Plate, has grown out of a number of properties which were weak and struggling in 1920. They have been put together with the approval of the Interstate Commerce Commission. It is also well known that the three older systems and this new fourth system in official territory have been struggling among themselves for coveted railroad properties. Some of them have gone so far as to acquire properties without the commission's consent.

The commission has been compelled to invoke the provisions of the Clayton Act to force some of these great interests to divest themselves of properties, the acquisition of which the commission had not approved. These differences between the interests in the East have slowed down a consideration of orderly consolidation. Each system has seemed to think that it had to acquire something to keep somebody else from getting it, or to get something which the commission might not in the end approve of their having. All this has brought about a rather deplorable situation, and the country has come to wonder if these great railroad interests in the East have among their leaders sufficient statesmanship to enable them to compose their differences and to allocate

among themselves 40 or 50 relatively small railroad properties in such a way as to give the East the benefit of competition between systems well balanced within themselves.

Recently these Eastern railway executives have seen a great light. The present economic depression is weighing heavily on the railroads. In fact, the railroads were among the first to feel it—the slowing down of manufacturing, the closing of plants, the lack of buying, the tremendous falling off in purchasing power, and goods ceasing to flow over our highways of commerce in any normal volume. The revenues of the carriers are being kept so drastically low as a result of hard times that they are compelled to lay off thousands of employees and even in many instances to defer maintenance. No doubt, many weak roads are facing receivership. The other day the Seaboard went into the hands of receivers. I predict that it is only a matter of weeks until several others will have to go to the court and confess failure to meet their fixed obligations, unless something can be done to prevent the disaster, following such financial failures. It is one thing to quarrel in prosperous times over coveted properties. It is another thing in hard times to face the probability that the sheriff may come in and take charge of one's property. In my humble judgment, financial necessity has driven these railroad operators into the cooperation which the President and the Cabinet members have for 10 years sought in vain to coax out of them.

Allow me to repeat that railroad consolidation should not be thrust into partisan politics. I therefore deeply regret that the President allowed this proposal to be announced from the White House in such a way as to create the impression that he seeks to take credit for the agreement, if there be credit in it. In the absence of evidence, I do not know whether the proposal is in the public interest or not; neither do I believe the President knows enough about it to say whether it is in the public interest. While he has not said in so many words that it is in the public interest, it has been so announced as to lead to the belief that the President has prejudged the questions involved. The Interstate Commerce Commission is the responsible agent of Congress, and in its seeking to arrive at a conclusion as to what is in the public interest it should be unhampered by the great influence of the Chief Executive. He should remember that the Interstate Commerce Commission is an agent of the Congress and not a part of the executive branch. No interference by the Chief Executive, it matters not who he may temporarily be, should be tolerated. It is most regrettable that the President has handled this matter in such a way as to make it appear that he is handing something to the commission already worked out by him and for them to approve. If the commission, after a hearing, ever approves this 4-system plan it matters not how sincerely they will be embarrassed by the fact that many will charge them with having supinely done the bidding of the President.

Already by his actions he has torn his own party with strife. Two Senators of his own party have made statements viciously conflicting. One Senator in his own party has gone so far as to state that the President's attitude is "unethical." I am not subscribing to such an extreme statement, but I call attention to it to demonstrate the inevitable and unhappy consequences of what, to say the least, has been ill-advised and tactless Executive action. Can it be that an administration that has had full sway for nearly two years has nothing to its credit that it can be proud of and is compelled to go outside of its proper province and claim credit for a proposal that, to say the least, may prove to be of doubtful propriety? It is no small thing to propose to consolidate railroads with an estimated value of $10,000,000,000. No one, not even the President, should sponsor such a proposal unless and until he has studied, digested, and gone to the bottom of the whole matter. My prediction is that it will take the Interstate Commerce Commission weary months, with the aid of every expert at their command, to understand the vast possibilities of these gigantic mergers, their physical ramifications, and their stupendous and intricate financial plans.

Let me repeat that I am not wise enough, in the absence of evidence, to say whether or not this proposed consolidation will be in the public interest. Allow me to say, however, that no consolidation of railroads in any region of the country will meet my approval that does not take into account and take care of the so-called short and weak lines that serve outlying and developing communities. No consolidation should be consummated at this terrible time that would bring about the discharge of any labor at present employed.

Now, I must confess that the administration is entitled to a great deal of credit, if they want to call it credit, for the situation which has brought about an economic depression of such severity as to send these railway executives crawling to the doorstep of the President of the United States. This administration has enacted into law the most iniquitous tariff in the history of the American people. I believe that the great majority of the Republicans even in the East want a reasonable tariff and not a prohibitive one. We should remember that we are one of the family of nations and we trade and exchange goods with every people in every clime, and that we can not sell unless we can buy, and we can not buy unless we can bring goods home, and we can not bring goods home over an insuperable tariff wall. If we have a tariff wall so high that we can not bring in goods from abroad, that merely means that we can not sell abroad. That means that our people get none of the advantages of the geographical division of labor, and that by law we force upon the average American citizen a standard of living lower than he would enjoy but for the action of the Federal Government. But those in control of the Republican Party are the high priests of the high tariff. The American people elected the present Republican President, in my judgment, because they thought that he was sufficiently enlightened and would have sufficient courage to resist the group in his own party whom we have come to know as the high priests of protection. There was every reason for reaching such a conclusion. For their candidate for President had lived in other countries; he was reputed to be internationally minded; he had carried on in a praiseworthy manner the distribution of funds contributed by Americans to alleviate the suffering of their brethren in the war-stricken lands; he was reputed to be a wise engineer, even a superman.

They were further encouraged when in a message to Congress he made well-considered and temperate recommendations with reference to the tariff. But unhappily that is as far as it went. He surrendered to the high protectionists. They wrote the tariff; they put it through the Congress. Being in control of both Houses of Congress, they were able to make it the worst one in our tariff history. The President signed the bill. It became the law of the land. Immediately its effects began to be felt. In a time of economic distress, when there should have been tariff adjustment looking toward the widening of markets for American products, there came this tariff, which aggravated all our economic ills, added to our woes, and intensified the sufferings of our people. A depression which we might have passed through as a minor economic disturbance has been developed through the aid of this tariff and other inept actions of the administration into one of the major panics of our history. In spite of the efforts to minimize it, the constant mental suggestion, and the suppression of the brutal facts, there is such suffering and woe among millions of people as our country has not seen since the Civil War. It is this economic distress which has forced willful railway executives to be apparently reasonable.

Now, let no one develop a lot of hysteria about consolidation of railroads. That question has no business in politics. Each proposal to unify railway properties into a system should be passed on judicially, and every proposal stand or fall on its own merits or demerits, and those who have the duty of passing judgment should be undisturbed by the hue and cry of partisans, or by executive suggestion, however well intended.

I voted for the consolidation provision of the transportation act for the following reasons:

First. We were having groupings without regulation. It was my belief that all grouping of railways should be brought within the jurisdiction of the Interstate Commerce Commission.

Second. About one-fourth of the railway mileage of the country was owned by little companies which were in no position to compete with the more fortunate ones. I knew that the prosperous roads were not very keen to take over these less-prosperous ones; but the American people are paying the freight bill, and it is my idea that these properties should be so grouped that the revenues should maintain service on all of them and sustain the credit of all of them, instead of enriching a few and leaving the others so crippled that they can not render satisfactory service and in some instances would even have to suspend all service.

Third. I supported this bill because it provides for consolidation which, in my opinion, would be sufficiently gradual to avoid the dangers of expensive mistakes. Under paragraph (2) there can be a great deal of grouping of flexible character. Through lease and acquisition by stock control roads can be put into systems, and if it is found that they do not fit, they can be disposed of and transferred later to other systems. In the West, that is particularly desirable, where the country is still developing and where they do not know yet just what will be to the best interest 25 or 50 years from now; but with the flexibility of paragraph (2) we can gradually develop these systems so that we will be absolutely certain what we are about before they are finally consolidated under paragraphs (4), (5), and (6).

Personally, I hope that very soon something constructive will be done in the East where the railroads are already highly developed. When these people can get together and compose their differences, they will undoubtedly spend hundreds of millions in the improvement of their properties. That is inevitable for the reason that each of these systems will vie with the others in furnishing service to the *n*th degree of satisfaction. The result will be that the pace set in the more densely populated East will be followed in the rest of the country.

We must look to the Interstate Commerce Commission. We can look to no other body. They are men and therefore fallible. I realize that Congress, in 1887, committed to that body the administration of such vast powers that it holds in the hollow of its hands the very life and existence of communities and sections. They perform functions granted to them by Congress and such that Congress, with its manifold other duties, can not perform. As long as we have a commission, and we must have some such body, they must act for us. We must trust their honesty, their vision, and their patriotism. We must, however, always hold them strictly accountable to the will of Congress under the law.

May I hazard this suggestion to the Interstate Commerce Commission, that regardless of urging by the Chief Executive, speaking for myself, I want no hasty and ill-considered throwing together of railroads. If consolidations are to come and be permanent and in the public interest, they must come naturally, and, therefore, gradually.

Ah, Mr. Speaker, we have come upon evil days. With woe and want stalking the land as never before, with expressions of hope frozen upon silent lips, with eyes dimmed and weary looking for promised relief, with struggling people everywhere in the Republic longing for the voice of leadership, we find the country leaderless and the administration helpless and hopeless.

Many of us in this House, during our service, have lived through tragic and also glorious days of this Republic. We can remember when the voice of our leader, Woodrow Wilson, was the voice of the world. When America stood on the mountain peak of world leadership. When the words of this leader were heard by and raised the hopes of struggling peoples the world around. It was his words, his challenge, and his leadership, voicing the spirit and the will of America, that caused weary and oppressed people for once to raise their faces shining with hope. [Applause.] Alas, unpatriotic partisanship at home broke his reign and America fell from her high estate. Three Republican Presidents have failed to lead us back into national glory or international high favor. They have even caused the passage and administration of such acts that cause people the world over to distrust us as selfish money grabbers and isolationists.

May we hope that in the near future this country will again commit its affairs into the hands of the party whose leaders have a program and the courage to carry it out. [Applause.] We call the people to follow a party which is not dominated by big and selfish interests. The ideals of the Republican and Democratic Parties are in hopeless conflict. The Republican ideal is that big business shall be the dominating influence in government. The Democratic ideal is that business should be subject to the regulation of the Government, to the end that there may be fairness, equality of opportunity, an equitable distribution of wealth, and fair dealing in the common relationship of life. Under another and better leadership we may realize these happy hopes. Then and then only can we hope to see peace, contentment, and prosperity return to us. We shall then again stand on the sunlit hilltop of honor, glory, and leadership. [Applause.]

Mr. AYRES. Mr. Chairman, in the absence of the gentleman from Tennessee [Mr. BYRNS], I yield 15 minutes to the gentleman from Indiana [Mr. LUDLOW].

Mr. LUDLOW. Mr. Chairman, the Congress at this short session can perform no act more wholesome in public benefits than to pay off the adjusted-service certificates of all World War veterans who desire to cash their certificates. I whole-heartedly indorse this proposal. As national legislators we have been giving serious, sincere consideration to measures of relief in these times of suffering and depression when indications of hunger and want are so visible and outstanding that every patriotic heart is touched by the appeal. If we cast aside the proposal to pay the soldiers' adjusted compensation certificates we will reject the most just, the most humane, and the most far-reaching plan of general relief that is before us.

Payment of the certificates now will accomplish two purposes:

First. It will relieve acute distress under which hundreds of thousands of World War veterans are laboring. Who have better claims for relief than the men who underwent the dangers and hardships of war and offered all they had, even to the supreme sacrifice, to save the Nation?

Second. Wide as is this circle of immediate potential relief, the beneficent effects of payment of the certificates will extend far beyond its bounds into the general citizenship of the country, wherever hard times and suffering exist. The vast sum of money that will be paid initially to the soldiers will find its way quickly into all of the channels of circulation and the benefits will become generally diffused; relief thereby will be furnished in many homes which are now darkened by the specter of want and the country will be started on the upgrade toward prosperity.

The measures of relief so far passed by the present Congress to meet emergent conditions fall under two heads—class and regional. Certain members of our industrial classes and some of our farmers will moderately benefit, but millions equally deserving will get no relief. The relief that will come from paying off the adjusted-service certificates will not be partial to groups or to geography. It will be national relief. It will be in the most comprehensive sense general relief. It will extend into every nook and corner of the country. It is the greatest humanitarian measure that could be thought of at this time, and the beauty of it is that it is not based on largess but on the payment of an honest debt—the confessed debt and obligation which the Nation owes its defenders.

Mr. COX. Will the gentleman yield?

Mr. LUDLOW. Yes.

Mr. COX. Is the gentleman advocating the adoption of a measure providing for the payment of what the Government now owes on the certificates or what it will owe?

Mr. LUDLOW. I am advocating the payment of the accrued benefits.

The minds of equally patriotic advocates of the principle of paying off the certificates differ as to the exact form of

legislation to effect that end. Personally I believe the best way—the way that is fair to the Government and fair to the men—is to make payment at present value, optional with the holder of the certificate. Many veterans who are in easy circumstances would prefer to hold their certificates until maturity date in 1945. Many others would eagerly embrace the opportunity to surrender theirs in cash immediately. I think the soldier is entitled to his option. No one knows as well as the veteran himself the situation in which he is placed and, if relief is required, the urgency of the call. So I would put it up to the soldier. I would say to him: "Here is your money with compound interest. If you need it, take it and God bless you."

I do not believe it requires a constitutional sharp or a Philadelphia lawyer to frame what is to my mind the ideal legislation authorizing the payment of these certificates. I believe a simple little paragraph to be inserted immediately at the close of section 501 of the World War adjusted compensation act will accomplish the purpose admirably. I have drafted such a paragraph and I will ask Members of Congress when they read it in the CONGRESSIONAL RECORD to give to it their thoughtful attention. It is as follows:

Provided, That upon the surrender of an adjusted-service certificate the director is authorized and directed to pay to the veteran an amount equal to his adjusted-service credits, increased by 25 per cent, plus 4 per cent interest compounded annually since date of issuance of the certificate.

In this bill I have followed the original basis of computing adjusted compensation, which was $1 a day for home service, $1.25 a day for overseas service, 25 per cent additional as a recompense for delay in settlement, and a presumptive interest rate of 4 per cent. While there may be some seeming inequality in allowing those who are paid now in cash the full benefit of the 25 per cent clause, there is really no partiality in their favor, as I see it, as my proposed bill extends to all holders of certificates on exactly equal terms the privilege of cashing their holdings immediately should they desire to do so. If they elect to wait until 1945 to take the benefit of the 25 per cent clause, that is their option.

Mr. COX. Then the holder of the certificate will get the insurance benefit whereas the man who cashes in and surrenders his certificate has no such benefit after the surrender.

Mr. LUDLOW. That is true.

If this legislation is passed, there will be to every veteran who desires it an honest, square payment of an honest, square obligation which that veteran holds against his country for services splendidly performed. Nothing less than this would be a fulfillment of justice. Nothing more than this is sought by the veterans.

But the question is asked, "Can the Treasury stand the strain involved in paying these certificates?" My answer is that it most emphatically can. Never was the financial credit of the United States higher than at present. Short-term Treasury certificates bearing 1¾ and 1⅞ per cent have recently been having a ready sale. On a large issue of bonds it will be necessary, of course, to pay a higher interest rate; but I have the very best of opinion of Treasury experts that a bond issue bearing not higher than an average of 3½ per cent, maturing in 1945, could be sold, perhaps in two or three flotations, but in ample volume to pay in full with compound interest, in accordance with the legislation I have proposed above, all of the adjusted-service certificates that would be surrendered under the holders' option.

This being true, the Treasury, instead of being harmed, would be benefited. It is a clear case of mathematics, and anyone may do his own figuring. Every time a certificate would be paid off the Treasury would get rid of an obligation bearing 4 per cent interest, compounded. Simultaneously it would assume to the extent of that certificate another obligation bearing only 3½ per cent, not compounded.

Mr. COX. It will be further relieved of the liability of paying the certificate upon the death of the holder before maturity.

Mr. LUDLOW. That is true. Let us estimate $2,000,000,000 as the cost of paying off all veterans who would elect to surrender their certificates. The difference of one-half per cent interest on an issue of bonds of that magnitude is $10,000,000 per annum. As a sheer refunding proposition the Treasury would be benefited by the transaction.

Another advantage which would flow from this legislation is that it would bring a large volume of money out of inactivity and put it to work in the useful services of a circulating medium. Many persons of wealth, seeing what have appeared to them to be danger signals on the horizon, are withholding their money from productive enterprise until the clouds have passed. Absolute safety, coupled with the appeal to help the soldiers, will prompt these persons to take their money out of seclusion and invest it in the Government bonds that will be offered for sale to raise funds to pay the certificates, and thus the impoverished stream of circulation will be enriched and revitalized and a long step will be taken toward a healthy restoration of normal conditions in this country.

This problem will be clarified if we will just remember that it is not proposed to hand out to the veterans charity in any form. It is not intended to give them a donation, but the proposal is to pay off a debt in the form of adjusted compensation which Congress in 1924 found to be due to them and which finding was ratified with unanimous accord by the Nation. The problem is to utilize the resources and the services of the Treasury Department to raise money to pay part of that debt, at the creditors' option, now instead of 15 years later, when the stress of the extreme necessities of the present time are over and when multiplied thousands of the veterans will be dead and no longer in need of earthly aid. The Treasury Department is entirely capable of performing the task which we propose to intrust to it. This is not wild legislation. It is in harmony with the best public policy. It is conservative and it is righteous.

Let us do this for the men who did so much for America, for the world, and for the civilization of all time in the dark days of 1917 and 1918. Let us open our hearts just a little to them. They deserve it. It is sad but true that in many a veteran's home to-day there is dire distress. There is no money to buy fuel or clothes or to pay the doctor, and the wherewithal is not in sight to meet the monthly payments that will save the family from the climax of tragedies—the sale of the home under the sheriff's hammer. Shall it be said that the men whose tramp, tramp, tramp was the hope of the world but a little more than a decade ago must suffer such hardships, when all that is needed for their immediate relief is that the Nation which they risked all to save shall pay to them a debt which is acknowledged by everybody to be due to them? [Applause.]

Mr. WOOD. Mr. Chairman, I yield five minutes to the gentleman from Massachusetts [Mr. DALLINGER]. [Applause.]

Mr. DALLINGER. Mr. Chairman, I ask unanimous consent to have the Clerk read a letter I have received from a business man in my State.

The CHAIRMAN. Without objection, the Clerk will read the letter.

There was no objection.

The Clerk read as follows:

BOSTON, MASS., *December 13, 1930.*

Hon. FREDERICK W. DALLINGER,
House of Representatives, Washington, D. C.

DEAR SIR: In this time of depression it would seem that the prompt and efficient handling of the Nation's business by Congress would do as much as anything to put confidence into the minds of the business world. Will not the necessity of an extra session with the postponement of important problems directly affect business by creating doubt in the minds of business men?

We are writing, not in a spirit of criticism, but because we feel that the country is hoping for prompt action and for the postponement of political differences on those matters which are of vital importance to its welfare. An extra session, we feel, would be injurious.

We wish to take this opportunity to thank you for the helpful information that you have given us in the past in matters on which we have consulted you.

Very truly yours,

MERRIMAC CHEMICAL CO. (INC.),
WILLIAM M. RAND, *Vice President.*

Mr. DALLINGER. Mr. Chairman, there are now approximately 50 legislative days left of this last session of the Seventy-first Congress, ample time, I am convinced, for the Congress to enact the appropriation bills and necessary legislation for the relief of unemployment. I feel very strongly—and I believe it is the overwhelming sentiment of the country—that the adjournment of Congress on the 4th of March next will give the business world a stability that is now lacking and would have a salutary effect on the country as a whole.

I have talked with Members of the House and of the Senate and I find they are almost unanimously opposed to a special session of the next Congress. Everyone here knows that the work of a Representative in Congress never ceases, whether he is in Washington or whether he is at home. I think that most of us recognize the fact that when we are at home we work harder than when we are here. The countless calls upon the time of a Representative in Congress make it perfectly apparent that we can not get away from our job, no matter whether we are here or whether we are at home. So all this talk about giving up our salaries because we do not have a special session of Congress is nonsense. I believe the overwhelming sentiment of the Members and of the people of the country is in favor of our transacting our business in an expeditious and businesslike way during this regular session of Congress and avoiding a special session, which will simply continue the uncertainty in the business world that now exists. We can transact all the business that is necessary during this regular session of Congress, and I trust that in the interest of the people of the United States we will do so. [Applause.]

Mr. AYRES. Mr. Chairman, I yield 30 minutes to the gentleman from Alabama [Mr. HUDDLESTON].

Mr. HUDDLESTON. Mr. Chairman, the President has announced to the country that four railroad systems of the North Atlantic and the East have agreed among themselves for the division among themselves of all the railroads in their territory and the consolidation of all into four great systems.

THE PRESIDENT CLAIMS THE CREDIT

The President took pains to say that the agreement was upon his initiative; that he was the leader in the movement which produced it. He evidently regards it as quite a feather in his cap. He thinks, it seems, that it was a popular thing to do, so he announces it, apparently, as a sort of appeal for popular favor. To paraphrase his own previous expression, it seems obvious that the President is "playing politics" with the consolidation of railroads. It may prove popular with those for whom he speaks, those whom he understands. It is not popular with the vast masses of the people.

Let us consider the significance of what has been agreed upon.

THE FOUR FRANKENSTEINS

All of the railroads east of the Mississippi and north of the Ohio, including the Virginian in Virginia, but not including New England, are to be consolidated into four systems. These four systems together will comprise over 55,000 miles of railroad, with a capitalization of over $10,000,000,000. By these consolidations four vast systems are created out of what are now the Pennsylvania, the Baltimore & Ohio, the New York Central, and the Chesapeake & Ohio.

The President calls upon us to visualize four great captains of transportation sitting around a table and agreeing among themselves upon a division of the richest and best of the railroad systems of the United States, for a division among themselves of power which the human imagination can scarcely compass. Thousands of communities throughout these States will continue to exist or perish upon their favor. Hundreds of thousands of employees will eat bread or will starve, as these lords may will. Men will come to the Congress of the United States because they decree that they shall come. Judges will sit upon the bench clothed in the judicial ermine because they wanted them there. Presidents will bow and scrape, because with the tremendous social, economic, and political powers which will be aggregated to the heads of these vast combinations they will be dependent upon their favor.

Monarchs of old have not enjoyed powers comparable to the powers which these men will have. A new feudal system is created. New seigniories come into being. Again, we find men clothed with powers of life and death not only over their fellow citizens, but over their country. It would take an hour to tell in detail what these men may do and what powers they may exercise. Suffice it to say that we are about to create four Frankensteins with combined power enough easily to destroy us.

NOT CONTEMPLATED BY ACT OF 1920

Nothing of this kind was contemplated in the passage of the transportation act of 1920 which the President cites. It was never considered that mere size was a thing to be desired. It was never thought that combinations should be encouraged. They were merely to be permitted when affirmatively found to be in the public interest. Before the passage of the act these proposed combinations would have been violative of the antitrust laws. Only such consolidations were then permissible as might be made under the antitrust laws. The transportation act went a step farther and permitted consolidations, although forbidden by the antitrust laws, where such consolidations were affirmatively shown to be in the public interest.

We are likely to mistake the true meaning and the intent of the transportation act when we read the President's statement. The consolidation provision is found in section 5, which provides by subdivision 1—

> That except upon specific approval by order of the commission * * * it shall be unlawful for any common carrier subject to this act to enter into any contract, agreement, or combination with other common carrier or carriers.

And so forth; and subdivision 2—

> Whenever the commission is of opinion, after hearing, upon application of any carrier * * * that the control of any other such carrier or carriers either under a lease, * * * will be in the public interest, the commission shall have authority by order to approve and authorize the acquisition. * * *

Then it is provided by subdivision 4 that the commission shall adopt a plan for general consolidations of railroads—

> Into a limited number of systems, and in the division of such railways into such systems competition shall be preserved as fully as possible, and wherever practicable the existing routes and channels of trade and commerce shall be maintained.

Under this clause the Interstate Commerce Commission has arranged the railroads into a number of proposed systems. In addition to the four systems covered by the President's statement, they provide for a fifth system, of which the Wabash should be the leading factor, and included the Seaboard down to Miami.

SCRAPS COMMISSION'S PLAN

Let me say in passing that this proposal to which the President has now given his unqualified approval dispenses with this fifth system, the Wabash system, and makes it impossible; it scraps the carefully considered and long thought out plan of the Interstate Commerce Commission, and disposes of the whole question along entirely new lines.

In commenting upon the proposal for the consolidations the President says:

> The transportation act passed by Congress in 1920 provides for consolidation of railways into a limited number of strong systems in order to maintain broader competition, more adequate service, simplification of rate structures, lower operating costs, and in the long run lower rates to the public.

I am tempted to adopt the language of the street and ask the President "how he got that way." There is nothing of the kind in the transportation act. There is no provision of the law that covers any of these points. As I stated, we have the law which merely generalizes that the consolidation must be found to be "in the public interest," and that is all.

CONSOLIDATIONS MERELY PERMITTED

Now, then, I call attention to the fact that the policy of Congress in no event encourages consolidations. They

are merely "permitted." I ask you to make that distinction. They are permitted only upon the affirmative finding by a quasi-judicial body, the Interstate Commerce Commission, after a full hearing at which all parties in interest are entitled to be present and to be heard and represented, that they are in the public interest.

The matter is manifestly one for only the most expert consideration. I have been studying this subject for the 10 years during which I have served on the Committee on Interstate and Foreign Commerce, yet I have no opinion on the wisdom of the proposed consolidations. I could have no opinion upon their merits. No Member of Congress could have any worth-while opinion upon this proposal unless he had given months, even years, of study to its details. None of us know whether it is in the public interest, and with all respect to him, the President also does not know. He has had no opportunity to know. Even no member of the Interstate Commerce Commission can be said to know, because they have not heard the case.

Yet we find that the President, taking but a brief moment from the time of an extraordinarily busy man, whose time is absorbed by problems of the Nation, both foreign and domestic, the equal of which has not confronted any President in the recent past, has not only heard this case, considered it in all its bearings, but has reached a definite and final conclusion about it, in which he is so firmly rooted that he is willing to recommend it to the country and to the Interstate Commerce Commission.

He says:

> It is my understanding that the plan provides for the protection of the interests of the employees and fully protects the interests of the various communities and carries out the requirements of the law in the protection of the public interests generally.

CREATES MODERN FEUDAL LORDS

There are his findings. He has not heard the other side; he has heard only the Duke of Atterbury; he has heard My Lord van Sweringen; he has heard Count Willard. I have the utmost respect for Mr. Willard and these other gentlemen, but surely the situaton does not permit me to speak of them simply as "mister." I must borrow the terms of the feudal ages and speak of them as lords and counts if their titles are to be descriptive of the power with which they are to be clothed. No grand seignior in the days of Louis XI ever had more power than Atterbury and these others will have if they are permitted to "get away" with this thing.

THE PRESIDENT HAS PREJUDGED THE CASE

As I have said, consolidations are a matter for the decision of the Interstate Commerce Commission sitting as a quasi-judicial body, hearing witnesses, giving adversary interests an opportunity to be heard, allowing the governors of States to send their representatives and present facts that may have a bearing on the situation. And minor railroad interests are to be heard also. But no! Sitting around a table Willard, Atterbury, Van Sweringen, and Crowley reach this agreement among themselves; they pass it on to the President; he puts the stamp of his approval upon it, and gives it to the world, and says to the Interstate Commerce Commission, "Refuse to approve it, if you dare."

The President, I imagine, would scarcely attempt, if a case should arise in court, to hold a private hearing in a corner and tell the judge what decision he had arrived at. Yet his action in this matter is even more indefensible, because it involves such vital and tremendous public interests of nation-wide extent. No suit ever pending in court was half as important in its consequences as this proposal may well be.

INVASION OF THE POWERS OF CONGRESS

Under the Constitution of the United States the power to regulate interstate commerce belongs exclusively to Congress. The legislative branch of the Government has exclusive control of that subject. Any interference with it by the Executive is a usurpation.

The single contribution made by the American system of government to political organization lies in the division of the powers of government among three equal branches—the legislative, the executive, and the judicial. All other characteristic American doctrines may be found elsewhere, and had their origin before the founding of the Republic. That one principle of government becomes the test of the American political system; upon it the system is founded. Upon that principle, if it does survive, our system will survive; it can not survive without it, for without it it will become some other, not the American system. Therefore, any trenching by one branch of the Government upon another is a dangerous thing, and that trenching through the activities of the Executive in such a vital matter as this, I come back to say, is a gross usurpation, bordering closely upon tyranny.

The Interstate Commerce Commission is the agency of the Congress of the United States. It is not the agency of the Executive branch in any sense of the word. It does not belong to the Executive branch. The Interstate Commerce Commission was created by Congress in the exercise of its exclusive power to regulate interstate commerce. It was proper that we should delegate to that agency of Congress some of the powers of Congress. Whatever powers the Interstate Commerce Commission has are powers belonging to Congress and given to the commission by Congress. It is as much an agency of Congress as a commission created by Congress for any other purpose, or as even the Speaker who sits upon his rostrum, or any other officer of the House or of the Senate. It is as improper for the President to attempt to dictate to this agency of Congress as it would be for him to dictate to the Speaker of the House or to one of its committees.

WILL INFLUENCE COMMISSION

It is absurd to say that the Interstate Commerce Commission will proceed along the even tenor of its way and in due time pass upon the proposal for consolidations in exactly the same way as it would had the President not fathered it. It is absurd to say that this agency, although an agency of Congress exclusively, will be able to ignore and to forget the findings of the President and the conclusions which he bases upon those findings. I do not, of course, say that the commission will follow the President or do what he has said they should do, but I do say that they will be influenced either for or against the proposal by what the President has done and said.

I am reminded that when I was a young lawyer I used to practice before a fine old justice of the peace whom I loved very much and who in turn loved me so much that the time came when he decided every case against me. He was afraid his decisions would be influenced by his affection for me, and in order to demonstrate to himself that he was an honest and upright judge he always decided against me.

Possibly we may have some members of the commission who have a similar disposition and who will feel called upon to decide against this proposal because they will be afraid that people will say that the President has influenced them. There may be others of a truckling kind who will hasten to put their signatures to anything that the President may indicate he favors. Between the two, it is certain that the commission can not proceed to an unbiased decision. The President has prejudged the case, and what I resent most is that he made the decision without hearing the other side, without any real opportunity to know the facts.

Mr. TUCKER. Mr. Chairman, will the gentleman yield?

Mr. HUDDLESTON. Yes.

Mr. TUCKER. I am greatly interested in the gentleman's presentation of this matter. Can the gentleman tell us how this proposition got to the President for his approval or rejection?

Mr. HUDDLESTON. I have the President's word for it. Speaking of the negotiations, he says:

> These negotiations have been in progress for some weeks and were undertaken at my suggestion.

Although the Interstate Commerce Commission is the agency of Congress and functions as an arm of Congress in regulating interstate commerce, its members are appointed by the President, and it is very probably true that they hold office only during the President's will. I am not certain about it, and I can never be until the Supreme Court

may pass on the question. But it is certain that had they belonged to the executive branch they would be removable at will. They belong to the legislative branch, but as they are appointed by the President, probably it follows that they are removable at his will.

DANGER IN ALL MERGERS

I have referred in a somewhat general way to consolidations of railroads. My personal attitude is one of extreme reluctance to agree to any merger of vast financial interests. I have grave doubt that any combination within the imagination is possible which involves two billion and a half of dollars of capital and is in the public interest. I doubt if such a thing can exist. There is too much social, political, and economic power aggregated there to be safe for the balance of us.

But, laying that question aside, any consolidation of railroads has many potential evils. It may be that shops are located in certain communities. Consolidation may result in the removal of those shops. If it is not for the consolidation of shops and other facilities, what is consolidation for? I should, therefore, expect that the small town with a railroad shop on a line consolidated with a larger line would find that its shop had also been consolidated, and they would lose that local industry. There is that chance of great harm being done to various communities throughout the country.

There is also the question of employees. What are consolidations for if not to haul more with less men? Naturally and inevitably they look toward reduction in the number of employees, and for that reason the railroad employees of the country have been very much agitated over these proposals. They regret them. They fear that the reduction in number of railroad employees will proceed at an accelerated rate because of these consolidations.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. AYRES. Mr. Chairman, I yield five additional minutes to the gentleman from Alabama.

Mr. HUDDLESTON. But I assume we may dismiss our fears in view of the President's statement:

THE PRESIDENT'S PATENT MEDICINE

It is my understanding that the plan provides for the protection of the interests of the employees and full consideration of the interests of the various communities.

He had a hearing. He passed on the facts. He is able to tell that nobody is going to be discharged; that all the shops are going to stay right where they are.

Then he also says as a part of his announcement, after saying that this proposed consolidation was initiated by him, that he did it "in the hope of effecting the consolidation policies declared by Congress in 1920, and especially at this time as a contribution to the recovery of business by enlarging the opportunity for employment by increasing the financial stability of all the railroads"—not only of those that go into the combinations, but all of the others.

The President recommends this proposal for combination as though he had a patent medicine to sell; it is "good for all the ills of man and beast; it grows hair on the bald head, removes corns and warts, and generally lifts up the downcast and fallen." All we need to do is to erect Mr. Atterbury and Mr. Willard and these other men into positions of vast power, consolidate their lines, and the gloom of the present that haunts us shall pass away like a dream.

Mr. Chairman, I do not believe it.

I yield back the balance of my time. [Applause.]

Mr. BYRNS. Mr. Chairman, I yield 15 minutes to the gentleman from Arkansas [Mr. GLOVER].

Mr. GLOVER. Mr. Chairman, ladies and gentlemen of the committee, we are considering to-day a deficiency bill. I want to speak to you about a deficiency for which there has been no appropriation and for which one should be made to take care of the situation now.

You have heard much said on the floor of this House with reference to an incident which occurred in my State, and it happens that it occurred in my district, at England, Ark.; a condition was brought about, not by any of those affected by it but a condition brought about by a drought that has brought them to this perilous condition. They are not criminals. There is not a more law-abiding set of citizens on the face of this earth than many of those who marched in the line and begged for bread in this great country of ours. We grow citizens in this county like the great leader over on the other side of the Capitol, Hon. JOE T. ROBINSON, who was born and reared within 20 miles of where this incident occurred. They are good citizens, but a condition was brought about where they were faced with hunger, and they went to the only place they knew for help and they received a pittance.

You, no doubt, noticed another statement in the paper this morning which it is claimed was made by the governor of our State, in which he is quoted as stating that the State of Arkansas and the Red Cross are able to cope with the situation there. I presume that statement is true, or would be true if all of the Red Cross activities were brought to bear and put into use down in that State alone.

It was stated repeatedly on the floor of this House a few days ago that the Red Cross had available $4,500,000. I say to you that if that is all they have they can not relieve the distress that exists in my State alone. There are 250,000 people there who are like those who made a demonstration of their hunger that need help.

The land around this little town of England where this occurred is as fine land as any man ever saw, but it is peculiarly adapted to the growing of cotton alone. It does not grow other crops. The cotton crop was a failure, and as a result of that they were without anything upon which to subsist. We have had 120 bank failures in that State. There were 1,100 bank failures in the United States, and one-tenth of those were in this great State of mine, which has never before appealed to the Government for anything whatever. Those 120 banks which have gone down went down in defense of agriculture. Seventy-six million dollars of their money was loaned to these men to make a crop last year in 75 counties, and there are 73 of them that can not go on and make a crop without help. The banks have loaned to their extremity. Many of them have gone under. Others are burdened to the last dollar that they can carry and without additional help from somewhere they are not going to exist and be able to furnish the farmers another year.

The $45,000,000 which was voted the other day to aid agriculture is the first ray of hope we have had which looks like help that is coming direct to the man who needs it.

I heard the Assistant Secretary of Agriculture testify before the committee a few mornings ago, when he was advocating a $25,000,000 loan, and he stated that the State of Arkansas would require at least $4,000,000 to relieve the distressed condition. It will require much more than that.

I wish to praise on the floor of this House the results of the work of the Red Cross last fall. They expended a small sum of money in our State. Every dollar that they spent, either in buying seed for the farmer to plant or for garden crops, has been worth $10 to what it would be if it were spent now, because it is bringing about results in crops for pasture. If the Red Cross is going to be active, and if that is the only agency that is to take care of the condition down there, I say to you they will have to have more than $4,500,000. I would be willing to vote $15,000,000 more to-day and put it in the hands of the Red Cross and let them give it to the hungry men, women, and children. A man with a wife and children that are hungry is a dangerous piece of machinery. This Government of ours is rich in wealth, rich in products of crops that are hoarded up by the Government and by other agencies, and no man ought to suffer from hunger.

A question was asked the other day when my friend Mr. PARKS, from Arkansas, was speaking, "What has your State done down there?"

I want to say to you gentlemen that we have gone to the extremity. We are issuing State notes, selling them and building roads into the millions of money in order to try to give some employment. In the city of Little Rock, the capital of the State, they raised a fund of $200,000 to give to the poor. I was there one day last week when the com-

munity fund was being dispensed, the fund raised by the citizens of Little Rock, and I saw 300 or 400 hungry people there waiting their turn to get a pittance of bread. You say the Red Cross is giving all the aid that is needed. What do the papers say those hungry people got per family the other day from the Red Cross? Two dollars and seventy-five cents. There are hungry Congressmen here to-day who can eat that much at one meal. Talk about a man existing on $2.75 once a week! He can not do it and live.

The question was asked: What is the legislature going to do? I do not know, but I hope to God it will go to the limit in taking care of the hungry in this land of ours.

Here is the Government. We heard the statement this morning that the Government has bought and hoarded wheat. Here is a great bin of wheat around the United States owned by the Government and here are the hungry all around it begging for bread. Why in the name of Heaven do you not authorize the grinding of that into flour and sending it out and giving it to the hungry in this land of ours?

Now, gentlemen, this matter is not brought about by the drought alone. I think there are other things that have entered into it. Our industry is gone. It is paralyzed. We heard the statement made a day or two ago to the effect that we have now 5,000,000 men out of employment. Suppose that each person represents a family of five. That would mean 25,000,000 out of employment. Now, here is another agency of our Government that is trying to regulate agriculture and saying we are raising entirely too much. We have about 45,000,000 acres of land now under cultivation in the United States. They say we are raising one-third too much. You have 30,000,000 people engaged in agriculture that must be fed from their products. Suppose you cut it down one-third. Then you would take 10,000,000 people and turn them out of employment and add them to the 5,000,000 you already have, and then you would have about one-eighth of your population out of employment. We can not do it that way.

We sometimes wonder what is the matter with our cotton of the South. We can not sell it. We have cotton down there now worth 8 or 9 cents a pound that ought to bring 20 cents. What is the matter? I say to you that a part of the blame is on this Congress, in my opinion. You ought to share your part of the burden. I believe you have caused a part of this by legislation, because you have put a wall around the United States by the tariff bill which shuts out a lot of our export trade and prevents a lot of our products from going abroad that ought to be marketed there. They are staying here. The products from abroad can not come in and we can not go out. You have built your wall here with your high tariff. We are prevented from trading in those nations which would trade with us. We can not go there and buy what they have to sell and sell them what we have of our products. I say to you that the wall which you have built up here will forever cut us out of the trade which we have had heretofore.

A speech was made here this morning which I think was a good one. It was with reference to the payment of our soldiers. There are a lot of them now in the line demanding something to eat. They are in the same condition as those who live in the drought-stricken areas, and many of them live there. There is a man down there with a hungry family; the Government owes him money on his certificate, but he can not get his money. That is a shame. I have just read the Garner bill and I have read the other bills, but I am inclined to think that the bill of the gentleman from Texas [Mr. PATMAN] comes nearer to the spirit of right than any of the others. First of all, Congress made a mistake when it offered to give the soldiers that little pittance. Congress did not give enough. It only gave $1 a day for those who served here and $1.25 a day to those who went overseas.

Mr. PATMAN. Will the gentleman yield?

Mr. GLOVER. Yes.

Mr. PATMAN. May I call the gentleman's attention to the fact that in Memphis, Tenn., which is only a short distance from where the gentleman lives, just the other day a war veteran who had a sick wife and three small dependents was turned out into the street because he was unable to pay his rent, yet the Government owes that veteran more than $1,300, after deducting what he has already borrowed on his certificate.

Mr. GLOVER. I just started to say this: Here are two boys in the same family. One was more physically fit than the other. He was taken and put into the Army at $1 a day, while the other one went to a cantonment and he got $8 a day. He was working for that much money while the other boy went abroad and put his body in jeopardy for the liberties of this Government. Yet the Government is quibbling about paying him now the money it has promised to pay later. We ought to pay the money now so that those in need may be relieved. I want to say that if the Government will pay that money to the soldiers now it will come nearer reaching the spot than anything I know of. I think we ought to do it in this Congress. We ought to pay that money now. If these soldier boys had courage enough to go into the Army and fight our battles and secure a victory for the Nation, we should be willing to pay them well for it. Yet the Government says they are not capable of handling this little pittance that has been given by the Government as a hand-out. I say it is not right to the soldier boys.

I would like to call attention while I have the opportunity in just another moment to a bill I introduced a day or two ago which will help the conditions that are now on. It is a bill to extend Federal aid to the lateral post roads over which the United States mails are carried. I say it will do far more good than the money we are spending now on the through highways. It will go out into the country. The people along the main highways are getting along fairly well, but you go back up the creek, where the boys make their living, and you will find they are the ones who need a little consideration by the Government.

Let us be good Samaritans. That is what we ought to be. You remember the story of the man who was traveling the road from Jerusalem to Jericho. He was left on the side of the road in a helpless condition, like these people down here. The priest and Levite passed by, like we are passing by, and giving no aid. But the good Samaritan came along. He got down off his beast, bound up the man's wounds, gave him some money with which to buy bread, let him ride, and the Samaritan walked. That is what we ought to do. I thank you. [Applause.]

Mr. BYRNS. Mr. Chairman, I yield 20 minutes to the gentleman from California [Mr. LEA].

Mr. LEA. Mr. Chairman, 100 Members of the House have signed a petition instructing the Ways and Means Committee to report a bill proposing to pay the full face value of the soldiers' bonus certificates. Other measures have been presented to the House proposing a partial immediate payment of these certificates. Still other proposals are made to liberalize the terms on which holders of these certificates may secure loans.

Congress is therefore presented with the practical, live question of what it shall do as to this important question.

After the introduction of 200 bills Congress, in 1924, finally passed the bonus act. This act converted what had theretofore been a claim for a bonus into a contract obligation of the United States to the ex-service men of this country. The obligation assumed by the Federal Government was very definite and specific. The credit given to the service men consisted of three specific items. One item was a per diem of $1 a day for domestic service or $1.25 for foreign service. This was the basic obligation assumed in favor of the soldier. The second item of credit in favor of the soldier was an addition of 25 per cent to the first sum; that is, if a man's service, for instance, had been 400 days in domestic service, he was allowed $400 plus $100 additional as a reward for the delay in the payment finally to be made to him. Instead of paying the soldier $400, we agreed that

the basic sum allowed him should be $500, and that we would give him a certificate for that amount payable 20 years after date, with interest at 4 per cent, compounded annually. All three of these items were payable 20 years after date, and nothing before that time, except in case of the death of the holder.

In this settlement we made a charge against the soldier. There were three items to his credit—the per diem, the 25 per cent additional, and the compound interest—but we made a charge against him also. That charge was the cost of carrying the insurance feature of the contract. In other words, in case the holder of a service certificate dies his dependents are entitled to the payment of the certificate at its full face value, the same amount to which he would have been entitled had he lived the full 20 years.

I have endeavored to get information concerning the value of this insurance charge against the soldier. I am advised that the approximate cost of carrying the insurance for the service men up to date is $76,500,000.

The Garner bill, which has been introduced, has one fundamental virtue. It proposes to pay these service men according to the actual value of their certificates to-day, not the value 15 years from now, but the actual value to-day. The Garner bill, however, departs from its fundamental principle of paying what the certificates are actually worth to-day, by giving the soldiers a gratuity of $76,500,000 for the insurance that has been carried for their benefit to date.

It is apparent that the basic item of credit in favor of the soldier was the per diem allowance. The truthfulness of this is illustrated by the fact that the service man who died before he applied for a bonus certificate was paid only his per diem. He was not paid the 25 per cent additional. He was not paid any interest, but simply the per diem allowance. So that of the three items credited to the soldier, two of them are to compensate him for the delay in payment. The basic credit was the per diem allowance. The 25 per cent was compensation for the delay, a delay of 20 years that he was to wait for the payment of his certificate. In 18 years the interest accumulation will be equivalent to 100 per cent of the original basic item; it will also be equivalent to 100 per cent of the 25 per cent item and, in addition to that, it will leave a surplus of over two years of interest in addition to doubling the whole original sum.

Three million four hundred and seventy-eight thousand certificates have been issued. Over 94,000 men have perished and their dependents have been paid $101,000,000 for their insurance. There are now outstanding 3,384,000 certificates that have a face value of $3,241,000,000.

The present value of these certificates outstanding, of a face value of $3,241,000,000, is to-day $1,770,000,000. The difference between the present value and the face value of these certificates is the unaccumulated earnings that these certificates would accrue in the next 15 years if not cashed; it is the unaccumulated value that would occur because of the interest the United States would finally pay to the soldier. In other words, we borrowed the money from the soldier and we, in effect, gave him a promissory note that we would pay him 20 years from that date, together with interest. Five years have passed and 15 years of interest is yet unaccumulated. The face value is $1,640,000,000 greater than the actual value. Under this situation, if we pay these certificates at their full face value, we give away $1,640,000,000 from the Treasury of the United States. We add to the public debt of the United States $1,640,000,000, and we double the interest on that amount for the next 15 years.

Mr. PATMAN. Will the gentleman yield for a question?

Mr. LEA. I will.

Mr. PATMAN. I would like to ask the gentleman two or three short questions.

You will admit that the basic pay was a dollar a day for home service?

Mr. LEA. Yes.

Mr. PATMAN. And that that was honestly due?

Mr. LEA. I certainly do.

Mr. PATMAN. And it was due in 1918.

Mr. LEA. That is true.

Mr. PATMAN. Then why do you not begin the interest from 1918?

Mr. LEA. Because we allowed him 25 per cent extra to pay for the delay. That is a greater sum than the amount you suggest. The bonus was established by the law of 1924.

Mr. PATMAN. Would the gentleman be willing to take the adjusted-service credit Congress admitted was due in 1918 and give the veterans 6 per cent interest on that without any so-called bonus or 25 per cent increase?

Mr. LEA. That would be another way of giving away money without a just reason for so doing.

Mr. PATMAN. Mr. Mellon has refunded millions to the steel corporation with interest at 6 per cent.

Mr. LEA. Our obligations to the soldier are defined by the law, and under those obligations we have done our duty. If you want to give the soldier anything more as a gift—I am opposed to it—but if anybody wants to do it they can do it as a gift. We do not owe $1,640,000,000 to the soldier any more than we owe it to the laborers, the bankers, and other classes of people. [Applause.] If you want to make a gift to the soldiers, you can do it. I think it should not be done. This period of depression is no time to saddle new or unnecessary obligations on the taxpayers of the country. [Applause.]

Mr. PATMAN. May I suggest to the gentleman that if he carries out his argument to a logical conclusion he is only paying 70 cents a day to these soldiers for the service they rendered, because he is depriving them of the interest from the time that they earned the money in 1918 to 1925.

Mr. LEA. We will, in effect, pay them $1.25 for domestic service and $1.50 for foreign service.

Mr. KNUTSON. These soldiers did not go to war for the money that was in it.

Mr. LEA. No; nor under any promise that they would be paid any such sum as is now suggested.

I like to give something to the soldiers. There is an appeal in any plea in their behalf. Unfortunately we can not give money to the soldier or to anybody else until it is first taken from some other man. So the question for us is not merely doing something for the soldier, it is also justifying ourselves in taking this money from the man whose toil and ingenuity has earned it.

Mr. PATMAN. The gentleman is not willing to do as much for the veterans as we do for the United States Steel Corporation?

Mr. LEA. I certainly am.

Mr. KNUTSON. Oh, the gentleman from Texas is drawing a red herring across the trail.

Mr. PATMAN. You are returning millions to the Steel Corporation and giving it 6 per cent interest, and this money was due the veterans in 1918, why are not they entitled to receive 6 per cent interest?

Mr. LEA. That question was settled when we adopted the bonus act. We have had two bonus settlements, and the bonus act has been for years accepted as settling the extent of the bonus liability. There is no reason for the readjustment of the basic liability of the bonus act at this time. There is no reason why this basic settlement should come back to Congress for change from time to time.

Congress is confronted with a situation where we should adopt some inherently just principle in determining our relief to our service man. All can agree on our obligations to him and his dependents for deaths and disabilities resulting from the war. Many can agree on furnishing aid to our ex-service men when suffering from physical disabilities not connected with the war. None can justify the distribution of funds to any class in relief of distress, regardless of the physical or financial condition of the members of that class.

Our ex-service men, as a class, aside from those who suffered disabilities from the war, are now suffering no distress different from the people of the Nation generally. There is no line of distinction by which we can discriminate in their favor at the expense of the rest of the people of the country. When we seek to bestow money to relieve distress,

it should be confined to that class clearly first entitled—those in financial distress. Many service men are in financial distress, but, on an average, not more so than the average citizen of the country.

As the years come on many demands are going to be made upon the floor of this House in the name of the soldier that are not justifiable or warranted, and the sooner Congress can adopt some logical, inherently just principle, and stay with it, the better it will be for the country.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. LEA. Yes.

Mr. KNUTSON. Is it not only fair to assume that the veterans of the World War will be coming to Congress asking for a general pension law within the next 8 or 10 years? All other veterans of other wars have done so.

Mr. LEA. I anticipate that very thing is going to happen. When that time comes will Congress authorize a pension to 3,000,000 men regardless of the war connection of their disabilities and regardless of their financial or physical condition?

When we wrote the war risk insurance act it was written upon the great principle that the Federal Government would be responsible to the soldier and to his dependents for war losses, for injuries and disabilities and resulting financial loss due to the war. We were to pay the soldier and his dependents for their war loss. When we depart from that and begin to pay money to the soldier in disregard of his war losses, we are treading on dangerous ground. We parted from it last session of Congress when we passed the pension law. We have parted from it in other instances in which we have disregarded that principle. This is no time to violate that principle in such a way as is now proposed. I believe it indefensible to pay the full face value of these certificates 15 years before their face value has accrued.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. LEA. Yes.

Mr. PATMAN. I direct the gentleman's attention to the fact that the Congress, or at least the Secretary of Agriculture, adjusted the pay of those veterans who worked on the public roads during the war, and I happen to have a copy of one of the pay rolls where they adjusted it, as in the case of one Barney Allen, of Nashville, Tenn. His rate of pay as a corporal was $1.66 a day, and the civilian rate of pay would have been $8. The Secretary of Agriculture paid him $6.33 a day, or $158.25 a month, extra pay, adjusted pay. That was as of 1918, and if he was entitled to $6.33 adjusted pay per day as of 1918, does the gentleman not think that these boys who had $1 a day and $1.25 a day are entitled to that money as of 1918 and not seven years subsequent to that time?

Mr. LEA. There are two answers to that question. One is that we have twice adjusted this bonus question and that it was accepted as final. Nobody who represented the cause in favor of the bonus in 1924 gave the slightest intimation of any intention to come back to Congress and make an argument for an increase of it.

The present value of these certificates is $1,770,000,000. We may consider the question of now paying their present value from two standpoints. We can consider it from the standpoint of the Government and from the standpoint of the certificate holder.

I believe it would be a good thing for the Government to pay these certificates at their actual value to-day. In the first place that method of settlement will not increase the public debt of the United States. We can pay them all that is due them without loss to the Government. As a matter of fact, the Government can save a few hundred million dollars by paying these certificates at face value to-day. So that from the standpoint of the Government I see no objection to payment. I see strong reasons why these certificates should be paid at their actual value. The Government can secure money to-day at cheaper rates than it is paying the ex-service man for the use of his money. There is a great supply of money now available for secure investments, like the purchase of Government bonds. There is abundant investment credit. The money market will not be materially disturbed or injured. On the contrary, the money market could well be exhilarated to the advantage of the country at the present time. This would be essentially a refunding transaction. We can sell securities to those who want to invest their idle funds, and we can take up the securities of the service men, who need the money more than their certificates. One billion dollars of new money will fully liquidate this situation now by paying these certificates in full, so far as they would be offered. That would give business an impetus that I think would be a good thing at this time. A year and a half ago, when we were in the boom, business was overstimulated, it was inflated, we were suffering from too much inflation. To-day business is unduly depressed; we need stimulation. A year and a half ago stimulation was an injury to business, but to-day it would be a resuscitation. From the standpoint of the Government, therefore, it would be a good thing to pay these certificates.

How about it from the standpoint of the men who hold the certificates? I propose we give these men an option to cash their certificates at their actual value to-day. We would not require any man to cash them. We give him the opportunity to cash his certificate. We convert the certificates from a frozen asset into a liquid asset. Is there any injury to the holder of a certificate in converting his asset from a frozen to a liquid one?

The only argument made against that is that the funds will be "dissipated." Is that a legitimate argument? Is that an influence that should deter us from making this money available for the holders of these certificates at their present value. That argument against payment assumes that these men need a guardian, that they are not capable of handling this money for the benefit of themselves and their families. Practically all of the service men are over 30 years of age. Most of them are married, with little families, with a wife, with babies playing around the house. At the present time we are in a period of depression, and they have every reason that a man can have to make a frugal use of the money. To say that they will have a greater need or make a wiser use of it 15 years from now is purely a conjecture. If these men, having reached an age of discretion, induced by affection for their families, and enjoined by the present economic conditions can not now use this money wisely and justly, then I doubt if the time will ever come when they can do so.

Mr. YON. Mr. Chairman, will the gentleman yield?

Mr. LEA. Yes.

Mr. YON. Has the gentleman had occasion to ascertain what percentage of the veterans desire an opportunity to cash in these certificates?

Mr. LEA. I have not; but I know that about 48 per cent of all of the holders of these certificates have borrowed money on them. More than 1,400,000 loans have come to the Veterans' Bureau, and it is known many more are in the banks of the country and have not yet reached the Veterans' Bureau.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. BYRNS. I yield five additional minutes to the gentleman from California.

Mr. LEA. At the present time about 48 per cent of the holders of these certificates have borrowed money on them. That shows the need these men have had of the money. If we should pay off these certificates at their actual value it would mean that immediately 1,600,000 debts owing in this country would be settled.

Mr. YON. That is evidence to the gentleman's mind, then, that there is a demand that those holding the certificates be given the option to have them cashed if they want to?

Mr. LEA. I have no doubt that the man who holds one of these certificates would regard it as a benefit to him and an act that would increase the value of his asset, if that asset were made liquid instead of remaining frozen.

Mr. YON. There is just one thought that occurs to——

Mr. LEA. I feel I must hurry along.

Mr. PATMAN. Will the gentleman yield?

Mr. LEA. I yield to the gentleman, briefly.

Mr. PATMAN. Under the gentleman's plan, what will the soldier receive in payment for his certificate if he chooses to take cash? Suppose he has a $1,000 certificate, due in 1945.

Mr. LEA. It would be something like $600.

Mr. PATMAN. Six hundred and thirty-two dollars.

Mr. LEA. I thank you.

Mr. PATMAN. Or 63 per cent?

Mr. LEA. Approximately.

Mr. WILLIAM E. HULL. Will the gentleman yield?

Mr. LEA. I yield, briefly.

Mr. WILLIAM E. HULL. Which would the gentleman suggest the better thing to do; should we reduce the rate to 4 per cent and let it stand as it is or pay them off?

Mr. LEA. I think it better to pay them off. I regard 4 per cent or 6 per cent as of little practical significance. It is not of any great importance. There is no real hardship in the 6 per cent charge for borrowing small amounts of money. The bank does not want the business. The bank loans the money as a favor. The small amount of interest does not ordinarily compensate the bank for the transaction. It would be a benefit to the soldier, however, to have a 4 per cent loan instead of 6 per cent.

Mr. BURTNESS. Will the gentleman yield?

Mr. LEA. I yield.

Mr. BURTNESS. If the rate were decreased, would that not automatically increase the loan value of the certificate a great deal?

Mr. LEA. Very slightly.

Mr. BURTNESS. Well, considerably on the 15 years that are left?

Mr. LEA. Some time ago Secretary Mellon gave out a statement to Senator VANDENBERG, of Michigan. It was an able, succinct statement of the situation. I agree with the Secretary that the present payment in full would be indefensible. I disagree with his contention that it would be inadvisable to pay the actual value of the certificates. Secretary Mellon probably stated the best reasons why that should not be done. One reason was that it would be "a temporary stimulation of an artificial character" to business. I think that is what we need at the present time. If we can interfere with the natural conditions which to-day are depressing business, we have to do it artificially.

One of the ways to do it is to create more employment. Money spent for consumptive purposes, if you want to say this money will be spent in that way, is money that makes employment. When a man becomes employed he spends money. He buys through the whole field of the market. He has inducements to buy, of course. I do not want him to buy any more than he needs, but he goes there and buys the things that he thinks he most needs. He makes the best use of the money that he knows how. It is in circulation in every section of the United States. It is in the remotest sections. That will be a stimulation to business. Give us artificial stimulation for a while and then we will find we are going naturally back toward prosperity.

Mr. Mellon also states that one objection to this plan is that it would "divert savings into purchases for consumption." I take it that is the problem of the owner of this money. We would never think of asking any other war creditor what use he was going to make of his money. The question of what use he makes of it is for him to decide. He is a man of mature age and at the head of a family. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYRNS. Mr. Chairman, I yield 15 minutes to the gentleman from Maryland [Mr. LINTHICUM].

Mr. LINTHICUM. Mr. Chairman, ladies and gentlemen of the committee, yesterday a certain Member of the House from Alabama rose to address the committee. Everybody thought he was going to talk on Muscle Shoals and they were astounded to find he was going to talk on the bonus question and the payment to the soldiers of the amounts due them. I shall not disappoint you nor amaze you as the gentleman from Alabama did, because I propose to talk a little about prohibition. [Applause.]

Recently I have been receiving a great many letters from citizens of Indianapolis directing attention to a chain of most unfortunate events which culminated recently in the conviction of six city police officers for violation of the national prohibition act.

The charge is openly made in these letters that the prohibition operators, in cooperation with the district attorney of Indianapolis, deliberately set about to build up a sensational police scandal by the establishment of a speak-easy in that city. As a first step in building up their case, two prohibition agents, sent to Indianapolis from Chicago, opened a liquor-dispensing establishment at 1213 East Twenty-second Street. Government funds were used to finance this illegal venture, which obviously was operated solely as a place of entrapment. Horace Lyle, a negro informer, was in charge of this Government-owned speak-easy, and the two Federal agents supplied liquor through dealing with one Taylor, a notorious bootlegger who vanished before the trial. Another informer, one Henderson, was at the time a fugitive from justice.

As a result of these illegal operations, 18 members of the Indianapolis police force were indicted in September, about five weeks before the election. Eleven were acquitted in November and one more in December. The remaining six were convicted.

My own view is that such activities of the Federal prohibition force constitutes a shameful perversion of Government, which is a challenge to every citizen. Our courts have universally rejected such methods of entrapment, the rule of law being:

> Public policy forbids that officers sworn to enforce the laws should seek to have them violated, and that those whose duty it is to detect criminals should not create them.

This ruling is clearly set forth in Peterson *v.* United States (255 Fed. 433). Since the evidence in the Indianapolis case points clearly to political blackmail I feel justified in bringing the matter to the attention of Congress. It is a grave warning of institutional decay if the officers of our Federal Government are authorized by administrative policy to form partnerships in crime, and you will agree, I am sure, that the people of America abhor the principle that Government agents are justified in lending themselves in the name of law to criminal associations and activities, everywhere condemned by men of honor.

I have mentioned these facts because I feel that this House and the Members of Congress are absolutely opposed to such transactions.

I have a letter from a gentleman whom many of you will recognize, which I just recently received. I am reading this to the gentlemen on my left especially, because I think they will know him better, perhaps, than those on my right.

The letter reads as follows:

INDIANAPOLIS, *December 22, 1930.*

Hon. J. CHARLES LINTHICUM, M. C.,
House of Representatives, Washington, D. C.

MY DEAR SIR: I am informed by my warm personal friend, LOUIS LUDLOW, that you are in the lead of the Congressmen attacking the Government's method of establishing a pool room, speak-easy, and buying and selling booze in order to trap the policemen in this city.

This being the case, I feel that I should inclose the issue of the Indianapolis News, under date of the 20th, quoting United States Judge Baltzell at some length and also expresses disapproval of the Government's methods, and recommends the dismissal of Sergeant Everson, of the police force, who was convicted by the jury.

The method used in this city by the Prohibition Department is so repugnant and contrary to the spirit of American institutions that I do hope that Congress will enact some new legislation or change the old legislation in such a way that Government liquor entanglement of booze joints will be forever eliminated and done away with.

For many years I have been a member of the senate and house of representatives in Indiana, and you no doubt knew my father, ex-President Harrison.





I am sending the copy of the first page of the News to you in the interest of aiding you in your fight for a good and clean Government.

Yours very truly,

RUSSELL B. HARRISON.

The excerpts from the Indianapolis News of December 20, 1930, sent me by Mr. Harrison and quoting Judge Baltzell are these:

FIVE POLICEMEN GET JAIL TERMS—MOTION FOR NEW TRIAL FOR SERGEANT EVERSON SUSTAINED BY UNITED STATES JUDGE—APPEAL PAPERS SIGNED—SIXTY DAYS TO FOUR MONTHS LENGTH FOR SENTENCES—TWO CIVILIANS INCLUDED

Five of six Indianapolis policemen recently convicted by a jury on a charge of conspiracy to violate the national prohibition law were sentenced to jail Saturday by Judge Robert C. Baltzell in the Federal district court.

A motion for a new trial for Sergt. Joseph Everson was sustained, the judge asserting that the charges against him should be dismissed.

* * * * * * *

Frederick R. Bonifield, chief of the defense staff, first filed motions for new trials for each of the defendants.

"Just show them as filed. I want to satisfy myself as to what this evidence shows," responded the court, turning to the evidence. Judge Baltzell explained that he had obtained transcription of the evidence as to Gray and Everson "especially."

"This is about as pitiful a case as I ever saw. It just takes the heart out of a fellow. Any punishment that I could give these police officers could not make any difference. You have lost your status in the community; you have lost your jobs, with little chance of getting them back on the police force. Your positions and pensions are gone. I feel like jail sentences in these cases will suffice," asserted the court, preparing to impose sentences.

"As far as Everson is concerned, I'm granting him a new trial. Perhaps the court ought to have given him a directed verdict, but there was such a mass of evidence at the time," continued Judge Baltzell. He went on to assert that there can be no new evidence presented against Sergeant Everson and suggested that Jeffrey dismiss the charges.

Activities of Lyle came in for censure by the court in discussing the evidence. "I haven't any patience with Lyle, although I know him only by reputation. As Everson said, Lyle had a reputation for doing almost anything."

Although holding that the evidence against Patrolman O'Brien was conclusive as to participation in the conspiracy, Judge Baltzell said:

"As I recall the evidence, it's just inexcusable, of course, some of the methods used. Yet that's not a question for the court to say how such things should be done, just so they are legal."

PURCHASE CRITICIZED

"They [the Federal agents] bought a lot of liquor there—a gallon, two gallons. I never thought it was necessary to spend out money that way, a gallon or two gallons at a time," he said.

* * * * * * *

Again criticizing the method of making the case against the policemen, Baltzell said:

"I don't like this method. I think it is repulsive. You don't have to do this to enforce the law. I just don't believe in opening up places like this and paying out money for liquor by the gallon."

I addressed the following letter to my fellow Marylander, Col. Amos W. Woodcock, Director of the Bureau of Prohibition, on December 12, 1930, to which I received the two dated December 13, 1930, and December 31, 1930, all of which I read:

DECEMBER 12, 1930.

Hon. AMOS W. WOODCOCK,
Director Bureau of Prohibition, Washington, D. C.

DEAR MR. DIRECTOR: I have received during the past week letters from citizens of Indianapolis, Ind., directing attention to a statement that two Federal prohibition operatives engaged there last summer in the operation of an illicit liquor-selling establishment. These activities, according to information which comes to me, were a part of the investigation which led to the indictment of some 17 or 18 city policemen on charges to violate the national prohibition act.

To-day another letter comes containing the direct accusation that one, Henderson, a Federal agent engaged in the same case, is now at liberty under a suspended sentence for larceny.

In all of these communications the charge is made that the police officers were positively persuaded and enticed into the crime for which they were later indicted and that the evidence against them was the testimony of the Federal operatives, who were in fact their accomplices.

Because of the gravity of these implications and in view of the fact that the practice of entrapment is almost universally rejected by the Federal courts, I have undertaken to learn the facts surrounding the Indianapolis case for presentation next Tuesday to a meeting of the unofficial House of Representatives committee on modification of the Volstead Act.

If it is not incompatible with the public interest, I should appreciate a statement from you as to whether the bureau sanctions the use of Federal appropriations for the operation of illicit dispensaries. And have you any knowledge of the payment of any money for this particular case?

Very truly yours,

J. CHAS. LINTHICUM.

DEPARTMENT OF JUSTICE,
BUREAU OF PROHIBITION,
Washington, December 13, 1930.

Hon. J. CHARLES LINTHICUM,
House of Representatives, Washington, D. C.

DEAR CONGRESSMAN: I wish to acknowledge the receipt of your letter of the 12th instant regarding the activities of Federal agents in connection with a certain case at Indianapolis, Ind.

The case to which you refer is evidently that of United States v. Chris Shishoff et al., indictments being returned by the United States grand jury for the southern district of Indiana on September 19, 1930. The case has since been tried and resulted in a conviction of four. Of the 4 convicted, 2 have been sentenced to 3 years each in the penitentiary, and sentences for 2 have been postponed until a later date.

The indictment charged a conspiracy between various police officers and violators of the national prohibition act in Indianapolis to violate that act, and was instituted as a result of numerous complaints of collusion between the police and the operators of speak-easies in that city.

You ask directly about one Henderson, whom you describe as a Federal agent.

I find that one Walter Henderson was employed as a special employee for a time in connection with this general investigation. His services with the bureau terminated on November 14, 1930. Whether he has ever been convicted of a crime I do not know. The records available at this office make no mention one way or the other.

You next state that "the charge is made that the police officers were positively persuaded and enticed into the crime for which they were later indicted, and that the evidence against them was the testimony of the Federal operatives, who were, in fact, their accomplices."

Some of the testimony against the policemen was undoubtedly that of the Federal operatives who were engaged in securing the evidence against them. I have no information nor do the files disclose that any evidence was secured against these officers by unlawful methods. The short time available does not permit me to communicate with the United States attorney at Indianapolis, but the records make no such intimation.

As you know, the law of entrapment is well defined; all the agents are instructed in it and not to violate it. There is a great distinction between persuading an innocent man to commit an offense, on the one hand, which would be entrapment, and in taking the opportunity to secure evidence of violation of the law against a man who has it in mind to commit such a violation. According to the records here, the latter is the truth in the instance to which you refer.

You ask also whether "the bureau sanctions the use of Federal appropriations for the operation of illicit dispensaries." The bureau does not sanction such use of Federal appropriations. A small room was rented in the instant case as a means of gaining knowledge of the unlawful acts in Indianapolis, but no liquor was dispensed there nor is this ever the case.

You ask finally whether "I have knowledge of the payment of any money for this particular case." The records do show the allowance of a small sum of money for the rental of this particular room, which payment, I am advised, is entirely lawful. A place for making such contacts is apparently necessary in the development of these cases of conspiracy between public officials and those who violate the law. You may rest assured, however, that they will never be used as a place in which the law itself is violated.

Very respectfully,

A. W. W. WOODCOCK,
Director of Prohibition.

DEPARTMENT OF JUSTICE,
BUREAU OF PROHIBITION,
Washington, December 31, 1930.

Hon. J. CHARLES LINTHICUM,
House of Representatives, Washington, D. C.

DEAR CONGRESSMAN: In further reply to your letter of the 12th instant I find that in addition to the case of the United States v. Chris Shishoff et al., about which I wrote you on the 13th instant, another case was developed and made against police officials and others in Indianapolis.

This second case should be referred to as the United States v. Thomas J. Gray et al. In this second case six policemen and two other defendants had been convicted and sentenced on December 20. One other policeman who was convicted has been granted a new trial. All the others, I believe, are about to appeal.

This second case was made by the forces under the administrator for that district, whereas the first case was made by the special agents.

I believe that the remarks as to the method of securing the evidence and as to the use of the room, in my letter of the 13th regarding the Shishoff case, are equally applicable in this case.

Very sincerely yours,

A. W. W. WOODCOCK,
Director of Prohibition.

The testimony of the Federal agents themselves was to the effect that this man Taylor, a well-known bootlegger, furnished them with liquor and that liquor was dispensed from the room which the Government rented and for which it paid the rent, and that this was done for the purpose of entrapping policemen.

Gentlemen, I do not propose to say anything more about this question, but you are about to make an additional appropriation to carry on this work from now until the 1st of July. That appropriation is $547,000 plus. Now, I want to bring to your attention the fact that a part of the money you are appropriating is going to the establishment of these speak-easies for the purpose of entrapping citizens and police officers throughout this country, and I want you to give consideration, when you come to that item, as to whether you want to make an additional appropriation—an enlarged appropriation—for this purpose. [Applause.]

Mr. BYRNS. Mr. Chairman, I yield 20 minutes to the gentleman from Mississippi [Mr. QUIN]. [Applause.]

Mr. QUIN. Mr. Chairman and gentlemen of the committee, I regret to be called upon to talk this early in the year, but it is a matter of necessity and a subject that has been before this Congress for the past 12 years.

This House passed a Muscle Shoals bill and the Senate passed a bill. Before the last session of the Congress died we had the two bills in conference. At that time there could be no agreement. As soon as this Congress reassembled the conference was called together. We have had eight different meetings and to-morrow is the last one we will have or that bill dies.

What is the matter? I thought that after the Members of the Congress went back home and went before the people, with all the multifarious issues before the people, and these men, some elected and some defeated, came back that certainly an agreement could be reached; but, to my surprise, when I thought we had reached an agreement on two different occasions, we would go back for the language to be completed and agreed upon and there would be some other subterfuge brought up on which no agreement could be reached.

Who is to blame? I want to be fair and I want to be honest in the statements I make here. The members of the Senate conference committee practically let the House have all it wanted in the way of fertilizer. The Senate gave us the bill, but they said, "We ask you to stand up to what you did before in the way of power control and power transmission from the dams and from the dam to be built at Cove Creek."

The Republican leaders are responsible. I belong to the minority. They are the gentlemen who are responsible for your conferees. Now, understand, if I make a misstatement I am ready to apologize to everybody in the United States. After the Senators gave us that understanding I said, "Certainly; we can get together." To-day we met, and to my utter surprise we did not agree. I was willing to accept the Senate position on the transmission lines. It is my judgment my Democratic colleague, Mr. FISHER, of Tennessee, was willing to agree.

So far as I am concerned, I have been agreed all the time. [Laughter.] I want something done, but I can not get my Republican friends on that conference committee to agree.

Now, I want to say this, in fairness to the gentleman from Texas [Mr. WURZBACH]: It looked like he was trying to get an agreement, but, lo and behold, he shows up with a little clause that the Senators can not accept, and I want you to know what that is. You will recall that on the 25th day of May, 1928, this House agreed to the conference report of the House and the Senate and that bill went up to the White House. President Coolidge was very busy and forgot and stuck that important bill in his pocket and we never heard of it again. We came back and passed another bill, and that is the one that is in conference.

Now, did the gentlemen who supported that bill and voted for it to be sent to President Coolidge vote right then? I contend they did. Some of the same gentlemen who were on the conference committee at that time are on the conference committee to-day. I will read them:

May 23, 1928. Ordered to be printed. Report No. 1844. Completion of Dam No. 2, etc., Muscle Shoals, conference report to accompany Senate Joint Resolution 46.

Here are the gentlemen who signed that report:

John M. Morin, W. FRANK JAMES, B. CARROLL REECE, PERCY E. QUIN, William C. Wright, managers on the part of the House; CHARLES L. MCNARY, G. W. NORRIS, E. D. SMITH, managers on the part of the Senate.

Mr. Morin is not in Congress any longer. Hon. W. FRANK JAMES was ill when this conference committee was appointed and could not serve. They appointed in his place Mr. RANSLEY. My friend Congressman B. CARROLL REECE, of Tennessee, is on this conference committee, as he was on the one of 1928. Instead of Mr. Morin we have Mr. WURZBACH, of Texas, and instead of Mr. Wright, of Georgia, being on this committee we have Mr. FISHER, of Tennessee.

The same Senators are on the conference committee: Republicans, Senators MCNARY and NORRIS; Senator SMITH, Democrat.

Now, why is there objection when the Senate comes forward with practically the exact language? The only difference in the language of the power portion of the bill now and then is that instead of the municipalities and the counties of the States having 15 years in which to build the transmission lines under this language they have 30 years. The rest of it is the identical language.

Why is it that these gentlemen can not agree to that?

The contention of Brother WURZBACH, of Texas, is this: Section 11 of that conference committee report says:

In order to place the board upon a fair basis for making such contracts and for receiving bids for the sale of such power, it is hereby expressly authorized either from appropriations made by Congress or from funds secured from the sale of such power—

And so forth. And he wants to strike out the second alternative, the bilateral portion, "or from funds secured from the sale of such power."

Do you know what that means? It means that by taking out that phrase the power monopoly will be able to control and prevent the construction of any transmission lines.

But the Senate conferees said, "No; we are not going to do it." I am going to stand with them. Let us put it in there just like we passed it before. It is up to you Republican leaders to say what your members of the conference committee shall do to-morrow or that bill is dead. There can be no misunderstanding about it. Every single issue that has been involved has been settled except this one sentence, and it is not even a sentence but half of a sentence—"or from funds secured from the sale of such power."

Why is this so vital? Why is this so important? Because if this language is left out of the bill it is feared that in the future Congress would be estopped from putting up appropriations to build transmission lines.

Here is a great plant where there would no doubt be some power sold, and from the sale of that power, without coming back to Congress, the board could use that money in building a transmission line to some point. Bear in mind they can build transmission lines in any direction—east, north, south, or west from the main plants. Understand, there is no dispute about the proposition involved that power lines are to be built, but the contention of the conference hinges upon that one question.

Now, is this sufficient to justify the House in turning down this great measure and killing the bill? Does any Member of this House contend that it would be doing the clean thing by the people of the United States? It is a fearful attitude for the conferees to put themselves in, according to my conception of a man's duty. Is it the will of this House?

Mr. CRISP. Will the gentleman yield?

Mr. QUIN. I yield to the gentleman from Georgia.

Mr. CRISP. Did not the Chief of Engineers state before one of the committees of the Congress that unless some additional transmission lines were built, the Alabama Power Co. would have a monopoly of the power, and the

Government could not get an advantageous contract for the sale of that power?

Mr. QUIN. General Brown, Chief of Engineers, states that, and every member of the Military Affairs Committee is aware of that fact. A man who has served on that committee as long as six months knows that that is true. There is one thing my friend's query does not carry out, and that is that there is a Tennessee power company that goes along with them. The two seem to be harmonious as if they were one.

My friends, you need not fool yourselves; there is a tendency to build up a great industrial monopoly in this country, and one great he-giant is the power monopoly. The Electric Bond & Shareholders Co. in New York controls every single power company in the South; Mississippi, Alabama, Georgia, Louisiana, Texas are all controlled by this electric giant company.

The holding corporation controls the price of the electric power in Jackson, Miss.; Little Rock, Ark.; Atlanta, Ga.; Austin, Tex.; Louisville, Ky.; South Carolina; and North Carolina as absolutely as a mother controls her baby. And yet, my friends, some people down there do not seem to realize, they do not know, that this great giant is trying to keep this language out of the bill.

And yet people are starving to death, walking the streets in Mississippi, Louisiana, Arkansas, Texas; men and women, hungry—their ribs like a washboard—and yet these conferees refuse to let the people have what they want. They will let this bill die and lose that great industry down there in these hard times. Men will let some technicality stand in the way and not let these people have bread. They will not let justice be done; they will not let prosperity come by promoting the activities of the Government.

You understand that this plant is going to waste. That great dam is a mile long over which a great deal of power is developed, and what little power is used there goes into the avenues of monopoly. Yet they let one-third of a sentence keep us out of an agreement. If that one-third of a sentence were not for the interests of the power monopoly, do you believe anybody would insist upon its being stricken out? Do you think any man is so afraid of the Government of the United States hitting somebody that he would be afraid to let that language stay in? They say, "who is afraid to trust Congress?" I know some people have been afraid of Congress. There are some people who have been around Congress for years getting as thin as a bean pole who had some claim before Congress, and those are the men who are afraid to trust Congress.

I want you to understand that the same men who are opposing the little language in this bill voted to give $500,000,000 to the Farm Board to go out here and buy wheat and cotton—to gamble. They made no cry against that. Now, understand me, we have to trust the Farm Board. I would not be fool enough to require the Farm Board to come to Congress every time they wanted to buy 100 bales of cotton or 1,000 bushels of wheat. Then why should we ask this commission to come to Congress every time they wanted a few dollars to do their duty toward Muscle Shoals? These same gentlemen who oppose this little language in the bill voted for the Shipping Board to throw away money. They gave the Shipping Board authority to go out and sell 100 ships—gave them authority to go out and repair ships and spend millions of dollars. I have not heard a single one complain about that.

There is another thing, my friends. That same crowd of gentlemen are voting to let the President of the United States have all this money in this drought relief, and I am for all of that. We let the President have it to spend it just as he pleases, to help out in this awful distress. They are not complaining about that. Yet they complain and say that we ought not to let that Muscle Shoals board use the money that might come from the sale of power for the purpose of constructing a transmission line somewhere. What is the objection? They say that they think that board ought to come to Congress for that money. Listen to the inconsistency of that.

In this same bill we give the power to that board to expend $10,000,000, to go down there and remodel the plant, to make fertilizer, and do everything they please, but when it comes to letting a little money that might be used for surplus power through the sale of that power be used in the construction of a transmission line, then they say that the board ought to come to Congress to get that privilege. I do not know whether any of you gentlemen have ever served in the State legislatures. In the first place, if the State of Tennessee wanted to get a transmission line built down to Muscle Shoals, it would have to go before the State legislature, and what would happen? There would be the attorneys there of the Power Trust and their newspaper henchmen and their lobbyists of every kind, and they would be around there pulling Bill Jones and John Smith here and there to keep that transmission line from being built. Go to Georgia and the same thing would happen. Go to my State of Mississippi and the same thing would happen. Go to Alabama and the same thing would happen. Come to Congress and the same thing would happen. That is the reason why this language ought to be left in this bill. Do you mean to believe that Senator NORRIS does not know what he is talking about when he put that language in that bill? I was on the conference committee that agreed to that bill that went up to President Coolidge. I helped put that language in there and I know it is good language.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. QUIN. Will the gentleman from Tennessee give me 10 minutes more?

Mr. BYRNS. Mr. Chairman, I yield 10 minutes more to the gentleman from Mississippi.

Mr. QUIN. I know that the interests of the American people will be best served by this language being left in this bill, and I ask the Republican leaders of this House to see to it that their conferees step aside from the picayune attitude of cutting out a third of a sentence to do that which will be in behalf of the power monopoly of the United States, and especially in the territory in which this great plant is located. It is manifest that if all of the balance of the bill can be agreed to, that there is a vital reason why such strenuous objection should be made to one-third of one sentence. It needs no prophet to tell you what that is. Men who vote for a commission every other week in this Congress want to force a board to come here and ask for money to build a transmission line instead of taking the proceeds that come from the sale of the power that is already going to waste down there and using it in the construction of a transmission line for the benefit of not some private corporation but of all of the people of a town or a city or a county or a State. Is it wrong for the United States Senate to insist upon this simple language that we had in a bill that was approved by both branches of the Congress before? Is it wrong in this year 1931, when everybody seems to be depressed, to pass a bill that will in some measure start up business and prosperity in that immediate locality? Is it right for a few men to have the power vested in them to hold up a great enterprise that the people are so interested in, and especially those in a long-suffering community?

Mr. CRISP. Mr. Chairman, will the gentleman yield?

Mr. QUIN. Yes.

Mr. CRISP. Is the gentleman not confident that if the conferees will agree to report that bill to the House and give the House an opportunity to vote upon it, that the House will adopt it?

Mr. QUIN. I feel confident the House would pass that bill. Why, the House adopted it before in 1928. Here is the record of it on page 9957 of the permanent RECORD. There were 211 yeas and 147 nays. That was the vote by which this House passed it. The language that I read to you was in that conference report. That same language is all that is being objected to by the Republican conferees to-day. And I say to you that my friend, Brother REECE, was on the conference committee that voted for that. I see his name among the righteous here now—RANKIN,

Rathbone, RAGON, REECE. REECE voted there with QUIN. And here is a great number of good Republicans who voted for this thing with a lot of Democrats. If these House Republican conferees will have the manhood to come out with this bill to-morrow and agree with the two Democrats and put it on the floor of this House, there will be manhood enough here to see to it that this great enterprise is started. This gives the President of the United States 12 months in which to lease this to some private party just like the other; and then, if it is not leased, we go ahead and operate it by the Government of the United States just like the other. Yet one or two men can stand up and obstruct such vital legislation in which every farmer in the Nation is interested, because of the fact that it grants experimental purposes in that bill, and all of the different kinds of ways in which to cheapen the manufacture of nitrogen and of fertilizer and the by-products of it shall be free to all of the manufacturers of the United States and all of the people. That is one of the vital parts of that bill.

The fact that fertilizer will be made down there—perhaps not in its finished state but nitrogenous product ready to go on to the soil—is very vital to the immediate territory. It costs millions and millions of dollars per year for experimentation, which will be carried on by the Government, and the result of that will go to the State of Washington, the States of Oregon, Illinois, Minnesota, and every other State in the Union. That, in my judgment, is the most valuable part of this bill. It benefits the man behind the plow in every State of this Union. Of course, I am ready to admit that as far as fertilizer manufactured in that immediate territory is concerned, it would be better for the people who live close by, but for all of you it will be a good thing.

How is it that a gentleman who voted for that bill can come up at this late hour, in this great distress, when people are hungry, and say, "I will not vote for the bill because I do not want to let them have the right to use whatever money comes from the surplus power to go into a transmission line," that would give cheap electricity to some cities, counties, and States? That is the only issue now as far as these conferees are concerned. Do you think it is right and proper to hold up that bill with no other issue before them except that? Do you think it is good for the American people? I wish I were in control of this House for 24 hours. That bill would come out of that committee or there would be some conferees discharged. [Applause.] If it is not agreed to to-morrow it is dead for this session of Congress. We do not know what the next Congress may do. We do not have any idea how long it would take to get the bill up for consideration. Congress will meet in next December, and we do not know how the new Congress would vote. We do not know the personnel of it. We do know what this Congress would do. We do know, in our own judgment, that if this bill is reported out, the men and women who now represent the people of the United States would be willing to start that plant to work; a great Government activity left idle and broken just on account of some little, flimsy technicality. My friends, it is time right now for this House to assert itself.

I never believed in doing the wrong thing even at the right time, but I always believed in doing the right thing at the right time, and if any man in this great hour of distress can tolerate in his conscience the thought that he can hold up a great Government activity on account of one-third of a sentence, I want to see him justify himself before the American people. Do you consider that all of this money that has gone into this big plant is going to waste? The walls of the buildings are deteriorating; the machinery is deteriorating every day. Is it any kind of an investment as long as it remains idle, even though there is an agreement except for the fact that one-third of a little sentence is here? I think it is being kept there at the instance and behest of the powers which control the power companies and the power interests. It is indeed strange that these gentlemen come before legislative bodies, not only of the States around that immediate territory but they have their propaganda in the daily press and in the magazines. This "drove" has actually taken magazines and newspapers and secretly owned them, fooling the American people. My friends, this bill should be voted out of conference and passed.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. BYRNS. I yield to the gentleman from Mississippi five additional minutes.

Mr. QUIN. Mr. Chairman, this conference report should be agreed to to-morrow and reported back to this House and to the Senate. I am willing to trust this House to vote on that measure. It can not hurt anybody for the conferees to report it back here and let every man have his chance to say "yes" or "no."

Mr. HASTINGS. Will the gentleman yield?

Mr. QUIN. I yield.

Mr. HASTINGS. Do the House conferees decline to accede to that request and report it back to the House so that the House can vote on it?

Mr. QUIN. Why, there is only one-third of a sentence in the way.

Mr. HASTINGS. But I take it that the gentleman from Mississippi is trying to get his fellow conferees to report it back so the House may vote upon it.

Mr. QUIN. Why, there are five of us there.

Mr. HASTINGS. I do not think the gentleman from Mississippi understands me. Has the gentleman made an effort to get his fellow conferees to report it back so that the House might vote on it?

Mr. QUIN. I have done everything except to show them that I am scared of them. I have begged them. Every kind of argument has been used to get this back. It should have been settled the second day we met. Here it is the 6th day of January and there is no agreement yet, and to-morrow is the last day, when it shall die. Who is going to be put in the balance and found wanting on the 7th day of January?

Mr. CRISP. Will the gentleman yield?

Mr. QUIN. I yield.

Mr. CRISP. The gentleman said that to-morrow is the last day. Can not my friend do something like this? If the conferees will not agree, could the conferees not at least do the House the courtesy of reporting a disagreement so that when the matter comes back it will be within the power and province of the House to take further action?

Mr. QUIN. I want to say that the gentleman from Pennsylvania [Mr. RANSLEY] said he would not report it back to this House, that he did not have authority to do it, and the Senate conferees said they did not, and it is dead. I can not do it. If the Speaker would recognize me I would do it, but under the rules he would have to recognize the gentleman from Pennsylvania.

Mr. CRISP. That is not a sound parliamentary proposition, because when the conferees meet they can either agree and bring back the report of the conference, and if they disagree, they have full power to report a disagreement back to their respective bodies.

Mr. QUIN. I wanted to do that. I made that suggestion to-day, and the chairman, Mr. RANSLEY, said, "No. I will not report it back to the House of Representatives." I took it up with the chairman of the Senate conferees and he said, "No; that it was not their duty to do it; and it will die." That is what I am trying to tell this House. That is why I want the Republican leaders in control of this House to have something done to-morrow. Let us get it back to this House and get new conferees put on there who will do business.

Mr. CRISP. If the conferees disagree and they refuse to report it back, they are assuming great power and responsibility, contrary to their duty as conferees, for it is their duty as conferees, if they can not make an agreement, to report back to the House a disagreement.

Mr. QUIN. I understand that, but I am a Democrat, in the minority, and the Republican leaders will not let me do it. You know I would have been back here with a report before Christmas if I could.

Mr. REECE. Will the gentleman yield?

Mr. QUIN. I yield.

Mr. REECE. There should not be any misunderstanding with reference to the parliamentary situation.

Mr. QUIN. Well, there is one. The gentleman has heard what the gentleman from Georgia [Mr. CRISP] said.

Mr. REECE. The Senate is the body which asked for the conference. The House agreed to the conference, and under the rules of the House, in case of a disagreement, the Senate, asking for the conference, retains the papers and reports a disagreement first to that body and then it comes over to the House.

Mr. QUIN. As I recall, the gentleman from Pennsylvania, the chairman, said that the Senate had the papers and that therefore it was the duty of the Senate conferees to first report the disagreement to the Senate in case there should be a disagreement, that he had no authority to report it to the House, because he did not have the papers. Then Chairman MCNARY said, and so did Senator NORRIS, that he could not report it back to the Senate, and it dies; you gentlemen will have to take it to the House and report a disagreement.

Mr. CRAMTON. I do not think we gain anything by having any misunderstanding about the parliamentary situation.

Mr. QUIN. There is no misunderstanding about that, because that happened in the conference committee to-day.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. CRAMTON. Mr. Chairman, I yield the gentleman three additional minutes. As a matter of fact, the possession of the papers has nothing whatever to do with the question of filing a report of disagreement. If a disagreement is arrived at, that report is made to both Houses. Whichever House it goes to first is immaterial; it can go simultaneously to both Houses; but action on that report is, of course, taken in the House that has the papers.

Mr. CRISP. May I say to my friend that I thoroughly agree with what the gentleman from Michigan has said, but the remarks I made were not with regard to which body should report first, but the thought was that when the conferees fail to agree it is the duty of the conferees to report back to their respective Houses; and while the general rule is that the body asking the conference acts first, Speaker Clark ruled that the body which actually had possession of the papers could act whether they were legally entitled to the possession of the papers or not.

Mr. CRAMTON. But the making of the report is something that is not dependent upon the possession of the papers.

Mr. SNELL. In this case, however, the papers are actually in the possession of the Senate conferees.

Mr. CRISP. I do not know about that.

Mr. SNELL. That is the fact.

Mr. QUIN. Suppose they are and suppose the Senate conferees refuse to report a disagreement to the Senate, what is the duty of the conferees of the House? Will the gentleman from Georgia answer me that question?

Mr. CRISP. I beg the gentleman's pardon. I will if I can.

Mr. QUIN. The United States Senate, no doubt, will adopt the views of its conferees, and those conferees say they can not report back under their rules; that the House conferees must report a disagreement back to the House.

Mr. CRISP. I will say to my friend that I have no doubt if the conferees disagree and they make a report to their respective Houses that they can not agree, that upon reflection the Senate conferees would call up that report in the Senate, and if the Senate adhered to the action of the conferees then the matter would be messaged over to the House that the Senate still refuses to agree, and then the matter would be a privileged matter in the House and it would be within the province of the House to agree to the Senate action, agree with an amendment, or ask another conference.

Mr. QUIN. I want this question answered, because I stress it: The chairman, Senator MCNARY, told me that it dies if they do not report it. Now, can not this House insist on its conferees making a report back to this House?

Mr. CRISP. The conferees are the servants of this House and the House has supreme power and control over its conferees. Of course, under the rules of the House, if the conferees did not do it, it might be accomplished by the Rules Committee, which is the committee dealing with the order of business, bringing in a rule giving the House a chance to vote as to whether it would instruct its conferees to report back to the House that they were unable to reach an agreement with the Senate.

Mr. QUIN. The time is at hand to act. Thank you, gentlemen.

The CHAIRMAN. The time of the gentleman from Mississippi has again expired.

Mr. BYRNS. Mr. Chairman, I yield five minutes to the gentleman from Georgia [Mr. LANKFORD].

Mr. LANKFORD of Georgia. Mr. Chairman, ladies and gentlemen of the committee, at this time I wish to speak briefly concerning the present Farm Board and its activities. I do not hold a brief for the Farm Board. I feel, though, that the Farm Board is not so much to blame for the present situation as the Congress is to blame. The Farm Board, as I see it, is acting under a law passed by the Congress giving the Farm Board the right to do certain things and enabling the Farm Board to solve the farm problem, if possible.

I do not believe the present Farm Board or any other farm board operating under the present farm board act will be able to solve the farm problem. I said this much before the bill was passed. I do not see how any farm board can elevate the price of farm products permanently or over a reasonable period of time without an effective control of production and marketing. [Applause.]

To my mind, if any blame attaches to anyone because of the present situation, Congress should shoulder that blame for not enacting the proper kind of legislation. I do not believe that Congress has yet solved the farm problem, and I may say here that I am not one of those who believe that the farm problem would have been solved if we had passed the McNary-Haugen bill with the old equalization-fee plan in that bill. I think if Congress later on repeals the present farm board act and enacts the old McNary-Haugen bill containing the equalization fee, the Congress will yet fail to solve the farm problem and only make bad matters worse I believe further that the passage of the so-called export-debenture plan will not be a proper solution of the farm problem.

Let me say, I will vote for the export-debenture plan. I believe the export debenture is as fair as the tariff, but I do not believe that the passage of the export debenture will solve the farm problem. I believe we must work out in some way an effective control of production and marketing, which has not yet been done by any law passed by the Congress.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. LANKFORD of Georgia. I yield to the gentleman from Illinois.

Mr. CHINDBLOM. The gentleman believes the debenture plan is as fair as the tariff?

Mr. LANKFORD of Georgia. Yes.

Mr. CHINDBLOM. But the gentleman does not believe the tariff is fair?

Mr. LANKFORD of Georgia. I believe that a reasonable tariff is fair.

Mr. CHINDBLOM. The gentleman has not voted for a tariff.

Mr, LANKFORD of Georgia. I have voted for a reasonable tariff on certain farm and other products.

Mr. CHINDBLOM. Oh, well——

Mr. LANKFORD of Georgia. I am not willing to vote for a tariff which gives the manufacturer an advantage over the farmer.

Mr. CHINDBLOM. The gentleman wants only a farmers' tariff?

Mr. LANKFORD of Georgia. No; I did not say that. The gentleman knows I did not say that. The gentleman only tries to place those words in my mouth. The gentleman knows I said I favor a reasonable tariff for all our people. I do not favor what you call a protective tariff, and what

I am pleased to call a profiteers' tariff, which we have in this country at this time.

I just sought these few minutes for the purpose of going on record and saying that I do not believe we ought to blame the Farm Board too much. We ought to blame the Congress for not solving this problem by the enactment of a proper bill.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. WOOD. Mr. Chairman, I yield two minutes to the gentleman from Illinois [Mr. WILLIAM E. HULL].

Mr. WILLIAM E. HULL. Mr. Chairman, in June, 1927, a waterway and flood control association was organized in Chicago by Mayor William Hale Thompson, who was elected president.

At that meeting, Mayor O'Keefe, of New Orleans, the late Hon. Martin Madden, of the House, Senator JAMES WATSON, Senator PAT HARRISON, and the Hon. NICHOLAS LONGWORTH, Speaker of the House, were present.

It had great influence in bringing about legislation for the benefit of the flood sufferers. I believe that the speeches made at that time were of a character that influenced the people throughout the country and the Congress of the United States with the necessity of giving this stricken district relief. There was appropriated for that purpose $340,000,000 for flood control.

An invitation for another meeting has been extended by the man who is responsible for this work and who, in my judgment, has done as much to bring about this great relief as any other man in the United States, and that is the Hon. William Hale Thompson, mayor of Chicago, and I would like leave to print in the RECORD the invitation.

[Waterway and Flood Control Association of the Mississippi Valley, mayor's office, Chicago]

You are cordially invited and earnestly requested to attend the conference of the Waterway and Flood Control Association of the Mississippi Valley to be held in the Gold Room, Congress Hotel, Chicago, January 12, 13, 14, and 15, 1931, for the purpose of formulating plans for the further development of the waterways of the Mississippi River and tributaries through the reservoir system and the prompt expenditure of the $340,000,000 flood-control appropriation made in President Coolidge's administration.

WATERWAY FLOOD CONTROL ASSOCIATION OF THE MISSISSIPPI VALLEY,
WM. HALE THOMPSON, *President*.

Mr. BYRNS. Mr. Chairman, I yield 10 minutes to the gentleman from Missouri [Mr. COCHRAN].

Mr. COCHRAN of Missouri. Mr. Chairman and members of the committee, this bill includes an appropriation of $543,370 for the Bureau of Prohibition. This is not a deficiency to tide the bureau over the remainder of the fiscal year, but $351,870 is for 257 additional employees in the field service, $142,500 for traveling expenses, and $10,000 for collection and dissemination of information and appeal for law observance and law enforcement. The $25,000 for stationery and $14,000 for furniture are the only items that should receive any serious consideration.

If there has been any improvement in the enforcement of prohibition, it is due solely to the depression; those who consume liquor have no money to purchase it in the quantities they did when they were employed. I suppose my prohibition friends will say unemployment has brought some good to the country in answer to my statement.

We are to have more assistant administrators, more deputy administrators, more investigators, more instructors or teachers for the enforcement agents, additional clerks, and 139 more prohibition agents. I have been fair to the Prohibition Bureau in the past and supported most of the demands made upon Congress, but the time has arrived, however, to call a halt.

I am especially interested to-day in the $10,000 additional requested for collection and dissemination of information and appeal for law observance and law enforcement. This applies solely to the observance and enforcement of the prohibition law. This amount can be classed as a deficiency because they have already used the greater part of the money appropriated for this purpose for the present fiscal year. I propose to tell you how this money has been spent.

The appropriation bill of 1930 provided that not to exceed $50,000 may be expended "for the collection and dissemination of information and appeal for law observance and law enforcement, including the cost of printing and other necessary expenses in connection therewith."

Since the prohibition enforcement department was transferred to the Department of Justice it has issued two monographs, paid for out of this fund. One is entitled "The Possible Production of Illegal Liquor in the United States for the Fiscal Year Ending June 30, 1930." The other is entitled "The Value of Law Observance."

Before the department was transferred from the Treasury Department to the Department of Justice four additional monographs had been issued, as follows: State Cooperation, Industrial Alcohol, Public Cooperation, and The Method of Training Enforcement Personnel Upon Their Duties and Limitations Under the Law.

The first $50,000 appropriation for prohibition propaganda was made in 1925, but it was never actually used until 1930. The idea of using the Prohibition Enforcement Bureau as a propaganda agency originated with the Anti-Saloon League. The history of the origin of the fund is briefly stated in a report of the legal and legislative department of the Anti-Saloon League made by the late Wayne B. Wheeler to the executive committee of the league February 18, 1925. In his report, Mr. Wheeler said:

The one outstanding gain we made was in establishing a new policy of having a certain sum designated for printing posters, etc., appealing to the people for law obedience. While we got only $50,000 this time, it sets a precedent that we can use in the future and increase the amount. We have worked for this for four years. Both administrations were afraid of it, but we finally got it written into the law. We believe it will be a great advantage to have these posters in public buildings and have the Government officially back our appeal for law obedience and law enforcement. (See p. 4592, vol. 10, hearings of the Senate Lobby Investigating Committee.)

This report clearly established this $50,000 appropriation as an Anti-Saloon League scheme to have the Government officially back its appeal for law obedience and law enforcement, or, in other words, to back the league's scheme to use the prohibition bureau as a propaganda agency for prohibition.

Before the appropriation of 1925 could be used for the league's propaganda, Prohibition Commissioner Roy A. Haynes was superseded by Gen. Lincoln C. Andrews as prohibition administrator. Mr. Haynes, with the aid and direction of Mr. Wheeler, had prepared a large number of propaganda posters, but General Andrews refused to allow them to be used.

(At the conclusion of my statement are copies of letters that passed between Mr. Wheeler and National Superintendent Scott McBride which show how they purposed to put pressure upon General Andrews to compel him to use the propaganda fund.)

Instead of issuing posters, as the Anti-Saloon League originally intended, Prohibition Commissioner Doran, of the Treasury Department, and Prohibition Director Woodcock, of the Department of Justice, issued the propaganda in the form of monographs.

The propaganda efforts of Doctor Doran were largely concentrated upon an effort to influence State and public cooperation with the Federal Government to enforce the prohibition law. He shows that most of the States have well-organized legal machinery for the enforcement of the prohibition laws and that the machinery of the Federal Government is woefully inadequate.

In one of Director Woodcock's monographs he undertakes to prove the value of law observance, and in the other he makes his own estimates as to the amount of liquor there was illegally made or smuggled into the United States for the fiscal year of 1930.

According to Mr. Woodcock's figures, there were 73,386,500 gallons of 100-proof whisky either illegally made or illegally smuggled into the United States in 1930. (The amount law-

fully withdrawn upon payment of taxes in 1919 was just 9,929,218 gallons more.)

Mr. Woodcock shows that there was a probable production of 118,000,000 gallons of 12 per cent wine in 1930, and 111,015,300 gallons of 12 per cent wine made each year from 1920 to 1929, inclusive. (The consumption of wine in the United States in 1919 was 54,272,656 gallons, which was about the average consumption during the preceding 15 years.)

The home-brew made in the United States in 1930 is fixed by Mr. Woodcock at 683,032,000 gallons, as compared with 852,977,018 gallons in 1919.

It is an interesting fact, as shown by Mr. Woodcock's survey, that there was considerably more than twice as much wine made in the United States after 10 years of prohibition than before prohibition. It is also an interesting fact that although this wine contains 12 per cent of alcohol, as shown by the Woodcock survey, it is all passed as legal by the Prohibition Enforcement Bureau, and that the Federal Government by huge loans to the California grape growers and to the Fruit Industries (Inc.), manufacturers of grape-wine concentrates, is actually encouraging the manufacture of 12 per cent wine in the American homes.

In his monograph on the Value of Law Enforcement, Mr. Woodcock undertakes to qualify as an expert on agriculture to prove that prohibition has not been harmful to the farmer. On pages 12 and 13 of this monograph he quotes statistics showing that prohibition did destroy the market for 68,747,896 bushels of corn annually, and for 8 per cent of the rice crop, 32 per cent of the barley crop, and for 7½ per cent of the rye crop.

Then, on page 14, he says:

> From the point of view of a nation-wide survey of agricultural products, it may be pointed out that the production of grapes from 1917 to 1926 has increased 400 per cent; the production of corn sugar and molasses has increased fully 100 per cent; and while the benefits from these raw products have come to different sections of the country, nevertheless the industry, viewed as a whole, does not seem to have lost its total monetary production during the last decade.

Mr. Woodcock, as the author of the monograph the Value of Law Observance, failed to point out what Mr. Woodcock as the author of the Possible Production of Illegal Liquor in the United States for the Fiscal Year Ending June 30, 1930, found out about the uses to which the greatly increased grape, corn sugar, and molasses are being put.

It has been pointed out in this analysis that Mr. Woodcock has shown in his booklet on the illegal production of liquor in the United States that 118,000,000 gallons of 12 per cent wine were made last year. His booklet shows that this wine was made from the increased production of grapes.

Mr. Woodcock was not accurate in his statement that corn-sugar production had increased 100 per cent. The increase was from 152,000,000 pounds in 1921 to 905,000,000 pounds in 1927, and approximately the same amount in 1929.

But Mr. Woodcock does show in his survey on the illegal liquor manufactured in the United States that 10 pounds of corn sugar will produce 1 gallon of 100-proof alcohol, and that 459,000,000 pounds of the increased production of corn sugar could be accounted for on the theory that it had been converted into unlawful moonshine whisky.

He admits that huge quantities of corn sugar are being used to make illegal alcohol, and concludes his analysis of the situation in this language:

> On this basis if the entire production of corn sugar unaccounted for above (459,000,000 pounds) entered the illicit trade it would produce 45,900,000 gallons of 100-proof alcohol, or 22,950,000 gallons of absolute alcohol.

While Mr. Woodcock, as the author of the monograph the Value of Law Observance, tries to prove that the farmers have greatly benefited by the increased production of corn sugar, he is absolutely silent in that publication on the fact which he shows in his other booklet, that 459,000,000 pounds of it were converted into 45,900,000 gallons of unlawful moonshine whisky.

In his monograph on the Value of Law Enforcement Mr. Woodcock refers to the increased production of molasses as another benefit to the farmers.

On page 20 of the monograph on the production of illegal liquor he shows that 4,000,000 gallons of unlawful whisky were manufactured in 1930 from molasses, corn meal, and other grains.

In his assessment of the benefits the farmers have derived from increased production of agricultural products Mr. Woodcock overlooked cane and beet sugar.

But on pages 17 and 18 of his Illegal Production of Liquor he cites the fact that great quantities of cane and beet sugar are being used for the unlawful manufacture of alcohol, and concludes with this statement:

> It is believed that the maximum possible quantity of illicit alcohol manufactured from cane and beet sugar has not exceeded 10,000,000 gallons of 100-proof alcohol, or 5,000,000 gallons of absolute alcohol, during the past year.

We thus find from Mr. Woodcock's monograph on the illicit production of alcohol in the United States that what he describes in his monograph on the value of law observance "as benefits derived from these raw agricultural products" are the sources of 59,900,000 gallons of 100-proof moonshine whisky and 118,000,000 gallons of 12 per cent of alcohol wine.

Mr. Woodcock signally failed to point out in his monograph on the Value of Law Observance that if he, as the agent of the Federal Government, fully discharged his duty to enforce the law, he would wipe out in toto the benefits that had accrued to the farmers from the increased production of corn sugar and molasses, and that if the Government did not accept 12 per cent homemade wine as nonintoxicating, notwithstanding the emphatic definition of the national prohibition law that "the word liquor, or intoxicating liquor, shall be construed to include alcohol, brandy, whisky, rum, gin, beer, ale, porter, and wine, and in addition thereto any spirituous, vinous, malt, or fermented liquor, liquids, and compounds, whether medicated, proprietary, patented or not, and by whatsoever name called, containing as much as one-half of 1 per cent or more of alcohol by volume, which are fit for beverage purposes," he would be compelled to suppress its manufacture and thereby destroy the grape industry which is being so energetically nurtured by another department of the Government by enormous financial subsidies.

During the entire prohibition period there has been much talk concerning the legalization of "light wines." The policy of the Government toward the California Grape Growers and the Fruit Industries (Inc.), manufacturers of grape concentrate for wine-making purposes, coupled with the policy of noninterference with the manufacture of 12 per cent wines in the homes, is unqualified proof that the manufacture of light wines is already fully accepted as legal by the Federal Government, the only inhibition being that such wines shall be manufactured in the home for use in the home.

Mr. Woodcock shows in his monograph on the Illegal Production of Liquor in the United States that under this policy of the Government the production of 12 per cent wines is considerably more than double the consumption of wine in the United States in any year prior to the adoption of the prohibition amendment.

The Federal Farm Loan Bureau has made direct loans to the California Grape Growers and to Fruit Industries (Inc.), manufacturers of grape concentrates for wine-making purposes, of approximately $17,000,000.

Mr. Woodcock, in his booklet on the Value of Law Observance, undertakes to establish the fact that the consumption of alcoholic beverages is harmful to the individual, to industry, and society at large, but, strangely enough, fails to point out that under the Government's policy of encouraging the manufacture of 12 per cent wines in the home, that its consumption has more than doubled

during the prohibition period, and that the Federal Government is doing everything within its power further to increase its manufacture and consumption—provided only that such consumption and manufacture shall be confined to the home.

Mr. Woodcock also neglects to point out that the Federal Government in 1919 collected $483,050,854.47 in revenues on 82,118,111 gallons of distilled spirits, 54,272,656 gallons of wine, and 852,977,018 gallons of beer, while in 1930 it collected no revenues at all on the 73,386,718 gallons of distilled spirits which he found to be manufactured from cane, beet, and corn sugars, molasses, grains, denatured alcohol, and smuggled into the United States from abroad.

He also failed to point out what influence the enormous flow of revenues into the hands of lawbreakers had upon law obedience and law observance. It must be clear to any thinking person that with the price of illegal liquors of all kinds very much higher than the price of lawful liquors before prohibition, that there must be a sum vastly greater than the revenues collected by the Federal Government in 1919 available for corruption, bribery, and crime of numerous kinds for the protection of the huge volume of unlawful liquor business.

The Government's policy with respect to homemade beer is very similar to its policy with respect to homemade wine, with the exception that it has done nothing to help the barley and hop growers. There is no exemption from the penalties of the national prohibition act for the makers of beer in the home, as there is for makers of homemade wine in section 29 of the Volstead law.

Mr. Woodcock estimated that the home-brew manufactured in the United States for the year ending June 30, 1930, contained 3.4 per cent of alcohol, while the beer legally manufactured in the United States in 1919 contained but 2.75 per cent of alcohol.

Mr. Woodcock finds that the 683,032,000 gallons of home-brew made in the United States in 1930 contained 23,223,088 gallons of absolute alcohol. The 852,979,018 gallons of beer legally manufactured in 1919 contained but 22,456,868 gallons of alcohol.

On the basis of Mr. Woodcock's figures the home-brew unlawfully manufactured in the United States contained 766,220 gallons more of absolute alcohol than the beer legally manufactured in the United States in 1919.

The monograph on the Possible Production of Illegal Liquor was issued in September, 1930. The other monograph on the Value of Law Observance appears to have been issued some time later. But 5,000 copies of the survey on liquor conditions were issued, while 100,000 copies of the Value of Law Observance were printed.

It would appear to be a reasonable deduction that the monograph showing that enormous quantities of all kinds of unlawful liquors were in circulation would have been available for use in the preparation of the monograph on the Value of Law Observance, since both were issued by the same department of the Bureau of Prohibition.

However, the author of the monograph on law observance takes no notice of the very significant and interesting facts developed by the survey on the production of illegal alcohol.

On page 9 of the Value of Law Observance there is a chapter on Cost of Alcohol Drinking. The author says that it was the consensus of opinion that the American people were spending $2,000,000,000 a year for beer, wine, and distilled spirits in 1914 to 1919.

Without taking into consideration what they are spending for the 73,386,718 gallons of moonshine and smuggled whiskies, the 118,000,000 gallons of 12 per cent wine, and the 683,032,000 gallons of 3.4 per cent home-brew, the author asserts that a certain proportion of the amount of money spent before prohibition for liquor was diverted into other channels. He rather wisely omits to designate the channels into which it was diverted, but reference to the survey on illegal liquor would undoubtedly have convinced him that there was an enormous diversion into bootleg channels.

ABOLITION OF BLUE MONDAY

Under the caption, "Effects of Prohibition on Industrial Production," the author of the Value of Law Observance is guilty of a piece of misrepresentation. An effort is made to show that prohibition has been responsible for the abolition of what was formerly called Blue Monday. The author offers as his evidence a table attributed to a large manufacturer of powder in Delaware. This table was taken from page 210 of Prof. Herman Feldman's book on the Economic Aspects of Prohibition. Professor Feldman credits the statistical table to the Delaware powder manufacturer, but also quotes an explanatory paragraph from the manufacturer to the effect that the better conditions with respect to absenteeism were not due to prohibition but to better labor conditions.

The omission of this explanatory paragraph amounts to an attempt on the part of the author of the monograph to take advantage of the reader.

After presenting several more chapters of equally vague statements as to the effects of prohibition on industry the author takes up the Physiological Aspects of Alcohol, and makes many statements, which, in the light of modern scientific research, are little short of ridiculous.

ASSUMPTION THAT PROHIBITION HAS DECREASED DRINKING

The several chapters under the caption of the "Physiological Aspects of Alcohol" appear to be written under the assumption that prohibition has eliminated the drinking of alcohol. The facts set forth in the monograph Possible Illegal Production of Liquor are entirely ignored. Mr. Woodcock, or his author of the Value of Law Observance, professes to be possessed of great scientific knowledge of the effects of alcohol on the human system. On page 19 he says:

> The taking of alcohol in moderate quantities causes heart trouble, as well as apoplexy, diseases of the kidneys, and cirrhosis of the liver.

If it is true that the taking of alcohol even in moderate doses causes heart disease, then it must be true that there has been an enormous increase in drinking since the adoption of the national prohibition law.

The death rate from heart disease in 1900, long before there was any prohibition craze, was 132.1 per 100,000; in 1910 it was 158.8; 1920, 159.3; 1924, 178.1; 1925, 185.5; 1926, 199.1; and 1927, 195.7. (Statistical Abstract, 1929, p. 82.)

It will be observed that between 1910 and 1920 there was an increase of only one-half of 1 per cent in deaths from heart disease. But during the prohibition period there has been a startling increase. If Mr. Woodcock's statement is true, that taking of alcohol even in moderate proportions causes heart disease, then it is apparent that prohibition must be the cause of this great increase in deaths from this cause.

There was also a very sharp increase in deaths from nephritis, a disease of the kidneys.

Mr. Woodcock very boldly asserts, page 22 of his monograph, that 9 out of 10 recorded deaths from cirrhosis of the liver are caused by alcohol.

Mr. Woodcock is perhaps acquainted by reputation, at least, with his distinguished fellow townsman, Dr. Raymond Pearl, professor of biometry and vital statistics, school of hygiene and public health of Johns Hopkins University, Baltimore. On page 264 of the volume the Action of Alcohol on Man, Doctor Pearl says:

> If anyone will take the trouble to study the existing literature with care, he is bound, I think, to have the gravest doubts as to the real significance of alcohol in the etiology of this [cirrhosis of the liver] disease. The fact is, that in the first place cirrhosis of the liver can be produced experimentally with alcohol only in the rarest of instances, and, in the second place, extreme and chronic inebriates only rarely exhibit at autopsy cirrhosis of the liver.

Mr. Woodcock devotes several pages of his monograph on law observance to an attempt to prove that even moderate drinking tends greatly to shorten the span of human life. It is impossible from the book itself to determine whether the material quoted in the book to substantiate this claim has back of it any modern scientific research. It appears to go back to 1864, when not much was known about medical or surgical science. Again Mr. Woodcock failed to avail himself of Doctor Pearl's very modern studies on this very subject.

On page 256, the Action of Alcohol on Man, Doctor Pearl says:

Critically collected material appears to demonstrate that heavy or steady drinking of alcoholic beverages significantly shortens the average duration of life, but gives no evidence whatsoever that the moderate and occasional use of such beverages leads to any different duration of life than that associated with complete abstention from alcohol.

On page 226, Alcohol and Longevity, Doctor Pearl says:

In a fairly large and homogeneous sample of the working-class population of Baltimore the moderate drinking of alcoholic beverages did not shorten life. On the contrary moderate steady drinkers exhibited somewhat lower rates of mortality and greater expectation of life than total abstainers. This superiority is not great in male moderate drinkers, and may not be significant statistically. But it certainly gives no support to the almost universal belief that alcohol always shortens life, even in moderate quantities.

On pages 25 and 26 of the monograph, The Value of Law Observance, appears this statement:

Inebriety may be said to have been born in America and developed far more rapidly here than elsewhere. This may be due to the abnormal rush that the United States has developed—a physiological condition that will not tolerate stimulants.

Prior to the passage of laws prohibiting the unlimited use of alcohol in any State, the States tacitly licensed inebriety and drunkenness. Under the laws existing in the United States before prohibition a man had a right to become a drunkard and remain one, and the State had, therefore, its duty of taking care of him.

It is certainly an interesting revelation that Mr. Woodcock makes that inebriety was born in America and developed far more rapidly here than elsewhere. Mr. Woodcock cites no authority whatsoever for this statement.

It was unfortunate that Mr. Woodcock did not have a copy of the Bible handy when he wrote this monograph. While it is true that there was some inebriety in America, particularly among the founding fathers and the great statesmen of the formative period of the Union, it is not at all difficult to trace drunkenness to a date much earlier than the landing of Columbus on these shores.

The Bible, which contains many admonitions against drunkenness, but no prohibitions against drink, certainly established the fact that inebriety was not born in America, as Colonel Woodcock asserts.

The biographers of Colonel Woodcock say he took a postgraduate course at the Harvard Law School in 1911, after having been graduated from several other colleges and universities.

If Colonel Woodcock had studied medicine at Harvard instead of law, undoubtedly he would have found in the library the reprint by S. Andrus & Son, of Hartford, of Dr. Robert MacNish's Anatomy of Drunkenness. Doctor MacNish was the author of the Philosophy of Sleep and was a member of the faculty of the Physicians and Surgeons of Glasgow. His book was very popular, and he wrote the preface to the fifth edition September 20, 1834.

Doctor MacNish in his preliminary observations said:

Drunkenness is not, like some other vices, peculiar to modern times. It is handed down to us from "hoar antiquity," and if the records of the antediluvian era were more complete we should probably find that it was not unknown to the remotest ages of the world. The cases of Noah and Lot, recorded in the sacred writings, are the earliest of which tradition or history has left any record, and both occurred in the infancy of society. Indeed, wherever the grape flourished inebriation prevailed. The formation of wine from this fruit was among the earliest discoveries of man, and the bad consequences thence resulting seem to have been almost coeval with the discovery. Those regions whose uncongenial latitudes indisposed them to yield the vine gave birth to other products which served as substitutes, and the inhabitants rivaled or surpassed those of the south in all kinds of bacchanalian indulgence—the pleasures of drinking constituting one of the most fertile themes of their poetry in the same manner as in other climates they gave inspiration to the souls of Anacreon and Hafiz.

If Mr. Woodcock would take the time to read Doctor MacNish's description of the ecstatic pleasures of getting drunk he would get a better psychological understanding of the difficulties of his problem of suppressing the drink habit by process of a law forbidding the manufacture, sale, and transportation of alcoholic beverages.

Mr. Woodcock's statement, page 26 of Law Observance, that "prior to the passage of laws prohibiting the unlimited use of alcohol in any State the States tacitly licensed inebriety and drunkenness. Under the laws existing in the United States before prohibition a man had a right to become a drunkard and remain one, and the State had, therefore, its duty of taking care of him," is more ridiculous than his statement that inebriety was born in the United States.

Practically all the States had laws against drunkenness. Drunks were arrested, prosecuted, and fined or sent to jail long before there was any prohibition law.

The national prohibition law does not forbid the use of alcohol. It merely makes it unlawful to manufacture, sell, transport, import, or export intoxicating liquor for beverage use. That is all it does, nothing more. The national prohibition law exempted all liquor in possession of individuals at the time the law became effective, and nowhere in the law is there a single word prohibiting the drinking of alcohol or alcoholic beverage.

If a man possessed the right before prohibition to become a drunkard and remain one, he possesses the same right under the present law.

The Supreme Court of the United States has recently ruled that there is no prohibition against the buying of liquor in the national prohibition law, and since the buying of liquor is not forbidden certainly the drinking of it is not.

Mr. Woodcock's survey of the illicit liquor manufactured in 1930 is ample proof that there is plenty of liquor available for consumption, and the statistics of the police departments of the principal cities of the United States show in most instances that drunkenness is more prevalent than before prohibition. In the city of Washington last year there were more than twice as many drunks arrested on the public streets as in any year before the adoption of the national prohibition law.

On page 32 of Law Observance Mr. Woodcock says:

It is stated by students of criminology that alcoholism is responsible for 80 per cent of the antisocial propensities that make necessary jails and correctional institutions.

The students of criminology referred to must have been the leaders of the Anti-Saloon League, for that was their stock preprohibition argument.

If it is true that alcohol is responsible for such conditions, then prohibition is certainly not the remedy, for the jails and penitentiaries have never before been so crowded and never in the history of the Nation has there been such a sweep of violent crime.

Here is another instance of the misleading quotations in Law Observance:

It may be stated here that experiments were made at Johns Hopkins University over a period of weeks under most carefully coordinated circumstances. A machine called an ergograph, altogether too complicated to be explained here, was erected. Volunteers were fed a measure of both food and alcohol and food without alcohol. Their activities were conducted at stated intervals after all had lived under the same conditions, with the same amount of sleep, and doing the same kind of work. The largest dosage of alcohol given to any of the subjects was 27 grams of good Bordeaux wine, equivalent to one ordinary glassful of wine, in 24 hours. The results show that all the subjects to whom alcohol was given turned out about 10 per cent less work than the same subjects who did not receive alcohol.

No date is given as to when this experiment was made or by whom it was made. It follows a statement credited to Dr. John J. Abel, of Johns Hopkins University, in 1893.

If Mr. Woodcock had turned to page 88 of a modern book entitled "The Action of Alcohol on Man," he would have found not only the results of modern ergographic study of the influence of alcohol on man but also a picture of the ergograph itself. In the book, the Action of Alcohol on Man, there is published the result of the study and research of four of the world's greatest experts in this subject: Ernest H. Starling, Foulerton professor, late Fodrell professor of physiology, University of London; Dr. Robert Hutchison, physician to the London Hospital; Sir Frederick W. Mott, pathologist of the London County Council Asylums; and Dr. Raymond Pearl, professor of biometry and vital statistics of Johns Hopkins University.

Discussing the results of ergographic experiments to determine the action of alcohol, Professor Starling says:

Most observers have found an initial increase in the amount of work which can be done in this way after taking alcohol. Rivers has pointed out that the results obtained are extremely liable to the influence of suggestion. In Rivers's own experiments an attempt was made to avoid such sources of disturbance by giving alcohol disguised by strongly tasting other substances, so that on some days the subject of the experiment received a control mixture without alcohol, while on other days he received a mixture of the same taste but containing alcohol. In these circumstances he found that small doses, varying from 5 to 20 cubic centimeters, of absolute alcohol had no effect either immediately or within several hours of their administration on the amount or nature of the work performed with the ergograph. He concludes that the results previously obtained by other workers were certainly due to defects of experimental method. With larger doses of 40 cubic centimeters he obtained evidence in one case of an increase in the amount of work, but the increase was uncertain and inconstant and might have been due to disturbing factors. With large doses, for example, 80 cubic centimeters, Hellsten found not only a distinct decrease in the amount of work, but also irregularities in the muscular contractions. After all, however, this is only what one would expect from ordinary experience. What is interesting is that moderate doses, such as would be contained in a pint of beer or half a bottle of wine, rather increase than diminish the power of carrying out the easy and monotonous muscular contractions which are investigated by the ergographic method.

The foregoing facts show that Mr. Woodcock's book on the Value of Law Observance is misleading.

The use of public money to publish and disseminate such information is not fair to the public. It is astonishing that the Department of Justice of the United States issues such work under its name and seal. [Applause.]

HOW ANTI-SALOON LEAGUE PUT PRESSURE ON THE PROHIBITION DEPARTMENT TO USE THE $50,000 PROPAGANDA FUND—LETTER FROM F. SCOTT M'BRIDE, GENERAL SUPERINTENDENT, TO THE LATE WAYNE B. WHEELER, CHIEF LOBBYIST OF THE LEAGUE, AND WHEELER'S ANSWER

WESTERVILLE, OHIO, *April 5, 1926.*

DR. WAYNE B. WHEELER,
Washington, D. C.

DEAR WHEELER: I started this morning to dictate to the State superintendents a request that they start pressure or make inquiry of the Prohibition Enforcement Department as to why the $50,000 for posters in the interest of better law enforcement has not been used, but there are so many things in relation to that about which you alone have the information that I decided I would first write to you and get the facts, and then I will draft and send to the superintendents a letter asking them to do just what you think should be done in that regard. Kindly dictate me a letter, so that I might be fully familiar with all these facts when I send this letter.

Very sincerely yours,

F. SCOTT MCBRIDE,
General Superintendent.

THE ANTI-SALOON LEAGUE OF AMERICA,
LEGAL DEPARTMENT,
WAYNE B. WHEELER,
GENERAL COUNSEL AND LEGISLATIVE AGENT,
Washington, D. C., April 7, 1926.

DR. F. SCOTT MCBRIDE,
Westerville, Ohio.

DEAR DOCTOR MCBRIDE: I suggest a letter something like this:

As you know, $50,000 was appropriated for law enforcement posters to be used this year. The year ends June 30. Unless the appropriation is used before that time it is lost. For some reason the department has not taken any action along this line.

I think the time has come to our friends to put up a strong appeal or protest to General Andrews, asking why the appropriation has not been used and urging that it be done at once.

Yours cordially,

WAYNE B. WHEELER.

These letters, read in connection with Wheeler's report showing that the Anti-Saloon League sponsored the appropriation and influenced Congress to pass it, is proof that the propaganda scheme of the Prohibition Enforcement Department originated with a professional prohibition propaganda organization. The propaganda itself is very similar to that used by the Anti-Saloon League.

Mr. BYRNS. Mr. Chairman, I yield 20 minutes to the gentleman from New York [Mr. DICKSTEIN].

Mr. DICKSTEIN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks and to incorporate a short article containing statistics by the State Department on the question of immigration.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DICKSTEIN. Mr. Chairman, ladies and gentlemen of the committee, I think the House ought to bear with me a moment on the question of the policy of our Government in regard to immigration.

I see by this morning's paper that the Secretary of Labor has stated that there are 400,000 persons illegally in the United States and that about 100,000 can be deported.

Now I think that statement ought to be considered very carefully by the Congress, and if we have 400,000 undesirable aliens they should be deported, and if we can deport 100,000 we ought to deport them and get rid of the undesirable criminals in the United States, which will do more for this Government than tampering with the present condition of the immigration law, which is provided in our quota.

The Secretary of Labor says that he would like to have the Congress amend the law so as to place the burden on the alien to help him deport the alien. If the Secretary of Labor had examined section 23 of the act of 1924 he would see that the burden there is placed by the Congress on the alien to show that he has a right to be here.

So the law that he now seeks to amend as to place the burden on the alien already is there. There is enough law on the statute book under the acts of 1917 and 1924 to deport every undesirable alien.

But instead of that they are proceeding now on a program to suspend immigration for two years. Now, we must bear in mind that under the immigration act and prior to 1921 there came to this country 1,200,000 a year. In 1921 and 1924 Congress finally adopted a permanent policy of restricted immigration and cut the number down to 150,000 a year.

Out of the 150,000 the western part of Europe received 120,000 to 130,000, leaving about 30,000 for the rest of the world.

In 1928 the Democratic Party in its platform pledged to the people of this country that they were going to do everything they could to unite families, and when we talk about uniting a family we mean the husband and wife and the child who are separated. The Republican Party made the same pledge, that they would unite the families. But instead of that, they have separated the family so far away that it will take in some instances over 100 years before the child or the wife will be able to meet her husband or father in the United States who has been legally admitted.

Mr. Chairman, under the present plan it was intended to suspend immigration. For what purpose? The purpose they told me was to help employment. If they can satisfy me as a reasonable man and present any evidence that the suspension of immigration is going to help employment, I for one will vote to suspend immigration; but, after making a proper analysis, I find that the claim of suspending immigration for the purpose of helping employment is nothing less than an imposition upon the American people. They do not want to suspend immigration to help employment, because immigration will not interfere with employment. Take southern and eastern Europe. No new blood is coming from there at all. Not a single person is coming from all of southern Europe. The only people who may come in here are wives and children of people actually domiciled and legally admitted to the United States. You do not contend, nor can any man contend, that the children and the wives of these husbands are going to interfere with the jobs of our American people. So that a suspension of immigration is not a suspension with any honest purpose to help the American laborer, but is a plan to insert an entering wedge with the purpose of putting a fence around the country so that two years from now they will come along and ask for a complete closing of the doors and separate families in the United States. If this is a real, honest-to-goodness suspension, let us have it. Why not pass a resolution and provide that immigration shall be suspended and give the power to the President of the United States to lift that suspension when times are right?

My good friend the gentleman from Washington [Mr. JOHNSON], chairman of the Immigration Committee, wanted

a suspension for five years. He thereby indicated to the country that we are going to have a depression for five years. Then he came down to two years, and then a gentleman on the other side of the Chamber, who knows very little about the subject, has an idea that two years will be just about enough, but now he wants to cut the quota to 90 per cent. Bear with me a moment. Let us take a country that has a thousand quota numbers. That country, under the new plan, would receive 100 quota numbers. In these countries there are wives and children who have been waiting for three or four years to enter the United States to join their husbands and fathers. On that basis, it would take on the average in some cases between 4 to 50 years or more before the wife or the child of a man legally admitted to the United States would ever reach her number. They state that they are going to help this country with this suspension. Did any of you ever examine the statistics which show that within the last fiscal year we have sent abroad to support wives and children of people legally in the United States, together with fathers and mothers, over $300,000,000? If they were allowed to come here they would not be a liability but would become an asset. In the first place, $300,000,000 would be spent right in the United States. These people would have to buy shoes and clothing and food, and there would probably be another two or three hundred million dollars spent right in the United States, and, in addition thereto, these people would not interfere with American labor at all. So, based on these facts, I say that this suspension is a policy whereby the Government is going to make a mistake. In the same bill they turn around and want to close the doors to the Filipinos.

The flag waves in the Philippine Islands, and yet they classify the Filipinos in the law as aliens. I say they are going too far. At the same time our Secretary of State, Mr. Stimson, in testimony given before the Senate committee, said that his great office takes the credit for reducing immigration by 97 per cent, without any law at all. If that is so, what is the necessity for a suspension of immigration? Let me tell you how he does it. It is almost a tragedy. They have taken the power away from Congress, and the State Department is the Congress of the United States now so far as these matters are concerned. The consuls were instructed to keep people back. A number of cases came to your attention and to mine where American women married husbands abroad two or three years ago. These husbands are ready to come in, but the consuls say to these husbands, "You are liable to become a public charge." Therefore the visa is denied. These men and women can show assets of between $5,000 and $10,000, but the consuls say that the men are liable to become a public charge. In that way they have excluded 97 per cent from this country. Do you not think a woman has some rights; do you not think she is entitled to have her husband come in when he can show that he has some means? What is the definition of a public charge; how far can they stretch it; how far can they go? How much must a man or a woman have to bring them out of a class of being a public charge? Congress has not fixed that policy. Under the act of 1917, consuls, if they believe a person is liable to become a public charge, may deny a visa. However, in 1917, if a man or a woman physically fit had some means, say $25 in their clothes, they might come in, and they were not classed as a public charge. But now, when men have two or three or five or ten thousand dollars they are classed as being liable to become a public charge.

In that way my good friend Mr. Stimson, the Secretary of State, has been able to refuse 97 per cent of the visas. A number of American mothers who have American children born to them can not get their husbands in just because it is claimed that their husbands are liable to become a public charge. Did Congress pass such a law? No. Is there anything in the statute that gives power to American consuls to say arbitrarily, without rhyme or reason, that people can not come in? I am not talking about people who might come here and interfere with American labor, but I am talking of people who are entitled to come here under the terms that we have granted to these people in the act of 1924.

How long is this going to continue? Only 3 per cent came in in the last seven or eight months. If it is the law of Congress that the consul, without a standard, without any further consideration except saying "I refuse to grant you a visa," can stop immigration, what is the sense of suspending the immigration law? If the consul has not the power to suspend, let us at least allow the persons who are blood relatives to come in.

Mr. DE PRIEST. Will the gentleman yield?

Mr. DICKSTEIN. I yield.

Mr. DE PRIEST. How about those from the Western Hemisphere, where there is no quota law?

Mr. DICKSTEIN. If it is going to be suspended, we can in some way suspend against them also. We will suspend against everybody; but at least we should allow a wife whose husband is here and who is not a burden upon the community and who is able to show that he has a home to obtain American atmosphere. Why should the money not be spent in the United States? What is the sense of separating those people?

Mr. SNELL. Will the gentleman yield?

Mr. DICKSTEIN. I yield.

Mr. SNELL. Are there really a great number of those cases where a man is here and his wife and family are abroad?

Mr. DICKSTEIN. Yes. Take Poland, for instance, which is the worst country of all. Twenty-eight thousand had been on the list of wives and children, fathers and mothers, for the last six or seven years. All they can receive is 50 per cent of the Polish quota, which is 5,900. They have been on the list there for four or five years.

Mr. SNELL. How did the husband get in?

Mr. DICKSTEIN. Well, the husband can only come in where an American girl marries him, or where he came in the regular quota or prior thereto.

Mr. SNELL. But I mean the husbands of the wives who are now over there?

Mr. DICKSTEIN. Some of these men married before they left, say, three or four or five years, perhaps, or longer. Those men have been here for some time. They were here probably prior to 1924.

Mr. SNELL. Well, when were they married? Were they married before they came here or have they been married since?

Mr. DICKSTEIN. Some of them were married before they came here. Some of them have married since. Now, those who were married before 1924 usually left their wives at home and the men came to the United States. He may not have proceeded with his processes of citizenship. In that case, under the act of 1924, section 6, the woman and her children are entitled to a preference. They come within that preference. As soon as that number is reached they may come in here. They can not come unless that number is reached. On the other hand, we have a number of American women in the last two or three years who went abroad and married a foreign gentleman. That husband would be entitled to a preference, and that preference is the same condition as prevails with reference to the wife and child.

Mr. SNELL. I am not so much interested in those people who went abroad and got married; but, where there is a man who has been here for several years and was married before he came and he has become a good American citizen I should be very much interested in letting those people come here.

Mr. DICKSTEIN. I think so myself, and I hold no brief for anybody who contracts a fraudulent marriage.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. DICKSTEIN. I yield.

Mr. CHINDBLOM. Those of us who have had experience with these cases, particularly in the large cities, are all well aware that it has been quite the practice for many years for men to come alone to the United States and leave their families behind, with the idea of bringing the families on when they have earned a sufficient amount of money to provide a comfortable home for them. Judging from my own experience, I would say there are not only hundreds but

thousands of such cases still pending where the husbands and fathers came here in good faith for the purpose of acquiring a domicile and a permanent home in the United States and sending for their wives and children as soon as it became possible for them to do so.

Mr. DICKSTEIN. That is correct. Now, let me give you a better illustration. If your father were born in Syria, Turkey, and you were a citizen of the United States, that father might be 60 years of age, and if he registered tomorrow with the consul it would take 410 years before the old man could come here. If an American girl, or if your daughter or any one of your daughters happened to marry one of the finest gentlemen in Syria or any part of Turkey, it would take 300 years before she could bring her husband here.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. BYRNS. I yield to the gentleman from New York five additional minutes.

Mr. DICKSTEIN. The point I am trying to bring to your attention is that the State Department has been arbitrarily, without power of Congress, ordering its consuls to refuse visas to persons entitled to come within the preference.

Let me give you this illustration: An American girl two years ago went to Cuba and married a young man whom she had known all her life. He sold his business. He had about $2,000 in his pocket. She had over $5,100 in savings in the New York banks. She married him a year and a half ago. His turn came about two weeks ago, and he was called and told, "You can not come here, because you might become a public charge."

In that way the State Department has refused 97 per cent of visas to persons honestly entitled to come into the United States. I am not exaggerating it. I have the record here where Mr. Stimson told the Senate committee that he cut the quotas down 85 per cent and the nonquotas 93 per cent.

Mr. NELSON of Wisconsin. Will the gentleman yield?

Mr. DICKSTEIN. I yield.

Mr. NELSON of Wisconsin. The gentleman mentioned a case in which I am very much interested. Does the State Department give instructions to consuls as to the granting of visas?

Mr. DICKSTEIN. Certainly they do. Certainly they did it in this case. In the early part of the summer they notified all of their consuls to shut down.

Mr. NELSON of Wisconsin. They informed me that they never do that; that it is left entirely with the consul.

Mr. DICKSTEIN. Well, that is what we call "shoving the buck." They went there expressly for the purpose of advising the consuls to look after persons who were liable to become public charges. Had they put down a standard that a man must have a thousand dollars or ten thousand or a hundred thousand dollars it might have been different; but they placed no standard at all. They simply refused a man a visa. I am talking about people actually entitled to come here. I give credit to the consuls when they find a case where a man really may become a public charge. He has no place in this country at this time or any other time.

We do not want any paupers and we do not want any beggars, because we have enough of a bread line at present; but at least the people I am speaking of are all people who could qualify.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. DICKSTEIN. Yes.

Mr. CHINDBLOM. Is it not fair to say, however, that the department puts it on this ground: That in the present condition of unemployment men coming to the United States to seek employment are likely not to find it, and, therefore, in the construction of the law may become immediately after their arrival what are called public charges? In other words, it is on account of the present temporary unemployment situation in the United States that people who come here for the purpose of getting employment and have no means of their own are denied admission.

Mr. DICKSTEIN. I absolutely agree with the gentleman. If they have no means of their own they should be kept out by all means until such time as we are ready to let them come in, but all the cases I am talking about, and most of the cases that were denied visas are people who have means and what I am trying to do is to have the Congress determine the amount a man must have to be taken out of the class denominated public charges. How much money must a man have to come into the United States and not be termed a public charge? That is what I am trying to do. I say Congress has not fixed that standard but the State Department, upon its own volition, has more or less arbitrarily determined these cases in spite of the fact that affidavits have been submitted guaranteeing that the person asking to be admitted will not become a public charge on the country. However, in spite of that, the State Department has kept out 97 per cent, and if the gentleman will read the testimony given by Mr. Stimson and his assistants—Senate Joint Resolution 207, December 15 to 18, inclusive—he will find that testimony bears out my point.

I therefore rise upon the floor of this House to protest most emphatically against the action of a number of consuls of the United States in eastern and southern Europe, as well as other parts of the world, who have deliberately taken the position of refusing visas to prospective immigrants to the United States at any and all costs. Seemingly acting under instructions from the State Department or from the White House there is a wholesale refusal to issue visas to prospective immigrants upon the "staple" ground that the prospective immigrants are likely to become a public charge.

In a radio speech which I made in New York several months ago I called attention to the fact that this refusal to issue visas on the alleged ground that the prospective immigrants are likely to become public charges is the most insidious manner in which worthy applicants are refused to be admitted into this country. It is one of those cases where one is "damned" if one does and "damned" if one does not. In each case the consul would ask the prospective immigrant whether he has a job awaiting him in the United States. If the answer is yes, then the immigrant is refused a visa because he is a contract laborer; if the answer is no, then the immigrant is refused a visa because he is likely to become a public charge. In this manner it is the boast of our State Department that immigration has been reduced to almost nothing, and I suppose if this continues it will be necessary for us to pass no legislation curtailing immigration from Europe, because there will not be any left when our consuls get through with prospective immigrants in the various cities and towns of eastern and southern Europe and the rest of the country.

And so the merry game goes on. In the most indirect manner possible the State Department or its consuls are assuming to legislate for the American people. We Members of Congress have nothing to say. The laws passed by us mean absolutely nothing. The legislative policies which are established by our bills and resolutions are thrown overboard. We can pass a 3 per cent quota law or a 2 per cent quota law or a 1 per cent quota law, or any kind of a law we want, but along comes the State Department and passes its own rules as to what is good for us and what should be done in this matter. We may as well pass a resolution giving the State Department full control over immigration and go home. There is nothing else for us to do.

Our Immigration Committee held extensive hearings before it passed the present immigration law, including a number of preferences for close relatives of American citizens—husbands, wives, fathers, mothers, and children. As I stated before, our political parties, in their platforms, expressed themselves in favor of the uniting of families and of doing away with useless and heart-rending situations created by the peculiarities of our immigration laws. But all that means nothing to our State Department. It has pounced upon a provision in the law giving our immigration officials the power to refuse admission to aliens "likely to become public charges," and, presto, every alien is likely to become a public charge, or, at least, it would seem so from reading the reports of the activities of our consuls abroad.

In the supine indifference which our people have shown against the encroachments by administrative bodies of our

powers of legislation, everybody seems to applaud the action of our State Department, and not a word is raised against this most dangerous assumption of power which the consuls have usurped pursuant to instructions from the State Department, which has control over them. Will our legislators likewise sit by and permit this usurpation of power to go on unchecked?

For usurpation it actually is. No other term can describe it. If the State Department can willfully cut down immigration quotas by 90 per cent, then something is wrong somewhere. Why not be honest about it. Should Congress desire to curtail or abolish immigration altogether, it has the power to do so, and I, for one, believe that Congress should be the proper body to exercise that power if such power is to be exercised at all. But I don't want the State Department or any outside agency to assume powers of legislation. It is contrary to the scheme of our Government; contrary to all our traditions; contrary to the Constitution of the United States; and contrary to the spirit of our laws, and I shall protest against it with all the power which I can summon for that task and with all the energy I am capable of.

Perhaps my remarks here will open the eyes of my colleagues at the danger we are in, in leaving the Government of our country in the hands of soulless bureaucrats. This must stop or we shall have abrogated our functions under the Constitution of the United States and have become unfaithful to the trust imposed on us by our constituents when they elected us to office.

I do not wish to say that there are no prospective immigrants who would not likely become public charges. Of course there are some who would, and, of course, the consuls are there for the purpose of weeding out this undesirable immigrant. I hold no brief for undesirable immigrants. I do not want them in this country, as I have stated a moment ago, and I have always advocated strict laws to deport from the United States all criminal aliens wherever they may be found. It is not this type of immigrant that appeals to me, and more power to our consuls if they are able to hold back this type of immigrant from entering our beloved country.

But the line must be drawn somewhere. I can not believe that 93 per cent of immigrants within our quota who would otherwise be eligible for admission are likely to become public charges. I can not believe that this great drop in our immigration, which is due exclusively to the action of consuls in curtailing the number of visas issued, is in every instance honest and on the level. The contrary is the fact. There are many prospective immigrants of wealth, of high standing in their own community, people who would be a credit to any country in which they wish to settle, who are denied admission for no good reason. It is against this futile and murderous attempt to kill the letter and spirit of our immigration laws that I have risen on this floor in protest.

In this connection, let me quote from our United States Daily of December 6:

By applying the "likely to become a public charge" provisions of the immigration act of 1917, American consular officers in foreign countries have brought about a considerable decrease in the number of aliens entering the United States, according to a statement December 5 by the Department of State.

Only a small percentage of the total number of visas which might have been granted were issued in October by consular representatives in 21 foreign countries, and during that month the total number of visas reported issued by all officials was only 3,300, the statement discloses.

In view of the unemployment situation, the policy of greater consideration in issuing visas for entrance of aliens into the United States was put into effect following its announcement September 8, 1930, by President Hoover, the department states.

MANY ARE EXCLUDED

In all, 135,000 aliens of quota and nonquota countries who normally would have entered the United States during the quota year ending June 30, 1931, will not receive visas, according to the statement, which follows in full text:

Reports from American consular officers assigned to 21 countries whose annual quotas represent 148,466 of the total quota of 153,714 indicate that of the possible portion of the monthly 10 per cent of the total quotas, which 10 per cent equals 14,846, that only 1,668 visas were issued to nonpreference aliens. This means that there was an underissue in October of 11,517 numbers which were available for issue to such applicants from those countries. In other words, there was an underissue of 87 per cent of numbers to this class of aliens who would normally have received visas during that month.

The underissue of the possible monthly 10 per cent of the above quotas amounting to 14,846 visas is 78 per cent if the visas issued to those entitled by law to preference as well as those classified as nonpreference aliens is taken into consideration.

Incomplete reports received to date from the remaining countries whose annual quotas amount to 5,248 and whose quotas are not restricted to a 10 per cent monthly issue indicate that only 101 numbers were issued during the month of October.

NONQUOTA IMMIGRANTS

The two countries which have furnished the volume of nonquota immigrants to this country are Canada and Mexico, which contributed 89 per cent, or 70 and 19 per cent, respectively, of the total 61,504 nonquota visas reported as issued to aliens during the fiscal year ended June 30, 1930.

Consular officers in Mexico initiated stricter enforcement in Mexico in February, 1929, and in Canada in April, 1930. Reports for the month of October indicate a continued decrease in visas issued in these two countries. Only 236 Mexicans (which figure includes unmarried minor children, the wives or the husbands of American citizens married prior to June 1, 1928, as well as certain professors, ministers, students, and previous lawful residents of the United States who would not have been chargeable to a quota if there were a quota for Mexico) were issued visas in October, 1930, as compared with 3,993 in October, 1926 (the last normal month before strict enforcement began), or a decrease of 94 per cent. The 236 nonquota visas issued in Mexico in October, 1930, show a reduction of 202 visas issued when compared with the 438 visas issued in September of the current year (a further reduction of 46 per cent). Reports received from Canada indicate that only 1,622 nonquota visas were issued in October, 1930 (which figure includes the unmarried children, the wives or the husbands of American citizens married prior to June 1, 1928, as well as certain professors, ministers, students, and previous lawful residents of the United States who would be nonquota if there were a quota for Canada), as compared with 6,127 visas issued during the same month in 1929, which represents a reduction in visas issued during this period of 74 per cent.

On the basis of these figures, both quota and nonquota, it is estimated that 135,000 aliens who would have come into this country during the quota year ended June 30, 1931, will not receive visas.

The attached table of quota visas statistics for the month of October, 1930, represents reductions in visas issued to immigrants during the first month of the enforcement of the "likely to become a public charge" provision of the immigration act of 1917 by consular officers in the light of present unemployment in the United States, which policy was put in effect in October following the announcement in this regard by the President on September 8, 1930, based on a report presented by the State Department at his request.

IMMIGRATION QUOTA VISA STATISTICS, OCTOBER, 1930

(Countries with quotas of 300 or more)

Monthly 10 per cent of quota,[1] column 1; number relatives of American citizens, column 2; farmers, column 3; number relatives of aliens, column 4; nonpreference, column 5; total quota visas reported issued,[2] column 6; per cent issued, column 7; per cent underissued, column 8; per cent nonpreference issued, column 9; per cent nonpreference underissued, column 10:

	1	2	3	4	5	6	7	8	9	10
Austria	141	5	8	15	5	33	0.23	0.77	0.04	0.96
Belgium	130	3	11	3	7	24	.18	.82	.06	.94
Czechoslovakia	287	27	6	95	.....	128	.45	.55	.....	1.00
Denmark	116	5	6	8	11	30	.25	.75	.11	.89
Finland	57	2	52	.....	.....	54	.95	.05	.....	1.00
France	309	6	2	13	57	78	.25	.75	.20	.80
Germany	2,596	20	35	86	287	428	.16	.84	.12	.88
Great Britain	6,572	12	.....	141	780	933	.14	.86	.12	.88
Greece	31	15	.....	15	.....	30	.97	.03	.....	1.00
Hungary	87	33	12	.....	.....	45	.52	.48	.....	1.00
Irish Free State	1,785	2	.....	4	84	90	.05	.95	.05	.95
Italy	580	411	2	85	17	515	.89	.11	.21	.79
Lithuania	39	9	6	8	.....	23	.59	.41	.....	1.00
Netherlands	315	3	10	12	157	182	.58	.42	.54	.46
Norway	238	13	19	27	31	80	.34	.66	.16	.84
Poland	652	68	18	108	.....	194	.30	.70	.....	1.00
Portugal	44	4	.....	19	.....	23	.52	.48	.....	1.00
Russia	278	70	7	18	174	269	.97	.03	.96	.05
Sweden	331	.....	17	9	64	90	.27	.73	.21	.79
Switzerland	171	6	17	11	2	36	.21	.79	.01	.99
Yugoslavia	85	15	11	8	11	45	.53	.47	.22	.78
Total	14,846	719	239	685	1,687	3,300	[3] .22	[3] .78	[4] .13	[4] .87

[1] Only 10 per cent quotas which are 300 or over may be issued each month.

[2] The figure given under totals in column 9 represents the percentage of total nonpreference visas issued as compared to the monthly 10 per cent ratio after reduction of the preference cases listed under columns 2, 3, and 4. The figure under column 10 represents the corresponding underissue of visas.

[3] Per cent of total monthly 10 per cent issued or underissued.

NOTE.—The above figures represent visas actually reported as issued under each quota. In some instances reports on other visas for which quota numbers have been allotted to distant consulates are received by the quota control officers only after the end of the month for which allotted. The figures given for visas issued at the end of a given month are therefore in some cases provisional in character and are slightly less than the total obtained at a later date.

Complaints made to the State Department are simply ignored and our great game of "passing the buck" is indulged in to its furthest extent. The State Department blames the consul and the consul blames the State Department, and between upper and nether millstone the poor prospective immigrant is ground to pieces mercilessly and without leaving a trace.

I believe if this House puts itself on record against countenancing this vicious policy we shall have some results, otherwise there can be no hope of any improvement in the situation and matters can only grow from bad to worse until we finally reach the conclusion that the power of legislation does not rest with us but rests with the clerks and employees of the State Department.

At this time may I state that I am not quarreling with the consuls who are performing their duty? I know they are men of high type and who are working in their jobs and spending the best of their lives in the service of the Government. The consuls, as well as their assistants, are trying to do their best, and half of the time I do not see how they get along on the little compensation they get living abroad.

Although the discretion is with the consul to admit or deny visas, when that discretion is not interfered with I am willing to accept same. But where the White House and State Department in substance advise them that we must cut down immigration, whether they want to use their discretion or not, they are prohibited from using in the sense of American justice.

It will be a sad day in American history when the principles of Thomas Jefferson and Abraham Lincoln of "a Government for the people, by the people, and of the people" will be done away with by official regulations, and instead of this House being the fountain of legislation it will become a mere registering machine for the powers that be in our departments and offices. May that day never come.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. BYRNS. Mr. Chairman, I yield five minutes to the gentleman from Texas [Mr. PATMAN].

ADJUSTED-SERVICE CERTIFICATES

Mr. PATMAN. Mr. Chairman, ladies and gentlemen of the committee, we have only 49 more legislative days of this session. I am heartily in favor of paying the adjusted-service certificates in cash now. I honestly believe the whole amount or face value is due. Others believe that not more than 60 per cent is due. Whether they are right and I am wrong is for you to determine, but there is only one way to get consideration of this legislation. If you believe in any plan—it makes no difference what it is; 25 per cent, 50 per cent, 75 per cent, or 100 per cent—you should sign a petition that will compel the Ways and Means Committee to report a bill within 15 days which will provide for some method of payment. I believe that 95 per cent of the Members of this House feel that some bill should be passed that would provide for some means of payment. How can you best expedite the passage of such a bill? There is only one way to do it, and that is to compel consideration.

HOW CONSIDERATION CAN BE FORCED

The Committee on Ways and Means has had before it since May 28, 1929, a bill providing for this payment. No hearing has been granted, and at the beginning of this session I filed a petition asking that the Ways and Means Committee be instructed to report a bill within 15 days. That is not discharging the committee. When 218 Members sign this petition, of course, the Ways and Means Committee will then have 15 days in which to hold hearings. They do not have to report this bill back favorably. They can report this bill back unfavorably. Let them report it unfavorably or with amendments, but report some bill, so that some bill on this subject can come before the House for the consideration of the membership.

TWO PETITIONS FOR SIGNATURES

Probably some Members would object to signing that petition because I presented it—a member of the minority party. I want to invite your attention to the fact that Mr. CLANCY, one of the members of the majority party, has also filed a petition. His petition is to bring out a bill that is identical with mine. It makes no difference about my bill; I have no pride of authorship. All I am asking is for consideration of the subject. If you do not want to sign my petition, it is all right. Sign Mr. CLANCY's petition. I signed Mr. CLANCY's petition; I will sign yours if you will present one; I will sign anybody's; I will do anything in order to try to force consideration of this subject.

ONE-HALF REQUIRED NUMBER HAVE SIGNED

To-day we have more than 100 signatures on the petition I presented, and together with the signatures on the petition that Mr. CLANCY presented, we have, you might say, 109, or one-half the required number to force consideration.

IF YOU FAVOR ANY PLAN, SIGN A PETITION

As I have said, we have only 49 more legislative days. If you believe this legislation should be considered at all, I appeal to you earnestly and sincerely to take the step that is necessary to force consideration of that legislation. If you are in favor of any plan, how can you go back to your people and tell them, "Yes; I favored some plan to pay the veterans in cash on their certificates, but I did not take the step that was necessary to force consideration of that plan"?

FORCE CONSIDERATION, THEN PRESENT YOUR PLAN

We need 218 Members to sign this petition, and then, if you have any plan, you can present it to the committee, but you will not have an opportunity to present any plan or any suggestion unless consideration of this legislation is forced.

TAKE THE NECESSARY STEP

I appeal to you as Members who want a prosperous Nation and who want to pay an honest debt heretofore confessed to sign one petition, whether it be my petition or Mr. CLANCY's petition. It makes no difference, but do something; make some move and take some step in the direction that will force the consideration of this legislation.

PROSPERITY ASSURED

Mr. Mellon, the Secretary of the Treasury, admits it will bring prosperity, but he says he does not think it will last so long. Possibly Mr. Mellon is mistaken, but I say to you that if it will only last a short time, prosperity for a short time would be better than no prosperity at all.

PURCHASING POWER WILL BE INCREASED

One of the main reasons for the economic depression in the Nation to-day is the lack of purchasing power, and the lack of purchasing power is due principally to the low per capita circulation of money in our country. Whenever you pass this legislation, or any legislation along this line, it will cause the Government to pay what is honestly due and what has been confessed by our Government as due since 1918. If you pay this money now you will put sufficient money into circulation to cause our Nation to be prosperous immediately. [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

The Clerk read as follows:

Committee on Revision of the Laws: For preparation and editing of the laws as authorized by section 10 of the act approved May 29, 1928 (U. S. C., Supp. III, title 1, sec. 59), fiscal year 1931, $5,000.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph just read.

I will state to the chairman of the committee I have read the hearings in which the chairman of the Committee on Revision of the Laws expounded at length as to the advisability of continuing this appropriation. I understand that this $5,000 is paid each year of a Congress to the publishing houses, the West Publishing Co., of St. Paul, and the Edward Thompson Co., of Long Island City, Long Island.

The information I gleaned from a reading of the testimony of the chairman of this committee was that the revision of the laws as compiled by these two publishing houses jointly is a better edition than that which is compiled each year through the Congress for free distribution. I am curious to know whether we are providing money to private

publishing houses to enable them to pay their help in publishing a work for which they receive many fold the cost to them because of this appropriation which we make.

The chairman of the committee, the gentleman from Ohio [Mr. FITZGERALD], states that their work is far superior to what is issued by the Government. If it is far superior, is it not because we are appropriating the money and allowing them to have this work done at Government expense for which they receive emoluments in the high cost of the volumes they distribute to practitioners throughout the country?

Mr. WOOD. I may say to the gentleman that this $5,000 is to compensate the two firms the gentleman has named for work they do for the Government in getting out the supplement to the code. As the gentleman knows, the Appropriations Committee entered into an examination of the gentleman from Ohio [Mr. FITZGERALD] at some considerable length about this matter, and we were of the opinion that the work should be continued. If it is not continued, it is going to cost us a good deal more after a while to revise the statutes of the United States than it would cost to keep these supplements up from year to year.

Mr. STAFFORD. If the chairman will permit, I could not understand the testimony of the gentleman from Ohio [Mr. FITZGERALD] where he stated that the cost of this private compilation was, I believe, $1 plus, and yet it is sold for $11 plus, whereas the cost of the publication which we distribute is $4.

Mr. WOOD. It is a great advantage to have this work done by these people. The fact is they are doing it cheaper than the Government could do it.

Mr. STAFFORD. If I read the hearings correctly, the testimony is that the cost for this compilation by the private publishing houses is $1 plus, while they sell the work for $11 or more.

Mr. WOOD. I think the gentleman has a misconception of the matter. The work they are doing for the Government is the legal work in getting up this supplement. It is not the physical work of printing.

Mr. STAFFORD. To refresh the recollection of the chairman of the committee I will read from page 19 of the hearings:

> Mr. FITZGERALD. They charge $12 for this compact edition, but the cost of it to them was $1.35. It is a copy of our work, and they have nothing original in it excepting the indexing, which is better than ours. However, our indexing was done in haste under a Senate appropriation.

Now, we are providing the wherewithal so that the cost is only $1.35 to the publishing houses and yet they are charging the practitioners throughout the country $12. This is not the first time such a condition has been called to the attention of the Congress.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Without objection, it is so ordered.

Mr. STAFFORD. The gentleman may recollect that before he was on the Committee on Appropriations, when he was giving close attention to the details of these appropriation bills, Banks & Bros. had an arrangement with the clerk of the Supreme Court for selling copies of the Supreme Court Reports at a certain stated price, which we regarded as rather high, and we placed a limitation whereby they should not be privileged to sell that volume for more than a certain price. Here we have direct testimony, and I am rising largely to inquire the reason that we are a party to the employment of a private publishing house or houses when the cost to them is $1.35 and yet they are charging $12.

Mr. WOOD. Anybody else could do that same thing. We have no copyright upon the statutes. Anybody can publish these statutes and sell them for whatever they may get for them. It may be true they get $8 or $10 a volume.

Mr. STAFFORD. Twelve dollars.

Mr. WOOD. Or $12. The Government is not paying that for them.

Mr. STAFFORD. No; but we are contributing $5,000 each session or $10,000 each Congress under this temporary arrangement.

Mr. CRAMTON. If the gentleman will yield, what these gentlemen do for us is simply on a supplement to the code, without annotation. The publishing houses can take that same supplement—any publishing house—and add to the text all the annotations they want, and that is what the particular houses the gentleman speaks of are doing. They add annotations and sell the volume for $12, but that has nothing to do with the work they do for us more expertly than we could get it done otherwise.

Mr. STAFFORD. I think the hearings disclose that the superior value of their edition over that which the Congress publishes is the indexing.

Mr. CRAMTON. Certainly.

Mr. CHINDBLOM. The original indexing, I am informed, was done by our committee and the Senate committee rather hurriedly. We were all pressing for completion of the work. These publishing houses have made an index of their own which they use in their own publications, and the gentleman from Ohio [Mr. FITZGERALD], the chairman of the Committee on Revision of the Laws, frankly admits that their index may be a little better than our own.

Mr. STAFFORD. Much superior—not a little better, but much superior.

Mr. CHINDBLOM. I do not know the exact language, but it is in the hearings. The $5,000 we are appropriating annually is for continuing the code in view of new legislation. That has nothing to do with the publication.

Mr. STAFFORD. It has to do with providing a fund for a private publishing house in doing its work for their own benefit.

Mr. CHINDBLOM. It provides material for the supplement. After the supplement is prepared anybody can use it and republish it.

On page 11 of the hearings the gentleman will find this statement by Mr. FITZGERALD:

> It is an agreement that for $5,000 a year, or $10,000 per Congress, they will do all that is essential in the preparation and editing of the supplement for each session of Congress.

Mr. STAFFORD. And we there provide a fund for paying the expenses of their compiling a work which they sell at an enormous profit.

Mr. CHINDBLOM. They do the work for us and we publish the supplement.

Mr. STAFFORD. They publish it before we publish ours.

Mr. CHINDBLOM. I do not know whether they do or not.

Mr. STAFFORD. The hearings disclose that before we entered into this contract there was published by the Barnes Co. a work which has been very serviceable to me, known as Barnes Federal Code, and that publication has been driven out of existence because of the subsidies we are voting to the West Publishing Co. and the Thompson Co.

For the time being, Mr. Chairman, I will withdraw the point of order for the purpose of getting further information at the next Congress.

The Clerk read as follows:

BOTANIC GARDEN

The unexpended balance in the appropriation "Repairs and improvements" contained in the legislative appropriation act for the fiscal year 1931 is hereby made available for the payment of such amount as may be allowed by the Comptroller General of the United States in settlement of the claim of the Cranford Co. (Inc.), under its contract of August 12, 1930, for constructing a building and for road work in connection therewith and erecting a fence at the Poplar Point Nursery.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on this paragraph. I want to inquire whether this is a claim against the Government of the United States.

Mr. WOOD. This item relating to the Poplar Point nursery was sought to be completed out of the regular appropriation for the Botanic Garden, but the comptroller found

that inasmuch as the hothouses were being built on grounds other than the Botanic Garden it could not be paid out of the regular appropriation. The work had to be done with the understanding they had with the comptroller. It does not cost the Government any more for the work. It is only a technical ruling by the Comptroller General.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

The Clerk read as follows:

PUBLIC BUILDINGS AND PUBLIC PARKS OF THE NATIONAL CAPITAL

General expenses, maintenance, and care of buildings: For an additional amount for general expenses, including the same objects specified under this head in the "Independent offices act, 1931," $75,000.

Mr. WOOD. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

On page 4, after line 24, insert the following:

"UNITED STATES YORKTOWN SESQUICENTENNIAL COMMISSION

"For carrying out the provisions of the public resolution entitled 'Joint resolution providing for the participation of the United States in the celebration of the one hundred and fiftieth anniversary of the siege of Yorktown, Va., and the surrender of Lord Cornwallis on October 19, 1781, and authorizing an appropriation to be used in connection with such celebration, and for other purposes,' approved June 17, 1930 (46 Stat. 776), including personal services in the District of Columbia and elsewhere, without reference to the classification act of 1923, as amended, and civil-service regulations, traveling expenses, furniture and equipment, supplies, printing and binding, rent of buildings in the District of Columbia and elsewhere, and all other expenditures authorized by such public resolution, fiscal years 1931 and 1932, $192,000."

The amendment was agreed to.

The Clerk read as follows:

VETERANS' ADMINISTRATION

Military and naval compensation: For an additional amount for the payment of military and naval compensation accruing during the fiscal year 1931 or in prior fiscal years, to be available for similar purposes under the appropriation "Military and naval compensation, Veterans' Bureau, 1931 and prior years," $36,250,000.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last figure. I understand that this amount was occasioned by the liberalization of the law granting compensation to veterans under an act passed in the closing days of the last session of Congress?

Mr. WOOD. That is correct.

Mr. STAFFORD. Do the hearings disclose any estimate of what the total appropriation will require when the law has had its full effect?

Mr. WOOD. The hearings disclose that in the opinion of General Hines, the administrator, they may have to come back for more money. Many more claims have been filed than were anticipated, so that the amount of the appropriation, with this deficiency, will not be sufficient and they will have to come back again in the second deficiency appropriation bill.

Mr. STAFFORD. The query in my mind is what the total expense will be to the Government for allowing pensions, virtually, to World War veterans as provided in the act of July of last year?

Mr. WOOD. I do not know. The claims for compensation are much larger in number than the bureau estimated. They attribute a great amount of this increase to the depressed economic conditions, believing that some of the soldiers filing these claims would not probably have filed them under ordinary circumstances. The number of these claims is also increased by removal of the statute of limitations in the last act.

Mr. STAFFORD. I have seen it stated that when the law reaches its full force the cost for pensions, virtually pensions, as provided by that act, will run into billions of dollars.

Mr. WOOD. We have already paid out on account of World War veterans $5,377,904,384.

Mr. STAFFORD. That is compensation?

Mr. WOOD. That is more than compensation. It includes term insurance, Government insurance, allowances, hospitalization and hospital facilities, administration, and so forth.

Mr. STAFFORD. Yes; but no provision of law was made for paying the veterans of the World War pensions as such until the act of July last.

Mr. WOOD. That is correct.

Mr. STAFFORD. I have seen it stated that that would run into billions of dollars annually when it has its maximum effect. Is there anything in the hearings that gives the total amount?

Mr. WOOD. No; there is nothing in the hearings except that we have an estimate that this current year will cost at least $23,000,000.

Mr. STAFFORD. I withdraw the pro forma amendment.

The Clerk read as follows:

Support of Indians and administration of Indian property: For an additional amount for general support of Indians and administration of Indian property, including pay of employees, fiscal year 1931, $175,000: *Provided*, That this appropriation shall be available for the employment of Indian labor on any necessary project or activity.

Mr. WOOD. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Committee amendment offered by Mr. WOOD: On page 7, after line 19, insert the following:

"NATIONAL PARK SERVICE

"Colonial National Monument, Va.: For the acquisition of lands in accordance with the provisions of the act entitled 'An act to provide for the creation of the Colonial National Monument in the State of Virginia, and for other purposes,' approved July 3, 1930 (46 Stat. 855), the evidence of title to such lands to be satisfactory to the Secretary of the Interior, fiscal years 1931 and 1932, $500,000.

"For administration, protection, maintenance, and improvement, including not exceeding $1,800 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the custodian and employees in connection with general monument work, $58,900; for construction of physical improvements, $76,100, of which not exceeding $15,000 shall be available for five comfort stations; in all, fiscal years 1931 and 1932, $135,000."

Mr. STAFFORD. Mr. Chairman, I reserve the point of order upon the amendment just offered. As I heard the reading of the amendment it is somewhat different from the copy which has just been handed to me. As I listened to the amendment there was some provision in respect to the title to the land being satisfactory to the Secretary of the Interior.

Mr. CRAMTON. If the gentleman will permit, the text the gentleman has in his hand is the text covered in the two paragraphs or two propositions, one for the purchase of the land; and second, the administration.

Mr. STAFFORD. Has the gentleman any estimate as to what would be the total amount required for the purchase of the land for this Colonial National Monument?

Mr. CRAMTON. The limit of cost fixed in the act was $500,000, which is the amount set forth in this paragraph.

Mr. STAFFORD. That does not answer the question. I asked whether or not the gentleman has any information as to the amount of money that will be expended for the purchase of this land.

Mr. CRAMTON. That is all that can be expended, unless the law is changed. Personally, I was sorry to see such a low limit fixed. I think there are other lands in that area that ought to be included, but they can not be purchased with the present limit of cost. This item, of course, is within the statutory limitation.

Mr. STAFFORD. As I recall, this Colonial National Monument comprises a former battlefield.

Mr. CRAMTON. It takes in the three historic shrines, Jamestown, Williamsburg, and Yorktown. The expense involved here is in connection with the purchase of lands in the Battlefield of Yorktown, and the additional expense to which I refer is almost entirely in connection with the Yorktown Battlefield; in order to include the various positions, the surrender field and all others, a considerable area is involved.



Mr. STAFFORD. You provide, which is not embodied in the original authorization for construction of physical improvements, $76,000.

Mr. CRAMTON. The general law provides that. Of course, we can not acquire property as a national park or monument without taking the responsibility of its administration, and there is general law authorizing the Park Service to administer these areas after they are secured. The text of this amendment is identical with the usual form in connection with appropriations for administration of such areas.

Mr. STAFFORD. Mr. Chairman, as I recall the authorization act, it launches the Government on another project of extravagant expenditures in these times when we need money; but there is no opportunity whereby we can withdraw from that position, notwithstanding the fact that the Committee on Appropriations is in harmony with the idea of spending more and more money, so I withdraw the point of order.

Mr. CRAMTON. I appreciate the gentleman's action in withdrawing the point of order, although I disagree with some of his comments.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Indiana.

The amendment was agreed to.

Mr. CRAMTON. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CRAMTON: After the amendment just adopted, insert the following:

"Roads and trails: The appropriation for the construction of roads and trails in the national parks and national monuments under the jurisdiction of the Department of the Interior contained in the act approved December 20, 1930 (Public, No. 550, 71st Cong.), shall be, and is hereby, made available in so far as may be necessary for the construction of highways within the areas authorized to be established as national parks under the acts approved February 21, 1925 (43 Stat. 958–959); May 22, 1926 (U. S. C., title 16, sec. 403); and May 26, 1926 (U. S. C., title 16, sec. 404)."

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the amendment for the purpose of allowing the gentleman from Michigan to make an explanation as to the need for this amendment.

Mr. CRAMTON. This makes no new appropriation, but in the recent appropriation of $116,000,000 for emergency construction work there was included $1,500,000 for the construction of roads and trails in national parks. It is the request of the Park Service that authority be given to make a portion of that $1,500,000 available for construction of roads and trails in certain areas that have been authorized for creation as national parks, and particularly in areas where the lands are under process of condemnation, to be turned over to the Government, and for the construction of roads which would be essential in the areas, after being formally turned over as national parks.

It is an item of peculiar emergency in certain localities where there is great need of employment, and the roads and trails here constructed will be of very great relief in sections where serious drought and unemployment conditions exist.

Mr. STAFFORD. Before withdrawing the point of order may I inquire whether this is not a very appropriate place to rise, after the adoption of the amendment?

Mr. CRAMTON. Will the gentleman withdraw his point of order first and then have his argument with the chairman of the committee?

Mr. STAFFORD. I withdraw the point of order.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Michigan [Mr. CRAMTON].

The amendment was agreed to.

Mr. WOOD. Mr. Chairman, I think the only other item here about which there may be some controversy is the prohibition question. I would like to ask unanimous consent to pass that item and read the rest of the bill and then take up that item on Thursday.

Mr. STAFFORD. No. There are other provisions which I wish to make inquiry about, particularly about the policy of the committee in awarding interest on judgments. In one case you limit the amount to 4 per cent and in another case you make no limit at all.

Mr. CRAMTON. Will the gentleman yield?

Mr. STAFFORD. I will be glad to yield.

Mr. CRAMTON. Is it understood that some of our wet friends are continuing the effort they have made in former years to increase the amount for the enforcement of prohibition to $200,000,000 or some similar sum?

Mr. STAFFORD. I am not in the confidence of the voluntary committee on prohibition enforcement, but I will say that, in my opinion, much of the appropriation that is being voted for by Congress, under the discipleship of the retiring Member from Michigan, is largely wasted.

Now, Mr. Chairman, I think it would be a great deal better if the committee rose at this time.

Mr. WOOD. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. TILSON having assumed the chair as Speaker pro tempore, Mr. LEAVITT, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 15592) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1931, and for prior fiscal years, to provide urgent supplemental appropriations for the fiscal year ending June 30, 1931, and for other purposes and had come to no resolution thereon.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. DREWRY, indefinitely, on account of illness.

ADDRESS BY HON. VICTOR CHRISTGAU

Mr. KVALE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including an address delivered by my colleague Mr. CHRISTGAU at the annual meeting of the American Farm Economic Association at Cleveland, Ohio, December 29, 1930.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The address is as follows:

ADJUSTMENT OF PRODUCTION IN AGRICULTURE

During the past 10 years the problems of agriculture have been uppermost in the minds of the American people. Since the beginning of the agriculture depression numerous measures have been proposed to improve the economic condition of the American farmer. Some have been adopted, but conditions have not been improved and the problem is still before us. In 1928 the national campaign was largely fought out on farm-relief proposals. The Nation was made ready for national legislation in behalf of agriculture and Congress was called into special session by President Hoover in April, 1929. The agricultural marketing act was adopted and we have now operated something over a year under that act.

Just before Congress adjourned for the holidays a $150,000,000 appropriation to the Farm Board was passed, making a total of $400,000,000 that Congress has appropriated out of the $500,000,000 authorized when the agricultural marketing act became a law. A great deal of opposition developed to this additional amount. It is my opinion that had not the $500,000,000 been authorized at a time when the Nation was willing and ready to do everything possible that a hostile element in Congress would not have permitted additional money to be appropriated for the use of the board. Since the passage of the act some of those who were skeptical as to its possible benefit are now saying, "I told you so," as the farm income for 1930 reaches the lowest point since 1921.

The position of agriculture in the public eye is somewhat overshadowed by other acute problems brought on by the world-wide depression. The intense partisanship that developed at the time that Congress had under consideration the drought relief bill is something of an indication to me that agriculture is again facing much the same opposition to its legislative proposals that it did in the early years of its efforts.

Among difficulties that agriculture had to overcome in securing legislative action during the past 10 years is a feeling on the part of a good many people prominent in public life that legislation

could in no way assist the farmer. After the Government has made available a half billion dollars and given the Farm Board very broad powers to be used in placing agriculture on equality with other industries, the opposition to additional legislation will lend force to its arguments by pointing to the present financial difficulties of the American farmer.

If we look at the situation thus far in a fair and impartial manner we must come to the conclusion that we have not operated long enough under the agricultural marketing act to determine the effectiveness of that legislation. We have, however, had sufficient experiences during the past year to arrive at some very definite conclusions as to action that might well be taken in the future.

Another argument constantly brought up as legislation was considered during the past 10 years was that any action taken to improve the prices to the farmers would result in substantial increase in production and thus defeat the very purpose of the program that was adopted. When the McNary-Haugen bill was up for consideration it contained a provision intended to prevent increased production. Likewise when the debenture was acted upon by the Senate it contained a provision which the sponsors held would prevent any increase in production if prices were increased by its application.

Since the passage of the agricultural marketing act it has become apparent to most students of the problem that, no matter how efficient the marketing system may be, its benefits might be completely nullified, as far as the producers are concerned, by an overproduction of the commodity.

During the past year the various members of the Federal Farm Board have laid great emphasis on the necessity of controlling or curtailing production. The continued mounting of surpluses in wheat and cotton and a certain degree of shifting from the overproduced staple crops to dairying and poultry and other farm commodities, the prices of which have been somewhat more advantageous than the staple crops, has brought the problem of better adjustment of farm production to the forefront. Thus far, however, we have not adopted a plan of curtailing production or adjusting production which is acceptable to the farmers and which can be put into operation with any degree of effectiveness.

Shortly before Congress adjourned for the holidays I attended a hearing held by the Judiciary Committee on a measure providing for a national industrial commission. The stated purpose of this plan is to bring about a better coordination of the various industries of the country—a sort of national planning board, if you please. Its purpose, according to the author, would be to make it possible to assemble facts regarding the conditions and situations in the various industries, so that the total production of the country might be better adjusted to the needs of this Nation and to the opportunities for markets abroad. This indicates that thought on the matter of a more scientific adjustment of production has culminated in definite proposals.

Other industries of the country have gone much farther than has agriculture in adjusting their activities to the markets of this country and to the markets of the world. If it were possible for the agricultural industry to control its production as, for example, the automobile industry has done during the past year, the problems of agriculture would be much easier of solution. The automobile industry, it is said, reduced its production over 40 per cent in 1930 as compared with 1929. A similar curtailment of the production of other industries resulted in the acute unemployment problem which is facing the Nation at the present time and has added much to the difficulties of agriculture. If the various industries of the country could work in better coordination it would go a long way toward relieving the unemployment situation.

I imagine the plan of a national industrial commission is patterned somewhat after the supreme economic council, a feature of the soviet system, which the soviet people maintain will eliminate unemployment in the Soviet Union. This country may never adopt a plan of a national industrial commission; nevertheless, efforts will be made to better correlate the production of the various industries of the country, and those of us who are interested in agriculture must exert our efforts toward a better coordination of the production activities within the agricultural industry.

With the passage of the act creating the Federal Farm Board the responsibility of improving the economic condition of agriculture was placed upon the Federal Government. The nature of the problem is such that the National Government must take the initial step. The gradual mechanization of agriculture in certain areas has brought out the fact that there are great differences in the cost of production of certain commodities as between different areas or regions. That some regions are better adapted for the production of certain farm commodities than others has become increasingly apparent during the last few years. In view of that, it appears to me that the problem of what best to produce and where to produce it is a regional problem and that the adoption of a plan of regional adjustments is essential.

Most of the farmers in the country are quite willing to follow suggestions which they believe might improve their economic condition. The results obtained by the extension forces of the country in improving methods of production is an indication that we have not yet exhausted the possibilities of improvement in agriculture by voluntary action of the farmers. Some will hold that the only way of adjustment in agriculture can be properly made is by the limitation by law of production. The six and a half million separate units in agriculture make control of production appear most difficult through voluntary action. In the past, however, we have not laid much emphasis upon the economic considerations in the information we have presented to the farmer, but have confined ourselves largely to improvement in technique. We have, therefore, not tested the possibilities of control over agricultural production. The time has now arrived when we must stress the economic considerations if we are to obtain the benefits of an improved technique.

In the past we have given much attention to competition in agriculture from foreign countries, but have paid little attention to the competition between regions in this country which, from the standpoint of prices, may be just as disastrous and, under our present set-up, more difficult to prevent. Thus far the economic information that we have broadcast has been of a general nature, having largely a general application.

Since the passage of the agricultural marketing act much more consideration has been given to the local economic problems by the extension forces of the various States; they have made a decided effort to adjust outlook reports to meet the local needs.

We have, however, not sufficient information available to the farmers in the various States to advise them very definitely as to what combination of enterprise is best suited to their needs. I think the members of the Farm Board, on whose shoulders the responsibility of improved agriculture rests, appreciate that they are very much handicapped by a lack of information as to what crops some of the present surplus crop producers should turn to.

Mr. Stone announced in his address before the American Institute of Cooperation last summer, "We also expect to make a study of the various sections of the country and bring to the attention of the farmers of each section the crops and livestock they can produce to a better advantage than other sections." At that time Mr. Stone gave no details of the plan. One proposition which we must face fairly and squarely is whether that type of work should be carried on by the Federal Farm Board or whether it should be carried on by the United States Department of Agriculture in cooperation with experiment stations of the various land-grant colleges. If I interpret the marketing act properly, the board has the power.

I think most of the agricultural economists will agree it would be much better all around to use the present research agencies than to set up a new agency within the Farm Board.

In an address delivered before a meeting of the American Bankers' Association at South Bend, Ind., on December 4, Mr. Alexander Legge, chairman of the Federal Farm Board, closed his address with this significant paragraph:

"While we are getting earnest cooperation of the extension service, county agents, agricultural colleges, vocational teachers, organizations, and others interested from a State and national standpoint, there isn't anybody in quite as good position to help us bring about a reasonable adjustment of production schedules as you who are financing the producers. You have an exceedingly important part to play in the program and we earnestly solicit your cooperation to that end."

I do not know just what Mr. Legge had in mind as to a policy that the bankers might pursue in using the purse strings to control production. I rather think that he must have had in mind that they should be but one factor in a national set-up in bringing about a proper adjustment. Under the present situation, a local banker is not in position to advise on just what crops he should make loans, just where production should be expanded and where it should be curtailed. Any control of production through control of the purse strings would meet with a very decided opposition from the farmers themselves, unless it came about from a very carefully prepared program, the merits of which would be evident to the public, and especially to the farmers. There is, however, an opportunity for assisting in bringing about readjustments by preventing the unwise extension of credit on certain commodities in areas where those commodities can not be economically produced. In order to utilize the power of credit in that manner it is necessary to provide for extensive regional research looking at agriculture from a national viewpoint.

I have introduced a measure, after consulting with agricultural economists from various sections of the country interested in the problem, which is designed to make possible regional readjustments. The first step in the plan is to outline accurately the type of farming regions in the United States.

The major regions—such as the Cotton Belt, Spring Wheat Belt, and Corn-Hog Belt—should be split up into natural geographic divisions. This delineating of areas probably could best be done by the Secretary of Agriculture with the advice and assistance of the directors of the experiment stations of the land-grant colleges. These regions should be based primarily on the general similarity of the crop and livestock production. In order to coordinate research work within a region in terms of regional rather than State terms there should be established by the Secretary of Agriculture regional research councils, composed of directors of experiment stations of the land-grant colleges, or their authorized representatives, and an official of the Bureau of Agricultural Economics of the United States Department of Agriculture. Such a set-up would make it possible to determine the relative advantages, costs, and returns of different crops, livestock, and various lines of production in each economic region. This would form a basis for determining systems of farming which would most economically and profitably utilize the resources of each region in relation to the national agricultural situation. In this connection it would be well for each research council to appoint

an advisory board, made up of representatives of such groups as farmers, producers' cooperative associations, processors, and handlers of the most important products of the region; representatives of the Federal land bank, the Federal reserve bank, and some representative of the public.

Such a research set-up would make it possible to analyze the competition between the various economic regions of the United States and to appraise the present and prospective competition between regions in different sections of the country and in other countries and to make possible the securing of information on the present and prospective supply and demand of several farm products and the probable effect on markets and prices. Such information would make it possible to assist the producers in a particular region to determine the modifications, if any, in their farm management and operation plans, or any modification of the systems of farming within the particular region.

In connection with the activities of the regional research councils there should be established some method to determine by means of experiments and tests under actual farming conditions the economic feasibility of systems of farming and farm organization methods and practices worked out as a result of research studies. These tests may be carried out by two possible methods, or a combination of both. The first, by a cooperating arrangement with certain farmers in an area, and second, by the establishment of regional research corporations. These corporations to be operated under a revolving fund obtained through Federal appropriation and to be organized under the direction of the Secretary of Agriculture, with the approval of the research councils, under such rules and regulations as may be agreed upon by the cooperating agencies.

The proposal I have outlined calls for additional Federal appropriations to the land-grant colleges to provide the necessary personnel for carrying on the work and also a substantial increase for research work in the Bureau of Agricultural Economics.

Weather conditions play an important part in the total production of a crop. Nevertheless, the average annual amount produced is somewhat within the control of human effort, as a study of crop records will reveal. I feel that the problem of adjustment in production, which involves a certain amount of control over production, is fundamental to any legislative proposal designed to increase the farmer's income, whether it involves the debenture, the equalization fee, stabilizing corporation, or lower transportation rates for the farmers in a given region.

Increased returns to any given enterprise has a tendency toward increasing production. In agriculture this has resulted in aimless shifting from one enterprise to another and consequent fluctuations in prices. I firmly believe this situation can be materially improved by regional readjustments in production, based upon information obtained through research work such as I have outlined.

HOSPITAL CONSTRUCTION

Mrs. ROGERS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a statement made by Capt. H. H. Weimer, national commander of the Disabled American Veterans.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The statement is as follows:

In spite of all other agitation, one of the most pressing needs before America to-day is providing additional hospital facilities for the World War's disabled.

While discussing unemployment it should be remembered that these former service men are not only unemployed but unemployable, and they find that the hospitals are so crowded as to make admission most difficult, if not impossible. While we would like to see all physically able citizens in gainful employment, we insist that our first obligation is to get off the streets those who served and are now in such condition as to make it impossible for them to work.

When we talk of stimulating Government construction to relieve misery why should not Congress authorize without delay the construction of a minimum of 5,000 beds at emergency speed which we are asking and thereby put thousands to work and at the same time speed the day when those who defended the Republic a dozen years ago will be getting the deserved treatment for the ills that are directly or approximately the result of their national service.

ADJOURNMENT

Mr. WOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 12 minutes p. m.) the House adjourned until to-morrow, Wednesday, January 7, 1931, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Wednesday, January 7, 1931, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON APPROPRIATIONS

(10 a. m.)

Independent offices appropriation bill.
District of Columbia appropriation bill.

COMMITTEE ON FLOOD CONTROL

(10 a. m.)

A subcommittee meeting to consider a project relating to the Boeuf waterway, Mississippi River.

COMMITTEE ON NAVAL AFFAIRS

(10.30 a. m.)

To consider private bills.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. WAINWRIGHT: Committee on Military Affairs. H. R. 6867. A bill to authorize appropriations for construction of a storehouse for ammunition at Fort Benjamin Harrison; with amendment (Rept. No. 2180). Referred to the Committee of the Whole House on the state of the Union.

Mr. WURZBACH: Committee on Military Affairs. H. R. 10134. A bill to authorize the exchange of land at Randolph Field, Tex., in order to straighten the boundary line of said reservation; without amendment (Rept. No. 2181). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. McSWAIN: Committee on Military Affairs. H. R. 12524. A bill to relinquish all right, title, and interest of the United States in certainn lands in the State of Louisiana; with amendment (Rept. No. 2182). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. GLOVER: A bill (H. R. 15766) granting the consent of Congress to the Arkansas State Highway Commission to maintain and operate as constructed a free highway bridge across Saline River near Kingsland, Ark., on State Highway No. 3, from Pine Bluff to Fordyce, Ark.; to the Committee on Interstate and Foreign Commerce.

By Mr. ROMJUE: A bill (H. R. 15767) to extend the times for commencing and completing the construction of a bridge across the Des Moines River at or near St. Francisville, Mo.; to the Committee on Interstate and Foreign Commerce.

By Mr. JAMES of Michigan (by request of the War Department): A bill (H. R. 15768) to authorize the Secretary of War to acquire 75 acres of land, more or less, in the vicinity of and for use in connection with the present military reservation at Fort Ringgold, Tex., and for other purposes; to the Committee on Military Affairs.

Also (by request of the War Department), a bill (H. R. 15769) to authorize appropriations for construction, alteration, and remodeling of buildings and installations at San Juan and Henry Barracks, P. R., and for other purposes; to the Committee on Military Affairs.

Also (by request of the War Department), a bill (H. R. 15770) to authorize an appropriation for the preservation and repair of historical fortifications at Fort Niagara, N. Y., and for other purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15771) to amend the act entitled "An act to authorize an appropriation for construction at the Mountain Branch of the National Home for Disabled Volunteer Soldiers, Johnson City, Tenn."; to the Committee on Military Affairs.

By Mr. HASTINGS: A bill (H. R. 15772) to amend section 3 of the act approved May 10, 1928, entitled "An act to extend the period of restriction in lands of certain mem-

bers of the Five Civilized Tribes, and for other purposes"; to the Committee on Indian Affairs.

By Mr. PALMER: A bill (H. R. 15773) to provide for the commemoration of the siege of Lexington, Mo.; to the Committee on Military Affairs.

By Mr. TEMPLE: A bill (H. R. 15774) to provide additional funds for buildings for the use of the diplomatic and consular establishments of the United States; to the Committee on Foreign Affairs.

By Mr. WOOD: A bill (H. R. 15775) to amend the present law creating eight divisions and providing for the sitting of the Federal court at Indianapolis, Ind.; Fort Wayne, Ind.; South Bend, Ind.; Hammond, Ind.; La Fayette, Ind.; Terre Haute, Ind.; Evansville, Ind.; and New Albany, Ind.; to the Committee on the Judiciary.

By Mr. DICKSTEIN: A bill (H. R. 15776) to amend the Code of Laws for the District of Columbia in relation to providing security against old-age want; to the Committee on the District of Columbia.

Also, a bill (H. R. 15777) to amend an act entitled "An act to regulate the sale of kosher meat in the District of Columbia"; to the Committee on the District of Columbia.

By Mr. FITZGERALD: A bill (H. R. 15778) to repeal obsolete sections of the Revised Statutes omitted from the United States Code as obsolete, although not repealed; to the Committee on Revision of the Laws.

By Mr. COCHRAN of Missouri: A bill (H. R. 15779) to amend the World War veterans' act, as amended; to the Committee on Military Affairs.

By Mr. SUMMERS of Washington: A bill (H. R. 15780) to provide for the improvement of the Columbia and Snake Rivers; to the Committee on Rivers and Harbors.

By Mr. JEFFERS: A bill (H. R. 15781) to authorize appropriations for construction at Fort McClellan, Ala.; to the Committee on Military Affairs.

By Mr. GOODWIN: A bill (H. R. 15782) providing for a site for public building for use and accommodation of United States courts and other Federal offices at Minneapolis, Minn.; to the Committee on Public Buildings and Grounds.

By Mr. HOUSTON of Delaware: A bill (H. R. 15783) to provide for conveyance of a portion of the Liston Range Rear Lighthouse Reservation, New Castle County, State of Delaware, for highway purposes; to the Committee on Interstate and Foreign Commerce.

By Mrs. ROGERS: A bill (H. R. 15784) to authorize an appropriation for construction of certain roads and sidewalks at Camp Devens, Mass.; to the Committee on Military Affairs.

By Mr. LEAVITT: A bill (H. R. 15785) for the relief of certain employees of the Bureau of Indian Affairs; to the Committee on Indian Affairs.

By Mr. BOYLAN: A bill (H. R. 15786) to reclassify salaries of employees in the custodian service of the Treasury and Post Office Departments of the United States; to the Committee on the Civil Service.

By Mr. MAPES: Resolution (H. Res. 329) appropriating a sum not to exceed $10,000 for the investigation of the fiscal relation between the United States and the District of Columbia; to the Committee on Accounts.

By Mr. SMITH of Idaho: Resolution (H. Res. 330) providing for the consideration of S. 4123, a bill to provide for the aiding of farmers in any State by the making of loans to drainage districts, levee districts, levee and drainage districts, counties, boards of supervisors, and/or other political subdivisions and legal entities, and for other purposes; to the Committee on Rules.

By Mr. THOMPSON: Joint resolution (H. J. Res. 453) relating to the Wayne-Harrison Memorial Bridge; to the Committee on the Library.

By Mr. SINCLAIR: Joint resolution (H. J. Res. 454) authorizing the distribution of the judgment rendered by the Court of Claims to the Indians of the Fort Berthold Indian Reservation, N. Dak.; to the Committee on Indian Affairs.

By Mr. MERRITT: Joint resolution (H. J. Res. 455) directing the Comptroller General to readjust the account between the United States and the State of Connecticut; to the Committee on War Claims.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADKINS: A bill (H. R. 15787) granting a pension to Henrietta Roland; to the Committee on Pensions.

By Mr. BEERS: A bill (H. R. 15788) granting an increase of pension to Catherine Rutherford; to the Committee on Invalid Pensions.

By Mr. BOLTON: A bill (H. R. 15789) to pay the Printz-Biederman Co., of Cleveland, Ohio, the sum of $741.40, money paid as duty on merchandise imported under section 308 of the tariff act; to the Committee on Claims.

By Mr. BUCHANAN: A bill (H. R. 15790) for the relief of the First National Bank of Brenham, Tex.; to the Committee on Claims.

By Mr. BURDICK: A bill (H. R. 15791) granting an increase of pension to Ella F. Young; to the Committee on Invalid Pensions.

By Mr. CABLE: A bill (H. R. 15792) granting a pension to Effie P. Chiles; to the Committee on Invalid Pensions.

By Mr. CLARKE of New York: A bill (H. R. 15793) granting an increase of pension to Almeda Leal; to the Committee on Invalid Pensions.

By Mr. CORNING: A bill (H. R. 15794) granting an increase of pension to Catherine Long; to the Committee on Invalid Pensions.

By Mr. CRAIL: A bill (H. R. 15795) granting a pension to Susay E. Otey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15796) authorizing the President of the United States to make a posthumous award of a distinguished-flying cross to Maurice F. Graham, deceased, and to present the same to the widow and two children of the said Maurice F. Graham, deceased; to the Committee on Military Affairs.

Also, a bill (H. R. 15797) granting a pension to John Gallander; to the Committee on Pensions.

Also, a bill (H. R. 15798) granting a pension to Frank R. Beaubien; to the Committee on Pensions.

Also, a bill (H. R. 15799) for the relief of Earl E. Keen; to the Committee on Military Affairs.

Also, a bill (H. R. 15800) granting a pension to Willis E. Dudley; to the Committee on Pensions.

By Mr. DALLINGER: A bill (H. R. 15801) for the relief of Morrie Keezer; to the Committee on Military Affairs.

By Mr. EATON of Colorado: A bill (H. R. 15802) granting an increase of pension to Winnie A. Strayer; to the Committee on Invalid Pensions.

By Mr. GLOVER: A bill (H. R. 15803) for the relief of Commercial Loan & Trust Co., Monticello, Ark.; to the Committee on Claims.

By Mr. HALSEY: A bill (H. R. 15804) granting a pension to Malinda E. Crawford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15805) granting a pension to Lucinda Francis Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15806) granting a pension to William H. Ross; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15807) granting a pension to Martha Tremain; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15808) authorizing and directing the Secretary of the Interior to enroll on the tribal rolls of the Choctaw and Chickasaw Nations all Choctaw and Chickasaw claimants whose names appear in the citizenship cases hereinafter mentioned and who were duly and legally enrolled by the Federal court, and the heirs now living of all such claimants born prior to the closing of said tribal rolls by an act of Congress; to the Committee on Indian Affairs.

By Mr. HANCOCK of New York: A bill (H. R. 15809) granting a pension to Chatherine Fulmer; to the Committee on Pensions.

Also, a bill (H. R. 15810) granting a pension to George Van Arsdale; to the Committee on Pensions.

By Mr. HASTINGS: A bill (H. R. 15811) granting an increase of pension to Martha Pack; to the Committee on Invalid Pensions.

By Mr. HOGG of Indiana: A bill (H. R. 15812) granting a pension to Hannah Nobles; to the Committee on Invalid Pensions.

By Mr. HULL of Tennessee: A bill (H. R. 15813) granting a pension to Timothy Williams; to the Committee on Pensions.

By Mr. JENKINS: A bill (H. R. 15814) granting an increase of pension to Lucy R. Burchfield; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15815) granting a pension to Susan Lovejoy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15816) granting an increase of pension to Maria Thompson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15817) granting a pension to Kate Davis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15818) granting a pension to Dora B. Karnes; to the Committee on Pensions.

By Mr. KURTZ: A bill (H. R. 15819) granting an increase of pension to Margaret Miller; to the Committee on Invalid Pensions.

By Mr. LEAVITT: A bill (H. R. 15820) for the relief of Charlotte Van Horn Hanson, widow of Charles W. Van Horn; to the Committee on Claims.

Also, a bill (H. R. 15821) for the relief of Ben Spotted Horse; to the Committee on Indian Affairs.

Also, a bill (H. R. 15822) granting an increase of pension to Robert Hackett; to the Committee on Pensions.

By Mr. LINTHICUM: A bill (H. R. 15823) for the relief of Lieut. Charles R. Price; to the Committee on Naval Affairs.

Also, a bill (H. R. 15824) granting an increase of pension to George W. Marrow; to the Committee on Pensions.

By Mr. LUDLOW: A bill (H. R. 15825) granting a pension to Kate Pash; to the Committee on Invalid Pensions.

By Mr. MERRITT: A bill (H. R. 15826) for the relief of Francis M. Johnston; to the Committee on Claims.

By Mr. MOUSER: A bill (H. R. 15827) granting an increase of pension to Mary C. Edwards; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15828) granting an increase of pension to Sarah J. Underhill; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15829) granting an increase of pension to Emma L. Taylor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15830) granting a pension to Bessie Collier; to the Committee on Invalid Pensions.

By Mr. NELSON of Maine: A bill (H. R. 15831) granting an increase of pension to Emma D. Busher; to the Committee on Invalid Pensions.

By Mr. O'CONNOR of Louisiana: A bill (H. R. 15832) authorizing the President to appoint Nelvil J. Thomas, jr., to the rank of lieutenant, junior grade, in Supply Corps, United States Navy; to the Committee on Naval Affairs.

By Mr. HARCOURT J. PRATT: A bill (H. R. 15833) for the relief of Charles Edward Bailey; to the Committee on Claims.

By Mr. HENRY T. RAINEY: A bill (H. R. 15834) granting an increase of pension to Anna E. Shoemaker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15835) granting a pension to Amanda Littler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15836) granting an increase of pension to Liza Crabtree; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15837) granting an increase of pension to Mary A. Nighswonger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15838) granting an increase of pension to Mary Cooper; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15839) granting a pension to Allen Fretneg; to the Committee on Invalid Pensions.

By Mr. RANKIN: A bill (H. R. 15840) granting a pension to Julia Ann Gentry; to the Committee on Pensions.

By Mr. REED of New York: A bill (H. R. 15841) for the relief of J. Edwin Swanson; to the Committee on War Claims.

By Mr. SMITH of Idaho: A bill (H. R. 15842) granting a pension to S. D. Maxon; to the Committee on Pensions.

Also, a bill (H. R. 15843) granting an increase of pension to Sarah A. McDole; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15844) granting a pension to Frances M. Nelson; to the Committee on Invalid Pensions.

By Mr. SPARKS: A bill (H. R. 15845) for the relief of Alexander M. Proctor; to the Committee on Military Affairs.

By Mr. SWING: A bill (H. R. 15846) granting a pension to Julia C. Benner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15847) granting a pension to Glenni W. Arnett; to the Committee on Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 15848) granting a pension to Zubie Owens; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15849) granting a pension to W. W. Warren; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15850) granting a pension to Nancy Delilah Kitts; to the Committee on Pensions.

Also, a bill (H. R. 15851) granting an increase of pension to Thomas P. Brown; to the Committee on Pensions.

Also, a bill (H. R. 15852) granting a pension to Fannie A. Wallace; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15853) granting a pension to Thomas C. Duncan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15854) granting a pension to Sanford I. Anthony; to the Committee on Pensions.

Also, a bill (H. R. 15855) for the relief of Albert Harron; to the Committee on Claims.

Also, a bill (H. R. 15856) for the relief of Minnie Adsmond; to the Committee on Claims.

By Mr. WHITLEY: A bill (H. R. 15857) granting an increase of pension to Katherine A. Redman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15858) granting an increase of pension to Fannie H. Hadley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15859) granting an increase of pension to Martha A. Friz; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8399. By Mr. BLOOM: Petition of residents of New York State, urging the passage of House bill 7884 providing for the exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

8400. By Mr. BURDICK: Petition of 25 residents of the first congressional district of Rhode Island, urging early consideration and passage of House bill 7884, at the request of the New England Antivivisection Society; to the Committee on the District of Columbia.

8401. By Mr. CARTER of California: Petition of the Native Sons of the Golden West, urging the passage of legislation suspending immigration from all countries, including the Philippines, for a term of years; to the Committee on Immigration and Naturalization.

8402. By Mr. CHINDBLOM: Petition of Dr. Norman J. Roberts and others, with reference to the selection of the site for the proposed new Federal building at Waukegan, Ill.; to the Committee on Public Buildings and Grounds.

8403. By Mr. CRAIL: Petition of many cititzens of Los Angeles County, Calif., favoring the enactment of House bill 7884 for the exemption of dogs from vivisection; to the Committee on the District of Columbia.

8404. By Mr. GARBER of Oklahoma: Petition of King-Hagen Post, No. 51, American Legion, Fairview, Okla., and Meyer-Shiel Post, No. 92, American Legion, Alva, Okla., asking payment in full of adjusted-compensation certificates; to the Committee on Ways and Means.

8405. By Mr. IGOE: Petition of members of Civil Service Post, No. 678, the American Legion, Chicago, Ill., praying Congress to make immediate payment of the veterans' adjusted-compensation service certificates; to the Committee on Ways and Means.

8406. Also, petition of members of Aviation Post, No. 651, the American Legion, of Chicago, Ill., and members General George Bell, Jr., Post, No. 1487, Veterans of Foreign Wars of the United States, of Chicago, Ill., praying Congress to make immediate payment of the veterans' adjusted-compensation service certificates; to the Committee on Ways and Means.

8407. By Mr. JOHNSON of Texas: Petition of Dr. Roy A. Olive, post commander, Everett Kornegay Post, American Legion, Malone, Tex., urging payment of adjusted-service certificates issued to World War veterans; to the Committee on Ways and Means.

8408. Also, petition of Mr. B. B. Cobb, superintendent of Waco public schools, Waco, Tex., indorsing House bill 10821; to the Committee on Education.

8409. By Mr. KVALE: Petition of members of Aerie, No. 620, Fraternal Order of Eagles, Morris, Minn., proposing a specific plan for relief of unemployment through creation of an industrial commission; to the Committee on the Judiciary.

8410. By Mr. PATMAN: Petition of Walter L. Mains, of the State of Massachusetts, and 976 other veterans from 40 States and Porto Rico, urging immediate payment of adjusted-service certificates as proposed in House bill 3493; to the Committee on Ways and Means.

8411. Also, statement appearing in the Arkansas Legionnaire, the American Legion paper for the State of Arkansas, showing sentiment as expressed by 61 American Legion posts in that State for the early redemption of the adjusted-service certificates, indicating almost unanimously that each veteran and member of the Legion in that post desires immediate payment at face value. Poll of 61 posts, all of which favor the immediate payment and only six veterans voting against immediate payment in the entire list; to the Committee on Ways and Means.

8412. Also, petition of James H. Watkins, of Johnson City, Tenn., and 318 other veterans from the 48 States, urging immediate payment of the adjusted-service certificates, as proposed in House bill 3493; to the Committee on Ways and Means.

8413. Also, petition of Alva H. Dayhuff, of Great Lakes, Ill., and 229 other veterans from the various 48 States, urging immediate payment of adjusted-service certificates, as proposed in bills introduced by Senator BROOKHART and WRIGHT PATMAN; to the Committee on Ways and Means.

8414. Also, petition of Ambers P. Doss, a blind veteran of the World War, and 449 other veterans from every section of the United States, urging the immediate payment of the adjusted-service certificates at face value; to the Committee on Ways and Means.

8415. Also, petition of Mary Wilkinson and approximately 200 veterans of the World War at United States veterans' hospital in Waukesha, Wis., urging cash payment of adjusted-service certificates; to the Committee on Ways and Means.

8416. Also, petition of Robert E. Rowe and more than 100 other veterans of the World War from Hot Springs, S. Dak., and various other States, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8417. Also, petition of H. L. Ahlers, of 341 Kenilworth Avenue, and 25 other veterans of Dayton, Ohio, urging the immediate payment of adjusted-service certificates, as proposed in House bill 3493; to the Committee on Ways and Means.

8418. Also, petition of H. Springston, of Shinnston, W. Va., and 154 other veterans and citizens of Enterprise, W. Va., presented through Arthur F. Peabody, of Lynn, Mass., urging immediate payment of adjusted-service certificates at face value; to the Committee on Ways and Means.

8419. Also, petition of Freeman C. Hewitt and 47 other veterans and citizens of Newburyport, Mass., presented through Arthur F. Peabody, of Lynn, Mass., urging immediate payment of the adjusted-service certificates as proposed in House bill 3493; to the Committee on Ways and Means.

8420. Also, petition of Edward King and 93 other disabled veterans of the World War from the National Military Home in Kansas, urging immediate payment of adjusted-service certificates as proposed in House bill 3493; to the Committee on Ways and Means.

8421. Also, petition of Edward Blaha and 148 other veterans and citizens of Lowell, Mass., presented through Arthur Peabody, urging immediate payment of the adjusted-service certificates as proposed in House bill 3493; to the Committee on Ways and Means.

8422. Also, petition of Christian Hanson and 59 other veterans and citizens, of Gardner, Mass., presented through Arthur Peabody, of Lynn, Mass., urging immediate payment of the adjusted-service certificates as proposed in House bill 3493; to the Committee on Ways and Means.

8423. Also, petition of Ellis W. Holton and 45 other veterans and citizens of Malden, Mass., presented through Arthur Peabody, of Lynn, Mass., urging immediate payment of the adjusted-service certificates as proposed in House bill 3493; to the Committee on Ways and Means.

8424. Also, petition of Fred L. Green, of Saugus, Mass., and 89 other veterans and citizens of Massachusetts, presented through Arthur F. Peabody, urging immediate payment of the adjusted-service certificates as proposed in House bill 3493; to the Committee on Ways and Means.

8425. Also, petition of Joseph E. Bruce and 67 other veterans and citizens of Exeter, N. H., presented through Arthur Peabody, of Lynn, Mass., urging immediate payment of the adjusted-service certificates as proposed in House bill 3493; to the Committee on Ways and Means.

8426. Also, petition of William Crossland, of West Newton, and 39 other veterans of Waltham, Mass., presented through Arthur Peabody, urging immediate payment of the adjusted-service certificates, as proposed in House bill 3493; to the Committee on Ways and Means.

8427. Also, petition of C. W. Lane and 141 other veterans and citizens of Lowell, Mass., presented through Arthur Peabody, urging immediate payment of the adjusted-service certificates as proposed in House bill 3493; to the Committee on Ways and Means.

8428. Also, petition of John J. Daly and 174 other veterans and citizens of Boston, Mass., presented through Arthur Peabody, urging the immediate payment of adjusted-service certificates as proposed in House bill 3493; to the Committee on Ways and Means.

8429. Also, petition of Oliver Stodghill and 24 other veterans of points in and near Boston, Mass., urging immediate payment of adjusted-service certificates; to the Committee on Ways and Means.

8430. Also, petition of Eugene Perreault and 27 other veterans in and near Lewiston, Me., urging immediate payment of the adjusted-service certificates as proposed in House bill 3493; to the Committee on Ways and Means.

8431. Also, petition of Robert G. Holt, of Cleveland, and 36 other veterans and citizens of Ohio, presented through Duries Mitchell, urging immediate payment of the adjusted-service certificates at face value; to the Committee on Ways and Means.

8432. Also, petition of S. J. Bremer, of Lynchburg, Va., and 26 other members of the American Legion in Virginia, presented through Frank W. Clark, urging immediate payment of the adjusted-service certificates as proposed in House bill 3493; to the Committee on Ways and Means.

8433. By Mr. RANKIN: Petition of Joseph H. Bowling and 149 other veterans of the World War, patients of Mount Alto Hospital, from 25 States, asking Congress to pass necessary law requiring immediate full payment of adjusted-service certificates; to the Committee on Ways and Means.

8434. By Mr. SANDLIN: Petition signed by ex-service men of Homer, La., concerning proposed legislation to cash adjusted-service certificates; to the Committee on Ways and Means.

8435. By Mr. SELVIG: Petition of American Legion Post, of Halstad, Minn., urging enactment of the bill providing for payment of adjusted-compensation certificates in cash to the veterans; to the Committee on Ways and Means.

8436. Also, petition of the American Legion Post, of Nielsville, Minn., urging the enactment of the bill providing for payment of adjusted-compensation certificates in cash to the veterans; to the Committee on Ways and Means.

8437. By Mr. SINCLAIR: Petition of 30 members of the William Perry Makee Post, No. 75, American Legion, Department of North Dakota, urging the immediate payment of adjusted-compensation certificates; to the Committee on Ways and Means.

8438. By Mr. YATES: Petition of A. G. Hartnagel, cashier First National Bank, Nashville, Ill., urging the passage of House bill 11718, for the relief of drainage; to the Committee on Irrigation and Reclamation.

8439. Also, petition of E. E. Elder, president American Field Seed Co., Forty-third and Robey Streets, Chicago, Ill., protesting the passage of legislation increasing first-class postage from 2 cents to 2½ cents per ounce; to the Committee on the Post Office and Post Roads.

8440. Also, petition of the Advance Pattern & Foundry Co., 2734 West Thirty-sixth Place, Chicago, Ill., urging the defeat of any legislation that will increase the first-class postal rate from 2 cents to 2½ cents; to the Committee on the Post Office and Post Roads.

SENATE

WEDNESDAY, JANUARY 7, 1931

(Legislative day of Monday, January 5, 1931)

The Senate met in executive session at 12 o'clock meridian, on the expiration of the recess.

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Dill	Keyes	Robinson, Ind.
Barkley	Fess	King	Sheppard
Bingham	Fletcher	La Follette	Shipstead
Black	Frazier	McGill	Shortridge
Blaine	George	McKellar	Smith
Blease	Glass	McMaster	Smoot
Borah	Goff	McNary	Steiwer
Bratton	Goldsborough	Metcalf	Swanson
Brock	Gould	Morrison	Thomas, Idaho
Brookhart	Hale	Morrow	Thomas, Okla.
Broussard	Harris	Norbeck	Trammell
Bulkley	Harrison	Norris	Tydings
Capper	Hastings	Nye	Vandenberg
Caraway	Hayden	Oddie	Wagner
Carey	Hebert	Partridge	Walcott
Connally	Heflin	Phipps	Walsh, Mass.
Copeland	Howell	Pine	Walsh, Mont.
Couzens	Johnson	Pittman	Waterman
Cutting	Jones	Ransdell	Watson
Dale	Kean	Reed	Wheeler
Davis	Kendrick	Robinson, Ark.	Williamson

The VICE PRESIDENT. Eighty-four Senators have answered to their names. A quorum is present. The Senator from West Virginia [Mr. GOFF] has the floor.

SENATOR FROM MAINE

As in legislative session,

Mr. HALE presented the credentials of WALLACE H. WHITE, Jr., chosen a Senator from the State of Maine for the term commencing March 4, 1931, which were read and ordered to be filed, as follows:

STATE OF MAINE.

To all who shall see these presents, greeting:

Know ye that WALLACE H. WHITE, Jr., of Lewiston, in the county of Androscoggin, on the 8th day of September, in the year of our Lord 1930, was chosen by the electors of this State a United States Senator to represent the State of Maine in the United States Senate for the term of six years, beginning on the 4th day of March, 1931.

In testimony whereof I have caused the seal of State to be hereunto affixed.

Given under my hand at Augusta, the 15th day of November, A. D. 1930, and in the one hundred and fifty-fifth year of the independence of the United States of America.

WM. TUDOR GARDINER.

By the governor:

[SEAL.] EDGAR C. SMITH,
Secretary of State.

EXECUTIVE MESSAGES

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Latta, one of his secretaries.

OIL PRODUCTION

As in legislative session,

Mr. THOMAS of Oklahoma. Mr. President——

The VICE PRESIDENT. Does the Senator from West Virginia yield to the Senator from Oklahoma?

Mr. GOFF. I yield.

Mr. THOMAS of Oklahoma. I ask unanimous consent to have read at the desk and referred to the Finance Committee a telegram relating to the present condition of oil production.

The VICE PRESIDENT. Is there objection to the reading of the telegram?

Mr. BORAH. I shall not object to its reading, but I am going to ask for the regular order after it is done.

The VICE PRESIDENT. The Chair hears no objection. The clerk will read, as requested.

The Chief Clerk read as follows:

TULSA, OKLA., *January 6, 1931.*

Senator ELMER THOMAS,
Senate Office Building, Washington, D. C.:

Directors of Midcontinent Royalty Owners' Association, representing thousands of farmer landowners and individual royalty owners throughout mid-continent fields, to-day passed resolution indorsing the action of our Senators and Representatives in demanding relief for oil industry at the present session of Congress, and if that is impossible they earnestly request that they use their influence in every way possible to secure extra session of Congress after March 4, and if necessary a congressional or Federal Trade Commission investigation of entire oil industry. They charge that Andrew Mellon, who is head of Gulf Oil Corporation, one of largest importers of crude oil, is using his influence as a Cabinet member against the securing of a tariff and is definitely against interests of the small oil producer and royalty owner. Failure of the independent oil producer also brings failure to merchants, professional men, and banks throughout the oil-producing region and is throwing additional thousands of wage earners out of employment in all these industries. Kindly have copies of this message sent to our entire congressional delegation.

MIDCONTINENT ROYALTY OWNERS' ASSOCIATION.

The VICE PRESIDENT. The telegram will be referred to the Committee on Finance.

PROPOSED INVESTIGATION BY TARIFF COMMISSION

Mr. McKELLAR. Mr. President, will the Senator from West Virginia yield?

The VICE PRESIDENT. Does the Senator from West Virginia yield to the Senator from Tennessee?

Mr. GOFF. I yield.

Mr. McKELLAR. As in legislative session, I submit a resolution calling upon the Tariff Commission for certain information with reference to pineapples, and I ask for the immedate consideration of the resolution.

The VICE PRESIDENT. Is there objection to the request of the Senator from Tennessee?

Mr. SHORTRIDGE. Mr. President, I do not want to appear ungracious in a matter of this kind, but on Monday last the leader on the other side objected to two resolutions of mine seeking similar information. I think probably it had better go over.

Mr. McKELLAR. Very well; I withdraw the resolution.

NOMINATIONS OF POSTMASTERS

Mr. PHIPPS. Mr. President, will the Senator from West Virginia yield?

Mr. GOFF. I yield.

Mr. PHIPPS. I submit certain nominations from the Committee on Post Offices and Post Roads for the Executive Calendar.

The VICE PRESIDENT. The nominations will be received and placed on the Executive Calendar.

AVIATION TRAINING FOR MIDSHIPMEN AND LINE OFFICERS

Mr. BINGHAM. Mr. President, Lieut. Commander D. C. Ramsey, United States Navy, has prepared a very interesting article on Aviation Training for Midshipmen and Line Officers, which has been published in the January issue of the United States Naval Institute proceedings. It is of such general interest, and will be of particular interest to Congress desiring to appoint cadets to Annapolis to know the kind of men who are desired, a large percentage of whom go into naval aviation, that I ask unanimous consent to have the article printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The article is as follows:

AVIATION TRAINING FOR MIDSHIPMEN AND LINE OFFICERS

By Lieut. Commander D. C. Ramsey, U. S. Navy

In the spring of 1929 there was organized and established a new unit in the aeronautic organization, VN Squadron 8, which was assigned to duty at the Naval Academy as a permanent and integral part of that institution.

The work accomplished by VN Squadron 8 during the summers of 1929 and 1930 has closely paralleled that undertaken by units of the aircraft squadrons, Scouting Fleet, during similar periods in 1925, 1926, 1927, and 1928, except that in 1926, 1927, and 1928 personnel under indoctrinal flight training were the newly graduated ensigns of those years, and in 1925 approximately one-third of the members of the first class who did not participate in the summer cruise. Present policy provides for a flight course for members of the second class which remains at the Naval Academy throughout the summer and, in addition, flight training for the first class during the first two and last two months of the academic year.

Had the number of line-officer applications for flight training at Pensacola kept pace in the past with the rapid expansion and increasing personnel needs of the aeronautic arm of the service, it is believed that VN Squadron 8 might not be a part of the Naval Academy at the present time. This thought, in itself, expresses, perhaps, the principal reason for its existence.

On September 15, 1928, the then Commander in Chief of the United States Fleet, faced with an acute shortage of academy graduate naval aviators in the operating aviation units afloat, submitted the following views to the Navy Department:

"It is clear that the old systems, old methods will not fit the new conditions. We must devise new methods, formulate new principles to fit the new conditions. They may be radical but they must be sound, and they must solve not only the immediate problem but be such as not to bring a greater problem in their wake. The root principle that must hold throughout any system or plan that is adopted is that the Navy's aviation officers must be naval officers in every sense of the term. This can be done. It must be done. But it can be done only if the Navy supports its own institutions. The one sure way is to begin at the beginning. The beginning is the Naval Academy. If interest in aviation is implanted in the midshipmen there from their earliest days, there can be only one result.

"At present but one squadron of planes is assigned to Annapolis and for a short period each year. The only active aircraft squadron operations at the Naval Academy occur at a time when the main body of midshipmen is absent. This can not fail to lead to the impression that aviation is a separate and not a correlated part of the naval profession. The time has arrived when aviation must be rooted in its proper place in the curriculum of instruction established for our naval officers of the future."

At the time the above views were presented the aircraft carriers *Saratoga* and *Lexington* had taken their places in the fleet, each with an assigned complement of 70 planes. In many cases personnel complements of attached aircraft units were made up of a bare nucleus of qualified line-officer aviators who took their places in squadron formation with naval-reserve pilots, lacking in the flight experience which the nature of their work required and further handicapped by superficial grounding in the fundamentals of naval education. It was recognized that, while certain elements of aviation ground instruction had been taken over by various Naval Academy departments, and a flight course for ensigns had been in effect for three years, this total effort had been ineffective in producing the flow of applications necessary to build up the complements of the fleet aircraft squadrons to the required strength of best qualified officer personnel.

This brief historical discourse and the quoted views of a commander in chief of the United States Fleet are set forth to show how closely the interests of the Naval Academy in matters pertaining to aviation instruction and indoctrination are affiliated with the interests of the aeronautic organization, an affiliation which reached, perhaps, the peak of its intimacy when members of the class of 1930 were called upon in January of their final academic year to submit applications for flight training at the fleet air bases and Pensacola.

The results of this call for applications for flight training were interesting. Approximately 70 per cent, or 261 members of the class, volunteered, with the net result that 173 of these successfully passed the required physical examination. While appreciable attrition has occurred at the fleet air bases and will occur at Pensacola, it can be seen that the Naval Academy recently has made a substanital contribution to the aviation branch which will assist materially in the consummation of the 5-year program of expansion.

These results, in the opinion of the writer, naturally follow the policy which has brought flying into the Naval Academy curriculum and made it one of the established routine drills. By this means, aviation, as visualized by the midshipman body, is rapidly becoming shorn of such mystery and superficial glamour as it may possess, but interest remains and will always remain for youth so long as close contact with aircraft and aircraft operations is maintained. This policy likewise has permitted the aviation personnel engaged in training to become a permanent part of the institution they serve, an advantage denied aviation units attached to the Naval Academy in the past.

It will not escape attention that the time appointed for members of the class of 1930 to commit themselves in the matter of future aviation duty was a potent factor in bringing about such hearty response to the call for potential aviators. For obvious reasons the number of applications will fall off considerably with increasing time between graduation and eligibility for the course at Pensacola. It will follow in the future that a certain degree of control may be exercised which will make a partial reconciliation possible between naval aviation's flying-officer requirements and the number of available candidates.

The reaction of the midshipman body to the established course of flight training has made an interesting study. Prior to the conclusion of the summer course of 1930 a questionnaire was submitted to each member of the class of 1932 as a result of which the following data were obtained:

(a) Sixty-four per cent of the class of 457 members had never been in the air prior to the summer of 1930. Of the 36 per cent who had flown a great majority had less than one hour's previous flying time to their credit. In some cases individuals had as much as 40 or 50 hours. As might be expected, those of the greatest flying experience were least impressed by the course.

(b) Ninety-seven per cent considered themselves temperamentally qualified for aviation duty. It is believed that a majority of the remaining 3 per cent, who did not consider themselves so qualified, were influenced in this matter by a knowledge of physical defects.

(c) Eighty-three per cent expressed a desire to become naval aviators.

(d) Eleven per cent definitely stated that they did not desire to become naval aviators.

(e) Six per cent were in a doubtful state of mind as to the above.

(f) Ninety-three per cent stated that interest had been stimulated in aviation through the establishment of a flight-training course for midshipmen.

(g) Six per cent stated that the flight course had left them unaffected in their attitude toward aviation.

(h) One per cent (five midshipmen) stated that the flight course had given an unfavorable view of aviation.

(i) One midshipman expressed a desire for lighter-than-air training.

Based on the number of midshipmen of the class of 1930 disqualified for flight training by physical defects (34 per cent of applicants), it is estimated that at least 240 members of the class of 1932 and a similar number from 1931 will apply and be found physically qualified for the flight-training course at Pensacola provided they are called upon to commit themselves in this matter before graduation. While these figures may point to a future excess of probable requirements, a large potential reserve of flying officers is a healthy condition which will relieve any anxiety felt about filling the squadron complements of the new 10,000-ton cruisers, the projected aircraft carrier, and the carrier cruiser types which may become a part of the fleet in the future.

Before proceeding farther with a general discussion of aviation training, it may be well to outline the scope of this training at the Naval Academy, with particular reference to the flight course, in order that the reader may have an illuminated view of conditions existing there at present.

The following table shows the aviation ground subjects presented by various Naval Academy departments, the classes of midshipmen affected, and the approximate time involved:

Department	Subject	Class	Hours
Ordnance and gunnery	Bombing device (drill)	1	2
Do	Theoretical bombing and aviation gunnery.	1	4
Do	Machine gunnery on range	2	18
Do	Assembly, care, etc., machine guns.	3	4
Engineering and aeronautics	Aviation-engine overhaul	1	5
Do	Theoretical internal-combustion engines and aero types.	1	32
Do	Structure and rigging (practical)	2	20
Do	Theoretical aircraft construction	2	32
Do	Test stand	2	20
Do	Aviation-engine overhaul	2	20
Seamanship and flight tactics	Aerology	1	8
Do	Naval aviation (Warlick)	2	9
Navigation	Aerial navigation	1	10
Do	do	2	4
Electrical engineering and physics	Theory of flight	3	5

At the present time two naval aviators are attached to the department of seamanship and flight tactics and one each to the departments of ordnance and gunnery and engineering and aeronautics. In addition to the ground and classroom instruction duties performed by these officers as assigned by the departments to which they are attached, they are called upon during both summer and academic-year drill periods to act as pilots for the planes assigned to VN Squadron 8.

Three additional naval aviators are attached to the Naval Academy as the permanent officer complement of the squadron.

One flight surgeon, with additional Naval Academy duties, is in attendance upon the aviation unit during all flight drills.

The squadron's enlisted complement consists of 6 chief aviation pilots, 28 additional aviation and 28 general service ratings. For administrative purposes VN Squadron 8 is attached to the U. S. S. *Reina Mercedes* and depends to a large extent upon the facilities of that command to carry on its work. For drill purposes and all matters pertaining to the routine handling of midshipman flight groups the squadron falls under the jurisdiction of the department of seamanship and flight tactics.

The permanent aircraft complement of the squadron consists of seven VP and two VJ planes. At present four types of VP planes are in operation. Before the opening of the summer course in 1931 it is expected that the academy's complement of patrol planes will consist of units of a single type.

During the summer, when the entire forenoon periods are available for drill, two flight groups of approximately 20 midshipmen each are handled daily. The 12 weeks' course is so designed that each member of the class in training receives five hours' flying time, divided up as follows:

One hour indoctrination, passenger flight.
One hour engineering.
One hour drift indicator.
One hour drift computer and navigation (piloting by chart).
One hour camera gunnery.

In the total four months of the fall and spring courses for the first class it has been found possible to average somewhat less than three hours flying time per individual. This is due to the relatively short afternoon drill periods and to adverse weather, which forces cancellation of flight on approximately 20 per cent of the available flying days. The duties assigned to the first-class midshipmen in the air are, in effect, a review of those of second-class summer. In view of the interval which elapses between a midshipman's first and final contact with the academy aviation unit, no extension or elaboration of the duties assigned second-class summer could be found profitable.

Under normal conditions four midshipmen are embarked in each VP plane, although in the fall and spring, when flight groups vary in strength as many as six have been flown in one unit at some sacrifice of comfort and time available for individual instruction and attention.

Lest there be any speculation about the actual operation of planes in which midshipmen are embarked, it should be made clear that both pilot seats in VP planes are occupied by qualified aviators—one naval aviator and one naval aviation pilot. Under no circumstances are midshipmen permitted to handle the controls.

Of all considerations which bear on flight training at the Naval Academy, the element of safety is of paramount importance. No measure contributable to the safety of midshipmen in their work in and about planes can be neglected. Once confidence has been instilled it can be maintained and individuals schooled through the processes of evolution to regard aviation accidents in the field in the same light that automobile accidents are regarded. Midshipmen expect protection. They deserve and it is believed that they receive a full measure of it at the Naval Academy, for they are not protected under the law as flying personnel in the aeronautic organization are protected.

Although effort is being made to indoctrinate groups of midshipmen in the details of the special appliances and instruments they are called upon to operate in flight, the time available for such indoctrination is necessarily brief. This particular phase of training is merely a desirable but incidental part of a scheme which has had, in its original conception, a much broader purpose in view.

If it is generally accepted that everything possible is being done at the Naval Academy to promote interest in aviation and to thus stimulate the flow of required applications for naval-aviator training, it should not be overlooked that the future strength and efficacy of the Navy's air arm must, in the final analysis, depend more on the support rendered from without, than upon the effort exerted from within, that branch.

An aviation unit based ashore may, under many circumstances, operate under war conditions as an independent and unsupported command but the aviator of the fleet does not belong to any such organization. If he is launched from the deck of a carrier or from the catapult of a battleship, cruiser, or possibly destroyer, he must feel sure that his floating command has not only complete knowledge of his equipment and its limitations, but also knowledge of his mission, and its means of execution.

This thought carries with it a corollary. It brings certain principles which guide us in our outlook upon naval aviation in our service into searching light. These principles are:

(1) That aviation should remain in all respects an integral part of the Navy.

(2) That the primary mission of naval aviation is to support, extend, and supplement the operations of the surface forces of the fleet.

(3) That it is the mission of the Naval Academy to turn out its graduates with a groundwork of educational fundamentals upon which experience afloat may build the finished naval officer.

A study of these principles, indicating clearly as they do that all naval aviators primarily should be naval officers, leads further to the corollary that all naval officers should be aviators; obviously, not in the literal sense but in the sense that service training and education should include, at some time, for all those not temperamentally, psychologically, or physically qualified for flying duties as pilots, a comprehensive presentation of aviation as a subject.

It is true that many of the elements which go to make up the subject of aviation are closely related to other branches of the profession. It is likewise true, however, that the sphere encompassing the interests of any one department can have no definite radius. There will always be a certain overlap of functions in any sound institution, educational or otherwise. It is the overlap which provides the place for the seam which binds the various pieces of fabric of our organization together. It is considered entirely consistent therefore, and compatible with our accepted principles, that the vital and essential structural engineering, ordnance, tactical, and navigational elements which are part and parcel of aviation should not be forever divorced from it to those who can not learn to fly or for whom there may be no immediate place in the aeronautic organization.

It is interesting to take note of the fact that the world power, whose flying personnel were landing on carrier decks as early as 1917, clings tenaciously to a separate aviation-service organization and maintains on a parity of importance with the naval and military cadet establishments an air-force cadet college at Cranwell. It is further interesting to note that the Royal Air Force provides, exclusive of naval-aviation observers, who were furnished by the fleet air arm, approximately 30 per cent of the operating aviation personnel for the British Navy. So much for the effort of the Royal Air Force for the navy. Now for the contribution of the navy to the Royal Air Force.

The following significant paragraph is quoted from the London Times of December 27, 1929:

"A reminder is given in current fleet orders that every effort is to be made to insure that all midshipmen undergo the junior officers' air course while holding that rank. The names of those who are unable to do so are to be specially reported to the Admiralty on discharge to shore courses in order that arrangements may be made for them to undergo the course after appointment as sublieutenant."

While no brief is held for the British organization it is desired to stress the point that, if we aspire to parity with England in all respects, it would appear desirable to introduce in our service certain educational principles connected with the subject of aviation that have been given extensive trial and that have not yet been discarded by one of the world's greatest naval powers.

We strive for parity, but parity after all can not be measured in terms of ships and tonnage. It can be gaged best by the qualifications of the men who man our ships. Success or failure, victory or defeat rests, in the final analysis, with the man behind the gun or the man behind the plane. The naval-aircraft pilot, without a guiding and understanding force behind him, becomes just as impotent in the air as a shell launched by erring hands and faulty eyes.

There is undoubtedly no art of practical application in war that has brought about so much controversy and divergence of studied opinions as the art of aviation. It is quite beyond the scope of this paper to attempt a reconciliation of these views nor could it be foreseen that any such attempt on the writer's part would be convincing or profitable. There is, however, one opinion, not infrequently heard, with which he would like to take issue; namely, the thought that, in principle, there are striking features of similarity between the submarine service and the aviation service. Aviation and its component parts occupy a unique place in the naval organization. The light or dive bomber substitutes for the secondary caliber battery. The heavy bombing plane carries a bomb load equivalent in weight to a 16-inch shell and thus takes the place of the major caliber rifle at ranges beyond the effective ranges of the main batteries of capital ships. The scouting plane extends the function of the cruiser; the torpedo plane, those of the destroyer. The observation plane elevates the ship's spotter from the fighting top to a position 10,000 feet above the target, and the fighter seeks control of the air in zones which fall beyond the range of antiaircraft batteries. These activities cover quite a scope. They involve the operations of many different types of craft having different characteristics, different weapons, and different missions. To be effective such activities not only require coordination with operations of all surface forces but the nicest coordination within the air effort as a whole. It is considered that aviation is not accurately gaged when its potentialities are summed up by comparing it with a specific type of surface or subsurface craft.

Under the present organization of the Navy we hold, and it is firmly believed will continue to hold, aviation as an inseparable part of the line. It is generally accepted by both the mature naval aviator and nonflying naval officer of to-day that aircraft, in whatever form, can not displace existing agencies of offense or defense. The airplane is a special instrument or weapon of opportunity, devised for special service, which combines in its elements structural features of detailed interest to many branches of the profession, but in so far as aviation is concerned, these details, in themselves, have little or no significance until their mutual relationship is understood. The flying officer, through the special education which he may unconsciously inherit as an aviator of

the fleet, looks upon aviation, as a service within a service, as but one means to an end. To other than aviation personnel, paradoxical as it may seem, the manner in which the elements of the subject are presented and displayed suggests that aviation is an end in itself. It is realized that a generalizing discourse may become involved and difficult to follow, with resulting confusion in the reader's mind as to the real substance of the idea the writer is attempting to convey. It may be well, therefore, to deal with this particular point in specific detail. Let us take, for example, the fighting plane. It is appropriate that we should select this type for our discussion, for it is the one type we can not do without. If there is any doubt about this, it must be clear that if we can not spot gunfire from the air we must deny this advantage to the enemy. A complete fighter, as it stands, has a power unit and engineering accessories of interest to the engineering branch. As interesting, however, as the modern air-cooled, water-cooled, or chemical-cooled aero engine may be to engineers, planes can not be built around these types. Ultimate requirements in the completed aircraft power unit of weight, frontal area, fuel consumption, reliability of operation in inverted and acrobatic flight, performance at service ceiling, and a vast array of other factors must be considered in relation to the useful load, strength factors, compactness, endurance, rate of climb, range of speed, and maneuverability of the plane itself. These matters are inseparably related to the problems of aviation.

Let us look into the structure of the plane proper. The materials of which it is composed must offer the maximum resistance to the weather, for it must be kept on deck, exposed to the elements for long periods. Its degree of ruggedness must be such as to withstand the shocks of arresting. Its over-all dimensions not only must be such as to meet the requirements of the type, but considerations pertaining to the simple structural features of span and length and height must be adaptable to the carrying capacity and appointments of the vessels from which it will operate.

Once a tentative plane and engine combination has been selected we are confronted with the problem of the ordnance load. For what possible overload should strength factors be calculated? Shall we design our fighter for normal bomb-carrying capacity of 80 pounds or should the bomb load be in excess of this figure? Should our ship carry an offensive armament of fixed guns only and be, thus, of the pure fighting type with everything sacrificed to performance? Shall we decide on a single-seat or 2-seat type? What is the limit of speed that can be tolerated for dive bombing? How abruptly can this ship be pulled out of a dive after such an attack?—matters in which personnel as well as material, considerations enter.

Even more involved material and tactical problems pertain to the VO and VS types of planes, in which provision must be made for amphibious chassis. These types launched from the catapults of battleships or cruisers must eventually seek a landing platform on the carrier deck. So in a normal cycle of operations the pilots of these types may become, in turn, part of a gunnery department, part of a squadron organization in a scouting group or spotting circuit, and temporarily part of a carrier's air department.

We have barely touched on a few of the many complex problems which attend the development of a single type of plane, problems which demand practical solution before our final choice of a preferred type can be made. The fleet is the only suitable proving laboratory. So the officers of the fleet become the final arbiters in this matter, and the technical and design departments are guided by their decisions. From many points of view, therefore, the aviation branch is a service within a service, although our fundamental principles prohibit its being regarded as such by the line officers of our Navy.

It may be profitable to project ourselves into the position of the commander, battle line. For him the force and direction of the wind during the approach, disposition, and deployment have taken on new and vital aspects. These may be the elements of paramount importance in the coordination of the air and surface offensive. The endurance of his observation planes, the proximity of their carrier-based protective fighters, the probable types and characteristics of aircraft employed by the enemy in the engagement are all factors which must be taken into account before the signal is made to catapult spotting planes. The VO's launched, the die is cast. To be too early is as dangerous as to be too late. A miscalculation in the time appointed for this operation may bring disaster in its wake.

An attempt has been made to show that the various elements of naval aviation are such closely related subjects that independent study of these elements can not result in a clarified and comprehensive picture of this branch of the service. It is clear that an aviation effort, which may involve the employment of six distinct types of planes capable of taking offensive or defensive rôles, must be coordinated within itself before it can become an effective part of the fleet.

The problems of defense against the many forms of aircraft attack remain matters of common interest to every line officer in the service. To frustrate such attacks two important agencies are available—the fighting plane and the antiaircraft battery. Shells fired from our ships must not be directed at friendly targets. So, apart from the need for improvement in the schemes of recognition, there should be definitely established zones where the antiaircraft battery rests and the fighter takes on the defense.

Responsibility for the solution of these and a multitude of related problems is not the heritage of flying officers, nor is it the heritage of nonflying officers. It rests with the line officers of our service in whom must be amalgamated the qualifications of both.

It would appear desirable, therefore, that some educational scheme be devised for our officers of the future in which the many elements which form an inseparable part of the subject of aviation should be grouped, arranged in relative order of importance, and bound, first, under a coordinating head whose next duty would be to tie himself and those in his charge to the other established branches of the naval profession.

It is believed that the improvement of planes and of aviation safety devices and appliances may result ultimately in the modification of aviation's physical requirements. It is felt likewise that such discrepancies as exist between the physical requirements for admission to the Naval Academy and those for admission in the aviation branch should be so adjusted in the future as to make the fourth-class midshipman a potential aviator in the same sense that he is now a potential navigator or gunnery officer. In conjunction with this thought it would seem appropriate that the number of naval aviators on duty at the Naval Academy should bear the same ratio to the total number of line officers on duty there as exists between the total number of naval aviators and nonflying line officers in the service.

The advent of aircraft and the aircraft carrier has added to the complexity of naval operations. Increasing effort is demanded on the part of all naval officers to keep abreast of rapid developments and thus, if occasion demands, to be able to compete on better than equal terms with those who are devoting their lives to a specialized study of the subject of aviation and applying their talents in the navies of foreign powers.

Such thoughts as have been expressed in this paper which suggests the need for more intimate knowledge of aviation by nonflying officers can not be dissociated from the belief that officers identified with the air arm have corresponding need for increased knowledge of the other branches of the service.

As a result of operations conducted over a period of 18 months at the Naval Academy contacts with three classes of midshipmen have been made by VN Squadron 8. Through these contacts considerable light has been cast upon the effect of the introduction of a flight course in the Naval Academy curriculum. That this course has been, and will continue to be, effective in assisting the service to give the needed degree of personnel support to one of its important institutions there can be no reasonable doubt. The problem of the supply of officers best qualified to man the Navy's aircraft appears well on the way toward satisfactory solution.

A step which bids fair to produce a surplus of naval flying officers suggests the attending possibilities of a rotation of duties which will permit the future aviator more thoroughly to round out his education in the line. One additional step which will assist the nonflier more comprehensively to visualize aviation and its interlocked elements appears to be the final degree of support the Navy can give to the aviation branch of the profession.

RELIEF OF UNEMPLOYMENT

Mr. WAGNER. Mr. President, I ask unanimous consent to have printed in the RECORD an article appearing in the Washington Post of Monday, January 5, 1931, entitled "Job Insurance Seen as No Drain on Nation," which is written by a recognized authority on that subject, a former chief of the Federal Bureau of Labor Statistics, Mr. Royal Meeker.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The article is as follows:

[From the Washington Post, Monday, January 5, 1931]

JOB INSURANCE SEEN AS NO DRAIN ON NATION—BOLD AND DRASTIC ACTION IS URGED TO ASSURE WORK—LOSSES DECLARED AS NOW FALLING WITH SMASHING FORCE ON EMPLOYERS AND EMPLOYEES ALIKE; INSURANCE SAID NOT TO ADD COSTS TO OUTPUT

By Royal Meeker, formerly Chief Federal Bureau of Labor Statistics

The only cure for unemployment is employment. This sounds like saying the cure for illness is health; the way to be strong is to lift heavy weights every morning before breakfast; the way to be good is to avoid doing wrong.

There are, however, three major policies which may be inaugurated at once for the amelioration and prevention of unemployment.

First, is planning a consumption-production program in all industries for several years in the future so as to minimize or eliminate overproduction or underconsumption. This should include a more equitable distribution of the products of industry; that is, of the national money income.

Second, is stabilizing of the general price level; that is, the buying power of money.

Finally, there is the task of providing carefully planned, all-inclusive unemployment insurance to prevent unemployment as well as to care for the unemployed.

To make a start on any of the measures I have proposed requires a degree of knowledge, of cooperative spirit, and of authority, which are at present largely lacking. If the main framework of the existing economic order is to be preserved, these deficiencies must be supplied. If it is difficult to make a beginning, it

is even more difficult to carry through to a successful finish. But the evil of continually recurring unemployment demands bold and drastic action. Nothing worth doing is easy.

PLAN OUTPUT FOR CONSUMPTION

The measure of first importance is naturally the most difficult of all. All that can be attempted here is to emphasize the necessity of directing and controlling our work toward the end of gratifying our wants most effectively. The working out of the complete program will require years of careful research and experimentation.

A beginning, however small, has been made in the planning of production for consumption. These small beginnings should be supported and expanded as rapidly as possible to include all industries throughout the whole Nation and, eventually, the nations trading with us. This program is of tremendous difficulty and magnitude, but it is indispensable to regularization of business and employment. It calls for all the genius of organization and statesmanship among our industrial, financial, and political leaders. It demands the fullest understanding between employers and employees' organizations, the public and their representatives. The very difficulties in the way should stimulate our leaders to overcome them.

STABILIZE THE PRICE LEVEL

The reasonable stabilization of the price level is indispensable to the reasonable stabilization of business. Here again there must be clear understanding and complete cooperation between financial organizations and the public agencies. More progress has been made in theory and in practical application in this field than in either of the others. Numerous books and numberless articles have been written on the subject of stabilizing the price level. While it can not be proved statistically that price fluctuations precede and cause business fluctuations, nevertheless, price changes do affect business profoundly.

A consumption-production program would be very difficult or impossible to carry into effect without reasonably stable prices. A good beginning in monetary control has been made by the Federal reserve system, but it is only a beginning and there is serious danger that the feeble efforts already made may be repudiated by Congress unless business men act vigorously to support and strengthen the system. The completion of the task will be difficult, but it can and must be done, if socialistic and communistic experiments are to be avoided.

ASSURE AGAINST UNEMPLOYMENT

Unemployment insurance should be enacted primarily to prevent unemployment to take care of the unemployed. To avoid confusion fundamental terms must be made clear.

First, unemployment insurance is a means of distributing the losses due to business crises and depressions among all buyers of commodities, instead of letting them fall with smashing force upon unlucky individual employers and employees as at present.

Second, the fundamental principle of insurance is the distribution of losses among a large body of risk takers. Losses so distributed would cost the employers and insurance carriers nothing and the consumers who ultimately would pay the bill could detect no difference in prices, so slight would be the portion of expense falling on any one commodity.

WILL NOT ADD COST TO OUTPUT

Third, the notion that the whole cost of unemployment insurance will be an added cost upon production is absurd. This theory, which seems to be accepted by most employers without question, assumes that unemployment now costs nothing because no system exists to care for the unemployed. A national employers' organization has published a statement declaring that unemployment insurance would cost each year from $195,000,000 to $334,000,000. Possibly the costs would total those sums if unemployment were not reduced.

The total cost of insurance is of no importance. The difference between the cost of unemployment under the insurance plan and under no plan at all is of vital importance. We must quit deluding ourselves with the foolish fancy that unemployment doesn't cost us anything so long as we do not recognize it. Make no mistake. We are paying for unemployment and paying through the nose in taxes for maintaining our extravagant poorhouses, our ever present street beggars, our sporadic and prodigal outbursts of charity to keep the unemployed from straving and freezing, the colossal costs of inefficiency and "ca'canny" directly ascribable to unemployment and the fear of losing the job.

Even if unemployment insurance should add $500,000,000 to the prices of all commodities, the whole Nation, including employers, would be the gainers. The total drain upon the national income would be substantially less than at present, but the greatest gain would be in the improved morale of workers freed from the fear of being thrown out of a job.

UNEMPLOYMENT AN ACCIDENT

Fourth, the unemployed eligible for insurance would consist of those alone who lose their jobs through business hazards and not through the workers' own fault. Unemployment is really an industrial accident or disease. In fact, it is the only truly industrial disability. One can fall ill or fall and break a leg at home as easily as at work. One is more likely to get killed or maimed by an auto on the highway than by an operation on the job; but the only way one can become unemployed is to lose his job. Unemployment is just as insurable as illness or traumatic disability.

Unemployment insurance is not intended to pay workers for not working. Its most important effect is prevention. Unemployment insurance will unquestionably act like workmen's accident compensation insurance to prevent the disability insured against.

It is no cause for regret that this country has not thus far resorted to unemployment insurance as a cure-all for unemployment. Insurance should be utilized only as one part of a completely rounded program to combat booms accompanied by hectic overemployment followed by depressions with underemployment and unemployment.

INVITATION TO CANCER RESEARCH SYMPOSIUM

Mr. RANSDELL. Mr. President, will the Senator from West Virginia yield to me for a moment?

Mr. BORAH. I demand the regular order.

The VICE PRESIDENT. The regular order is demanded.

Mr. RANSDELL. Will the Senator yield that I may make a statement of one minute to invite the Members of the Senate to attend a meeting to-night at the Interior Building——

The VICE PRESIDENT. The Senator from Idaho has demanded the regular order. The Senator from West Virginia has the floor and will proceed.

Mr. RANSDELL. Will the Senator from West Virginia let me make a brief statement?

Mr. GOFF. The Senator from Idaho has objected.

The VICE PRESIDENT. The Senator from Idaho has demanded the regular order.

Mr. GOFF. I think I shall have to proceed, Mr. President.

Mr. RANSDELL. Mr. President, will the Senator from Idaho allow me to make a statement which will occupy just one minute, merely to extend an invitation to the Senate?

Mr. BORAH. I suppose the quickest way is to let the Senator from Louisiana make his statement.

Mr. RANSDELL. I thank the Senator from Idaho. Mr. President, the National Institute of Health, in cooperation with Johns Hopkins University, the Department of Embryology of the Carnegie Institution of Washington, and the Chemical Foundation will hold a cancer symposium to-night in the auditorium of the Interior Department. I am authorized by the Surgeon General of the Public Health Service to invite Members of the Senate to attend that symposium.

Many new developments in the fight against cancer will be presented to the public. One of the features of this symposium will be the showing for the first time of moving pictures of the human cancer cell growing outside of the body. The importance of this feat in connection with cancer research is incalculable. Moving pictures will also be shown of animal cancer cells. There will also be a demonstration of a new dye and technique used in staining suspected cancer tissue for microscopic examination.

The speakers will include the Surgeon General of the Public Health Service, Dr. Hugh S. Cumming; Dr. Joseph Colt Bloodgood, director of the Garvan Cancer Research Laboratory of Johns Hopkins Hospital, and his assistant, Dr. Charles F. Geschickter; Dr. Carl Voegtlin and Dr. J. W. Scherefshewsky, of the National Institute of Health, who have done much cancer research; Dr. Warren Lewis, of the Carnegie Institute of Embryology; and Dr. George O. Gey, who was able to grow the human cancer cell outside of the body in collaboration with Doctor Lewis at Johns Hopkins Hospital.

The growing of the human cancer cell outside of the body and the discovery of the new dye and method of staining suspected cancer tissue for microscopic examination was made possible by funds supplied by Francis P. Garvan, president of the Chemical Foundation, who has also made a contribution of $100,000 for research to the National Institute of Health.

FEDERAL POWER COMMISSION

The Senate being in executive session,

Mr. GOFF resumed and concluded the speech begun by him yesterday, which follows entire:

Wednesday, January 6, 1931

Mr. President, on yesterday, January 5, the Senator from Montana [Mr. WALSH] moved that the vote of the Senate, taken on the 20th of December last, by which

the Senate advised and consented to the nomination of George Otis Smith as a member of the Federal Power Commission be reconsidered and that the President be requested to return to the Senate the notification of the action of the Senate in relation thereto. Strictly, legally, and logically considered, there was no relevancy whatever to the immediate subject matter in general discussion which was engaged in by the Senator from Montana and other Members of this body. If the Senate does not have returned the papers and the advice and the consent relating to this nomination, the Senate is lacking jurisdiction, so to speak, to consider the question which is involved in the motion of the Senator from Montana. Therefore, if there is no jurisdiction as yet attaching to the motion, what relevancy or propriety is there in the discussion of facts which may or may not at any time come before the Senate for consideration?

It was stated by the Senator from Montana—and I intend to reply to some of the statements of fact before taking up the legal contention here involved—that there must have been some power higher up that seemed to control and direct the movements of the Power Commission, consisting of the three duly appointed, confirmed, and qualified commissioners as the law here describes them.

It was stated yesterday, in an article from the St. Louis Star, introduced by the Senator from Montana [Mr. WHEELER], that there could be no question that the direction which it was assumed was given to these commissioners came from the President of the United States; and those who have been engaged in this discussion, and who have frequently said that there was a power "higher up," unquestionably had in mind that the President of the United States had assumed to direct and control the organization of this commission.

Mr. President, I am absolutely and directly informed that the President of the United States has neither directly, indirectly, or otherwise assumed or attempted to influence this commission or to reach or control the mental operations or the judgment of any member thereof.

Mr. BROOKHART. Mr. President——

The VICE PRESIDENT. Does the Senator from West Virginia yield to the Senator from Iowa?

Mr. GOFF. I do.

Mr. BROOKHART. I should like to ask the Senator if he has any information as to whether or not the Secretary of the Interior used any influence in this matter.

Mr. GOFF. My information is that not only did not the President attempt anything of this character but that none of the representatives of the President in their executive or in their personal capacity attempted to reach and make suggestions that would have the effect of controlling the minds of this commission or directing their actions. I am informed, Mr. President—and I state the source of my information—Mr. Smith informed me this morning that he had not only never discussed this matter with President Hoover but that he had never had any contact with anyone who was in a position to speak for President Hoover or who had any authority to express, reflect, or represent his views in reference to such a matter. He further informed me that he had never at any time seen fit or been actuated or motivated by a desire, a purpose, or inclination to approach the President upon a matter of this character.

Mr. KING. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from West Virginia yield to the Senator from Utah?

Mr. GOFF. I do.

Mr. KING. The Senator having mentioned the conversation with Mr. Smith, I hope it will not be impertinent if I ask another question.

Mr. GOFF. The Senator can ask me any question he desires. None of my conversations with Mr. Smith or anyone concerning this subject are private or confidential. There is not a thing that transpired between us that the Senate is not entitled to hear and know and have fully discussed.

Mr. KING. With the assurance of the Senator I should like to ask whether Mr. Smith informed the Senator the reason for the haste, which many believe was an indecent haste, upon the part of Mr. Smith and his two associates, in convening the commission, which eventuated in removing these men from office.

Mr. GOFF. I will say, Mr. President, in answer, that I did not discuss that phase of the question with Mr. Smith; but I did discuss that phase of the question with Mr. Draper and with Mr. Garsaud. I will now divert for just a moment from the statement of facts to a legal proposition in order that the direct answer to the question of the Senator from Utah may be responsive in a brighter and more intellectual light.

I now read from Calendar No. 378, Report No. 378, the report of the Committee on Interstate Commerce which was filed on April 11, 1930. This report was submitted by the chairman of the Committee on Interstate Commerce, the Senator from Michigan [Mr. COUZENS]. It expressed the views of the committee, and clearly set forth what was in the mind of every person on that committee; and I desire also to say, Mr. President, that it is all within my recollection, because I am a member of the committee. He said, at the bottom of page 2 and the top of page 3:

> Your committee believes and has recommended in this legislation that the commission should be permitted to request the President to assign or detail engineers from the departments for positions in the field service of the Power Commission, or, in other words, for work outside the District of Columbia. The committee feels that a competent and full-time staff should be organized for the work in Washington, and that this staff when organized should be permanently in the control of the Federal Power Commission. In this way the Power Commission will have no difficulties with changing personnel in Washington, which might result under another plan and which might invite a faulty organization suffering from the same disabilities that now exist.

What did that language mean, Mr. President, and what did it signify in the light of the testimony and the evidence adduced before the committee? It meant that these gentlemen to whom reference has been so frequently made—Mr. Bonner, the executive secretary; Mr. King, the expert accountant; and Mr. Russell, the general counsel of the Power Commission—had all of them been before the Interstate Commerce Committee. They had been examined, and it was developed beyond the peradventure of a reasonable doubt that these men who had been representing the three Secretaries who were then composing the Power Commission were at swords' points; that they could not agree; that they were ranting and wrangling all the time; that they were each and all of them advancing separate, distinct, and different conceptions of the functions of the Federal Government relative to the power companies and in reference to the development of power in the different States of the American Government; and when the Committee on Interstate Commerce came to the conclusion that these men were not in harmony the committee in its report made use of the language to which I have just called attention.

Mr. WHEELER. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from West Virginia yield to the Senator from Montana?

Mr. GOFF. I yield.

Mr. WHEELER. I understood the Senator to make the statement that because of the fact that there was a divergence of opinion up there, all the members of the committee felt that all of these men should be fired. Is that what the Senator intended to imply?

Mr. GOFF. No; I do not say that. What I do say and repeat is that it was in the minds of all of the members of the committee that there was a distinct lack of harmony in the executive organization of the Power Commission.

Mr. WHEELER. Yes; but let me call attention to this fact, so as to keep the record straight: There was in the minds of the committee, without a question of a doubt, the feeling that Mr. Bonner should not be retained by the commission. I think that was practically unanimous; but never was a word expressed in the committee, to my knowledge—and I think I attended every committee meeting at which the matter came up—as to the idea that King or Russell should be discharged. On the contrary, I think I am safe

in saying that a majority of the committee were shocked when they found that King and Russell had been discharged in the manner that they were. I think the Senator himself will agree with the statement that the members of the committee were shocked.

Mr. GOFF. The Senator from Montana has very clearly indicated his views and his vision and his recollection; and his suggestions give me a very happy, and at the same time only in spots a dismal, picture of all that we, as members of the committee, went through with in the examination of all these people. I do not understand that the record will show that there was any open advocacy on the part of the committee that the men should be discharged. I do understand—and I am going to hurry along in epitomizing the conclusion, because I want to get to the question of the Senator from Utah [Mr. KING]—that there was a distinct disapproval upon the part of the committee of the attitude which had been assumed by these different men, constituting the executive force or staff of the commission, in their disagreements over matters of policy and over constructions of the law.

Some members of the committee, I want to say to the Senator from Montana, expressed to me that they did not feel that these gentlemen—Russell, King, and Bonner—were loyal to each other. They said that they thought there was in existence a widespread, malicious jealousy upon the part of these men; that each one was striving for place, and that each one was fighting for position; that in order to effectuate that purpose they were each and every one of them suppressing certain facts from the other, and that they did not consider that these men were loyal in any sense of the word to the Power Commission as it was then composed of the Secretary of War, the Secretary of the Interior, and the Secretary of Agriculture. The view was expressed by many of the members of the committee that they did not see their way clear to approve of a commission that would be harassed and stigmatized by what one member of the committee said to me is "the double-crossing, triangular, infectious traitorism" of some of the men composing the executive staff of this commission.

I will say to my friend the Senator from Montana that the question was propounded to the gentlemen appointed by President Hoover to this commission whether they felt that they would retain Mr. Bonner. I recall that when that question was propounded to Mr. George Otis Smith he very uniformly, and I think most properly, stated that he did not consider that it was within either his judicial discretion or his executive official power to anticipate a supposititious condition which was not properly before him, and then say in advance what he would do with reference to a matter of that kind. The other members of the commission were asked similar questions, and of course made similar answers.

What was the next step in this legal creation of the commission? It was that in the act itself language was used which was called by the senior Senator from Michigan [Mr. COUZENS] to the attention of the senior Senator from Montana [Mr. WALSH], as follows:

> That the commission shall have authority to appoint, prescribe the duties, and fix the salaries of a secretary, a chief engineer, a general counsel, a solicitor, and a chief accountant, and may, subject to the civil service laws, appoint such other officers and employees as are necessary in the execution of its functions, and fix their salaries in accordance with the classification act of 1923, as amended.

That was the legislative legal language used in the act, and that language justified, in the light of the testimony taken, the conclusions which were reached by the committee when the chairman thereof expressed, in the report to which I have just made reference, the views entertained by the committee at that time with reference to these men.

Mr. President, let me make this statement; and I am glad that the two distinguished Senators from Montana are in the Chamber. It is my understanding that none of these men have been discharged in the sense that the language indicates by virtue of any personal action upon the part of the commission.

This commission was informed, as the record shows, that by act and operation of law the old commission was wiped out, that a new commission was appointed, and that this new commission so appointed was a commission charged with the duty of clearly and without any question bringing to the attention of all of the men constituting the executive staff under the commission, the force and effect of the language used in the act creating it. I now desire to read the report which was made by the chairman, Mr. George Otis Smith, on December 22, 1930:

> An informal organization meeting of the three members of the commission who had taken the oath of office was held on Monday evening, December 22, 1930. There were present Commissioners Draper, Gausard, and Smith. The chairman was instructed to issue the following notice to the civil-service employees of the Federal Power Commission:
>
> "In connection with the organization of the Federal Power Commission as provided in the act of June 23, 1930, it is understood that your services automatically terminated on December 22 with the going out of existence of the commission under which you have been employed."

Obviously, Mr. President, there is nothing in this statement or in any of that language which indicates either personal desire or personal action in discharging, as the charge has been made here, the three men in question, as well as the civil-service employees of this commission.

Mr. BROOKHART. Mr. President, will the Senator yield to me?

Mr. GOFF. I yield.

Mr. BROOKHART. It is reported in the newspapers and otherwise, too, that, aside from this record which was made, Mr. Smith notified these two employees, King and Russell, that they would not be reemployed. The Senator has talked with Mr. Smith. Perhaps he can tell us about that.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. GOFF. Will not the Senator wait until I answer the question of the Senator from Iowa?

Mr. WHEELER. I was going to call the Senator's attention to a matter in line with the question just asked.

Mr. GOFF. Very well.

Mr. WHEELER. I was going to say, in line with what the Senator from Iowa has said, that the papers also made the statement that McNinch, one of the commissioners, offered a resolution suggesting that these men should put in their applications for reappointment, and my understanding of the matter is that not only did Smith write this letter, but, in addition to that, he did tell at least one of the men who was discharged that he need not ask to be reappointed, and served notice upon one of the other officers up there that unless he behaved he would be likewise fired.

Mr. GOFF. Mr. President, I will say, in answering the questions propounded by the two Senators, each respectively, that my reply will be a general statement of the facts as I know them. I have never heard any authentic statement coming from any of the five commissioners to the purport and effect of what has just been stated by my two distinguished friends. It is my understanding that these gentlemen of the commission never at any time issued any such orders or gave any such instructions.

My colleagues in this body will, of course, appreciate that when I use the word "hearsay" I am not casting reflections upon the sources of the statements in their possession. I am using it in the strict legal sense, that it represents some idea plus all of the exploded imagination in the world which the man uttering the statement is capable of developing.

Mr. WALSH of Montana. Mr. President, will the Senator be able to give us any information concerning the accuracy of the report that these gentlemen have been invited by the commission to make applications for reinstatement?

Mr. GOFF. I was coming to that; but I will divert right now and answer the question.

I had a conference with the members of the commission this morning. My conference with Mr. Smith was over the telephone. My conference, at my request, with the other two members, Mr. Garsaud and Mr. Draper, was a personal interview.

The three gentlemen agreed upon the answer which I shall now make. They said, as I shall subsequently read, that they had never at any time personally discharged these men, or notified these men that because of any attitude upon their part their services with the Power Commission were terminated. They stated that they had informed each of these three men, whose names I shall not now again repeat, that it was within their power, that it was their opportunity and their privilege, to file applications for reappointment to the executive staff of this commission. They added that Mr. Russell had filed his application for reappointment, that Mr. King had filed his application for reappointment, and that Mr. Bonner had declined to have anything whatsoever to do with the Power Commission as now constituted because of the criticism by the members of the Interstate Commerce Committee and others, and that he had also said that he would now seek employment in some other occupation. They said that in the different letters which had been received, some of these gentlemen—Mr. King and Mr. Russell—had asked for an increase in salary, that the salary previously provided was $7,500 a year, and that they had asked for an increase to $8,000. They wanted $8,000, representing an increase of $500 over what they had been receiving.

Mr. WALSH of Montana. Mr. President, the Senator has not answered my question at all. I asked him whether the statement published in the papers was accurate that these men had been invited by the commission to apply for reinstatement.

Mr. GOFF. I did answer that question. I said "yes," that they had been told that they were not discharged by the commissioners, and that they could apply.

Mr. WALSH of Montana. The Senator said that; but the question I asked was not that at all. I asked whether they took any action inviting these gentlemen to apply.

Mr. GOFF. The Senator means whether or not the commission as a commission has acted upon the applications of these three men up to the present?

Mr. WALSH of Montana. No; I do not mean that at all. That is not my question. The Senator ought to understand it. I did not ask whether they had been discharged or how they had been separated from the service. I asked whether the statement that they had been invited by the commission to apply was an accurate statement.

Mr. GOFF. I understand it is.

Mr. WALSH of Montana. When was that action taken by the commission?

Mr. GOFF. I understand that action was taken by the commission some time between the 27th of December and possibly the 2d day of January.

Mr. WALSH of Montana. Is there a record of that?

Mr. GOFF. I think there is some record of it. I do not know whether I have it here or not. I will develop that question further in going through the papers upon that matter.

Mr. WALSH of Montana. Of course, we have in the documents I put into the RECORD information concerning the conditions under which they were separated from the service.

Mr. GOFF. Yes; in the letters between the Senator and Mr. Smith.

Mr. WALSH of Montana. Exactly. I was wondering what the fact was as to their subsequently having been invited to apply. I would be glad to be informed as to whether or not that statement is correct.

(At this point Mr. GOFF yielded the floor, that the special order for 2 o'clock might be proceeded with; and after the special order was disposed of, he resumed his speech.)

Mr. GOFF. Mr. President, when the proceedings terminated at 2 o'clock as in executive session I was discussing the question by what provision of the law rather than by what action upon the part of the Power Commission the members of the executive department of the old commission were said to have terminated their service. I want now to refer to the act from which I was then quoting, which is the act to reorganize the Federal Power Commission. Turning to section 3 of said act approved June 23, 1930, I find that section 3 reads as follows:

Notwithstanding the provisions of section 1 of this act, the Federal Power Commission as constituted upon the date of the approval of this act shall continue to function—

That, Mr. President, is the commission consisting of the executive heads of three departments of the Government—the War Department, the Interior Department, and the Department of Agriculture. They shall—

Continue to function until the date of the reorganization of the commission pursuant to the provisions of such section. The commission shall be deemed to be reorganized upon such date as three of the commissioners appointed as provided in such section 1 have taken office, and no such commissioner shall be paid salary for any period prior to such date.

Now, the question very properly arises, what was the effect of this language upon the organization of the old commission which functioned until three of the commissioners appointed under this law had qualified and taken their office? What could be the effect upon the old organization? It was terminated by act and operation of law; there was nothing that could possibly continue it if this express language means exactly what it says. Section 4 reads:

SEC. 4. This act shall be held to reorganize the Federal Power Commission created by the Federal water power act, and said Federal water power act shall remain in full force and effect, as herein amended, and no regulations, actions, investigations, or other proceedings under the Federal water power act existing or pending at the time of the approval of this act shall abate or otherwise be affected by reasons of the provisions of this act.

Mr. President, at the time the argument was interrupted this morning I was referring to the informal organization of the Power Commission, and I was reading the notice which Commissioners Draper, Garsaud, and Smith, acting as such commissioners, after they had qualified under the act creating the commission, instructed the chairman to issue to the civil-service employees of the Federal Power Commission as follows:

In connection with the organization of the Federal Power Commission as provided in the act of June 23, 1930, it is understood that your services automatically terminated on December 22 with the going out of existence of the commission under which you have been employed.

They could have issued no other notice or instruction than what was issued. In doing that, Mr. President, they were not actuated by any personal wish, motive, or desire, and if their purposes had been diametrically opposite from what they have expressed them to be, then they would have absolutely disregarded the law which relates to this question. The notice further states:

In line with the authority contained in the above-mentioned act, the commission will proceed later to appoint such officers and employees as are necessary in the execution of its functions as soon as it can be determined what personnel is required. In the meantime, the Civil Service Commission has been requested to authorize your temporary employment to not exceeding 30 days.

By order of the commission.

The chairman was instructed to address letters to the former executive secretary, the solicitor, and the chief accountant, and Messrs. Bonner, Russell, and King, as follows:

In conection with the organization of the Federal Power Commission as provided in the act of June 23, 1930, it is understood that your services automatically terminated yesterday with the going out of existence of the commission under which you have been employed.

The Senator from Montana [Mr. WALSH] and the Senator from Utah [Mr. KING], each of them, addressed questions to me this morning involving the very matter which is answered by the legal construction and meaning of this act of Congress. These men were not put out of office by the commissioners after they qualified; they had no authority to put them out of office.

The men went out of office automatically the moment these three commissioners took the oath of office and qualified. The moment they had qualified to the extent that they could have exercised such official or personal action, these men that they are now charged here in debate with having put out of office, were already out of office by act and operation of the Congress of the United States. My answer to

the suggestion that was made in the debate here to-day that these men were put out of office by the Power Commission is that they were not affected by anything the Power Commission could do, because they no longer held office when the Power Commission was authorized to function. It would have been futile for the commissioners to have discharged men who were separated from the commissioners contemporaneously with their qualifications.

Mr. BRATTON. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from West Virginia yield to the Senator from New Mexico?

Mr. GOFF. I yield.

Mr. BRATTON. Is it the understanding of the Senator from West Virginia that all the employees of the former Federal Power Commission, except the three, Bonner, King, and Russell, have been employed by the new commission?

Mr. GOFF. I do not think that they have been employed. The Civil Service Commission was asked to allow their services to continue for a period not exceeding 30 days.

Mr. BRATTON. Let me state my question in this way: Is it the understanding of the Senator from West Virginia that all the employees of the former commission, except Bonner, Russell, and King, are now serving the new commission?

Mr. GOFF. That is my understanding.

Mr. BRATTON. Then, by indirection, the new commission has done exactly what is charged, namely, it has dispensed with the services of these three and has availed itself of the services of all the others?

Mr. GOFF. It has not dispensed with the services of these three men in the sense in which the Senator propounds the question. It has simply said to these three men that, because by act and operation of law their connection had been severed with the Power Commission, they could apply, if they desired, for reappointment. The commission could not reappoint these men unless there had been an application for reappointment, and the commission has not, as I understand, up to the present time, reappointed them or appointed anyone. In fact, the commission has not even requested anyone to serve or taken any steps whatsoever to select anyone.

Mr. BRATTON. Let me couch my question in other language. The new commission has availed itself of the services of all of the employees of the old commission except Bonner, King, and Russell?

Mr. GOFF. So I understand.

Mr. COUZENS. Mr. President, will the Senator from New Mexico yield to me?

Mr. BRATTON. I should like to get an answer to my question directed to the Senator from West Virginia.

Mr. GOFF. They have not, I will say to the Senator from New Mexico, refused to reappoint these three men, but they have informed them they could apply for reinstatement.

Mr. BRATTON. That is not an answer to my question.

Mr. GOFF. It is an answer to the Senator's question for this reason: By act and operation of law these three men who constituted the executive staff of the commission were out of office.

Mr. BRATTON. I understand that.

Mr. GOFF. The commission notified them that by act and operation of law they were out of office. The Power Commission also notified the Civil Service Commission that the thirty-odd people employed in inferior positions could be continued, with the consent of the Civil Service Commission, not of the individuals, for a period not exceeding 30 days.

Mr. BRATTON. Certainly; but, to sum up the situation, the new commission has availed itself of the services of every employee of the old commission except Bonner, King, and Russell.

Mr. GOFF. It has indirectly done so. It has not directly employed any of those in the civil service.

Mr. BRATTON. I understand that; but does the Senator from West Virginia think it happened by accident that the commission acquired the services of all of the old employees except Bonner, King, and Russell?

Mr. GOFF. Not altogether by accident; but, if the Senator were in the Chamber this morning when the matter was being discussed——

Mr. BRATTON. I was.

Mr. GOFF. I was then referring to the attitude of the Interstate Commerce Committee relative to the disagreements, the bickerings, and the insubordination of these three men each to the other.

I will further say that it was generally asked of different nominees to the commission if when they were confirmed by the Senate, if such should be the case, would they agree not to employ some of these persons, and that the nominees, including the three commissioners who have qualified, said that they did not consider that that was a fair or proper question to submit to them in advance of their being appointed to their respective positions, and they declined to answer. Then, when they duly took possession of their office, they knew the general attitude of the Interstate Commerce Committee toward these three executives who constituted the staff, and they gave them notice that they had been removed by act and operation of law, but that they, as well as others, could file a request, if they so desired, for reappointment. Two of the men have done so, but Mr. Bonner has declined, stating that he will seek employment elsewhere.

Mr. BRATTON. I understand all that. Although the commission may have employed a technicality of law under which it now asserts that these men went out of office—that is to say, that their employment expired by operation of law—it seems to me that the statement contained in the letter from Doctor Smith addressed to the Senator from Montana [Mr. WALSH], "I for one intend to have a staff that will work together on the matters before the commission, but recently that has been impossible," refutes all thought that the commission let those employees out in response to a technicality of law. They were dismissed from the service, although by a technicality of law, because of their attitude, and for the commission to argue otherwise now merely begs the question.

Mr. GOFF. Now let me make this statement in answer to the Senator: He assumes in his question, as the motive prompting him to propound it, that it was the desire of some members of the commission—Mr. Smith, for example, from the letter from which the Senator has read—not to reappoint these men. He had nothing to do with their removal. The act under which Mr. Smith took his position as chairman of the Power Commission had in its express legal purport removed these men from office. I have explained that feature. These men were no longer in office, regardless of what the wishes and inclinations of the other members of the commission might be. If they were not in office, what was the meaning of the language used in the report of the committee, from which I again read a sentence:

> The committee feels that a competent and full-time staff should be organized for the work in Washington, and that this staff when organized should be permanently in the control of the Federal Power Commission.

The Committee on Interstate Commerce, in preparing and submitting this report to the United States Senate, had in view the terms of the law as I have read the provisions of the act creating this commission. They knew that these bickerings existed, and they desired to eliminate such a condition from the Federal Power Commission.

Mr. BRATTON. In other words, they wanted to get rid of these three men, and they adopted that method to do it.

Mr. GOFF. I would not say that. The law in the act itself removed these men, and the Senator knows it.

Mr. BRATTON. They wanted the other employees continued, and they adopted that method to continue them.

Mr. GOFF. I would not say that they wanted to get rid of these three men; no. I would not concede that for one moment. Why should we continue this quibbling?

Mr. BRATTON. They certainly knew how to continue them. They did not elect to do so. Why not?

Mr. GOFF. They could not have continued these three men by appealing to the commission itself. They could not

have done that; and they could not have done it, of course, by referring the matter to any other body.

Mr. BRATTON. The Senator will concede that the new commission knew how to avail itself of the services of King and Russell if it had wanted their services.

Mr. GOFF. I do not think these three men could have properly done so at the time this action was taken, because the other two members—Mr. McNinch, of North Carolina, and Mr. Williamson, of California—were not here. Those gentlemen had not taken the oath of office at that time, because, as you recall, Mr. McNinch, of North Carolina, took the oath of office on December 27, and Mr. Williamson took the oath of office on the 31st day of December.

Mr. BRATTON. The three constituted a quorum for the purpose of issuing the notice and for the purpose of requesting that other employees be assigned to the commission.

Mr. GOFF. Is the Senator propounding to me this query: "Was there the legal authority at that time, with only three men constituting a quorum, having qualified, to reinstate these men?" Does the Senator propound that question to me?

Mr. BRATTON. No.

Mr. GOFF. If that is the Senator's question, my answer is in the affirmative.

Mr. BARKLEY. Mr. President——

Mr. GOFF. But I do not understand that the commission ever for one moment felt that in justice to the two other commissioners, who had been confirmed by the Senate but had not taken the oath of office, it was a fair step to take in their absence to have these men reemployed. These two absent members had been questioned by the committee as to their attitude, and it would not have been fair or ethical to have taken any action on this question in their absence.

Now, I desire to make one further statement, that the Senators may have it in mind:

When these general considerations were before the Interstate Commerce Committee, and the conduct of this executive staff was developed and gone into, if I may use two short terms to denominate their position, it was this:

Mr. Bonner, so to speak, was standing as the outward representative, as he was called, of the so-called power interests. The other two men, Mr. King and Mr. Russell, were supposed to be men who represented the so-called consuming interests.

Mr. BRATTON. Yes; I believe that, and I think that was the very cause of the action taken. How does the Senator account for the fact that Mr. Smith, immediately after the action was taken, explained such action of the three by saying that it was to terminate friction on the staff?

Mr. GOFF. I have no fact or evidence to justify that statement. My explanation, if it was said, is, putting myself in Mr. Smith's place and being quick about it, would be this: That Mr. Smith said, "Here is Mr. Bonner. What does he stand for? He stands for the power interests that are involved in the issues that will come before us. Here are these other two gentlemen, Mr. Russell and Mr. King. What do they stand for? They stand, strictly speaking, for the consuming interests that will be before this body. Must we have men to advise us, must we have men to do our work, must we have men to whom we will delegate the determination of certain issues as they arise in the light of the law as they can determine it, who are not impartial? Must we have men who, in their very leanings, produce friction here? Or should we, in the exercise of that impartial discretion which approaches the exercise of a judicial power on the part of this commission, have men who are fair and impartial?" Obviously no lawyer would select a jury composed of such views or which entertained such opinions in advance of receiving any evidence.

Mr. BRATTON. I think the Senator has touched the crux of the whole matter. King and Russell were dismissed because they had advocated the views of the consuming public in the country. They were penalized by this commission for that, just as the Senator from West Virginia has said; and that is the issue that the Senate must determine now—whether or not it stamps its approval upon that action.

Mr. GOFF. I can not understand why the Senator will continue to assert that the commissioners dismissed these men. Why does he not say we, the Senate, did it in passing the law which creates and controls the commission?

Mr. BRATTON. I will explain it.

Mr. GOFF. I stated to the Senator a moment ago that before these commissioners had the opportunity to exercise any power or discretion whatsoever they had to take the oath of office under the appointment naming them, and the very moment that they took that oath the three members of the executive staff then and there were automatically, by act and operation of law, removed from office.

Mr. BRATTON. I will explain it to the Senator if he will permit me to do so.

Mr. GLASS and Mr. BARKLEY addressed the Chair.

The PRESIDING OFFICER (Mr. FESS in the chair). To whom does the Senator yield?

Mr. GOFF. I am yielding to the Senator from New Mexico.

Mr. BRATTON. I will explain it to the Senator.

Mr. GOFF. Certainly.

Mr. BRATTON. This staff, technically speaking, may have been legislated out of office. The commissioners understood that, and we understand it. The commission knew how to continue the services of the entire staff, including King and Russell, if it had wanted to do so. It knew how to avail itself of the services of the other employees, and elected to do so, and has had their services ever since. It knew how to dispense with the services of these two, and it did that by failing to ask that they be assigned to the new commission.

It is a play upon words to say that these employees were legislated out of office and that the commission had no discretion in the matter. The commission knew how to get the services of these two men if it wanted them. I agree with the Senator, as he said just a moment ago, that the new commission did not want these two men because they had advocated the views of the consuming public throughout the country. That is the question addressed to the Senate.

Mr. GOFF. I will say to the Senator that I did not say what the Senator says I did, namely, that the three commissioners did not want these men on their executive staff. I told the Senate how my mind would have worked if I had been there. I did not say that I knew what motivated these three commissioners.

Now I shall proceed further and make reference to this state of affairs:

The Senator from Utah [Mr. KING] interrupted this morning with this query, which the answering of all of the many questions which have been propounded has prevented my discussing: "Why did these three commissioners feel that it was necessary for them to take the oath of office so soon after they were confirmed?"

I have studied that question; I have asked many questions concerning it; and I want to say to the Senator from New Mexico and the Senator from Utah that this is the best information and answer that I can obtain:

The law itself, as I have read the law, said that when a majority—that is, three commissioners—qualified, the old commission should be functus officio, and go out of existence. Two of these commissioners tell me that they were very anxious to leave the city of Washington and go to their respective homes. I refer to Mr. Garsaud, of Louisiana, and Mr. Draper, of Wyoming. They stated that they felt that until they had qualified as commissioners they did not care to go to their homes and resign their State positions or close up their business affairs. Mr. Draper was a member of the power commission in the State of Wyoming; and he said that he did not care to go out there and close up all of his personal affairs and sever his connections once for all with the State of Wyoming until he knew, and until he could say that he was qualified and acting as a member of the Federal Power Commission. Mr. Garsaud informed me that he had to go down to Louisiana and sever all of his professional relations there and all of his business con-





nections, and that he had no desire to do so until he was definitely a member of the commission.

Then I propounded this question to these men: "Was it not a fact that you saw in this law the direction that the old commission was to go out of existence the moment three men qualified under the new commission, and that it was your duty, after you had taken the oath of office and received your commissions from the President of the United States, countersigned by the Secretary of State, not to sit idly by, but to proceed to function and discharge the duties that you had then assumed?" They said that such was the case. They said, furthermore, that they desired to take no action that would in any way embarrass their associates; that they did not desire under any circumstances to do a thing that would embarrass Mr. McNinch—this was on the 22d day of December, 1930—and that they did not care to do anything that would in any way embarrass their other associate, Mr. Williamson. So what did they do? They left these matters in abeyance; and that very night, the 22d, according to the information in my possession, Mr. Draper left for the State of Wyoming; and Mr. Garsaud had all of his arrangements made to leave for the State of Louisiana, and then was prevented by some personal matters, outside of any of his official connections, from going to his home.

Mr. BARKLEY and Mr. WHEELER addressed the Chair.

The PRESIDING OFFICER. To whom does the Senator yield?

Mr. GOFF. I yield to the Senator from Kentucky. Then I will yield to the Senator from Montana.

Mr. BARKLEY. Mr. President, I desire to inquire whether there was any situation existing in the commission or any emergency that required three of these commissioners to take the oath of office and qualify until all five of them could qualify and take action as a whole?

I have examined the law and I find no provision there as to when the old commission shall go out of business and the new one shall start, except that when three of them have qualified by taking the oath of office they may organize. There was nothing mandatory, however, that required the three members of the commission to take the oath and qualify prior to the holidays, when only three were present, rather than to wait until after the holidays, when all of them would be present, and action would be taken by the whole commission.

Mr. GOFF. My answer to the Senator is this: He asks a question which is, of course, hypothetical. There is no provision in the law that says that the commissioners must qualify on or before a certain day. These gentlemen were in the city, except Mr. McNinch, it is true. Mr. McNinch, I understand, left Saturday night, the 20th, on the late train for North Carolina.

I do not know when Mr. Williamson left for California. These men were here. They received their notice. They were appointed by the President. I am told that they went to the office of the Secretary of State late on Monday afternoon, December 22, and made inquiry there as to whether they could legally take the oath and qualify, and they stated to me that they were informed that they could. I can not tell who administered the oath. That is a query I did not propound to them. They then took the oath, with the understanding that two of the men who did not live here would go to their respective homes, and that Mr. Smith, who did live here, would remain here.

To answer the Senator's question more directly, he says to me, "Why did they do it?" I suppose that partakes somewhat of the contagion of a mental duty or an individual desire. Sometimes we call it mob psychology when men get together and do a thing because they are in a mass. If these men had not been here in the city, I do not suppose they would have gotten together at that time or tried to take the oath of office.

Mr. BROUSSARD. Mr. President, will the Senator yield to me?

Mr. GOFF. I yield.

Mr. BROUSSARD. Mr. President, I wish to state to the Senator that when the Interstate Commerce Committee of the Senate made its report on the bill creating this commission, it reported it as an emergency measure, and the report so stated. Congress was asked to expedite consideration of it, which Congress did. Immediately after the passage of the act creating the new commission, the President sent five names to the Senate, just before the recess last June, and just a few days before we decided to take up the London treaty. There were quite a number of important bills on the calendar, and everybody pressing for consideration and passage of certain measures. The result was that, although the Interstate Commerce Committee made a favorable report on all these nominations at that time, the Senate adjourned with the favorable report from the committee, unanimously made, as I understand it, lying on the table.

When we acted on the nominations it was repeatedly stated here that it was the desire to have the commission organized before Christmas, and I think these three members got that impression from the record, as shown in the consideration of the bill from its very beginning until the confirmation was completed.

Mr. BLACK. Mr. President, will the Senator from West Virginia yield to me?

Mr. GOFF. I yield.

Mr. BLACK. I understand that one of the reasons why the Senator does not think this matter should be reconsidered—and if I am mistaken, I would like to be corrected—is that the commission has not really discharged these men at all. I understand the Senator says they did not discharge them, but that they were simply automatically separated from the service.

Mr. GOFF. Mr. President, I will say, in answer to the Senator's question, that I have been, by the many interruptions, prevented from discussing what I consider to be the legal rules which render it futile to try to bring these names back to the Senate. I have been discussing these facts which have come into the argument, not because, as I stated in the beginning of my remarks, they have any legal relevancy at this time, but only because they have been discussed, and they have been suggested in the form of questions which were determinative of the very issue itself. In other words, to put it in this way, I see nothing to be gained by bringing these names back here, if they could be brought back, because before I finish the legal discussion I shall show that there is no authority upon the part of the United States Senate to reconsider these nominations, and that these nominations now have gone beyond the point where the Senate of the United States as a legislative body can assume to exercise any executive authority, such as removal, or any legislative authority, such as impeachment.

Mr. BLACK. Before the Senator gets to the legal part of his argument, it seems to me that if I am correct in the inference the Senator desires to leave, at least in so far as some of these gentlemen are concerned, the objections to them might be removed. Of course, the Senator would not object to any of us saying that they had been discharged if these particular commissioners are favorable to these appointees, and from the fact that the Senator has once or twice seemed to resent the idea that they intended to discharge these men I assume that probably the Senator has some information to the effect that perhaps they are for King and Russell, and if any of them are for King and Russell I would like to know it. Has the Senator any information that either Mr. Draper or Mr. Garsaud or Mr. George Otis Smith is favorable to the retention of these gentlemen in the service?

Mr. GOFF. I have no information about it.

Mr. BLACK. I understood the Senator to say that he talked with some of them.

Mr. GOFF. I did talk to them, and let me say this right now to the Senator from Alabama that I approved of the position these five commissioners took before the Interstate Commerce Committee, that it was unfair, if not irrational, to ask there, "If you should be confirmed, what will you do

when such-and-such a supposititious state of facts comes before you for the exercise of your fair and impartial judgment?" I did not ask them that question.

I want to say another thing to the Senator, that I have not resented anything. The Senator must not make emphasis a synonym for resentment.

Mr. BLACK. I will correct that and forget it, and wipe out any inference that might have been drawn that those things were synonymous. Returning to the subject, the Senator says these power commissioners have not discharged these individual men, King and Russell. Of course, it is not material to say that they have not discharged them unless that is to be followed up by some kind of a statement that they are not in favor of discharging them and want to retain them in the service. Does the Senator know whether or not Mr. Draper or Mr. Garsaud or Mr. Smith is in favor of retaining these men in the service?

Mr. GOFF. I just answered that question by saying that I would not do personally in private conference what I had declined to do before the committee, propound such a question to those men when they were talking to me this morning. I was not going to invade their private official views on that subject.

Mr. BLACK. It does not seem to be private, since they have met and one of them, at least, has given out a statement, and since they have not retained those men in the service. Then the Senator is not taking the position that we should vote to keep these men on the Power Commission with the assumption that they favor the retention of these particular individuals, King and Russell?

Mr. GOFF. Of course not. Now, let me put this question to the Senator: Suppose, for example, certain members of the Interstate Commerce Committee, reflecting certain public views, were very much opposed to the retention of Mr. Bonner. That is an absolute, existing fact. Their views were made known to these different commissioners when they testified to their qualifications before the committee and gave evidence of the ability, the experience, the faith, and the truth that were in them. That all occurred. If the members of the Interstate Commerce Committee, reflecting a great many of the outstanding public views upon the attitude of Mr. Bonner, could have their way by having Bonner removed, then does it mean that these same identical members, regardless of what the attitude of Russell and King might be, would have the right to say also to this commission, "You must let go the men we do not want, and you must keep on the commission the men we do want"? That is exactly what the Senator's argument reduces itself to.

Mr. BLACK. May I answer the Senator?

Mr. GOFF. Certainly.

Mr. BLACK. I will answer the Senator in two ways. In the first place, Mr. Bonner had threatened to resign, anyhow. But if Mr. Bonner had not threatened to resign, either Mr. Bonner was wrong or these other two men are wrong. Either these men had a right to expose the padding of the capital accounts of the power companies and should be rewarded for it instead of punished, or they should be punished if their charges are not correct. The same thing is true with reference to Mr. Bonner. I will state to the Senator that personally these gentlemen of the Power Commission would have gone a great deal higher in my estimation if they had discharged Mr. Bonner, because, in my judgment, the other two men have performed a real public service. But assuming that it is true that Mr. King and Mr. Russell have actually exposed the padding of capital accounts of the power companies to the extent of millions of dollars, does the Senator not think that for that service to the people they were entitled at least to an investigation by the commission before the commission announced that they would not be retained on account of friction? Does not the Senator think that?

Mr. GOFF. I dislike so much to repeat my argument over and over again, and I will not do so.

Mr. BLACK. I did not want the Senator to repeat the argument. I asked whether he thought that.

Mr. GOFF. How many times must I stand here and assert that these commissioners had absolutely nothing, in a personal sense, to do with the removal of these men?

Mr. BLACK. Then are they for them now?

Mr. GOFF. Are they not giving them an opportunity to be reinstated when they have invited them to file their applications for reemployment, and they have been filed?

Mr. BLACK. Who has invited them?

Mr. GOFF. I understand the entire commission. I was told by Mr. Smith this morning——

Mr. BLACK. Did Mr. Smith state when the entire commission invited them to file their applications? Did he say it was after the question of a motion for reconsideration came up?

Mr. GOFF. I did not ask that question, because in the abstract discussion of a legal principle I was not concerned with what might drive a man to fear. I would not be motivated or changed one moment by either the courage or the cowardice of a member of that commission or any other commission in considering the abstract justice and logic of a legal or moral proposition which might be involved in any matter before us.

Mr. BLACK. I think the Senator does not mean to say that he would not be affected by the courage or cowardice of any one of these three men in considering whether they should hold the places. He would not want a political coward on that commission or one who was afraid to act on account of the influence of the power companies.

Mr. GOFF. I will say to the Senator that I have found and met a good many political cowards in my experience, and when I expected to find and meet politically brave men.

Mr. BLACK. The Senator was not for them after he found that out, was he?

Mr. GOFF. I do not think that has anything to do with the question.

Mr. BROUSSARD. Mr. President, will the Senator yield to me?

Mr. BROOKHART. I want to ask the Senator why it is that Mr. Smith informed these two men, Russell and King, that there was no use for them to apply; that they would not be retained. That does not apply to Mr. Draper or Mr. Garsaud.

Mr. GOFF. It is my information that they did not give out such a statement. The Senator may have heard that they did. I propounded that question and I was told that they had no such conversation with anyone.

Mr. BROOKHART. Mr. Smith is the only one about whom I am talking. He is the one who had the conversation.

Mr. GOFF. May I ask the Senator from Iowa a question?

Mr. BROOKHART. Certainly.

Mr. GOFF. What possible relevancy has the personal attitude of these commissioners to the question of whether or not the Senate has the right to ask the President to send back their names in order that the Senate may consider whether it will stand by or revoke the confirmation of Saturday, December 20?

Mr. BROOKHART. These men, Russell and King and Lawson, have been fighting faithfully to carry out the water power law in the interest of the people. This man Bonner has been trying to sell out the interests of the people to the power companies in every possible way. I will not vote for any man for commissioner who is going to take the Bonner side of the question. I want a commission that will sustain Russell and King in the services they have performed there.

Mr. GOFF. Then the Senator would not contend that the new Power Commission should keep men who are not in harmony with each other? Let me tell the Senator something: He was a member of the same committee with myself. He knows that there were bickerings and contentions that existed and went on, prompted by a motive of jealousy between both Russell and King, each of them fighting for place like the horses in the ring and on the track. I want to ask the Senator if he considers that men so constituted, men so actuated, would make the best possible and

impartial advisers if they were retained there by the commission to assist it in the discharge of each and every function liberally and impliedly contained in the law by which the commission was created?

Mr. BROOKHART. The only issue between these men was an issue of policy. It was not the personal issue at all. The question was whether or not Russell and King should follow the policy in the interest of the people, or whether Bonner should slip around and waive capitalization and power rights in the interest of the private companies. I have not seen a record of a more unfaithful public servant in all my life than the record of this man Bonner as it showed up before the committee, and as I have some further evidence that did not show up in the committee.

Mr. GOFF. The Senator also knows that it was general knowledge around the Senate and the rooms of the Committee on Interstate Commerce that the other two gentlemen were running around lobbying for the confirmation of the same men who are now under scrutiny and attack in order that they might stand in the good graces of those men and be reappointed.

Mr. BROOKHART. I think this man Smith went down to Russell and presented his case to him as though he were sustaining Russell, and then I think he double-crossed Russell, if the Senator wants to know the fact about it.

Mr. GOFF. I differ with the Senator, and, of course, a difference of view is of no importance in the discussion of this matter.

Mr. BROUSSARD. Mr. President——

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from Louisiana?

Mr. GOFF. Certainly.

Mr. BROUSSARD. The matter to which I want to call attention, in view of the fact that there are a number of Senators here now, is to clear up the date when the notice was served that these men might reapply. I have here a copy of the resolutions adopted by the entire commission on January 2, 1931. That resolution concludes as follows:

> * * * Now therefore be it
>
> *Resolved by the Federal Power Commission*, That all employees of the old Power Commission, without exception, are hereby invited to file their respective applications for appointment by this commission, such applications to be considered in due course along with all other applications for appointment filed with the commission.
>
> *Be it further resolved*, That the commission believes it would be just, and hereby declares its desire and intention, if lawful, to make a reasonable allowance for leave with pay for such of the employees of the old commission, if any, as may not be appointed by this commission.

There were present at this meeting of the commission four of its members. Mr. McNinch, in addition to being present, held the proxy of Mr. Williamson.

Mr. GOFF. Mr. Williamson was there by proxy, so in fact all of the commissioners were present.

Mr. BLACK. May I have the date of that meeting in comparison with the time of the other meeting?

Mr. GOFF. It was on the 2d day of January, 1931.

Mr. BLACK. What was the date when they had automatically, according to the idea of the Senator, been separated from the service?

Mr. GOFF. The 22d day of December.

Mr. BLACK. That was 10 days afterwards. That is when the storm had arisen throughout the country.

Mr. BROUSSARD. That is because of the fact that there were only three members here until January 2.

Mr. BLACK. But there were three members here when the other men were discharged. They could automatically separate them from the service when only three members were present.

Mr. WALSH of Montana. Mr. President——

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from Montana?

Mr. GOFF. I yield.

Mr. WALSH of Montana. Before the Senator passes to the legal aspect of the conference and to the discussion he has promised us——

Mr. GOFF. Does the Senator think when I do reach that happy medium, that I will be allowed to remain there, or will I be called again into factional strife?

Mr. WALSH of Montana. I do not know. The Senator has answered the questions in that field so satisfactorily, at least to himself, that I am sure he will have no trouble in answering other questions.

Mr. GOFF. No; I have had no trouble with either questions or answers, and especially no trouble in answering any questions propounded——

Mr. WALSH of Montana. The question I address to the Senator on the other phase is this: The Senator told us that although the executive staff of officers were separated automatically from the service the commission as then constituted, consisting of three members, could legally have filled the executive places, but that it would have been an indelicacy on their part toward the absent two members to do so. That is, consulting the proprieties in the matter, of course the appointment of men to fill the positions ought to be deferred until the five members were qualified and present to act. Then, Mr. President, I want to ask the Senator what was the urgent business that required them to organize and take the action on December 22 in the absence of the other two members?

Mr. GOFF. I have answered that question several times and I shall be very glad to answer it again. I stated that it was in the first instance action in response to what was denominated emergency legislation.

Mr. WALSH of Montana. Exactly. I recall that the Senator told us that two of these gentlemen wanted to get away, that they desired to be at home for Christmas, and were desirous of leaving for that reason.

Mr. GOFF. I am going to answer the question again.

Mr. WALSH of Montana. But they were to come back and actually did come back on the 2d of January with another member, with one member holding a proxy from the fifth member, if that proxy was of any consequence. What was the necessity then for these three gentlemen getting together on the 22d day of December and organizing and transacting any business in the absence of the other members?

Mr. GOFF. I said to the Senator that it was largely a personal matter.

Mr. WALSH of Montana. Mob psychology, the Senator said.

Mr. GOFF. I said it was the desire on the part of those men to go home and sever their official and their personal relations, and that such a desire was contagious.

Mr. WALSH of Montana. Am I to understand the Senator to say that there was no business of an urgent character before the commission at that time?

Mr. GOFF. As to that I can not answer.

Mr. BRATTON. Mr. President, let me ask the Senator a question before he leaves that point.

Mr. GOFF. I yield.

Mr. BRATTON. I can understand why these men might desire to take the oath of office before leaving for their homes; but what was the occasion for the haste in giving notice to these employees? Why did they not merely take the oath of office and then go home?

Mr. GOFF. Which employees does the Senator mean?

Mr. BRATTON. All of them.

Mr. GOFF. I dislike so much to keep on answering the same question, and yet I want to answer it if it is propounded not for the purpose of delaying or prolonging the discussion but for the purpose of obtaining my personal view. If that is what the Senator desires, of course I will proceed to answer the question again.

These men were all here in the city. They live in different parts of the country. The Christmas holidays were coming on. One man said, "We are entitled to be sworn in and here is the commission. Let us take the oath." The other one said the same thing. If they had consulted with some one of legal attainments they might have been advised to the contrary, because I understand that no one of the three commissioners is a lawyer. Mr. Draper said, "I want to go

out to Wyoming and I think I will take my oath now and be sworn in." Mr. Garsaud said, "I want to go down to Louisiana and I think I will, too." Mr. Smith lived here and he took the oath of office.

Mr. BRATTON. I can quite understand all that.

Mr. GOFF. Some men might have said, "I will not do that." Some men might have said, "I refuse to do that." I have been on commissions where the commissioners refused to wait until all of the members of the commission could come here. It is a matter of personal view and wish.

Mr. BRATTON. The Senator misconceived my question. I do not wonder that they desired to take the oath of office before they picked up their handbags and started home; but after taking the oath of office and before picking up their handbags why did they take the time to issue this notice to each employee?

Mr. GOFF. They issued no notice to the employees except to tell them what was the force and effect of the law, and the minute they took the oath of office they aroused into controlling activity a dormant legal principle, namely, the automatic removal from office of all these men and employees. They felt, no doubt, that it was their moral as well as their official duty to notify these men of the effect of the action they had taken. That is all. I suppose that was a mere matter of courtesy. They could have gone away and given them no notice whatsoever, because they are presumed, as all of us are, to know the law.

Mr. BRATTON. But, despite their haste to take the oath of office and leave for home, they took time to differentiate between Russell and King and the other employees of the commission, namely, to see to it that the other employees were reemployed and that King and Russell were not reemployed. I am wondering why they took so much time to do that amidst their haste to get home for the holidays.

Mr. GOFF. I did not concede that the question as propounded by the Senator represented the feeling or the relation of the commissioners each to the other.

Mr. McNARY. Mr. President, is it the desire of the Senator from West Virginia to conclude his argument this evening?

Mr. GOFF. I want to leave that to my brother Senators. I do not want to stay here any longer than is necessary. I can not conclude this evening. I have had many interruptions, and I have tried to conform to them. I want to do justice to the matter because I feel that the more we unload the lighter the wagon will be to reach the destination. I shall have to continue on further and shall be glad to do so to-morrow.

Mr. WALSH of Montana. Mr. President, I want to address a question to the Senator which he may answer to-morrow.

Mr. GOFF. I would rather answer it now.

Mr. WALSH of Montana. Very well. I suppose the Senator will probably agree that Russell, King, and Bonner had been legally appointed to their positions by action of the old commission?

Mr. GOFF. Yes; they were appointed legally.

Mr. WALSH of Montana. I want to call the attention of the Senator to the final section of the act, as follows:

SEC. 4. This act shall be held to reorganize the Federal Power Commission created by the Federal water power act, and said Federal water power act shall remain in full force and effect, as herein amended, and no regulations, actions, investigations, or other proceedings under the Federal water power act existing or pending at the time of the approval of this act shall abate or otherwise be affected by reasons of the provisions of this act.

In view of that provision of the law, how can the Senator contend that the order of the commission appointing Russell solicitor, the order of the commission appointing King general accountant, and the order of the commission appointing Bonner executive secretary are abated by reason of the enactment of this law?

Mr. GOFF. I will answer the question. Because of the preceding provision, known as section 3:

SEC. 3. Notwithstanding the provisions of section 1 of this act the Federal Power Commission as constituted upon the date of the approval of this act shall continue to function until the date of the reorganization of the commission pursuant to the provisions of such section. The commission shall be deemed to be reorganized upon such date as three of the commissioners appointed as provided in such section 1 have taken office, and no such commissioner shall be paid salary for any period prior to such date.

Mr. WALSH of Montana. But no action theretofore taken by the old commission was abated in any way whatever.

Mr. GOFF. Not at all. The act provides that the commission shall be taken to be reorganized.

(At this point Mr. GOFF yielded the floor for the day.)

Wednesday, January 7, 1931

Mr. GOFF. Mr. President, I wish to say before I conclude my remarks, which I trust I can do within a short time, that I shall refuse to yield the floor during the discussion. If, when I shall have concluded, any Senator desires to ask me questions, I shall, of course, stand ready to answer them.

Yesterday when the Senate recessed I had referred to the communication sent by the commission to its executive staff and the employees in general. I desire further to say that in the rules and regulations prepared and promulgated by the commission on the 2d day of January, 1931, there was, among other statements, the following:

And whereas, in deference to the absence of Commissioners Williamson and McNinch, all personal matters, excepting only the authority to the chairman to arrange for an administrative assistant and disbursing clerk, if necessary, were, as appears from the minutes of the meeting of the commission, to be considered pending until the commission can act with full attendance.

Now, therefore—

The commission further proceeds in its resolution—

Be it resolved by the Federal Power Commission, That all employees of the old Power Commission, without exception, are hereby invited to file their applications for appointments by this commission, such applications to be considered in due course along with all other applications for appointment filed with the commission.

Be it further resolved, That the commission believes it would be just, and hereby declares its desire and intention, if lawful, to make a reasonable allowance for leave with pay for such of the employees of the old commission, if any, as may not be appointed by this commission.

The foregoing resolution was adopted unanimously by the Federal Power Commission at its meeting on January 2, 1931, Commissioner McNinch voting for Commissioner Williamson by proxy.

Mr. President, at this meeting a letter was approved to the Attorney General, according to a statement signed by Mr. Smith, the chairman, requesting that he take such steps as to him seemed due and proper to preserve the right of appeal in the United States against the Central Stockholding Corporation until the same could be considered by the commission; and it was also understood that all personnel matters be considered pending until the commission could meet and act with full attendance.

It was further agreed that the chairman should review and revise the Budget statements for 1931 and 1932 and appear before the Budget and Appropriations Committees, making such appeals as were necessary to the proper functioning of the commission.

Mr. President, those steps were then and there taken by the commission, as organized; and they were duly taken, not, as I understand from talking with the commission, with any purpose or intent to favor or exclude from consideration any of the employees or members of the executive staff. There had been reports, both pro and con, coming to the members of the commission who had qualified, that there was objection to different men and that there was high favor for some. The attitude of the commission was, and I am satisfied—speaking now my own personal view, after a very clear discussion with the commission—that they considered it was the duty of the commission to allow all such personal and personnel matters to remain in abeyance until there could be a full meeting of all the commissioners in reference to any such matters.

I desire now, Mr. President, briefly to discuss certain of the legal questions which have not been referred to in the remarks made by any Senator concerning this question.

The President, as we have brought out in the discussion, was notified of the confirmation of the several commissioners, and thereupon issued and delivered the commissions,

and the nominees took the oath of office. The question, therefore, raised by the motion of the senior Senator from Montana [Mr. WALSH] is whether the Senate has power to consider in a reconsidering sense the nominations and whether the President should be requested to return these notifications to the Senate.

Before discussing the law applicable to these nominations I desire to bring out at this time the salient facts relative to the advice and consent of the Senate in reference to each nominee as his name came before the Senate.

Mr. Williamson's nomination was confirmed unanimously on December 19, 1930. Following the usual formula, as the RECORD discloses, the Vice President announced:

> The nomination of Mr. Williamson is confirmed, and the President will be notified.

Mr. Draper was confirmed on December 19, 1930, and the Vice President announced:

> The nomination is confirmed, and the President will be notified.

Mr. Smith was confirmed on December 20, 1930, and the President of the Senate pro tempore announced:

> The Senate advises and consents to the nomination, and the President will be notified.

Mr. McNinch was confirmed on December 20, 1930, and the President pro tempore announced:

> The Senate advises and consents to the nomination, and the President will be notified.

Mr. Garsaud was confirmed on December 20, 1930, but there is some controversy as to whether or not the usual formula was observed and followed in his case. I am informed by the Journal clerk that the Journal shows that the usual formula was followed, namely, "that the Senate advises and consents, and the President will be notified," although that language does not appear in the CONGRESSIOAL RECORD of that date.

Mr. President, on December 20, 1930, the Secretary of the Senate duly notified the President of the confirmation of the nominations of Mr. Williamson and Mr. Draper, which, as I have stated, were confirmed on the 19th. On December 22, as my examination discloses, the Secretary of the Senate duly notified the President of the confirmation of the nominations of Mr. Smith, Mr. Garsaud, and Mr. McNinch. In each case—and this is a matter worthy of very material and relevant consideration—the notice, delivered by a messenger, was in the regular form, signed by the Secretary of the Senate on the usual printed blank, and certifying that the nominations of the persons so named as members of the Federal Power Commission had been confirmed by the Senate on the dates December 19 and December 20, 1930, respectively.

On December 22, 1930, as the record discloses, the President executed and the Secretary of State attested commissions to each of the five nominees. On that date the commissions were delivered to Mr. Smith, Mr. Garsaud, and Mr. Draper, who on that same day, December 22, duly took the oath of office. The commissions of Mr. Williamson and Mr. McNinch were delivered to them later, and they took their oaths of office, as I am informed, on the 27th day of December, 1930, and on the 31st of December, 1930, each, respectively.

Mr. President, bearing those facts in mind as to the confirmation and also the notification to the President, duly given by the Senate, I come to the discussion of Rule XXXVIII of the Standing Rules of the Senate, which will be found on pages 42 and 43 of the Senate Manual.

Paragraph 3 of Rule XXXVIII provides:

> When a nomination is confirmed or rejected, any Senator voting in the majority may move for a reconsideration on the same day on which the vote was taken, or on either of the next two days of actual Executive session of the Senate; but if a notification of the confirmation or rejection of a nomination shall have been sent to the President before the expiration of the time within which a motion to reconsider may be made, the motion to reconsider shall be accompanied by a motion to request the President to return such notification to the Senate. Any motion to reconsider the vote on a nomination may be laid on the table without prejudice to the nomination, and shall be a final disposition of such motion.

Now, Mr. President, if I may discuss just briefly the reasons for requiring the President to send back to the Senate the papers, I refer to a case that came up in the discussion of this matter on the 14th day of April, 1830, which might be called the Isaac Hill matter. This case is reported in the records of the Twenty-first Congress, first session, on the 14th day of April, 1830.

> A motion was made by Mr. Forsyth to reconsider the vote of the 12th instant, on the question to advise and consent to the appointment of Isaac Hill, as Second Comptroller of the Treasury, whereupon,
>
> The Vice President submitted, for the determination of the Senate, whether the motion was in order; inasmuch as the resolution, announcing the decision of the Senate on the nomination of Isaac Hill, had been communicated to the President. And it was unanimously determined that the motion was not in order.

The Executive Journal, volume 4, page 90, of the Twenty-first Congress, shows that on April 12, 1830, the Senate rejected the nomination of Isaac Hill to the office of Second Comptroller of the Treasury, and there was entered in the record the following statement:

> So it was resolved that the Senate do not advise and consent to the appointment of Isaac Hill.

On the 14th day of April, 1930, a motion to reconsider this action was made, and, on a point of order, the Senate decided by unanimous vote that since the action of the Senate had been communicated to the President the motion was not in order.

The caption in Gilfry's Precedents suggests that one reason for that ruling by the Senate was that it may not act on nominations where the papers have been sent back to the President and are not in the possession of the Senate. At the time of the ruling in the Hill case, there appear to have been no Senate rules in effect such as now are found in paragraphs 3 and 4 of Rule XXXVIII; and no doubt the provision in paragraph 3, which I have just read, of the present rules, requiring the inclusion in a motion to reconsider of a motion requesting the President to return the notification where a notification has been sent him, arose out of the precedent in the Hill case and the necessity of having the papers before the Senate on a motion to reconsider.

The effect of the present rules of the Senate is to modify the ruling made in 1830 in Hill's case to the extent that now, if an authorized notification has been sent to the President, it is in order for the Senate to request its return; and the confirmation may be reconsidered if the papers are returned by the President at the Senate's request. The assumption is that in the Hill case the notification to the President had been authorized by the Senate. The precedent hardly goes beyond establishing that where the nomination is properly returned to the President, the Senate may not reconsider unless it is returned. It falls short of establishing the rule where the notification to the President has been sent by the Secretary without the consent of the Senate that the President is without authority to act.

Now, let me read paragraph 4 of Rule XXXVIII. It reads as follows:

> Nominations confirmed or rejected by the Senate shall not be returned by the Secretary to the President until the expiration of the time limited for making a motion to reconsider the same, or while a motion to reconsider is pending, unless otherwise ordered by the Senate.

If the Senate sees fit, immediately upon taking the vote that establishes the advice and consent of the Senate, to authorize the Secretary to advise the President of its action, then the rules to which I have called attention have been fully complied with, and have no further application in regard to the matter of executing the nomination by swearing in the nominees who have been duly confirmed by the Senate of the United States.

Where a nomination has been confirmed and the President has been notified prior to the expiration of the time within which, under the rules, notice of reconsideration may be entered, there is no justification for contending that the Senate can stand upon its right to move a reconsideration of the nomination within the time limited.

I submit, Mr. President, that it is not the duty of the Executive authority to make the inquiry, "Has every rule literally and inferentially been complied with in a matter of this kind?" It is not incumbent upon the Executive to inquire: "I have received from the Senate, the legislative body of the Nation, a statement to the effect that they have advised and consented to the nomination sent there, and again I desire to know if that information is regularly and correctly submitted."

I therefore make the statement, and I make it in the light of the decisions of the courts of the United States, that there is no authority, under all of the circumstances, to ask the President to return these papers to the Senate of the United States when, acting upon the notice received from the Senate, the President has executed by formal appointment the nominations and created a vested right in these nominees, who have accordingly taken office.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from West Virginia yield to the Senator from Idaho?

Mr. GOFF. Just a moment. To hold otherwise would be to assume that after a nominee had been duly sworn in, and has taken the oath of office, and has received a vested right in and to the office to which the Senate advised and consented, we can then say to that official, "The Senate of the United States has a right now to reconsider what it notified the President that he could do."

Let me make the statement—and I shall go into the authorities sustaining it in a moment—that to permit such a rule or regulation to exist and to control is in effect to hold that the legislative body has a right to infringe upon the Executive power, because the only way in which a man so inducted into office after receiving such a notification can be deprived of that office is either for the President of the United States to remove him, as he has the power to do, or for the Congress of the United States to impeach him.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from West Virginia yield to the Senator from Idaho?

Mr. GOFF. Just a moment. To hold, Mr. President, under such circumstances, that the Senate has a right to ingraft a recall for consideration upon a nomination so advised and so consented to is to give a legislative body of this Government the privilege of invading the exercise of an executive authority purely and simply.

Mr. President, I stated that I did not care to take the time of the Senate in yielding to long discussions; but I do not wish to be discourteous to my friend from Idaho, and if he desires to ask me a question I will infringe on my prior determination and yield to him.

Mr. BORAH. I should like to ask the Senator one question.

The VICE PRESIDENT. Does the Senator from West Virginia yield for that purpose?

Mr. GOFF. Certainly.

Mr. BORAH. When, in the judgment of the Senator, did the title to this office inure to the appointees?

Mr. GOFF. When they took the oath of office.

Mr. BORAH. Not until then?

Mr. GOFF. Not until they were duly inducted into the office and were in a position authoritatively to discharge its functions and perform its duties.

Mr. BORAH. I will ask the question in a little different language: When were the appointees entitled to take the oath of office?

Mr. GOFF. They were entitled to take the oath of office as soon as the Senate notified the President of the United States that it had advised and consented to their nominations.

Mr. BORAH. If I understand the Senator correctly, I disagree with the Senator somewhat; but I will not discuss that matter now.

Mr. WHEELER. Mr. President, will the Senator yield for just one question?

The VICE PRESIDENT. Does the Senator from West Virginia yield to the Senator from Montana?

Mr. GOFF. Yes; I yield.

Mr. WHEELER. Assuming that the Secretary of the Senate notified the President without any authority from the Senate, and the President appointed the nominee, would the Senator still contend that he was duly entitled to his office?

Mr. GOFF. If the President has appointed?

Mr. WHEELER. Yes. If I understand the Senator's argument, he contends that whenever the Secretary of the Senate notifies the President that the Senate has confirmed one of these men, and the President acts upon that notification, that gives the man a vested right in the office.

Mr. GOFF. Yes.

Mr. WHEELER. Assuming that the Secretary of the Senate, without any right or authority, advised the President that the Senate had confirmed before the time he should have done so, would the Senator say, under those circumstances, that the officer had a vested right in the office?

Mr. GOFF. I say yes; that the appointee then would have a vested right in the office, and the only way he could be deprived of that vested right would be by removal by the President or impeachment.

Mr. WHEELER. How could the agent of the Senate, how could the Secretary of the Senate, advise the President in the event the Senate had not authorized him to do so and thereby give the officer some vested right?

Mr. GOFF. Let me read to the Senator the applicable portion of the Constitution, paragraph 2 of section 2 of Article II of the Constitution. It reads:

> The President shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate and, by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law; but the Congress may by law vest the appointment of such inferior officers as they think proper in the President alone. * * *
>
> The President shall have power to fill up all vacancies that may happen during the recess of the Senate by granting commissions, which shall expire at the end of their next session.

Mr. WHEELER. That does not in any wise answer my question or have any bearing upon it at all. I am familiar with the provision the Senator has read.

Mr. GOFF. The bearing it has is this: The President receives notice that the Senate has acted. I do not see any reasonable argument which can be advanced which would convince me that the President was required, before he could act under the constitutional provision which I just read, again to inquire whether the officer of the Senate was authorized to make the notification which he, the President, had received.

Mr. WHEELER. If the Senator will pardon me, it seems to me the plain rules of agency would apply. Assuming that the Secretary of the Senate did an unauthorized act, and the President acted upon it, I can not believe the Senator would contend that under those circumstances the officer had a vested right.

Mr. GOFF. Let me say in reply to the suggestion the Senator has made about the law of agency, suppose information is brought to the principal—and to apply the rules of agency the President must be considered the principal—which, assuming it to be correct, justifies the principal in giving certain directions to the agent, and those directions are given and the agent executes the authority so received from the principal. Under such circumstances and conditions, if that authority is communicated, the only person who can change it is the principal. The President received this notice, the President acted upon it, and after the President, receiving this notice in due course, acted, the only way these men so appointed can be removed is by the President or through impeachment by the Congress of the United States.

Mr. BROOKHART. Mr. President——

The VICE PRESIDENT. Does the Senator from West Virginia yield to the Senator from Iowa?

Mr. GOFF. I yield for a question.

Mr. BROOKHART. The Constitution of the United States authorizes the Senate to make its own rules.

Mr. GOFF. Certainly.

Mr. BROOKHART. And, if the Senate makes a rule providing for reconsideration of a nomination, it would become just as binding on the President and everybody else as the Constitution itself.

Mr. GOFF. Mr. President, the substance of what is embodied in the question of the Senator from Iowa was duly considered by the Supreme Court of the United States in the case of Myers *v.* United States, decided at the October term, 1926, reported in volume 272, United States Reports, pages 53 to 295. The Supreme Court in that case was discussing the question whether the President had the power to remove postmasters, and the opinion, written by Chief Justice Taft, after a discussion ranging over many pages of this very long judgment of the court, contains this statement:

> Section 6 of the act of July 12, 1876, providing that "Postmasters of the first, second, and third classes shall be appointed and may be removed by the President by and with the advice and consent of the Senate and shall hold their offices for four years unless sooner removed or suspended according to law," is unconstitutional in its attempt to make the President's power of removal dependent upon consent of the Senate.

Mr. President, when the President of the United States is notified by the Senate that he can proceed to carry out and execute an appointment which is the culmination of a nomination sent to the Senate, the President then has a right, accordingly, to act, and when the President has acted he has created a vested right in and to the office in the nominee, who has become the duly accredited appointee, and the only way to remove the officer under those circumstances, if we are to observe and follow the Constitution of the United States, is to have the President exercise the power of removal or the Congress to proceed to impeachment. Otherwise what happens? We have rules and regulations, inadvertencies, failure to comply with the law technically, and possibly on many other debatable grounds, submitted to the President; and he must be then always in this position, "Have I authority to proceed, after the Senate has duly notified me that it has advised and consented to this nomination, to go on and make this appointment complete?"

We would have absolutely no settled state of procedure if such should be the rule, and the Supreme Court in this long opinion has clearly and definitely stated that no such rule or regulation would be in any sense of the word constitutional, because it would require the power of the executive division of our Government to depend upon some rule or interpretation of the Senate, one of the correlative branches of our form of government.

Mr. BROOKHART. Mr. President, the Senator concedes that the Senate's rule is constitutional, does he not?

Mr. GOFF. I do not consider that the Senate rule is constitutional if the Senate rule tries to invade the power of removal which is in the President, and in the President alone.

Mr. BROOKHART. This rule only seeks to settle the Senate's own proceedings, and this period of uncertainty the Senator mentions can last only until the Senate has had two executive sessions.

Mr. GOFF. I do not think the question of the length of its duration has anything whatsoever to do with the question.

Mr. BROOKHART. When the notice is sent to the President, he must take notice of the Senate rules, the same as anybody else must.

Mr. GOFF. If the Senate sends a notification to the President, the President has the right to assume that the Senate has no further desire that he withhold the action which he is to take in completing the appointment.

Mr. BROOKHART. Does the Senate rule so say?

Mr. GOFF. Oh, no; but the Senate can clearly, under these circumstances, waive any of its rules, which the President has the right to assume has been done when this notification duly comes to him.

Mr. BROOKHART. But the rule itself provides for the recall of its notice to the President; so the notice does not waive any rule.

Mr. GOFF. The rule calls for that; but if the rule in calling for that is carried out, what is the effect? The President may have done everything within his power to execute the nomination. The President, then, after he has executed the appointment, sends back to the legislative department the papers which have been received by the executive department, and then the legislative department undertakes, after that, to recall its advice and consent to the nomination. If the Senate does that, then the Senate has clearly invaded the removal power which resides solely in the Executive, and its rule and procedure is unconstitutional.

In the Myers case—and I am reading from it because it has the matters to which I wish to refer conveniently collected—it is stated, on page 169, in the opinion by Chief Justice Taft:

> In March, 1886, President Cleveland, in discussing the requests which the Senate had made for his reasons for removing officials, and the assumption that the Senate had the right to pass upon those removals and thus to limit the power of the President, said:
>
> "I believe the power to remove or suspend such officials is vested in the President alone by the Constitution, which in express terms provides that 'the executive power shall be vested in a President of the United States of America,' and that 'he shall take care that the laws be faithfully executed.'
>
> "The Senate belongs to the legislative branch of the Government. When the Constitution * * * superadded to its legislative duties the right to advise and consent to appointments to office and to sit as a court of impeachment, it conferred upon that body all the control and regulation of executive action supposed to be necessary for the safety of the people; and this express and special grant of such extraordinary powers not in any way related to or growing out of general senatorial duties, and in itself a departure from the general plan of our Government, should be held, under a familiar maxim of construction, to exclude every other right of interference with executive functions."
>
> The attitude of Presidents on this subject has been unchanged and uniform to the present day whenever an issue has clearly been raised. In a message withholding his approval of an act which he thought infringed upon the Executive power of removal, President Wilson said (on the 4th of June, 1920):
>
> "It has, I think, always been the accepted construction of the Constitution that the power to appoint officers of this kind carries with it as an incident the power to remove. I am convinced that the Congress is without constitutional power to limit the appointing power and its incident the power of removal, derived from the Constitution."
>
> And (on the 13th day of February, 1924) President Coolidge, in a message to Congress in response to a resolution of the Senate that it was the sense of that body the President should immediately request the resignation of the then Secretary of the Navy, replied:
>
> "No official recognition can be given to the passage of the Senate resolution relative to their opinion concerning members of the Cabinet or other officers under Executive control.
>
> "* * * The dismissal of an officer of the Government, such as involved in this case, other than by impeachment is exclusively an Executive function. I regard this as a vital principle of our Government."

My position, in the light of these decisions, construing as I do Rule XXXVIII of the Senate, is that if the Senate notifies the President of the United States that it has advised and consented to the appointment of the nominees whose names have been sent to it, then the President of the United States has an absolute right to proceed to execute those nominations by duly appointing them to the office to which he has named them. If the Senate thereafter can come in and say, "We have the right to recall these names; we have a right to reconsider these names; we have that right because we feel that our rules were not properly waived; we have the right because it is our settled conviction that the notice was sent to the President as a result of inefficiency or mistake"—if that can be done, then I say that the legislative body, contrary to the rules and decisions of the Supreme Court of the United States construing this power, is infringing upon the executive authority to exercise the power of removal or upon the law that gives the Congress of the United States and no other body the right to initiate impeachment.

I say that after these names and notices have been sent to the President if this rule is to be invoked because within two days' time the Senate moves a reconsideration, if the rule is to be given the force and effect which is contended here by the several Senators who have discussed these views, then it is an encroachment upon the executive power of the President of the United States and renders unsettled and

uncertain any action that can be taken in such a matter. If such a rule under these conditions is to be followed, then I say that it is unconstitutional because it is invading the executive field.

Mr. BROOKHART. Mr. President——

The PRESIDING OFFICER (Mr. SHORTRIDGE in the chair). Does the Senator from West Virginia yield to the Senator from Iowa?

Mr. GOFF. I yield to the Senator from Iowa.

Mr. BROOKHART. The Senator speaks of the President proceeding to execute the appointment after the notice is sent to him. The President completed all of his duties toward executing the appointment when he sent the appointment down to the Senate, did he not?

Mr. GOFF. No.

Mr. BROOKHART. What does he do afterwards? What is there in the rule or the law that he must do to complete that appointment after he gets the notice?

Mr. GOFF. He must authorize the nominee by appointment to take the oath of office and he must see that this is done by some one authorized to execute that office for him.

Mr. BROOKHART. The nominee can go before a justice of the peace, as McNinch did down in North Carolina, and take the oath. There is no limitation as to where he can take the oath.

Mr. GOFF. That is all very true, but the taking the oath is within the power of the Executive.

Mr. BROOKHART. There is not anything for the President to do after he has made the appointment, so far as I can find in any law or rule or anywhere else.

Mr. GOFF. Except to make out the commission, which is done as evidence of the appointment. I do not for one moment concede that after the President has received such a notice he has not the authority to withhold any and all right of the nominee so confirmed to take the office. The nominee so confirmed must receive his notice from the President of the United States before he can be duly inducted into office. I will make this further statement in connection with the argument I am now advancing, that if a nominee so confirmed by the Senate proceeds to be sworn in in some State by some justice of the peace without receiving the authority of the President of the United States to that effect, then he is not duly inducted into office.

Mr. BLAINE. Mr. President——

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from Wisconsin?

Mr. GOFF. I yield.

Mr. BLAINE. Does the Senator contend that an officer of the Senate, through inadvertence, carelessness, or mistake, or by intention, can waive a Senate rule on behalf of the Senate?

Mr. GOFF. I certainly contend that if the President has received notice from the duly authorized agency source he has a perfect right to rely upon that notice and to proceed to execute all of his executive functions.

Mr. BLAINE. Even though the notice may have been prematurely given?

Mr. GOFF. The Senator from Wisconsin knows, as a lawyer, that when the President of the United States, regardless of whether it was done purposely or whether it was done inadvertently, receives notice by an agent of the Senate, acting within the scope of his apparent authority, that it has taken or refused to take such action as he requested it to take, then the President is justified in proceeding to execute all of the authority then resident in him under the Constitution of the United States. When he has executed that authority, I say there is no power left in the Senate of the United States to recall what the President has then done. The only way to correct the situation, if it requires correction, is to have the President exercise the power of removal or the Congress proceed to impeachment.

Mr. BLAINE. Will the Senator further yield?

Mr. GOFF. For one more question. I want to conclude very soon.

Mr. BLAINE. I have another question I would like to ask the Senator in this connection while the matter is under discussion. Under the Constitution, when a bill passes both Houses and is approved by the President, it becomes a law. Does the Senator claim that if a bill passes both Houses and some clerk intentionally or inadvertently or willfully or for any other motive carries that bill to the President of the United States before it has gone to the committee on enrollment or engrossment, the bill has become a law, it having passed both Houses of Congress and been approved by the President? Does the Senator contend a subordinate of the Senate can waive a rule of the Senate on that question?

Mr. GOFF. I say that the bill has then become a law and that if it is desired to rectify the inefficient or unauthorized act of the agent, the only way is for the Congress of the United States to rescind, as it would have the power to do, the action so taken by the Executive by passing another and distinct law. There is no question about that unless the Senator contends that before the Executive can act the Executive must check and double check back upon the efficiency of the legislative departments of the Government. That is not required of the President under any such circumstances or conditions. The President then proceeds because he has been duly notified by the official of the legislative branch concerned that action has been taken which not only permits but justifies the application of Executive power to the point of its full execution, and that is exactly what the President did in this case.

Mr. BLAINE. Does the Senator's contention go to the extent that when the President ascertains a fact as to action of Congress, as the President may ascertain that fact, by newspaper report or by some messenger or by some telephone communication or by some other means other than the means specifically set out by the rules of the Congress, he may then act?

Mr. GOFF. No; I do not contend that, let me say to the Senator from Wisconsin; but what I do contend is that the only way to right such a situation is by removal or impeachment proceedings. I can well see that if the President's notification was received through some such hearsay source as the Senator from Wisconsin suggests, and that fact was brought to the attention of the President, the President would not have the authority to make the appointment unless the information so conveyed was subsequently legislatively confirmed. The President could, of course, refuse to recognize the reported confirmation as not coming to him in due course; or he could remove an official duly appointed if it should be shown to him that an apparently proper notification was the result of an overt act in a conspiracy to override and supersede the legislative function involved. That is the only way that such an appointment can be recalled.

Mr. BLAINE. I merely want to suggest that I am very much in disagreement with the Senator on that point.

Mr. GOFF. I, of course, knew that without the Senator telling me so.

Mr. HASTINGS. Mr. President——

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from Delaware?

Mr. GOFF. I yield.

Mr. HASTINGS. I want to inquire whether, in appointment by the President under the Constitution, there are not three steps to be taken in this order. The language is that "he shall nominate," which means that he shall send the name of a person to the Senate. The second is that he shall get the advice and consent of the Senate, and he gets that done. Those are the two steps in that order. Then he shall appoint, making three steps in order that the person may receive the appointment. Is that the Senator's view?

Mr. GOFF. That is my understanding, and I read a short time ago, as the Senator from Delaware will recall, those provisions of the Constitution, and those three steps which the Senator has now called attention to were read by me in the course of my reply to the junior Senator from Montana [Mr. WHEELER].

There must be a nomination; there must be a ratification of that nomination by the Senate, in the form of advice and consent; then there must be an appointment by the President before the nominee can take office.

Mr. HASTINGS. I asked the question because I did not think the Senator made himself clear in answer to the question asked by the Senator from Idaho with respect to that matter.

Mr. GOFF. I might not have made myself clear to the Senator from Idaho, and I did not read from the Constitution the language referred to when answering his question, but I did so in reply to the subsequent question asked by the Senator from Montana.

Mr. HASTINGS. The Senator from Iowa asked a question on which I wanted to get the Senator's judgment with respect to what is called the recall of the advice and consent of the Senate. I want to read this rule:

> But if a notification of the confirmation or rejection of a nomination shall have been sent to the President before the expiration of the time within which a motion to reconsider may be made, the motion to reconsider shall be accompanied by a motion to request the President to return such notification to the Senate.

Does the Senator understand that rule to mean that such motion is anything more than a request, or that the Senate is at that time in a position to demand the return of the notification if the President should conclude not to comply with the request?

Mr. GOFF. I understand that the Senate in carrying out that rule is merely legislatively requesting the President, if he is so advised, to return to the Senate the papers and the notification which he received, because of the decision that the Senate has no jurisdiction to act in the premises unless it shall have before it the papers which were sent to the President subsequent to its giving its advice and consent to the nomination. Does that answer the Senator's question?

Mr. HASTINGS. That answers the question.

Mr. GOFF. That has been clearly the rule as interpreted and established by the courts. In answer to the question propounded by the Senator from Wisconsin, who I notice is not now in the Chamber, let me say that in the case of Field against Clark, reported in One hundred and forty-third United States Reports at page 649, the Supreme Court decided:

> The signing by the Speaker of the House of Representatives and by the President of the Senate in open session, of an enrolled bill, is an official attestation by the two Houses of such bill as one that has passed Congress; and when the bill thus attested receives the approval of the President, and is deposited in the Department of State according to law, its authentication as a bill that has passed Congress is complete and unimpeachable.

I have been through this decision, Mr. President, with great care and it is there clearly shown that after the legislative bodies involved, and after the Executive, whose signature must be attached, have each of them executed and performed their constitutional functions there is no authority resident in either body or in the President, as the head of the executive branch of the Government, in any way to impeach the validity of such a bill. How such a bill can be corrected is obvious, namely, by legislation that either revokes it or changes it.

The same rule is directly applicable to the case of an appointment. The President sends in the nomination——

Mr. WHEELER. Mr. President, will the Senator yield to me?

Mr. GOFF. In just a moment. The nomination is received by the Senate. The Senate then clearly advises and consents to the nomination, and if the president has been notified that the Senate has taken this action and he immediately sees fit to complete the nomination by executing the constitutional prerogative of appointment, then, when he has done that, I say there is no power in the Senate to recall that nomination which the Senate has passed upon and to reconsider it, and at the same time revoke everything that the Executive, in reasonable and proper reliance upon the notice received, has done in the exercise of his constitutional rights.

I do not see, Mr. President, how such a rule can be constitutionally and properly retained by the Senate unless it shall be amended so as to read, "Notice to this effect shall not be communicated to the Executive, even by unanimous consent, until two days shall have elapsed from and after the giving of the advice and consent."

The Senate did in all these cases waive the two days' notice, because as soon as these men were confirmed the Vice President or the President pro tempore said, "The nomination has been advised and consented to, and the President will be notified." If that is so, the Senate in open executive session waived any right then to turn back after this notification and this justification of the action on the part of the Executive and say, "We had two days' time in which to recall all of these things. Mr. President, return these papers to the Senate, in order that the Senate may, because "—if I may use the term—" of some newly discovered evidence, revoke the action which it has taken." We do not as a legislative body, Mr. President, desire to add any such confusion whatsoever to our proceedings.

If it is desired to retain such nominations in the Senate after the Senate has advised and consented to them for a period of two days, then our rule should read as I have indicated:

> The Secretary of the Senate shall not advise the President of the action taken in open executive session until the expiration of two legislative days from and after the day on which the vote was recorded.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield for an inquiry?

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from Arkansas?

Mr. GOFF. I yield.

Mr. ROBINSON of Arkansas. I have been very much interested in the discussion of the Senator from West Virginia, and I realize that there is a question which logically, which inevitably, arises as to the effectiveness of the motion which the Senator is discussing. I should like, however, to inquire of the Senator whether he thinks it would be within the power of the President to comply with the motion if it should prevail?

Mr. GOFF. I do not think that the President has any power under the Constitution to comply with this motion by returning the nominations and the papers affecting the confirmation of the power commissioners.

Mr. ROBINSON of Arkansas. I should like to ask one further question. Then, it follows that the rule, in its application to this case, is violative of the Constitution?

Mr. GOFF. I think so, and I so stated, if I may say so to the Senator from Arkansas, a short time ago in answer to a question which he then propounded.

Mr. ROBINSON of Arkansas. The Senator concedes that the Constitution authorizes the Senate to make its own rules?

Mr. GOFF. Yes.

Mr. ROBINSON of Arkansas. And that in pursuance of that authorization the Senate has made the rule which is here in question?

Mr. GOFF. That is correct.

Mr. ROBINSON of Arkansas. But he thinks that the rule which is involved is in excess of the powers conferred on the Senate in the Constitution by the provision authorizing the Senate to make its rules?

Mr. GOFF. That is the position which I take. I shall not again read it into the RECORD, but the Senator will recall that I cited a portion of the decision of Chief Justice Taft in the case of Myers against the United States, involving the contention of the Senate that the President could not remove a postmaster unless he obtained the advice and consent of the Senate. The court there held that such a rule was unconstitutional in attempting to make the power of removal by the President dependent upon the consent of the Senate.

Mr. ROBINSON of Arkansas. I concede that under the decision to which the Senator has referred the Senate can have no part in the removal of officers; that that, according to the decision referred to, is a purely executive function; but the Senator will possibly give consideration to this suggestion—and I am really seeking information on the subject——

Mr. GOFF. I realize that.

Mr. ROBINSON of Arkansas. The Constitution vests in the Senate the power of confirmation.

Mr. GOFF. Yes, sir.

Mr. ROBINSON of Arkansas. And it is coequal with the power of the President with respect to nominations.

Mr. GOFF. That is correct.

Mr. ROBINSON of Arkansas. Neither can be effective without the other.

Mr. GOFF. Exactly.

Mr. ROBINSON of Arkansas. The Constitution gives to the Senate the power to make rules governing its procedure. The Senate, in the exercise of that power, has made a rule governing its procedure with respect to the confirmation of nominations, and it has provided that at any time after a nomination has been confirmed, within the first two executive sessions following the confirmation, a motion to reconsider may be made if there is coupled with it a motion to request the President to return the papers relating to the nomination.

Mr. GOFF. That is correct.

Mr. ROBINSON of Arkansas. I am utterly unable to see at this stage of the debate why such a rule is violative of the Constitution, the Senate having the power to make its rules for the regulation of its own conduct. It may raise the question as to whether the President is compelled to return the papers; it may involve the issue as to whether the Executive is required to do what the Senate asks him to do; but I wish to point out to the Senator from West Virginia that in the course of my study of this subject, which I admit has been limited, this thought has been prominent in my mind: Throughout the debate the statement has been made that the first act of these three members of the commission, following their inauguration into office, was to penalize employees of the commission who, it is said, have merely performed their duties. The assertion is made by no less a responsible authority than the Senator from Montana [Mr. WALSH], and it has not been contradicted by any Senator who has spoken, that in the exercise of an arbitrary power, and as an act of injustice, these three members of the commission, before the time for reconsideration of its action by the Senate had expired, performed an act of gross injustice, in that they expelled from the service of the Government two of the employees of the commission who were performing their duty, and who were penalized for the performance of their duty.

That statement has been repeatedly made here, and not contradicted by anyone—that as the price of loyalty to duty, these men, public officers, have been decapitated, and that, within the period during which the Senate might reconsider its action under its rules made pursuant to the Constitution, or in violation of it, if you please, they have been removed from office for the simple reason that they have been performing their public duty.

I realize that the statement has been made that the object of the commission was to terminate a clash within the commission, a controversy within the commission. That is a question of fact concerning which I have no knowledge except as it grows out of the statements that have been made here. I should like to point out to the Senator from West Virginia, however, that under the state of this record as it has been so far made it might be true that the President would be willing to respond to the request of the Senate even though the Senate may not have the power to compel him to do so; and I am wondering——

Mr. GOFF. Mr. President——

Mr. ROBINSON of Arkansas. Will the Senator permit me just one further statement?

Mr. GOFF. Certainly.

Mr. ROBINSON of Arkansas. I have been waiting for the development of this issue. I have been wondering whether any Senator would question the allegation upon which this motion is primarily based; namely, that it was an exercise of arbitrary authority to penalize men who, as employees of this commission, had performed their public duty.

Under that state of the record, undisputed and uncontradicted so far as the record has been made up, I should feel justified in resolving my doubt as to the effectiveness of this motion in favor of simple justice.

Mr. GOFF. Mr. President, let me say to the Senator from Arkansas that in reaching a correct understanding and decision of the purport and meaning of any law or any constitutional provision we are not to be moved or influenced by sympathy. We are not to be controlled by what we think an investigation of the facts would disclose in the sense of a moral justification of what we have done. We are to take the law and construe the law. We are to take the Constitution and read it in the light of the debates in the constitutional convention, and, as the courts have said, in the first, second, third, fourth, and fifth sessions of the Congress of the United States, when the Constitution was being considered and interpreted by men who had been the prominent leaders in the constitutional convention.

I have tried to study carefully and efficiently the debates and the contentions which were advanced in regard to the full meaning and the extensive scope of the Constitution in regard to such matters and I have reached the conclusion that we can not by any legislative act, no matter how justifiable in morals it might be, invade the executive field. We can not do it because other ways and means are provided under our form of government for effectuating that very purpose and reaching that end. Let me say further to the Senator from Arkansas that it is my judgment, that if an investigation of these facts would in any sense disclose that the action of these officials was unjustifiable, that it was unreasonable, that it was actuated by a desire to punish efficient and faithful officials, then it does not lie within the power of the Senate to invade the executive field after it has given the Executive notice of its action, and he has carried out the constitutional authority resident in him by saying, "Let us call all this back, Mr. President, because we could have held up this notification for a period of two days. We did not do so. We sent it to you."

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield?

Mr. GOFF. Yes.

Mr. ROBINSON of Arkansas. My statement does not, as I conceive it, involve any trespass of the legislative department on the jurisdiction of the Executive.

Mr. GOFF. Will the Senator yield right there?

Mr. ROBINSON of Arkansas. Just one moment, if the Senator will permit me.

Mr. GOFF. Certainly.

Mr. ROBINSON of Arkansas. I think it is quite significant that after the declaration was made just a moment ago from my desk that underlying the motion which we are considering is a question of simple justice, and that I was interested to know whether any Senator controverted the statement that had been made from time to time on this floor that in the exercise of an arbitrary power, in abuse of authority, two employees of the commission have been penalized for performing their duty, no reply is made to that, but the answer is that "because you waived, under your rules, the right to notify the President two days later than you did notify him you have estopped yourselves from making any effort to do what you ought to have done in the first instance in the exercise of your power of confirmation."

I doubt whether that is true. I say again that to me there is conscientious force in the argument made by the Senator from West Virginia as to the power of the Senate to compel the Executive to return these nominations that have been confirmed here; but I repeat that there is nothing within my knowledge which makes me assume that if this commission has abused its authority, as is contended here, the President will refuse to comply with the recommendation or request of the Senate.

Mr. GOFF. Mr. President, just one more word and I shall have yielded the floor.

I shall not repeat the argument which I advanced yesterday, that I could not say that there was any motive to punish these executive officials of the Power Commission by

removing them from office because of what they had done. The argument yesterday proceeded along the line as I advanced it, let me say to my friend from Arkansas, that there was no personal injustice inflicted upon these members of the executive staff. I know that when I said they were automatically removed by the law it did not satisfy many of my friends on the opposite side of the Chamber, because they did not agree with the major premise of my syllogism.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield?

Mr. GOFF. Certainly.

Mr. ROBINSON of Arkansas. The Senator has referred to the sides of the Chamber. I do not understand that this is a partisan question.

Mr. GOFF. No; I do not, either.

Mr. ROBINSON of Arkansas. But the Senator is making it a partisan question, or apparently seeking to do so, by implying that he was able to convince all on the other side of the Chamber, and unable to convince those on this side of the Chamber. Now, I want to determine this matter—the Senator may not think that is true, and I do not censure him if he does not think it is true—but, conscientiously, I should like to determine this question according to the standards of common justice, the rules of right and reason that apply among men here in the Senate and elsewhere.

Mr. GOFF. Mr. President, I want to determine this question according to the Constitution of the United States and the decisions of the Supreme Court of the United States construing the rights of the executive and the rights of the legislative branches of this Government. I am not concerning myself in this discussion in the slightest with the question of the justice or the injustice of what was done. Let me say to my friend from Arkansas that I am not actuated in what I am doing by any partisan or by any political motive whatsoever. I referred to the argument yesterday. There were no interruptions on this side of the Chamber. I welcomed the interruptions that my learned legal friends from the other side advanced.

Mr. ROBINSON of Arkansas. I see now what the Senator had in mind. He did not make it clear. He was interrupted from this side, but I thought he was interrupted from the other side of the Chamber repeatedly.

Mr. GOFF. I do not recall it.

Mr. ROBINSON of Arkansas. I think, if the Senator will look back at the CONGRESSIONAL RECORD, he will find that he was more frequently interrupted by Senators who sit on the other side of the Chamber than by those of us who sit on this side.

Mr. GOFF. I should dislike to do that, because that would involve the strength of the memory of my friend and myself; and I will not purposely place his or my recollection in the scales of invidious comparison.

Mr. ROBINSON of Arkansas. No; not in the least, because the infallible record to which we all turn for verification, and which none of us read unless compelled to do so—the CONGRESSIONAL RECORD—will disclose that the interruptions of the Senator from West Virginia came for the most part from the other side of the Chamber. I do wish, however, to conclude my interruption by saying that the Senator has been kind in yielding to everyone, and I have listened to his argument with a great deal of interest; and I have been rather amazed that everyone puts this issue more upon technical ground than upon the ground of actual justice.

Mr. GOFF. Mr. President, let me say this to the Senator: It is not a technical ground, if he will permit me to disagree with the use of terms to which he resorts; it is, as I see it, a constitutional ground. The Constitution does not deny these men, or does not prohibit those who advocate their rights, from seeking a vindication for them through either a removal of their appointments by the President, or an impeachment proceeding initiated in the House of Representatives and tried in the Senate of the United States.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield just once more? I want to add a statement.

Mr. GOFF. I yield.

Mr. ROBINSON of Arkansas. I think it pertinent at this juncture to say that under ordinary conditions I do not think the Senate should or would attempt to pursue a course which might be calculated to influence commissions or the heads of departments in the selection of their subordinates. The same right which Senators enjoy in a less comprehensive measure must be granted to executives. There ought not to be the impairment of the right of the Executive to choose his lieutenants, his agents. But I point out again and again that the very significant statement has been made here repeatedly that the reason for this motion grows out of the fact that the commission, or certain members of it, exercised its powers arbitrarily to penalize persons for doing their duty, and I think that creates a different situation, not a different constitutional situation, perhaps, but a different situation in so far as it relates to actual human justice.

Mr. BORAH. Mr. President, will the Senator yield?

Mr. GOFF. In just a moment. Let me say, in reply to what the Senator from Arkansas has just said, that it all depends upon our convincing each other of the correctness of the propositions advanced, that either he must agree with my construction of the legal effect of this law, or I must agree with his view, that an injustice has been done these men which can be remedied, possibly more quickly, by recalling these nominations and resubmitting them to the Senate.

I want to add this: Time and time again have I heard the action of Federal judges criticized as inhuman, as vindictive, as clearly without any sympathy, as depending somewhat upon judicial legislation in reaching the conclusions at which they arrived before they inflicted the punishment of the law involved, and it has been said, "You should have these judges investigated," and there has been and is only one answer, "Have them impeached if they have been guilty of misusing their great judicial power and inflicting inhuman action upon the people who come within their jurisdiction or their control."

It is my view here that we have no right to recall the executed, vested rights of the Executive at this time in order to undo by indirection that which we could not as a legislative body do directly.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield to me for one further statement?

Mr. GOFF. I yield.

Mr. ROBINSON of Arkansas. I have said that I have some doubt as to the power of the Senate to compel the President to return the notification of the confirmations. But that does not imply that I believe the Senate had no power to adopt the rule which it has adopted. So far as I know, throughout a long period, the validity of that rule has never before been questioned. Usually, when a nomination is confirmed as a pro forma matter, we say the President shall be notified. But if the Senate had the power to adopt the rule which it has adopted, if it was a valid exercise of the authority conferred on the Senate by the Constitution to make rules for its own procedure, then notice must be taken of the rules which are formulated pursuant to that authority, and is within the limitation of the authority, and it is not clear to my mind by any means that the rule is void. I am inclined to think that it would be sustained. But I repeat, there is a doubt whether under the circumstances of this case, if the President refuses to do so, there is any authority to compel the return of this notification. But I have thought, in view of the peculiar issue which underlies the questions as they have been raised here, perhaps the President would be glad to contribute to the fullest information possible concerning the subject.

I want the Senator to understand now that I do not attempt to preclude the question as to the rights of these men to hold the offices to which they have been nominated. I think that if this issue had arisen before the nominations had been confirmed, if it had been possible for the issue to have been considered then, in all probability the confirmations would not have been made; and since the rule does reserve to the Senate the right to reconsider its action under the circumstances which we are considering, since the Constitution does give the power to make rules for its own

procedure, I am inclined to think, though I have some doubt about the matter, that the reconsideration of the nominations would be a valid exercise of our authority.

Mr. GOFF. Mr. President, I want to say to the Senator from Arkansas, and then I desire to yield to the Senator from Idaho, that my contention is that the Senate rules and regulations can not invade the field of the Executive, and when they attempt to do so they are unconstitutional. I do not disagree with his contention that the Constitution gives the Senate the right to adopt such rules and regulations and orders as will expedite and bring about a definite action in its proceedings.

Mr. ROBINSON of Arkansas. There is no limitation of that nature on the power conferred on the Senate. The Senate could adopt rules which would work an entirely different result.

Mr. GOFF. That is quite correct.

Mr. ROBINSON of Arkansas. And some think we have done that.

Mr. GOFF. Those rules would not possibly, if they encroached upon either the judicial or the executive branch of our Government, be constitutional. I most sincerely wish to leave that view with the Senate. There is no use in our continuing to argue matters upon which we possibly have a divergent view in our initial conception of them.

Mr. BORAH and Mr. GLASS addressed the Chair.

The VICE PRESIDENT. Does the Senator from West Virginia yield; and if so, to whom?

Mr. GOFF. Now I yield to the Senator from Idaho, as I promised to do a moment ago.

Mr. BORAH. Mr. President, the Senator with great adroitness—and I use that term in an entirely respectful way—and with great force has argued that we can not invade the powers of the Executive. I agree with the Senator upon that proposition. If these men are legally in office, there is no way for the Senate to get them out. I agree with that. But the question is, When were these men entitled to take the office?

In the first place, the constitutional power to nominate is in the President, and he nominated. The constitutional power to confirm is in the Senate, and we confirmed. The constitutional power is also in the Senate to make rules and regulations; and if we make reasonable rules and regulations, then, in my opinion, these men are not entitled to take the offices to which they were chosen until the Senate had finally determined the matter under the reasonable rules and regulations of the Senate. It does not seem to me that the notice to the President has any legal or constitutional effect here whatever, because if we had confirmed these gentlemen, had moved to reconsider, and had disposed of that, and had never notified the President, the men would undoubtedly have been entitled to take their oaths; they would have been entitled to the offices. It is my judgment that when the officers have been confirmed under the rules and regulations of the Senate, assuming that they are reasonable rules, they are entitled to take the offices, whether the President is notified or not.

Mr. GOFF. Mr. President, I see that it is nearly 2 o'clock, and I want to yield to the Senator from Virginia, and then I want to say just a word in closing.

Mr. GLASS. Mr. President, the Senator from Idaho [Mr. BORAH] has so much more explicitly and clearly stated the proposition which I had risen to advance that I see no necessity of my propounding the question.

Mr. WALSH of Montana. Mr. President, I think the Senator from Idaho might have added as well that it is not necessary that the officers have commissions from the President.

Mr. BORAH. Quite so.

Mr. WALSH of Montana. As soon as the Senate has confirmed a nomination the appointment is made and the man is entitled to be sworn in and take his office.

Mr. GOFF. Mr. President, let me say in reply, in reference to the commission, the Senator from Montana is referring to what has been universally called the obiter dictum of the Marbury case. The expression was not involved in the decision of Chief Justice Marshall, but it was purely obiter dictum. It was read yesterday by the Senator from Idaho. I do not see the necessity of replying to that, and I will not.

What I do want to say, in closing, is this: That the Constitution of the United States, as I have read it here, as the senior Senator from Delaware [Mr. HASTINGS] has read it, provides three steps which must be take in order to bring about a legal and constitutional nomination and appointment to an office to which the advice and consent of the Senate must be obtained: That is, first, a nomination sent in to the Senate by the President; secondly, as the Constitution says, the advice and consent of the Senate—nothing is said about its rules and regulations; and, third, as the Constitution says literally and expressively, appointment by the President.

Mr. WALSH of Montana. So the Senator disagrees with Chief Justice Marshall?

Mr. GOFF. I disagree with him.

Mr. WALSH of Montana. On that point the Senator disagrees with Chief Justice Marshall.

Mr. GOFF. I know that the commission is merely legal evidence of what the President has done. But I say this: That under no circumstances can the President of the United States allow any man to take office after he has been confirmed by the Senate and the Senate has notified him unless he first notifies the confirmed nominee of his right to the appointment.

Mr. GLASS and Mr. WALSH of Montana addressed the Chair.

The VICE PRESIDENT. Does the Senator from West Virginia yield; and if so, to whom?

Mr. GOFF. I yield to the Senator from Virginia.

Mr. GLASS. The point right there is as to what constitutes advice and confirmation on the part of the Senate. The advice and confirmation of the Senate must be under the constitutional rules of the Senate.

Mr. GOFF. Oh, that assumes that the rules are unconstitutional. If the Senator had followed my argument——

Mr. GLASS. I have followed it.

Mr. GOFF. With which the Senator from Arkansas [Mr. ROBINSON] said he was in many instances very much inclined to agree, he would have noted that I advanced the proposition that the rules of the Senate exceed the legislative authority of the Senate and are not constitutional.

Mr. GLASS. Of course I do not agree with that statement.

Mr. GOFF. I do not suppose the Senator does. If he agreed with me we would not be contending.

Mr. President, with the many interruptions I have taken more time than should have been consumed, and I now yield the floor with the settled conviction that the motion of the Senator from Montana should not under any circumstances be adopted, and that under no conditions should the request made of the Executive which the motion involves be adopted.

Mr. ROBINSON of Arkansas obtained the floor.

Mr. BRATTON. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from New Mexico?

Mr. ROBINSON of Arkansas. I yield.

Mr. BRATTON. I note the absence of a quorum.

The VICE PRESIDENT. Does the Senator from Arkansas yield for that purpose?

Mr. ROBINSON of Arkansas. I do.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Caraway	Glass	Jones
Barkley	Carey	Goff	Kean
Bingham	Connally	Goldsborough	Kendrick
Black	Copeland	Gould	King
Blaine	Couzens	Hale	La Follette
Blease	Cutting	Harris	McGill
Borah	Dale	Harrison	McKellar
Bratton	Davis	Hastings	McMaster
Brock	Dill	Hayden	McNary
Brookhart	Fess	Hebert	Metcalf
Brousard	Fletcher	Heflin	Morrison
Bulkley	Frazier	Howell	Morrow
Capper	George	Johnson	Norbeck

Norris	Reed	Smoot	Wagner
Nye	Robinson, Ark.	Steiwer	Walcott
Oddie	Robinson, Ind.	Swanson	Walsh, Mass.
Partridge	Sheppard	Thomas, Idaho	Walsh, Mont.
Phipps	Shipstead	Thomas, Okla.	Waterman
Pine	Shortridge	Trammell	Watson
Pittman	Simmons	Tydings	Wheeler
Ransdell	Smith	Vandenberg	Williamson

The VICE PRESIDENT. Eighty-four Senators have answered to their names. A quorum is present. The Senator from Arkansas [Mr. ROBINSON] is entitled to the floor.

DROUGHT RELIEF

As in legislative session,

Mr. ROBINSON of Arkansas. Mr. President, I am impelled to invite the attention of the Senate to a subject different from that which has been under consideration since we met this morning and which is of very great importance.

It has been my observation that when the facts are undisputed there is frequently little difficulty in Senators arriving at an agreement or conclusion. Many years' experience in the practice of the law prompted me to pursue a rule in the advocacy of causes which proved quite effective, namely, to ascertain and make clear the facts. About the subject of drought relief and the necessity for more liberal measures than have been approved by the Congress there exists a surprising confusion with respect to the facts. It is to that subject that I shall address myself briefly.

Certainly, Senators, we all agree that it is never pleasing to anyone here to bring forward situations or conditions which reveal distress and unhappiness and which call for extraordinary measures. It has been and is my purpose to be fair and just in my insistence upon legislation which appears to me necessary in order to meet the requirements of those whom I have the honor especially to serve.

The country has not realized and the Congress has little knowledge of the true situation which prevails in what we have come to know as the drought-stricken regions of the United States. I am fully satisfied that if we could concentrate on the subject and calmly acquire knowledge of the facts as they exist, there would be little difficulty in agreeing upon the necessary measures. It is not a pleasing performance on my part to give emphasis to a situation in my own State about the existence of which questions of fact have arisen. If the President of the United States could be fully informed as to the conditions prevailing in the drought-stricken section, if the Secretary of Agriculture would do what President Hoover did when he was Secretary of Commerce and the floods of 1927 occurred—that is, go in person to the regions afflicted by the disaster, visit in the homes of the people, confer with those who are familiar with conditions—we would not be disputing in the Senate and conflicts would not arise between the two Houses as to what measures of relief are necessary and desirable. But the President does not know, the Secretary of Agriculture does not know, and the head of the Red Cross does not know and probably will not know the facts to which I am about to refer, in all their details.

Mr. John Barton Payne has for some years performed a service which adds to the many distinctions which glorify his record of long usefulness. He has given his time and his efforts to the direction of the labors of that great organization known as the Red Cross. To me there are many emblems of beauty, but there has never appeared any symbol more beautiful than that of the Red Cross. I do not detract in the slightest degree from the value of the services which that organization has in the past performed or from the work which it is now doing under the conditions to which I am about to refer.

Some days ago in a county where I formerly lived and where at one time I knew every adult person within the limits of that county, there occurred a demonstration which has been discussed in the press and which has heretofore been referred to in this Chamber. A number of persons—some say 40, the Associated Press stated 500—appeared in the town of England and demanded food, and while other citizens there attempted to calm them, they cried aloud, "We want food for our families." That incident has been heralded throughout the Nation and has occasioned some anxiety and much discussion.

It was not the first happening of that kind that has taken place within the drought-stricken regions. The news regarding other incidents of the same nature has been suppressed; and what appalls me is, that with such measure of ability as God has given me, in a position of responsibility and authority, I have been unable and am unable to present the facts in such manner as the Congress of the United States, without humiliation to me or to others, will act decisively and effectively.

When the incident occurred at England the Baltimore Sun, among other newspapers, telegraphed the Governor of Arkansas. No copy of the message which he received has been furnished me, but the Baltimore Sun published the governor's reply. The message of the Baltimore Sun was prompted by the Associated Press dispatch and other news items relating to the incident which took place at England, where the heads of families appeared and demanded that some provision be made for them. I send to the desk and ask to have read the answer of the governor to that message.

The VICE PRESIDENT. The Secretary will read, as requested.

The Chief Clerk read as follows:

ARKANSAS GOVERNOR DENIES FOOD SITUATION IS ALARMING

(Following the food demonstration Saturday at England, Ark., the Sun telegraphed Governor Parnell, of that State, asking for a statement as to the conditions. The following reply has been received.)

By Harvey Parnell, Governor of Arkansas

LITTLE ROCK, ARK., January 5.—Answering your telegram of January 4, please be advised that conditions in Arkansas are by no means alarming and no rioting or violence of any form has taken place, nor is it contemplated that such will be the case.

On Saturday several hundred farmers requested and demanded food, which was furnished. The people of Arkansas and American Red Cross are taking care of the situation in a satisfactory manner and will continue to do so.

The conditions, although not the best because of the drought adversities, are not alarming, and indications are that a normalcy is being resumed.

Various other sections of this and other States are affected in a similar manner, but the situation will be cared for as the occasion arises.

Mr. ROBINSON of Arkansas. Mr. President, that message quite naturally prompted the interpretation that the relief now extended is adequate. As evidence of that fact I cite an Associated Press dispatch purporting to come from the city of Little Rock, Ark., which was published in the Washington Star of yesterday, which I ask may be read.

The VICE PRESIDENT. The Secretary will read, as requested.

The Chief Clerk read as follows:

ARKANSAS RELIEF IS HELD ADEQUATE—GOVERNOR DECLARES RED CROSS AND PEOPLE TAKING CARE OF IMPOVERISHED FARMERS

LITTLE ROCK, ARK., January 6.—Gov. Harvey Parnell yesterday telegraphed a number of eastern newspapers, saying the people of Arkansas and the American Red Cross were handling relief in a satisfactory manner among farmers impoverished by last summer's drought and subsequent crop failures.

The messages were sent in reply to queries from the newspapers regarding destitute conditions that were emphasized Saturday as more than 300 farmers marched on the town of England, demanded food of merchants there, and were given enough to satisfy their hunger.

Mr. ROBINSON of Arkansas. Mr. President, yesterday before the Committee on Appropriations, under the resolution heretofore adopted by the Senate on drought relief and unemployment, the head of the Red Cross, to whom I have already referred, Mr. John Barton Payne, appeared and made a statement. Among other things, Mr. Payne was asked by the Senator from Utah [Mr. SMOOT] the number of people within the limits of the State of Arkansas for whom the Red Cross was making some provision. Mr. Payne answered that he did not know, and he called upon his assistant, Mr. Smith, to furnish the information. I will read from the record:

What is your question, Senator?

That is Mr. Payne speaking.

Senator SMOOT. The question is, Have you anything to say as to the number of people? Senator CARAWAY says:

"The officials of the Red Cross said yesterday they were now feeding 100,000 people in Arkansas, and they expected by the 1st of next month to be feeding 250,000."

Senator COPELAND. That is in Arkansas?

Senator SMOOT. This is in Arkansas.

Mr. PAYNE. I do not know how many people we are feeding in Arkansas. Mr. Smith, of my staff, will explain to you what that situation is.

Mr. SMITH (producing map). This is a map prepared with information complete through December 31. It shows three items:

The blue pins show the communities in which seed was distributed through the Red Cross chapter, financed in part through local contributions, as Judge Payne has explained, and in part through money furnished through the national organization.

The black pins show the communities in which other relief has been furnished since that time—food, clothing, and such items—through funds supplied by the national organization.

The red pins show those communities in which similar relief has been supplied, but wholly through funds supplied from the chapter or from donations given to the chapter.

Senator SMOOT. By "national organization" do you mean the national organization of the Red Cross?

Mr. SMITH. Yes, sir. The whole thing is the National Red Cross.

Mr. PAYNE. Which is Arkansas?

Mr. SMITH. Arkansas is right here [indicating on map]. It gives a graphic picture of the extent to which those communities are being dealt with by the Red Cross.

Senator COPELAND. Is the number of persons involved as much as 100,000?

Mr. SMITH. That would be, roughly, twenty or twenty-five thousand families in Arkansas, and I think it would not be too high.

I shall not pursue that testimony. I cite it for the purpose of showing that the information on the subject was not definite or complete on the part of those who testified. Mr. William M. Baxter, who is a renowned Red Cross agent, gave to the Associated Press a report from St. Louis which does give more definite information. He had been on the ground. If my knowledge is correct, he had made a somewhat careful survey of conditions in Arkansas, as well as in adjoining States, and he made this statement:

The public does not realize the seriousness of the situation. Because it is not spectacular as floods, tornadoes, and such disasters, people are not easily made to believe in its seriousness. The Red Cross, he said, has given assistance to 100,000 persons in Arkansas in recent weeks, and expects to be required to help 250,000 within a month. Eight Red Cross chapters in Arkansas have spent $43,000 of their own funds, and provided $37,000 worth of clothing, while $115,000 of funds of the national organization have been spent by the local chapters.

Then Mr. Baxter went on to discuss similar conditions in other Southern States. The head of the Red Cross yesterday said that there remain available $4,000,000 for its purposes relating to drought relief, and he said, as will be found on page 15 of the record of the hearings before the Committee on Appropriations:

Our feeling has been, and I so advised President Hoover perhaps six or eight weeks ago, that if we are permitted to proceed in our normal way—that means without excitement, it means without clamor—we might get through the winter with our present resources.

Senator BRATTON. That is, about $4,500,000 now on hand?

Mr. PAYNE. Yes.

The testimony continues in relation to the same subject.

Now, in the performance of my unpleasant duty, as I conceive it, I point out the fact that, while quite naturally the chief authorities of the Red Cross did not know the details, one who is intimate with them, one of its agents who has been on the ground, publicly announces that already the organization has committed itself to the assistance of 100,000 persons, and that in the early future it will have to minister to 250,000 in one State alone.

Do I need to argue to Senators that $4,000,000 is inadequate to meet such requirements? If such is the case, then I must discredit the intelligence of my associates. For 250,000 persons in a single State, approximately that amount or more would be required.

Mr. NORRIS. Mr. President——

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Nebraska?

Mr. ROBINSON of Arkansas. I yield to the Senator from Nebraska.

Mr. NORRIS. In the telegrams that the Senator has read there has been only one, as I remember, that referred to the kind of relief, and that referred to seed.

Mr. ROBINSON of Arkansas. Yes.

Mr. NORRIS. I wonder if the Senator can give us any information as to the kind of relief that it is proposed to furnish these 100,000 people or 200,000 people.

Mr. ROBINSON of Arkansas. Yes.

Mr. NORRIS. The point I want to bring out, if the Senator has knowledge on the subject, is whether food for human beings is part of the relief that must be furnished to these people.

Mr. ROBINSON of Arkansas. Will the Senator permit me to do that a little later in the order that I have mapped out in my own thoughts?

Mr. NORRIS. I shall be very glad to.

Mr. ROBINSON of Arkansas. If I fail to do it to the Senator's satisfaction, I hope he will remind me before I take my seat.

Mr. NORRIS. Very well.

Mr. ROBINSON of Arkansas. I have had read into the RECORD the message of the governor of the State; and upon seeing that message I sent him a telegram which I believe it is proper to have incorporated in the RECORD. I will ask the clerk to read that telegram.

The VICE PRESIDENT. Without objection, the clerk will read the telegram.

The Chief Clerk read as follows:

WASHINGTON, D. C., *January 6, 1931.*

GOV. HARVEY PARNELL,
Little Rock, Ark.:

Baltimore Sun of this date quotes your telegram to that paper of January 5 stating substantially "the people of Arkansas and American Red Cross are taking care of the situation in a satisfactory manner and will continue to do so; that the conditions, although not the best, because of the drought adversities, are not alarming, and indications are that normal conditions are being resumed and that the situation will be cared for as the occasion arises." This message is being construed that you believe further measures here to be unnecessary and that the State with the assistance of the Red Cross can make adequate provision. My studies and conferences carried on in the State during the last two weeks compel the conclusion that in spite of everything that is being done there continues great distress in many communities. Do you anticipate that the general assembly soon to convene will provide capital for a system of agricultural credits where the capital can not be obtained under existing Federal and State laws? Please advice for use here what measures and action are in contemplation on the part of our State. I concur in the belief that State and other local agencies should do everything possible. Your prompt advice will be greatly appreciated.

With regards and best wishes,

JOE T. ROBINSON,
United States Senator.

Mr. ROBINSON of Arkansas. The Legislature of the State of Arkansas has not assembled since the conditions which I am describing arose, but it will meet within a few days.

I sent the message just read into the RECORD and received from the governor a reply, which I will ask the clerk to read.

The VICE PRESIDENT. Without objection, the clerk will read as requested.

The Chief Clerk read as follows:

LITTLE ROCK, ARK., *January 6, 1931.*

Senator JOE T. ROBINSON,
Senate Office Building, Washington, D. C.:

My wire to Baltimore Sun answered one asking my opinion regarding food riots, and it was intended to inform them only as to acts of violence. You can appreciate the seriousness of having before the eastern public the idea our people were looting and otherwise committing depredations. Did not intend to in any sense leave the impression Arkansas people were not needing assistance, but instead lawlessness would be taken care of. The people in drought-stricken areas must have continued help from Red Cross and Federal Government, and additional appropriations for food and otherwise should be made to mitigate misery now growing worse with all food gone and no winter clothing. It is not contemplated the legislature will be able to make any appropriations for drought relief, as revenues will not permit. Imperative Arkansas delegation continue to place seriousness of situation before Congress and additional assistance be rendered.

HARVEY PARNELL, *Governor.*

Mr. ROBINSON of Arkansas. Mr. President, certainly the message of the governor to the Baltimore Sun, which I

had read some moments ago, in reply to its inquiry regarding the alleged riot at England, was calculated to confuse the minds of the public regarding the conditions as they actually exist.

I am not going to attempt a complete description of the suffering that I know is taking place, not only in the State of Arkansas but in several neighboring States, as a result of a widespread calamity; but I will ask the Senate to consider some evidence as illustrative of a large volume of evidence which could be produced.

As Senators know, there is a disposition, when one is remote from the scene of trouble, to ascribe little importance to the most serious events; and when one is prosperous in his own possessions and happy in his environment he is not likely to take great trouble to familiarize himself with the misery which afflicts his fellow men in remote localities. So I repeat, at this juncture of my remarks, what I said in the beginning—that the great problem here is to make the facts known, is to overcome the misrepresentation and the concealment, if you please, which for various causes have made it appear that there is little difficulty growing out of the calamity to which I am referring.

In the eastern part of Arkansas is Mississippi County, described as the richest cotton-producing county in all the Southland. My colleague [Mr. CARAWAY] knows every foot of it. I can recall the time when it was a wooded area, much of it composed of swamps; but almost every foot of it has been reclaimed, and it embraces the richest soil of any land with which I am familiar in the Mississippi Valley.

Mr. McKELLAR. Mr. President, is England in Mississippi County?

Mr. ROBINSON of Arkansas. Oh, no. In Mississippi County recently a lawyer of state-wide reputation, a man whose character and veracity are universally regarded, addressed to me a letter dated January 2, which I shall ask to have read from the desk. Before that is done, however, let me explain that this letter comes from an entirely different part of the State than that in which the town of England is located; and it comes from a part of the State that I myself, after all the investigations I have been able to make during the holiday season, thought was rather better off than any other portion of which I had acquired knowledge. It is the richest agricultural county in the State; and I ask the clerk now to read the letter.

The VICE PRESIDENT. Without objection, the clerk will read the letter.

The Chief Clerk read as follows:

OSCEOLA, ARK., *January 2, 1931.*

Hon. JOE T. ROBINSON,
United States Senate, Washington, D. C.

MY DEAR SENATOR: A few days ago I was asked to serve as general chairman of a citizens' relief committee for the Osceola district of Mississippi County, Ark., and in accepting this chairmanship, I did so with the full purpose in view of trying to adequately meet the situation just as it is, and I immediately started a survey of conditions in the Osceola district of Mississippi County, with a view of being able to summarize and get a picture of the situation just as it exists, never dreaming of the conditions that do really exist.

I have been on the job now for two weeks, working day and night, giving every ounce of energy and strength that I have to the problem, and I am very frank to say to you that it is awful, and the more I go into it the more thoroughly I am convinced that actual starvation is going to stalk over the fertile fields of Mississippi County before the 1st of April, unless some measure of relief more than we have in sight is given to us.

In two days I had twelve hundred families apply to me for relief, and in many of these cases personal inspections have already been made, and it is almost the universal report to me that these people are absolutely without food and without any means whatsoever to secure it.

I appeal to Mr. EVANS, of the mid-west division of the American Red Cross, and a Mr. Baker from Washington was sent here to make an investigation, and later Mr. Evans joined him. They explained to me just the problems that the Red Cross has to deal with, of the many thousands of people who are in just the same condition that we are in the Osceola district of Mississippi County. They were courteous; they were in entire sympathy with our problem, but due to lack of funds were not able, so they said, to give us adequate relief. They placed in our hands for the month of January the sum of $2,500 to buy food for these starving people, and I am very frank to say to you that I could spend this judiciously, carefully, and without waste in one day. However, we are not doing this. We are just doling out food to the very neediest cases and then not giving them a sufficient supply to anything more than keep them from actual starvation.

If we could secure an additional allotment of $4,000, or, in fact, any sum from the Red Cross, it would help us to meet this problem and to prevent starvation.

I fully realize that you have the problem of the entire State, and I realize the fact that the Nation as a whole, especially our United States Congress, do not seem to grasp this situation and realize that in this, a land of plenty, that these people are starving. The Commercial-Appeal carried an article this morning from Little Rock that 250,000 people in the State of Arkansas are in need of immediate assistance.

Locally, the citizenship of the Osceola district of Mississippi County has borne this burden nobly. They have reached the end of their resources, and in many instances, it is my prediction and a safe one, that even some of the most honorable citizens of our town and this district will be subjects of charity before the 1st of April. We are trying to secure employment for our people, and but recently I undertood that an allotment of $300,000 had been made out of the emergency fund to be spent on river work along the banks of the Mississippi River in Mississippi County. I immediately got in touch with the proper authorities with an idea of furnishing this labor, and on yesterday I was advised that Colonel Wilby, who is in charge of the work in this district, had instructed the foreman of the different units of this work that all labor for this work would be supplied out of Memphis rather than giving it to our local people. I think that you should investigate this, and if you find this to be true, see if you can not induce the River Commission or the War Department, or whoever is in charge of the expenditure of this fund, to allow us to use local labor on this work, with a view of helping out the general situation.

Mr. C. L. Moore, jr., who for the last 12 years has been serving as chairman of our local Red Cross, is in my office at this time and is listening to the dictation of this letter, and he earnestly joins with me in this appeal to you for suffering humanity.

With kindest personal regards and best wishes for a happy and prosperous New Year for you and yours, I am

Your sincere friend,

CHAS. E. SULLENGER.

Mr. ROBINSON of Arkansas. Mr. President, I received this morning a telegram from Mr. Sullenger, which I ask to have read.

The VICE PRESIDENT. The clerk will read.

The Chief Clerk read as follows:

OSCEOLA, ARK., *January 5, 1931.*

Hon. JOE T. ROBINSON,
United States Senator,
Senate Chamber, Washington, D. C.:

See my letter January 2. Immediate relief imperative. Situation desperate; people starving; riots threatened; civil officers can not control. Funds allotted by Red Cross will be exhausted within 24 hours; no other means. Hundreds of people hungry.

CHAS. E. SULLENGER.

Mr. ROBINSON of Arkansas. Mr. President, I could consume the entire afternoon reading into the RECORD messages similar to those I have had read. They were selected for the reason, as I have already stated, that they come from a territory which I thought, from my studies, was better off than numerous other localities. I am not going to put into the RECORD other messages from citizens describing this situation.

There are three counties in the State, one of them with a population of 48,000 and some hundred, and having a city within their limits of 15,000, the aggregate population of the three counties to which I am referring being more than a hundred thousand, in which not a single bank is open or in operation. I have already described that condition, and it extends in a less degree to about 50 counties in the State.

One hundred and sixteen banks within the limits of our Commonwealth have gone into receiverships. I do not know the relative number of State and National banks. A few of those banks have been reopened.

If it were not for this situation, the people of Arkansas would be able to carry on. They would form their agricultural-credit corporations, and borrow for seed and feed and food in the usual way. But the banks are closed, the moneys the people saved in previous years' operations are tied up. Last year their crops failed, they grew little food or feed. They are a proud people, and while I am speaking to you, there are many men, women, and children who, without fault or carelessness on their part, just as good as you and yours, who are suffering for the necessities of life.

If the Federal Government will loan to honorable men, whose credit may be regarded as good in spite of their misfortune, $5,000,000 in the aggregate as capital for agricul-

tural-credit corporations, the Red Cross will not have to dole out food for these proud people.

The Senator from Nebraska asked me a question which I now desire to answer. Usually those in the service of the Red Cross have had broad experience. They are cautious. If the Committee on Appropriations wants to know the facts, let them send for Mr. Baxter. How could Mr. Payne know of conditions, except through reports he receives? Mr. Baxter is the man who went on the ground, and who said a hundred thousand are already receiving assistance, and 250,000 within one Commonwealth alone will be receiving assistance within the next few weeks.

My understanding of the plan pursued by the Red Cross is that it makes a small provisional allowance—$1, $1.50, $2, perhaps $2.75, for a family—with the purpose of supplementing that allowance from time to time. It does not seek to help men to resume their normal occupations. It does not plan rehabilitation. The Red Cross necessarily comes at the last moment. It is the agent which fights off death from hunger and from cold.

What I have asked, and what my colleague has asked, is that if the Government is to deal with this situation at all, first it should acquire a knowledge of the facts, and then deal with it effectively and adequately.

Forty-five million dollars in loans for seed, feed, and fertilizer, and $4,000,000 for food and clothes as charity!

Do Senators understand how crop production is carried on in the section of the United States to which I am referring? It is based on a credit system. Loans for feed, seed, fertilizer, clothing, and everything else necessary, are made under normal conditions, and those loans are usually supplied by banks, by merchants, and sometimes by planters. It is customary there for advances for the necessities of life to be made with the beginning of the crop season, and those advances extend throughout. As has already been said, if it were not for a breakdown in the credit agencies, for a drying up of the sources of credit, there would not be a problem of relief before the Congress.

In one of the counties I described a while ago, where 50,000 people reside, where there is a city of 15,000 inhabitants, there is no bank. Enterprising citizens had gotten together funds for the capital of an agricultural-credit corporation, and they sent me word, "We will not need anything done in this county, as we are pledging all that we have to found this credit agency." Within two days the bank with which they had made their arrangements for the capital closed. Then they said, "Find some way to give us capital. We will make it as secure as we can, and we will pay it back. We do not want charity. We ask for opportunity." And I am telling the Senate now that it is narrow, shortsighted policy, for which this Nation will pay, to deny a reasonable opportunity for the rehabilitation which is essential to the life of the Nation.

I said I would talk about what is being done. The Red Cross gives just as little as is necessary to sustain life and must, of course, very carefully safeguard its donations. The fact that in one State there are 250,000 persons requiring assistance and that for the whole territory affected $4,000,000 is regarded as adequate by the head of the organization is conclusive proof of the extent of the relief that may be expected.

Mr. CARAWAY. Mr. President——

The VICE PRESIDENT. Does the Senator from Arkansas yield to his colleague?

Mr. ROBINSON of Arkansas. Certainly.

Mr. CARAWAY. On the 26th day of November last I applied to the Red Cross here in Washington for information with respect to the demands that are being made on it from the drought-stricken area alone. I had its report as of November 15 last. I was informed that in the States affected by the drought there were 229,000 families to which relief would have to be extended and that they now have $4,500,000 with which to do it. That covered not all of the States then, but covered 15 out of the 22 States affected. That covered the worst of the drought-stricken area. Of course, the report does not agree with what Mr. Payne called attention to yesterday, but the figures came from the national headquarters of the Red Cross here in Washington and were given to me because I wanted them to use in reference to a then pending measure. I placed them in the RECORD; I do not now remember the date, but possibly two weeks ago. They gave by States the information, and the number of families was given as 229,000.

Mr. ROBINSON of Arkansas. There is a statement in the hearings before the Appropriations Committee which shows the amount of expenditures. There is available, so far as I know, no thoroughly reliable statement as to the methods under which these expenditures are made.

I have said that the Red Cross is necessarily careful and does not wish to encourage unjust or unfair claims. So far as their work goes, it is essential and beneficial. But one point that I wish to emphasize in this connection is that the subject ought not to be treated on the basis of charity. Men who by an extraordinary misfortune, widespread in its character, have been brought to the condition which I have described, a condition which requires relief, would much prefer, and it would be much better, to proceed on the basis comparable to that which is provided in the bill which we passed for providing seed, feed, and fertilizer. In other words, if they could secure loans secured by mortgages on their crops and on anything else that they may have, they would pay back those loans and they would be proud to do it. Experience has shown that such investments are usually regarded as safe. There would be very little loss. But the policy that is being enforced is to compel anyone who has not credit to secure food, to ask alms, to beg, and it is bad for the citizens and bad for the country and the institutions of the country!

Mr. KENDRICK. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Wyoming?

Mr. ROBINSON of Arkansas. Certainly.

Mr. KENDRICK. At the beginning of this session the Senator from Arkansas introduced a relief bill, which was referred to the Committee on Agriculture and Forestry. The bill contained a provision which would have authorized the sale and distribution of millions of bushels of wheat now held by the Government to those people who are in need and actually suffering from hunger. Does the Senator believe that these people would now be very glad to purchase wheat on time from the Government in case there was opportunity to do so?

Mr. ROBINSON of Arkansas. Certainly.

Mr. KENDRICK. As it appears to me, the most ghastly feature of this situation is the fact that the Government is buying and holding millions of bushels of wheat while thousands are actually hungry for bread.

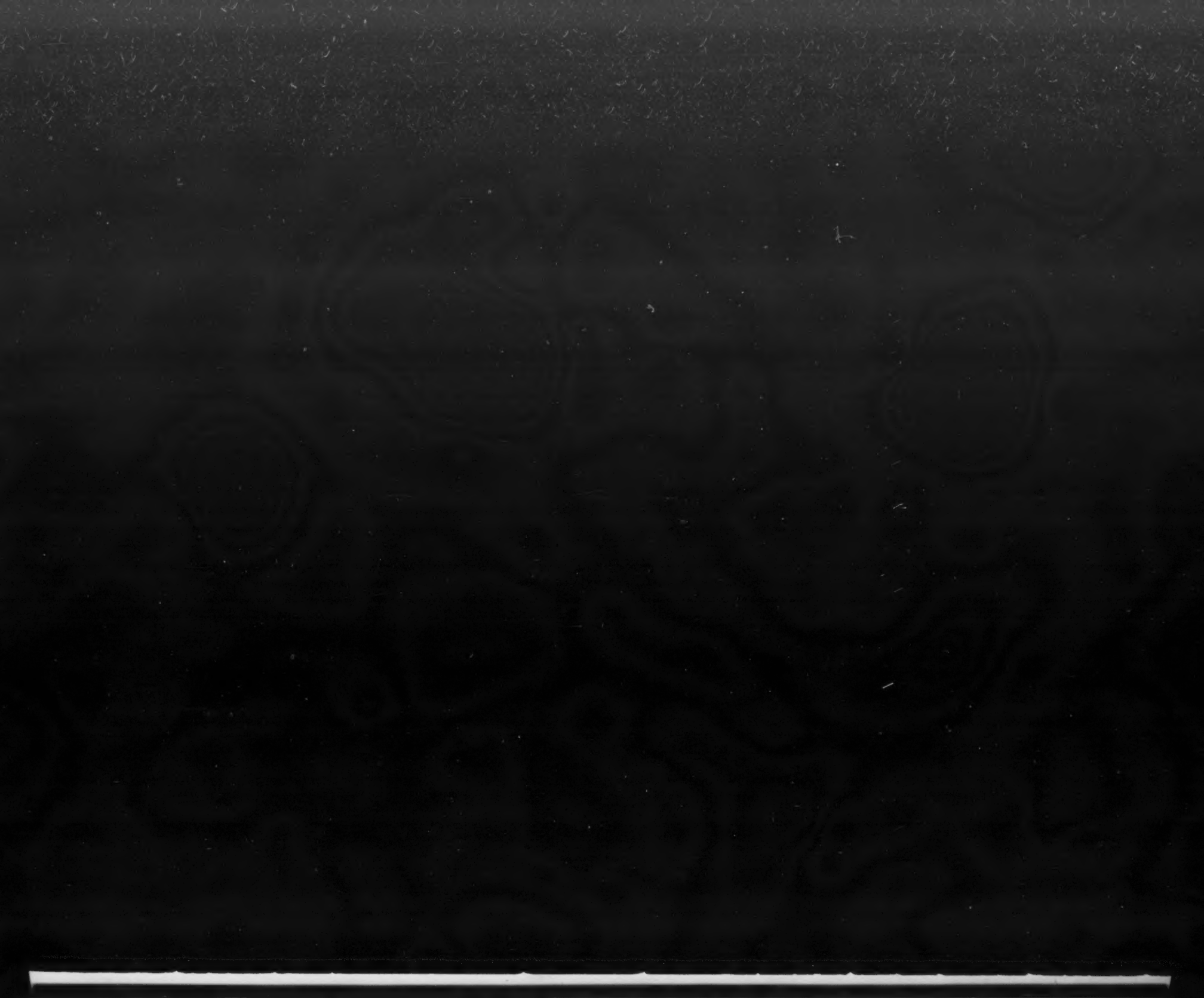
Mr. ROBINSON of Arkansas. Mr. President, the question of the Senator from Wyoming is filled with significance. It is difficult to understand a policy which refuses to permit the use of any part of the wheat which has been bought up and stored as surplus in a time when there is a great demand for its consumption and its use.

Mr. KENDRICK. Mr. President, will the Senator yield for another question?

Mr. ROBINSON of Arkansas. Certainly.

Mr. KENDRICK. Does the Senator believe that the sale of this wheat owned by the Government, even though the sale must be made on time, to the hungry could seriously interfere with economic plans of the Farm Board?

Mr. ROBINSON of Arkansas. Mr. President, I wish to discuss that matter at some length. My theory is that if the Federal Government would take any portion of the wheat stored up by the Federal Farm Board to stabilize the price of that commodity and distribute it for food through the Red Cross or through credit corporations, it would prove one of the most valuable measures of relief that has been proposed. I base this conclusion on the conviction of a prominent representative of the Red Cross, who said that if the Government would give them 5,000,000 or 10,000,000 bushels of the wheat thus stored up as a surplus, it could be used to great advantage and that it would prove a very valuable measure of relief.





Mr. KENDRICK. May I ask the Senator if he does not believe that the present emergency, which reflects a surplus of products on the one hand and a multitude of hungry people on the other hand, is due as much to underconsumption as it is to overproduction?

Mr. ROBINSON of Arkansas. Why, certainly, Mr. President! That is an aspect of the situation which I shall not attempt at this time to exhaustively discuss, but I will say that the wheat which would be used for distribution by the Red Cross for food would not be in competition with any wheat that might come on the market, because it would be fed to people who are starving for want of food and not to purchasers of food. Of course, the Government might pursue the policy to pay out of one hand into the other, but I am not concerned with the details of the transaction.

A measure similar to that referred to by the Senator from Wyoming as introduced by myself was introduced by the senior Senator from Kansas [Mr. CAPPER]. In connection with that measure the Federal Farm Board was asked to make a report. I ask that the clerk may read that report.

The VICE PRESIDENT. The clerk will read, as requested.

The Chief Clerk read as follows:

FEDERAL FARM BOARD,
Washington, D. C., January 2, 1931.

Hon. CHARLES L. MCNARY,
Senate Office Building.

DEAR SENATOR MCNARY: Chairman Legge has handed me your letter of December 29, with which you inclosed a copy of Senate Joint Resolution 210, on which our opinion is requested.

The fact is any amount of the wheat now owned by the Grain Stabilization Corporation is available to relief agencies if they wish to purchase it at the prevailing price. To give it away would impair the revolving fund of this board and use the money for purposes other than that for which it originally was appropriated.

Merely to provide the wheat is only the beginning of providing wheat as a food. The cost of processing and preparing it would be much greater than the cost of the wheat and that would have to be borne out of some fund specially provided therefor.

Considering the per capita consumption of wheat at a little more than 4 bushels per year, 40,000,000 bushels would be sufficient to supply 10,000,000 people for a year. The amount named in the resolution seems exceedingly large.

This board is anxious and willing to cooperate in every practical way in furnishing supplies for relief purposes, but we feel that this should be done through agencies properly established to carry on relief work and the supplies of the Grain Stabilization Corporation should be furnished without impairment of the revolving fund.

Very truly yours,

SAM. R. MCKELVIE,
Member Federal Farm Board.

Mr. ROBINSON of Arkansas. That is an adverse report. The logic underlying it is very difficult for the ordinary mind to comprehend. It is all right to sell the wheat, but it is bad to give it away when it will conserve the purposes of the Government. In my judgment, there is no more wholesome measure of relief that can be afforded than for the Government to take 10,000,000 bushels of that wheat and use it now for food. If anyone has any doubt as to the effectiveness of that proposal as a relief measure, let him ask the Red Cross people!

I promised some time ago that I would introduce some information as to how this great agency distributes——

Mr. BARKLEY. Mr. President——

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Kentucky?

Mr. ROBINSON of Arkansas. I would like very much to proceed. I would like to discuss the feature of the matter referred to and have been diverted from it several times.

Mr. BARKLEY. Very well.

Mr. ROBINSON of Arkansas. As I have repeatedly said, there seems to be some confusion as to the facts. If the Baltimore Sun or any other great newspaper will send a reliable investigator or newspaper reporter to make an investigation and report on the facts, I am satisfied that it will be helpful to the Congress in reaching a conclusion as to what should be done. One newspaper in Washington seems to have done that thing. It is the Washington Daily News. There was an article published in the Daily News of to-day, January 7, written by a special writer, whom I do not know. His article is apparently written from England, Ark., the town where the trouble occurred some days ago. I am not in a position to vouch for all the statements which this writer makes. As I have already said, I do not know him. Some of the facts which he sets forth are not within my personal knowledge. We all realize that there is sometimes a tendency to exaggerate. I do not say that Mr. Southworth for the Daily News has made no exaggeration in the statements or implications of his article; but, as illustrating the method by and the extent to which relief is being afforded, I am going to ask the clerk to read the article from the Daily News by Mr. Southworth.

The VICE PRESIDENT. The clerk will read, as requested.

The Chief Clerk read as follows:

[From the Washington Daily News, Wednesday, January 7, 1931]

STARVATION CONFRONTING THOUSANDS IN ARKANSAS—MANY ARE HOMELESS AND HUNDREDS NEED CLOTHES FOR WINTER—CUPBOARDS NEARLY CLEARED OF MEAGER RATIONS DOLED OUT BY MERCHANTS AND RED CROSS—CONDITION GROWS WORSE—PHYSICIANS PREDICT HEAVY DEATH TOLL FROM COMMUNICABLE DISEASES IF AID IS WITHHELD

By Luther Southworth

ENGLAND, ARK.—While the dispute continues as to whether or not this little farming town was the scene of a food riot last Saturday, conditions steadily grow ripe for a showdown which will settle the question.

The Nation has been led to believe that the Red Cross is on the job, that relief has come, and that all is serene. But what the hungry folk around England want the Nation to know is that the Red Cross dole amounts to approximately a dollar a month for each person, or, roughly, 1 cent a meal for each hungry mouth.

CUPBOARDS EMPTY

Some families have almost cleared their cupboards of the rations doled out by local merchants Saturday after a group of hungry men and crying women threatened to loot the stores unless the food promised through the Red Cross was forthcoming.

In many cases the two 15-cent cans of condensed milk included in the rations was consumed within two days and mothers are feeding infants on corn bread.

What the leaders of this town of 2,500 and the 11 surrounding communities are wondering is what will happen if nothing more substantial in the way of aid is forthcoming when the present rations are gone.

HELPED 305 FAMILIES

The Red Cross gave help to 305 more families Tuesday, bringing the total aided since November 28 to about 1,100. But the hungry people in this vicinity total thousands.

Mayor Walter Williams points out that it will take 3,000 pairs of shoes alone to keep the feet of the hungry people of the neighborhood off the ground this winter.

"I don't know where the shoes are coming from, either," he added. "Even if the people get food until March they are likely to suffer for want of clothes."

Planters are authority for the statement that there isn't a sharecropping family in Lonoke County with a complete outfit of clothing for all members.

MANY ARE HOMELESS

Also lacking food and clothing, there are many families without a roof of their own. In some cases four or five families are packed together in cheap shacks. Five families are living in a dilapidated, wooden schoolhouse in England. The roof is half gone and there are no windowpanes to keep out the cold. Eighteen persons are occupying an abandoned house next door to the school. Physicians throughout the county predict a heavy death toll from pellagra this spring because of starvation conditions long enduring. They have already noted an increase in anemia, nervous disorders, and intestinal troubles.

NO INDUSTRIAL LIFE

England is in the heart of what was a rich agricultural section until the summer's drought blighted garden, feed, and cotton crops. The low price received for what cotton survived the dry spell insured the ruin of the district. There is no industrial life. Highway construction and all forms of building have stopped.

A bank failure completed the desolate picture. The pittance which cotton pickers earned at an average rate of 75 cents a day soon was spent, leaving hundreds of families without enough money to move elsewhere.

Bryant Dodd, living 8 miles from England, called his case typical.

"Together with my wife and two children, I ended the season with a $40 debt," he said. "I sold my three hogs for $11 and my 46 chickens for $11 more, and that is all the money we have had since last summer.

LIVE ON CORN BREAD

"For a month we have lived on corn bread and milk. We have spent less than $3 for clothing in 18 months."

At the upper end of the scale is William Morris, a prominent planter. His story follows:

"I have 1,600 acres, but they are heavily mortgaged because of previous crop failures. I have several pieces of unencumbered land, but the banks won't lend a cent on it. I have been feeding

175 share-croppers on my place for several months. I lost my cash when the local Citizens Bank & Trust Co. and the American Exchange Bank at Little Rock failed. I have no money to buy seed and other bankers tell me they are not opening new accounts. I don't know what I am going to do."

Mr. WALSH of Massachusetts. Mr. President, will the Senator from Arkansas yield?

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Massachusetts?

Mr. ROBINSON of Arkansas. I yield.

Mr. WALSH of Massachusetts. I should like to ask the Senator if he has any information as to the amount of money which has been spent by the Red Cross in Arkansas?

Mr. ROBINSON of Arkansas. Yes, sir; it is in the record of the hearings of the Appropriations Committee. According to my recollection, the amount is $115,000.

Mr. WALSH of Massachusetts. To how many people have they been extending aid?

Mr. ROBINSON of Arkansas. They do not know; they have no record here. It is fair to say, however, that they are increasing the number of beneficiaries from time to time. They make small allowances; I think weekly allowances. That is the practice they have been pursuing, but they are trying to get on a monthly basis.

Mr. WALSH of Massachusetts. How long have they been extending such relief?

Mr. ROBINSON of Arkansas. For practically a month.

Mr. WALSH of Massachusetts. Is there any serious dispute by the Red Cross as to the conditions outlined in the news article which has been read?

Mr. ROBINSON of Arkansas. That article, so far as I know, has not been called to the attention of the Red Cross. One of the chief representatives of that organization stated that 100,000 persons were now being provided for by the Red Cross in the State of Arkansas alone, and that the number would increase to 250,000 before the winter shall be over. I assume that his figures are approximately accurate.

Mr. WALSH of Massachusetts. That would indicate, based upon the number of individuals in want, that the disbursements must be very small.

Mr. ROBINSON of Arkansas. Certainly. I have presented that phase of the matter at another time during the course of my remarks.

Mr. WALSH of Massachusetts. Is the Senator acquainted with the fact that the statement was made before the Appropriations Committee yesterday by a representative of the Red Cross that that organization had in its possession approximately $4,500,000?

Mr. ROBINSON of Arkansas. Yes; and I have also discussed that aspect of the case.

Mr. WALSH of Massachusetts. Very well.

Mr. ROBINSON of Arkansas. I have shown that the amount of money which the Red Cross has would be scarcely adequate, even continuing the small allowances it is now making, for the requirements of that one State alone.

Mr. WALSH of Massachusetts. The views of the representatives of the Red Cross, I understand, are not in accord with those of the Senator from Arkansas.

Mr. ROBINSON of Arkansas. I have discussed that situation. The head of the Red Cross, Mr. John Barton Payne, expressed the belief, or rather the hope, that they would be able to get through with the remaining $4,000,000, but Mr. Baxter, who has been on the ground for the Red Cross and is one of the organization's prominent agents, clearly indicates that a much larger sum will be necessary if the work is to be carried on even on its present basis. It is fair to say that, being charity work, they measure their activities by the absolute requirements. They do not attempt rehabilitation work; they do not attempt to furnish supplies to persons to enable them to produce crops; their effort is to prevent starvation.

Mr. WALSH of Massachusetts. Does the Senator understand that the fund of $4,500,000 is for relief to all parts of the country, and not to Arkansas alone?

Mr. ROBINSON of Arkansas. Oh, yes; there is no dispute about that. Everyone connected with the Red Cross understands that it has a reserve of about $4,500,000 left, and that that is the measure of its possible relief. Of course, it can make appeals for additional contributions, and probably may do so, but I have no authority to speak with regard to the policy of the organization. I know, however, that in all those communities where they are making expenditures the funds are being supplemented by local contributions.

Mr. CARAWAY. Mr. President——

The VICE PRESIDENT. Does the Senator from Arkansas yield to his colleague?

Mr. ROBINSON of Arkansas. I yield.

Mr. CARAWAY. I was just going to call attention to the fact that Mr. Baxter, who is the mid-west director, and to whom we must appeal whenever aid is asked, for he is in charge of the work in that section of the country, says there will be 250,000 people in Arkansas alone by the first of the month on the relief list of the Red Cross. That $4,500,000 amounts to $18 to a person, with the prospect of carrying those suffering and in need for about two months.

Mr. WALSH of Massachusetts. I thank the Senator. I am glad the Senators from Arkansas have made clear the situation.

Mr. ROBINSON of Arkansas. Mr. President, the Senate has already been required to give attention to my statement longer than I felt would be necessary when I arose. I should like to summarize some of the points that are in my mind and which I think ought to be controlling of the policy of the Congress and of the Executive.

First, this is not a case of furnishing food or seed or fertilizer or other supplies to persons under other than extraordinary conditions. Our efforts for relief relate to a calamity so widespread as to be almost national; it is, it might be said, the act of God himself. When an unusual drought, a flood, a cyclone, or other exceptional display of elemental force occurs, the proudest, the bravest, and the most deserving may prove to be the victims. I have seen men who have toiled throughout a lifetime cultivating their farms, supplying the necessities of their families, enjoying the respect and confidence of their fellow men, stricken by the force of nature, impoverished, humiliated, and, for the time being, rendered helpless. If I chose to do so, I could recall, from my own knowledge, instances that are both appalling and inspiring.

Second, last summer there came to about 12 States a drought exceptionally destructive. It happened to be more withering in its power and influence in the State of Arkansas than in any other. The richest land in all the Commonwealth in many instances did not yield one-half the actual cost of production; so that men who in the beginning had bank accounts, who enjoyed prosperity at the beginning of the crop season, saw the accumulations of a lifetime swept away, and found themselves, through no fault of their own and in spite of the best exertions they could make, facing poverty and ruin. Those instances are not rare. They exist by the thousands. Men of that type ought not to be forced to accept charity in order to continue to live under our flag.

If you do not believe my statement, make your own investigation. Go on the ground yourself. Make a study of the situation, and then do what common sense and justice prompts you to do. Do not force me again and again to make a harrowing recital of facts which have disturbed my soul to the extent that my pride is humiliated, my ambition undermined, my hope almost gone.

God forgive the indifference of human beings to the misfortunes of their fellows!

Third, what I should like to see the Congress do is to pass a rehabilitation measure, give the credit, afford the opportunity, take a small chance, in order that hope may spring anew, in order that industry may be revived. The worst thing we can do is to adhere to a policy which makes our equals in every sense subject to humiliation and despair. It is easy to provide the necessary assistance, and it will cost less than to pursue a niggardly policy.

Fourth, let me tell you one thing in conclusion:

As I visualize it, the problem of relief is credit, not charity. It is encouragement, not humiliation. One big

thing to be kept in mind is to maintain and build up the morale of the people. We will not accomplish that end by boasting our generosity to feed a mule or a cow and at the same time declaring our resolution to let human beings starve or accept meager charity.

Mr. GEORGE. Mr. President, I have received and ask to have read at the desk an editorial from the Macon Telegraph, a most conservative newspaper, of January 5, 1931, dealing with the situation now under discussion in the Senate.

The PRESIDING OFFICER (Mr. VANDENBERG in the chair). Without objection, the clerk will read.

The Chief Clerk read the editorial, as follows:

[From the Macon (Ga.) Telegraph, January 5, 1931]

DEMANDING FOOD

The Arkansas farmers who marched into the town of England and demanded food of the storekeepers are in that belt which did not have rain for a hundred days last year when rain was most needed. Those who went through the section found the roads ground to powder, the streams dried up, and cattle nibbling on stubble as brown as if it were the middle of winter. The farmers were able to make no crop; the storekeepers have been able to make no money because the farmers do not have it to spend and the banks have not been able to collect. The vicious circle make it necessary that the farmers either demand or take what they wanted or that some outside agency step in and help them.

The Red Cross has given them temporary relief. On the $2.75 grocery allowance given by that organization these farmers and their fellow farmers in the drought belt may eat until this week some time. The Government's $45,000,000 seed loan fund will be available in a few days, but the Secretary of Agriculture does not intend, he has said, to lend that money for any purpose except to buy seed and feed—feed for the animals but not for the human beings who run the farms. The plight of the Arkansas farmers—and the condition extends also into Tennessee, Kentucky, southern Missouri, Oklahoma, and northern Texas, and is found again in parts of Virginia and the Carolinas—makes it imperative that action for their relief shall be undertaken.

When President Hoover opposed the provision in the drought relief bill which would have allowed an additional $15,000,000 for food loans to farmers, all of it to be repaid, he and those who saw with him said that the Red Cross was amply able to take care of the situation. So far as the reading public knows, nobody has ever tried to ascertain whether the Red Cross is able, indeed, to take care of the situation and whether it is actually doing so. If it is not in position, then such labels as socialism must be disregarded and the Government itself must set up the machinery.

Their condition is not the fault of the farmers. They live in a country which has such an enormous surplus of the base of bread that it can not be marketed and is being hoarded by the millions of bushels; they live in a nation which has produced so much commodity for the making of clothes that it has on hand half a year's carry-over that can not be disposed of. They are a part of an economic system which piles up, on the one hand, enormous surpluses and is not able to distribute them so that there is no poverty and no distress. These Arkansas farmers emphasize for us how far we have yet to go before we have arrived at anything like an intelligent distribution of our farm commodities and the gross inequity of the spread between what the business man gets and what the farmer gets.

Without embarking upon a permanent policy of appropriating from the Government's Treasury for feeding poor people, we can at least make provision for loans for worthy people who are in such straits as the Arkansas farmers through no fault of their own.

Mr. HEFLIN. Mr. President, I am sure that every Senator who heard the speech of the senior Senator from Arkansas [Mr. ROBINSON] was deeply touched by the appeal he made. The people of Washington, Congress in particular, do not know the extent to which suffering exists among the people of the United States. It is hard for them to believe that there is real suffering. Some of them think that because some of the banks have failed an effort is being made to get some money into the States. That is not true. A desperate situation exists in many of the States of this Union. My own State is one of them.

I stated here a few days ago, and I will repeat now, that 1,100 banks failed in the United States in the year 1930. Some few have failed since that time. One in my own home county, in my home town, failed. I was astounded when I heard that that bank had closed. I said on yesterday that it was run by splendid business men, among the finest citizens in the State. Crops have failed because of the drought. Farmers can not pay the merchants, as I said on yesterday, and the merchants can not pay the banks, and there is stagnation in business and widespread distress.

The Senator from Wyoming has suggested that with the Nation holding wheat, something should be done to get that wheat to the people who are really starving. Why can we not do that? I have on my desk a newspaper clipping saying that out in the West, I believe in Iowa, the farmers are burning wheat for fuel, and have found that at the present price it is cheaper than coal. I have also been informed that they are feeding wheat to hogs; that it has become so cheap they are now using it as feed for hogs. Is not that a dreadful situation to contemplate; that in a great and rich Nation like ours we are able to take out of its bountiful supply of wheat vast quantities and feed it to swine, while human beings, made in God's image, must suffer and almost starve?

Mr. President, day before yesterday the Senate adopted an amendment offered by the junior Senator from Arkansas [Mr. CARAWAY] appropriating $15,000,000 to be used for food supplies for the people who are in great distress. That amendment is in the House now, and no action has been taken upon it, and I do not know that action is contemplated. It may be that the telegram from the Governor of Arkansas printed by the Baltimore Sun has hurt. I hope it has not. It may be that some Members of the House have the impression that there is no genuine distress so that this extraordinary action would be warranted and justified.

I understand that Representative LAGUARDIA is holding the measure up because he wants to provide funds for those in distress who do not live in the farming regions. I do not blame him for that. If there are people in distress in his district and in other places who are not farmers, they ought to have relief from this great Government. But the matter ought to be taken up and considered, and if the House wishes to amend the measure, let the House do so. I submit that this measure is so important, and the exigencies of the occasion so great and urgent, that immediate action ought to be had by the other branch. I sincerely hope that action will be had before adjournment is taken to-day.

Mr. President, I have received quite a number of letters regarding the chief cause of this distress in the country in sections outside of the drought-stricken area. It has to do with the banking institutions, not only there but everywhere. It is the New York Stock Exchange.

I have introduced a bill which provides that the interest rate on call money shall be limited, and I fixed the rate at 8 per cent. I have had a number of suggestions from business men to the effect that the rate ought to be made 6 per cent, and I am willing to amend the measure in that regard. My purpose in limiting the rate was to hold the rate down to so low a figure that there would be no inducement to the banks out in the States to send their money to New York where they could get a higher rate of interest for it. Because of the high rate of interest which has existed in New York on account of speculation on the stock exchange, millions and hundreds of millions of money has gone there. If my bill becomes a law, the rate of interest will be so low that there will be no inducement to send the money there, and that money will remain in the States to answer the needs of legitimate business.

My bill requires that there shall not be speculation on margin. There is the great evil. The London Stock Exchange permits speculation on margin, but it allows settlements only once in two weeks, the difference being that the New York Stock Exchange compels settlement every day.

Mr. President, the whole world has unloaded on the United States and is speculating on the New York Stock Exchange, and I want to call to the attention of Senators one of the great evils we have under the sun. The McFadden banking bill provided—and it was a very innocent-looking provision—that securities pronounced good and sound by the Secretary of the Treasury could be speculated in on the New York Stock Exchange. Following that action the Legislature of the State of New York passed a bill listing foreign securities for speculation on the stock exchange, and I am informed that the Secretary of the Treasury has pronounced as good many of the foreign securities, and, under

the statute of New York State, they are now being dealt in upon the New York Stock Exchange.

That is not all. The McFadden banking bill provided that the Federal reserve banks could invest their trust funds in those securities pronounced good by the Secretary of the Treasury, and they have bought foreign securities and are loaded down with foreign securities. They are frozen credits, and that is one of the reasons for many bank failures in the United States.

Mr. President, I am going to ask the Committee on the Judiciary and every member of it who is interested in his country's welfare to take my bill, to analyze it, to amend it if necessary, to do anything with it that will make it stronger and make it do what I believe nearly nine-tenths of the American people want done, and that is to stop the gambling orgy on the New York Stock Exchange, and which has been going on for months and months.

Senators, in a brief speech that I made here some days ago I called attention to the fact that in one day the losses on the New York Stock Exchange were $10,000,000,000, and that that was greater than the income of every farm in the United States for the year 1929. The day to which I referred, as I remember, was October 28, 1929. Think of such a thing as that happening. Are we interested in that matter? Are Senators stirred and enthusiastic about doing something to remedy that condition? No, Mr. President; it is unfortunately true that we frequently spend a good deal of time talking and legislating about matters which are not of such great moment.

This is the giant evil of the Republic. Let me read some excerpts from letters I have received:

PRESENT DEPRESSION DIRECT RESULT OF GAMBLING

I am glad to see that you have introduced a resolution to prohibit trading in margins on the stock exchange and to limit interest on call money to 8 per cent. I wish to congratulate you on the stand you have taken, as I believe this is the first attempt that has been made to prohibit gambling in the stock market on the necessities; that is, food products and the crude products that go to make wearing apparel.

There is no doubt in my mind but that the present depression is a direct result of gambling (there is no other name for it) on the stock exchange. I see no reason why our National Government and State governments should condone outright gambling in the necessities of life.

This is not alone the writer's opinion, for I have talked to a great many people recently and find them of the same opinion.

I am to-day writing other Senators requesting support of your resolution and will be glad if you will inform me if I can be of any assistance. (H. D. Campbell, Campbell Realty Co., Raymondville, Tex.)

STOCK EXCHANGES MENACE TO LEGITIMATE BUSINESS

The greatest relief that Congress can give the American people and American industry is to close the stock exchanges, especially the New York Stock Exchange.

Close the gambling joints first, and then investigate, and give the greedy grafters what is coming to them. In my opinion, the stock exchanges are a menace to legitimate business. (W. A. Webster, Muskogee, Okla.)

ALL CLASSES FAVOR BILL

(Western Union telegram.) Notice by press dispatch your bill introduced proposing to prohibit marginal trading on stock exchanges. Wish to congratulate you on this constructive move. You will find sentiment over the country among all classes, including some of our best business men, in favor of a law of this character. Should have been passed 50 years ago. More power to you. (W. R. Ramsey, Oklahoma City, Okla.)

NEW YORK STOCK EXCHANGE INTERNATIONAL GAMBLING HOUSE

The World to-day says you want to change the ways of the New York Stock Exchange. It's good to see one brave man get up in the Senate to protect the rights of the people from a gang of pirates who have been robbing the people for years.

Congress must compel all stock exchanges to incorporate under a national law. The New York Stock Exchange is an international gambling house. Its wires run into every State of the Union. In California the gambling begins at 7 a. m. to meet New York time of 10 a. m. Of course, you will have to fight hard to pass such a law, but it can be done. I wish you could see, as I do often, the many that have lost their all in the 1929 crash. Only yesterday I met a poor working girl who bought 10 shares of City Service at $25 a share—$250. In three weeks it had fallen to $14.50 a share. (Arthur Kohn, New York City.)

MICHIGAN STATE SENATOR SAYS STOP GAMBLING ON MARGINS

I have just read your speech on the New York Stock Exchange. It is one of the best speeches I have ever read—

Pardon me, Senators, for reading that complimentary notice—

Every sentence of it bristles with truth. Every State in the Union has laws against gambling in most every form, but the State of New York and the United States Government permits the worse gambling den in the world—the New York Stock Exchange—to run unmolested.

Gambling on margins should be made a criminal offense. The Louisiana lottery was a small game compared with the New York Stock Exchange. You are absolutely right in your assertion that inflated values caused by an orgy of gambling and the inevitable bursting of the bubble had more to do than anything else with the great calamity of depression that has now fallen upon our entire country. You are certainly on the right track, and deserve the support of Congress in your battle along this line. (Peter B. Lennon, State senator, Genesee County, Lennon, Mich.)

RESOLUTION TO PROHIBIT MARGIN TRADING HITS THE NAIL SQUARELY ON THE HEAD

Your resolution to prohibit margin trading is hitting the nail squarely on the head. While you are not a Representative from the State of Michigan, I wish to congratulate you and I hope you can open the eyes of the people who will not see. I wrote an article soon after the President called a meeting of outstanding business men. I took the position in this article that if the President would prevent gambling in stocks and grains on margins these panics would be a thing of the past. (Chas. Compley, route 4, Scottville, Mich.)

PEOPLE SLAUGHTERED LIKE CATTLE IN NEW YORK BROKERAGE HOUSES

I note in last night's Evening World that you are introducing a bill in the Senate to prohibit margin trading on the stock exchange. I am working in one of the largest brokerage houses in New York City and it rends my heart to see how people are being slaughtered as if they were cattle. I am sure you will find hundreds like me who could give you information that would storm the country.

I am indeed sorry that I can not give you my name and address, as I am the only supporting member in my family. (———, New York City.)

EXCHANGE WHIPPED PUBLIC MIND INTO A FRENZY OF SPECULATION

The New York Stock Exchange, with its board rooms everywhere, through the use of United States mail, telegraph, telephone, radio, and newspapers, whipped the public mind into a frenzy of speculation and brought on the present distressing conditions. If they had been so many secret agents of Soviet Russia they couldn't have struck a harder blow at the very foundations of our Government. (R. D. Bates, Bloomington, Ill.)

LEGISLATION PROHIBITING TRADING IN MARGINS NEEDED

Your resolution to prohibit trading in margins will be one of the most important pieces of legislation for a generation and will do an untold amount of good. (D. C. Taylor, Davis, Calif.)

EXCHANGE GAMBLER APPLAUDED AND PRAISED

I have read with approval, and I am sure I voice the sentiments of hundreds of thousands others, of the resolution introduced by you to prohibit trading in margins on the stock exchange.

I am sure that the activities on the exchanges in New York and Chicago were directly responsible in a large measure for our present business depression.

Almost anywhere in the United States when a small gambler is apprehended and fined he is stigmatized, but on the exchanges where the stakes run into the millions the winner is applauded—

Mr. President, we all know that that statement is literally true—

and praised for his shrewdness. (James M. Givems, attorney at law, Muskogee, Okla.)

RECENT DEFLATION DEBACLE

You are on the right track when you advocate outlawing marginal trading. When that has been done—against the full force of the most powerful organization the world has ever known—the New York Stock Exchange and its allied banking interests—a recurrence of the tremendous loss the American people have recently suffered will be impossible. The incentive to dishonesty on the part of the broker will be removed in very large measure, because if he is not carrying stocks on margin he will have no pecuniary interest in selling short against his own customers. Neither will he have any incentive to put stocks up or down illegitimately, because his interest in a transaction will cease when he has executed an order and earned his commission.

I think you will find, if you will make proper investigation, that members of the London Stock Exchange do not carry stocks on margin.

I have learned that they do, but they require settlement only once every two weeks, as I said, while the New York Stock Exchange requires settlement every day. The New York Stock Exchange wants a short time in which to entice the unsuspecting public and slaughter them before they can escape from the deadfall which has been set for these daily operations.

The game, as played here, is the most dishonest and most disastrous ever conceived. It has built up a power almost beyond the imagination and periodically impoverishes the people at a word from the inside manipulators. It is said that the deflation in the recent debacle was between fifty and seventy-five billion—a stupendous sum, almost beyond calculation.

Financial writers allied with Wall Street, who are usually nothing more or less than kept writers, have tried to convince the people that this was not a real loss. That is absurd. It was a direct cash loss to the extent of the money paid down upon margins and an indirect loss, though real in its effect, to the extent of the balance, which represented hope and luxury buying power of a people who, by propaganda without counterpart in history, had been misled into the belief that investment in stocks of the New York Exchange was almost sacredly safe. Until marginal trading by brokers has been wiped out, this country will always face a menace second to none. (Sidney Norman, Los Angeles, Calif.)

Mr. President, that is all that I desire to put into the RECORD this afternoon upon this subject, but I am going to keep constantly presenting it to the Senate. I want the cooperation of every Senator, particularly the Senators who are members of the Judiciary Committee. I should like to have them promptly act upon my bill. I want them, just as soon as it is convenient for them to do so, to set a day when they will accord a hearing upon it. I desire to bring some gentlemen here from the East, from the New England States, and from the West to appear before the committee. I wish also to present letters that I have received upon this subject.

Senators, something must be done to stop gambling on the New York Stock Exchange. It must be done. I know it is a big question. Some of the letters I am receiving warn me that this is a concern of tremendous political power and that it will be difficult for me to get Senators sufficiently interested in it to consider the question. Mr. President, I should dislike to think that that were true. I believe that Senators here, representing the sovereign States of the Union, are willing to tackle questions of this kind, it makes no difference how big they may be and how dangerous it may be politically to attack them, when they are shown to be dangerous and deadly to the highest and best interests of the country.

Senators, if I were President, I would address a special message to the Congress upon this very subject. If we shall correct the evils of the New York Stock Exchange, we shall have put our hand upon and put down the greatest menace to the business life of America. As I once before said in this body, the New York Stock Exchange throws its giant shadow across the field of human endeavor in every State in the Union. Any evil as great as that ought to be eradicated.

I would not put the exchange out of business; I would let it operate legitimately; I would permit it to sell securities outright or to buy them; I would permit it to buy and sell shares and stocks and bonds outright; but, Mr. President, when we clothe an exchange with the power to sell fictitious stuff and watered stock not only by the millions but by the billions of dollars worth, we clothe them with the power to produce panics; we clothe them with the power to lure speculators into their dens and to slaughter them by the thousands and hundreds of thousands.

A gentleman in my office this morning told me how he had watched speculation in the stock of the Simmons Bed Co. He saw a statement to the effect that the stock was selling at $60 a share, and he was urged to buy shares at $60. He was told they were going to be put up to $100 and more. However, he did not invest; he merely watched the operation. That stock was forced up to $200 a share, though the company had never earned a dividend, but to-day it is bringing only about $15 a share. That is skyrocketing business for the idle rich, but it is slaughterhouse business for those who invest their earnings, it may be of a lifetime. Brokers on the New York Stock Exchange lure an army of unsuspecting men and women out in the States into these transactions. The broker tells the customer to put up $7,500 with him, to sign a contract buying stocks and shares on margin, that he is going to carry them for him. The price goes up a little, then a crash comes, and it goes down considerably. The broker then turns to the customer and asks for more margin, for $2,000 more, or whatever the amount may be, perhaps $5,000. He says, "I have not got it; I can not do it." The broker says, "Very well; under the contract you signed with me I own your contract; you have not got a 5-cent interest in it; all you had in it has been forfeited; it is mine; it belongs to me." Then he takes it. The smooth manipulator cashes in; he "cleans up"; and the poor man or woman walks out empty-handed, all he had having been lost on the gambling exchange that Congress permits to exist. There is not any escape from that conclusion.

We are told that it is a State institution, but that is not true. It uses the telegraph wires, it uses the telephone and radio; it uses the mails; and people in every State in the Union are doing business of some kind with that exchange in New York City. Mr. President, it is a national institution as well as a State institution; and Congress, because of the character of the institution, has jurisdiction over it and ought to legislate in reference to it. I said once before—and I desire to repeat—that if it is a State institution and beyond our reach and control, then Mr. Roosevelt, who is the governor of that State, owes it to the people of this Nation to curb its very dangerous activities. But, Mr. President, I take issue with those who say it is a State institution. It is an interstate institution, and we can regulate it if we will.

I want the Senator from Nebraska [Mr. NORRIS], the chairman of the Judiciary Committee, to study my bill, and if he, good lawyer that he is, can suggest any amendments that will make it stronger, I hope he will feel at liberty to do so, and I hope every other member of the committee will likewise feel at liberty to do so. I want to secure action upon that bill at this session of the Congress.

Mr. President, from time to time I shall ask to have printed in the RECORD letters and excerpts from letters and other statements bearing upon this subject which I think will be helpful to Members of the Senate in the consideration of this question.

CONFIRMATION OF POSTMASTERS

As in executive session,

Mr. PHIPPS. Mr. President, I call attention to the fact that there are a number of nominations on the Executive Calendar of postmasters. I was wondering if we could not have those nominations confirmed at this time. I am sure there is no objection to any of them. I ask unanimous consent that they may be confirmed en bloc.

The PRESIDING OFFICER (Mr. FESS in the chair). Is there objection? The Chair hears none, and the nominations of postmasters on the calendar are confirmed en bloc, and the President will be notified.

PROPOSED INVESTIGATION BY TARIFF COMMISSION

As in legislative session,

Mr. McKELLAR. I ask unanimous consent for the consideration of the resolution which I send to the desk. It is the resolution which I endeavored to present this morning. It has been, of course, submitted to the chairman of the Finance Committee.

Mr. JONES. I understand the Senator has discussed the resolution with the chairman of the Finance Committee and that it is satisfactory to him.

Mr. McKELLAR. Yes; I saw the Senator from Utah [Mr. SMOOT] in regard to the resolution, and he was willing that it might be adopted.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the resolution (S. Res. 397) was considered and agreed to, as follows:

Resolved, That the United States Tariff Commission is hereby directed to investigate, for the purposes of section 336 of the tariff act of 1930, the differences in the cost of production between domestic fresh pineapples and foreign fresh pineapples and to report at the earliest date practicable.

PER CAPITA PAYMENT TO SHOSHONE AND ARAPAHOE INDIANS

As in legislative session,

Mr. KENDRICK. From the Committee on Indian Affairs I report back favorably with an amendment the bill (S.

5295) authorizing an additional per capita payment to the Shoshone and Arapahoe Indians, and I submit a report (No. 1244) thereon.

This bill is in the nature of an emergency measure. It merely provides a small per capita payment to the Shoshone and Arapahoe Indians, and I ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill.

The amendment reported by the Committee on Indian Affairs was, at the beginning of line 6, to strike out "$25" and insert "$15," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior is authorized, in his discretion and under such rules and regulations as he may prescribe, to make an additional per capita payment of $15 to the Shoshone and Arapahoe Indians in the State of Wyoming from their tribal funds deposited in the United States Treasury under the act of August 21, 1916.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FEDERAL POWER COMMISSION

The Senate being in executive session,

The PRESIDING OFFICER. The question is upon the motion offered by the Senator from Montana [Mr. WALSH].

SEVERAL SENATORS. Vote!

Mr. WHEELER. Mr. President, I intended to speak upon the pending motion, but I am not prepared to go on this evening. There are a number of other Senators who are absent from the Chamber who also wish to speak upon this question. I am wondering if we can not let the matter go over until to-morrow. We can not possibly conclude it to-night.

Mr. HEFLIN. Mr. President, I should like to ask the Senator from Oregon [Mr. MCNARY], if the Senator from Montana will permit me, if it is the purpose to continue with executive sessions during the daytime, when we ought to be passing on legislative matters? Can we not agree to consider legislative matters during the daytime and meet here at 8 o'clock to-morrow night and every other night until we finish with this matter? I think we ought to be using the daytime for the passing of legislative matters.

Mr. MCNARY. The Senator from Alabama himself was not very helpful to-day, and until a purpose is shown to transact the business of the Senate there is no use of holding night sessions.

Mr. HEFLIN. Mr. President, I want to say to the Senator that what I was discussing to-day was one of the most important questions before the country. I was calling the attention of the Senate to the fact that thousands of people have been robbed of their accumulations of a lifetime. If the Senator from Oregon does not think that is important, I think there are millions of people who will differ with him.

The PRESIDING OFFICER. The Senator from Montana has the floor.

Mr. WHEELER. Mr. President, I simply rose to say to the Senator from Oregon it now being half past 4 o'clock and I do not see present any Members of the Senate who desire to speak on the pending question, that I thought we would probably expedite proceedings if we would put over until to-morrow morning further debate on the pending question.

Mr. MCNARY. I should be very happy to accommodate the distinguished Senator from Montana, but I stated to a number of Senators that the session would continue, I hoped, until about 5.15 in an effort to dispose of executive business. If the Senator is not prepared to go forward, I think there are other Senators who are prepared.

Mr. NORRIS. Mr. President, I was unable to hear the Senator.

Mr. MCNARY. I said that I desired to go forward with the debate until 5.15 or thereabouts.

Mr. WALSH of Montana. Mr. President, a number of Senators have spoken to me about their desire to debate the question before us, but apparently none of them are ready to go forward at this time. We have been quite diligently at it, though interrupted, of course, by other business. I think if we would have the usual executive session now we would make just as much progress if then we would quit for the day.

Mr. MCNARY. Is the Senator from Montana willing to negotiate concerning a time to vote, and a limitation of debate?

Mr. WALSH of Montana. I should be very glad to; but in view of the number of Senators who desire to speak on the matter, I am sure that it will be quite impossible to agree upon a time.

Mr. MCNARY. Would not the Senator enter into an agreement for a limitation of debate commencing with 3 o'clock to-morrow?

Mr. WALSH of Montana. What limitation would the Senator suggest?

Mr. MCNARY. Fifteen minutes.

Mr. WALSH of Montana. I should not like to do that. I do not think that would be a reasonable limitation.

Mr. MCNARY. Would the Senator be willing to have a limitation applicable at 4 o'clock to-morrow?

Mr. WALSH of Montana. For myself, I should be quite willing to agree to a limitation.

Mr. NORRIS. Mr. President, I should not want to agree to that now. It may be all right to-morrow, but the Senator from Montana has correctly stated the situation when he says that several Senators desire to speak. Some of those who have spoken have spoken at considerable length, and I am not complaining about it at all. Their speeches have been very enlightening, but there are others who desire to speak at some length also.

Mr. WALSH of Montana. I regret to say that I am sure it would be quite impossible to agree upon any time.

Mr. MCNARY. Very well. Then I think some of those who desire to speak should go forward at this time, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum being suggested, the clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Dill	Keyes	Robinson, Ind.
Barkley	Fess	King	Sheppard
Bingham	Fletcher	La Follette	Shipstead
Black	Frazier	McGill	Shortridge
Blaine	George	McKellar	Smith
Blease	Glass	McMaster	Smoot
Borah	Goff	McNary	Steiwer
Bratton	Goldsborough	Metcalf	Swanson
Brock	Gould	Morrison	Thomas, Idaho
Brookhart	Hale	Morrow	Thomas, Okla.
Broussard	Harris	Norbeck	Trammell
Bulkley	Harrison	Norris	Tydings
Capper	Hastings	Nye	Vandenberg
Caraway	Hayden	Oddie	Wagner
Carey	Hebert	Partridge	Walcott
Connally	Heflin	Phipps	Walsh, Mass.
Copeland	Howell	Pine	Walsh, Mont.
Couzens	Johnson	Pittman	Waterman
Cutting	Jones	Ransdell	Watson
Dale	Kean	Reed	Wheeler
Davis	Kendrick	Robinson, Ark.	Williamson

The PRESIDING OFFICER. Eighty-four Senators having answered to their names, a quorum is present.

DROUGHT RELIEF

As in legislative session,

Mr. SMITH. Mr. President, I do not want to delay the consideration of the matter that is before the Senate; but since the matter of the suffering of the people has been discussed here so vividly by the Senators from Arkansas, I deem it my duty to say something about this question.

It is not at all surprising that the distress that we have had so vividly pictured is prevalent in Arkansas. The complete failure of their crop, wiping out their food supplies, has rendered the condition there more acute, perhaps, than might be evidenced otherwise. But, Mr. President, I feel that it is the duty of all the people in the United States, expressing themselves through the organization of their Government, to see that adequate food is furnished the

people of the drought-stricken region, whom I know to be suffering for actual bread to eat.

In my own State, Mr. President, a disastrous condition existed for two years. In 1928 we suffered from the tropical storm. In 1929 we suffered from the most excessive floods. So, in spite of the fact that in 1930 we are alleged to have made the third best crop of any State in the United States, there is in South Carolina to-day absolute suffering, brought about by what? Debts accumulated in 1928 and 1929, both to the Government and to private institutions, took from the producers of the crop of 1930 practically everything they had. That, in conjunction with the depression, with this anomalous, curious condition that confronts us, has put the people of South Carolina, the agricultural interests, the farmers, in a condition that is in a degree as bad as that pictured by the two Senators from Arkansas.

Fifty per cent of the farmers of my State are to-day at a loss to know where they will get the wherewithal even to plant a crop in 1931. The banks are absolutely unable to extend any credit. The Government, the land banks, are selling out farmers every day, turning them in the road. Last Monday I was up at the county seat of the county in which my farm is located, and there farm after farm, the erstwhile possessions of the very best men in the very best section of South Carolina were going under the hammer at less than the amounts of the mortgages that the land bank had advanced. They were turning them out in the road, leaving them without home or shelter, taking their entire crop, their livestock, and the proceeds of the farm, plus the farm, and leaving them absolutely penniless.

A rather curious thing occurred. In the case of 14 farms sold by the land bank, as I was informed, the land bank bid them in at less than the mortgage called for—bid them in, in some instances, at less than the mortgage and less than the amortization that they had paid up to that time.

Here we are appropriating $116,000,000 to help the unemployed, while another instrumentality of the Government, on account of the conditions required by the letter of the law not being fulfilled, is putting men out in the road to add to the army of the unemployed, rather than our meeting the situation and providing that if the farmer can not pay the interest and amortization, he shall at least be kept there where he can till the soil and make bread and meat for those who are dependent upon him.

Mr. SHORTRIDGE. Mr. President, will the Senator yield for a question for information?

Mr. SMITH. I yield.

Mr. SHORTRIDGE. Would it be necessary to amend the existing law in order to extend the time of payment of moneys due the banks?

Mr. SMITH. There is now on the calendar a bill introduced by me, and I would like to state the conditions to the Senator from California and others who are listening.

Mr. SHORTRIDGE. I ask the question for information, not to argue at all.

Mr. SMITH. I would like to have the time for payment extended to delinquents who are delinquent through no fault of theirs, but who are caught in this unprecedented condition, the result of both the weather and our failure to meet conditions by providing a better system of distribution.

Mr. SHORTRIDGE. Extend the time of payment?

Mr. SMITH. Just extend the time of payment for three years, and allow those people at least to make a living and not become a burden on organized society.

Mr. SHORTRIDGE. Such foreclosures as were made were made under the law; no complaint is made of the officers?

Mr. SMITH. No. They have simply to carry out the law. They have no discretion under the law. They have to carry it out, and in carrying it out they are adding fuel to this horrible fire, and it is for that reason that I took the floor this afternoon.

Mr. SHORTRIDGE. The Senator's bill seeks to extend the time for payment?

Mr. SMITH. That is right.

Mr. KING. Mr. President, if the Senator will yield, I just came into the Chamber, and I am not entirely familiar with the Senator's bill, and do not know just what ground the Senator has covered. I was wondering whether the Senator had considered the proposition of the right of the Government to extend the time and suspend the running of the statute of limitations.

Mr. SMITH. It is not really a statute of limitations, as we understand the term "statute of limitations." After certain delinquencies have occurred, the land-bank officials have no discretion as to foreclosure. They must foreclose. It is for that reason that I introduced the bill to provide a fund out of which the land-bank officials may meet the interest on the bonds, because the money they get to lend to the farmers is dependent upon the salability of the bonds, and if the bonds become vitiated, then it is impossible to get the money to carry on these loans, and the farmers being unable to meet their notes, they can not meet capital payments, they can not meet the interest and amortization on the mortgages, and it is for that reason that I introduced the bill providing that they may have three years' time.

Mr. KING. I had in mind a case where the notes were now due, or perhaps had been due for several years.

Mr. SMITH. The life of the loans is 32 years. If one keeps up his interest and amortization semiannually, he has 32 years in which to liquidate the debt. The interest and amortization run along together, and at the end of 32 years one has paid the entire loan, both interest and principal. I do not know the exact number of years, but where a delinquent has defaulted a certain number of times, then his land is put up for sale and the proceeds shall go to the credit of the bonds and the mortgage.

Mr. KING. Does the Senator still deal only with loans which have been made by the Federal land bank, or by these other organizations?

Mr. SMITH. The Federal land bank and the joint-stock land bank. I am trying to reach those two institutions.

I see on my desk a resolution, I think introduced by the senior Senator from Florida [Mr. FLETCHER], asking for information from the land bank as to the number of delinquents, and the total amount of delinquency. That information, of course, would be helpful to Senators in the consideration of the measure I now have before a subcommittee. I hope to get a favorable report from the committee.

Mr. HEFLIN. Mr. President, where these foreclosures take place and a forced sale of the land is had, does the Senator know of a single instance where the land has brought as much as the farmer was paying the Government for the loan?

Mr. SMITH. No; and I am glad the Senator from Alabama asked me that question. Right around my home there are innumerable farms on which the land bank has foreclosed and is renting the farms to the very parties from whom it took them. I know numerous instances where they have foreclosed and taken possession of land in the name of the land bank and are renting it to the individuals who could not meet their obligations.

Mr. FLETCHER. Mr. President, will the Senator yield to me?

Mr. SMITH. I yield.

Mr. FLETCHER. The Senator has alluded to a number of foreclosures, and has made the statement, as I understand, that the foreclosures were instituted only in cases where the law required the bank to foreclose because of the length of the default. Is the Senator quite positive about that?

Mr. SMITH. I am not positive about it.

Mr. FLETCHER. Are they not foreclosing in cases where there have been defaults for more than six months or more than 12 months, perhaps, and yet within the time within which the bank has discretion to grant further extensions?

Mr. SMITH. I have not investigated that. It has been intimated to me that the bank has not exercised the discretion it now has.

Mr. FLETCHER. There is no doubt but that the bank has quite extensive discretion about extending time for the making of the payments. Say an amortization payment on account of the principal is due, 1 per cent of the principal

is due, the interest is due at a six months' period, and after default has been made the bank has a right then to foreclose. It has the right to do it. But it has the discretion also to grant an extension of time within something like two years, according to my recollection. A default may continue for some two years before the bank is compelled to foreclose on the mortgage under the law.

I am not sure, but I think perhaps foreclosures have been instituted within the time and perhaps the property sold and bought in by the bank, as it would be the only purchaser who could buy the mortgage, and the banks invariably bid in the property, I take it. In the district where the Columbia Bank is situated some $4,000,000 have been invested by the bank in farms; at least, that is the amount involved.

What is the bank to do? It is not going to rent farms; it has no authority or power to rent farms.

Mr. SMITH. It is doing it.

Mr. FLETCHER. They are simply buying this property, and in a great many instances I am quite sure they are insisting on foreclosure within the time when they have a discretion to grant extensions.

Mr. SMITH. What would be the Senator's suggestion to remedy that condition? It is appalling in my State.

Mr. FLETCHER. That brings the answer to this. It is a question of administration. I think the law is strong, is good, is sound. It is a question of administration of the law. If the administration is not conducted as it should be, then that raises another question, but I think it is very largely a matter of administration.

Mr. ROBINSON of Arkansas. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Arkansas?

Mr. SMITH. I yield.

Mr. ROBINSON of Arkansas. In partial answer, at least, to the statement and suggestion just made by the Senator from Florida, let it be understood that both Federal and joint-stock land banks are authorized to issue bonds and to employ the proceeds in making loans. When a bank issues bonds it is required by the law to hypothecate with the registrar of the district first mortgages at least to the amount of the bonds, and the only way the bank has of meeting the interest on its bonds is through the collection of the amortization payments on the mortgages.

While a bank may refrain from foreclosure after an installment becomes due, it must withdraw, after a certain period fixed by the Federal Farm Board, this first mortgage which constitutes the basis of the bonds and supply additional first mortgages. If its collateral is all exhausted, it is compelled to resort to foreclosures in order to meet the payment of its interest on the bonds, and any measure which deals with an extension of payments from the borrowers must also make provision for the interest on the bonds in a corresponding or approximately corresponding amount. Otherwise the result would be that the banks would extend the amortization payments for the benefit of the borrowers, payment of the interest on the bank bonds would be in default and the bank would go into immediate receivership, and then, of course, foreclosures would follow with practically no limit.

There is no way in which either Federal or joint-stock land banks can extend for a period of a year or two years the major part or a large part of the amortization payments to be made by the borrowers and meet the banks' obligations as to interest on the bonds.

This fact should also be carried in mind. These banks by the law are limited in the rate of interest they may charge to 1 per cent above the rate of interest their bonds bear. To illustrate, if they sell bonds paying 5 per cent interest, they may make loans paying 6 per cent interest, and no more. So that the only margin out of which a Federal or joint-stock land bank has to pay overhead and losses incurred in the transaction of business is that 1 per cent, the difference between the rate which the loans carry and the rate which the bonds pay.

There is not a bank in the whole system, within my knowledge, which would not be willing, in fact, which would not be anxious, under existing conditions, to make extensions in cases where, because of the exceptional conditions which the Senator has in mind, the borrowers are unable to meet their payments. Once you declare that extensions are to be made, payments will cease, and a very difficult situation will arise.

It is not possible for any Federal or joint-stock land bank about which I know anything to extend the payments which its borrowers under the contract are required to make for a period of, say, two years, and carry on business, unless some provision is made to expand the credit of the bank, or to provide funds out of which to meet the maturities on the bonds.

Mr. SMITH. Mr. President, I went up to Columbia and went over the situation very carefully with the president of the bank, who informed me very particularly that in order to keep the bonds salable, in order to keep the bank solvent, they had to have this interest. It was the only source from which they drew capital sufficient to invest in bonds for subsequent loans, and to take care of the interest due on loans already made, but this depressing condition forces them to foreclose.

I did not go into the question of what they do with the land, how they realize on the land which they take and which they are unable to dispose of. The rents they get in no way meet the interest. There are one or two places I have in mind where they did not rent at all. The land is in the name of the bank and lying idle. I understand, though I am not stating it as a fact, that in some sections they have simply allowed the lands to be cultivated and the houses occupied free of any rent pending a sale. They are from time to time making some sales, of course far below the amount loaned.

I went over the question with Mr. Daniel, who is president of the Columbia Bank. He informed me that he was alive to the situation and would be very glad if he had any way in the world, where it was a good moral risk, where the delinquent was delinquent on account of the disasters which have overtaken the whole country and made it impossible for him to meet his obligations, to carry such delinquents if he had any means by which he could meet the obligation that he was under to the bondholders.

Mr. KING. Mr. President——

The PRESIDING OFFICER (Mr. JONES in the chair). Does the Senator from South Carolina yield to the Senator from Utah?

Mr. SMITH. I yield.

Mr. KING. Does not the Senator think, notwithstanding the very humane point of view which he takes and the object which he seeks to accomplish, that in order to accomplish it successfully, unless the banks have large reserves out of which they could meet the accruing interest which has to be paid upon the bonds, the Government of the United States would be compelled, in order to save the banks from bankruptcy and to keep the bonds a good moral risk and to give them any validity, to advance perhaps several hundred million dollars to meet the recurring interest during the three years, to keep the bonds alive and to keep the banks alive, failing which the banks will go into the hands of receivers, as indicated by the Senator from Arkansas?

Mr. SMITH. Oh, I think so. My idea is that we as legislators are confronting and attempting to deal with a condition over which none of us have any control—that is, this economic crash which has come, resulting in disaster to the producers, to the people who are making the wherewithal upon which we live, resulting in their being thrown out and dispossessed through the necessity of meeting their obligations. We must remember, too, that we are under obligations to those who bought the bonds. Would it not be better for us to make some provision by which we give to the banks a reserve fund, available for a long time, out of which they in their discretion could meet the interest and charge it up to the property. Then after a reasonable length of time—I have provided in my bill three years—if any degree of prosperity should return, they would stand to lose infinitely less than they are losing now, because in

taking over the property now they are losing the very basis upon which they issued the bonds.

I know of one case which I have in mind where they had a $10,000 loan. The individual who borrowed had four years' use of the $10,000. I do not know how much the amortization of that sum would have been for four years, but the property was sold for about $3,500. It was sold out and that is all the borrower had. Who loses the difference between the $10,000 and the $3,500?

There is the proposition. If the land at the time the mortgage was made was worth two or three times that amount, would it not be better for us to make provision that this good moral risk, consisting of a farmer who was met by current disaster and then by a panic the like of which we have never known, should be given a chance to stay on his property until such time as something like normalcy should be restored?

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Florida?

Mr. SMITH. I yield.

Mr. FLETCHER. These loans were all made upon a basis of 50 per cent of the value of the land, made to real, actual farmers cultivating the land. That 50 per cent estimate was made by the National Farm Loan Association and by the appraiser for the Federal land bank. In my judgment the land constitutes perfectly strong and adequate security. If productive farms in this country are worth nothing, then we have not any basis for valuation for any sort of wealth whatever. The farms, in my judgment, are perfectly good. They are secured by mortgages, as the Senator from Arkansas pointed out, collected and put together, and the amount of the mortgages covered by a bond issue. The bonds are sold bearing usually as low as 4½ or 4¼ per cent interest. They are tax exempt. They are perfectly good security. If we have anything that is good at all in the United States, these bonds are good because they have back of them real estate appraised at 50 per cent of its actual value and the improvements are 20 per cent of their value.

The farmers have been caught in a jam by reason of flood and drought and inability to dispose of their products and all that sort of thing, but that is only a temporary condition. What I meant by saying it is a question of administration is that I would not undertake, as the Senator from Arkansas observed, if we give notice that we are going to extend the time for a year or two years, to have them quit paying entirely, because then the banks could not pay the interest on their bonds. In my judgment we must deal with each individual case. The bank must take it up with the farmer. If he can only pay half of his interest or one-fourth of his interest, give him a little longer time on the balance. The banks should have discretion to extend the time.

We had better keep the farmers on the farms. The banks do not get any interest or any proceeds with which to pay the interest on their bonds by selling the property or by acquiring it themselves. It is to the interest of the banks to keep the farmer on the farm. They must not give a general notice that they are going to extend the time for payment, but must deal with each individual farmer in the matter of extending his time.

Mr. SHORTRIDGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from California?

Mr. SMITH. I yield.

Mr. SHORTRIDGE. The statement of the Senator from Arkansas was enlightening to me and to others. But is it quite fair to criticize the officers of the banks who have foreclosed? The question in my mind is: Have they discretion to extend these periods as indicated by the Senator from Florida?

Mr. SMITH. The Senator from Florida spoke about 50 per cent value. I would like to ascertain throughout the United States—not in my State alone but throughout the United States—what is the actual salable value of farm land now as compared with five years ago.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield at that point, for that is the point as to which I rose a moment ago to interrupt him?

Mr. SMITH. I yield to the Senator from Arkansas.

Mr. ROBINSON of Arkansas. Conditions in a large part of the territory with which I am familiar are now exceptional. Foreclosures result in the banks obtaining title to large areas of land, because there is at this time practically no market for real estate. It is undoubtedly true that a movement must come back to the land. It is undoubtedly true that it constitutes the best security in the long run. But we can not foreclose mortgages now and find purchasers for the land. The banks are already acquiring considerable areas of land. As the Senator well understands, when a bank takes title to real estate it must carry it as real estate. It can not use it as the basis of further loans or as collateral for its bonds. It must write it out of its transactions and carry it as real estate. The Federal Farm Board has relaxed its rules in that respect in some particulars in recognizing the present situation.

The Senator is addressing himself to one of the most important subjects that has been brought before the Congress or that can be brought before the Congress. But I wish to emphasize the statement which I made a few moments ago that we can not deny the banks the right to foreclose because of past-due installments unless we make some provision also for the interest on the bonds of the banks.

Mr. SMITH. That is the very point I am trying to make. The bank can not discharge its duty, and in the disastrous condition now confronting us carry indefinitely the delinquencies which are piling up. The people have not the money to pay. Not having the money to pay, the banks can not meet their obligations to the bondholders. The result of what is now happening is that the lands which are necessarily being foreclosed are being thrown on the market, and just what is the reaction on the banks I am unable to state. I would like to have had time enough to go into that question so as to ascertain into what form they convert the titles they are taking into an asset to meet the situation which they are required to meet under the law.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield further?

The PRESIDING OFFICER. Does the Senator from South Carolina yield further to the Senator from Arkansas?

Mr. SMITH. I do.

Mr. ROBINSON of Arkansas. There is a phase of the subject which has not been mentioned so far as my recollection goes, although a part of the time since the discussion began my attention has been engaged with other matters. But due to the conditions which have been described there is a real danger of a breakdown in the Federal land-bank system which has occurred to this extent, and we might as well state it frankly. Few of the banks are now making loans. Some of the joint-stock land banks have completely suspended making loans and are in a process of liquidation. There is no criticism to be made of that course, because it is the sound thing for them to do.

But there ensues a result which I think must receive some consideration, and that is that those banks in the aggregate are estimated to have saved in reduced interest rates to the farmers of the country something like $200,000,000 a year. I have seen various figures and estimates, but my information is, and I obtained it from the president of one of the Federal land banks, that it is at least $200,000,000 a year.

At this time the banks, as a rule, are not expanding their loans; they are not making new loans; they are looking after their existing loans; and, quite naturally and as might be expected, rates of interest on farm loans are again rising. In one State it was pointed out to me that the rate charged by private loan companies had already advanced by approximately three-quarters of 1 per cent per annum because of the virtual absence of competition on the part of the land banks.

Mr. McNARY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Oregon?

Mr. ROBINSON of Arkansas. Certainly.

Mr. McNARY. If the Senator has not concluded his statement I will not ask him to yield.

Mr. ROBINSON of Arkansas. I have concluded my statement.

Mr. McNARY. Mr. President, according to the promise I made earlier in the afternoon, I should like at this time to move a recess. It is now a quarter after 5 o'clock.

Mr. SMITH. Mr. President, I have just a word or two more to say and then I will be through.

The Senator from California [Mr. SHORTRIDGE] asked me what I proposed. Just in a word, let me say that the terms of the bill I have introduced provide for the appropriation of a certain amount of money for the land banks and their advisory councils to be used in their discretion in order to carry the interest of delinquents who, in their judgment, should be accorded the extension and whose property, in their judgment, would ultimately be saved by extending for three years the time within which payment might be made for money advanced by the Government. Such a measure would assure the bondholders that they would receive the interest on their bonds and would give the delinquent individuals three years' time in which to work out their problems. We all hope that in that length of time conditions will be improved. In any event, such a measure would give at least three years' time in which there would not be, perhaps, such a disastrous loss even to the banks as might otherwise occur, for in taking the property it is evident to every man that the banks are getting nothing like the value of the money which they have already advanced on it.

Mr. MORRISON. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from North Carolina?

Mr. SMITH. I do.

Mr. MORRISON. Is not that situation in North Carolina and South Carolina greatly aggravated by the fact that in some counties the entire banking system is prostrate?

Mr. SMITH. That is true.

Mr. MORRISON. With every bank in those counties closed, the farmers, though solvent, their property being almost valueless, are unable to borrow money.

Mr. SMITH. Yes. I should like to say in conclusion that conditions are such that there is no fixed value on anything outside of the dollar, and the dollar is not present. That is the condition which confronts the country at large, not only the farmer but the merchant and the business man. It is a condition that has never been paralleled or approximated in the history of this country. Everything is at a dead standstill. Already the merchants are beginning to sacrifice the goods on their shelves in order to gather in a little ready cash. The situation is such that I hope the committee will be able promptly to take action. I am sure the chairman of the committee before which the bill is pending will join me in urging a favorable report, so that when the measure shall come before the Senate for consideration it will be possible to appropriate a sufficient sum of money to meet the situation and enable people in distress to retain their homes.

REPORT OF GEORGETOWN BARGE, DOCK, ELEVATOR & RAILWAY CO.

The VICE PRESIDENT laid before the Senate the report of the operations of the Georgetown Barge, Dock, Elevator & Railway Co., submitted pursuant to law for the calendar year 1930, which was referred to the Committee on the District of Columbia.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a letter in the nature of a petition from Sophie Judd Cooke (Mrs. George P. Cooke), chairman committee on legal status of women, League of Women Voters of the Territory of Hawaii, Honolulu, praying for the passage of House bill 4656, being a bill to amend the Hawaiian organic act, as amended, which was referred to the Committee on Territories and Insular Affairs.

He also laid before the Senate a resolution adopted by the Council of the Municipal Government of Bago, Province of Negros Occidental, P. I., protesting against appointment of Mr. Nicholas Roosevelt as vice governor of the Philippine Islands, which was referred to the Committee on Territories and Insular Affairs.

He also laid before the Senate resolutions adopted by the Filipino Barristers' Association of California, Los Angeles, Calif., protesting against the passage of legislation restricting immigration as applied to the Filipino people, which were referred to the Committee on Immigration.

He also laid before the Senate resolutions adopted by representatives of various Russian organizations at Chicago, Ill., favoring the outlawing of the Communist Party of America and the immediate deportation of all members of that party, which were referred to the Committee on Immigration.

He also laid before the Senate a letter in the nature of a petition from J. D. Pyle, president of the ex-Slave Association of the United States of America, at Kaufman, Tex., praying for the passage of legislation granting pensions to ex-slaves, which was referred to the Committee on Pensions.

He also laid before the Senate resolutions adopted by the Republican Executive Committee of Ascension Parish, at Donaldsonville, La., indorsing the candidacy of Hon. B. V. Barance, of Baton Rouge, La., for comptroller of customs at New Orleans, which were referred to the Committee on Finance.

He also laid before the Senate a communication from Charles Davis, of Bass River, Cape Cod, Mass., embodying a plan to eliminate unemployment and for the restoration of prosperity, which was referred to the Committee on Education and Labor.

Mr. SHIPSTEAD presented a petition of sundry citizens, being World War veterans, of Hawley, Minn., praying for the passage of legislation providing for the immediate payment of the face value of veterans' adjusted-compensation certificates, which was referred to the Committee on Finance.

Mr. COPELAND presented petitions numerously signed by sundry citizens of the State of New York, praying for the passage of legislation for the exemption of dogs from vivisection in the District of Columbia, which were referred to the Committee on the District of Columbia.

Mr. WILLIAMSON presented petitions of sundry citizens of Louisville and Trigg County, Ky., praying for the passage of legislation for the payment in cash of adjusted-service certificates of ex-service men, which were referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. HALE, from the Committee on Naval Affairs, to which was referred the bill (H. R. 2335) providing for the promotion of Chief Boatswain Edward Sweeney, United States Navy, retired, to the rank of lieutenant on the retired list of the Navy, reported it with amendments and submitted a report (No. 1231) thereon.

He also, from the same committee, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

S. 2429. An act to amend the act entitled "An act for the relief of certain members of the Navy and Marine Corps who were discharged because of misrepresentation of age," approved January 19, 1929 (Rept. No. 1232);

H. R. 4731. An act for the relief of Frederick Rasmussen (Rept. No. 1233); and

H. R. 7639. An act to amend an act entitled "An act to authorize payment of six months' death gratuity to dependent relatives of officers, enlisted men, or nurses whose death results from wounds or disease not resulting from their own misconduct," approved May 22, 1928 (Rept. No. 1234).

Mr. SHORTRIDGE, from the Committee on Naval Affairs, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

H. R. 6453. An act for the relief of Peder Anderson (Rept. No. 1235);

H. R. 8117. An act for the relief of Robert Hofman (Rept. No. 1236); and

H. R. 11212. An act to authorize a pension to James C. Burke (Rept. No. 1237).

Mr. WATERMAN, from the Committee on Naval Affairs, to which was referred the bill (H. R. 8936) authorizing the promotion on the retired list of the Navy of Stuart L. Johnson, ensign, reported it without amendment and submitted a report (No. 1238) thereon.

Mr. WALSH of Massachusetts, from the Committee on Naval Affairs, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

H. R. 6193. An act for the relief of Sidney Morris Hopkins (Rept. No. 1239); and

H. R. 6194. An act granting six months' pay to Arthur G. Caswell (Rept. No. 1240).

Mr. McGILL, from the Committee on Naval Affairs, to which was referred the bill (H. R. 10365) for the relief of Tracy Lee Phillips, reported it without amendment and submitted a report (No. 1241) thereon.

Mr. GOLDSBOROUGH, from the Committee on Naval Affairs, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

H. R. 1892. An act for the relief of Henry Manske, jr. (Rept. No. 1242); and

H. R. 4760. An act for the relief of Guy Braddock Scott (Rept. No. 1243).

Mr. DAVIS, from the Committee on Naval Affairs, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

H. R. 1075. An act to correct the naval record of James M. Hudson (Rept. No. 1245);

H. R. 3950. An act for the relief of David A. Dehart (Rept. No. 1246); and

H. R. 4907. An act for the relief of Thomas Wallace (Rept. No. 1247).

Mr. BROUSSARD, from the Committee on Naval Affairs, to which was referred the bill (S. 3951) for the relief of Walter Harrell Allen, reported it without amendment and submitted a report (No. 1248) thereon.

Mr. KENDRICK, from the Committee on Indian Affairs, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 4715: A bill for the relief of John T. Doyle (Rept. No. 1249); and

S. 4716. A bill for the relief of Mrs. Thomas Doyle (Rept. No. 1250).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMOOT:

A bill (S. 5564) to adjust the boundaries of the Bryce Canyon National Park, Utah, and for other purposes; to the Committee on Public Lands and Surveys.

A bill (S. 5565) to amend sections 1 and 7 of the second Liberty bond act, as amended; to the Committee on Finance.

By Mr. SHORTRIDGE:

A bill (S. 5566) for the relief of Bernard G. Molsberger; to the Committee on Military Affairs.

A bill (S. 5567) granting an increase of pension to Edith Young Knight; to the Committee on Pensions.

A bill (S. 5568) for the relief of John S. Bonner; and

A bill (S. 5569) for the relief of William Bartlett Haegele; to the Committee on Naval Affairs.

By Mr. REED:

A bill (S. 5570) to authorize the modification of the boundary line between the Panama Canal Zone and the Republic of Panama, and for other purposes; and

A bill (S. 5571) to provide for the entertainment of members and delegates to the Fourteenth Annual Convention of the French Veterans of the World War, to be held in the District of Columbia in September, 1932; to the Committee on Foreign Relations.

A bill (S. 5572) granting an increase of pension to Mary Farrow (with accompanying papers); to the Committee on Pensions.

A bill (S. 5573) authorizing the Court of Claims of the United States to hear and determine the claim of Samuel W. Carter; and

A bill (S. 5574) for the relief of A. J. Segel (with accompanying papers); to the Committee on Claims.

A bill (S. 5575) to amend an act entitled "An act to authorize an appropriation for construction at the Mountain Branch of the National Home for Disabled Volunteer Soldiers, Johnson City, Tenn."; to the Committee on Finance.

By Mr. FRAZIER:

A bill (S. 5576) granting a pension to Ann Monaghan (with accompanying papers); to the Committee on Pensions.

By Mr. HAYDEN and Mr. BRATTON:

A bill (S. 5577) to permit relinquishments and reconveyances of privately owned land within certain counties in the State of Arizona to the United States for the benefit of the Navajo Indians, and for other purposes; to the Committee on Indian Affairs.

By Mr. WATSON:

A bill (S. 5578) granting the consent of Congress to the Pittsburgh, Cincinnati, Chicago & St. Louis Railroad Co., its successors and assigns, to construct, maintain, and operate a railroad bridge across the Kankakee River; to the Committee on Commerce.

By Mr. HASTINGS:

A bill (S. 5579) for the relief of Charles Holding; and

A bill (S. 5580) for the relief of Edward O'Neill; to the Committee on Military Affairs.

By Mr. GLASS:

A bill (S. 5581) to amend section 1 of the act entitled "An act to give war-time rank to retired officers and former officers of the Army, Navy, Marine Corps, and/or Coast Guard of the United States," as approved June 21, 1930; to the Committee on Military Affairs.

By Mr. BRATTON:

A bill (S. 5582) granting a pension to W. O. Thompson; to the Committee on Pensions.

By Mr. DILL:

A bill (S. 5583) to amend the radio act of 1927, approved February 23, 1927, and for other purposes; to the Committee on Interstate Commerce.

By Mr. NORBECK:

A bill (S. 5584) granting a pension to Frank J. Higgins (with accompanying papers); to the Committee on Pensions.

By Mr. BROUSSARD:

A bill (S. 5585) for the relief of Agnes Putnam Booth; to the Committee on Military Affairs.

By Mr. HAYDEN:

A bill (S. 5586) to authorize the President of the United States to establish the Canyon De Chelly National Monument within the Navajo Indian Reservation, Ariz.; to the Committee on Indian Affairs.

By Mr. McNARY:

A bill (S. 5587) for the relief of officers and enlisted men of volunteer organizations mustered into service for the war with Spain, and who were held to service in the Philippine Islands after the ratification of the treaty of peace April 11, 1899 (with an accompanying paper); to the Committee on Military Affairs.

CHANGE OF REFERENCE

On motion of Mr. PHIPPS, the Committee on Military Affairs was discharged from the further consideration of the bill (S. 5348) to authorize appropriations for construction of additional hospital facilities at Fitzsimons General Hospital, Denver, Colo., and for other purposes, and it was referred to the Committee on Finance.

BOUNDARY LINE BETWEEN THE CANAL ZONE AND REPUBLIC OF PANAMA

On motion of Mr. REED, the Committee on Military Affairs was discharged from the further consideration of the message of the President of the United States, transmitted to the Senate on December 20, 1930, recommending the passage of legislation authorizing and empowering the Secretary of State to effect the modification of the boundary line

between the Panama Canal Zone and the Republic of Panama, so far as it affects that parcel of land in the Panama Canal Zone known as the Paitilla Point Military Reservation, and the message (with the accompanying papers) was referred to the Committee on Foreign Relations.

EMPLOYMENT OF A MESSENGER

Mr. PHIPPS submitted the following resolution (S. Res. 396), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate is authorized and directed to employ a messenger to be paid at the rate of $1,680 per annum out of the contingent fund of the Senate until otherwise provided by law.

EXECUTIVE MESSAGES REFERRED

Messages from the President of the United States, submitting sundry nominations, were referred to the appropriate committees.

RECESS

Mr. McNARY. As in executive session, I move that the Senate take a recess until 12 o'clock noon to-morrow.

The motion was agreed to; and (at 5 o'clock and 20 minutes p. m.) the Senate, in executive session, took a recess until to-morrow, Thursday, January 8, 1931, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 7 (legislative day of January 5), 1931

SECRETARIES IN THE DIPLOMATIC SERVICE

C. Burke Elbrick, of Kentucky, to be a Foreign Service officer, unclassified, a vice consul of career, and a secretary in the Diplomatic Service of the United States of America.

George P. Waller, of Alabama, now a Foreign Service officer of class 7 and a consul, to be also a secretary in the Diplomatic Service of the United States of America.

UNITED STATES ATTORNEY

George Z. Medalie, of New York, to be United States attorney, southern district of New York, to succeed Charles H. Tuttle, resigned.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 7 (legislative day of January 5), 1931

POSTMASTERS

CONNECTICUT

Edward Adams, Taftville.

FLORIDA

William C. Bretz, Fort Lauderdale.
Fred E. Hall, Winter Haven.

MINNESOTA

Otto W. Peterson, Audubon.
Otis T. Wentzell, Moorhead.

NEW JERSEY

Alfred O. Kossow, Cedargrove.
Clifford R. Bower, Columbus.
Henry C. Allen, Paterson.

PENNSYLVANIA

Asa F. Hockman, Chalfont.
Paul M. Seaber, Lititz.
Isaac L. Shilling, Reedsville.

SOUTH DAKOTA

Floyd V. Stephens, Canova.
Arthur M. Hanson, Iroquois.
Robert C. Van Horn, Kennebec.
Elmer N. Rasmussen, Onaka.
Reynold H. Peterson, Pollock.
Daisy B. Chamberlain, Quinn.
Lydia H. Johnson, Sanator.
Harry D. Crosmer, Scenic.
Eloise Holdren, Vale.
Archibald B. Elliott, Valley Springs.
Charles E. Sheldon, Watauga.
Merrill Kaufman, Wood.

TEXAS

Charles J. Steves, Bay City.
John B. Miller, Tyler.

VIRGINIA

Ferdinand C. Knight, Alexandria.
Louise J. Nottingham, Eastville.
Augustus R. Morris, Jetersville.
Georgie H. Osborne, Keysville.
Clinton L. Wright, Norfolk.
Albert L. Taylor, Parksley.
Charles V. Tucker, Phenix.
Patrick J. Riley, Portsmouth.

WISCONSIN

Clayton M. Honeysett, Footville.
Raymond E. Lingsweiler, Sturtevant.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JANUARY 7, 1931

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

With the boldness of love and with humble confidence, we wait in this quiet moment, Heavenly Father. Thy chastisements have been most merciful. Come to our rescue, if we are weak and overborne; and if we are captive, release us and become our Redeemer. Be pleased, O God, to remember us, and may everything that is benign and pure rule over whatever is selfish, proud, and hateful. Thou who broodest over the world and dost spread abroad Thy wings and it is night, and let Thy face shine and it is day, make us Thy children of the morning, walking, waiting patiently for that character that shall be in us when we see Thee face to face. Let the divine impulse rest upon us this day. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 13130. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Bogue Chitto River between Sun and Bush, St. Tammany Parish, La.; and

H. R. 14446. An act to extend the time for completing the construction of a bridge across the Mississippi River at or near the city of Prairie du Chien, Wis.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 4803. An act to extend the time for constructing a bridge across the Atchafalaya River at or near Morgan City, La.;

S. 4804. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Atchafalaya River at or near Krotz Springs, La.;

S. 4805. An act to extend the time for construction of a free highway bridge across the Red River at or near Moncla, La.;

S. 4806. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Red River at or near Alexandria, La.;

S. 4807. An act to extend the time for construction of a free highway bridge across the Red River at or near Coushatta, La.;

S. 4808. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Red River at or near Shreveport, La.;

S. 4809. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Ouachita River at or near Sterlington, La.;

S. 4810. An act to extend the time for construction of a free highway bridge across the Ouachita River at or near Monroe, La.;

S. 4811. An act to extend the time for construction of a free highway bridge across the Ouachita River at or near Harrisonburg, La.;

S. 4812. An act to extend the time for construction of a free highway bridge across the Black River at or near Jonesville, La.;

S. 5456. An act to extend the time for construction of a free highway bridge across the Sabine River where Louisiana Highway No. 21 meets Texas Highway No. 45;

S. 5457. An act authorizing the State of Louisiana and the State of Texas to construct, maintain, and operate a free highway bridge across the Sabine River where Louisiana Highway No. 6 meets Texas Highway No. 21; and

S. 5458. An act authorizing the State of Louisiana and the State of Texas to construct, maintain, and operate a free highway bridge across the Sabine River where Louisiana Highway No. 7 meets Texas Highway No. 7.

ORDER OF BUSINESS

Mr. GARNER. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Texas rise?

Mr. GARNER. Mr. Speaker, may I be recognized to propound a unanimous-consent request? I ask unanimous consent to take from the Speaker's table the drought relief appropriation bill and consider it in the House as in Committee of the Whole, so as to facilitate the passage of the measure.

The SPEAKER. The Chair thinks that under the circumstances, the chairman of the Appropriations Committee being present and having made a request for unanimous consent yesterday, the Chair would not recognize any gentleman to make such request without at least the suggestion of the chairman of the Committee on Appropriations.

Mr. GARNER. In other words, then, I am asked to transfer my allegiance from the Chair, who has the right of recognition, to the man that I have to get the permission from.

The SPEAKER. The Chair accepts the transfer.

Mr. GARNER. I ask unanimous consent, Mr. Wood, that we take up the drought relief bill in the House and consider it as in Committee of the Whole, with a view of expediting its consideration.

Mr. WOOD. I do not see any reason why this drought relief bill should be treated in a different way from any other appropriation bill. I am perfectly willing to ask unanimous consent to take this bill from the Speaker's table, disagree to all Senate amendments, ask for a conference and the appointment of conferees, and act upon it just as quickly thereafter as is possible.

Mr. GARNER. I would suggest to the gentleman that we could have got through with all this yesterday. We could get through now in an hour. There are only two amendments. We could take them up in the House as in Committee of the Whole and in an hour we could finish discussing them, and then the House would have an opportunity to express itself upon the amendments, so that when it went back to the Senate the Senate would know the will of the House, and this is the only way to get it done that I know of.

Mr. WOOD. I do not want to violate any of the courtesies or the ethics we owe to our brothers on the other side of the aisle. We ought to give them at least an opportunity to correct their mistakes. [Laughter.]

Mr. GARNER. Let us determine whether it was a mistake or not. That is what we want to do. We want an opportunity to determine whether they made a mistake or not.

Mr. WOOD. I will ask unanimous consent to take the measure from the Speaker's table.

Mr. GARNER. What about my unanimous-consent request, Mr. Speaker?

The SPEAKER. The Chair has not recognized the gentleman up to this time. [Laughter.]

Mr. WOOD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the drought relief appropriation resolution, House Joint Resolution 447, with Senate amendments, disagree to the Senate amendments, ask for a conference, and the appointment of conferees on behalf of the House.

The SPEAKER. The gentleman from Indiana asks unanimous consent to take from the Speaker's table the joint resolution, House Joint Resolution 447, with Senate amendments, disagree to the Senate amendments, and ask for a conference. Is there objection?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, I just came into the Chamber. My committee was in session this morning. I take it this is the same bill that was called up yesterday to which I objected, with other Members of the House. Since then I have not heard from the committee that there would be any effort made to meet the objections I stated yesterday. When the Congress appropriates for seeds we in the cities can at least justify that on the theory—and I emphasize the word "theory"—that an area of the country being stricken by a drought and not having seeds to plant for the necessary food from the next crop, we can justify that at home that such a measure was necessary not to have a shortage of food supplies and resulting high prices; but when it comes to the distribution of food, then there is no difference whether the needy are in a drought-stricken area or in a tenement area of unemployment within a city. If food is to be provided by the United States Government I submit the cities must be treated the same as the rural districts.

Mr. WOOD. I think if the gentleman from New York will read the hearings had before the Senate Committee on Appropriations yesterday when Mr. Payne, who is the head of the Red Cross, testified, he will be perfectly satisfied that everything is being done that is humanly possible to be done in taking care of the suffering in the cities. There are community chests and other organizations to do such work in the cities, but there are no such organizations throughout the rural districts and the Red Cross is aiding there. I have been informed by several cities that there is no real suffering but what can be taken care of in the cities, especially in cities of 20,000 inhabitants or more, and I notice it was stated yesterday that $8,000,000 had been raised by the city of New York and that there were ample organizations to take care of the situation.

Mr. LAGUARDIA. I submit to the gentleman whether it is fair to have the city of New York contribute $8,000,000 for its own relief and then also contribute, through taxes, to these other relief measures that the gentleman is so generously providing?

Mr. WOOD. I will say to the gentleman from New York that the Red Cross is taking care of all the suffering existing in the rural districts.

Mr. LAGUARDIA. I submit, Mr. Speaker, when an objection is made in absolute good faith, and notice is served, the least the committee can do is to ask to have the bill go back to the committee and give us a hearing on it; but in the meantime I shall renew my objection.

The SPEAKER. Objection is heard.

Mr. CULLEN. If the gentleman will permit, in regard to the $8,000,000, the so-called Prosser fund, that has been distributed and the fund will become entirely exhausted by the 1st of April, according to the judgment of those who are handling that fund. So we need some money for the cities as well as for the country.

Mr. LAGUARDIA. And the gentleman may add that it has been budgeted for the care of 20,000 families, and we have more than that in need now.

EXTENSION OF REMARKS

Mr. LINTHICUM. Mr. Speaker, I ask unanimous consent to print, following my speech of yesterday on the question of speak-easies in Indianapolis, an admission published in the Baltimore Sun of to-day by the authorities of Indianapolis.

Mr. SPROUL of Illinois. Mr. Speaker, I object to the newspaper article.

INSPECTION OF THE LOWER MISSISSIPPI

Mr. SINCLAIR. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a description of an inspection of the lower Mississippi by my colleague the gentleman from Kansas [Mr. GUYER].

The SPEAKER. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. SINCLAIR. Mr. Speaker, under leave to extend my remarks in the RECORD, I include a very interesting account of the trip made last summer by members of the Flood Control Committee of the House to investigate flood conditions and works on the lower Mississippi River. This report has been prepared by Hon. U. S. GUYER, of Kansas, and has appeared in print in the Iola Daily Register and the Lawrence Daily Journal-World.

[From the Iola Daily Register and the Lawrence Daily Journal-World]

NEW ORLEANS, July 14, 1930.—The Flood Control Committee of the House of Representatives arrived at New Orleans to-day, the guests of the State of Louisiana. The French of the city are celebrating the fall of the Bastille, which occurred July 14, 1789—the French Fourth of July. New Orleans is quite as distinctly French as Milwaukee is German.

The committee is here to inspect the work already done for the control of the Mississippi floods and to see at first hand the lands devastated by the 1927 flood in order more intelligently to deal with the greatest engineering problem before any nation at this time.

There are 750,000 people in the Mississippi Valley trembling beneath the sword of Damocles—the threat of recurring Mississippi floods. The city of New Orleans, nestling behind levees higher than the city, has a population of about 500,000, and if some adequate flood protection is not provided it will sometime suffer a tragedy that will stagger the world. There could be no means of transporting 500,000 men, women, and children the necessary distance to safety in the event of a superflood. If all the tributaries of the North or most of them should be in flood at one time and hurl their mighty waters upon New Orleans, that city would suffer a loss of life and property without parallel in the history of floods.

The Flood Committee of the House intends by protective works to make such a cataclysm impossible. That is why the State of Louisiana, through its dynamic governor, Huey P. Long, invited the committee to spend a dozen sweltering days studying this monumental problem. In constructive and creative statesmanship nothing which promises equal results is before the Congress at this time. It not only deals with flood control but embraces reforestation and soil conservation as well.

New Orleans, like Kansas, gets its title from Napoleon, and its whole history is saturated with the romance of the great Corsican and his ambition. Napoleon longed to send an army to America to regain the gast empire which France lost at the Battle of the Heights of Abraham on September 13, 1759. He at one time contemplated sending General Victor with 25,000 grenadiers to hold Louisiana against the world. He had a vision of an American Napoleonic empire centered around Louisiana, where Mexico would fall into his lap like a ripe peach from the bough of time and his eagles would mingle with those of the American Cordilleras as they did with those of the Alps. He would drive the hated English out of Canada and change the civilization of a hemisphere from Anglo-Saxon to Latin. The world was not too spacious for his ambition.

But in 1803 every royal bayonet in Europe was pointed at the breast of Bonaparte. He could ill afford to spare 25,000 troops or dare to transport them under the Argus eye of Britannia who "ruled the wave." He knew that England, in common with other powers in Europe, disputed his title to Louisiana obtained in the secret treaty of San Ildefonso from the King of Spain in 1800 and he mistrusted that the unusual activity in the British Navy in 1803 portended the seizure of Louisiana. In Pitt's place that is what he would have done. Also before him were Austerlitz and Ulm, Jena and Wagram, and he must feed his hungry cannon. He needed the money. He would sell Louisiana to the United States and perhaps intrigue that country into a war with England to divert the latter's attention from the continent of Europe. So when our ambassador, Mr. Livingston, proposed to buy New Orleans, he sold all of Louisiana, and by so doing executed one of the most important and lasting of all the deeds of his meteoric career. Besides, he knew that a bullet, a dagger, or mayhap a Waterloo, might end his career and that the first demand of England from humbled France would be Louisiana to link Hudson Bay and the Gulf of Mexico in the colonial empire of England. At least he would prevent that. Thus we got Louisiana and Kansas; thus we acquired the Mississippi and the flood problem of a river that receives the waters of 32 States.

NEW ORLEANS, July 15, 1930.—I can think of nothing short of the adoption of our Constitution which left a more profound impression upon human history on this continent than the purchase of Louisiana. Napoleon was also the blind instrument by which we got our first lesson in flood control. After Waterloo, General Simon Bernard, Napoleon's chief of engineers at Waterloo, came to America to visit Joseph Bonaparte, former King of Spain, at Joseph's home in New Jersey. That was in 1816. The Government at Washington secured General Bernard to head the Corps of Engineers of the Army, and ever since then our Corps of Engineers has been one of the best bodies of engineers in the world. Under the eye of Napoleon, General Bernard had constructed the dikes of the Po and thus controlled the floods of that Italian river. In 1818 Congress authorized General Bernard to make a survey of the Mississippi River with a view to controlling its floods. In 1822 he made the first report on the flood problem of the Mississippi and recommended levees. Had the watershed of that river remained as it was then the present levees would no doubt control its floods. This was the genesis of flood control on the Mississippi. After a century of work and study we are still trying to master the floods of this mighty river. That is the purpose of our presence in New Orleans to-day with the Flood Control Committee of the House of Representatives.

New Orleans is a most interesting city in many particulars, notably so from the standpoint of history. Here is the house built after the style of architecture of Ajacio in Corsica by the French-American admirers of Napoleon designed for his use when they had rescued him from St. Helena. The late Conan Doyle in about 1901 wrote a story, the title of which, as I remember, was, "The Adventures of Brigadier Gerard." Gerard was a swashbuckling French officer who, with most delightful egotism, told of his impossible feats as a soldier of Napoleon. The stirring climax of this amazing story was that on that night of the 5th of May, 1821, amid that terrific tropic thunderstorm, during which the spirit of the great Corsican took its eternal flight, Gerard landed on the volcanic isle when the British guard ships were dispersed by the storm. He made his way to the window of Longwood, the prison-residence of Napoleon, just in time to look through the window as the mind of the Emperor was wandering in the mists of death and his intellect was tottering from its throne. In his delirium the Emperor, hearing the crash of the thunder that split the heavens and seeing the glare of the tropic lightnings, imagined he was on one of his hundred battlefields, and with his expiring breath exclaimed, "Tete d'Armee." The Emperor had escaped. Not, however, to the old house in New Orleans that was to be his refuge. One often wonders what might have happened if Aaron Burr had succeeded in establishing a southwest empire, and Napoleon, whom Burr admired much more than he did Washington, had escaped with a sound stomach from St. Helena at the age of 52 in 1821.

NEW ORLEANS, July 16, 1930.—Yesterday the committee inspected the Bonnet Carre spillway, which is under construction 30 miles above New Orleans. This spillway is for the protection of New Orleans. It leads from the Mississippi to Lake Pontchartrain, a distance of 6 miles. At the river it has a width of about 1½ miles and about double that at the lake. The concrete construction of the spillway cost about $8,000,000 and the guide levees will make it cost over $11,000,000. It will be a controlled spillway, which will take at least 250,000 second-feet from the crest of the Mississippi flood and might, if necessary, take as much as 500,000 second-feet. This spillway, the engineers assure us, will maintain a constant flood gage of 20 feet at the Carrollton gage in New Orleans in a flood like that of 1927.

We also inspected the immense docks on the river at New Orleans, which cost over $200,000,000. We rode through 14 miles of these titanic wharves, where 90 steamship lines dock at the second seaport of the continent. Here we saw the latest machinery for loading and unloading shipping of every conceivable sort. One sees here the realization of what can happen at Kansas City on a smaller scale when our barge line is finally instituted on the Missouri.

New Orleans is an heroic as well as an historic city. Her people, living below the level of the Mississippi and in some places, I am told, below the level of the Gulf, bravely hope for security from the ancient menace of the Mississippi floods. With the power and wealth of the United States back of it, the Flood Control Committee of the House will endeavor to deliver the courageous inhabitants of this great city from that menace. After three days here we understand this problem better than before.

To-day we saw the plain of Chalmette, where the Battle of New Orleans was fought two weeks after a treaty of peace was negotiated at Ghent. The British hurried an expedition to take New Orleans, for Britain did not respect our title to it from Napoleon. Wellington declined the command. At that time, August, 1814, Napoleon was on the island of Elba and the congress of Vienna was unscrambling the map of Europe. On what slender threads does destiny hang with Waterloo only a few months away. The brother-in-law of Wellington, Sir Edward Pakenham, assumed command. His idea was to capture New Orleans, and, treaty or no treaty, hold it that it might become the subject of new nego-

tiations. But New Orleans was not taken, and Pakenham was killed with 700 more British soldiers. If Jackson had been driven back at Chalmette, he would have burned New Orleans and let the Mississippi out of its banks and drowned the British out. But the victory of Jackson forever quieted the title of Louisiana and hurried the beaten British Army back to Waterloo in time to fight and die and there earn the title of "Invincible." Those who survived could boast of participation in two battles of everlasting renown and infinite results. The charge of Napoleon's Old Guard at Waterloo had no terrors for men who had faced the storm of leaden death that streamed from the muzzles of Jackson's pioneer rifles.

ON BOARD BOAT "V. J. KURZWOG," ATCHAFALAYA RIVER, July 17, 1930.—The committee is on a boat on the Atchafalaya River. If you can spell that name you can not pronounce it, and if you can pronounce it you never could spell it. It is pronounced as if you spelled it "chaf-a-lie-yuh," evidently without any regard for the first syllable. At least that is the way the natives pronounce it. The river is not a tributary but an outlet of the Mississippi. When the Mississippi and Red Rivers are both in flood the Red overflows into the Atchafalaya. In 1927 the Atchafalaya carried about as much water as the Mississippi, it and its great rich valley. The famous "sugar bowl" is in its vicinity, one of the richest sugar territories in the world. I noticed that the Louisiana Senators voted for the tariff bill last spring.

Before leaving New Orleans we visited the great crevasses at Poydres and Caernarveron. The crevasses were made to save New Orleans in 1927. New Orleans paid $4,000,000 in damages below the crevasses. All the people below on the Delta had to leave. In this way the Atchafalaya River becomes important in flood control. By constructing a floodway through the Atchafalaya Valley in a superflood the excess water that the Bonnet Carre spillway did not take could be turned into the floodway of the Atchafalaya.

This is the valley where Evangeline and the Acadians finally settled after their deportation and dispersion by the British from Nova Scotia 175 years ago, as portrayed by Longfellow in his poem Evangeline. Between 10,000 and 15,000 of these French Canadians were boarded on British ships and scattered along the Atlantic coast from Maryland south. Many of them wandered south to get beneath the French flag in Louisiana. Up to about 1898 there were no English schools. They did not love English overmuch. Among themselves they still speak French, the tongue of their fathers. Here you find such names as Dupres, Le Blanc, Broussard, Dumas, and Beauregard. There are also some Spanish names, a sort of Latin civilization found nowhere else in the United States.

We were all interested in Louisiana cooking, for we were eating at southern tables at hotels, restaurants, and on board steamboats. Coffee here is wonderfully and fearfully made—to us who are from the North. It is considered sufficiently strong if it makes a teaspoon stand up in the cup. One Congressman said he ate his coffee down South. At any rate it was generously strong, and the chicken dinners were so numerous that at the end of a week the management wired ahead for a steak dinner in Mississippi. But the cooking was very good and greatly enjoyed by all, and was doubly appreciated for the wonderful hospitality with which it was served.

ATCHAFALAYA RIVER, July 18, 1930.—All day yesterday we were on the Atchafalaya and Grand Rivers. Their valleys, as far as we could judge, were huge swamps covered by trees about 30 or 40 feet high. There are deer and bear here. Colonel Roosevelt used to hunt here. The flood of 1927 almost exterminated both, but protected by the law they are coming back. These rivers are alive with catfish. Tons of them are shipped out to northern ports, and by the time they reach their destination they are sea trout and several kinds of salmon if we were correctly informed. This is also the great muskrat country. Seven million pelts are taken out of Louisiana every year—more fur than is produced by Alaska. This fur also is metamorphosed into electric seal by the time it reaches the ladies' shoulders. We were told that along these rivers live a peculiar people, in houseboats, and they scarcely ever get away from the low brink of the sluggish rivers. But they seemed to be abreast of the times, though they have no schools, no churches, and no culture. As on the streets of New Orleans, we saw the girls and women, sans hose, and, no doubt to show that they were one jump ahead of their city sisters, sans shoes. Others we saw who were not unsophisticated in the modern feminine art of smoking, though we saw no cigarettes.

BATON ROUGE, July 19, 1930.—To-day we were in the enchanted land of Evangeline. A part of this is known as the "sugar bowl," a country as rich in soil and vernal beauty as it is in legend, romance, and tradition. There were never nobler trees or fairer fields.

Giant oaks of the Teche,
Georgeous and sublime.

Great live oaks that were centuries old 165 years ago, when the gentle heroine of Acadie sought her lover, only to find a faithless Gabriel (Louis Arceneaux) on the banks of the Teche. We held a flood meeting under the sheltering boughs of Evangeline's Oak, right on the beautiful banks of Bayou Teche, where it is said Emmeline Labiche, the Evangeline of Longfellow, met her lover. It is a great live oak from 6 to 7 feet in diameter and festooned with Spanish moss. All day the haunting beauty of this old story crowded out such trivial thoughts as those of levees and floodways. The writer, having spoken early in the meeting, asked a Mr. Le Blanc to take him to the grave of Evangeline by the side of the beautiful old Catholic church. With reverent step he led to where under the deep shade of the magnolias we stood with uncovered head and leaning over the iron picket fence that guards her tomb we read, quaintly carved in French on the marble, yellow with the years: "Evangeline, Emmeline Labiche, the blessed exile of Acadie, the angel of constancy, who after wandering with bleeding feet over a continent in search of her lover, the while she gave to the world a picture of fidelity and constancy sweet and beautiful enough to hang on the walls of all the centuries to come, rests at last beneath this rock, the blessed and beloved exile of all the ages." Only now and then picking up an old French book of college days of a third of a century ago to kindle "the light of other days," our French is necessarily rusty, so if you read the inscription on that aged marble and do not find all I saw it should have been there. This was at old St. Martinsville, LA., where the heroine of Longfellow's poem is buried and not in the city of "brotherly love," as the poem avers. This shrine of Evangeline will always remain in our memory an enchanted land of poetic beauty after the story of the Mississippi has faded away.

This evening we were entertained at a banquet in the new executive mansion at Baton Rouge by Gov. Huey Long, who proved to be a royal host.

ALEXANDRIA, LA., July 19, 1930.—With pensive regret we left this morning the winding Bayou Teche, the dreamlike land of Louis Arceneaux and Emmeline Labiche, the "Gabriel" and "Evangeline" of Longfellow. There is something very quaint and romantic about both the country and the people of the Evangeline country. Here are eight or nine generations of Americans, yet they speak the French language among themselves. Their customs are much the same as they were when British exile shattered the dream of happiness of these lovers of long ago.

To-day our pilgramage led us through the rich upper valley of the Atchafalaya River, a great, wide valley over which nature spreads a scourge every time the Mississippi overflows or the Red has a flood. The Flood Committee wanted to see this first-hand, and the people of Louisiana wanted us to see it, in the hope that in the solution of the Mississippi flood problem we do not turn the raging fury of the waters upon them and their farms. Thousands along the route saw us to plead for their homes and property which they think threatened by the Jadwin plan. One thing is certain in the mind of at least one of that committee, and that is that every possible foot of good land must be saved and that where land is taken it must be amply paid for. The United States can afford to pay for such losses, but it can not afford to turn the angry flood upon these defenseless people without adequate compensation for the sacrifice.

We are all in love with the great trees, which, to us of the North, look like they were dressed for a funeral. All the large trees in this latitude accumulate Spanish moss which hangs in sort of ropes about 3 or 4 feet long from the limbs of the trees. In color it is like the green-gray of the old German uniform. It is worth about 4 cents per pound for upholstering. The moss is not a parasite but lives on the moisture of the atmosphere. It is very profuse on the great live oaks and adds much to their beauty. Here we saw much cotton which is now in bloom. We saw much sugarcane, too. It is small and is not harvested until November.

VICKSBURG, MISS., July 20, 1930.—The committee to-day saw the basins of the Tensas and Boeuf Rivers, whose rich lands are partly in the proposed floodway. Part of it is a semiswamp, covered with one of the few remaining hardwood forests. The writer has lived in Kansas 52 years, but he has not seen as much of Kansas in that time as he seems to have seen of Louisiana in a week. But the committee will know more about the flood problem of Louisiana than we could learn in a year of hearings in Washington. We have just been in the oil and gas regions of the State and there seems to be inexhaustible supplies of both.

In Richland Parish we saw the great gas well which has been burning for over two years. It has blown out a crater 600 feet wide and 300 feet deep. There is about enough gas burned in that well to heat Kansas City in winter. At Lake Caddo we saw the great oil wells in the middle of the lake.

This Sunday evening we came across the Mississippi River to Vicksburg. Congressman COLLIER, who resides here, had told us much about the national cemetery here and the battlefield, so we were prepared for the treat of visiting this beautiful cemetery and battlefield. Next to Gettysburg, its sister battle, this field has more monuments than any other in our country. The old trenches are still visible on the ragged field. Like Gettysburg, it is a rugged and picturesque field. These two great battles culminated almost on the same day, in 1863, and practically settled the issues of the war.

MEMPHIS, TENN., July 23, 1930.—The Flood Committee spent the 22d inspecting the valleys of the Tensas and Boeuf. Their flood problem is mainly one of backwater from the Red, Arkansas, and White Rivers. In this way 2,800,000 acres of rich lands are flooded whenever there is a Mississippi flood. In these flood matters human nature does not change. The interests of those above and those below conflict. The patriotic inhabitants of the two upper valleys are perfectly willing that their flood waters be turned upon the valley of the Atchafalaya, below which would tend to

make a frog pond and an alligator resort of the "sugar bowl," to which the thrifty French Acadians (Cajuns) exclaim: "Non, non! Mon Dieu!"

Over in Mississippi a good judge made an earnest plea for the Yazoo River valley in Mississippi, saying that there was but one thing to do and that was to make a vast floodway of the valleys of the Tensas, Boeuf, and Atchafalaya. He said that would settle the whole matter, and he informed the committee that it must be done now. Of course, that would be a fine thing for the Yazoo Valley and Mississippi and, incidentally, a fine thing for the Louisiana alligators, but it would all but sweep from the earth one of the richest regions in agricultural wealth and romantic history on this continent. It would be as cruel and heartless an act as ever the British perpetrated when they drove the Acadians and Evangeline before their bayonets into everlasting exile from their beloved homes in Nova Scotia. It required considerable restraint and the obligation of incomparable hospitality to properly answer that selfish judge who, perhaps, for the favor of a thoughtless constituency, was willing to crucify once more an heroic people who, under the lash of tyranny, had built homes in far Louisiana as fair as the gardens of the gods. Perhaps he was not to be blamed too much, for true to nature he was thinking of nature's first law.

One just can not miss points of romantic history here in Louisiana. At or, rather, near New Roads, where old Poydras College stood, is the ancient oak upon which James Ryder Randall looked one night in the southern moonlight and in his homesickness wrote "Maryland, My Maryland." At Natchitoches we saw the celebrated statue of the old-time slave, by which the South expresses its gratitude to the fidelity of the old war-time slave who, when his master drew his sword to keep that slave in bondage, this master intrusted to the slave the safety of his mother and sister, wife, and daughter, and it is one of the miracles of human virtue that there is not a single instance on record where that trust was betrayed. I did not learn who the sculptor was, but whoever he was, he was poet and artist at once, for in every line, posture, and curve is portrayed courtesy, fidelity, and devotion, and in the shoulders bent by the burden of 200 years of bondage is written infinite service to his master, a monument which is a tribute to all humanity. Virgil in his picture of faithful Achates never drew a truer picture of fidelity than did the creator of the slave of Natchitoches.

Memphis is an enterprising and growing city. It will benefit immensely by reason of the renewed navigation of the Mississippi with the development of the barge line for which it is now preparing. After a day's rest here we leave for Cairo, Ill.

This, though a strenuous and tropical journey, has been a most delightful and enlightening experience, which will be of great value in flood work of the future. We had a fine group of Congressmen from the Flood Control Committee of the House of Representatives and we met hundreds of interesting gentlemen all along our route. Our sojourn in the South justified everything that has been said about southern hospitality and it will always remain a pleasant memory. The Flood Control Committee was represented by Chairman REID, of Illinois; WILSON, of Louisiana; SEARS, of Nebraska; DRIVER, of Arkansas; SINCLAIR, of North Dakota; WHITTINGTON, of Mississippi; GUYER, of Kansas; COX, of Georgia; DUNBAR, of Indiana; GREGORY, of Kentucky; SHORT, of Missouri; JOHNSON, of Oklahoma; STONE, of Oklahoma; and COOPER, of Tennessee.

EMERGENCY RELIEF LEGISLATION

Mr. HOWARD. Mr. Speaker, I ask unanimous consent that all other business now before the House or on the Speaker's table or elsewhere be laid aside for two hours for the consideration of the emergency legislation with reference to drought relief and unemployment.

The SPEAKER. The Chair will call the gentleman's attention to the fact that there is a special order for this morning.

Mr. HOWARD. But I am asking unanimous consent, Mr. Speaker.

The SPEAKER. The Chair, under the circumstances stated, and also in his intense desire to protect Calendar Wednesday, can not recognize the gentleman for that purpose.

Mr. TILSON. Mr. Speaker, I call for the regular order.

The SPEAKER. The Chair recognizes the gentleman from Pennsylvania [Mr. BECK].

THE MEMORY OF JOFFRE

Mr. BECK. Mr. Speaker and my fellow members, I am greatly honored in being the interpreter of the sorrow which I know this House feels in the passing of that great soldier, Marshal Joffre.

The gracious presence of his excellency the ambassador of France and Madame Claudel in the gallery is an added honor which I greatly appreciate.

It would be quite impossible at this time to pay an adequate tribute to Marshal Joffre's memory, but it is fitting that on this day, when his mortal remains are given a place of honor in the Invalides, some record should be made in the proceedings of this House of the deep sympathy which the United States feels for its ancient ally, France, in her irreparable loss. While the soldiers of France fought under one flag and the brave sons of America under another, yet in the World War, as in our epic struggle for independence, they fought for a common objective and achieved a common victory, and a tribute to the immortal memory of the great Marshal therefore seems appropriate.

This has been a day of grief in Paris. The "City of Light" is for the moment darkened.

> O proud death,
> What feast is toward in thine eternal cell?

It is the passing of a hero, and for that

> * * * passage
> The soldiers' music and the rites of war
> Speak loudly for him.

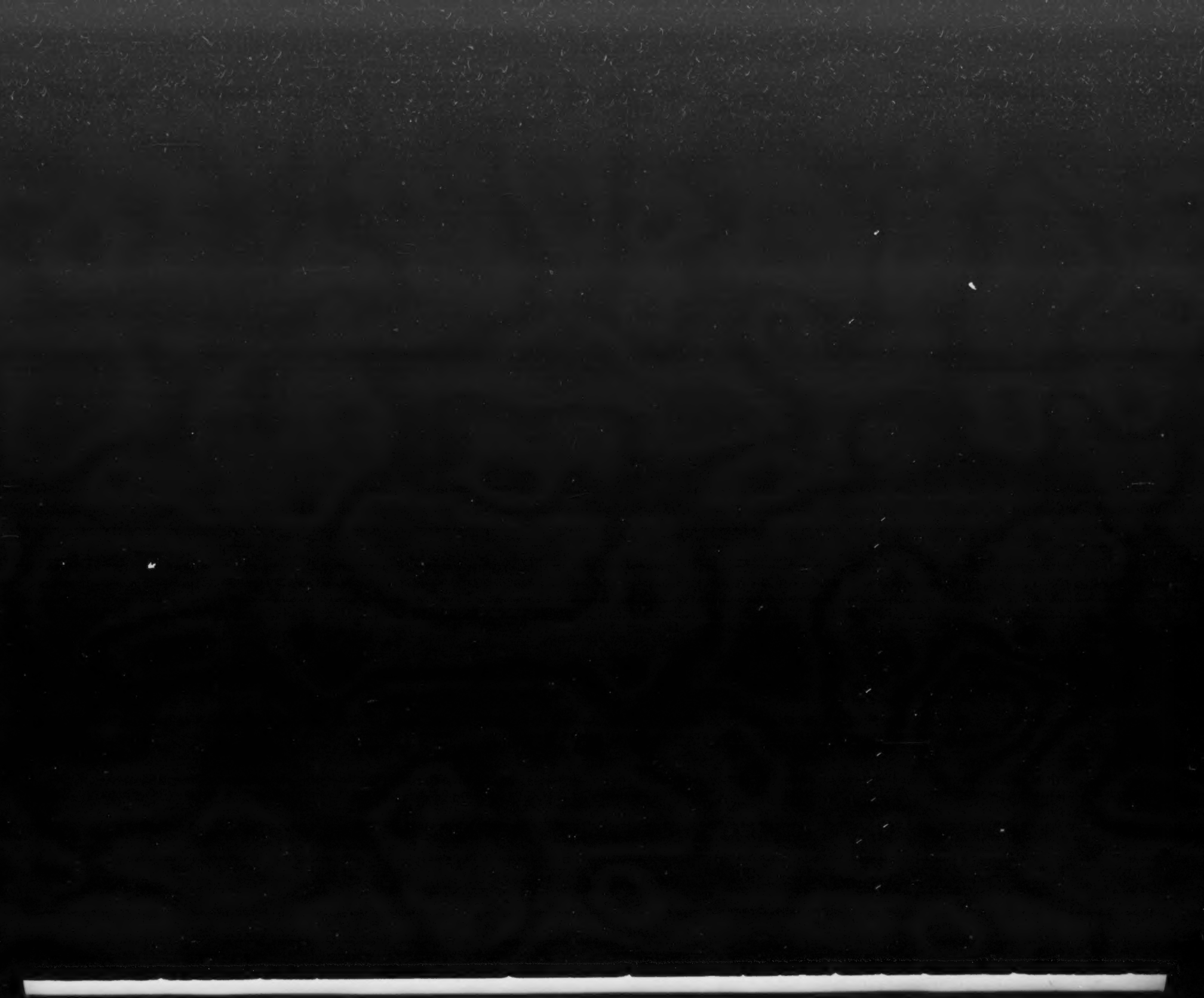
The booming cannon are his mourners, but the greatest tribute to Joffre, the man, lies in the silent tears of unnumbered Frenchmen who to-day lined the streets of Paris as his body was conveyed from the Arc de Triomphe to Notre Dame and thence to the Invalides, there to rest for a little while beside the greatest commander of modern times. As Motley said of William the Silent, "While he lived he was the guiding star of a brave nation, and when he died the little children cried in the streets."

To Americans it is a touching fact that Joffre was so impressed with the simple beauty of Mount Vernon that he desired no grandiose resting place, either in the Invalides or in the Pantheon, but preferred to rest in the garden of his little home by the Seine. This suggests a true parallel that could be drawn between Joffre and Washington, for each of them was supremely great in those qualities of gentleness, modesty, and courage which mark the great quality of soul, magnanimity.

If time permitted, it would be easy to draw a striking parallel between their military careers, for each proved a Fabius who could create victory out of preliminary reverses. The quality that they had most in common was their modesty. Washington never claimed credit for any victory, nor did Marshal Joffre. In proof of this let me cite the striking fact that from the time on September 4, 1914, when he issued his inspiring call to his soldiers to advance or die in their tracks in defense of France, and notwithstanding that his was one of the most dramatic and significant victories in the annals of mankind, yet, neither by voice or pen, did Joffre ever make any claim for credit or the world's applause. Even the commanders whom he vanquished have written many pages in vindication of their respective achievements, but the heroic victor of the Marne has been content to let his epic achievement speak for him. In all the controversies that have arisen since the last cannon awakened the echoes in the Valley of the Marne Joffre remained as silent and serene as he was on that fateful 4th day of September, 1914, when, after several hours of silent deliberation, he turned to his staff and simply said, "We will make our stand on the Marne." No commander of a French army ever reached a more momentous decision or accepted a greater responsibility. The fate of France itself depended upon the wisdom of that decision—possibly the fate of a liberal civilization in Europe!

One evening I sat down in a London drawing-room before an open fire with another distinguished participant in this battle of the nations—Field Marshal French. Our discussion turned upon the question, who would be to posterity the great military hero of the World War? And I ventured to say that it would be Marshal Joffre. When challenged to give a reason, I said that the World War was so vast that to posterity it would seem like the lofty range of the Himalayas, with few dominating peaks; and I ventured to predict that to posterity the dominating peak of the World War would be the first Battle of the Marne.

The "Miracle of the Marne," as it has been aptly called, is in many respects the greatest battle ever staged upon



this "wide and universal theater of man," and this whether it be judged by quantitative or qualitative values.

Measured by the battle frontage, the battle is unequaled in its immensity. Before the Great War, a battle that raged over a 20-mile front was exceptionally great. The battle front of the Marne was 170 miles—if it be measured from Paris to Verdun—but if, as is proper, the Nancy sector be added, the true frontage of these embattled millions was 220 miles—or approximately the distance from New York to Washington.

In numbers, no single battle of open movement fought simultaneously under a unified command is comparable with it; for while the exact statistics of the combatant armies have never yet been given, there is substantial reason for believing that the seven German armies that participated numbered not less than 1,200,000 men, and the Allied armies, if inferior at all in numbers, did not differ greatly. Never before was the earth shaken with the rumble of so many cannon, whose "rude throats the immortal Jove's great clamor counterfeit"; for, according to a German commentator on the Marne, the German Army had 6,000 cannon in action in this greatest duel of artillery that the world up to that time had ever witnessed.

Passing these quantitative tests, which are the least satisfactory criteria, the greatness of a battle may also depend upon two circumstances—one, the gravity of the issues which depend upon its outcome, and the other, the difficulty of the obstacles which the victor was required to overcome. As to these the battle of the Marne need not be undervalued to any other of the so-called decisive battles of history, for upon it depended the fate of Europe and the relative strength of its historic master states. Had it been lost, France would have become a third-rate power and could have said with Pitt after Austerlitz, "Let us roll up the map of Europe."

As to the inherent difficulties of the problem, it is enough to say that, by every law of probability, the invader should have won the battle of the Marne, and that he lost it is due chiefly to the profound sagacity, the indomitable courage, and the untiring energy of Marshal Joffre.

Other great generals justly share in the triumph. If Castelnau had not held Nancy; if Foch had not stood as a stone wall in the Fére-Champenoise sector; if Franchet d'Espèrey and French with the brave British Army had not broken into the gap between the First and Second German Armies, in the Meaux-Château-Thierry sector; if Manoury had not held the left wing of the Allies, with the aid of Gallieni—the result would have been different; but the genius who coordinated all the movements of the six allied armies and whose inspiring presence was felt everywhere along the whole battle line, who took the supreme hazard of the long ordeal of battle, and who therefore preeminently deserves the palm of victory, was the one known and beloved by all his soldiers under the simple title of "Father Joffre."

Lest I be accused of undue praise, let me quote the words of a distinguished German commentator on this battle—himself one of its participants—Gen. Baumgarten-Crusius, of the Saxon Army, who said:

> Incessantly active, Joffre was always at the point where his presence was most needed to stimulate, explain, or arrange. * * * The untiring Joffre never lost his head, gradually restored confidence, and maintained a united front. The French leadership grew in calm and resolution from day to day. Necessity and anxiety lifted the generalship of Joffre to still greater grandeur.

Let me confirm this estimate of a chivalrous opponent—which, I note, has been echoed by the entire German press in the last few days—by some more direct evidence to the extraordinary poise and courage which Joffre showed in those fateful days between August 20 and September 10. In 1921 General Buat, then the chief of staff of the French Army and during the World War one of Joffre's principal aides, did me the honor to visit me in my home and our conversation related almost wholly to the battle of the Marne. General Buat regarded the unfailing courage and unvarying wisdom of Joffre as the chief cause of the French victory. He said to me:

> He had communicated to all of us his calm confidence. When in the darkest hours, we saw him the absolute master of his physical and moral equilibrium, we too felt absolutely calm and sure of ourselves. And we, in turn, gave calm and confidence to the others. Every day and at every hour of the day liaison officers from all the armies at the front reported to general headquarters. They saw for themselves that the atmosphere that reigned throughout was tranquil and serene. They returned to the various armies calm and confident; and, to all who questioned them, they replied: The commander in chief says that all is well. And all were sure that everything was well, because it was the opinion of the commander in chief.

I had a further confirmation of this when I attended a luncheon a few years ago in Paris, given by that noble and well-loved French Ambassador, M. Jusserand, and sat next to M. Millerand, who was the French Minister of War in 1914. I asked him what was the feeling in the French Government when late in August it hurriedly left Paris for Bordeaux, and thus apparently abandoned Paris to the invader. Replying for himself, he said that he was profoundly disheartened until he visited Joffre in the rapidly shifting seat of war and received from him such a calm assurance of ultimate victory that he returned to Bordeaux and all officials there took fresh heart. Viviani, the Premier, gave the same testimony when he said that during that fateful retreat in the last 10 days of August, 1914, he twice a day called up Joffre on the telephone from Bordeaux and was always encouraged by the calm and peaceful voice of Joffre: "Have faith! Everything is all right. Have faith!"

Another distinguishing feature of this battle was the fact that it had been planned by both sides many years before it actually took place. Other battles have been more or less the fortuitous synthesis of events which were at least not wholly anticipated; but in this long-anticipated war the German high command had planned the whole campaign with such pedantic nicety that everything that happened up to the beginning of the Battle of the Marne accorded with the schedule, and it was confidently anticipated that when the French Army was pushed away from Paris its left wing would be overwhelmed about September 1 (the anniversary of Sedan) and crushed near the Forest of Fontainebleu. This was nearly realized, for the fighting in the center of the vast battle line was not very far from Fontainebleu.

This explains the distinguishing characteristics of the two commands.

The German High Command directed the battle from a point as far removed as Luxemburg and treated the army as though it were a system of transportation, to be operated on schedule time. No place was left for contingencies and no need for improvisation was anticipated.

Joffre, on the other hand, treated his army not as a machine but as a great collective soul, and he showed the highest genius of a commander in changing his plans from day to day and almost from hour to hour to meet the exigencies of the moment.

Five times from Mühlhausen to the Marne he changed his plan of campaign. He showed the greatest of all mastery in the art of war by rising superior to obstacles and defeats. It was genius against pedantry; the soul against a perfect system.

Until the culminating triumph, the campaign which culminated in the Marne had been a series of seeming disasters. The reverses in Alsace; the crushing defeat at Morhange in Lorraine, and, above all, the failure of the attack at Charleroi, would have discouraged any ordinary general; but Joffre, like Antaeus, seemed to get fresh strength every time he was hurled by disaster to his mother earth—the soil of France. He conducted without a flaw one of the most difficult and hazardous retreats in history; and, to visualize it, let me give you a geographical analogy.

Imagine an army of a million men guarding the front between Philadelphia and Pittsburgh. Imagine that it had sustained three serious reverses, at least two of which were comparable in size to battles like Sadowa or Gettysburg. Pivoting his left wing on Pittsburgh, and with the most powerful military machine then known in the world pressing upon him with all the resources of modern chemistry and

engineering, he slowly swings his line, standing on a frontage of 200 miles, back in the face of an advancing foe, until, with the new alignment, his left wing is still at Pittsburgh, his right wing in Washington. While doing this, and in the midst of all the demoralization of this rapid retreat, and with tremendous pressure upon him to stand and fight, he simultaneously creates, in the 10 days that elapsed between Charleroi and the beginning of the Marne, two new armies—one under General Foch, which Joffre, with wonderful prescience, placed in his center, where it would be vitally needed, and the other, under Manoury, with which he launches, at the opportune moment, his thunderbolt.

One can search even the annals of Napoleon and find no strategic movement so difficult in execution and so wonderful in its ultimate success. Let it be remembered that Napoleon fought one battle at a time, while the Marne was in fact five great battles, fought simultaneously by Joffre against the German High Command, and each of these battles was as great in numbers and in space as Waterloo, Sedan, Gettysburg, or Plevna.

I mention all this only to emphasize a fact to which I think the present generation has as yet not done full justice, and that is that the campaign of the Marne was one of the most stupendous intellectual achievements in the annals of war. If, as Napoleon said, the greatest quality of a true commander is to keep cool in the hour of adversity, then assuredly that palm belongs to Joffre. Undoubtedly the victory was also due to the fact that in the supreme crisis of France her soldiers, down to the humblest poilu, were in truth Bayards, but all these would have been unavailing had not the intellectual power of the German High Command been overcome by an even more masterful intellect; and if you seek a symbol of the underlying cause of the "Miracle of the Marne," then, when you are next in Paris, go to the Pantheon, where many of her mighty dead are buried, and in front of it you will see a statue fashioned by the greatest of her sculptors—and possibly the greatest of all sculptors since Michel Angelo—the statue of "Le Penseur." One could fittingly strike out the name Rodin gave to this inspired statue and write under it the single name Joffre, for it was Joffre, "The Thinker," who triumphed on that fateful day.

I wish that time permitted me to say more, for, in common with all who knew Joffre, I have for him a feeling of great affection. To say that I enjoyed his friendship would be an overstatement, but I did enjoy a friendly association with him, which was more than a perfunctory acquaintance. I met him on five occasions and never was more impressed with the sturdy strength of a man.

The first time was in 1916, when I visited by invitation his headquarters at Chantilly. He came into his working cabinet dressed in the fatigue uniform of a division general, and after a cordial welcome asked us to be seated. He was good enough to talk with us a half hour and the subject related largely to the Battle of the Marne. I noted with interest that as he spoke he looked intently upon the center of the table, as if there were there an invisible chessboard, and after each question there would be a pause, and then, in a voice so low and gentle as to be scarcely audible, he would give my interpreter and me an answer. I remember I asked him what he regarded as the chief cause of his victory, and he replied, "We won through the error of General von Kluck," the commander of the First German Army. At that time he could not have known the information, which the archives of the German general staff have since given, but he had divined the fact that Von Kluck's mistake, which made possible the counterattack, was due to his excessive zeal in disregarding the order of the German general staff, of which mistake Joffre took advantage and launched his counteroffensive. At that time only one book had appeared on the strategy of the Great War. It was by Hilaire Belloc, and Belloc had said that the reason why the German First Army waited over 10 days after the fall of Liege before beginning their rapid march through Belgium was because they were trying to lure Joffre's northern armies into Belgium. I asked the Marshal whether he thought this was true, and I remember that he replied that the German general staff was much too capable to suppose that he would ever have marched far into Belgium.

I next saw General Joffre when he came to America in 1917 as one of a French commission, which was headed by Viviani, and here I must record an unrecorded bit of history. Among the many festivities in New York in their honor was a great meeting in the Metropolitan Opera House to raise funds for the orphan children of French soldiers. It had been announced that Viviani and Joffre would be in a box. In New York, as elsewhere, the interest of the public was largely in Joffre and very little in Viviani, and this had annoyed Viviani. On the night in question Viviani felt this so keenly that he declined to go to the Metropolitan Opera House. Joffre, who neither sought nor desired the superior interest which he excited, thereupon stated that if his superior on the commission could not attend, he was unable to do so. Those of us in charge of the affair were in despair, but finally some one said to the Marshal that if he failed to attend it would greatly injure the movement to raise a large fund for the orphan children of French soldiers, and the old soldier straightened up and with an unwonted gleam in his gentle eyes simply said, "I will go," and he went without Viviani.

I next saw him in New York in 1921, and very pleasantly renewed the acquaintance that had begun at Chantilly. Finally I sat next to him at a luncheon in Paris several years ago and was shocked to see how he had failed in health, for his sturdy frame, that "tower of strength which had stood foursquare to every wind that blew," was physically in ruins, due to the fact that he was even then suffering from diabetes in its malignant form. His failing health could not change that sweet smile which endeared the Marshal to all who were privileged to meet him.

While he said little about it, I think the tragedy of his life was when the politicians in Paris deprived him of his high command. He had no taste for politics, and when, in the interests of the service, he demoted many generals and lesser officers who had not stood the test, he made, for the time being, many enemies who conspired to relieve him of his high command, with the disastrous result that Nivelle, his successor, almost lost the war in the ill-fated advance of 1917. But the people of France never lost their faith in Joffre, and when, after the armistice, the French Army marched in triumph under the Arch of Napoleon and down the Champs Elysees the French people demanded that the Marshal should ride side by side with Foch down the "Via Triumphalis."

More I would gladly say, but time does not permit. Joffre belongs to the immortals and he will be known "to the last syllable of recorded time" not merely as a great general, as Napoleon was, but as a noble gentleman in the best sense of that word, for—

> His life was gentle, and the elements
> So mixed in him, that Nature might stand up
> And say to all the world, "This was a man!"

Before concluding this inadequate tribute I can not refrain one final comment, although it relates not so much to Joffre as to the cause for which he fought. Whatever be the merits of that cause, the greatness of his achievement and the simple splendor of his character remain, although it immeasurably adds to his place in history if he drew his sword in a righteous cause.

Time was when few intelligent men had any question as to the merits of the diplomatic conflict that precipitated the World War. The embattled nations could not themselves sit in judgment upon their quarrel, but who can question that the verdict of the neutral world favored the justice of the allied cause? In recent years, however, the subtle poison of propaganda has run through the veins of the allied nations and we are now taught that the World War was either a stupendous economic fatality, for which no nation was to blame, or that it was a culpable and fratricidal conflict, for which all nations were equally responsible. If this latter view be correct, then the sons of France and England and America who followed what to them

seemed a heavenly vision of justice were the victims of a great delusion. In that event there is no torch that the dead of Flanders Fields could pass to the living.

As the war recedes, the minds of men are becoming increasingly perplexed upon this question, due to such monumental pieces of special pleading as have been recently published by two American college professors, Barnes and Fay, who have seemingly found a joy in arguing that the well-considered verdict of civilization was a monstrous error. I can not accept their conclusions.

At the beginning of the war I wrote a book called "The Evidence in the Case," in which I discussed the moral responsibility for the outbreak of the conflict, and I take this occasion to say that, having read all the testimony that has been since adduced, if I were to rewrite that book, which appeared in December, 1914, I would not have occasion, so far as its ultimate conclusions, to change the crossing of a "t" or the dotting of an "i." It seemed to me to be the truth then and it seems to me to be the truth to-day.

There was an everlasting right and wrong involved in this stupendous conflict, and while the people of the allied nations, especially Americans, can have now none but the kindliest feelings for the Germanic peoples, who, in my judgment, were "more sinned against than sinning" by their rulers and statesmen, yet magnanimity does not require that we sit silent when the justice of the cause, to which our soldiers gave the "last full measure of devotion," is called in question. We, therefore, honor Joffre to-day not only as a great man and a distinguished soldier but also because he was the victor in a just cause.

To his mighty shade we say:

Ave et vale! Hail and farewell! [Applause, the entire membership rising.]

ADDITIONAL RECEIPTS OR CERTIFICATES OF MAILING

The SPEAKER. This is Calendar Wednesday, and the Clerk will call the committees.

The Clerk called the Committee on the Post Office and Post Roads.

Mr. SANDERS of New York. Mr. Speaker, I call up the bill (S. 3273) to authorize the Postmaster General to issue additional receipts or certificates of mailing to senders of any class of mail matter and to fix the fees chargeable therefor.

The SPEAKER. The gentleman from New York calls up the bill S. 3273, which the Clerk will report.

The Clerk read the title of the bill.

The SPEAKER. This bill is on the Union Calendar. The House will automatically resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 3273, and the gentleman from Iowa [Mr. RAMSEYER] will take the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 3273, with Mr. RAMSEYER in the chair.

The CHAIRMAN. When the committee rose when this bill was last under consideration general debate had not been concluded on the bill. Twenty-six minutes remain in charge of the gentleman from New York [Mr. SANDERS] and 36 minutes in charge of the gentleman from Wisconsin [Mr. STAFFORD].

Mr. SANDERS of New York. Mr. Chairman, I have no further demands in general debate.

Mr. STAFFORD. I have nothing further.

The CHAIRMAN. No further debate being asked, the Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the provisions of the act of February 14, 1929 (39 U. S. C., p. 260), authorizing the Postmaster General to furnish receipts showing the mailing of ordinary mail of any class and to prescribe the fee for such receipts, is hereby extended to include additional receipts or certificates of mailing covering registered, insured, and collect-on-delivery mail.

With the following committee amendments:

Page 1, line 4, in the parentheses, strike out the word "page" and insert "sec."

Line 7, strike out the word "is" and insert the word "are."

The CHAIRMAN. The question is on agreeing to the committee amendments.

Mr. STAFFORD. Mr. Chairman, I offer the following amendment as a substitute for the committee amendment.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Strike out all after the enacting clause and insert "That the Postmaster General is authorized to charge a fee, under such regulations as he may prescribe, for the issuance to the sender of ordinary mail and of registered, insured, and collect-on-delivery mail, a receipt or certificate showing such mailing."

Mr. STAFFORD. Mr. Chairman, when we last had this bill under consideration criticism was made of the form in which the bill was presented for consideration. I think the criticism made by the gentleman from Kansas [Mr. HOCH] was well taken. In the compilation of laws we would have a very awkward condition if the bill should remain as it is reported. I think the substitute amendment that I have offered accomplishes the purpose.

Mr. KELLY. As I understood the reading of the bill, it simply places in better phraseology the purpose of the bill.

Mr. STAFFORD. Yes.

Mr. CHINDBLOM. It does more than that. It actually states the legislation. The bill as it came from the Senate does not state the legislation. It states some other law.

Mr. STAFFORD. I think my amendment answers the objections made by the gentleman from Kansas.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The amendment was agreed to.

Mr. SANDERS of New York. Mr. Chairman, I move that the committee do now rise and report the bill to the House with the amendment, with the recommendation that the amendment be agreed to and the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. RAMSEYER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill S. 3273 and had directed him to report the same back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

Mr. SANDERS of New York. Mr. Speaker, I move the previous question on the bill and amendment to final passage.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

Mr. CHINDBLOM. Mr. Speaker, the title was not considered in the Committee of the Whole. The title is not quite correct. Would it be in order, or must unanimous consent be obtained, to suggest an amendment to the title? The title reads:

To authorize the Postmaster General to issue additional receipts or certificates of mailing to senders of any class of mail matter and to fix the fees chargeable therefor.

The bill does not do that. It extends the present law to certain new classes. This does not make this bill applicable to all classes. It makes it applicable to other classes than ordinary mail. The proposed provisions were already applicable to ordinary mail, and the bill extends these provisions to other matter than ordinary mail. The title would be correct if it read "to certain classes," instead of "any class."

Mr. KELLY. These special services are regarded as classes, and therefore this covers everything.

Mr. CHINDBLOM. No. This bill, together with the other existing law, will cover everything, but this bill does not alone cover everything.

The SPEAKER. The Chair thinks it is in order now to offer an amendment to the title.

Mr. CHINDBLOM. Then, Mr. Speaker, I move to amend the title by changing the words "any class" to the words "certain classes."

The SPEAKER. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CHINDBLOM to the title of the bill: Strike out the words "any class," and insert in lieu thereof the words "certain classes."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

On motion of Mr. SANDERS of New York, a motion to reconsider the vote by which the bill was passed was laid on the table.

POSTAL CHARGE FOR DIRECTORY SERVICE

Mr. SANDERS of New York. Mr. Speaker, I call up the bill (S. 3178) to authorize the collection of additional postage on insufficiently or improperly addressed mail to which directory service is accorded.

The SPEAKER. The gentleman from New York calls up the bill, S. 3178, which the Clerk will report.

The Clerk read the title of the bill.

The SPEAKER. This bill is on the Union Calendar. The House will automatically resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 3178, and the gentleman from Iowa [Mr. RAMSEYER] will take the chair.

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 3178, with Mr. RAMSEYER in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill S. 3178, which the Clerk will report.

The Clerk read the bill, as follows:

Be it enacted, etc., That each piece of insufficiently or improperly addressed mail which is accorded directory service in effecting or attempting to effect its delivery shall be charged with 2 cents postage in addition to the regular postage, to be collected and accounted for in the manner in which postage due on other mail is collected and accounted for: *Provided*, That such additional postage charge may be prepaid by the sender under regulations prescribed by the Postmaster General: *Provided further*, That such charge shall not apply to matter mailed under the franking and penalty privileges.

With the following committee amendments:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, under such regulations as the Postmaster General may prescribe, in cases where insufficiently or improperly addressed mail is accorded directory service in order to effect its delivery, the mailer, at his request, and upon payment of an additional charge of 5 cents, shall be notified of the completed or corrected address: *Provided*, That nothing in this act shall be construed to require or permit the withholding or delay of delivery of mail to the addressee pending the collection of such additional charge."

Amend the title so as to read: "An act to provide a postage charge for directory service."

Mr. SANDERS of New York. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. KELLY].

Mr. KELLY. Mr. Chairman, I would like to be able to explain this bill as briefly as possible and then consider another postal question which has been brought to the attention of every Member of the House, namely, the proposed 2½-cent first-class postage rate.

This measure under consideration, Mr. Chairman, is a provision dealing with directory service. This service at the present time is costing the Post Office Department between two and three million dollars a year, for which not a penny is received. The Postmaster General recommended that Congress establish a 2-cent fee to be levied upon the addressee of the mail matter wherever directory service was accorded. The Senate accepted that recommendation and passed the bill in that form. The House committee has refused to accept that exact plan as being a just charge for directory service and has amended the Senate bill by striking out everything after the enacting clause and changing the scope of the bill so that it will provide for an optional charge to be levied upon the sender of the mail and not upon the addressee.

We take it for granted that the addressee is an innocent party who should not be penalized for incorrectly addressed mail sent out by another party. Therefore, we provide an optional service, whereby the sender who desires to have this service accorded, may, upon the payment of a 5-cent fee, receive a card back through the mail showing the correct address of each addressee. It is approved by many large mail users as a beneficial service. They will agree to it, and it certainly should not arouse any objection, since no one has to pay it except those who desire to use this particular service.

Mr. BLANTON. Will the gentleman yield?

Mr. KELLY. I yield.

Mr. BLANTON. Why not have an additional proviso at the end of the committee amendment providing that no additional charge shall be made for directory service unless the sender is to be given a notice?

Mr. KELLY. Under this amendment, of course, the sender is not only given notice but he originates the request.

Mr. BLANTON. But suppose a farmer in the gentleman's district in Pennsylvania mails a letter to his relative in Pittsburgh and has not given the correct street address, he is entitled to and should be given directory service, and there should not be a charge for directory service on a letter like that.

Mr. KELLY. There is no charge, and there will be none.

Mr. BLANTON. But under the language of the committee amendment the Postmaster General is authorized to make regulations whereby there might be an attempt to charge for that directory service.

Mr. KELLY. No. The gentleman is mistaken. No charge can be made unless in the first instance the mail user states he desires to have it.

Mr. BLANTON. Well, we ought to clearly and distinctly direct the Postmaster General and his department that there shall be no additional charge for directory service, and that every letter addressed should have careful and adequate directory service without an additional charge, unless there should be some notice sent back to the sender.

Mr. KELLY. I am sure if the gentleman will read the bill carefully he will admit that that is exactly what we are doing in this bill. We do not propose a fee shall be paid in the case to which the gentleman calls attention. This will only apply to large mail users who are willing to pay 5 cents to get a corrected address.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. KELLY. I yield.

Mr. CHINDBLOM. In other words, the department will continue to attempt to deliver mail, even though the address be incorrect?

Mr. KELLY. And give full directory service; yes.

Mr. CHINDBLOM. But if the sender of the mail wants to be informed as to the correct address he must apply for it and pay for it?

Mr. KELLY. That is it exactly. He will have his desire printed on the envelope.

Now, Mr. Chairman, I want to take this opportunity to discuss the recommendation of the Postmaster General as to first-class postage rates.

I am sure I can not be charged with attempting to obstruct any reasonable desire of the Post Office Department to collect additional revenue. These measures which I have endeavored to have enacted and that have come in with the unanimous report of the Post Office Committee prove that.

Mr. Chairman, the Postmaster General, representing the Executive, has the privilege and the duty of making recommendations to Congress as to matters which concern his department.

In accordance with that privilege and duty, Postmaster General Brown has recommended that the rate of postage on letter mail be increased from 2 cents to 2½ cents.

The responsibility for action upon this or any other recommendation rests with Congress, as the lawmaking power.

In dealing with a question such as first-class mail rates, which affect every American, long-continued doubt and uncertainty have an injurious effect upon the service. The present rate has been in force for 45 years, and mail users, large and small, have come to regard it as beyond any chance of increase.

At the present time many business organizations and many individuals are requesting Members to oppose the proposed increase. I know of none urging its adoption.

The proposal has been advanced by the Postmaster General and others in the department for more than a year. It is renewed in the report of the Post Office Department for 1930.

In spite of that fact, no Member of the House has introduced the suggested legislation, and it is therefore not before the Post Office Committee for definite action.

However, in order to help allay the uncertainty which exists in the country as to the possibility of this change in first-class rates being made, I will take the responsibility of saying that not one member of the House Committee on the Post Office and Post Roads is in favor of increasing first-class rates to 2½ cents.

I shall make a further statement and if any Member disagrees with it I shall give him an opportunity to correct me. I do not believe there is 1 Member out of the 435 in the House who would sponsor such an increase or support it.

No one disagrees with that statement. Then there ought to be confidence on the part of the mail users of the United States that the Congress is definitely determined that there shall be no increase in first-class postage rate.

Mr. BLANTON. Will the gentleman yield?

Mr. KELLY. I yield.

Mr. BLANTON. Does not the gentleman from Pennsylvania think it is a remarkable situation that out of 435 Members of the House not 1 would introduce the bill, and yet the Postmaster General is attempting to foist this proposal upon the people as a burden?

Mr. KELLY. Well, Mr. Chairman, whenever there is such unanimity in the lawmaking body, it may be safely assumed that there is good reason for it. It is easy, of course, to say that Congress views only the political angle of this subject and that the statesmanlike course would be to secure greater revenues for the Post Office Department by assessing further burdens on first-class mail.

I do not believe that either contention is correct. It is not political timidity to refuse to injure one of America's greatest institutions, the Postal Service. It is not statesmanship to throw overboard a policy which has been of inestimable value for many years.

There is a fundamental question in this proposal of the Post Office Department and the attitude of Congress upon it. There are two conflicting policies involved and they should be clearly understood. The real question is, What is the primary aim and objective of the Postal Service?

The Postmaster General in his report for 1930 makes the following statement:

> It is no more logical to expect the Government to transport and deliver private mail for less than cost, than it would be to ask a telegraph or telephone company to furnish communication service at less than cost. * * * Obviously some of these rates must be increased if the service as a whole is to be made self-sustaining. * * * The only practical solution appears to be an increase in the rate on first-class mail where the Government has a monopoly, and therefore would run no risk of driving business to competitors.

In an address delivered in Washington on November 10, 1930, Third Assistant Postmaster General Tilton made the following statement:

> Inasmuch as every worthy project must have a worthy objective we have set as our objective the aim of having the Post Office Department made self-sustaining so far as its business relates to the transportation of mail. The objective of private business is long life and profit. To secure long life it must give compensating service and to insure profit it must apply business principles, guard its expenses, and sell its product for more than cost. The Post Office Department is a business, the management of which has been entrusted for the time being to the present administration. It is a mutual business. * * * The Post Office Department should be self-sustaining.

Should the great objective of the post-office establishment be to acquire the basis of a self-sustaining business?

Mr. REED of New York. Will the gentleman yield?

Mr. KELLY. Yes.

Mr. REED of New York. In carrying out that policy, I find they are doing this around the country; they are trying to save expense by consolidating rural routes and they are depriving the rural districts of the service they ought to have.

Mr. KELLY. Well, I am in favor of service first. If service can be maintained to its full degree of usefulness and with it economies can be effected, well and good. The trouble is that if the balance sheet is to furnish the keynote of the service many things follow as a matter of course when they should not follow at all.

The service will be curtailed and cheapened; vacancies in the personnel will be left unfilled; substitutes will be used instead of regulars; collections and deliveries of mail will be skimped; distribution en route will be lessened; additional duties will be laid upon employees; feeble functioning will take the place of complete and comprehensive service.

All these actions, which mean deterioration of the service, as well as increase in postage rates, are involved in setting up the slogan, "Make the Post Office pay its way" as the first and foremost consideration.

Now, I do not believe that such an objective is worthy of the United States Postal Service. The balance sheet is not the primary but a secondary consideration. Rather I would say that the paramount duty of this Congress, which alone has the rightful power to determine the objective of the Post Office Department, is to continue in the path followed by Congress for a century and a half of marvelous postal progress. The true objective is to furnish the most complete and useful postal facilities which can be devised, and to do that whether the postal revenues meet the full cost or whether the General Treasury is chargeable for part of the expense. [Applause.]

The only reason for the maintenance of the post office by the Government is found in its character as an agency of public service. The transmission of messages, governmental information, and the dissemination of intelligence are so vital to a highly organized society that it must be in the hands of the Government, representing the people themselves.

There is no method of measuring in dollars and cents the value of this great agency of communication. Its value is in the past and the present and the future as the cementing force which binds a country into a community and a nation into a neighborhood. It pays dividends more vital than money.

There should be no confusion because a schedule of charges has been set up for certain classes of mail matter and services extended by this governmental institution. If Congress thought it wise to provide a free mail, it has the same power to do so as to build a lighthouse or a fort.

Congress has fixed certain rates, and, in most instances, they have been fixed on a public-welfare basis, not primarily to make the Post Office self-supporting.

Only once in postal history has a postage-rate law been adopted solely to meet additional costs. That was the postal salary and postage rate bill of February 28, 1925.

That one experience was enough. It did not even accomplish the end desired. The higher rates curtailed the volume of the mail, and thus the revenues, to such an extent that Congress was immediately forced to reconsider the action and enact a law which reduced those rates to practically their former level. The Post Office Department urged such action and it was taken by practically a unanimous Congress.

Mr. Chairman, if you scan the history of the Post Office Department, you will find that occasionally the Postmaster General has become imbued with the idea of making the Post Office self-sustaining. He would take whatever admin-

istrative power was in his hands to curtail and cheapen the service. However, in every case it was proven a mistaken policy and was speedily reversed.

For instance, in 1859, Judge Joseph Holt, of Kentucky, was made Postmaster General and sought to carry out the policy that a postal deficit must be prevented at all costs. He found mail lines to the Pacific operating at a great loss and endeavored to do away with them.

That policy was counteracted by Congress and fortunately, indeed, for the United States mail lines to the West bound that great empire to the Union in the crisis of the sixties.

It was in that critical period that the distance factor was eliminated in first-class postage rates. At that time a letter sent more than 300 miles cost 10 cents. Congress established a uniform rate of 3 cents, regardless of distance, although there was a postal deficit at the time. Within eight years postal revenues had doubled.

Congress, which alone has the power to establish postal policies, has always refused to act on any other policy than that of giving the most complete and useful service possible, without regard to a possible discrepancy between revenues and expenditures.

Great new services have been established; postage rates have been lowered; compensation and working conditions for employees have been kept up to an American standard, and as a result the Postal Service has been maintained on a basis which excels any similar service in the world.

Congress has always wisely maintained that the Post Office Establishment is not a money-making agency but an instrument of service.

Nor, Mr. Chairman, should we forget that the head of the Post Office Department has, as a general rule, supported the congressional policy. Call the roll, and a large majority agrees with that declaration of Postmaster General Hays in his report for 1921.

> The department should not be conducted for profit. Its only purpose should be to serve the people fully and efficiently.

Hidden away in the dusty tomes which chronicle the year-by-year history of the Postal Service are to be found some inspiring things. In the Postmaster General's Report for 1885, the year when the present 2-cent letter rate went into effect, there is a gem which should be carried in every report of every Postmaster General. Postmaster General William F. Vilas deserves to be remembered for his statement of true postal policy. I quote his words:

> The Postal Service has in some countries been employed as a means of gaining revenue to contribute toward the support of the general government of the State. No such end is sought by the Government of the United States. It is neither necessary nor appropriate to the idea of a government of the people by and for themselves. Nor is the notion that the Postal Service is a business carried on by the Government, which should be at least self-sustaining, if not profitable, a just or wise one, and to so regard it tends to impair its efficiency and retard its improvement. The Government properly engages in no business as such, but undertakes, as their agent, to supply to the people those conveniences which it can furnish, by comprehensive appliances and with the aid of law, in a far superior and cheaper manner than they can by other means provide for themselves.
>
> It is obvious that the Postal Service is of a general public value of vast importance, quite distinct from that value which is only the combined sum of its usefulness to particular persons whose errands it performs. The chiefest feature of this general kind is the common good which arises from the dissemination of intelligence, the spread of intercourse, and the increase of facilities for procuring the small things which bestow the comforts of life, resulting in the diffusion of a greater happiness among all the people.
>
> It is an undeniable consequence that an equitable assessment of the expenses of the Postal Service would impose a goodly share upon the common public to be drawn from the Common Treasury * * *. It seems only fair and safe judgment to decide that when the revenues derived from as moderate an assessment upon first-class matter as but two of the smallest coins upon an ounce of weight and much less charges on inferior matter will approximate the whole cost of the service, the remainder is but a fair burden upon the common public, be it more or less, because it proves the employment of the service to have become so general that to distinguish between the public who bear the burden of general taxation and the public who enjoy the facilities of the Postal Service is both impossible and unimportant. Assuredly from such distribution as may exist of that kind, no human discrimination is nice enough to confidently decide that the present burden of deficiency is inequitable. It ought therefore neither to give the slightest concern upon that account, nor much less qualify with hesitation any desirable step toward the improvement of the efficiency or the enlargement of the valuable functions of this excellent minister of universal comfort and convenience.

Mr. Chairman, it is a fallacy to class the United States Postal Service with a business like a telephone company whose reason for existence is making money.

It can not be denied that the telephone business is a great success considering that its objective is profit making. Its service is dependent upon the money return. Only those families and business concerns which pay a fixed monthly charge for the telephone instrument get service and they pay that charge whether they use the telephone or not. Would it be sugggested that the American family must pay a monthly fee for the purpose of the installation of a mail box in which to receive mail?

Poor's Manual gives some facts about the outstanding telephone company which practically controls the entire telephone field. In 1929 the total operating revenues were $1,070,794,499. Profits paid to stockholders in the form of dividends were $132,223,833. The cash surplus was $84,881,037.

That means total profits, after every possible expense, including depreciation of over $164,000,000, is deducted, of $217,104,872. That is more than 20 per cent of revenues.

From the facts it could be argued not that postal charges should be modeled after those in the telephone business, but rather that the general public would be benefited if telephone communications were included in that people's agency of communication known as the United States Postal Service.

Mr. Chairman, no private business can serve as model for a public service such as the post office.

May the day never come when the truthful answer to the question as to the purpose of the Postal Service will be either "to earn profits" or "to collect money to meet expenses."

As a matter of fact, the postal establishment and a private business are founded on exactly opposite principles. In a business, when the conflict comes between profits and increased service, profits always win. In the post office, when that conflict comes, service wins and profits are disregarded. Judged on this primary principle, the post office is not a business; it is a public service.

If the post office were conducted as a business, a great many conveniences and services would be immediately discarded. The Rural Free Delivery Service, with all its value but with its $50,000,000 loss a year, would be the first to go. The only test put to each of the multitude of services given would be, "Does it pay its way?" And if the answer were negative, it would be sunk without a trace.

The heart and essence of private business are profits. Take profit out under our present system and there can be no business. When any business continues without profit for a time it is in the hope of making profit, and if that hope is not realized the business stops.

In a business it is profits which determine wages and salaries, working conditions, and selling prices.

Mr. Chairman, I protest against binding this great agency of intercommunication between 120,000,000 Americans in that kind of a vise. In this institution the extent and quality of the service given and the compensation and working conditions of those who give it must not depend on a dollar-and-cent balance, but on its purpose of advancing the common welfare to the greatest extent possible. A money balance in this service no more decides its true worth than it does in the conduct of a public school.

The Postal Service is a part of the American educational system far more than it is a part of our business system. The Postal Service System is a great human organization composed of 375,000 workers, banded together in a cooperative, enlightenment enterprise. Such a service pays dividends not primarily in dollars and cents but in better citizenship.

Of course, I do not mean to say that financial considerations should be entirely forgotten. We can and do make charges for services rendered and three-quarters of a billion dollars are brought in. But those charges are established on the lowest possible basis, so that the service shall be as wide

as possible. The first consideration is service; the charge is secondary.

I favor the highest efficiency in the post-office establishment. Still there is a vast difference between efficient service and efficient money-making. If a private business took over the Postal Service and rebuilt it on a profits basis, it would reduce service and increase charges. If, however, a private enterprise were ordered to continue the traditional policy of the post office and give the present service at the present charges, the deficit would be much higher than it is to-day.

In other words, as a service-giving institution the post-office establishment is to-day the most efficient organization on earth.

Let profits be the dominant motive in private business. It must be so under our present system, and no better motive has ever been discovered for the conduct of such business as is naturally competitive.

But let us keep one great institution as the embodiment of another motive—that of cooperative service. Here is no business to show a favorable balance or be branded as a failure. Here is a service to be extended to the utmost, whether the extension shows a money loss or a money gain. That service is one of the birthrights of every American and we should not curtail it now.

Now, Mr. Chairman, putting aside the fundamental policy involved, let us analyze the specific contention that first-class rates should be increased 25 per cent, thus substituting a 2½-cent rate for the 2-cent rate in force since 1885.

In that connection it will be interesting to consider the cost-ascertainment report of the Post Office Department for 1930. The summary is as follows:

TABLE A.—*Recapitulation of allocations and apportionments of postal revenues and expenditures for the fiscal year 1930 to the classes of mail and special services, not taking into account relative priority, degrees of preferment, and value of service in respect to expenditures*

Fiscal year 1930	Revenues	Expenditures	Excess of apportioned expenditures over revenues	Excess of revenues over apportioned expenditures
1	2	3	4	5
Classes of mail:				
First class—				
Other than local-delivery letters	$253,680,959.57	[1] $209,745,011.11		$43,935,848.46
Local-delivery letters	105,776,334.80	[1] 68,902,479.64		36,873,855.10
Air mail	5,272,616.45	[2] 15,168,778.58	$9,896,162.13	
Total, first class	364,729,810.82	[1] 293,816,269.33		70,913,541.49
Second class—				
Publications exempt from zone rates on advertising under act of Oct. 13, 1917 (par. 4, sec. 412, P. L. and R.)	2,354,123.64	[1] 17,258,116.13	14,903,992.49	
Zone rate publications—				
Daily newspapers	13,093,562.96	[1] 45,354,313.13	32,260,750.17	
Newspapers, other than daily	2,238,426.86	[1] 12,834,456.37	10,596,029.51	
All other publications	11,379,643.02	35,974,257.86	24,594,614.84	
Free in county, all publications		[1] 7,810,161.45	7,810,161.45	
Total, publishers' second class	29,065,756.48	119,231,304.94	90,165,548.46	
Transient	1,643,053.50	1,179,342.67		463,710.83
Total, all second class	30,708,809.98	120,410,647.61	89,701,837.63	
Third class	61,490,185.87	82,992,233.49	21,502,047.62	
Fourth class—				
Local delivery	2,453,522.11	2,111,593.69		341,928.42
Zones 1 and 2	51,954,933.82	74,595,680.88	22,640,747.06	
Zone 3	30,747,939.80	34,017,415.11	3,269,475.31	
Zone 4	25,593,871.34	28,428,796.01		3,112,074.33
Zone 5	19,896,194.42	16,818,746.47		3,077,447.95
Zone 6	6,789,869.19	5,652,547.31		1,137,321.88
Zone 7	4,392,692.03	3,547,698.05		844,993.98
Zone 8	6,302,685.27	5,016,789.42		1,285,895.85
Total, fourth class	[1] 151,658,537.13	167,229,267.84	15,570,730.71	
Foreign—				
Other than air mail	18,195,679.90	34,142,849.06	15,947,169.10	
Air mail	332,988.03	[3] 4,300,000.00	3,967,011.97	
Total, all foreign mail	[4] 18,528,667.99	38,442,849.06	19,914,181.07	
Penalty—				
For the Post Office Department		3,998,992.71	3,998,992.71	
For other branches of the Government		3,808,540.65	3,808,540.65	
Total, penalty		7,807,533.36	7,807,533.36	
Franked—				
By Members of Congress		575,676.51	575,676.51	
By others		124,978.88	124,978.88	
Total, franked		700,655.39	700,655.39	
Free for the blind		65,178.98	65,178.98	
Total, all mail	627,116,011.79	711,464,635.06	84,348,623.27	
Special services:				
Registry—				
Paid registrations	[5] 13,822,559.88	21,093,698.14	7,271,138.26	
Free registrations—				
For the Post Office Department		1,840,028.63	1,840,028.63	
For other branches of the Government		327,893.86	327,893.86	
Total registry	[5] 13,822,559.88	23,261,620.63	9,439,060.75	
Insurance	[6] 8,775,399.61	11,302,844.62	2,527,445.01	
C. O. D.	5,817,070.03	10,308,860.13	4,491,790.10	

[1] These computed expenditures do not take into account the preferential treatment accorded to first-class mail and to newspapers.

[2] These items represent the payments made to contractors for the transportation of mail by airplane on domestic and foreign routes, respectively, together with the cost of transporting the mail to and from air mail fields and the cost of distribution in air mail transfer offices.

[3] Includes $539,825.25 revenue from special-handling service.

[4] Includes $161,767.55 receipts from foreign countries for handling foreign mail in transit through the United States, and $104,076.18 revenue from miscellaneous special services in connection with foreign mail.

[5] Includes $1,067,206.93 revenue from return receipts for registered mail.

[6] Includes $28,335.26 revenue from return receipts for insured mail.

TABLE A.—*Recapitulation of allocations and apportionments of postal revenues and expenditures for the fiscal year 1930 to the classes of mail and special services, not taking into account relative priority, degrees of preferment, and value of service in respect to expenditures*—Continued

Fiscal year 1930	Revenues	Expenditures	Excess of apportioned expenditures over revenues	Excess of revenues over apportioned expenditures
1	2	3	4	5
Special services—Cantinued.				
Special delivery	$12,064,054.80	$12,057,705.62		$6,349.18
Money order	17,841,910.72	28,890,168.32	$11,048,257.60	
Postal savings	1,562,106.84	1,426,243.92		135,862.92
Total, special services	59,883,101.83	87,247,443.24	27,364,341.36	
Total mail and special services	686,999,113.67	798,712,078.30	111,712,964.63	
Unassignable	17,587,237.68	4,025,458.24		13,561,779.44
Total related	704,586,351.35	802,737,536.54	98,151,185.19	
Unrelated	1,905,827.30	2,203,424.91	297,597.61	
Grand total, 1930	706,492,178.65	804,940,961.45	98,448,782.80	
Revenue credits (act of June 9, 1930):				
Penalty matter, other than that of Post Office Department, including registration	9,347,505.00			
Franked matter—				
By Members of Congress	718,060.00			
By others	154,545.00			
Second-class matter, free in county	733,263.00			
Free matter for the blind	63,779.00			
Publications exempt from zone rates	414,388.00			
Expense credits (act of June 9, 1930):				
Aircraft service		13,863,174.10		
Differential favoring vessels of American registry		14,355,004.29		
Grand total, 1930 (adjusted to the act of June 9, 1930)	717,943,718.65	776,722,783.06	58,779,064.41	

NOTE.—The above segregations of the computed total expenditures chargeable to first-class, second-class, fourth-class, foreign, penalty matter, franked matter, and to registry service, and of the revenues from fourth-class matter have been developed by processes of approximation.

Mr. Chairman, this table states that the excess of revenues over expenditures as to first-class mail, eliminating the loss on air mail, which is not counted as a charge against postal revenues, is over $80,000,000. The obvious comment, and one which is being widely used, is that if first class shows such a gain at the present rate, there is certainly no justification for increasing it.

However, I will be frank in saying that my opposition to the proposed increase is not affected by the figures of the cost ascertainment. Only a disregard of all reasonable apportionment of costs in handling the different classes of mail matter could result in such a statement of gains and losses.

Certainly there is no profit of $80,000,000 in handling first-class mail matter any more than there are losses in second and third and fourth classes, such as may be deduced from this report.

I agree with every contention of the Post Office Department that the carriage of first-class mail is the primary function of the service and that other classes are subsidiary or incidental. Railroads have no difficulty in applying a rate-making formula based on such facts. For instance, the rates on sand and gravel are but 8 per cent of the rate on automobiles.

However, even by an arbitrary formula of assessing one-half of all true postal expenditures against first-class mail, the fact remains that under the 2-cent rate first class pays its full share of costs. For my part, I believe that if we charge one-half of all expenses against first-class mail we have given it all it should rightfully carry. If a higher proportion is justifiable, let us have the facts to support it.

Again, Mr. Chairman, the Postmaster General in his report states that the 2-cent rate has been in effect since 1885, and that since that time there have been increasing commodity prices, and mounting labor costs. Therefore, he argues, there should be an increase in first-class mail rates.

That argument is not conclusive by any means. Let us look at the situation in 1885. In that year the total revenues were $42,560,000. The expenditures were $50,947,000, with a deficit of $8,381,000, or 20 per cent of revenues. It required about 69,000 employees to carry on the service.

The per capita expenditure for postage that year was 79 cents.

Compare that with 1930. The total revenues were $705,484,000. The total expenditures were about $803,700,000, making a total deficit, including nonpostal expenditures, of $98,215,000, or about 14 per cent of revenues. It required 375,000 employees to carry on the service. The per capita expenditure for postage was $5.75.

If the same rate of deficit had occurred as did occur in 1885, the deficit would have been $140,000,000. If the per capita expenditure for postage had remained the same the total revenues would have been $90,000,000 instead of $705,000,000. If the number of employees had increased in relation to revenues there would have been 1,200,000 employees instead of 370,000.

What does all this mean? Simply that low postage rates multiplied the volume of mail, while the increasing efficiency of postal employees absorbed it without corresponding increase of cost. Remember, too, that many and expensive services were added after 1885. The rural free delivery, parcel post, collect on delivery, and many other services and facilities have been extended to the people regardless of cost.

The fact is that in spite of all improvements in service, all increases in compensation, the unit cost of handling the letter carried by the Postal Service is lower to-day than in 1885.

From that standpoint and in line with modern industrial practice of a low price reduced as increased volume warrants it, there should be a reduction in the present 2-cent rate rather than an increase.

One thing can not be denied, and that is that every argument now urged for an increase in the 2-cent rate applied with greater force in 1885. With a deficit of $8,000,000 on a $42,000,000 business, there were strong arguments to be made for an increase by those who could not vision the service because of the deficit.

Why did the Congress of that day adopt the 2-cent rate instead of increasing the rate of 3 cents for half an ounce which then applied? Solely because Congress deliberately and wisely chose to rely on increased volume at the low rate. Congress desired to increase the extent of the service, and the record since shows how well they acted.

Mr. Chairman, it should be remembered that rate increases do not always mean profits.

That is proven by recent experiments in postage rate making. In the act of 1925 the rate on souvenir post cards and private mailing cards was fixed at 2 cents instead of 1 cent. The Post Office Department estimated that such increase would result in increased revenues of $10,000,000. The first year's experience showed that instead of an in-

crease there was a decrease of $6,000,000 from the revenues received at the lower rate.

As a result Congress restored the 1-cent rate in the act of 1928.

On transient second class the rate was increased substantially and the result was a loss of 63 per cent of the entire mailings at the lower rate.

The same thing applies even in private industry. Rates may be made so high that business fails. I remember that in 1919 the Pittsburgh Railways Co., which operated street-car lines in Pittsburgh and its suburbs, came before the city council in McKeesport, Pa., and demanded the right to increase its rates on street-car tickets from 33 for a dollar to 10 for 55 cents.

The company finally secured the permission from the public-service commission and the new rate was established. So rapidly did receipts fall that within three months the company voluntarily restored the low rate.

Mr. Chairman, the question will be asked, What do you propose to do about the deficit?

I should answer that nothing is to be gained by being stampeded into unwise action because of a deficit which is largely due to abnormal conditions.

One great step we have taken in disclosing the real postal deficit as distinguished from the fictitious deficit which was reported for many years. By the act of June 4, 1930, sponsored by myself, authority is given for the segregation of the cost of certain free and public-welfare projects which are not justly charged against postal revenues. For 1930 the sum was about $40,000,000. Eliminating this cost, the postal deficit for 1930 is about $58,000,000.

While there still remain certain reductions of postal revenues due to deliberate policies of Congress, we may say that the difference between the receipts and expenditures is $58,000,000.

That amount can be eliminated, not by curtailing service and increasing first-class postage rates but by increased volume of mail and increased morale of the service.

Increased volume lowers costs. If the expense of carrying one message to a certain destination is $2 the messenger can carry 40 messages to the same address for 5 cents each.

The post office has been built on the basis of low rates and large volume. In 1835 it cost 37½ cents to send a single-sheet letter from Washington to Boston. That year the average American spent 8 cents for postage. To-day a letter is sent from Washington to San Francisco for 2 cents and the average American spends $5.75 for postage.

There is a certain fixed overhead in the conduct of the post office. That must be met regardless of the volume of the mail. But once that is met increased volume lowers the unit cost of handling mail.

For the 18 years between 1913 and 1930, inclusive, the average yearly increase in postal receipts was $30,000,000. That takes in times of depression as well as times of booming business. It is conservative to say that if normal times prevail for four years postal receipts will increase $120,000,000.

It is the record of the service that it can absorb additional volumes of mail without corresponding increase in expenses. That is the reason for the absorption of all increased costs between 1913 and 1928 without permanent increase in deficit.

The present times are far from normal and we should not take any permanent action based upon them.

The postal receipts at 50 selected cities for November, 1929, were 3.19 per cent over November, 1928. The receipts from the same cities for November, 1930, were 13.27 per cent less than for November, 1929.

It would be folly to attempt to meet the present situation by a general increase in rates. We should act in the light of normal business, not abnormal. Additional receipts of $120,000,000 can be handled by the Postal Service at a cost of $60,000,000. The difference alone would eliminate the postal deficit.

Mr. Chairman, there never was a time when it was an act of wisdom to sell the Postal Service short. It is folly to do it now. We have not reached the end of postal progress. The steady advance since 1789 in volume of mail and in revenues per capita has not come to an end this year.

So recently as 1923, the average revenues per capita were $4.78. In 1928, they had increased to $5.78.

It requires no great stretch of the imagination to state that it will be $6.78 within a short period.

That will mean increased revenues of $122,000,000, from which increase alone the deficit can be eliminated.

Public policy demands that we deal with the Postal Service on a permanent, stabilized basis, not through makeshift attempts to meet every spasmodic change in business conditions.

Mr. Chairman, besides normal growth in business a great deal depends upon the morale in the service itself. Engaged in this great enterprise of peace are 375,000 American men and women, each with an important task, no matter how humble it seems.

When that great army is imbued with loyalty, teamwork, and comradeship, the Postal Service is a marvel of efficiency.

When morale is broken through loss of confidence, injustice, doubt, and uncertainty, the work goes on, but there is less efficiency and higher cost.

It is entirely natural and can not be condemned. Countless millions were spent by the United States during the World War to break the morale of Germany and the Central Powers. That effort succeeded and it determined the result of the war.

G. Stanley Hall, at the invitation of the United States Government, prepared an article on Morale for the students' Army training corps. In it he said:

> Does a man find his pleasure in the things he ought to? Can he face the world with confidence and joy and get real happiness out of the fundamental things of life? Or is he discouraged, depressed, and prone to lose hope? That is morale or lack of it.

The morale of the Postal Service is the biggest factor in its efficiency. Usually it is at a high pitch. There are splendid traditions of rushing the mails through to destination, regardless of difficulties, from 1776 to the present.

There is a common cause, that of serving every American, whether in the city or in lonely places.

There is sentiment about the service, something like that aroused by the flag itself.

There is an ideal, like a flying goal, which beckons on to more useful service every year.

There is faith in the justice of Uncle Sam and the hope which tides over discouragement.

There is public good will which makes postal workers try to merit it.

All these things inspire and strengthen the morale of the Postal Service.

Still, that morale can be lowered. If the seeds of division are sown and one group is set against another; if faith in a square deal and hope for bettered conditions are dissipated; if the sentiment is blotted out and the ideal of eager, willing service is obscured; if public good will is alienated, the cost can not be made up by increased postage rates.

All these things follow surely upon the policy of branding the Postal Service a failure if it does not bring in as many dollars as it pays out. We did not tell the American soldiers in the World War that they were costing us millions of dollars a day and force them to keep their minds on that. We told them to do the job which had to be done regardless of cost, and it was their invincible morale which enabled them to do it.

Mr. Chairman, let me sum up what I have been trying to say. The post office is not a business, organized for profit making or for balancing receipts and expenditures to the penny; it is a service, organized by the people for their manifold benefits.

Increasing the first-class rate, which has become an institution through 45 years of marvelous postal progress, is not justified from any standpoint.

The best means of making expenses and receipts balance approximately is to keep rates to the lowest point possible, increase the volume of mail, and lower the unit cost. Just as important is maintaining the morale of the service at the highest pitch possible by emphasizing the vital importance of the post office and by assuring a square deal to every

worker in the service from the highest official to the humblest laborer.

In my opinion, for whatever it may be worth, increased volume and increased morale will do more to accomplish the ends desired by the department officials than this recommendation for an increase in first-class rates. And the fact that not one Member of the House or Senate has voiced his support of this increase is gratifying proof that Congress regards the postal establishment as an agency of service rather than as a business to be weighed in the balances of money making. [Applause.]

Mr. BUSBY. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Mississippi rise?

Mr. BUSBY. Will the gentleman yield to answer some questions concerning the bill we have before us?

Mr. KELLY. I will.

Mr. BUSBY. I want to ask several questions. The gentleman has given us a lecture which is very interesting, but I think if anybody cared to make a point of order the gentleman would have to confine his remarks to the bill. I would like to ask some questions concerning the bill itself.

Mr. KELLY. The gentleman can have plenty of time to ask all the questions he desires to ask about the bill. I was discussing a question which is pressing upon every Member of the House in connection with postal rates, and I have finished my remarks on that matter.

Mr. SUMMERS of Washington. Will the gentleman yield?

Mr. KELLY. I yield.

Mr. SUMMERS of Washington. There is much misunderstanding as to the cause of this deficit. I wonder if the gentleman, in the extension of his remarks, will show how this deficit is made up. The country generally seems to believe that the franking privilege is responsible for a large percentage of it, when, as a matter of fact, it is responsible for a very, very small percentage.

Mr. KELLY. A fraction of 1 per cent; yes.

Mr. SUMMERS of Washington. I hope the gentleman will put those figures in the RECORD.

Mr. KELLY. I will be pleased to do that in connection with the cost-ascertainment report.

Mr. BUSBY. Will the gentleman yield?

Mr. KELLY. Yes.

Mr. BUSBY. I notice from the gentleman's statement he believes the Post Office Department should give service rather than try to make the department pay its way entirely.

Mr. KELLY. That is my belief.

Mr. BUSBY. Does not the gentleman believe that the bill he is proposing now will tend to give the employees an excuse to curtail a service that the Post Office Department has been boasting about during all these years; that is, making delivery of mail matter submitted to it where the address was not at all sufficient?

Mr. KELLY. The gentleman is in error about that. This will rather have the opposite effect.

Mr. BUSBY. What sort of regulations does the gentleman have in mind the Postmaster General should adopt in order to put into effect his proposed legislation?

Mr. KELLY. In the first place, he will put this regulation into force——

Mr. BUSBY. How? That is what I want to know.

Mr. KELLY. Everyone knows how a regulation is put into force. The department will notify the mail users who want to take advantage of this optional service the conditions which must be complied with.

The first regulation put out will be that any mail user who desires to get a return card with corrected address and pay 5 cents must print on his own envelope a statement that he desires the card back, and will pay for it.

Mr. BUSBY. Then the receiving office must go through and inspect all the pieces of mail as they come in to see if the sender has complied with the regulation?

Mr. KELLY. The receiving office has nothing to do with it. The card goes back from the office of destination.

Mr. BUSBY. But suppose the delivery address is not entirely sufficient according to the opinion of the office to which the mail is addressed. What happens?

Mr. KELLY. Nothing happens, unless there is printed on the envelope of the sender a statement of his desire for the return of the card.

Mr. BUSBY. If it is printed on there that does not help in determining where it is going.

Mr. KELLY. The purpose is simply to get the card back giving the corrected address, thus preventing the sending of more misdirected mail.

Mr. BUSBY. Has the legislation anything to do with the efficiency which the Post Office Department has been boasting about in delivering mail with obscure addresses?

Mr. KELLY. The gentleman will understand that this does not affect the directory service except where, at their own option, the senders desire to avail themselves of the service and get the card back.

Mr. BUSBY. How does the gentleman determine the amount that this will cost?

Mr. KELLY. The Post Office Department has ascertained it through their own sources of information.

Mr. BUSBY. Is their estimate of the cost as reliable as that of Mr. Stewart when he was before the Post Office Committee as to the raise in the rate of postal cards where he said that the raise from 1 cent to 2 cents would bring in a revenue of $20,000,000 and the result was that instead of $20,000,000 we got less than half.

Mr. KELLY. I do not know how the figures were secured, but I will ask unanimous consent to insert in the RECORD the figures, which state the cost of directory service at between two and three million dollars a year.

Mr. STAFFORD. Mr. Chairman, I ask for recognition in opposition to the bill.

The CHAIRMAN. Is the gentleman from Wisconsin opposed to the bill?

Mr. STAFFORD. I certainly am.

The CHAIRMAN. The Chair will recognize the gentleman from Wisconsin for one hour.

Mr. STAFFORD. Mr. Chairman and gentlemen of the committee, we have all been interested in the eloquent address of the gentleman from Pennsylvania, as to the increase to 2½ cents on first-class mail. For the time being he diverted the attention of the committee from the bill before the House. I am against this bill and I will tell the reason why.

There are two reasons. The indirect effect of the committee's substitute in permitting a charge of 5 cents to be levied on the sender of the mail when it has no correct address will have the ultimate result of no mail being delivered to the addressee unless some fee is charged.

The bill as originally presented to the Congress by the Post Office Department carried an idea entirely foreign to the one recommended by the Committee on the Post Office and Post Roads. It provided that the receiptee should pay a charge of 2 cents to be collected and accounted for in the manner other postage due is accounted for. That due postage of 2 cents was to be paid by the receiptee and not by the mailer.

You seek by this bill to authorize a charge of 5 cents to be paid by the mailer for the purpose of having the Post Office Department act as a detective agency to disclose the whereabouts of persons to whom mail is addressed. That is the ulterior purpose back of this bill.

The chairman of the committee in a side remark takes exception to my charge of an ulterior purpose. I made the charge here when the committee, of its own motion, not upon the recommendation of the Post Office Department but of its own motion, suggested a fee of 20 cents on parcel-post matter for the purpose of ascertaining the address of persons to whom parcel-post mail is sent by mail-order houses for their private advantage, and my charge was not denied by the chairman of the committee or by any member of the committee. That was an emanation of the Committee on the Post Office and Post Roads and not of the Post Office Department, and

this suggestion under consideration now is an emanation of the Post Office Committee and not of the Post Office Department, and seeks likewise to aid certain mail-order houses or collection agencies to ascertain the address of a party. The gentleman from Pennsylvania [Mr. KELLY] stated that the mailers are willing to pay a fee of 5 cents if they can ascertain the address of the person to whom the letter is directed. I assert that when you establish this policy it is only a step before you are going to have no mail delivered to the person to whom it is addressed, where it does not contain the correct delivery address, except on payment of a fee. That was the purpose of the bill as originally presented by the Post Office Department, and now the Committee on the Post Office and Post Roads substitutes an entirely different idea by accommodating these mail-order houses and certain collection agencies, so that they can find the address of a person by paying a fee of 5 cents. I ask gentlemen to seriously consider this phase of the matter. Do you wish the Post Office Department to be used as a detective agency to ascertain the address of people who wish for some good reason that address withheld? I do not. I know of instances where collection agencies would give any amount of money to find the whereabouts of people. I want the Postal Service always to be free and to hold the information confidential as to the address and whereabouts of people to whom mail is sent. I may be in a small minority in my view of the purposes for which the Postal Service should be used, but that is my view to-day, and I am going to hold to it until some person can change that view.

Mr. KELLY. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. I yield to the gentleman from Pennsylvania.

Mr. KELLY. Is the gentleman in favor of the original proposal of the Senate bill to levy 2 cents, through a compulsory fee, upon every bit of mail?

Mr. STAFFORD. I am not.

Mr. KELLY. Then the gentleman is not in favor of the Senate bill as it came from the Senate?

Mr. STAFFORD. I am not. I am following the logic of the gentleman's position when he elaborated on the virtues of the Postal Service of having that department used for public service. There are many people in this country who do not know the street addresses of people to whom they address mail, and if they place 2 cents on a letter they are entitled to the directory service of the Post Office Department.

I take issue with the gentleman as to the reasons he is opposed to increasing the postage on first-class mail to 2½ cents. I am opposed to that increase because 2 cents is more than compensatory for the service rendered. Your country people and my city people do not always know the address of the people to whom they send mail in different cities, and they are entitled to have the Post Office Department ascertain that address, even in case the party moves. During the holidays much of my mail is addressed to me at my home, but I direct to have my mail come to my office. That change is accomplished by a notice sent to the superintendent of delivery. The work is inconsequential, and why should I pay more than the 2 cents when the 2 cents is more than compensatory for the service.

Mr. HOGG of Indiana. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. HOGG of Indiana. I would like to know from the capable gentleman from Wisconsin if he does not always seek to have the correct address on his own mail?

Mr. STAFFORD. I do; but some mail is sent to me at my home, as, for instance, Christmas cards. I notify the superintendent of delivery when I come home that all of my mail should be delivered to my office. That is a change of address. Yet some of the mail comes to me, as to many Members of Congress, at my home. How do I know when I want to write a letter to any of my colleagues when Congress is not in session as to their exact city address. I address it to their home city but not to their home address. Why should not that address be adequate?

Mr. HOGG of Indiana. Will the gentleman explain why he thinks that all large users of mail have an ulterior motive in wanting to have the correct address on their mail?

Mr. STAFFORD. Did the Post Office Department recommend the substitute submitted by the gentleman's committee?

Mr. HOGG of Indiana. Yes.

Mr. STAFFORD. Where is the testimony to that effect?

Mr. HOGG of Indiana. This was changed after they testified.

Mr. STAFFORD. Yes. It is the emanation of the Committee on the Post Office and Post Roads. I served years ago on that committee, and I knew then how some publishers of advertising sheets were only too desirous of having unrestricted use of the second-class mailing privilege. There is some ulterior purpose back of this bill. Why not be frank and tell who are the parties who are willing to pay 5 cents for these addresses?

Mr. KELLY. The gentleman is irresponsible in making such a statement as that.

Mr. STAFFORD. Irresponsible! And yet the gentleman's committee reports a bill that has not the recommendation of the Post Office Department, when it is clearly distorted from the original purpose of the Post Office Department.

Mr. KELLY. What the gentleman says as to any ulterior purpose in this bill is unjustifiable. The idea of the bill is that we have endeavored to work out an optional charge instead of a compulsory charge. We understood there was a loss of $3,000,000 and we desired to make up part of that loss. We refused to put the burden on the addressee. As a result of our deliberations—and the Post Office Department helped to shape this bill as it stands—we have worked out the proposition where the mail sender may have additional service for a 5-cent fee. That will help decrease the loss now sustained through directory service.

Mr. STAFFORD. Why does not the Post Office Department levy higher rates on parcel post, when it is acknowledged by all that the rates for the carriage of parcel post are below that which is compensatory?

Mr. COCHRAN of Missouri. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. COCHRAN of Missouri. I would like to advance the thought to the gentleman that if this bill is passed in its present form it is going to conference, and when it comes back here you will probably have the Senate bill with the House amendment added. What assurance have we the Senate will not insist on the bill as it passed the Senate?

Mr. STAFFORD. Sooner or later, if this bill is passed, you will see a charge made upon the recipients of the mail when the mail does not contain the street address.

Mr. Chairman, I reserve the balance of my time, and I yield five minutes to the gentleman from Mississippi [Mr. BUSBY].

Mr. BUSBY. Mr. Chairman and members of the committee, there is an adequate way in which the sender of mail may secure the address of the sendee if the mail reaches him, and that is by asking for a return card on a registered letter. He can be certain in that way. It will cost him a little more than this, but the peculiar thing about this bill is that we are having a charge levied in the Post Office Department, not a charge fixed by Congress but a charge fixed by regulation of the Postmaster General, under conditions to be prescribed by him, pursuant to this legislation.

Following that, I assure you that every employee in the delivery departments throughout this country will be cognizant of the fact that there is a letting down of the efficiency that they are called upon to render, in the service which they render, to the people who have mail addressed to their places. They will look this over and they will use it as an excuse for not rendering that efficiency that has been characteristic heretofore. They will say that Congress has passed a law

saying that "unless this party put a stamp on the corner, whereby he paid 5 cents for a notice, that we are not required to exercise that diligence that we formerly exercised." They now take down their city directories and they use every means at their command and they very nearly find the addressee, if he is to be found, without any additional charge.

Now, it will be said, if this bill becomes the law, "Why do you not give the correct address?" Frequently you write to a man at a post office where the postmaster knows his particular address better than the man who writes the letter, and he is rendering that service to you and to me and to everyone else, and he does it simply because he is on the ground and has peculiar information that is necessary to make the delivery.

I am not in favor of passing any legislation which will tend to lessen that peculiar efficiency that the Post Office Department has been pointing to with pride throughout the years. The particular thing that we all commend the Post Office Department for is making delivery of almost every piece of mail; so nearly so that not more than 1 in 7,000 goes astray under the present system; and yet the sponsors of this bill come here and say that it is costing between two and three million dollars to render directory service. That is a rough guess, a worthless guess, and first-class mail was overpaying the cost of handling by $80,000,000 six years ago. Surely it is overpaying for this service that they say costs between two and three million dollars. Let us not do anything that will break down the morale and efficiency of those who handle mail and who hand it out to the people to whom it is addressed.

Mr. SANDERS of New York. Mr. Chairman, I yield five minutes to the gentleman from Missouri [Mr. ROMJUE].

Mr. ROMJUE. Mr. Chairman, I want to make this explanation to the Members of the House. There seems to be some confusion as to just what this proposed legislation means. The history of this proposed legislation began in this way: The Postmaster General recommended the passage of a law similar to this, except that the payee was to make a contribution for the service, for the misdirected mail. The Post Office Committee, after considering that, objected to it and referred it back to the Postmaster General, suggesting that they did not believe this penalty or expense, or whatever you may choose to call it, should fall upon the receiver of the mail, but should fall upon the person who addressed the mail and made a mistake, if it should be borne by anybody.

So this bill comes here now.

Something was said about breaking down the morale of the Postal Department. The law as it is to-day, before the passage of this bill, will work just exactly as it is working now. It will make no change whatever in the delivery of mail in the future, but it does make this change, that 5 cents will be paid. It will be paid by whom? By the man who sends the mail and who makes the mistake in misdirecting the mail, but even that expense does not fall on him unless he first seeks an opportunity and expresses a desire to pay it when he asks for corrected addresses. So there is no expense to anybody unless the man who sends the mail makes a request of the Post Office Department and states that he is willing to pay 5 cents per name for this misdirected mail. Otherwise it costs him nothing.

To illustrate it, suppose I desire to mail out a large quantity of mail. Perhaps I have 25 per cent of my addressees' names wrong. The Post Office Department now and after the passage of this act will seek out the addressee of mail and deliver the mail, but they do not make any report back to the sender of the mail as to the correct address of the recipient of the mail. Three weeks from now suppose I mail out another bundle of mail and I get no report back from 25 per cent of the people to whom I wrote. Their addresses are still wrong. But, if this legislation is enacted, I can go to the Post Office Department and say, "I have been mailing out 50,000 letters every three weeks and 12,500 come back misdirected. Now, I would like to get those names corrected so that I will not be causing the Post Office Department extra labor all the time. I am willing to pay 5 cents for it per name, so that after this when I write to John Jones at a certain village he will get the mail."

As a matter of fact, gentlemen, it will save labor to the Post Office Department. It will be a saving of time and money to the Post Office Department, and nobody is put to any expense except the man who seeks the information, and he requests the service and pays for it himself.

Mr. BUSBY. Will the gentleman yield?

Mr. ROMJUE. I yield.

Mr. BUSBY. Then, as I understand the gentleman's explanation, this law would furnish a method whereby mailing lists could be corrected so that dead names, where deliveries could not be made, would not remain on the list at the time of the second mailing?

Mr. ROMJUE. That is correct.

Mr. STAFFORD. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Chairman, the distinguished gentleman from Pennsylvania very frankly admitted that it was the purpose of the Post Office Department in presenting this bill to Congress for passage, and that it was the purpose of the other body in passing it, to permit the Post Office Department to charge an additional 2 cents for directory service on all mail. That is the purpose stated in the title of the Senate bill, which reads:

To authorize the collection of additional postage on insufficiently or improperly addressed mail to which directory service is recorded.

This committee has seen fit to change the title of the bill. I want you to note the title of the bill after the committee changes it. It still reads as it read before, as follows:

Amend the title so as to read, "An act to provide a postage charge for directory service."

Does not that mean to provide a charge for every piece of mail to which directory service is given? Why, certainly it does, and if you pass this bill with that kind of a title, as proposed by the committee, you are going to find one of two things existing in the department. You are going to find that they are going to make some regulation to charge for directory service or they are not going to give directory service to mail that is entitled to it.

I have in mind an important letter I addressed some time ago to Mrs. Fanny Armstrong Smith, 337 Hickory Street, in a certain city. There was no 337 Hickory Street, but there was 335 Hickory Street, at which this woman had lived for several years and was getting her mail daily there, and yet that letter came back to me as improperly addressed. That ought not to be the case.

The gentleman from Pennsylvania stated that his idea was that the Postal Service should render the very maximum of service to the people of the United States. That is what we ought to impress upon the Post Office Department, and in my judgment, instead of passing this bill, if we would pass a resolution and tell the Post Office Department from the Congress just what the gentleman from Pennsylvania has said from this floor, that we expect the Post Office Department to render to the people of the United States the very maximum of service, we would be accomplishing something constructive rather than to pass a bill of this kind.

Mr. KELLY. Will the gentleman yield?

Mr. BLANTON. Certainly.

Mr. KELLY. The gentleman certainly can not see any objection to comprehensive legislation of this kind which will give an optional service to those who desire to avail themselves of it.

Mr. BLANTON. But this is not a proper title to carry on this bill, because, as I understood the gentleman from Pennsylvania, if this bill were passed Congress would expect this department to give directory service to every letter that comes into it, whether there is any request for it or not. So what is the use of putting a title on the bill that is false and is an improper title?

Mr. KELLY. The only thing is that the title can not carry the whole bill. We are providing this charge for optional directory service.

Mr. BLANTON. But the committee has seen fit to change the title of the Senate bill, and if they are going to change it why not put a proper title on the bill and not put a title on the bill which states that the Post Office Department is "to provide a postage charge for directory service." Make it provide that the sender must pay a postage charge whenever he wants a return card giving him the correct address. Why not put a proper title on it and not put a title there that will permit the Post Office Department to change its present regulations and refuse directory service to a letter.

When one of my constituents, living out in the country, writes a letter to a city and gives an address there and that address can be found by the distributing clerk by merely referring to the city directory that reference ought to be made and the proper address ought to be put on the letter and it should be delivered immediately.

What would have happened if this Senate bill had been passed just as it was written? Every time a letter went to a post office and it did not have the exact and proper address on it the Post Office Department would ascertain the address and then would send notice to the addressee to the effect that there was a letter there addressed to him, but that it had an improper address on it, and if he would send 2 cents they would send it to him. In that event there would be a delay of two or three days, and such delay ought not to occur in the Post Office Department of the United States.

I think this bill ought to be withdrawn, and if the committee does not withdraw it, I hope the gentleman from Wisconsin [Mr. STAFFORD] or the gentleman from New York [Mr. LAGUARDIA], who watches these things on the floor all the time—I hope one of them will move to strike the enacting clause out of this bill.

This bill ought not to pass. It is not a good bill; it is not properly written; it will not benefit anybody but a few big mail-order houses of the United States; it will not benefit my constituents; it will not benefit the constituents of the gentleman from Pennsylvania; it will not benefit the constituents of the gentleman from New York and the gentleman from Wisconsin. But it will add a burden to all of them. We ought to defeat this bill by sending it back to the committee or by striking out the enacting clause and not permit it to pass.

I have just received a notice from the Post Office Department, after urgent supplication on the part of a lot of people living out in a mountainous region in my district for a little change in a route which would give them some mail service, that the Postmaster General finds that it would cost a little more than the revenues will permit, and that being so they can not grant this service to these people, and they will have to go 5 miles for their mail.

These people living in that mountainous section are entitled to the same postal service from the United States that the people here in Washington get, where you can go to the main post office any time at night or on Sunday and send a parcel-post package or send a letter anywhere in the United States. This is the kind of service they give here in the Nation's Capital; but when you go down into the mountainous sections of Texas, because, forsooth, it will cost a little more than the revenues warrant, they refuse good people rural mail service and make them go 5 miles for their mail.

The time has come when, in addition to the gentleman from Pennsylvania coming on the floor here and giving us an outline of his splendid policies and his ideas about the mail service, we ought to bring home to Postmaster General Brown and his department the fact that we expect the very maximum of service for all of the people of the United States. [Applause.]

Mr. STAFFORD. Mr. Chairman, I yield three minutes to the gentleman from Missouri [Mr. COCHRAN].

Mr. COCHRAN of Missouri. Mr. Chairman and members of the committee, we are considering a Senate bill with all the language after the enacting clause stricken out and a paragraph substituted by the Committee on the Post Office and Post Roads.

What concerns me is what is going to happen if this bill passes and is sent to conference. An average of 75,000 people in my city (St. Louis) move every year, and I judge the same number of people move every year in the city of the gentleman from Pennsylvania [Mr. KELLY]. Now, the Senate bill provides, without any ifs or ands, that in using directory service 2 cents shall be charged, but it gives the privilege to the sender, if he desires, of paying the 2 cents, and if he does not pay the 2 cents it is collectible from the person to whom the letter is addressed. Am I correct about that?

Mr. KELLY. The gentleman refers to the Senate bill.

Mr. COCHRAN of Missouri. Yes. What assurance is the gentleman from Pennsylvania going to give the House of Representatives than when this bill comes back from conference it is not going to contain that Senate provision?

Mr. KELLY. Of course, the gentleman from Pennsylvania can say the same thing that any other one Member can say. We absolutely refused in the committee to accept the Senate bill and no change in that attitude is anticipated.

Mr. COCHRAN of Missouri. We have here a situation where the committee offers one proposal and the Senate has offered another. I am not so much concerned with the proposal that is offered by the House, but I do object to the Senate provision.

Mr. KELLY. So do I, and just as vigorously as does the gentleman from Missouri.

Mr. COCHRAN of Missouri. And in order to get what you want you are liable to give way in some respects to the Senate, and the result will be that people residing in the large cities, as the gentleman from Pennsylvania and I reside, are going to be affected by the provisions of this Senate bill. Our constituents will be required to pay this additional charge if the Senate bill prevails in the end.

I think a bill which passed the Senate without a roll call, and with practically no consideration, should not be brought up here in this way, sent to conference, so that the conferees be given an opportunity to rewrite the bill and get what the Post Office Department desires, which is a 2-cent charge for directory service.

Mr. KELLY. If the gentleman will permit, the Post Office Committee unanimously had his view of the matter and refused to accept the Senate bill and substituted an optional proposal. The gentleman ought to be able to trust the House in refusing to accept the Senate provision in case it should come back to the House.

Mr. COCHRAN of Missouri. Well, in the end you will be required to compromise. You will probably have to give something to get something, and what are you going to give? You are going to have influence brought to bear on you by the Post Office Department to agree to the Senate bill, because it is their recommendation. The recommendation for the 2 cents additional charge comes from the Post Office Department; is not that true?

Mr. KELLY. That is true.

Mr. COCHRAN of Missouri. The Senate conferees owe as much to the Senate as the House conferees owe to the House. I am willing to trust the gentleman from Pennsylvania [Mr. KELLY]; but the other conferees have not spoken. Here is what can happen under the Senate bill: A family moves from one street to another in a large city. For a year or more thereafter the mail, the large portion of their mail, will be addressed to the old home. Every time such a letter reaches the post office it will be subject to directory service, and before that mail will be delivered 2 cents additional for each letter must be paid. Wait until your constituents are asked to pay this additional 2 cents, if such a provision is enacted into law. Your constituents will be told the Congress passed the law, and you will then hear from the people who sent you here to protect their interests in more ways than one.

I would like to do something to reduce the deficit in the Post Office Department, but I do not feel we can take the chance on this bill coming back to the House without some of the Senate provisions in it. I propose to vote against it.

Mr. SANDERS of New York. Mr. Chairman, I yield five minutes to the gentleman from Indiana [Mr. HOGG].

Mr. HOGG of Indiana. Mr. Chairman and gentlemen, this bill is simple in operation and advantageous in results. There are hundreds of millions of pieces of mail bearing the wrong address given to Uncle Sam every year for delivery. Unnecessary expense is thereby added to the Postal Service.

The bill that came over here from the Senate said that the Postmaster General might charge 2 cents for putting on the correct address. I am opposed to any such measure as that, and so is the entire membership of the House committee. The present bill provides that any user of the United States mails may enter into a contract with the Government whereby, if he agrees in advance to pay 5 cents, he will be informed of the correct address of any addressee.

The large users of the mail—and they are not all bad people—will pay the nickel and have the corrected address returned to them. Then the great volume of mail that does not have the correct address will be thereafter correctly addressed and there will follow a material lessening in the amount of necessary directory service. This will be a good thing for the service. And for that reason I ask for the passage of this bill.

Mr. BUSBY. Will the gentleman yield?

Mr. HOGG of Indiana. I yield.

Mr. BUSBY. Suppose a person does not want the mail to follow him when he moves about? Does the gentleman mean to tell the House that the post-office authorities will furnish to mail-order houses his correct address so that they can keep harassing him with mail that he does not wish for?

Mr. HOGG of Indiana. A person is not obliged to receive any mail that he does not voluntarily wish to receive. He may refuse any or all mail addressed to him.

Mr. BUSBY. What is the purpose of following him with mail from the mail-order house if he does not want to do business with them?

Mr. HOGG of Indiana. I have no connection with any mail-order house.

Mr. BUSBY. How much revenue would be received by the Post Office Department by the passage of this bill—the bill submitted by the Senate—the proposition by the department?

Mr. HOGG of Indiana. I am unable to say. I think that is an unwise measure.

Mr. BUSBY. How does the gentleman know that the conferees will not come back with that bill if you pass this bill?

Mr. HOGG of Indiana. I can not believe that any conferee of the House would agree to it.

Mr. HARE. Will the gentleman yield?

Mr. HOGG of Indiana. I yield.

Mr. HARE. I am much interested in the statement and in the bill, and I would like to ask the gentleman a question. As I understand it, if I address a letter to John Jones, Smithville, and the man is not there, and I had no notice on the envelope guaranteeing 5 cents for the correct address, the postmaster at Smithville will get the proper address?

Mr. HOGG of Indiana. That is correct.

Mr. HARE. But suppose the condition arises where you are unable to find the proper address of John Jones, have I paid my nickel in advance or do I wait until you determine whether the address is correct and get the proper address? I think there is a possibility of the large mail-order houses placing a great burden upon the Post Office Department in trying to locate John Jones, Sam Smith, and Tom Brown. If the money is to be paid before the correct address is furnished, then, so far as the Government is concerned, it would be protected, but if it is paid afterwards, then the Government would not be protected and the sender would be the loser.

Mr. HOGG of Indiana. The point raised by the gentleman will be covered by regulations of the Post Office Department.

Mr. HARE. If the addressee is not found the deposit is returned. I can see a possibility of a great burden being devolved upon the Post Office Department, because in every office there would have to be an additional clerk. It is going to require one or more clerks in every second or third class office in the United States to take care of the demands of the mail-order houses.

Mr. HOGG of Indiana. The department already has the clerks, the fact is that it will relieve them of some of their duties in that it will eliminate a part of their work by aiding the sender of mail to correctly address his mail.

Mr. BUSBY. Will the gentleman yield?

Mr. HOGG of Indiana. I yield.

Mr. BUSBY. If they have the clerks now, how does it cost the Government any more to render this service?

Mr. HOGG of Indiana. I do not believe it will cost the Government any more. It should eventually cost less.

Mr. BUSBY. Is this an effort to raise the revenue of the Post Office Department?

Mr. HOGG of Indiana. Yes. It seeks to take away the necessity of handling so great a volume of misdirected mail. It will cost the department less to handle it.

Mr. KELLY. Will the gentleman yield.

Mr. HOGG of Indiana. I yield.

Mr. KELLY. The Post Office Department estimates that the salary paid for this service is $1,548,000 per year for these directory clerks alone.

Mr. BUSBY. What would it be after this system goes into effect?

Mr. KELLY. Of course it would be exactly the same, except there would be some return on part of this service.

Mr. STAFFORD. There will be a return receipt, and there is expense.

Mr. HOGG of Indiana. Five cents will more than pay for that.

Mr. Chairman, the real purpose of this bill is to take out of the mail a great unnecessary mass of misdirected mail. [Applause.]

Mr. STAFFORD. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. LAGUARDIA].

Mr. LAGUARDIA. Mr. Chairman, of course we all know that the Committee on the Post Office and Post Roads is a splendid committee, and one of the hard-working committees of the House. All I say in criticism of the committee in respect to this bill is that the bill is ill advised. I want to point out simply the mechanics of the proposition involved, and a fundamental postal principle which this proposed law will naturally disturb. In the first place, the directory service available to the post office is likewise available to the sender of mail. I am talking, of course, of conditions in the large cities, and not of small places. In small places where there is no directory, each individual is, as a rule, known, and a local street address is not a matter of importance. But when you are furnishing directory service, and a letter is addressed to John Jones, at No. 16 East One hundred and sixteenth Street, New York City, and he is not at that address, all that the Post Office Department can do under the regular routine of the office is to look in the general directory or the telephone directory and ascertain the address. If all you are seeking to do is to provide directory service, then I submit that that same information is available to the sender of the mail as is to the post office.

Next, what other source of information has the post office? This involves what I believe to be a fundamental principle of postal policy. We have always considered and respected the sanctity of the mail. You can not receive any information, direct or indirect, concerning the mail or the character of mail or the receipt of mail or of mail sent to any individual from the Post Office Department.

This other source of information is that which is furnished by any individual to the post office of his change of address. If he moves and changes his address, the post office will redirect all mail addressed to his former address to his present address. That information is not now available. That has always been considered confidential information. The post office is not free now to give that information or to sell it. So that the service contemplated

in this bill will not be the giving of simple directory information, because that is available now to the mailer, but it will be to giving or selling of confidential information which every individual is entitled to repose in the post office at the present time with the assurance that it will not be made public.

Mr. KELLY. Mr. Chairman, will the gentleman yield?

Mr. LaGUARDIA. In just a moment. I am not questioning the good faith of the inquiry or the people who would desire information under this bill. I am not questioning the desirability of ascertaining the whereabouts of any individual in many cases, but I am questioning the wisdom of making the Post Office Department an agency for locating individuals or furnishing addresses, regardless of what the purpose may be. That is something that you must consider in voting for this bill to-day.

Mr. KELLY. Mr. Chairman, will the gentleman yield?

Mr. LaGUARDIA. Yes.

Mr. KELLY. The gentleman is mistaken about the scope of this bill. There is nothing involved in this bill except directory service. It specifically states that only where this directry service is given this charge shall apply.

Mr. LaGUARDIA. Then I ask the gentleman if he will resist an amendment providing that nothing herein shall be construed to furnish any change of address?

Mr. KELLY. I think that is covered in the law as it is.

Mr. LaGUARDIA. It is covered under existing law, but the purpose of this is to amend existing law and do that very thing. I am not questioning the good faith of the inquiry, no matter who makes it, but let us pause for a moment to see whether or not we are going to use the Post Office Department by payment of 5 cents to look up individuals. What will happen? Naturally, the post office wants to render service. I consider the Postal Service in this country above par. It is better than the postal service in any other country in the world. I think there is no doubt about that. Suppose an inquiry is made through the very simple procedure of mailing a letter accompanied by a request for information provided for in this bill. Is the post office going to send out its carrier to investigate and locate that man? That will be the next step.

The next step will be for the mailer to say, "We pay 5 cents for information and we are entitled to it," and they write to their Congressman, and especially if it is around August or September, the Congressman will want to have service given to his constituents and he will go to the Post Office Department and demand service and ask them to send out their clerks, carriers, and investigators to locate addresses. Are we going to establish in the post office a detective service, a bureau of lost persons, at 5 cents for each service? This bill is far more reaching than appears at first reading, and I ask the gentlemen to pause for just a moment before we convert our post office into a bureau of lost persons or a private detective agency, and thus destroy one of the safeguards that we have been able to maintain in this country, which is the absolute sanctity of the mail.

Mr. BLACK. In New York City we no longer have a general directory, and if they want to find out a change of address they will have to send out a post-office inspector and that will cost a great deal of money.

Mr. LaGUARDIA. Certainly; I have so stated. Telephone directories are now used in large cities, and the same directories are available to all—not only to the post office but to the sender of mail.

Mr. O'CONNOR of New York. Not only in New York City, but in every city throughout the country. General directories are no longer being published.

Mr. STAFFORD. Oh, yes; they are, by the R. L. Polk Co. One is being printed now in Detroit—one every year. New York is behind the times.

Mr. LaGUARDIA. Oh, no; New York is ahead of the times, as usual. They will realize presently in Detroit that general directories are no longer necessary.

Mr. O'CONNOR of New York. Is it not a fact that through this bill confidential information with reference to a person may be given, which was purposely and deliberately prevented from being given out when we established the service?

Mr. LaGUARDIA. Exactly.

Mr. O'CONNOR of New York. You can not get the addresses through the census; but now, to break down the principle of the census through the Post Office Department, they are going to let lawyers, collection agencies, stock brokers, and so forth find out where any victim or sucker is.

Mr. LaGUARDIA. And we must protect, even in the smallest minority, those cases rather than to break down the fundamental, necessary safeguard which we have maintained all this time of the secrecy and sanctity of mails.

I wonder how many would vote to open the files of the Census Bureau at 5 cents a name and address? I do not think we would get far with that, because I remember distinctly when the census bill was being considered there was no opposition to the secrecy clause. Everybody was for that, and properly so.

Gentlemen, the Post Office Department is a useful, necessary service. In our modern life we could not live without it. Please, for the sake of increasing revenue, and with all the good intentions of the committee and the department, let us not destroy that safeguard and that fundamental principle of good, orderly postal service. [Applause.]

The CHAIRMAN. The Clerk will read the bill.

The Clerk read as follows:

Be it enacted, etc., That each piece of insufficiently or improperly addressed mail which is accorded directory service in effecting or attempting to effect its delivery shall be charged with 2 cents postage in addition to the regular postage, to be collected and accounted for in the manner in which postage due on other mail is collected and accounted for: *Provided*, That such additional postage charge may be prepaid by the sender under regulations prescribed by the Postmaster General: *Provided further*, That such charge shall not apply to matter mailed under the franking and penalty privileges.

With the following committee amendments:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, under such regulations as the Postmaster General may prescribe, in cases where insufficiently or improperly addressed mail is accorded directory service in order to effect its delivery, the mailer, at his request, and upon payment of an additional charge of 5 cents, shall be notified of the completed or corrected address: *Provided*, That nothing in this act shall be construed to require or permit the withholding or delay of delivery of mail to the addressee pending the collection of such additional charge."

Amend the title so as to read: "An act to provide a postage charge for directory service."

Mr. STAFFORD. Mr. Chairman, I make the point of order on the committee amendment that it is not germane to the Senate bill.

The bill sent over by the Senate provides for a charge of 2 cents to be paid as postage due by the receiptee of the letter. The amendment offered by the committee, now before the Committee of the Whole House on the state of the Union for consideration, carries an entirely different idea. It is entirely foreign to the purpose of the Senate bill, in that it provides a charge of 5 cents, to be paid by the mailer upon receipt of the address of the receiptee.

The original idea was a charge of 2 cents to be paid by the receiptee of the letter when the letter did not carry the proper address. Now, it is proposed by the committee substitute to obtain a new character of service, the address of the receiptee, whenever it is in possession of the Post Office Department, to be paid for in advance, whether the letter is delivered or not. It is something entirely apart from the original idea as carried in the Senate bill. That merely provided a charge for ascertaining the address. This substitute provides a charge to the mailer for receiving a certificate or receipt giving the address. Therefore it is not akin to the original proposition.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. CHINDBLOM. I would like to join in the argument of the gentleman from Wisconsin [Mr. STAFFORD], and say to the chairman in the consideration of this point of order, that the amendment proposed by the committee of the

House clearly establishes a new kind of service, which not only is entirely foreign to the Senate bill and the purposes of the Senate bill, but I venture to say is entirely foreign to any present activity in the entire Post Office Department. There is no activity in the Post Office Department now which relates to anything except the proper receipt, carriage, and delivery of matter committed to it. This committee amendment provides a different service, a new service, by which people can get information as to what address people have or where they may be found. I call attention also to the fact that under the very terms of the committee amendment, the giving of this additional service has nothing to do with the delivery of the mail. There is a proviso particularly that "nothing in this act shall be construed to require or permit the withholding or delay of delivery of mail to the addressee pending the collection of such additional charge."

This charge of 5 cents, therefore, has nothing to do with the delivery of the mail. It simply provides that where the Post Office Department has come into possession of certain information it may divulge that information to people in the country upon payment of a fee of 5 cents for an entirely new service.

I presume it is not necessary to argue to the present occupant of the chair that a committee amendment, whether offered to a House bill or to a Senate bill, must be germane to the bill that comes before the committee. The question of the jurisdiction of the committee is not involved. The committee might have jurisdiction to bring in a bill of this kind as an original bill, but when another bill is before the committee, whether introduced in the House or in the Senate, any amendment proposed, even by the committee itself, must be germane.

I submit with entire confidence that it is clear that the amendment is not germane to the Senate bill. The Senate never intended any such thing. The Post Office Department, which recommended it, never had in mind any such thing as that the Post Office Department should be put in the business of furnishing information as to the whereabouts of people.

Mr. KELLY. Mr. Chairman, this, I am sure, is a matter that is easily understood. It deals with the directory service only. The Senate bill provided that the sender might prepay the fee of 2 cents. Certainly it was within the power of the House to change that fee from 2 cents to 5 cents. The committee saw fit to strike out the further provision which compelled the addressee to pay it and held the bill to an optional service for 5 cents to the sender.

If the Chair will notice the original Senate bill, it is provided in the bill itself as to the payment by the sender and the 2-cent fee. We have confined it to the sender and established a 5-cent fee. Certainly a committee of the House has a right to deal with two methods by adding a third or taking one alone. Both bills deal with directory service.

As the gentleman from Illinois [Mr. CHINDBLOM] said, this is a new service. At the present time directory service is given free of charge. The Senate undertook to provide a 2-cent charge and have the addressee pay it. The House committee provided that the sender may pay it if he desires, and instead of 2 cents he must pay 5 cents.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. KELLY. I yield.

Mr. CHINDBLOM. Does the gentleman say that the payment of the 5-cent fee has anything to do with the delivery of the mail?

Mr. KELLY. That is not involved in the bill, nor was it involved in the Senate bill. This bill has nothing to do with the delivery of the mail; it is only a charge for directory service, which, at the present time, could be barred by the Post Office Department. If the Post Office Department issued a regulation to-morrow that mail will not be given directory service, that service would not be given unless we passed a law providing that it should be given.

Mr. CHINDBLOM. The Senate bill reads as follows:

That each piece of insufficiently or improperly addressed mail which is accorded directory service in effecting or attempting to effect delivery, shall be charged with 2 cents postage.

Such is the purpose of the 2-cent fee proposed in the Senate bill, but that is not the purpose of your 5-cent fee. Your 5-cent fee is to make it possible, for instance, for me to find out where you live.

Mr. KELLY. No; the gentleman is mistaken. If the gentleman will refer to page 2 he will find that we use the identical words in the House amendment.

In cases where insufficiently or improperly addressed, mail is accorded directory service in order to effect its delivery.

Mr. CHINDBLOM. But the 5-cent fee is not for the purpose of effecting delivery. The 5-cent fee is for the purpose of giving somebody information which could not be obtained in any other way. As a practicing lawyer, I would not like anything better than to be able to obtain this information for a 5-cent fee. If I send a letter to John Jones, who five years ago lived at a certain address, I would be very willing to pay the Post Office Department 5 cents to find out for me where he is now living. I have frequently spent $5, $10, or more for the purpose of obtaining information which I could not gain in the ordinary way. When a letter carrier comes around asking for an address, people believe he has the authority to ask for such information and they will give it.

Mr. KELLY. No letter carrier, under this bill, is going to come around asking for addresses. This is to provide for directory service in the post office, and it only applies to the clerical service given.

Mr. CHINDBLOM. About the 1st day of May and about the 1st day of October there are many removals in the big cities, and the gentleman knows that when a carrier comes with a letter for John Jones living at 215 Main Street, if John Jones is not living there and the carrier asks where John Jones is living the people living at that address will, because they believe he has authority, give him that information, and the next step in this legislation will be to give that information to people who inquire for it.

Mr. KELLY. We are dealing here with directory service. In the case the gentleman suggests the forwarding address will be given at the post office and the mail will be sent out through a carrier to that forwarding address, without directory service.

Mr. BLANTON. Mr. Chairman, so far as the merits are concerned, I am against both the Senate bill and the House committee amendment, but I am concerned in orderly procedure. This is a legislative committee of the House. It has jurisdiction to bring in any kind of a bill of this character. It has just as much jurisdiction to put this amendment on a Senate bill as it would have to report this amendment in an original bill of its own. I do not think that an amendment proposed by a legislative committee must be germane.

Mr. STAFFORD. Suppose a member of the committee should offer this amendment on the floor of the House.

Mr. BLANTON. That is different.

Mr. STAFFORD. Wherein is it different?

Mr. BLANTON. I will remind the Chair of a decision rendered by the distinguished gentleman from New York, Mr. Hicks, on this very point, where he held that while a committee member from the floor could not offer an amendment that was not germane, a legislative committee itself could present to the House any kind of amendment that was within the jurisdiction of the committee.

The CHAIRMAN. If the gentleman has such a decision the Chair would like to have it.

Mr. BLANTON. There is such a decision. I can not put my fingers on it at the moment, but the parliamentary clerk will probably be able to show it to the Chair. It was a decision by Mr. Hicks, wherein he called attention to the distinction between the authority of a member of a committee on the floor and the authority of the committee itself.

Mr. DOWELL. Mr. Chairman, I think the gentleman is entirely mistaken in his proposition that an amendment must not be germane to the original bill, and I assume there can be no question that any amendment which is offered by the



committee or by any member thereof must be germane to the bill before the House.

I want to call the attention of the Chair to this proposition: The original bill provides for an additional fee for directory service and the delivery of a certain piece of mail. That is the whole proposition in the original bill. For that a charge is made and there is but one proposition, the delivery of that mail to the person to whom it was sent. I want to read the amendment offered by the committee because it calls for an entirely different proposition and has nothing whatever to do with the delivery of the letter or the mail. It reads as follows:

The mailer, at his request, and upon payment of an additional charge of 5 cents, shall be notified of the completed or corrected address.

In other words, the Post Office Department must go into the business of furnishing to the sender the address of a certain person, who is inquired about, and without reference to the delivery of the mail.

It seems to me we are adding a different branch of service to the Post Office Department. It is not germane to the question of delivering the letter to the one to whom it was sent, but it is merely to furnish to the sender of that letter the address or the location of the person he is desirous of having located. When the Post Office Department gets beyond the question of the delivery of the mail dropped in the office it is getting into another, a different and a wider field.

It seems to me, irrespective of the merits or demerits of either of these propositions, the amendment is not germane to the question of the delivery of the mail.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. DOWELL. Yes.

Mr. LAGUARDIA. The gentleman might add that we have a confession from the committee itself that this is an entirely different proposition and they admit that by even offering an amendment to change the title of the bill.

Mr. DOWELL. Certainly.

Mr. KELLY. Just a moment. The title of the bill as offered by the House is exactly the title as amended by the Senate bill.

Mr. LAGUARDIA. It does not appear so here.

Mr. DOWELL. The change the gentleman is seeking to make by the amendment is to have the Post Office Department, instead of delivering a letter that is put in the box, notify the sender where the man lives. It is another and a different service, and it seems to me it can not be said in any sense to be germane to the question of directory service and the delivery of a certain piece of mail. I think it is clearly not germane and therefore is not in order.

The CHAIRMAN (Mr. RAMSEYER). The Chair is ready to rule.

The Chair thinks that it is clear that a committee amendment must be germane to the bill that is reported by the committee. The Chair does not care to take up the time of the committee to discuss that, but refers as authority to Volume V, section 5806, of Hinds' Precedents in support of this position.

The question arises, Is the committee substitute amendment germane to the Senate bill (S. 3178) which is up for consideration?

The title of the bill reads "To authorize the collection of additional postage on insufficiently or improperly addressed mail to which directory service is accorded," and then the bill goes on and states "that each piece of insufficiently or improperly addressed mail which is accorded delivery service in effecting or attempting to effect its delivery shall be charged with 2 cents postage in addition to the regular postage, to be collected and accounted for in the manner in which postage due on other mail is collected and accounted for."

Here is a piece of mail which requires directory service. There is a charge of 2 cents imposed upon it, which will be collected by the employee of the post office who delivers that piece of mail.

There is a proviso which provides that under regulations of the Post Office Department the sender of the mail may prepay this charge, but, in any event, each piece of mail which requires directory service is charged 2 cents additional postage.

The committee substitute for the Senate bill provides—

That under such regulations as the Postmaster General may prescribe, in cases where insufficiently or improperly addressed mail is accorded directory service in order to effect its delivery, the mailer, at his request, and upon payment of an additional charge of 5 cents, shall be notified of the completed or corrected address: *Provided*, That nothing in this act shall be construed to require or permit the withholding or delay of delivery of mail to the addressee pending the collection of such additional charge.

Here is a piece of mail that requires delivery service. There is no additional postage charge levied against it by the committee substitute. Under the proviso that piece of mail must be delivered without additional postage.

The committee amendment, in the opinion of the Chair, provides for selling a new service to the mailer, and if the mailer requests or seeks that service he pays 5 cents for such service, but that has nothing to do with the delivery of the mail. No additional postage is charged against the piece of mail requiring directory service, while, on the other hand, the main purpose of the Senate bill is a charge of additional postage on each piece of mail requiring directory service.

The proposition in the amendment is quite different from the proposition referred to the committee in the Senate bill, and the Chair is of the opinion it is not germane and, therefore, sustains the point of order.

Mr. STAFFORD. Mr. Chairman, I move to strike out the enacting clause.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the enacting clause and is recognized for five minutes.

Mr. DOWELL. Mr. Chairman, would not a motion to recommit the bill be in order?

Mr. SANDERS of New York. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with the recommendation that the bill be recommitted to the Committee on the Post Office and Post Roads.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent to withdraw the motion to strike out the enacting clause.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The CHAIRMAN. The gentleman from New York [Mr. SANDERS] moves that the committee do now rise and report the bill back to the House with the recommendation that it be recommitted to the Committee on the Post Office and Post Roads.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. RAMSEYER, Chairman of the Committee of the Whole House on the state of the Union, reported that the committee, having had under consideration the bill S. 3178, had directed him to report the same back to the House with the recommendation that the bill be recommitted to the Committee on the Post Office and Post Roads.

The SPEAKER. The question is on agreeing to the recommendation of the Committee of the Whole House on the state of the Union.

The question was taken, and the bill was recommitted to the Committee on the Post Office and Post Roads.

PAYMENT OF MONEY ORDERS

Mr. SANDERS of New York. Mr. Speaker, I call up the bill (H. R. 8568) to compensate the Post Office Department for the extra work caused by the payment of money orders at offices other than those on which the orders are drawn.

The SPEAKER. This bill is on the Union Calendar.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 8568, with Mr. RAMSEYER in the chair.

The Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act to regulate the payment of postal money orders," approved February 6, 1914 (38 Stat., p. 280; U. S. C., title 39, sec. 727), is amended to read as follows:

"That under such rules and regulations as the Postmaster General shall prescribe postal money orders may be issued payable at any money-order post office, and on and after the date upon which such rules and regulations become effective all money orders shall be legally payable at any money-order post office, although drawn on a specified office; and as compensation for the extra labor involved in paying a money order at an office other than that on which the order is drawn the Postmaster General is authorized to exact an adequate fee; and that all laws or parts of laws in conflict herewith are hereby repealed."

Mr. SANDERS of New York. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. KELLY].

Mr. KELLY. Mr. Chairman, this bill is an effort to reduce the loss on money orders. On money orders for 1930 there was a loss of $11,048,000, meaning that excess of expenditures over receipts. This bill will not so much raise revenues as it will decrease the loss on money orders.

At the present time there is a system growing up by which large concerns—some of them the mail-order houses about which so many fears have been expressed to-day—get their money orders collected in a central post office although they are drawn on many different post offices. That means that the present system in regard to the payment of money orders is overturned by such a practice, and additional expense is involved.

Our money-order system was established in the interest of travelers and the orders were cashed at the offices on which they were drawn.

However, these mail-order establishments and others have the practice of taking all their money orders and cashing them at one post office.

The bill provides that where that is done, where the money was collected at an office other than the office stipulated in the money order there shall be an additional fee varying with the size of the money order. Money orders are issued from $2.50 for 5 cents up to the amount of $100. This will produce some revenue and decrease the loss on money orders. It is no burden on the general public and it will not be placed upon anyone who carries out the original purpose of the money-order system.

Mr. STAFFORD. Will the gentleman yield?

Mr. KELLY. I yield.

Mr. STAFFORD. The bill as originally introduced authorized the Post Office Department to determine an adequate fee for this service. The committee has provided an amendment to charge a like fee to that which was originally paid for the issuance of the money order. My first impression when I read the bill was that it would be better to leave the additional fee that would be levied by this service to the determination of the post-office authorities rather than prescribing the fixed fee that was paid originally for the issuance of the money order.

For instance, let us take a concrete case. A large money order is issued in San Francisco payable in Chicago. The person deposits it in the South Chicago office or at the post office in Gary, and because of that the service will be much less than if the money order was cashed in New York. I think in that instance it would be an unfair burden on the person cashing the order. I would like the opinion of the gentleman from Pennsylvania if it would not be better to leave the determination of the amount of the fee to the Postal Department rather than fixing mandatorially in all instances a duplication of the fee?

Mr. KELLY. There was objection in the committee to leaving these fees to the discretion of the department. In the main we have tried to put specific fees in these bills. In this case it was the unanimous opinion of the committee that if we charged the same fee that was paid for the issuance of the money order it would not be burdensome, because the fee was low and there would be a specific fee for the service rendered.

Mr. STAFFORD. I have submitted a concrete case where the charge might be too large.

Mr. KELLY. As far as the office being near at hand is concerned, there is no difference in the expense involved. The moment a money order made out for South Chicago is cashed in the Chicago post office all expense immediately attaches to the records and the bookkeeping service; so that so far as that is concerned, it would make no difference whether it was San Francisco and New York, or two adjacent offices, the additional expense would be the same.

Mr. STAFFORD. It was my impression that the Post Office Department sent a voucher in advance to the office on which the order is drawn, and, of course, if it is cashed in a near-by office, the expense would be less than if it was cashed in an office a considerable distance from the original designated office.

Mr. KELLY. No; the additional bookkeeping, or accounting, would be exactly the same. The usual money order will not be affected, but abuses growing out of methods of some concerns are increasing every month and should be dealt with if we are to prevent increasing losses.

Mr. ALLGOOD. Mr. Chairman, will the gentleman yield?

Mr. KELLY. Yes.

Mr. ALLGOOD. Will a man who has been issued a money order have to be identified at the office where he is not known? For instance, if a man takes money orders and travels throughout the country and uses them instead of cashiers' checks, what is the custom of the Post Office Department in respect to identification?

Mr. KELLY. There is a regulation that there should be identification, but as a matter of fact, banks will sometimes take them in on slight identification and send them in numbers to the Post Office Department.

Mr. ALLGOOD. Do you know what the policy of the Post Office Department is itself?

Mr. KELLY. It endeavors to have the man identified, but even at that postmasters are sometimes deluded into paying money orders on false pretense.

Mr. ALLGOOD. So it will not help the ordinary traveler?

Mr. KELLY. Well, the ordinary traveler will get an advanced payment from his home concern and go into the post office and get the money without the payment of this fee.

Mr. PATTERSON. Mr. Chairman, will the gentleman yield?

Mr. KELLY. Yes.

Mr. PATTERSON. Can the gentleman assure us that there will be no effort, through this zeal to raise additional revenue by the Postmaster General, to charge an extra fee, if this bill is passed, at the post office on which it is issued?

Mr. KELLY. The Postmaster General can not do that without the action of Congress.

Mr. PATTERSON. I am glad that the gentleman takes that position. I had a great deal of confidence in the Post Office Committee before it brought in this other measure, but when this other measure was brought in——

Mr. KELLY. Oh, we have not degenerated so badly, I will say to my friend.

The CHAIRMAN. No one desiring recognition, the Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the act entitled "An act to regulate the payment of postal money orders," approved February 6, 1914 (38 Stat. 280; U. S. C., title 39, sec. 727), is amended to read as follows:

"That under such rules and regulations as the Postmaster General shall prescribe, postal money orders may be issued payable at any money-order post office, and on and after the date upon which such rules and regulations become effective all money orders shall be legally payable at any money-order post office, although drawn on a specified office; and as compensation for the extra labor involved in paying a money order at an office other than that on which the order is drawn the Postmaster General is authorized to exact an adequate fee; and that all laws or parts of laws in conflict herewith are hereby repealed."

With the following committee amendment:

Page 2, line 6, strike out the words "an adequate fee" and insert "a fee of the same amount as that charged for the issue of the order."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. SANDERS of New York. Mr. Chairman, I move that the committee do now rise and report the bill to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. RAMSEYER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 8568) to compensate the Post Office Department for the extra work caused by the payment of money orders at offices other than those on which the orders are drawn, and had directed him to report the same back with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

Mr. SANDERS of New York. Mr. Speaker, I move the previous question on the bill and amendment to final passage.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

CLASSIFYING CERTAIN OFFICIAL MAIL MATTER

Mr. SANDERS of New York. Mr. Speaker, I call up House Joint Resolution 357, classifying certain official mail matter, on the Union Calendar, and ask unanimous consent that it be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from New York calls up House Joint Resolution 357, on the Union Calendar, and asks unanimous consent that it be considered in the House as in Committee of the Whole. Is there objection?

Mr. STAFFORD. Mr. Speaker, I object.

The SPEAKER. This joint resolution is on the Union Calendar. The House will automatically resolve itself into the Committee of the Whole House on the state of the Union for the consideration of House Joint Resolution 357, and the gentleman from Iowa [Mr. RAMSEYER] will kindly resume the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of House Joint Resolution 357, with Mr. RAMSEYER in the chair.

The CHAIRMAN. The Clerk will report the joint resolution.

The Clerk read as follows:

House Joint Resolution 357

Resolved, etc., That hereafter the limit of official matter mailed by any person having the franking privilege to his own address shall be the same as that for public documents.

Mr. SANDERS of New York. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. KELLY].

Mr. KELLY. Mr. Chairman, this measure is a resolution to make the present practice correspond with the law. It is a well-known fact that many Members of Congress in sending their official correspondence to their home offices after the adjournment of a session use the boxes furnished by the House itself and send them through the mails. That practice has been established and has been continued for many years. However, under the strict letter of the law the right to send over 4 pounds in official correspondence is prohibited. Public documents, which include any publications issued by any department, have no limit as to weight.

One of these trunks might be filled with these bulletins or books issued by a department, and there is no question about the legality of it. The committee thought we should make the practice square with the exact legal statement of the law, and therefore this bill simply classifies official mail matter on the same basis as public documents, giving it the same weight privilege. In other words, there will be no definite weight limit for strictly official correspondence mailed to his own address by a Member of Congress. You will note that the bill provides that the privilege only operates to the Member who mails to his own address.

I can say that while the Post Office Department did not recommend this or bring it to us of its own motion, they assisted in framing this bill as it is written here, and I am certain no objection can be lodged against it, although naturally no recommendation is here in its favor.

I will be glad to answer any questions or ask for a reading of the bill.

Mr. BUSBY. Will the gentleman yield?

Mr. KELLY. I yield.

Mr. BUSBY. In the event a Member goes from Washington to his home after the short session of Congress and desires to transfer his files containing correspondence concerning his official business, what method or manner would the gentleman suggest he would use in transferring his files?

Mr. KELLY. He will do it under the operation of this resolution. He will simply put his frank tag on his official trunk containing his official correspondence.

Mr. BUSBY. That is not Government printed matter. It is ordinary correspondence that has come in as first-class mail.

Mr. KELLY. There is a meaning for "official correspondence" which is well known.

Mr. BLANTON. Will the gentleman yield?

Mr. KELLY. I yield.

Mr. BLANTON. We are permitted to send telegrams on official business where matters are urgent, and I think it is a good privilege. It inures to the benefit of every one of our constituents. We are permitted to send regular mail under our franks for the benefit of our constituents. Why does not the gentleman's committee extend that privilege to air mail? There are occasions when we could send matter by air mail rather than by telegraph that would inure to the benefit of our constituents in emergency matters and on occasions when we could save much money over the cost by telegrams.

Mr. KELLY. I will say frankly to the gentleman from Texas that I would oppose an extension of the franking privilege to air mail.

Mr. BLANTON. I mean where it is marked "an emergency."

Mr. KELLY. Well, even that. Air mail is under a contract system and we are paying considerably more than the revenues we derive.

Mr. BLANTON. My idea was that in instances where we are now forced to send telegrams we could use air mail at much less cost to the Government.

Mr. KELLY. I would suggest a better plan of reaching it, and that is an appropriation of a certain amount of money to be used for air mail correspondence by Members of Congress. Then the money would be paid to contractors for carrying that air mail.

Mr. BLANTON. Well, it would be a saving to the Government.

Mr. KELLY. I agree that it would be.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. KELLY. I yield.

Mr. CHINDBLOM. Since there seems to be some misunderstanding of the extent of the use of the franking privilege, I think it would be well to say that that privilege is not extended to air mail, nor is it extended to special-delivery service nor to registered-mail service. In all of those special cases Members of Congress must pay and do pay the necessary fees.

Mr. KELLY. That is true, and the entire cost of the franking privilege is only about 0.1 of 1 per cent of postal expenditures, so that it is an infinitesimal amount.

Mr. CHINDBLOM. As a matter of fact, the franking privilege should be distinctly separated from the so-called penalty service.

Mr. KELLY. It is. It is so segregated in the report of the Postmaster General.

Mr. CHINDBLOM. The average amount of the franking service is a small part of the business of the Postal Department.

Mr. KELLY. And as a matter of fact the operation of this bill will not increase it.

Mr. ARENTZ. Will the gentleman yield?

Mr. KELLY. I yield.

Mr. ARENTZ. Will it not be necessary for a Member of Congress to tell an untruth on the face of it if he sends his letter files through the mail? It says:

This measure makes it possible for him to send his files through classifying such official correspondence on the same basis as public documents and making it weigh no more than 4 pounds.

I do not believe we can do that. What is the use of incorporating in a law such proposals and conditions which will make a man tell an untruth, because I do not see how he can get around it unless he does.

Mr. KELLY. The gentleman is mistaken about that. A package can be sent to-day, legally, containing stationery and official correspondence to the weight of 4 pounds. This bill simply lifts the 4-pound limit up to the same basis as public documents. It does not propose to call official correspondence public documents.

Mr. ARENTZ. How could a public document weigh much more than a definite amount, such as 4 pounds, or 6 or 8 pounds?

Mr. KELLY. You can send 100 Agricultural Yearbooks in one package, and it is legal, but if you send more than 4 pounds of your office files you are running counter to the letter of the law.

Mr. ARENTZ. And this would make it possible to send your stationery through the mails in excess of 4 pounds?

Mr. KELLY. Yes; and to use the boxes furnished by the House itself for the convenience of the Members.

Mr. ARENTZ. The gentleman believes, then, under this provision, that a Member of Congress would not be caught up like he was last year by sending letterheads and envelopes under a frank to his home town?

Mr. KELLY. No; he would not, if it were official stationery for his use as a Member.

Mr. ARENTZ. Well, he was.

Mr. KELLY. Perhaps he was sending over 4 pounds.

Mr. ARENTZ. Then this bill provides that he can send more than that?

Mr. KELLY. That is true as concerns official matter.

Mr. DALLINGER. Will the gentleman yield?

Mr. KELLY. I yield.

Mr. DALLINGER. Has there been any interpretation of the phrase "official matter"?

Mr. KELLY. Yes. That has been held to mean stationery and correspondence constituting the official files of a Member of Congress.

Mr. ARENTZ. I like to believe that everything said here is perfectly frank, but I find this language in the report:

A package containing stationery and correspondence constituting the official files of a Member of Congress, addressed to himself, to be mailable under frank must not exceed 4 pounds in weight.

Mr. KELLY. That is exactly what I told the gentleman, as frankly as I could make it.

Mr. ARENTZ. You now make it so that such a package may exceed 4 pounds in weight.

Mr. KELLY. Yes. I hope the gentleman will not say that I was not frank with him.

Mr. ARENTZ. I do not say that; but the report does not show that this legislation changes the situation so that such a package may weigh more than 4 pounds.

Mr. KELLY. Why, the entire purpose of this legislation is to bring the stationery and correspondence constituting the official files of a Member of Congress in the same position as public documents, and there is no weight limit on public documents.

Mr. ARENTZ. So that they will be frankable?

Mr. KELLY. Yes; that is exactly what I stated to the gentleman.

Mr. DALLINGER. What is the present law in regard to public documents?

Mr. KELLY. I will say to the gentleman that at present there is no weight limit whatever. In other words, you can send 100 pounds of Agricultural Yearbooks in a bag to your own address or any other address and there is absolutely nothing contrary to law or regulation, but if you go over 4 pounds on the official files in your office in sending them to your own address you run counter to the present requirements.

Mr. EATON of Colorado. Will the gentleman yield further?

Mr. KELLY. Yes.

Mr. EATON of Colorado. I want to ask particularly in regard to blank letterheads. Suppose you order 1,000 letterheads and send them to your office in Pennsylvania. Will the language of this bill permit those letterheads to be franked in a package?

Mr. KELLY. The definition of official matter covers stationery and correspondence.

Mr. EATON of Colorado. Where is that definition to be found?

Mr. KELLY. That is to be found in the regulations, and I have it in a letter from the Clerk of the House, Mr. Page, who urgently urged the passage of this resolution on the ground of the convenience it would afford to the Clerk's office. His statement is that stationery and official files are included in the definition of official matter. We took him into conference, as well as officials of the Post Office Department, on this measure.

Mr. EATON of Colorado. Does not the gentleman know that they have a rule in that office which prohibits the sending of 1,000 envelopes in a package to a Congressman's home address but that they must be sent by express and do not come under the franking privilege?

Mr. KELLY. I imagine that is on account of the present situation. This will change that; it will take the weight limit off and make official matter the same as public documents.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

The Clerk read the joint resolution for amendment.

Mr. SANDERS of New York. Mr. Chairman, I move that the committee do now rise and report the joint resolution back to the House with the recommendation that the joint resolution do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. RAMSEYER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration House Joint Resolution 357, classifying certain official mail matter, and had directed him to report the same back to the House with the recommendation that the same do pass.

Mr. SANDERS of New York. Mr. Speaker, I move the previous question on the joint resolution to final passage.

The previous question was ordered.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the joint resolution.

The question was taken; and on a division (demanded by Mr. LINTHICUM) there were—ayes 70, noes 0.

So the joint resolution was passed.

On motion of Mr. SANDERS of New York, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

Mr. LINTHICUM. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Maryland makes the point of order that there is no quorum present. Evidently there is no quorum present.

Mr. TILSON. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 9]

Abernethy	Bell	Brunner	Celler
Arnold	Blackburn	Buckbee	Chase
Auf der Heide	Bohn	Canfield	Clancy
Bacharach	Britten	Carley	Clark, N. C.
Bacon	Browne	Carter, Wyo.	Colton

Connery	Hale	McSwain	Sloan
Cooke	Hall, Ill.	Mead	Somers, N. Y.
Craddock	Hoffman	Michaelson	Steagall
Davis	Hopkins	Newhall	Stevenson
Dempsey	Hudspeth	Niedringhaus	Stobbs
De Priest	Hull, Morton D.	Nolan	Sullivan, N. Y.
Dickstein	Hull, William E.	Norton	Sullivan, Pa.
Dorsey	Johnson, Ill.	O'Connor, La.	Sumners, Tex.
Douglas, Ariz.	Johnson, Ind.	O'Connor, Okla.	Swanson
Douglass, Mass.	Johnson, Nebr.	Owen	Taylor, Tenn.
Doutrich	Johnson, Wash.	Palmer	Thompson
Doxey	Johnston, Mo.	Perkins	Underhill
Doyle	Kearns	Pou	Underwood
Drewry	Kemp	Pritchard	Vinson, Ga.
Dunbar	Kennedy	Purnell	Walker
Edwards	Kiefner	Ramey, Frank M.	Williams, Tex.
Ellick	Langley	Reid, Ill.	Wolfenden
Fish	Lindsay	Reilly	Woodrum, Va.
Garber, Va.	Lozier	Rowbottom	Wright
Gasque	McCormack, Mass.	Sears	Zihlman
Gavagan	McCormick, Ill.	Selberling	
Golder	McLeod	Short	
Griffin	McMillan	Sirovich	

The SPEAKER. Three hundred and twenty-two Members are present, a quorum.

On motion of Mr. TILSON, further proceedings under the call were dispensed with.

ORDER OF BUSINESS

Mr. TILSON. Mr. Speaker, this is Calendar Wednesday, and the committee which was on call to-day has finished its work for the day. I should like to see the remainder of the day utilized in consideration of the deficiency bill. Therefore I ask unanimous consent that further Calendar Wednesday business for to-day be dispensed with.

Mr. BLACK. Mr. Speaker, I object.

Mr. TILSON. Mr. Speaker, I move that Calendar Wednesday business for the remainder of the day be dispensed with.

The question was taken; and two-thirds having voted in favor thereof, further Calendar Wednesday business was dispensed with.

THE DEFICIENCY BILL

Mr. WOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 15592) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1931, and for prior fiscal years, to provide urgent supplemental appropriations for the fiscal year ending June 30, 1931, and for other purposes.

The question was taken; and on a division (demanded by Mr. SABATH) there were—ayes 265, noes 6.

So the motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15592, with Mr. LEAVITT in the chair.

The Clerk read the title of the bill.

The Clerk read as follows:

BUREAU OF PROHIBITION

Salaries and expenses: For an additional amount for salaries and expenses, Bureau of Prohibition, including the same objects specified under the Bureau of Prohibition in the act making appropriations for the Treasury Department for the fiscal year 1931, $543,370, of which amount not exceeding $10,000 may be expended for the collection and dissemination of information and appeal for law observance and law enforcement, including cost of printing, purchase of newspapers, and other expenses in connection therewith, and not exceeding $25,000 may be expended for stationery and office supplies: *Provided*, That expenditures for personal services in the District of Columbia for the Bureau of Prohibition during the fiscal year 1931 shall not exceed $319,061.

Mr. O'CONNOR of New York. Mr. Chairman, I make a point of order against the language contained in lines 16 to 21, providing $10,000 for propaganda purposes, as not being authorized by law.

Mr. WOOD. Mr. Chairman, I did not hear the lines to which the gentleman's point of order referred.

Mr. O'CONNOR of New York. Mr. Chairman, I make a point of order against the language beginning with the word "not," in line 17, on page 8, and ending with the word "and," in line 21, providing $10,000 for propaganda purposes, on the ground that such an appropriation is not authorized by law.

Mr. WOOD. Mr. Chairman, I will say to the gentleman and to the committee that if the gentleman insists upon it there is no question but what this is subject to a point of order.

Mr. LaGUARDIA. Mr. Chairman, I make a point of order against the whole paragraph.

Mr. WOOD. The whole paragraph is not subject to a point of order.

The CHAIRMAN. The gentleman from New York [Mr. LaGUARDIA] makes a point of order against the entire paragraph. The gentleman from New York [Mr. O'CONNOR] makes a point of order against that part of the paragraph beginning with the word "not," in line 17, and ending with the word "and," in line 21, but may withdraw in favor of the point raised by Mr. LaGUARDIA. If the point of order is then found to be good against any part of the paragraph, the entire paragraph will go out on the point of order made by the gentleman from New York [Mr. LaGUARDIA]. Does the gentleman from Indiana [Mr. WOOD] desire to be heard on the point of order?

Mr. WOOD. Mr. Chairman——

Mr. LaGUARDIA. Mr. Chairman, I desire to be heard on my point of order.

Mr. CRAMTON. Mr. Chairman, there are two points of order pending, the first one by the gentleman from New York is to a portion of the paragraph and the second one by another gentleman from New York [Mr. LaGUARDIA] is to the entire paragraph. If the Chair would permit the suggestion, the Chair might rule first on the first point of order made and then take up the second one.

Mr. LaGUARDIA. Oh, no.

Mr. O'CONNOR of New York. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. O'CONNOR of New York. Would it be in order for me to amend my point of order, it having first been made, applying it to the whole paragraph?

Mr. CRAMTON. I will call the attention of the Chair to the fact that the chairman of the committee has already conceded the point of order made by the gentleman from New York [Mr. O'CONNOR] as good. If the Chair will rule upon that, then the question will come upon the point of order made by the gentleman from New York [Mr. LaGUARDIA].

The CHAIRMAN. The Chair will state to the gentleman from Michigan that the Chair has not yet ruled on the point of order.

Mr. O'CONNOR of New York. Mr. Chairman, I amend my point of order and make it to the whole paragraph.

Mr. BLANTON. Mr. Chairman, I make the point of order the gentleman can not do that.

Mr. LaGUARDIA. Then I press my point of order on the whole paragraph.

Mr. BLANTON. I make the point of order that that comes too late.

The CHAIRMAN. The point of order has not yet been acted upon. The Chair is ready to rule on the second point of order. The Chair sustains the point of order, and the paragraph goes out.

Mr. WOOD. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Indiana offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. WOOD: Page 8, after line 10, insert:

"BUREAU OF PROHIBITION:

"Salaries and expenses: For an additional amount for salaries and expenses, Bureau of Prohibition, including the same objects specified under the Bureau of Prohibition in the act making appropriations for the Treasury Department for the fiscal year 1931, $543,370, of which amount not exceeding $25,000 may be expended for stationery and office supplies: *Provided*, That expenditures for personal services in the District of Columbia for the Bureau of Prohibition during the fiscal year 1931 shall not exceed $319,061."

Mr. LaGUARDIA. Mr. Chairman, I have an amendment to the committee amendment.

The CHAIRMAN. The gentleman from Indiana is entitled to recognition if he desires it.

Mr. LAGUARDIA. Certainly.

Mr. WOOD. I do not care to say anything on the amendment.

The CHAIRMAN. The gentleman from New York [Mr. LAGUARDIA] offers an amendment to the amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA to the amendment offered by Mr. WOOD: At the end of the Wood amendment, after the figures "$319,061" insert "*Provided*, That no money herein appropriated shall be used to pay any regular or special employee for educational work in connection with the collection and dissemination of information and appeal for prohibition observance and prohibition law enforcement."

Mr. LINTHICUM. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LINTHICUM. I was under the impression——

Mr. BLANTON. Mr. Chairman, I make the point of order against the amendment.

Mr. STAFFORD. Oh, the gentleman from Texas a moment ago claimed that a point of order came too late. His point of order comes too late.

Mr. BLANTON. I am making the point of order before there is any argument.

The CHAIRMAN. The gentleman from Maryland has been recognized and debate has started. The point of order comes too late.

Mr. LINTHICUM. Mr. Chairman, I understood that the gentleman from Indiana in his amendment eliminated the $10,000. That would leave $309,000 instead of $319,000 as read by the Clerk.

Mr. WOOD. That does not change the total.

The CHAIRMAN. The amendment read by the Clerk is exactly as presented by the gentleman from Indiana. The gentleman from New York [Mr. LAGUARDIA] is recognized for five minutes.

Mr. LAGUARDIA. Mr. Chairman, I call the attention of the House to the fact that by a point of order the language originally contained in the paragraph for this so-called propaganda was stricken out, but I also call attention to the fact that the Prohibition Bureau, regardless of the provisos in the language, has been hiring unemployed people around the country to go about making speeches, telling people to please observe prohibition. I have just been informed by the comptroller, and I give this as an illustration of how some of this money is expended, that a former Member of this House who was defeated, I think, in a primary, was employed for a period of six months at $10 a day with $5 a day expenses to go around and tell the people of the country what a good thing prohibition is.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. LAGUARDIA. Not just now. From January 23 to June 30, 1930, he received $1,166.98 for expenses, and $1,590 for pay at $10 a day.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. BLANTON. Is not our former good friend from Massachusetts, Mr. Winslow, employed on the Mediation Board for the railroads, and is not our former friend, Eugene Black, of Texas, employed now as a judge? What is to keep former Congressmen from being employed?

Mr. LAGUARDIA. Mr. Winslow and Mr. Black are rendering useful and necessary service, and the gentleman I refer to is Mr. William D. Upshaw, and I say that public funds should not be wasted in this way.

Besides that, the Prohibition Bureau employed a 16-year-old boy and gave him a pay-roll job, because the boy happened to be the son of a prominent lady in the Anti-Saloon League movement. I think she comes from the State of my distinguished friend, Mr. LINTHICUM—a Mrs. Nicholson.

Mr. LINTHICUM. Yes; but she does not come from my city. [Laughter.]

Mr. LAGUARDIA. Mrs. Nicholson's boy was employed and paid out of this money appropriated. Besides that, the Prohibition Bureau issued a pamphlet, for which they spent $1,700, which is replete with misstatements and misquotations, to which I have already called the attention of the Attorney General. In one instance the author of it purports to quote from a report of a factory in respect to the attendance on Monday morning, and purposely leaves out a paragraph that says that the better attendance on Monday is due to improved labor conditions and not to prohibition. With the permission of the House I will quote from that letter to the Attorney General, which gives an idea of the misrepresentations made by the Prohibition Bureau and printed and circulated at public expense:

DECEMBER 13, 1930.

Hon. WILLIAM D. MITCHELL,
Attorney General of the United States,
Washington, D. C.

MY DEAR MR. ATTORNEY GENERAL: I beg to call your attention to a recent official publication issued by the Bureau of Prohibition entitled "The Value of Law Observance" and to request its immediate suppression. This book would have no importance were it not for the fact that on the cover it bears the legend "The Department of Justice" and on the title page a facsimile of the seal of the great Department of Justice. This gives it an authority which its contents do not warrant. Surely, the good name of the Department of Justice and the good faith of the United States Government can not be used to indorse a stupid compilation of distorted facts written in poor English containing misrepresentation and willful misstatements for propaganda purposes.

To be specific, on page 11 this statement appears:

"A table that shows the trend in one large industry, namely, that of a large manufacturer of powder in the State of Delaware, that absenteeism on Monday has decreased materially in the last 25 years is given:

Disappearance of "Blue Monday"

Day	Per cent absent			
	1907	1913	1924	1929
Monday	7.41	6.17	3.66	2.35
Tuesday	6.89	5.22	2.86	2.10
Wednesday	5.77	5.49	2.90	2.15
Thursday	5.68	5.06	2.37	2.01
Friday	5.38	5.05	2.10	1.89
Saturday	6.94	6.59	3.93	2.95
Average for week	6.35	5.59	2.96	2.24

The above statement and tabulation are taken from page 210 of a book entitled "Prohibition, Its Economic and Industrial Aspects," by Herman Feldman. Part of the same paragraph and explanation of the table are purposely omitted from the department's pamphlet. The omitted part says:

"The company explains: 'You will note that the absenteeism has become less and less in subsequent years. We feel that the improvement in attendance is more due to improvement in labor than to any influence from the prohibition amendment.'"

Any lawyer purposely omitting part of a quotation cited in a brief, thereby changing its very meaning, would have his entire brief thrown out by the court.

Another glaring piece of deception may be found on page 14, under the title "Has Prohibition Been Harmful to the Farm Producer," which reads:

"From the point of view of a nation-wide survey of agricultural products it may be pointed out that the production of grapes from 1917 to 1926 has increased 40? per cent; the production of corn sugar and molasses has increased fully 100 per cent; and while the benefits derived from these raw products have come to different sections of the country, nevertheless the industry, viewed as a whole, does not seem to have lost in its total monetary production during the last decade."

Here the Prohibition Bureau seeks to make it appear that the increase in corn sugar and molasses and grapes due to prohibition was consumed for legitimate purposes. The increase was due to prohibition, but used for the unlawful manufacture of alcohol. The same Bureau of Prohibition is the authority for this statement. In another publication, Possible Production of Illegal Liquor, the bureau shows that no less than 45,900,000 gallons of 100-proof alcohol might have been illegally manufactured annually from corn sugar. On page 20 of this latter publication it is shown that 4,000,000 gallons of 100-proof alcohol, the bureau believes, was made from molasses, corn meal, and other grain, in addition to the 10,000,000 gallons of alcohol the bureau "believes to have been manufactured from cane or beet sugar." But, Mr. Attorney General, note this significant statement appearing on page 17 of the bureau's publication entitled "Possible Production of Illegal Liquor": "On the other hand, the cost of producing alcohol from cane sugar is greater, so that with corn sugar still available for illicit purposes violators have chosen the cheaper product." This is where the increase of corn sugar is going, but not mentioned in Law Observance.

Now, as to grapes, while in the Law Observance pamphlet it appears that the grape industry has increased 400 per cent because the American people are observing the law and eating jelly, on page 35 of the other publication of the same department it is stated that "the quantity of alcohol in homemade wine is estimated to average 12 per cent. On this basis the absolute alcoholic content would amount to 14,185,436 gallons for the fiscal year ending June 30, 1930." This alcoholic content is based on a possible production of wine from the available grapes to the extent of 118,320,300 gallons for the year quoted by the bureau. This is where the 400 per cent increase of grapes is going—silence on this in Law Observance.

On page 25 of the Law Observance factual monograph there is a paragraph on Inebreity in America, which reads:

"Prior to the passage of laws prohibiting the unlimited use of alcohol in any State, the States tacitly licensed inebriety and drunkenness. Under the laws existing in the United States before prohibition, a man had a right to become a drunkard and remain one, and the State had, therefore, its duty of taking care of him.

"The theory underlying the law is that an individual has no inherent right to interfere with the orderly development of the complex society in which he lives."

This startling statement attempting to convey the information as a matter of fact that inebriety is decreasing, is brazenly made in the face of actual conditions right in the city of Washington under the nose of the Bureau of Prohibition. Here are the figures:

Arrests for drunkenness in the city of Washington

Prior to prohibition:	
1914	8,837
1915	9,751
1916	9,394
1917	9,648
1918	6,896
1919	6,793
After prohibition:	
1925	10,571
1926	12,907
1927	13,375
1928	13,796
1929	13,942
1930	14,409

On page 32 of Law Observance there appears this statement:

"It is stated by students of criminology that alcoholism is responsible for 80 per cent of the antisocial propensities that make necessary jails and correctional institutions."

If that is so, then why has it been necessary for Congress to provide since prohibition for the building of additional penitentiaries, additional detention jails, and additional correctional institutions? The paragraph fails to state that prohibition has not cured the evils of alcoholism, because the figures of the Department of Justice will show increased criminality, increased prison population, and increased violations of law since prohibition. Is such a misleading statement proper in a "law observance" monograph?

Several pages are devoted to quotations from newspapers published in 1890, 1892, and 1898 on the speak-easies of those periods. Not a word is said about the speak-easies that are now flourishing and doing business. Does "law observance" attempt to imply that there are no speak-easies to-day? There is a chapter on "Typhoid Mary," and one on "Vaccination" and "Pure Food," but the relevancy of these subjects to prohibition is not made clear. Perhaps it was a desperate attempt to conceal the total breakdown of prohibition by emphasizing the efficiency of the United States Public Health Service.

Permit me to call your attention to the paragraph marked "Conclusion." Here is a gratuitous insult to the great States of New York, New Jersey, and Maryland. The paragraph reads:

"In observing the reaction of the national prohibition act, which is naturally emphasized, the only basis for a sane appreciation of the effects of this law is a study of what it has accomplished in the country at large. Not in New Jersey, Maryland, and New York alone but in the home, the school, upon the youth of the land, in industry, and its sociological aspects."

The figures in the Prohibition Bureau will show that just as much liquor is consumed per capita in any other State of the Union as in the States singled out in this publication. While on the other hand, young people in schools have been debauched by reason of prohibition as much in one State as in any other.

I am informed that over 50,000 copies of this pamphlet, the Value of Law Observance have been printed at the cost of $1,800. This is a waste of public funds. Owing to the misleading statements, willful misrepresentations, and misquotations in this pamphlet, I respectfully request that same be withdrawn from circulation.

I can not imagine a worse example of misrepresentation of facts and waste of public funds.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. BLANTON. Mr. Chairman, I rise in opposition to the amendment. Just before the gentleman from Indiana [Mr. WOOD] moved to go into Committee of the Whole House on the state of the Union for further consideration of the deficiency appropriation bill, the distinguished gentleman from Maryland [Mr. LINTHICUM], who is the leader of the wet forces of the country on the floor of this House, made a point of no quorum to get the membership over here. He did it merely to get his wet forces on the floor and have them vote on the question, I take it, as to the sentiment of the wets on not taking this item up in this bill. On whether we would go into the Committee of the Whole, he forced a division vote, and there were only six votes on the floor of this House which the distinguished wet leader of the House could muster to back him up in that proposition.

Mr. BLACK. And those were six who admit they are wet.

Mr. BLANTON. And if you were to bring up any prohibition question here, it is well known to the membership of this House that the wets can not muster over 67 votes under any circumstances. So why just keep on raising this question? Is that the way to repeal the eighteenth amendment, which is their object? Is that the way for the wet leader, the gentleman from Maryland [Mr. LINTHICUM], and the gentleman from Wisconsin [Mr. SCHAFER] and the gentleman from New York [Mr. BLACK] to get their beer back? And when I say that I mean no reflection on the gentleman from Maryland [Mr. LINTHICUM], because in practice there is no drier man in the House. He lives dry. He does not drink himself, but is the leader for the wets here, to force drink on the other people of the country. If we are going to give the President the power and authority to enforce the law, and that burden is upon him by the Constitution, why not give him everything he needs to enforce it; why give him just the Coast Guard and a few antiquated cutters and a little money?

Mr. LAGUARDIA. What about the Army and the Navy?

Mr. BLANTON. I am in favor of giving the President of the United States everything he needs to enforce the law. I am in favor, if he needs them, of giving him the Army and the Navy and marines and all the resources of the United States Government as well as the Coast Guard and money, and let the lawbreakers understand that the President of the United States in the White House means business, and that he is going to enforce the law. Your Republican President got the support and votes of practically every preacher in my State in 1928 because they believed that he was a law enforcer. They carried Texas, a rock-ribbed Democratic State, for the first time in its history for a Republican President on the sole issue that he would enforce the law. [Applause.]

If you want him to mean business; if you want him to keep faith with the people of the country; if you want him to keep faith with the Texas people, give him the means of enforcing the law.

Mr. SCHAFER of Wisconsin. Did the gentleman from Texas oppose Mr. Hoover in the campaign because he was going to enforce the law?

Mr. BLANTON. I am a Democrat and I support my party. The preachers of my State were ignorant of the facts about Mr. Hoover. I knew he would not enforce it. I have a letter from a prominent citizen of Wisconsin that I would like to put in the RECORD. I would like for the gentleman from Milwaukee [Mr. SCHAFER] to read the letter and he will find out that there is a sentiment back in the State of Wisconsin that stands behind the Constitution and enforcement of the prohibition laws.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLANTON. Mr. Chairman, I ask leave to revise and extend my remarks and to put in a letter from this citizen of Wisconsin.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. SCHAFER of Wisconsin. Reserving the right to object, can the gentleman assure the House that the letter is not from a highjacker, a rumrunner, or a bootlegger, who does not desire a change in the prohibition laws?

Mr. BLANTON. Yes; and I will not mention any names quoted in it.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The letter is as follows:

BOSCOBEL, WIS., *January 5, 1931.*

Hon. THOMAS L. BLANTON,
Washington, D. C.

DEAR SIR: Your idea in granting more power to President Hoover for the enforcement of the dry law is a good one, and I am with you.

Wisconsin is in bad shape, because the dry law was abolished by the State, and we should therefore have more Federal help.

* * * Most violators of the law are guests, not prisoners, and they receive no punishment. They now do not fear the law. There should be a fine of $500 and 500 days at hard labor for the first offense, and then double it for each successive offense. Now, a few little bootleggers are taken, but the big ones are never touched. This is not enforcement. Who are the boozers that they should be protected? And who are the people who tolerate them?

I can't see why any Senator, Congressman, governor, or any other officer, or newspaper, can be allowed to shield criminals. We should stop this foreign immigration who are not in sympathy with our laws. We want to check up on these undesirables smuggled in, and send them back home. They are making every kind of an excuse to do away with the dry laws. They should be strongly enforced to the letter.

Yours truly,

JOHN ROUNDS.

Mr. BLANTON. Mr. Speaker, I wish that the distinguished gentleman from Maryland [Mr. LINTHICUM] and his wet cohorts would read all of the many letters I received on this subject in this morning's mail. I received one from Mr. M. V. Vantine, whose address is seventh floor, 1816 South Figueroa Street, Los Angeles, Calif., recommending that "all forces should aid in enforcing the law." Another came from Mrs. J. E. Stevens, of 451 Hickory Street, Waukegan, Ill., hoping that Congress will have courage, power, and strength to fight back this organized liquor sentiment and deal it a blow that will stop it. Another came from Mr. Amos A. Pletcher, of Oxford, Ind., stating that the sentiment in favor of the eighteenth amendment has a big majority in his section and that Congress must not let the lawless element run this Government, else conditions now existing in Chicago and New York will be prevalent all over the United States, and that he is backing his Representative in providing for strict law enforcement.

I am constrained to believe that it is the purpose and intent of the organized "wets" of this House to raise this question continually on the floor and to keep the subject agitated in the wet press of the country and to keep the CONGRESSIONAL RECORD filled with wet orations, thinking that it will influence and manufacture wet sentiment over the United States.

I am one of the many so-called "drys" of this House who is going to mix it with them on this speech making. During the eight years I served on the circuit bench, at a time when open saloons were in practically every State, I tried just about as many criminals produced by the liquor traffic as are now being tried in that district for violating prohibition laws. Conditions now are far preferable to conditions then. Surely it is a strange sort of a citizen who would go back to the days of the open saloon. And we would all be headed that way were the eighteenth amendment repealed. Who would take such a backward step?

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York to the amendment of the gentleman from Indiana.

The question was taken; and on a division (demanded by Mr. CRAMTON) there were—ayes 43, noes 145.

So the amendment to the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana.

Mr. LINTHICUM. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Page 8, after the figures $319,061, line 25, following the amendment offered by Mr. WOOD, insert: "*Provided*, That no part of said money shall be expended in the establishment of any speak-easy, pool room, or other means for the entrapment of any person to violate the Volstead Act or the eighteenth amendment."

Mr. BLANTON. Mr. Chairman, I make the point of order that that interferes with the discretion that is given executive officers by the amendment of the gentleman from Indiana and requires an investigation on the part of the executive department as to what is a speak-easy.

Mr. LINTHICUM. It is on all fours with the amendment with reference to poisonous liquor which was sustained by the Chair.

The CHAIRMAN. In the opinion of the Chair this is a negative limitation and not subject to the point of order. The point of order is overruled.

Mr. LINTHICUM. Mr. Chairman, as usual, the gentleman from Texas was all wrong to-day. The gentleman from Texas intimated that I made the point of no quorum to take up this question and vote against it. The truth is I found that the House was doing business with only about 73 Members, and I thought that out of 435 there ought to be more than 73 when a question of this importance was coming before the House.

I therefore made the point of no quorum, with the splendid result that we have the Chamber filled with Members interested in this question, both for and against it.

As to my amendment, I spoke before the committee on yesterday, in which I said that speak-easy had been established in Indianapolis, Ind., and that 18 policemen had been inveigled into this speak-easy established by the National Government. I read into the RECORD a letter from my Maryland friend, Col. Amos W. Woodcock, Director of the Bureau of Prohibition, in which he admitted that he had paid the rent for the property in which the "speak-easy" had been established.

This matter went to the Baltimore Sun, and, the Baltimore Sun being very meticulous in what it does, and being one of the finest newspapers of the country, wired to Indianapolis to find out whether this was absolutely true, and this is the information they received.

UNITED STATES AGENTS ADMITTED HAVING SUPERVISED PLACE

INDIANAPOLIS, January 6.—The reference in the House to-day by Representative LINTHICUM, Democrat, Maryland, to a Government-owned "speak-easy" in Indianapolis, recalled a Federal court trial here last month, at which Federal agents testified they had supervised the operation of a liquor-selling establishment in order to obtain evidence.

The agents who testified that Government money had been used in setting up the "speak-easy" were Herman P. Kroencke, Hugh T. McGrath, and Smith Wilson, a negro, all of Chicago. They said they were assisted by Horace E. Lyle, a negro, investigator for James M. Ogden, attorney general of Indiana.

Judge Robert C. Baltzell, during the trial and in imposing sentence on those convicted, criticized the methods of the Government agents, saying that their operations smacked of entrapment.

My amendment simply provides that you prevent any part of this money being used by the United States Government in setting up speak-easies, pool rooms, or other devices intended to entrap citizens, whether they be police officers or not. It is intended to prevent establishing such devices to entrap citizens of the United States and then having the men who were conducting the speak-easies for the Government appear against them at the trial.

Now, it is up to you. I am not going to argue the question any further. It was up to you before about the poison-liquor question. That has now been eliminated. It is up to you whether you want this Government to adopt this plan. How can you expect foreigners who come to this country to respect our country and its institutions if you are going to commit the Government to such practices as this?

I ask you to determine whether you want the Government to continue it; whether you want any part of this money used for such purposes. It is entirely up to you.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Maryland [Mr. LINTHICUM] to the amendment offered by the gentleman from Indiana [Mr. WOOD].

The question was taken; and on a division (demanded by Mr. LINTHICUM) there were—ayes 54, noes 106.

So the amendment to the amendment was rejected.

Mr. SABATH. Mr. Chairman, I offer an amendment to the amendment offered by the gentleman from Indiana [Mr. WOOD].

The CHAIRMAN. The gentleman from Illinois [Mr. SABATH] offers an amendment to the amendment offered by the gentleman from Illinois [Mr. WOOD], which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SABATH to the amendment offered by Mr. WOOD: On page 8, line 16, strike out the figures "$543,370" and insert in lieu thereof "$250,000."

Mr. SABATH. Mr. Chairman, ladies, and gentlemen, I notice in this appropriation we are asked to provide for 257 additional persons to be used in the field. I believe that that money is unnecessary and will be wasted.

The gentleman from Texas [Mr. BLANTON], who addressed the House a few minutes ago, can not forget the 1928 election. He does not realize that the people during that campaign were misled, were made to believe that they were voting for prosperity and for real possible enforcement of prohibition. Since that time there has been an election during which the question of prohibition was made an issue in all of the larger States. In my own State, the State of Illinois, the Republican lady candidate tried in every way to evade the issue, despite the fact that the Republicans, believing it would be beneficial to them, submitted the proposition to the vote of the people by referendum.

It seems to me the gentleman from Texas [Mr. BLANTON] has not been informed of the result of that vote. For the first time in history, the State of Illinois, a Republican, dry State, having experience and knowledge of what prohibition has done to America, voted for a wet candidate for United States Senator and elected him by a majority of nearly 750,000.

Mr. CRAMTON. Will the gentleman yield?

Mr. SABATH. I yield for a question.

Mr. CRAMTON. Did the gentleman note the election of the gentleman from Illinois, Governor YATES?

Mr. SABATH. If the gentleman will give me more time I will be delighted to take up the question as to Governor YATES.

On the question of prohibition the people have voted from 2 to 1, to 10 to 1 to repeal the eighteenth amendment and the Volstead Act.

Not only in my State but in the Speaker's State that question was submitted to the people, and a real, sincere wet has carried that State. In the States of New York, New Jersey, and Massachusetts, as well as in other States, the same thing occurred. By the way, the gentleman who rose comes from the State of Michigan, and he should know by a sad experience that that question has been raised in his State. I think the gentleman's colleague, his assistant dry leader, whom we heard often on this floor, will remember that election, as even in that State some of the outstanding leaders of prohibition have been defeated by tremendous majorities.

Now, Mr. Chairman, ladies, and gentlemen, wishing to comply with the mandate of the people of my State and of a majority of the people of the United States, I can no longer vote the people's money and the taxpayers' money for the purpose of supplying means to the professional prohibitionists, who are trying to create a few more positions for their favorites, knowing that the law can not be enforced and that the money will be needlessly expended or wasted.

Mr. BLANTON. Will the gentleman yield?

Mr. SABATH. I yield for a question, but not for an argument.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. SABATH] has expired.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent that the gentleman from Illinois [Mr. SABATH] be allowed to proceed for five additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. BLANTON. The gentleman referred to Illinois. Is it not a fact that the State of Illnois gave Governor YATES a big majority, and has given him a majority of nearly a million votes, when it was known he was an ardent dry and has always been a dry? [Applause.]

Mr. SABATH. Are you drys through with the applause? You better be, because the facts I will give you will not be so pleasing.

Again, as usual, my friend from Texas [Mr. BLANTON] is wrong. It was believed and reported on the night of the election, and even the next day after the election, and the newspapers so stated, that Governor YATES was defeated; but he was found to be elected on the third day after the election, by a very small majority. It was not by a million but by a small vote.

Mr. WOOD. Twenty-seven thousand.

Mr. SABATH. The final figures might have been 27,000 votes. But, mind you, our colleague ex-Governor YATES comes from old, respectable stock. The name of Yates is revered by every man and woman in our State. [Applause.] It was his name, aside from and notwithstanding his record on prohibition, that pulled him through. Had he been right on the question of prohibition he would have carried the State by the million the gentleman believed he carried it by.

Mr. BLANTON. Will the gentleman yield for one other question?

Mr. SABATH. Yes.

Mr. BLANTON. Is it not a fact that in the last election in which he ran before his death Hon. Henry Rathbone, who was an ardent dry, carried the State of Illinois by nearly a million votes?

Mr. SABATH. We know all about our former colleagues. Rathbone was victorious in 1928, but if he had been a candidate on the dry Republican platform of 1930 he would have suffered the same fate as did the lady candidate for Senator. The conditions in 1930 were different from those of 1928. The people now are better informed, and they will not be fooled in the future. They will continue to demand the repeal of the eighteenth amendment, and while that is pending they will insist and demand the repeal or, at least, the modification of the Volstead Act. It matters not how often you arise in your seat here or how many letters you may get from these professional prohibitionists, you can not arrest the persistent demand of the people of this country to eliminate and eradicate the crime-breeding—yes, the infamous—law that has been forced upon the people against their wish and against their will.

Mr. LINTHICUM. Will the gentleman yield?

Mr. SABATH. I yield to my colleague.

Mr. LINTHICUM. The gentleman from Texas a while ago was bragging very strongly about the President carrying Texas.

Mr. BLANTON. No; I was ashamed of it.

Mr. LINTHICUM. I would like to ask whether the President would carry Texas to-day?

Mr. SABATH. That thing is well known to the gentleman from Texas; and notwithstanding the fact that he likes to be contrary, that is one thing he will have to admit, that a Republican has no longer any chance in Texas or in any other section of the country, because the people demand an honest and efficient Democratic administration that will again secure prosperity for the Nation, as it did under Woodrow Wilson, and once again secure a liberal, humane government in all of the States of our Nation. [Applause.]

I am going to expect in the future not only the cooperation of 67 gentlemen, as the gentleman has pointed out, but the cooperation of about 167 in the next House; and I assure you, Colleague BLANTON, the representative and leader of the drys——

Mr. BLANTON. I only speak for myself, and the people I represent.

Mr. SABATH. I can well understand the underlying reason for your refusal to assume the leadership of prohibition. You undoubtedly foresee that the 1930 election was the forerunner of what will occur in the presidential election in 1932; and I therefore invite you—yes; I invite all of you gentlemen—to join with me in that great popular movement to restore to the people and to the States their rights and personal liberties of which they have been deprived by

the prohibition law; as by this time, you must well realize, that the noble experiment has failed.

Regardless of what you or other prohibition leaders may say, I am convinced that the will of the people—as expressed in the last election, not only in the States I have mentioned, but in all other States where the question has been submitted—will prevail. The senatorial election in Illinois clearly indicates that the people will not be hoodwinked or misled. In their efforts to becloud the issue, fool the people, and aid the lady candidate, the prohibition Republicans and astute chieftains submitted the question to a referendum. The clever candidate, with her well-organized group of capable managers adroitly endeavored to side-step the prohibition question, but fortunately, the chivalrous Democratic wet candidate, Hon James Hamilton Lewis, refused to follow the lady's method; and try, hard as she did, she could not persuade him from the outstanding and all-important issue—prohibition.

Mr. Chairman, ladies, and gentlemen, for nearly 11 years Congress has permitted itself to be dictated to by a small but shrewd, clever, and cunning group of prohibition preachers and professional prohibition beneficiaries.

However, the people of the country have begun to resent this domination and demand the repeal, or at least the modification of the present prohibition law, and refuse any longer to follow the selfish, fanatical prohibition leaders.

The majority of the people recognize that prohibition has been a destructive, crime-breeding law and force. As I have pointed out, in every State where the question has been directly submitted to a vote, the people, by a great majority, voted for the repeal, not only of the Volstead Act but of the eighteenth amendment as well.

Not only the States I have mentioned but other States as well demand a change of the intolerable conditions that have developed under the prohibition law. They demand, and justly so, that law, order, and safety be again restored, and that the racketeers and bootleggers—the only people prosperous under prohibition—be put out of business, and that racketeering and bootlegging cease so that public officials will no longer be influenced by the powerful combination, the Anti-Saloon League on the one hand and the rich bootlegger on the other.

Mr. Chairman, ladies, and gentlemen, not only where the question has been submitted officially to the people have they voted for the repeal of the prohibition law, but wherever submitted to a referendum—whether to the bar association, the medical groups, universities, colleges, commercial, and other organizations—in every instance the vote was from 2 to 10 for the repeal of this unscrupulously forced upon the Nation prohibition law.

For that reason, I shall henceforth refuse to increase the number of so-called prohibition agents, who are in reality high-life seeking snoopers; yes, adventurous murderers.

It is amazing how the administration disregards the demands of the majority of the people and continues to be controlled and dictated to by that small group of fanatical and professional beneficiaries, organized under the title of Anti-Saloon League and Law Enforcement League—which organizations have been able to fill the prohibition offices with their hangers-on, and have even been able to obtain the appointments of judges and officials of the court; and who now, in this bill, demand 257 additional places. And from present indications in this House, they will not only secure this number, but if desirous and unashamed to ask, would receive 10 times that number; and this, notwithstanding the fact that the money could be utilized to relieve the unfortunate millions now out of employment.

I regret that there is still a majority in this House, who, although otherwise well-meaning men, permit themselves, like the President and the administration, to be governed and controlled—yes, " bunked "—by this prohibitionist group.

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. WOOD. Mr. Chairman, I move that all debate on this amendment and all amendments thereto do now close.

The question was taken; and on a division (demanded by Mr. SCHAFER of Wisconsin) there were—ayes 100, noes 41.

So the motion was agreed to.

The CHAIRMAN. The question is now on the amendment of the gentleman from Illinois to the amendment offered by the gentleman from Indiana.

The question was taken, and the amendment to the amendment was rejected.

Mr. SCHAFER of Wisconsin. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report?

The Clerk read as follows:

Amendment offered by Mr. SCHAFER of Wisconsin to the amendment offered by Mr. WOOD: At the end of the amendment insert "*Provided further*, That no part of this appropriation shall be spent for salaries or expenses of any Government employee who taps any telephone or telegraph wires."

The question was taken, and the amendment to the amendment was rejected.

The CHAIRMAN. The question is now on the amendment offered by the gentleman from Indiana.

Mr. O'CONNOR of New York. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. O'CONNOR of New York. I understood the motion of the gentleman from Indiana to apply to the amendment then pending to his amendment.

The CHAIRMAN. The Chair understood the motion—and so put it—to apply to the amendment offered by the gentleman from Indiana and all amendments thereto. The question is on the amendment offered by the gentleman from Indiana.

The question was taken; and on a division (demanded by Mr. CRAMTON) there were—ayes 118, noes 36.

So the amendment was agreed to.

The Clerk read as follows:

JUDICIAL

Salaries and expenses of commissioners, Court of Claims: For an additional amount for salaries and expenses, commissioners, Court of Claims, including the same objects specified under this head in the act making appropriations for the Department of Justice for the fiscal year 1931, and as authorized by the act approved June 23, 1930 (46 Stat., p. 799), $37,390.

Mr. LAGUARDIA. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this is a deficiency appropriation bill and the committee has just authorized an appropriation of $319,000 for the Prohibition Bureau. I am informed that several million dollars more will be asked in the regular appropriation bill for the Department of Justice.

The gentleman from Maryland [Mr. LINTHICUM] offered a few moments ago an amendment and the information of a speak-easy maintained at Government expense, which he gave in support of his amendment, must have shocked a great many of the Members of this House. I have heard some Members say that the Indianapolis speak-easy case or the entrapment case described by the gentleman from Maryland was an exceptional one, and was not the rule. I want to say to the House now, so that you may be advised, that public funds have been spent for entrapment purposes and maintaining unlawful resorts during the last five or six years. I brought to the knowledge of the House the case of the Bridge Whist Club in New York City, which was operated by the Prohibition Bureau. The furniture, the rent, the personnel, and the liquor were paid for out of public funds, and I have copies of the vouchers which I received from the comptroller's office. In Norfolk, Va., the Government operated a pool room where liquor was sold for purposes of entrapment. The vouchers for the moneys that were spent in that case by the Government are also in the comptroller's office. In Elizabethtown the Government operated a still to entrap persons into violations of the law, and this was discovered when one set of Government officials, not knowing that the still was a Government-operated still, was trying to collect graft from another set of Govern-

ment officials. The Prohibition Bureau financed a corporation in New York City known as Le Shone de Paris, incorporated it under the law of the State of New York, and financed the corporation to get an alcohol permit, purchased denatured alcohol, and unlawfully sold denatured alcohol to manufacturers for beverage purposes. Some 18 or 20 persons were indicted, and when all the information came out that Government agents engineered the whole scheme every case was thrown out of court.

Although you have voted down the amendment offered by the gentleman from Maryland, public funds have been and are now being spent improperly to entrap citizens and make cases.

Mr. KNUTSON. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. KNUTSON. At St. Cloud, Minn., an undercover man came running into a drug store late one night saying that his wife was very ill and asked for a pint of liquor. He received it with the understanding he would bring a prescription around the next morning. The next they heard was when they were raided. They raided one hundred and twenty odd places in that neighborhood and this man received $25 per information, or $3,200 in the aggregate.

Mr. LAGUARDIA. That is typical. In my city a certain prohibition agent went to places and gave the distress signal of a great fraternal order and got liquor on the pretext that he was ill and a stranger in the city, and then made an arrest on the liquor he so obtained.

Mr. KNUTSON. That is nice business, is it not?

Mr. LAGUARDIA. It is outrageous, it is disgraceful. The Department of Justice is going to be contaminated and its usefulness is going to be destroyed just as the Treasury Department was dragged down into the mud by the attempted enforcement of this impossible law.

Mr. KNUTSON. Why speak in the future tense?

Mr. LAGUARDIA. Gentleman, you may have voted down the amendment to-day preventing improper use of public funds, but just as sure as day follows night the time will come, perhaps in the appropriation bill for the Department of Justice, when public opinion will force Congress to put a limitation upon any branch of the Government that seeks to go out and entrap people into violation of law. I ask for the sober judgment of the membership of this House. I ask every dry in this House to give the matter his attention and to check up on every fact I have stated to-day and put a stop to the improper use of public funds in connection with prohibition enforcement.

Mr. BECK. Mr. Chairman, I move to strike out the last two words.

Mr. WOOD. Mr. Chairman, I wish to say to the Chair and also to the gentlemen of the committee that the item with reference to the prohibition question has been passed. In order to get the bill through and expedite business I must insist that the debate from now on be upon whatever item is then under consideration. I shall not object to the gentleman from Pennsylvania proceeding if he wants to make a speech; but after that I shall insist upon the regular order.

Mr. BECK. Mr. Chairman, the time will come when this and similar debates in the House of Representatives will be regarded by a future generation with the same sorrow and humiliation as those of us who are descended from the Pilgrim fathers regard the debates that once took place on the subject of witchcraft. [Applause.] It will be regarded by a future, and a not very distant, generation as extraordinary that the House of Representatives should have sustained invasions of personal liberty such as have been retained in the present bill within the last hour in this House.

I do not intend to discuss the question except in one aspect and to make one comment for what it is worth. I appreciate the futility of discussion. The present is with the drys, the future is with the wets, and it will not be any very distant future, if we can judge from the returns of last November's election. [Applause.]

But I want to say this very solemnly to the House, and I did not intend to say it when I came into this Chamber. If it were within my power to visualize to the House the consequences of such legislation I could change the present minority of the House to a majority and majority to a minority, or else I would not have the high regard for the humanity of each Member of the House that I now have. According to the last report of the Commissioner of Prohibition, there were indicted in this country 68,173 people, of whom 54,085 were convicted, with prison sentences aggregating 14,172 years, under the Volstead law. If I could assemble those 54,000 men, women, and even children, and invite the House to witness them pass in solemn procession before the Capitol, men and women who have been changed from self-respecting citizens into either avowed or actual criminals—if I could invite this House to witness this procession of misery, and they were to march in military formation, it would require at least five hours to pass a given point.

When I listen to my friend from Texas, always zealous and always eloquent, speak about the President of the United States having the Army, the marines, and every executive source to enforce this law, including the methods of prohibition enforcement officers, of which we have heard something to-day, then I would like to know how many American criminals you are going to make of otherwise self-respecting citizens before you can enforce a statute which, if experience in the last 10 years counts for anything, with all the wealth of the Government, with the Army and the Navy, and the expenditure of hundreds of millions of dollars, has proved ineffective to change the primary instinct of individual liberty that is in the human breast of the average American. [Applause.]

Edmund Burke, the most philosophical of all students of government, once said that "politics ought to be adjusted not to human reasonings but to human nature, of which reason is but a part and by no means the greater part."

To the same effect that eminent senior Justice of the Supreme Court said that the "life of the law is not in logic but in experience."

Experience has shown that you can spend all of the money in the Treasury and you will not destroy in the hearts of the American people that instinct of freedom which they have, that in the use of such beverages they have the right to order their own lives and that without unreasonable interference of any government. Convict 120,000 a year, and not as this year over 50,000, and yet you will not terrorize the American people. [Applause.]

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

The Clerk read as follows:

JUDGMENTS, UNITED STATES COURTS

For payment of the final judgments and decrees, including costs of suits, which have been rendered under the provisions of the act of March 3, 1887, entitled "An act to provide for the bringing of suits against the Government of the United States," as amended by the Judicial Code, approved March 3, 1911 (U. S. C., title 28, sec. 41, par. 20; sec. 258; secs. 761–765), certified to the Seventy-first Congress, in House Document No. 690, under the following departments, namely: Navy Department, $4,697.08; War Department, $14,498.47; in all, $19,195.55, together with such additional sum as may be necessary to pay interest on the respective judgments at the rate of 4 per cent from the date thereof until the time this appropriation is made.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order. Yesterday, just before the committee rose, I suggested that I would make an inquiry as to the policy of the Government in paying interest on judgments. Here is a paragraph in which you prescribe that the rate of interest shall be 4 per cent. In the following paragraph there is no limitation on the amount of interest that is to be paid on judgments. And so also in the first paragraph, on page 13, you place a limit and say that interest shall not continue for more than 30 days after the approval of the act.

It was my impression that in prior years we did not make any provision for interest on judgments. I would like to inquire whether I am wrong or not.

Mr. WOOD. These judgments are rendered under different statutes and some provide for interest and some do not. The rate of interest is within the limits of the statute. We do not fix the rate.

Mr. STAFFORD. I have looked over the code and I do not find any law for the payment of interest on judgments other than on judgments entered against the Government in suits instituted in the United States district courts. Here is a provision where you prescribe a limit of 4 per cent.

Mr. WOOD. I will say that if the gentleman will turn to pages 11 and 12 he will find the acts under which interest is to be paid.

Mr. STAFFORD. I examined the code yesterday, and as far as judgments on actions begun in the United States district courts are concerned the provision is that the rate of interest shall be the same as that on judgments carried in the State courts. I do not find any provision anywhere in the code restricting the rate of interest to 4 per cent. I think there should be some general law prescribing the rate of interest on judgments against the United States. In the paragraph before us we prescribe one rate and the next paragraph another rate is prescribed.

Mr. WOOD. Those were fixed by law, and it is not the function of this committee to change it.

Mr. STAFFORD. I doubt whether there is any law authorizing the payment of 4 per cent, and if there is I would like the gentleman to cite me the law.

Mr. WOOD. I cite the gentleman to page 11 of the present bill.

Mr. STAFFORD. I refer to the special paragraph now under consideration.

Mr. WOOD. There are various laws affecting these judgments.

Mr. STAFFORD. Under one law they prescribe 6 per cent. Under the present paragraph by a limitation you prescribe the rate of 4 per cent. Why should there not be a uniform rate? Why should there not be legislation by Congress prescribing a uniform rate?

Mr. WOOD. I agree with the gentleman that there should be uniformity; but there is no uniformity in the present statutes. I think it would be a splendid thing if the gentleman from Wisconsin would introduce a bill to have this uniformity provided, and send the bill to the Committee on the Judiciary.

Mr. STAFFORD. Oh, it is very kind of the gentleman to make that suggestion.

Mr. WOOD. I make the suggestion in all seriousness. I think there should be some study of the advisability of a uniform rate.

Mr. STAFFORD. My purpose in rising was to call the matter to the attention of the House. Here you are prescribing 4 per cent, and in another paragraph 6 per cent. I hope this discussion will cause some member of the Committee on the Judiciary that is not overburdened with work, except in bringing in bills to provide additional judges to take care of prohibition cases, to provide substantive law-making uniformity in interest charges on judgments entered against the United States. I withdraw the reservation of the point of order.

The Clerk concluded the reading of the bill.

Mr. WOOD. Mr. Chairman, I ask unanimous consent to return to page 3, line 4, for the purpose of offering the amendment which I send to the desk and ask to have read.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent to return to page 3, line 4, for the purpose of offering an amendment. Is there objection?

Mr. LAGUARDIA. Reserving the right to object, let us have the amendment read.

The CHAIRMAN. Without objection, the Clerk will read the amendment for information.

The Clerk read as follows:

On page 3, after line 4, insert the following:

"For payment to Louis L. Ludlow for expenses incurred as contestee in the contested-election case of Updike against Ludlow, audited and recommended by the Committee on Elections No. 1, $1,033.50.

"For payment for expenses incurred by Ralph E. Updike, contestant in the contested-election case of Updike against Ludlow, audited and recommended by the Committee on Elections No. 1, $1,309.75.

"The two foregoing appropriations to be disbursed by the Clerk of the House."

The CHAIRMAN. Is there objection?

Mr. LAGUARDIA. Mr. Chairman, as the distinguished chairman of the Committee on Appropriations is still busy with "relief" work, I shall not object.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana to return to page 3, line 4, for the purpose of offering the amendment?

There was no objection.

The CHAIRMAN. The gentleman from Indiana offers an amendment, which the Clerk will report.

The Clerk again reported the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana.

The amendment was agreed to.

Mr. WOOD. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to, and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. LEAVITT, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 15592) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1931, and for prior fiscal years, to provide urgent supplemental appropriations for the fiscal year ending June 30, 1931, and for other purposes, and had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. WOOD. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en grosse. The question is on agreeing to the amendments.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. WOOD, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. GARNER. May I have the attention of the gentleman from Indiana? Of course, this is quite an important bill, the first deficiency bill. The gentleman hopes to get it through at an early date, I imagine. What is the gentleman's hopes with reference to the final passage of the bill?

Mr. WOOD. I had hoped that this bill would be passed within the next week by both Houses.

Mr. GARNER. During the week?

Mr. WOOD. Yes.

Mr. GARNER. It is a very important bill, and the earlier it can be passed the earlier the matters can be taken care of for which the appropriations are made.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 5456. An act to extend the time for construction of a free highway bridge across the Sabine River where Louisiana Highway No. 21 meets Texas Highway No. 45; to the Committee on Interstate and Foreign Commerce.

S. 5457. An act authorizing the State of Louisiana and the State of Texas to construct, maintain, and operate a free highway bridge across the Sabine River where Louisiana Highway No. 6 meets Texas Highway No. 21; to the Committee on Interstate and Foreign Commerce.

S. 5458. An act authorizing the State of Louisiana and the State of Texas to construct, maintain, and operate a free highway bridge across the Sabine River where Louisiana Highway No. 7 meets Texas Highway No. 7; to the Committee on Interstate and Foreign Commerce.

ENROLLED BILLS SIGNED

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee had examined

and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 13130. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Bogue Chitto River between Sun and Bush, St. Tammany Parish, La.; and

H. R. 14446. An act to extend the time for completing the construction of a bridge across the Mississippi River at or near the city of Prairie du Chien, Wis.

ADJOURNMENT

Mr. WOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 51 minutes p. m.) the House adjourned until to-morrow, Thursday, January 8, 1931, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Thursday, January 8, 1931, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON APPROPRIATIONS

(10.30 a. m.)

Independent offices appropriation bill.

District of Columbia appropriation bill.

COMMITTEE ON FLOOD CONTROL

(10 a. m.)

A joint subcommittee hearing to discuss the Boeuf and Atchafalaya floodways projects.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

763. A letter from the president of Georgetown Barge, Dock, Elevator & Railway Co., transmitting annual report of said company for the year ending December 31, 1930; to the Committee on the District of Columbia.

764. A letter from the Secretary of the Navy, transmitting a draft of a bill to prohibit the recovery of any indebtedness to the United States from either the principal or the interest due and payable to a depositor in the military naval service; to the Committee on Military Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. TEMPLE: Committee on Foreign Affairs. H. R. 12037. A bill authorizing the payment of a claim presented by the Polish Government for the reimbursement of certain expenditures incurred by the community authorities of Rzeczyczany, Poland, to which place an insane alien was erroneously deported; without amendment (Rept. No. 2183). Referred to the Committee of the Whole House on the state of the Union.

Mr. TEMPLE: Committee on Foreign Affairs. H. R. 12067. A bill for compensation to the owners of the Danish motor ship *Indien* for damages sustained as the result of a collision with the United States Coast Guard cutter *Shawnee* at San Francisco on April 5, 1925; without amendment (Rept. No. 2184). Referred to the Committee of the Whole House on the state of the Union.

Mr. TEMPLE: Committee on Foreign Affairs. H. R. 12352. A bill to authorize the payment of an indemnity to the Norwegian Government in full and final satisfaction of all claims arising as a result of the detention of the Norwegian steamer *Tampen* by the United States Coast Guard in June, 1925; without amendment (Rept. No. 2185). Referred to the Committee of the Whole House on the state of the Union.

Mr. ENGLEBRIGHT: Committee on Indian Affairs. H. R. 15064. A bill to reserve 440 acres of public-domain land for addition to the Temecula or Pechanga Reservation, Calif.; without amendment (Rept. No. 2187). Referred to the Committee of the Whole House on the state of the Union.

Mr. LEAVITT: Committee on Indian Affairs. H. R. 15603. A bill to extend the restrictive period against alienation, lease, mortgage, or other encumbrance of any interest of restricted heirs of members of the Five Civilized Tribes, and for other purposes; without amendment (Rept. No. 2188). Referred to the House Calendar.

Mr. McSWAIN: Committee on Military Affairs. H. R. 3869. A bill to authorize the acquisition of additional land for the use of Walter Reed General Hospital; with amendment (Rept. No. 2192). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. LEAVITT: Committee on Indian Affairs. H. R. 12960. A bill for the relief of Mrs. Thomas Doyle (Margaret Doyle); without amendment (Rept. No. 2186). Referred to the Committee of the Whole House.

Mr. TEMPLE: Committee on Foreign Affairs. H. R. 11081. A bill for the relief of Mercedes Martinez Viuda de Sanchez, a Dominican subject; without amendment (Rept. No. 2189). Referred to the Committee of the Whole House.

Mr. LEAVITT: Committee on Indian Affairs. H. R. 12959. A bill for the relief of John T. Doyle; without amendment (Rept. No. 2190). Referred to the Committee of the Whole House.

Mr. TEMPLE: Committee on Foreign Affairs. H. J. Res. 325. A joint resolution to provide for the payment of an indemnity to Li Ying-ting (Li Ing Ding) for the deaths of four members of his family who were drowned as a result of a collision between a Chinese junk and a United States naval vessel and for medical and burial expenses incurred as a result of the collision; without amendment (Rept. No. 2191). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 15239) for the relief of the heirs of Facunda Gonzales; Committee on Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. 15663) granting a pension to James F. Deal; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 15754) granting a pension to Sarah V. Dent; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BUCKBEE: A bill (H. R. 15860) granting the consent of Congress to the State of Illinois to construct, maintain, and operate a bridge across the Fox River east of Serene, in La Salle County, Ill., between sections 20 and 29, township 35 north, range 5 east, third principal meridian; to the Committee on Interstate and Foreign Commerce.

By Mr. HAUGEN: A bill (H. R. 15861) to extend the time for completing the construction of a bridge across the Mississippi River at or near the city of Lansing, Iowa; to the Committee on Interstate and Foreign Commerce.

By Mr. COCHRAN of Pennsylvania: A bill (H. R. 15862) granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Allegheny River at or near Emlenton, Venango County, Pa.; to the Committee on Interstate and Foreign Commerce.

By Mr. ARENTZ: A bill (H. R. 15863) to regulate the practices of professional engineering and land surveying; creating a registration board for professional engineers and land surveyors of the District of Columbia; defining its powers and duties, also imposing certain duties thereon in

connection with public work; and providing penalties; to the Committee on the District of Columbia.

By Mr. BACON: A bill (H. R. 15864) authorizing refund of 50 per cent of the duties collected upon certain carillons and parts thereof; to the Committee on Ways and Means.

By Mr. DENISON: A bill (H. R. 15865) for the retirement of employees of the Panama Canal and the Panama Railroad Co. on the Isthmus of Panama who are citizens of the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. ENGLEBRIGHT: A bill (H. R. 15866) to amend section 6 of the national charter of the Great Council of the United States of the Improved Order of Red Men; to the Committee on the Judiciary.

By Mr. GLOVER: A bill (H. R. 15867) to provide for the retention by the United States of a site within the Hot Springs National Park formerly occupied by the Arlington Hotel and Bathhouse for park and landscape purposes; to the Committee on the Public Lands.

By Mr. JOHNSON of South Dakota: A bill (H. R. 15868) to increase disability allowances to certain soldiers and sailors of the World War, and to certain widows, minor children, and mothers of such soldiers and sailors; to the Committee on World War Veterans' Legislation.

By Mr. MOREHEAD: A bill (H. R. 15869) to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Rulo, Nebr.; to the Committee on Interstate and Foreign Commerce.

By Mr. BOX: A bill (H. R. 15870) authorizing the State of Texas and the State of Louisiana to construct, maintain, and operate a free highway bridge across the Sabine River where Texas Highway No. 45 meets Louisiana Highway No. 21; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 15871) authorizing the State of Louisiana and the State of Texas to construct, maintain, and operate a free highway bridge across the Sabine River where Louisiana Highway No. 7 meets Texas Highway No. 7; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 15872) authorizing the State of Louisiana and the State of Texas to construct, maintain, and operate a free highway bridge across the Sabine River where Louisiana Highway No. 6 meets Texas Highway No. 21; to the Committee on Interstate and Foreign Commerce.

By Mr. CARTER of Wyoming: A bill (H. R. 15873) to add certain public lands to the Washakie National Forest, Wyo.; to the Committee on the Public Lands.

By Mr. CRAIL: A bill (H. R. 15874) authorizing the temporary employment by the Administrator of Veterans' Affairs without regard to civil-service rules of an adequate force to catch up promptly with the work of the Veterans' Bureau and the Pension Bureau and authorizing necessary appropriation therefor; to the Committee on Expenditures in the Executive Departments.

By Mr. TEMPLE: A bill (H. R. 15875) to provide for the entertainment of members and delegates to the Fourteenth Annual Convention of the French Veterans of the World War, to be held in the District of Columbia in September, 1932; to the Committee on Foreign Affairs.

By Mr. TAYLOR of Colorado: A bill (H. R. 15876) to provide for the addition of certain lands to the Mesa Verde National Park, Colo., and for other purposes; to the Committee on the Public Lands.

By Mr. SMITH of Idaho: A bill (H. R. 15877) to authorize exchanges of land with owners of private land holdings within the craters of the Moon National Monument; to the Committee on the Public Lands.

By Mr. GIBSON: A bill (H. R. 15878) to aid the Grand Army of the Republic in its Memorial Day services, May 30, 1931; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BACON: A bill (H. R. 15879) for the relief of Francis Joseph Meade; to the Committee on Naval Affairs.

By Mr. BLAND: A bill (H. R. 15880) granting a pension to Charles C. Lockhart; to the Committee on Pensions.

By Mr. CANFIELD: A bill (H. R. 15881) granting an increase of pension to Ophelia Roseberry; to the Committee on Invalid Pensions.

By Mr. COCHRAN of Pennsylvania: A bill (H. R. 15882) granting an increase of pension to Elizabeth F. Welch; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15883) granting an increase of pension to Elizabeth C. Falsoner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15884) granting a pension to Fredrika Monstrom; to the Committee on Pensions.

By Mr. COLLIER: A bill (H. R. 15885) to correct the Coast Guard record of Frank P. Barbour; to the Committee on Interstate and Foreign Commerce.

By Mr. CRAIL: A bill (H. R. 15886) granting a pension to John Malasi; to the Committee on Pensions.

Also, a bill (H. R. 15887) granting an increase of pension to Mont Graham; to the Committee on Pensions.

Also, a bill (H. R. 15888) for the relief of James Joseph Kain; to the Committee on Naval Affairs.

By Mr. DOWELL: A bill (H. R. 15889) granting a pension to John A. Clark; to the Committee on Invalid Pensions.

By Mr. DUNBAR: A bill (H. R. 15890) granting a pension to Ernest P. Garlach; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15891) granting a pension to Minerva C. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15892) granting an increase of pension to Nancy E. Kellams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15893) granting a pension to Mary E. Sillings; to the Committee on Invalid Pensions.

By Mr. EVANS of Montana: A bill (H. R. 15894) for the relief of certain United States naval officers; to the Committee on Naval Affairs.

By Mr. GAMBRILL: A bill (H. R. 15895) for the relief of William A. Smith; to the Committee on Military Affairs.

By Mr. GARBER of Oklahoma: A bill (H. R. 15896) granting an increase of pension to Mary C. Plunkett; to the Committee on Invalid Pensions.

By Mr. GREENWOOD: A bill (H. R. 15897) granting an increase of pension to James P. Burns; to the Committee on Pensions.

Also, a bill (H. R. 15898) granting a pension to Nelle L. Axe; to the Committee on Pensions.

Also, a bill (H. R. 15899) granting a pension to Luther Hudson; to the Committee on Invalid Pensions.

By Mr. HARE: A bill (H. R. 15900) for the relief of Dawson A. Bell; to the Committee on Military Affairs.

By Mr. HOCH: A bill (H. R. 15901) granting an increase of pension to Frances E. Miller; to the Committee on Invalid Pensions.

By Mr. HOPKINS: A bill (H. R. 15902) granting an increase of pension to Sophia Pinger; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Indiana: A bill (H. R. 15903) granting a pension to Ivan W. Walker; to the Committee on Invalid Pensions.

By Mr. JOHNSTON of Missouri: A bill (H. R. 15904) granting an increase of pension to Elizabeth Dugan; to the Committee on Invalid Pensions.

By Mr. LINTHICUM: A bill (H. R. 15905) for the relief of Sophie Carter; to the Committee on Claims.

By Mrs. OLDFIELD: A bill (H. R. 15906) granting a pension to Henry K. Dinan; to the Committee on Pensions.

By Mrs. OWEN: A bill (H. R. 15907) granting an increase of pension to Edna A. Bradley; to the Committee on Invalid Pensions.

By Mr. REID of Illinois: A bill (H. R. 15908) for the relief of Luke Francis Brennan; to the Committee on Naval Affairs.

By Mr. RICH: A bill (H. R. 15909) granting an increase of pension to Sarah E. Phillips; to the Committee on Invalid Pensions.

By Mr. ROMJUE: A bill (H. R. 15910) granting a pension to Sarah Jane Clutter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15911) granting a pension to Robert C. Roseberry; to the Committee on Pensions.

Also, a bill (H. R. 15912) granting a pension to Joseph Morton Finney; to the Committee on Invalid Pensions.

By Mr. RUTHERFORD: A bill (H. R. 15913) granting a pension to Charles Ross Darsey; to the Committee on Pensions.

Also, a bill (H. R. 15914) granting an increase of pension to Thomas L. Holcomb; to the Committee on Pensions.

By Mr. SCHAFER of Wisconsin: A bill (H. R. 15915) for the relief of Carl Walter Olsen; to the Committee on Naval Affairs.

Also, a bill (H. R. 15916) granting a pension to Leo J. Nagele; to the Committee on Pensions.

By Mr. SMITH of West Virginia: A bill (H. R. 15917) granting a pension to John Wesley Smailes; to the Committee on Pensions.

By Mr. STRONG of Kansas: A bill (H. R. 15918) granting a pension to Hannah A. Taylor; to the Committee on Invalid Pensions.

By Mr. UNDERWOOD: A bill (H. R. 15919) granting an increase of pension to Eliza McBroom Hoffman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15920) granting an increase of pension to Eleveann Albert; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15921) granting an increase of pension to Susan Kennedy; to the Committee on Invalid Pensions.

By Mr. ZIHLMAN: Resolution (H. Res. 331) to pay Dr. George Campbell an amount equal to six months' compensation of the late James Campbell; to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8441. By Mr. BLACKBURN: Petition of Corde Rena, of Owensboro, Ky., urging the immediate enactment into law of the Vestal copyright bill without amendment from its present form; to the Committee on Patents.

8442. Also, petition of Malcolm Bayley, George Carter, and 16 other Christian Scientists of Louisville, Ky., urging the immediate enactment into law of the Vestal copyright bill without amendment from its present form; to the Committee on Patents.

8443. Also, petition of Helen B. Robinson, of Bowling Green, Ky., urging the immediate enactment into law of the Vestal copyright bill, without amendment from its present form; to the Committee on Patents.

8444. Also, petition of Mr. and Mrs. P. H. Munson, Christian Scientists, of Covington, Ky., urging the immediate enactment into law of the Vestal copyright bill, without amendment from its present form; to the Committee on Patents.

8445. Also, petition of Mrs. J. D. Heil, C. C. Curley, and Minnie Schmidt, of Bellevue, Ky., urging the immediate enactment into law of the Vestal copyright bill, without amendment from its present form; to the Committee on Patents.

8446. Also, petition of Ella May DeVoss and Florence DeVoss, of Newport, Ky., urging the immediate enactment into law of the Vestal copyright bill, without amendment from its present form; to the Committee on Patents.

8447. Also, petition of Ada May Cromwell, of Jett, Ky., urging the immediate enactment into law of the Vestal copyright bill, without amendment from its present form; to the Committee on Patents.

8448. Also, petition of Lillian Ewalt, Theresa Stern, Dorcas Rose Levy, and six other Christian Scientists, of Paris, Ky., urging the immediate enactment into law of the Vestal copyright bill, without amendment from its present form; to the Committee on Patents.

8449. Also, petition of the district convention of the Woman's Christian Temperance Union held at Georgetown, Ky., signed by Mrs. T. L. Shannon, of Lexington, Ky., as president, and Mrs. W. H. Whitaker, of Winchester, Ky., as secretary, calling upon Congress to enact a law for the Federal supervision of motion pictures licensed for interstate and foreign commerce; to the Committee on Interstate and Foreign Commerce.

8450. Also, petition of Jeanette Dwing, Mrs. E. G. Sanders, and Mrs. R. G. Wolfley, of Frankfort, Ky., urging the immediate enactment into law of the Vestal copyright bill, without amendment; to the Committee on Patents.

8451. Also, petition of Kate Logan Bronaugh, of Lexington, Ky., urging the immediate enactment into law of the Vestal copyright bill, without amendment from its present form; to the Committee on Patents.

8452. Also, petition of Mr. and Mrs. Charles L. Babbitt, of Lexington, Ky., urging the immediate enactment into law of the Vestal copyright bill, without amendment from its present form; to the Committee on Patents.

8453. Also, petition of Ophelia Childs, Aries Wickliffe, Sallie G. Stone, and five other Christian Scientists, of Lexington and Winchester, Ky., urging enactment into law of the Vestal copyright bill, without amendment from its present form; to the Committee on Patents.

8454. Also, petition of Jennie Skidmore, representative of the Christian Science Monitor in Lexington, Ky., urging the immediate enactment into law of the Vestal copyright bill, without amendment from its present form; to the Committee on Patents.

8455. Also, petition of Mr. and Mrs. James G. Thomson, Christian Scientists, of Winchester, Ky., urging the immediate enactment into law of the Vestal copyright bill, without amendment from its present form; to the Committee on Patents.

8456. Also, petition of Mrs. H. A. Paynter, Mrs. G. C. Fox, and Mary Jane Stephenson, Christian Scientists, of Winchester, Ky., praying for the immediate enactment into law of the Vestal copyright bill, without amendment from its present form; to the Committee on Patents.

8457. By Mr. BLOOM: Petition of National Executive Council of the Women's Moderation Union, urging the relief of unemployment by passing legislation which will end prohibition and reduce taxes by the reestablishment of industries which the eighteenth amendment prohibits; to the Committee on the Judiciary.

8458. By Mr. CONNOLLY: Letter from the Philadelphia Real Estate Board inclosing copy of resolutions unanimously adopted by the board of directors of that organization, protesting against any increase in the postage rate on first-class mail matter; to the Committee on the Post Office and Post Roads.

8459. By Mr. CULLEN: Petition of Board of Commissioners of Pilots of New York, asking the Congress for an early appropriation of necessary funds to permit of the acquirement, by construction or otherwise, of additional vessels of a suitable type to enable the captain of the port to meet increasing demands for a more efficient patrol and supervision over the waters of New York Harbor; to the Committee on the Merchant Marine and Fisheries.

8460. Also, petition of the executive committee of the unemployment emergency committee of Brooklyn, N. Y., urging upon the Congress the importance of immediate initiation of scheduled public improvements and construction enterprises in order to relieve the present situation by furnishing employment at once for as many men and women as possible; to the Committee on Appropriations.

8461. Also, petition of the Government Club (Inc.), of New York City, protesting against the proposed reduction in the appropriation for the pay of retired officers on active duty and recommending the restoration of this item in order that the military training in the New York public schools may continue unhampered; to the Committee on Appropriations.

8462. Also, petition of national executive council of the Women's Moderation Union, asking Congress to help relieve unemployment by passing legislation which will end prohibition and reduce taxes by the reestablishment of industries which the eighteenth amendment prohibits; to the Committee on the Judiciary.

8463. Also, petition of the Union League Club, of the city of New York, asking that the Government of the United States further restrict immigration of undesirable persons from Russia to the United States, and take measures to promptly deport any aliens guilty of unlawful action in subversion of the form of the Government of the United States; to the Committee on Immigration and Naturalization.

8464. Also, petition of the Bronx Chamber of Commerce, urging Congress to note the advice of the President in the matter of bringing about relief under present labor conditions, and to back his policy of discretion by making such provisions as he might suggest; to the Committee on Labor.

8465. By Mr. ENGLEBRIGHT: Petition of Mining Association of California, through its secretary, Mr. C. S. Brooks, favoring the elimination by repeal of all income taxes on the income from gold mines operated in the United States, etc.; to the Committee on Ways and Means.

8466. Also, petition of Grand Parlor, Native Sons of the Golden West, approving without reservation the policy indicated in measures now before Congress for suspension of immigration from all countries, including the Philippines, for a term of years; to the Committee on Immigration and Naturalization.

8467. Also, petition of the annual meeting of the California Cattlemen's Association, San Francisco, Calif., December 13, 1930, indorsing the efforts of Farm Board to place system of marketing agricultural products on a firm and sound foundation; to the Committee on Agriculture.

8468. Also, petition of Hydraulic Parlor, No. 56, Native Sons of the Golden West, of Nevada City, Calif., approving without reservation the policy indicated in measures now before Congress for suspension of immigration from all countries, including the Philippines, for a term of years and protesting against an exception being made in favor of Filipinos, as demanded by Hawaii, etc.; to the Committee on Immigration and Naturalization.

8469. By Mr. FINLEY: Petition of Claude L. Hammons and other ex-soldiers of Barbourville, Ky., urging part or full payment on adjusted-compensation certificates; to the Committee on Ways and Means.

8470. By Mr. HILL of Washington: Petition signed by Keld M. Bache and other World War veterans of Sprague, Wash., asking for the prompt passage of the Garner bonus bill, H. R. 15589; to the Committee on Ways and Means.

8471. By Mr. KVALE: Petition of Adwell-Ashley Post, No. 180, American Legion, Renville, Minn., by Paul W. Glander, commander, and Quincy E. Boynton, service officer, urging enactment at once of legislation providing for immediate and full payment of adjusted-service certificates; to the Committee on Ways and Means.

8472. By Mr. PRALL: Petition from residents of the eleventh district of New York, urging the passage of House bill 7884 providing for the exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

8473. Also, petition from residents of the eleventh district of New York, urging the passage of House bill 7884 providing for the exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

8474. By Mr. SMITH of West Virginia: Resolution of the Advertising Club, of Huntington, W. Va., protesting against the proposed increase on first-class mail; to the Committee on the Post Office and Post Roads.

8475. By Mr. TREADWAY: Petition of Boston (Mass.) Local, Journeymen Stone Cutters' Association of North America, for the use of local stone in public buildings, the use of local labor in preparing stone, the payment of prevailing local wages, and the limitation of working hours to eight hours a day and five days a week; to the Committee on Public Buildings and Grounds.

8476. Also, petition of certain registered voters of the first congressional district of Massachusetts, for the enactment of legislation exempting dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

8477. By Mr. WELCH of California: Petition of 50 citizens of the fifth congressional district, San Francisco, Calif., urging the enactment of House bill 7884, for the exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

SENATE

THURSDAY, JANUARY 8, 1931

(Legislative day of Monday, January 5, 1931)

The Senate met in executive session at 12 o'clock meridian, on the expiration of the recess.

The VICE PRESIDENT. The Senate, as in legislative session, will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the House had passed the bill (S. 3273) to authorize the Postmaster General to issue additional receipts or certificates of mailing to senders of any class of mail matter and to fix the fees chargeable therefor, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed bills and a joint resolution of the following titles, in which it requested the concurrence of the Senate:

H. R. 8568. An act to compensate the Post Office Department for the extra work caused by the payment of money orders at offices other than those on which the orders are drawn;

H. R. 15592. An act making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1931, and for prior fiscal years, to provide urgent supplemental appropriations for the fiscal year ending June 30, 1931, and for other purposes; and

H. J. Res. 357. Joint resolution classifying certain official mail matter.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H. R. 13130. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Bogue Chitto River between Sun and Bush, St. Tammany Parish, La.; and

H. R. 14446. An act to extend the time for completing the construction of a bridge across the Mississippi River at or near the city of Prairie du Chien, Wis.

CALL OF THE ROLL

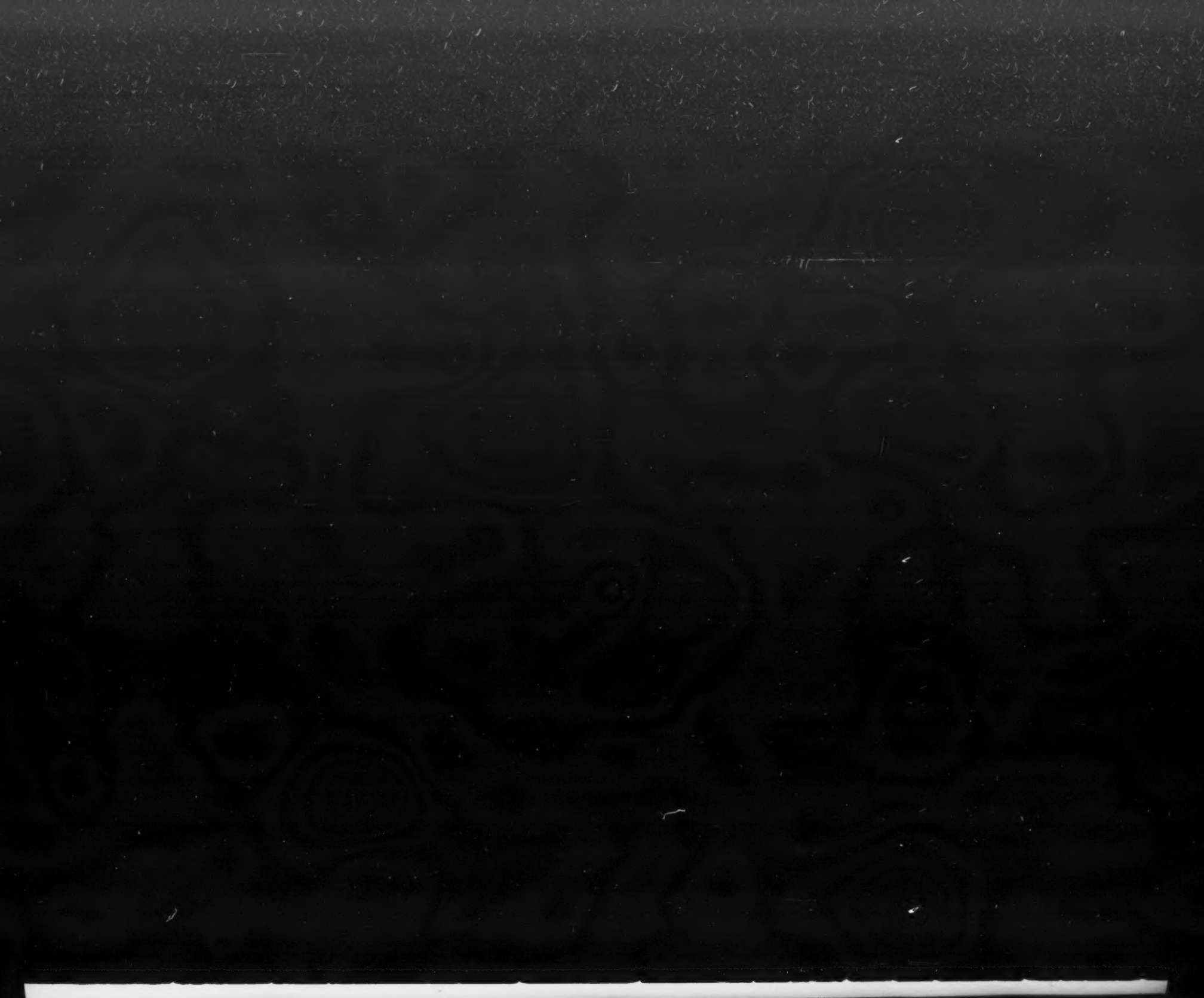
Mr. FESS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Fess	King	Shortridge
Barkley	Fletcher	La Follette	Smith
Bingham	Frazier	McGill	Smoot
Black	George	McKellar	Steck
Blaine	Gillett	McMaster	Steiwer
Blease	Glass	McNary	Stephens
Borah	Goff	Metcalf	Swanson
Bratton	Goldsborough	Morrison	Thomas, Idaho
Brock	Gould	Morrow	Thomas, Okla.
Brookhart	Hale	Norbeck	Townsend
Broussard	Harris	Norris	Trammell
Bulkley	Harrison	Nye	Tydings
Capper	Hastings	Oddie	Vandenberg
Caraway	Hayden	Partridge	Walcott
Carey	Hebert	Phipps	Walsh, Mass.
Connally	Heflin	Pine	Walsh, Mont.
Copeland	Howell	Pittman	Waterman
Couzens	Johnson	Ransdell	Watson
Cutting	Jones	Robinson, Ark.	Wheeler
Dale	Kean	Robinson, Ind.	Williamson
Davis	Kendrick	Sheppard	
Dill	Keyes	Shipstead	

The VICE PRESIDENT. Eighty-six Senators have answered to their names. A quorum is present.



PROPOSED UNANIMOUS-CONSENT AGREEMENT

Mr. McNARY. Mr. President, I propose the following unanimous-consent agreement.

The VICE PRESIDENT. Let it be reported.

The CHIEF CLERK. The Senator from Oregon offers the following:

Ordered, by unanimous consent, that after the hour of 4 o'clock p. m. to-day no Senator shall speak more than once nor longer than 15 minutes upon the motions of the Senator from Montana [Mr. WALSH] to request the President of the United States to return to the Senate the notifications of the confirmation of the nominations of George Otis Smith, Marcel Garsaud, and Claude L. Draper, respectively, to be members of the Federal Power Commission, and that at not later than 6 o'clock p. m. to-day the Senate proceed, without further debate, to vote upon the said motions.

The VICE PRESIDENT. Is there objection?

Mr. WALSH of Montana. Mr. President, in view of the fact that quite a number of Senators have signified their purpose of speaking on the pending motions I shall be obliged to object to the unanimous-consent agreement.

Mr. McNARY. Will the Senator consent to limiting debate after 4 o'clock?

Mr. WALSH of Montana. I would not like to assent at this time to any agreement either for a vote or a limitation of debate. Later in the day I may be able to do so.

Mr. McNARY. I shall be very glad if the Senator will cooperate with me so that we may come to a vote.

The VICE PRESIDENT. Objection is made to the proposed agreement.

REPORTS OF NOMINATIONS

Mr. JOHNSON, from the Committee on Commerce, reported favorably the nominations of sundry officers in the Coast and Geodetic Survey, which were placed on the Executive Calendar.

Mr. WALSH of Montana, from the Committee on the Judiciary, reported favorably the nomination of Lynn Smith, of Alaska, to be United States marshal, division No. 4, District of Alaska, which was placed on the Executive Calendar.

MUSCLE SHOALS CORRECTION

As in legislative session,

Mr. SMITH. Mr. President, I desire to call attention to a misstatement of fact by the Associated Press, and I should like to have a correction made.

The Washington Post of this morning, in speaking of the conferees on the Muscle Shoals matter, says:

Senator SMITH, Democrat, South Carolina, and Representatives REECE, of Tennessee, and RANSLEY, of Pennsylvania, Republicans, voted against the agreement.

Mr. President, that is an entire misstatement of the facts. The Senate conferees were thoroughly in accord. One of them is present. I had hoped that both the others might be. The disagreement arose amongst the Members of the House.

I wanted to make that correction, because I had flattered myself that I had a good deal to do with bringing about the accord between the three representatives of the Senate.

I hope the press will make the correction I have indicated.

DROUGHT RELIEF—CONDITIONS IN ARKANSAS

Mr. BRATTON obtained the floor.

Mr. CARAWAY. Mr. President, will the Senator from New Mexico yield to me for a brief statement?

The VICE PRESIDENT. Does the Senator from New Mexico yield to the Senator from Arkansas?

Mr. CARAWAY. I ask the Senator if he will indulge me while I read two or three telegrams?

The VICE PRESIDENT. Does the Senator from New Mexico yield for that purpose?

Mr. BRATTON. I do.

Mr. CARAWAY. I wish to detain the Senate but a moment or two. In view of Mr. John Barton Payne's statement before the Committee on Appropriations I wired George E. Morris, a lawyer of high reputation and one who undertook to address the crowd at England, Ark., last Saturday. I have this telegram in reply:

ENGLAND, ARK., *January 7, 1931.*

Senator T. H. CARAWAY,
Washington, D. C.:

Four hundred people appeared at England Saturday demanding food. Red Cross is now supplying $10 worth of groceries per month at retail price where there are 10 in family. Six dollars for family of six. Equivalent to 1 cent a meal. Over 1,000 issued food cards since Saturday. Crowd still coming in daily.

G. E. MORRIS.

It requires no comment to demonstrate that 1 cent per meal at the present retail prices of food is wholly inadequate. I have a second telegram from Mr. Morris reading:

ENGLAND, ARK., *January 8, 1931.*

Senator T. H. CARAWAY:

Red Cross has given no adequate relief. None promised. School children on starvation. Mules, horses, and other livestock perishing from lack of food. Loads of feed needed. No credit available. Tell Payne to send nonpolitical committee and will verify my statements.

G. E. MORRIS.

I have a statement that was sent to me by a man of character, and therefore I know it contains the interview purported to have been given, because it was given to him. It comes from Forrest City, Ark., and reads:

FORREST CITY, ARK., January 5 (U. P.).—Hundreds of persons barefooted, others living for weeks on cornbread made of water and meal without salt or baking powder, and many without sufficient clothing.

"That is the situation here," said Carl R. Myers, Red Cross field worker, who has been placed in charge of relief work in this county. "It is the most serious we have known and far worse than the Mississippi flood of 1927."

I digress long enough, Mr. President, to say that Mr. Myers is one of the disaster agents of the Red Cross, sent down there by the organization for which Mr. Payne professed to speak. Mr. Myers has an intimate personal knowledge of conditions, and I want to continue his statement:

"I served in Russia when the refugees were crying 'bread, bread,' and in China at the time of the earthquaqe, but neither can equal the condition here in eastern Arkansas.

HUNGER IS EVERYWHERE

"Unlike a flood, cyclone, or earthquake this destitution has crept up slowly. The people were unaware of it. Even citizens of Forrest City do not realize the acuteness of the situation. Our committee went into house after house and found nothing but hunger and starvation.

"Hundreds and hundreds are flocking to Red Cross centers which have been established in each township. We are not attempting to give clothing. Women are barefooted. Men's knees are dressed in ragged clothing. Children are not sufficiently dressed.

TWENTY THOUSAND NEED HELP

"After making a survey of St. Francis County we estimate we will have to care for at least 4,000 families, approximating 20,000 people, during the winter. The Red Cross allows $5 per month to a family of five for food. Rations are issued twice a week. This is not sufficient, but will keep them alive."

That is the statement of Mr. Myers, the field representative of the Red Cross on the ground. The other telegrams were from Mr. Morris.

I want to call attention to a statement of a gentleman from whose letters I have heretofore quoted. I refer to Mr. E. A. Rolfe, county judge of St. Francis County, a business man of large experience and a man who has been honored by his county every time he has ever asked anything at the hands of its people. For nearly 20 years he has been judge in that county, the highest office that can be held within the county. I shall omit the body of the letter, but I want to call attention to one statement. He says:

The Red Cross is doing some good work here furnishing about $1 per head per month, say, five in family it supplies $5, and so on, per month.

That is the adequate relief starving people are securing at the hands of the Red Cross.

Mr. President, I hesitate to refer to it, but I have here an editorial that appeared in the New York Herald Tribune denouncing all of us who have asked for relief of suffering humanity. In the same issue was a news item. I shall not call attention to it for the purpose of criticizing New York, for the editor of this newspaper does not speak for anybody but himself.

The football teams of the Military Academy and of the Naval Academy played a game of football in New York for charity. Every community in America was represented at that game. I myself had a boy there. People from every community bought tickets. The net profit was $600,000, which was given to the local Salvation Army. The editor of this newspaper gleefully published a statement that he had learned that not a dollar of this $600,000 was to go outside of New York City, but that New York City would be permitted to keep every dollar of it. It kept that $600,000, Mr. President, and then the newspaper gladly and gleefully proclaimed in its columns that nobody else would get a nickel of it, although the money came from every community in America. Then it criticizes those of us who do not want our people to starve. I say, Mr. President, that if they had given us that $600,000 for the entire State we would not have asked a nickel from anybody else. They kept it, and gloated over it, and then criticize us who want some relief accorded to suffering and destitute people in our States. We do not ask relief to be given as a charity, Mr. President; we ask merely for the opportunity of borrowing money, in order that relief may be extended, and of returning every nickel of it.

As a mere matter of record, because the editorial which I shall read does not represent the sentiment of anybody but the editor, I want to embalm in the CONGRESSIONAL RECORD a reference to a man by the name of Thomas Ferguson, general manager of the Manchester Evening Herald, published in South Manchester, Conn. The editorial in the newspaper for which he is responsible reads:

ARKANSAW "RIOT"

Doubtless the story of the "bread riot" at England, Ark., by this time has flashed all around the world and has been read with mixed emotions, some of them gleeful, in every community where there is a daily newspaper.

"Starving Americans Riot!" a delectable headline in Germany or Soviet Russia! One may even visualize a Japanese or a Chinese refugee from the famine areas reading it with equanimity.

Yet the fact that several hundred farmers of a particular Arkansas region gathered together at one particular time in one particular little village and demanded food for themselves and their children on the threat of helping themselves isn't causing any panic feeling in the United States.

It has too many of the earmarks of having been nicely arranged. It has the odor of political propaganda. It is even observable that in the dispatches from the Arkansas town there is repeated again and again the name of only one individual, evidently that of the village lawyer. This gentleman seems to have bossed the whole situation, restraining the desperate drought sufferers and seeing to it that the Red Cross provided for their immediate necessities. One wonders whether he couldn't have made a pretty good guess in advance at the number of farmers who would show up in town on that particular Saturday and as to the special occasion for their assemblage—whether it wasn't a sort of invitation affair.

As a matter of fact, there is no reason but that of sheer slovenly laziness for Arkansas farmers being without food. All these people do is to raise a little cotton, sell it, and eat up the proceeds. Occupying fertile lands that would grow anything, they depend on their cotton sales for practically everything edible but their razorback pork. It is the easy way and gives more time for eating "chawterbacker" in the sun.

To be sure, there was a drought. But it wasn't the drought that killed the cotton market, and if it had rained every Sunday all last summer these shiftless Arkansans would probably have been just about as hard up as they are now.

Altogether it is not in the least surprising that Senator CARAWAY, who is sent to the Senate by the votes of these now "starving" folks, should to-day be getting ready another bill appropriating Federal funds to feed "drought sufferers." That was a first-class bet the minute the news of the England "riot" broke. That, it is to be suspected, is what the riot was for. That and an entry into politics for the aforesaid village lawyer.

Mr. President, I do not know the writer of that editorial. I do know, however, what sort of a man he is. I know he is a disgrace to whatever color his skin happens to be; I know he is an insult to any community in which he attempts to fix his residence; and he speaks for nobody who has any sense of honor or any human sympathy. I want to embed his editorial in the RECORD as a monument to him and his posterity.

Mr. HEFLIN. Mr. President, will the Senator from Arkansas yield to me for a moment?

The VICE PRESIDENT. The Senator from New Mexico [Mr. BRATTON] has the floor. Does he yield to the Senator from Alabama?

Mr. BRATTON. I yield.

Mr. HEFLIN. Mr. President, I should like to call to the attention of the Senator from Arkansas the statement made yesterday by Mr. HAMILTON FISH, of New York, published in the Washington Star last night, that the uprising in Arkansas and Oklahoma was brought about by communists. That is what I intended to bring to the attention of the Senator from Arkansas to-day. When the Senator from New Mexico shall have concluded I will address the Senate upon the drought situation and the importance of legislating on the question of drought relief instead of discussing the Power Board nominations. We should be considering that matter at night and not in the daytime.

OIL CONFERENCE IN WASHINGTON

Mr. THOMAS of Oklahoma. Mr. President, on the 4th of the present month the Governor of Oklahoma and the Governor of Kansas issued a call for an oil conference to be held in the city of Washington on the 15th instant. I ask unanimous consent to have printed in the RECORD a copy of that call.

There being no objection, the call was ordered to be printed in the RECORD, as follows:

JANUARY 4, 1931.

On account of the dire distress in the petroleum industry of the United States and with particular reference to saving 300,000 small wells having a settled daily production of 500,000 barrels from certain abandonment if present conditions continue and the throwing out of employment of hundreds of thousands of men employed in operating them and employed in kindred industries dependent upon the oil industry, thus causing great distress to their families, we have decided to ask the governors of the oil-producing States to join us in calling a conference at Washington, D. C., to be held at Mayflower Hotel, commencing 10 a. m. January 15, for the purpose of working out plans for immediate relief for this great basic industry. The farmers and landowners of the oil-producing States own one-eighth royalty in all the oil produced, and in addition the oil-producing companies have under lease millions of acres, of which an annual rental of $1 per acre is paid in addition to the bonus or purchase price of the leases themselves, which has gone far to pay the farmers' mortgages, taxes, and furnish him with a living during recent periods of low-priced farm products and crop failures so that relief to the petroleum industry is also to a great extent a farm-relief measure. The emergency is so great that any considerable delay will result in the destruction in the petroleum industry, particularly 15,000 or 20,000 individual producers engaged therein known as independents, as well as the independent refiners and marketers. The present situation, in our opinion, has been brought about by a loss of market for oil produced in the United States occasioned by ever-increasing imports of crude oil and refined products, especially gasoline, which imports have absorbed in large measure the markets of the Eastern States, which were formerly supplied by oil produced in the Eastern States in the mid-continent field and California. The whole Southwest is dependent to a great extent, directly or indirectly, upon the oil industry, which in turn supports many other lines of business engaged in manufacture of steel products, machinery, and other oil-well supplies. In fact, the distress in the petroleum industry is not local to the States producing oil, but is being felt by the whole United States through a loss of purchasing power amounting to hundreds of millions of dollars per annum in the 19 States producing and refining oil by reason of which relief for the petroleum industry would automatically bring a measure of relief to the entire country. The plan contemplated is the appointment by the governor of each oil-producing State of 25 or more accredited delegates from each State, 20 of whom should represent the oil industry and 5 delegates from each State should represent the interest of the people generally. May we count on you as the governor of your State to join us in making this call and appointing 25 or more delegates to represent your State? Due to the emergency of the matter, will you please wire answer at earliest possible date to Governor Holloway?

W. J. HOLLOWAY,
Governor of Oklahoma.
CLYDE M. REED,
Governor of Kansas.

FEDERAL POWER COMMISSION

The Senate being in executive session,

Mr. BRATTON. Mr. President, if we may now recur to the matter pending before the Senate, namely, the motion of the Senator from Montana [Mr. WALSH] to reconsider the vote by which Messrs. Smith, Garsaud, and Draper were confirmed as members of the Federal Power Commission, I shall address myself to that subject.

On yesterday, Mr. President, the distinguished Senator from West Virginia [Mr. GOFF] discussed certain aspects of the facts involved as well as certain phases of the legal questions involved. A great part of his effort was devoted to the legal proposition that the new commission did not dismiss

nor eliminate from Government service Messrs. Russell, King, and Bonner; that they went out of the service by operation of law; that is to say, that by the act approved June 23, 1930, they automatically lost their respective offices when the three commissioners qualified.

With that contention I disagree. Congress, with meticulous care, provided otherwise. In section 4 of the act to which I have adverted it is provided:

SEC. 4. This act shall be held to reorganize the Federal Power Commission created by the Federal water power act, and said Federal water power act shall remain in full force and effect, as herein amended, and no regulations, actions, investigations, or other proceedings under the Federal water power act existing or pending at the time of the approval of this act shall abate or otherwise be affected by reasons of the provisions of this act.

Of course, Mr. President, Messrs. Russell and King were appointed by an act of the former commission. Of course, they were appointed by a proceeding of the old commission, and, under the provision of the act to which I have just referred, they were continued in office until they were supplanted by an affirmative act of the new commission. For the commission to argue otherwise now or for Senators to assert the contrary on the floor of the Senate at this juncture is to fly in the face of the plain provision of the act.

Our attention was called to a press dispatch appearing two or three days after Messrs. King and Russell were dismissed in which Mr. Smith was quoted as saying that they were put out of Government service by virtue of the act—that is to say, by operation of law—and not by any act of the commission.

Mr. President, that is untrue. It is unsound. It can not be sustained. How did those two men acquire their positions? Of course, it was by an act of the old commission. Indeed, it was by a proceeding of the former commission; and under this language that act and that proceeding of the other commission remained intact, and the employees remained in office until the three commissioners appointed under the new act affirmatively dismissed them from service. So there need be no evasion about that phase of the problem at hand.

Those two men, King and Russell, were not dropped from Government service by operation of an act of Congress. They were dismissed from the public service by an affirmative act of Messrs. Smith, Garsaud, and Draper; and the responsibility must rest at their door instead of the door of Congress. It is an effort to evade responsibility, and nothing more.

The Senator from West Virginia [Mr. GOFF] undertook to argue yesterday that these men were dismissed from service, that they lost their respective offices, by virtue of the language contained in section 3 of the act. Not so. Section 3 of the act relates to the reorganization of the commission. It provides to that effect in this language:

Notwithstanding the provisions of section 1 of this act, the Federal Power Commission as constituted upon the date of the approval of this act shall continue to function until the date of the reorganization of the commission pursuant to the provisions of such section. The commission shall be deemed to be reorganized upon such date as three of the commissioners appointed as provided in such section 1 have taken office, and no such commissioner shall be paid salary for any period prior to such date.

Plainly, that section relates to the reorganization of the commission itself—that is to say, the old commissioners should cease to hold office when the new ones should qualify. It relates to the succession in membership of the commission, and has nothing whatever to do with the employees of the commission. That matter is dealt with by section 4 of the act, which expressly provides that no action or proceedings of the old commission shall abate or cease to be effective by reason of the provisions of this law.

So, Mr. President, let us clear up that phase of the problem and place the responsibility where it belongs. It rests squarely upon the shoulders of the new commission, meaning Messrs. Smith, Garsaud, and Draper, who participated in the action of which we now complain.

Also, the Senator from West Virginia laid great stress during the course of his remarks yesterday upon the opinion rendered by the Supreme Court in the case involving the validity of the action of the President in removing the postmaster at Portland, Oreg.

Mr. President, that case has no application here. It is not relevant in this discussion. It is entirely extraneous to the point involved, and relates to a different matter altogether. The question there was the procedure to remove an officer admittedly in office. That case determined the procedure to oust one who held a conceded title to an office; the question being whether the President could remove such an officer in case the advice and consent of the Senate to his appointment were required.

The question involved here is whether these three men hold title to the office, whether they have acquired any title. It is not a question of removing them from office—that is to say, an office which they have legally acquired, and one the functions of which they now properly discharge. So that the Portland, Oreg., case is entirely foreign to the point now confronting the Senate. They bear no relation to each other. They are as far apart as are the points of the compass. It would seem strange that those who undertake to sustain the argument that the Senate is powerless in this instance are driven to rely upon the Portland, Oreg., case as support for their legal contention that the Senate has lost jurisdiction, and therefore is without power to act further in the premises.

Mr. President, the point involved here is when title to an office of this character vests. It is whether title to the office vests upon the confirmation, followed by the formal notice to the President, although the notice goes forward within the 2-day period allowed by the rule of the Senate for the presentation of a motion to reconsider the vote by which the nominee was confirmed.

That is the sole question involved here, and that brings forward the question of the deraignment of title to this kind of an office. Its source, the place from which it springs, and the moment it is acquired by the appointee are the legal questions involved. It is my contention that under the Constitution the title to an office of this kind emanates from the nomination of the President and confirmation by the Senate; but, indeed, the confirmation of the Senate must be final. It must not be conditional. It must not be in the conditional stage.

That is the source from which the title emanates. It is my belief that the nomination is the appointment of the President.

The Constitution, in paragraph 2 of section 2 of Article II, provides that the President—

Shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate and, by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law—

And so forth.

The source is twofold. It requires the concurrence of the President, acting by way of a nomination, and that of the Senate, acting by way of confirmation.

Another provision of the Constitution permits each branch of the Congress to make rules to govern its own proceedings, that provision being paragraph 2 of section 5 of Article I, and reads:

Each House may determine the rules of its proceedings, punish its Members for disorderly behavior, and, with the concurrence of two-thirds, expel a Member.

Acting under the authority thus conferred upon the Senate, it enacted Rule XXXVIII, section 3 of which provides:

When a nomination is confirmed or rejected, any Senator voting in the majority may move for a reconsideration on the same day on which the vote was taken, or on either of the next two days of actual executive session of the Senate; but if a notification of the confirmation or rejection of a nomination shall have been sent to the President before the expiration of the time within which a motion to reconsider may be made, the motion to reconsider shall be accompanied by a motion to request the President to return such notification to the Senate. Any motion to reconsider the vote on a nomination may be laid on the table without prejudice to the nomination, and shall be a final disposition of such motion.

Under such rule, promulgated by constitutional authority, Mr. President, the Senate has reserved unto itself the power to entertain a motion to reconsider if the motion is made at any time within the next two days of actual executive session of the Senate. Admittedly, this motion was made within the permitted time. It is not untimely; the only contention being that because of the procedural step of having notice of the vote taken on the confirmation transmitted to the President, the Senate is powerless to act further, and is shorn of its authority under this rule to reconsider the vote by which these nominees were confirmed.

Mr. President, the notice to the President of the vote taken by the Senate is not mandatory under any provision of the Constitution nor any statute. It is purely a rule of the Senate, designed to facilitate orderly procedure.

Mr. PITTMAN. Mr. President——

The PRESIDING OFFICER (Mr. FESS in the chair). Does the Senator from New Mexico yield to the Senator from Nevada?

Mr. BRATTON. I yield to the Senator from Nevada.

Mr. PITTMAN. Is not the Chief Executive presumed to have knowledge of the rules of the Senate governing a confirmation?

Mr. BRATTON. Undoubtedly.

Mr. PITTMAN. And that rule itself states that if the motion to reconsider has been made within the proper time, but after the notice has gone forward, it shall be accompanied by a request to return the papers.

Mr. BRATTON. Exactly. I am glad the Senator from Nevada brought forward that very pertinent suggestion now. It was my purpose to discuss it later.

Undoubtedly the Executive is charged with notice of the rules of the Senate. Any rule promulgated by a legislative body pursuant to constitutional authority or by a department of the Government, whether it be National or State, constitutes constructive notice, the same as does the Constitution or a statute itself which confers the rule-making power. So, the Constitution providing that the Senate might make rules to govern its proceedings, and the Senate having made a rule retaining unto itself the power to entertain a motion to reconsider if made within two days, the Executive is charged with notice of the rule just as effectively and as bindingly as though the Constitution itself so provided. Therefore it can not be argued that these nominees received their commissions and took their oath of office without notice that the Senate might, within the 2-day period, entertain a motion to reconsider the vote by which they were confirmed.

Mr. PITTMAN. Mr. President, will the Senator yield?

Mr. BRATTON. I yield.

Mr. PITTMAN. If I remember the rule correctly, it expressly gives notice to the President that the motion to reconsider may be given after he is notified of a nomination.

Mr. BRATTON. Exactly so. The rule contemplates that a motion may be made after the notice has been given to the President, because it expressly provides that in the event the notice has gone forward, the motion shall be accompanied by a request that the President return the papers to the Senate.

Obviously the Senate contemplated that in some instances the notice might go forward before the time in which a motion to reconsider might be interposed had expired; otherwise the Senate would not have provided by this rule that in the event that notice had gone to the President the motion to reconsider should be accompanied by a request for a return of the papers.

Mr. GEORGE. Mr. President, will the Senator yield to me?

Mr. BRATTON. I yield.

Mr. GEORGE. In other words, the Senate has textually, in the very language of this rule, provided for identically this case.

Mr. BRATTON. Exactly so; just as well and as perfectly as does a well-tailored suit fit the anatomy.

Mr. GOFF. Mr. President, will the Senator yield to me?

Mr. BRATTON. I yield.

Mr. GOFF. Do I understand the Senator to contend that the Senate can not waive this 2-day rule?

Mr. BRATTON. I have not argued that. I do not think that question is involved.

Mr. GOFF. Does the Senator think that when the Senate hears a statement made that it has advised and consented to a nomination, and that the President will be so notified, and there is no dissenting voice from the floor, and the President is so notified, the Senate yet retains the right to enforce the rule to move for a reconsideration?

Mr. BRATTON. Undoubtedly so.

Mr. GOFF. Then the Senate can only waive its rules by expressly and literally waiving, and not by conduct, action, or implication. Is that the Senator's position?

Mr. BRATTON. I have not argued that; but such a contention is far-fetched, according to my view of the situation at hand.

Mr. WHEELER. Mr. President, will the Senator yield to me?

Mr. BRATTON. I yield.

Mr. WHEELER. As I understand it, it is not a question of having waived. There is no question of the Senate having waived its right to make a motion to reconsider. That question is not involved in any of the arguments at all.

Mr. GOFF. Then the Senator from Montana, of course, assumes that the conduct of the Senate is in no sense a waiver of any of its rules, if it sits silently by and hears the announcement that notification will be sent to the President.

Mr. WHEELER. If the Senator from New Mexico will permit me——

Mr. BRATTON. I yield.

Mr. WHEELER. I simply state, as I said a moment ago, that I do not think that question is involved at all. I think the Senator from West Virginia has missed the point with reference to the question of waiver, if he will pardon the suggestion.

Mr. GEORGE. Mr. President, will the Senator from New Mexico yield to me?

Mr. BRATTON. I yield.

Mr. GEORGE. May I suggest to the Senator from West Virginia that under no fair interpretation can the sending of the notice prior to the expiration of the time fixed in paragraph 3 of Rule XXXVIII be anything more than a waiver of the time the Senate may await its own pleasure to send that notification. It is merely a waiver of the time when it will permit its officer to notify the President.

Mr. GOFF. Does the Senator contend that the rule is not waived by the Vice President stating that the President will be notified?

Mr. GEORGE. The rule that the nomination must remain here two days is waived, but not the rule of the Senate which gives the right to make a motion to reconsider.

Mr. GOFF. Does not the Senator, in reaching that conclusion, assume that the action of the Vice President, with the knowledge and consent of the Senate, does not in any sense waive the rule?

Mr. GEORGE. It does not in any sense waive the rule to make a motion to reconsider.

Mr. GOFF. The Senator must assume that.

Mr. GEORGE. There are two rules. Under one of the rules a motion to reconsider the vote by which the Senate consented to the nomination is provided for. Under the other rule the notification of the action of the Senate is to be withheld during the period when a motion to reconsider may be made. The sending of the notice in advance of that time is a mere waiver of the time limit.

Mr. GOFF. It does not waive the rule; that is the Senator's position?

Mr. GEORGE. No; it does not waive the rule.

Mr. BRATTON. Mr. President, if I may be permitted to proceed now, at the time of the interruption, which I welcomed, I was undertaking to put forward the argument that under subdivision 3 of Rule XXXVIII the Senate had expressly provided that in the event the notice had gone forward to the President before the motion to reconsider was interposed, such motion should be accompanied by a request that

the President return the papers, thus clearly contemplating exactly such a situation as now confronts the Senate, in which event the President should return the papers. Constructive knowledge of that rule accompanied the notice in this case to the White House. The President was charged with constructive knowledge that under the rule of the Senate it reserved the power to entertain a motion to reconsider if it were interposed within the two days' time.

Mr. GOFF. Mr. President, will the Senator yield for just a question?

Mr. BRATTON. In just a moment.

The succeeding section of Rule XXXVIII, paragraph 4, provides:

> Nominations confirmed or rejected by the Senate shall not be returned by the Secretary to the President until the expiration of the time limited for making a motion to reconsider the same, or while a motion to reconsider is pending, unless otherwise ordered by the Senate.

Mr. President, the two provisions of the rule must be construed together. I think no one in this body will controvert the general proposition that all rules with respect to the same subject matter must be construed together, and each must be given force and effect, if that can be done. That is the rule of statutory construction. It is the rule of constitutional construction. It is the interpretation to be accorded rules promulgated by a legislative body. So that if paragraphs 3 and 4 can both be given effect and harmonized that must be done.

Viewing the paragraphs of the rule from that angle they mean this, that the notice shall not go forward to the President within the 2-day period unless the Senate shall so order. That is expressly provided in paragraph 4. But paragraph 3, contemplating that very action provides that in such event a motion to reconsider shall be accompanied by a request for the return of the papers, which clearly indicates that in adopting the rule the Senate had in mind that such a notice might go forward to the President, pursuant to an order of the Senate, and still the power to reconsider should not be waived because the Senate, in contemplation of that very situation, has provided that the motion shall be accompanied by a request for the return of the papers, exactly as the motion of the Senator from Montana provides in the instant case.

Mr. GEORGE. Not only that, but I call the Senator's attention to the fact that the rule textually provides that in case a motion to reconsider is pending, the Senate may order the notice to go forward.

Mr. BRATTON. Exactly.

Mr. GEORGE. Which could not be a waiver of the right to reconsider.

Mr. BRATTON. Still the rule provides that if the notice goes forward pursuant to an order of the Senate, and a motion is made to reconsider, it shall be accompanied by a request for the return of the papers, which conclusively indicates that the Senate had in mind the interposition of a motion to reconsider after the notice had gone forward pursuant to an express order of the Senate.

Mr. GOFF. Mr. President, will the Senator yield to me?

Mr. BRATTON. I yield to the Senator from West Virginia.

Mr. GOFF. Mr. President, the construction placed upon paragraphs 3 and 4 of Rule XXXVIII would undoubtedly be the correct construction if it were not for the provision "unless otherwise ordered by the Senate." The Senator from New Mexico says that paragraph 3 must be construed as a part of paragraph 4.

Mr. BRATTON. Certainly.

Mr. GOFF. I quite agree, if he gives full meaning and intent to the expression "unless otherwise ordered by the Senate." If those words were not in paragraph 4, then you could construe paragraph 3 and paragraph 4 as coordinating the mind and the sense and the view and the consent of the Senate relative to any such nomination.

Let me proceed and just say one more thing; and I am not going to interrupt the Senator, because I want him to go on with his argument without interruption.

We have paragraph 3, which states that if a motion to reconsider is made, then of course it must be accompanied by a request to return the notification papers; but that is not in conflict with the full intent and meaning of paragraph 4, wherein it is expressly provided "unless otherwise ordered by the Senate."

When these nominations were confirmed the President pro tempore announced to the Senate, with these rules before him, "The Senate has advised and consented to the nominations and the President will be notified," and no objection was made. When the President pro tempore says, "The President will be notified," he is making that statement under the expression "unless otherwise ordered by the Senate." If that statement is made, I submit to the Senator from New Mexico and the Senator from Georgia that it involves a waiver of the right of the Senate to invoke the full literal meaning of paragraphs 3 and 4, which precede the language used. The Senate can not sit idly by and have a statement made which involves its consent to a condition which is contrary to the position now taken by the Senator from New Mexico.

I do not understand what the word "waiver" means in the law, either constitutionally or legally construed, if it means that we can have a situation which contradicts what is the argument of the Senator and say the Senate is not bound by it.

Mr. BRATTON. While entertaining great deference for the opinion of the distinguished Senator from West Virginia, our views upon this subject are hopelessly in conflict. It is true that paragraph 4 of Rule XXXVIII provides that no notice shall go forward to the President within the 2-day period unless otherwise ordered by the Senate. In adopting paragraph 3 the Senate certainly did not contemplate that a notification would go to the President within two days in conflict with paragraph 4. It certainly did not contemplate that the Secretary of the Senate would send such a notification unless ordered by the Senate, and so, in adopting paragraph 3 and providing for a request for the return of the papers, the Senate undoubtedly contemplated a notice which had gone forward to the President within the 2-day period pursuant to an order of the Senate. Undoubtedly the Senate did not have in mind that the Secretary of the Senate would send such a notice within the two days' time unless authorized by the Senate. Certainly it did not contemplate an unauthorized act by an employee of the Senate. It contemplated a notice that went to the President within the two days' time by virtue of an order of the Senate exactly as is provided in paragraph 4. Paragraph 3 provides the machinery with which to deal with exactly that situation by providing that in such event the motion to reconsider shall be accompanied by request for return of the papers.

Mr. BARKLEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from Kentucky?

Mr. BRATTON. In just a moment. Indeed, the argument advanced by the Senator from West Virginia rests upon the assumption that the Secretary of the Senate would send notice to the President within the 2-day period without authority. We can not indulge any such violent assumption as that. On the contrary, we must assume that the Senate was dealing with the recall of a notice which had gone forward to the President within the 2-day period pursuant to paragraph 4 of Rule XXXVIII of the Senate, which means by order of the Senate.

I now yield to the Senator from Kentucky.

Mr. BARKLEY. Let us suppose, instead of the notification having been sent to the President as it was sent, by announcement of the Vice President that it would be done without objection on the part of any Senator which could have been imposed, that there had been a motion made to notify the President at once notwithstanding the 2-day provision and that there had been a roll call on that motion and by majority vote the Senate ordered that the President be notified of its action with reference to the confirmations. What would have been the legal effect of that action? What

would have been the reasonable presumption as to the intention of the Senate with reference to reconsideration if, pursuant to such course, these men had taken the oath of office as they did?

Mr. BRATTON. I think that such action would have carried notice to the President burdened with constructive knowledge of the provisions of paragraph 3 of Rule XXXVIII, which empowers the Senate to entertain a motion to reconsider if it is made within the 2-day period. The notice to the President, whether sent in circumstances as outlined by the Senator from Kentucky or otherwise, is merely a notice that on a certain day the Senate, by an affirmative vote, advised and consented to the nomination. That is all such notice does. That is the only function it performs. It does not involve the power of the Senate to reconsider the vote. It is merely notice of the vote itself.

Mr. BARKLEY. I understand; but is it possible to conceive of the Senate by a positive action authorizing notification to the President under circumstances of this sort unless it carries with it some inference at least that the Senate in some way waives some right that it might have under the rule providing for reconsideration? How would the Senate be induced or persuaded to send a notification to the President in view of the 2-day right unless it intended by that action to carry at least some inference or suggestion or presumption that the Senate did not intend further to pursue the matter?

Mr. WALSH of Montana. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from Montana?

Mr. BRATTON. I yield.

Mr. WALSH of Montana. I rise to inquire whether the case suggested by the Senator from Kentucky is not exactly the case contemplated by subdivision 4 of Rule XXXVIII, which reads:

> Nominations confirmed or rejected by the Senate shall not be returned by the Secretary to the President until the expiration of the time limited for making a motion to reconsider the same, or while a motion to reconsider is pending, unless otherwise ordered by the Senate.

We are now actually debating a motion to reconsider. Some one moves that notice be sent to the President of the action theretofore taken by the Senate. The Senator's question is, Suppose that motion is carried and the motion to reconsider is still pending?

Mr. BARKLEY. No; that is not my question. My understanding is that where a motion to reconsider has been made within two days it may take a week to discuss it, but after that motion is properly entered and the Senate is in process of debating whether it shall reconsider its action, then there shall be no notification to the President without an order of the Senate.

Mr. WALSH of Montana. We can assume that the Senate does order it done.

Mr. BARKLEY. It is difficult to assume it, because——

Mr. WALSH of Montana. But the rule contemplates it.

Mr. BARKLEY. It contemplates more than that, because it may contemplate the situation in which we find ourselves now. In effect, on Saturday night when these nominations were confirmed, the Senate having ordered the President to be notified, he was notified prior to the institution of any motion to reconsider.

Mr. WALSH of Montana. It is simply the difference between the notice having gone forward before the motion is made or having gone forward after the motion is made and pending, and both conditions are contemplated by paragraph 4 of Rule XXXVIII.

Mr. BARKLEY. The difficulty in which I find myself is due to the fact that the Senate must have had some object in providing as it does where it orders notification of the President prior to the expiration of the two days. It must have intended something thereby. It certainly was not intended simply to make the record show we had voted on a certain proposition without the power on the part of the President or the appointee to do anything about it until the two days had expired.

Mr. WALSH of Montana. Is it not conceivable that the President has an interest in knowing what action has been taken, even though there is a motion pending?

Mr. BARKLEY. Of course, it might be academically asserted that the President would be interested in knowing the vote in the Senate on confirmation; but having in view the right of any Senator to make a motion to reconsider within two days, I am wondering what was in the minds of the framers of the rule when they provided that the Senate, notwithstanding that right, should go ahead and notify the President that confirmation had been had. I can not understand that it is the duty of the President to wait and see whether some Senator will offer a motion to reconsider any more than it is the duty of the Senate to retain the nominations here until the two days have expired so that Members of the Senate may exercise their right.

Mr. BRATTON. The argument of the Senator from Kentucky would lead inevitably to the conclusion that after a motion to reconsider is interposed and while it is pending, if the Senate by an affirmative vote made within the 2-day period directs that notice go to the President, the Senate would waive its power of further consideration of the motion, because the rule expressly provides that no notice shall go forward until the expiration of the time limit for making a motion to reconsider the same or while a motion to reconsider is pending unless otherwise ordered. The premise of the Senator from Kentucky would lead inevitably and erringly to the conclusion that if, on the first day after the Senate confirmed, a motion to reconsider were made, and 10 minutes afterwards the Senate directed that notice of confirmation go forward to the President, the motion would become anæmic and the Senate would lose its power to consider the matter further. If sending notice to the President operates as a waiver to consider such motion, that would follow under the argument submitted by the Senator from Kentucky.

Mr. WALSH of Montana. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from Montana?

Mr. BRATTON. I yield.

Mr. WALSH of Montana. I would like to submit this further suggestion in connection with the view expressed by the Senator from Kentucky: The right to move to reconsider inheres in each individual Member of the Senate. He has that right. The two days have not expired and some one moves that the President be notified of the action taken by the Senate. As the Senator from Kentucky suggests, that is debated and it is carried by a majority vote of the Senate. The majority of the Senate can not take away from the individual Senator the right he has under the rule to make a motion to reconsider. He has that right and it can not be taken away from him by a majority of the Senate. The rules could be suspended only by notice and by a two-thirds vote.

Mr. BARKLEY. I do not know that that ever occurred, but assuming that the rule meant something, what would be the inference that would naturally flow from the action of the Senate in voting by a majority vote to notify the President that it had confirmed?

Mr. WALSH of Montana. I do not know, but the rule so provides. It may not be a very wise rule, but that is the rule.

Mr. GOFF. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from West Virginia?

Mr. BRATTON. I yield to my genial friend from West Virginia, but afterwards I should like to be permitted to proceed if I may.

Mr. GOFF. I thank the Senator from New Mexico. I have been very much interested in the analytical discussion submitted this morning. I do not desire to take any additional time, as we have discussed the matter very thoroughly in the two days in which we have proceeded, but I would like to call attention to paragraph 4 of Rule XXXVIII:

> Nominations confirmed or rejected by the Senate shall not be returned by the Secretary to the President until the expiration of the time limited for making a motion to reconsider the same.

Unquestionably if it should stop there the rule would deny unless the Senate unanimously or by a two-thirds vote set aside the rule, the Secretary notifying the President. But then it provides:

For making a motion to reconsider the same, or while a motion to reconsider is pending.

Now, if the motion to reconsider is pending and the President is notified what would be the notification that went from the Senate to the President? It would be that the nominees had been confirmed, but that a motion to reconsider the nominations was then pending. The President would then see that the rule did not permit him to go any farther because the notice to him would of necessity contain the statement that a motion to reconsider was pending. The conditions which happened were these: "Unless otherwise ordered by the Senate."

My friend the Senator from Kentucky suggested that we suppose that there is an announcement that the President be notified. Let me ask the Senator from New Mexico this question: Suppose that the nominees are confirmed by the Senate and a Senator should rise and move that the President, because of an emergency which brings to bear a great urgency, be immediately notified and there is no dissent from that motion, and the President is notified in the face of such a motion. Can it even be contended that the Senate has not waived the right to withhold action by the President?

I do not see how that can be unless we are going to say that a rule can never be waived in the Senate unless the question shall be put directly to every Senator present. Does the Senator from New Mexico understand that if this motion shall prevail then we shall have waived, literally and by implication, the force and effect of the right to move to reconsider?

We sent this notification to the President, and it was sent by the Vice President making the statement to the Senate, "The President will be notified." It is immaterial what prompts the Vice President to say that, unless it is to bring to the attention of every Member of the Senate that a Senator will waive his right to move to reconsider if he does not then give notice that he will move to reconsider. The Senator from Montana says we can not deny a Senator the right to invoke this rule unless there shall be a two-thirds vote of the Senate. There was a large attendance of the Senate, as every Member of the Senate within the sound of my voice now knows; it can not be said that two-thirds of the Senate were not present at the time that order was made by the Vice President, when he gave notice that the Senate had advised and consented to the confirmation.

Mr. BRATTON. Mr. President, from the proposition the Senator from West Virginia is urging, namely, that if notice goes to the President within two days' time it shall contain appropriate language to convey the information that a motion to reconsider is pending, I must dissent, because Rule XXXVIII itself, in paragraph 4, provides that—

Nominations confirmed or rejected by the Senate shall not be returned by the Secretary to the President until the expiration of the time limited for making a motion to reconsider the same, or while a motion to reconsider is pending, unless otherwise ordered by the Senate.

That rule applies to nominations confirmed or rejected, and all that is required to be contained in the notice is that on a certain day the Senate voted either to confirm or reject the nomination. The rule does not provide nor contemplate that such notice shall contain anything respecting the pendency of a motion to reconsider. Consequently the argument of the Senator from West Virginia with respect to the appropriate contents of such a notice is at variance with the clear purport of the rule itself.

Mr. SHORTRIDGE. Mr. President, will the Senator from New Mexico permit a question?

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from California?

Mr. BRATTON. I yield to the Senator for the purpose he states, though I should very much like to hasten along.

Mr. SHORTRIDGE. I do not wish to detain the Senate or to divert the Senator from New Mexico from the line of his argument, but I wish to ask him one or two questions, with his permission.

First, did the President have the power to nominate these gentlemen?

Mr. BRATTON. Certainly.

Mr. SHORTRIDGE. Did the Senate have the power to advise and consent to their appointment?

Mr. BRATTON. No one would argue to the contrary.

Mr. SHORTRIDGE. Did the President have the power to appoint these gentlemen when notified that the Senate had advised and consented to their appointment?

Mr. BRATTON. That brings forward the question of what constitutes an appointment. I shall discuss that later.

Mr. SHORTRIDGE. One more question, and perhaps the Senator later will make answer. Is there not a universal presumption that official duty has been regularly performed?

Mr. BRATTON. Indeed there is; but the last question propounded by the distinguished Senator from California, according to my judgment, does not militate against the argument that the Senate has power to reconsider the vote by which these nominees were confirmed.

Mr. SHORTRIDGE. If the Senator will suffer another question——

Mr. BRATTON. Yes.

Mr. SHORTRIDGE. I assume that, of course, it will be admitted here by lawyers, by all, indeed—there may be wiser men here than lawyers—that the Senate may waive its standing rules?

Mr. BRATTON. Certainly.

Mr. SHORTRIDGE. Frequently from day to day we waive a standing rule.

Mr. BRATTON. Certainly.

Mr. SHORTRIDGE. Will the Senator be good enough at some phase of his argument, if he cares to do so, to consider this: That the Senate as a fact did consent and advise to the appointment of these gentlemen, and the President was in point of fact notified that the Senate had so consented and advised?

Mr. BRATTON. Yes.

Mr. SHORTRIDGE. If he was—and I assert that he was—so advised, and he thereupon acted upon that advice or followed that advice and consent, the notice of which he had received, did he not perform a constitutional act in consummating, so to speak, the appointment of the gentlemen named and in question?

Mr. BRATTON. I think not, and I shall undertake to establish that proposition as I travel along.

I think the Senator from California will agree that paragraphs 3 and 4 of Rule XXXVIII must be considered together, in harmony with each other, so that each of them may be given force and effect, if such a construction can be accorded them. In other words, different sections of the rule should be considered in harmony with each other, instead of in conflict with each other, if such an interpretation can be indulged without doing violence to plain language. So we approach these two sections governed by that fundamental and well-recognized rule of interpretation.

Paragraph 4 provides:

Nominations confirmed or rejected by the Senate shall not be returned by the Secretary to the President until the expiration of the time limited for making a motion to reconsider the same, or while a motion to reconsider is pending, unless otherwise ordered by the Senate.

Undoubtedly we would presume that no such notice would go forward except by an order of the Senate. It can not be contemplated that an officer of the Senate would do an unauthorized thing. So, in approaching paragraph 3 of Rule XXXVIII and in giving attention to the language contained therein with respect to the request for the return of the papers which must accompany a motion to reconsider, if the notice has gone forward, we must assume that the notice there contemplated and the notice there dealt with is one which has gone to the President within the 2-day rule in obedience to an order of the Senate. In that case, in those circumstances, paragraph 3 of Rule XXXVIII provides that the motion to reconsider shall be accompanied by a request for the return of the papers.

What sort of notice did the Senate have in mind when it provided that a motion to reconsider should be accompanied by a request for the return of the papers if the notice had gone forward? Undoubtedly it had in mind a notice dispatched pursuant to an order of the Senate. In dealing with that situation in the framing of paragraph 3 of Rule XXXVIII the Senate provided that if the papers had gone to the White House before the motion to reconsider was interposed the motion to reconsider should be accompanied by a request for the return of the papers. The Senator from California, with his ripe legal experience, will not argue that in the adoption of paragraph 3 of Rule XXXVIII the Senate had in mind an unauthorized notice to the President; it had in mind a notice which went forward within the 2-day period in compliance with an order of the Senate.

Mr. SHORTRIDGE. Mr. President, will the Senator permit me to interrupt him?

The VICE PRESIDENT. Does the Senator from New Mexico yield to the Senator from California?

Mr. BRATTON. I do.

Mr. SHORTRIDGE. Mr. President, if agreeable to the Senate, it is my purpose later to express my views in a statement of about 10 minutes, which I think will be quite sufficient; but for the moment, addressing myself to the Senator's thought, the President had a perfect right under 10,000 authorities to presume, and to act upon that presumption, that the notification of the action of the Senate was regularly given to him; that the officer delivering that notification had duly performed his duty within any or all the rules of the Senate or the law; and, acting upon that presumption, the President had the constitutional right to act and to appoint the gentlemen named. That, in brief, is my view in response to the observations of the Senator.

Mr. BRATTON. Mr. President, I think entirely too much emphasis is being placed upon the notice to the President. It has been repeated, emphasized, and accentuated time and time again in the course of this argument. Let us see what that notice is. What function does it perform? Is it a link in the chain of title of a nominee? Does it add anything to his right to the office? Does it give him any authority to discharge the functions of his office and receive the emoluments of it? None whatever. If we were speaking in terms of title to land, we would say that the notice was no muniment of title whatever. The notice in this case is merely a procedural step, an order of procedure provided not by the Constitution or a statute but by the Senate rule to convey knowledge to the President that the Senate had advised and consented to the nomination. Title to the office depends upon appointment and confirmation. The notice has nothing whatever to do with it. If the President had learned from the CONGRESSIONAL RECORD, or otherwise, that the Senate had voted affirmatively to consent to the nomination on a certain day, his notice or knowledge would be just as effective. The notice has no other effect. It is in the nature of courtesy on the part of the Senate. It may be regarded as an act of comity between the Senate and the Executive.

Mr. SHORTRIDGE. But, Mr. President, the President received official notice of the action of the Senate.

Mr. BRATTON. No more than a letter from the Senate.

Mr. SHORTRIDGE. Oh, no. By an officer of this body he received official notice. He did not gather that notice from newspapers, or from birds flying through the air. He received official notice; and thereupon his right and power to make the appointment sprang into immediate existence, and he exercised that power.

Mr. BRATTON. Mr. President, I undertake to lay down the proposition, and urge the argument here that a paper notice to the President that the Senate had taken a vote upon the confirmation of a nominee has no more official effect relating to the title to the office than would a communication from the Senate to the President that on a certain day a bill had been passed. The notice is issued pursuant to a rule of the Senate. It is designed merely to advise the President in an orderly way of the official action taken by the Senate. The title to the office depends upon the appointment by the President and the confirmation of the Senate, and notice of the action of the Senate neither adds to nor takes from the title of the appointee.

So, Mr. President, I repeat that the importance of the notice has been unduly magnified throughout this argument. It is the nomination of the President and the confirmation of the Senate that constitutes the appointment and vests title in the appointee. When the commission is issued, which is issued under another provision of the Constitution, when the appointee takes the oath which is required by still another provision of the Constitution, his title to the office is completely acquired. It is completely deraigned from the nomination and the confirmation and not otherwise. The notice has nothing whatever to do with it. It is superfluous so far as title is concerned. It issues merely pursuant to a rule of the Senate designed merely to convey to the President, in a convenient manner, information that the Senate had voted either to confirm or reject the nomination. It has no relation whatever to the matter of reconsideration of the vote.

Mr. SHORTRIDGE. Mr. President, if the Senator will permit one other interruption, I will promise not to offend again.

The VICE PRESIDENT. Does the Senator from New Mexico yield to the Senator from California?

Mr. BRATTON. I yield.

Mr. SHORTRIDGE. Assuming the statements just made, what, then, are the facts?

The President "nominates" certain gentlemen. The Senate advises and consents that they may be "appointed." The President receives legal notice of the action of the Senate, and thereupon the President makes the appointment. Thereafter the gentlemen appointed appear, under the statutes referred to. Commissions are issued to them. They hold up their hands and swear to support the Constitution, and are thereupon inducted into the offices which they now occupy. Therefore, is it not utterly futile for us to spend our time in discussing whether or no the notice was properly, or prematurely, served upon the President? These gentlemen were nominated, the Senate advised and consented to their appointment, the President appointed them, they were duly inducted into office, they are occupying the offices. The case is closed. Let us turn to other matters.

Mr. BRATTON. Mr. President, I have indulged in very little argument respecting the notice to the President; but others seem to have laid great stress upon it, saying that because the notice went forward the Senate waived its right to reconsider. At least, it has been argued here over and over again that the notice constituted a waiver of the Senate's power to consider this motion.

But, Mr. President, the only way in which the Senate could waive its authority under paragraph 3 of Rule XXXVIII would be by an affirmative vote or by unanimous consent of the Senate to that effect. At most, the argument here is an implied waiver. That is all it could constitute—a waiver by implication—because there is no rule of the Senate which provides expressly that the power shall be waived in these circumstances. So, conceding the utmost effectiveness possible to the argument that the issuance of the notice to the President constituted a waiver of the power of the Senate, it rests upon an implication to that effect; and certainly the Senate will not indulge any such presumption as that. Implications are disfavored. They are not indulged unless inescapable.

Repeating what I said a moment ago, the notice which went forward in this case had nothing to do with the title of these three appointees to their offices. It added nothing to such title. It took nothing from such title. Their title to the office must depend upon the appointment of the President and confirmation of the Senate.

If the Senate has not confirmed in a final sense, but still has the matter within its control, then these nominees do not have title to the office; they are wrongfully in office, and are improperly discharging the functions of office.

Mr. President, it is my contention that under paragraph 2 of section 2 of Article II of the Constitution, the title of

an appointee to a given office depends upon the nomination of the President; that is to say, the communication sent to the Senate in which the President declares, "I nominate so-and-so to such-and-such an office for a term of so many years," followed by the vote of the Senate advising and consenting to that nomination. The issuance of a commission afterwards is no part of the title to the office. It conveys no authority to hold the office. It is mere evidence of the fact that the Executive and the Senate together have initiated and consummated the appointment. It is an evidentiary document, and not one of title. So that the commission which issued in this case after the nomination reached the Senate, and within two days after the Senate cast its affirmative vote upon confirmation, did not constitute any part of the title to the office nor any power to hold the office. It is merely an evidentiary document.

Following the confirmation, the nominee receives a commission, and takes the oath of office. The commission issues pursuant to the provision of section 3 of Article II of the Constitution, which provides, among other things, that the President—

shall commission all the officers of the United States.

The commission issues pursuant to that command of the Constitution, not because the Senate has confirmed, not because the President has nominated. It issues as an evidentiary fact of the previous appointment, in obedience to the command of section 3 of Article II of the Constitution, which requires in explicit language that the President shall commission all officers of the United States.

Then, Mr. President, after the President has nominated, after the Senate has confirmed, and after the President has issued the commission as required by the constitutional language I have just read, the appointee is required to take an oath of office. That requirement is exacted by Article VI of the Constitution, which provides to this effect:

The Senators and Representatives before mentioned, and the members of the several State legislatures, and all executive and judicial officers, both of the United States and of the several States, shall be bound by oath or affirmation to support this Constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

The notice to the President in this case had nothing to do with the appointment nor the right of these nominees to hold office. As I have said too many times already, it is merely a step in the procedure of the Senate, designed to convey in an orderly fashion information to the President that on a given day the Senate advised and consented to a certain nomination; but it has no effect upon nor relation to the power of the Senate to reconsider if a motion to that effect is timely made.

So all this talk about the notice to the President, and the right of the President upon receiving such notice to assume so-and-so, is of no effect. The notice merely conveyed the information that on a certain day the Senate advised and consented to that nomination; but that notice was impressed with constructive knowledge that under the rule of the Senate, made pursuant to constitutional authority, the Senate had power to reconsider that vote within two days, and if reversed the appointee would have no office.

It has been argued here that once a man takes the oath there is no way to get him out of office except by impeachment. Of course, if he took the oath prematurely—that is to say, before the time had expired within which the Senate might consider a motion to reconsider—the situation would be analogous to one where a man elected to an office and receiving a commission takes the oath. He does so always subject to the power of his adversary at the polls to institute a contest within the proper time and in the proper manner; and if such adversary prevails the commission which was issued and the oath which was taken fall, and he no longer holds the office. So the fact that a commission issued and an oath was taken does not give the appointee an irrevocable right to hold the office during the term unless removed by impeachment. On the contrary, the act of taking the oath is contingent upon the power of the Senate to reconsider the vote and nullify the confirmation if the motion is filed within the time and receives the requisite support in this body.

The appointees in the cases now under consideration were charged with that notice, because everyone must take constructive notice of the rules of the Senate if they are promulgated by proper authority, and no one contends otherwise here. The only argument made is that because a paper called a notice went forward to the President, the Senate is cut off and foreclosed from exercising the power reserved to it under paragraphs 3 and 4 of Rule XXXVIII of the Senate.

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. Fess in the chair). Does the Senator from New Mexico yield to the Senator from Massachusetts?

Mr. BRATTON. I yield to the Senator from Massachusetts.

Mr. WALSH of Massachusetts. Is it the Senator's opinion that no oath of office should have been administered until after the time permitted by the rule for reconsideration had expired?

Mr. BRATTON. That is my opinion.

Mr. WALSH of Massachusetts. Is it not a fact that the proper policy would have been for the officer of the Senate who transmits the action of the Senate to the President to have waited until the time had expired, and will not the inevitable result be, in view of this experience, that in the future the Secretary of the Senate will refrain from notifying the President until the time has expired?

Mr. BRATTON. No doubt that result will follow; but I make no complaint against the Secretary of the Senate.

Mr. WALSH of Massachusetts. Undoubtedly it had been the universal practice to do as he did, but it seems to me that if favorable action is taken on the motion, particularly in a controversy of this kind, the inevitable result will be that hereafter notice will be withheld until the time fixed in the rule shall have expired.

Mr. BRATTON. No doubt that will be the practice in the future.

Mr. WALSH of Massachusetts. The Senator is familiar with court regulations relating to decrees, which sometimes make effective in the distant future a given judgment or decree, and that in our courts the practice is not to issue such decrees until the time has expired within which, under the rules of the court, litigants may have rights.

Mr. BRATTON. I think that is universally true of the courts. It is my belief that our previous practice, coupled with the fact that in this case the Presiding Officer, either the Vice President or the President pro tempore, said that the President would be notified, gave the Secretary of the Senate ample justification for transmitting the notice to the President.

Mr. President, the Senator from California a few moments ago inquired of me whether the President had the right to appoint immediately upon receiving notice that the Senate had confirmed these nominations. That raises the question of the correct interpretation to be given to paragraph 2 of section 2 of Article II of the Constitution. That paragraph provides that the President—

Shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate and, by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States whose appointments are not herein otherwise provided for, and which shall be established by law.

One view of that provision is that the President shall send to the Senate a document called a nomination, in which he recites that he nominates a named person for a named office, that the Senate shall act upon that nomination, and if it gives its advice and consent, the President shall afterwards appoint the officer.

The other view is that the appointment, so far as the President is concerned, is made by the document called a nomination; in other words, he sends a nomination to the

Senate, it is confirmed, and all he does afterwards is to issue a commission, which is an evidentiary document that the person has been appointed and confirmed.

In either event, the Senate has not lost its power to consider this motion, and, if it is adopted, to set aside the vote on confirmation heretofore cast, because if the appointment is made by the nomination, if that is all the President does in the way of a formal document of appointment, and all that he afterwards does is to issue a commission, then concededly the Senate would have the power to consider the motion within the 2-day period.

Mr. BROOKHART. Mr. President, will the Senator yield?

Mr. BRATTON. Please let me finish my analysis of this provision of the Constitution.

Mr. BROOKHART. Certainly.

Mr. BRATTON. If, on the other hand, the correct view is that under such provision the President shall nominate, the Senate shall advise and consent thereto, and afterwards the President shall issue some sort of an order appointing the nominee, then I assert that the appointment in this case issued prematurely and is void, because the Senate had the power to reconsider the vote of confirmation if a motion were made within the 2-day period. The President had constructive notice of that, and the appointee had constructive notice of it. So, in either event the Senate is not shorn of its power to consider the motion, if made within the 2-day period.

I care not which view one takes of the constitutional provision, it is immaterial which interpretation is accorded it, in either event the power to reconsider remains vested in the Senate under its rule promulgated by authority of the Constitution itself. If the President issued some sort of a manifesto, some sort of an executive order, some sort of a written document, called an appointment, within the 2-day period, it issued prematurely, and was conditioned upon the power of the Senate to reconsider, and must fall if the Senate does reconsider within the time prescribed. Likewise, if the commission issued within the two days, it issued subject to and conditioned upon the power of the Senate to reconsider within the time, and if an oath was taken, that was done in like manner, and is subject to the same condition and limitation.

Mr. President, as I have already said, a rule made by a legislative body pursuant to legal authority constitutes constructive notice to everybody, including those in the coordinate branches of the Government, just as effectively as though the Constitution so provided. Would anyone argue, would anyone be heard to assert on the floor of the Senate, that if the Constitution provided that the Senate might reconsider a vote on confirmation, if a motion thereto were made within the 2-day period, sending a paper called a notice to the President robbed the constitutional provision of its efficacy and deprived the Senate of its power to reconsider? Certainly not. Therefore, the rule of the Senate having the same binding force, so far as constructive notice is concerned, the notice from the Senate to the President that on Saturday, December 20, 1930, the Senate advised and consented to the nominations in question, was impressed with constructive knowledge that under the rule the Senate might reconsider. If an order was made afterwards called an Executive order appointing these nominees, it was impressed with the condition that the Senate might reconsider. If a commission issued, it was impressed with the condition that the Senate might reconsider, and if an oath was taken, it was taken conditioned that the Senate might reconsider, and if it does reconsider, the entire subsequent proceedings fall and become nugatory.

Now I yield to the Senator from Iowa.

Mr. BROOKHART. I ask the Senator if anything was done in this case except to issue a commission?

Mr. BRATTON. I do not know.

Mr. BROOKHART. The Senator from Massachusetts said that was all that was done. The issuing of the commission is a declaratory proposition, and the law might just as well provide that the Secretary of the Senate issue it as that the President or anybody else issue it.

Mr. BRATTON. The Constitution expressly provides, as the Senator from Iowa well knows, that the President shall commission all officers of the United States.

Mr. BROOKHART. Certainly.

Mr. BRATTON. Accordingly the President must issue the commission; but it is merely a ministerial act following an appointment and a confirmation, and the commission is only an evidentiary document. It merely affords evidence that the nominee was appointed and confirmed.

Mr. BROOKHART. I think that view is correct. I can see nothing in it but a ministerial act.

Mr. BRATTON. That is all it is.

Mr. BROOKHART. I can see none of the gist of an appointment in it itself.

Mr. BRATTON. None whatever in the commission. There is none whatever in the notice which went from the Senate to the President that the Senate had advised and consented to the nomination. Title to the office, as I have said repeatedly, rests upon the appointment of the President and the confirmation of the Senate. The commission, the oath, and the notice of the Senate addressed to the President advising that the Senate had consented to the nomination neither give title nor take away title to the office.

When the distinguished Senator from Iowa interrupted me I was engaged in saying that in my opinion paragraph 2 of section 2 of Article II of the Constitution is susceptible of two interpretations, but under either construction the Senate has ample power to consider this motion, and, if it is adopted, to reverse the vote of confirmation.

Mr. President, I have said all that I had in mind respecting the legal aspects of this matter. As to the facts it is conceded that three of these commissioners, Messrs. Smith, Garsaud, and Draper, almost immediately after they received their commissions and took their oaths, provided effectually that all of the employees of the former commission should be continued in the service of the new commission except Messrs. Bonner, King, and Russell. They were singled out and dealt with differently from the others. The others were continued in the service; these three were dismissed from it. The only satisfactory reason which has been given for that action was that there had been disputes and friction between Mr. Bonner on the one hand and Messrs. King and Russell on the other. I have no doubt of that, and I think that dispute revolves around their respective attitudes touching the question of public-utility companies throughout the country. Messrs. Russell and King were dismissed from the service and thus penalized because throughout their years of service they had responded faithfully to the public welfare of the country. It may well be argued that whether Messrs. Russell and King are continued in the public service, whether they enjoy remuneration, is an insignificant and relatively unimportant phase of the subject matter. Although we might regret to see them penalized in that way, perhaps the Senate would not be justified in turning aside from other duties and dealing with this matter merely to assure those two men continuation in public service.

But the important question, the dominating question, the controlling question which presents itself to the Senate is the attitude of these three men nominated for membership on the Federal Power Commission respecting that question concerning the public throughout the country as reflected in their action by dismissing the two men from service because of their attitude upon such question. That is the important issue which confronts the Senate and which the Senate must meet and resolve. It must say whether it stamps its approval upon these three appointees in view of their attitude thus reflected upon a nation-wide question, perhaps one of the most important questions in the commonwealth. Indeed, Mr. President, it seems to me the question is so important that the Senate can not afford to minimize or neglect it.

We should reconsider our vote, and, if necessary, inquire further into the attitude of these three nominees touching the important question to which I have referred. They will not be heard to say that the three men went out of office in

obedience to the act of June 23, 1930, because such act expressly provides to the contrary. They will not be permitted to evade the question. They must be held responsible for the dismissal of those two faithful employees throughout several years of service.

Mr. President, although the question may not be free from doubt, although it may be enshrouded with some doubt, I have reached the conclusion that the Senate has not waived its right to entertain the motion. It is my belief that the Senate has authority now to consider the motion. To those who entertain a contrary view, to those who may entertain grave doubt on the question, I submit that in view of the importance of the question involved, they should resolve the doubt in favor of reconsidering the vote and inquiring further into the subject matter.

Mr. WHEELER obtained the floor.

Mr. GEORGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Georgia?

Mr. WHEELER. I yield.

Mr. GEORGE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Fess	King	Shortridge
Barkley	Fletcher	La Follette	Smith
Bingham	Frazier	McGill	Smoot
Black	George	McKellar	Steck
Blaine	Gillett	McMaster	Steiwer
Blease	Glass	McNary	Stephens
Borah	Goff	Metcalf	Swanson
Bratton	Goldsborough	Morrison	Thomas, Idaho
Brock	Gould	Morrow	Thomas, Okla.
Brookhart	Hale	Norbeck	Townsend
Broussard	Harris	Norris	Trammell
Bulkley	Harrison	Nye	Tydings
Capper	Hastings	Oddie	Vandenberg
Caraway	Hayden	Partridge	Walcott
Carey	Hebert	Phipps	Walsh, Mass.
Connally	Heflin	Pine	Walsh, Mont.
Copeland	Howell	Pittman	Waterman
Couzens	Johnson	Ransdell	Watson
Cutting	Jones	Robinson, Ark.	Wheeler
Dale	Kean	Robinson, Ind.	Williamson
Davis	Kendrick	Sheppard	
Dill	Keyes	Shipstead	

The PRESIDING OFFICER. Eighty-six Senators having answered to their names, a quorum is present. The junior Senator from Montana is entitled to the floor.

Mr. WHEELER. Mr. President, I shall not attempt to discuss the legal phases of the situation which exists and which are involved in the question before the Senate at this time, by reason of the fact that they have already been covered by distinguished lawyers in this body. I invite attention to the fact, however, that there are some phases of this matter which have not been presented to the Senate and which I feel are much more important than the technical legal questions.

I am not interested in Mr. Russell as an individual nor am I interested in Mr. King as an individual. Mr. King was unknown to me until he came before the Interstate Commerce Committee of the Senate. Mr. Russell, it is true, comes from my own State, but he invariably has been on the other side of every issue in the State in which I was interested. He was appointed to the Interstate Commerce Commission upon the recommendations of four Republican members of our supreme court, including our present chief justice, Mr. Lew L. Callaway; former Associate Justice William L. Halloway; another former associate justice, Mr. A. P. Stark; present associate justice, Mr. Albert J. Galen; a member of the district court, Theodore Lentz; by the present Republican United States district attorney, Wellington D. Rankin; and the present attorney general of the State, Mr. L. A. Foot. He was likewise recommended by some of the most prominent Republican lawyers of the State, among them being Mr. E. C. Mulroney. He was also recommended by the Republican Congressman from our State, Mr. SCOTT LEAVITT.

In addition to that, Mr. Russell, after serving with that body, was recommended for his present position by the general solicitor of the Soo Line, by prominent lawyers in the city of Washington, by Mr. Sweet, the assistant general solicitor of the Interstate Commerce Commission, and by the former chairman of the Interstate Commerce Commission, Mr. Lewis. I am going to ask that all these letters be inserted in the CONGRESSIONAL RECORD as a part of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The letters are as follows:

APRIL 25, 1925.

Hon. ERNEST I. LEWIS,
Washington, D. C.

MY DEAR MR. LEWIS: Charles A. Russell, Esq., of Missoula, Mont., tells me that he has made application for appointment to a position with the Interstate Commerce Commission as senior attorney for the trial of cases involving physical valuation of public utilities, principally railroads, telegraph, and telephone, and express companies.

I have known Mr. Russell for seven or eight years. My information is that when he was a member of the bar of Wisconsin he was much interested in public-utility matters and others of like character. Since coming to Montana he has been engaged in some important litigation along cognate lines. Mr. Russell is an able and energetic lawyer. While I have not had the opportunity of observing him in the trial of cases in the nisi prius courts, he bears an excellent reputation in that respect. He presents cases to the supreme court with clearness and ability and has been very successful in his appellate practice.

I have every reason to believe that if he is given the appointment, he will distinguish himself in his zealous endeavors for the public interest as a trial lawyer.

Very truly yours,

LEW L. CALLAWAY,
Chief Justice.

APRIL 21, 1925.

Hon. ERNEST I. LEWIS,
Washington, D. C.

DEAR SIR: Mr. Charles A. Russell, of Missoula, Mont., is an applicant for appointment as senior counsel for the Interstate Commerce Commission and I am writing you in his behalf.

Mr. Russell has been engaged actively in the practice of the law since 1902, and in this State since 1916.

He has appeared frequently as counsel in causes pending before the Supreme Court of Montana and uniformly has displayed a high degree of ability. He is well versed in the principles of the law, is thoroughly familiar with the practice and has a keen sense of professional ethics.

His experience has covered a wide range of subjects, and in public-utility matters particularly he is especially proficient.

I earnestly recommend his application to your favorable consideration.

Yours truly,

WILLIAM L. HALLOWAY,
Associate Justice.

HELENA, MONT., *April 20, 1925.*

Hon. ERNEST I. LEWIS,
Commissioner, Interstate Commerce Commission,
Washington, D. C.

SIR: I am advised that Mr. Charles A. Russel, of Missoula, in this State, has made application for appointment as one of the attorneys for the Interstate Commerce Commission.

Prior to coming to the supreme court, I was for a number of years judge of one of the districts in eastern Montana, and Mr. Russell appeared before me in a number of matters. I was very favorably impressed with his ability as an advocate in a trial court. He was ready, forceful, and fearless.

Since coming to the supreme court a little more than two years ago, I have had opportunity to see Mr. Russell more frequently than I had prior to that time.

He has briefed and argued a great many cases before this court during the time I have been here. His briefs are admirable in the presentation of the propositions involved, and his arguments in open court are clear, concise, and vigorous.

In going over the transcripts of the testimony taken in cases which have been tried by him, one is impressed with the fact that at the trial he is alert, resourceful, and unfaltering in the protection of the interests of his clients.

Personally, I consider him one of the very best trial lawyers in Montana, and take pleasure in commending him in every way as an able lawyer and a high-grade gentleman.

Respectfully,

A. P. STARK, *Associate Justice.*

APRIL 21, 1925.

Hon. ERNEST I. LEWIS,
Washington, D. C.

DEAR SIR: I am advised that Charles A. Russell, of Missoula, Mont., has made application for appointment to the position of

senior attorney for the Interstate Commerce Commission through the Civil Service Department.

Mr. Russell has for many years practiced law at Missoula in this State and is a lawyer of more than usual ability and integrity. He has appeared many times before the supreme court during the time that I have been one of the associate justices thereof, and I am most favorably impressed with his character and ability. I think the Interstate Commerce Commission will be exceedingly fortunate if they are able to secure his appointment for this position.

Very respectfully,

A. J. GALEN, *Associate Justice.*

APRIL 24, 1925.

Hon. ERNEST I. LEWIS,
Commissioner of Interstate Commerce Commission,
Washington, D. C.

DEAR SIR: I am informed that Mr. C. A. Russell, an attorney of this place, is an applicant for a position as attorney for the Interstate Commerce Commission. For many years Mr. Russell has had an extensive practice before me and in the State and Federal courts of Montana. I consider him one of the most capable and proficient trial lawyers in this State. It gives me pleasure to recommend him to you, and I feel that you would make no mistake in employing him.

Yours very truly,

THEODORE LENTZ, *District Judge.*

APRIL 20, 1925.

ERNEST I. LEWIS, Esq.,
Care of Interstate Commerce Commission,
Washington, D. C.

MY DEAR MR. LEWIS: I am writing to you concerning Charles A. Russell, attorney at law, of Missoula, Mont., who is an applicant for a position as one of the attorneys connected with certain work for the Interstate Commerce Commission.

I have known Mr. Russell since he began practicing law in Montana about 10 years ago. He is one of the ablest trial lawyers in Montana. I came in close contact with him while I was attorney general of the State, and I have heard him present matters to the supreme court while I was a member of it.

He is so alert and resourceful that he may well be characterized a "born trial lawyer." But he is not only a trial lawyer, for his thoroughness and his knowledge of the law make him equally convincing before an appellate court.

It is a pleasure to be able to say that the bar of Montana, generally, recognize him as one of the ablest lawyers of the State.

Very sincerely yours,

WELLINGTON D. RANKIN,
Now United States Attorney for Montana.

APRIL 21, 1925.

Hon. ERNEST I. LEWIS,
Commissioner Interstate Commerce Commission,
Washington, D. C.

MY DEAR MR. LEWIS: I am informed that Mr. Charles A. Russell, of Missoula, Mont., has filed a formal application with the Civil Service Commission for appointment as senior trial attorney with the Interstate Commerce Commission.

I have known Mr. Russell for about four years last past and have had occasion to observe his ability as a trial lawyer. He has argued many cases in the supreme court in which this department has appeared on the opposite side, and I know from experience that his record from the lower court is always in excellent shape.

He has lived in Missoula for the past nine years and is recognized as one of the leading lawyers of that city.

I am glad to recommend him for the position he seeks.

Very truly yours,

L. A. FOOT, *Attorney General.*

APRIL 30, 1925.

ERNEST I. LEWIS, Esq.,
Interstate Commerce Commission, Washington, D. C.

DEAR SIR: I have just learned that Mr. Charles A. Russell, of this city, has made application for a position as one of the attorneys for your commission.

I have known Mr. Russell ever since his residence in Missoula, something over nine years. During that period he has been actively engaged in the practice of law here. He is one of the most forceful and effective trial lawyers I have ever known, and has perhaps tried more cases here than any other member of the bar. Not only has he been very active here but his excellent reputation has caused him to be called to many other points in the State to engage in the trial of very important litigation.

Before coming to this State, Mr. Russell had extensive practice in matters along the line of your work, and while in the practice here has been called into the trial of many important matters having to do with public-service litigation.

He is a gentleman of the very highest type and one with whom it is a pleasure to be associated in any manner. I feel sure that the Interstate Commerce Commission would be very fortunate to secure the services of one who is so eminently qualified.

Very truly yours,

E. C. MULRONEY.

(Same letter to Secretary of War and Secretary of Agriculture CC to Mr. Russell, with the file received with his letter of March 22.)

MARCH 27, 1929.

Hon. RAY LYMAN WILBUR,
The Secretary of the Interior.

MY DEAR MR. SECRETARY: In the event Mr. O. C. Merrill, executive secretary of the Federal Power Commission, recommends that Mr. Charles A. Russell be appointed as chief counsel to the commission I shall appreciate your careful consideration of his qualifications.

Mr. Russell is now the principal attorney for the Interstate Commerce Commission, and my understanding is that his work has been satisfactory in every way.

Before entering the service of the Interstate Commerce Commission in 1925 Mr. Russell practiced law in Montana for many years. He established an enviable record and reputation, and has unqualified indorsements from the personnel of the Montana Supreme Court, the Montana attorney general, State district judges, and members of the Montana bar.

I feel sure Mr. Russell's service would be satisfactory to the members of the Federal Power Commission, and in the event Mr. Merrill submits his name hope you will see fit to confirm the selection.

Sincerely yours,

SCOTT LEAVITT.

MARCH 20, 1929.

Hon. WALTER H. NEWTON,
Washington, D. C.

DEAR MR. NEWTON: I understand that Charles A. Russell is an applicant for the position of general counsel for the Federal Power Commission.

I have been acquainted with Mr. Russell for many years, and know that he has had an extensive and varied experience as a lawyer. He represented the bureau of valuation at the hearings involving the valuation of the Soo Line, Wisconsin Central, and subsidiary companies, and I represented the companies. The hearings extended over a considerable period of time and all sorts of legal questions arose in connection with the work. I know that Mr. Russell is a very competent lawyer and that he is independent and fearless. I am confident that he would fill the position as counsel for the Power Commission ably and impartially. I take great pleasure in adding my recommendation to that of others for his appointment.

Very sincerely yours,

JOHN L. ERDALL,
General Solicitor Soo Line.

WASHINGTON, D. C., *June 6, 1929.*

EXECUTIVE SECRETARY FEDERAL POWER COMMISSION,
Washington, D. C.

DEAR SIR: I have recently learned that Mr. Charles A. Russell is under consideration by your honorable board for the position of general counsel. I have known Mr. Russell ever since he came to Washington, and having had intimate association with him across the table in valuation cases before the Interstate Commerce Commission, I am writing this letter voluntarily and without any solicitation on his part or on the part of any other person to say to you that Mr. Russell is a most able and thorough technical lawyer, peculiarly fitted, in my opinion, to satisfactorily hold a position requiring highly technical legal qualifications such as I believe is required of the general counsel of the Federal Power Commission.

Very truly yours,

W. S. BRONSON.

DEAR RUSSELL: I sincerely hope this appointment will come your way.—W. S. B.

WASHINGTON, D. C., *April 20, 1929.*

Hon. JAMES W. GOOD,
Secretary of War, Washington.

DEAR SIR: Answering your request that I write you in respect of the matter which I set before you this morning at your office with Messrs. Millard F. West and Jules Gilmer Korner, jr.

I understand that the Federal Power Commission is about to appoint a counsel and that Charles A. Russell, Esq., now an attorney of the Bureau of Valuation, has been recommended for that post. I have known Mr. Russell for some years, and although he has been my adversary in many of the valuation cases which I have had before the commission, I have learned to have a high regard for his ability and, as stated to you this morning, I feel that he has been in that work long enough and should get into another branch of Government work if he does not wish to go into private practice. I have never had any cases before the Federal Power Commission, nor do I expect to have any, and my interest in this matter is out of my regard for Mr. Russell and because I believe your commission would be well served if he were its general counsel.

Yours faithfully,

CHAS. HANSEL.

MAY 14, 1929.

Mr. O. C. MERRILL,
Executive Secretary Federal Power Commission,
Interior Building, Washington, D. C.

DEAR SIR: Relative to your inquiry concerning the qualifications of Mr. Charles A. Russell, who is an applicant for one of the responsible legal positions with the Federal Power Commission, I may say that my personal acquaintance with him extends over a period of nearly four years. Mr. Russell was employed by the Interstate Commerce Commission as a valuation attorney in August, 1925, and entered the service at a salary of $3,800 per annum. He is now a principal attorney, receiving a salary of $6,000 per annum.

As an attorney in the valuation work we have found that his experience in the general practice of law, as well as his special experience in public-utilities matters, have qualified him to handle creditably some of the most difficult cases that have been presented to the commission in the past few years. In all cases before the commission the railroads are represented by experienced and capable counsel. We have been particularly fortunate in having a man of Mr. Russell's experience and ability to represent the Bureau of Valuation in such cases.

Mr. Russell's experience has qualified him not only as a trial lawyer but also as an investigator of unusual ability. We have found him most thorough in the preparation of cases both before and during hearings. At one time, some years ago, he was statistician for the city or one of the commercial organizations of Superior, Wis. In that work he developed an interest in and aptitude for the problems met in accounting matters, which have added to his value as an attorney for the commission in valuation work.

While Mr. Russell has not, during his service with the commission, held an executive position, he has nevertheless directed the work of one or more assistant attorneys in several cases and has had a general supervision over the preparation of evidence by technical experts of the commission for presentation in his cases. I have no doubt of his ability either to view his problems in a broad way so as to center attention upon the controlling considerations, or, where necessary, to direct and conduct inquiries into details of questions which require detailed examination.

Mr. Russell is a lawyer of broad experience and great ability. He is devoted to the work of public service, and it seems to me that he will be a valuable man in the position for which you are considering him.

Very truly yours,

OLIVER E. SWEET,
Assistant General Solicitor.

MAY 16, 1929.

Mr. O. C. MERRILL,
Executive secretary Federal Power Commission,
Interior Building, Washington, D. C.

MY DEAR MR. MERRILL: I understand from you that the Federal Power Commission has under consideration the matter of engaging some one qualified to conduct hearings and prepare records in cases involving valuation, determinations of investment, and allied matters which come before your commission. I also understand that the name of Mr. Charles A Russell, member of our Bureau of Valuation legal staff, is under consideration. Responsive to your questions as to his mental and technical equipment and his abilities to fill such a position, I would say that he appears to me to be eminently well qualified. Mr. Russell has been with us for three or four years. He has been appearing as an attorney for the bureau in cases protested by the carriers. Out of a field of some 30 attorneys we engaged for closing up the primary valuation of railroads, Mr. Russell has made a distinctive place for himself. This is attested by the fact that he has been handling some of our largest and most important cases. He has the reputation of preparing for hearing of cases that are assigned to him with great thoroughness. He seems to have extraordinary powers of penetration and in the assembling of facts that ordinarily might not be brought into the range of knowledge of a case. His training as a lawyer and the intimate interest that he evinces results in his making a forceful presentation on argument.

As to his training: It has been particularly fortunate for our valuation work. He has had a great deal of original contact with the theory and work of utility and common-carrier valuations in the Northwest—Montana, Minnesota, and Wisconsin—where there has been a considerable militancy in the field of regulation for years. He has an understanding grasp of engineering and accountancy which are vital, both in the work of valuation and the determination of investment.

As the representative of the Interstate Commerce Commission, to whom has been delegated the contact with the Bureau of Valuation, which involves a considerable degree of administrative direction, permit me personally to say that I would deplore losing Mr. Russell. That may be the highest commendation that I may give him. On the other hand, the opening here seems to offer advancement and increase in salary which under our organization is not at this time possible here. If that is the fact, I feel that I should not stand in his way by objecting to transfer if your commission should desire to employ him. But if it does not carry such increase and advantage, I would object to transfer.

Very truly yours,

E. I. LEWIS, *Chairman.*

BRENTWOOD, N. Y., *June 17, 1929.*

Mr. CHARLES A. RUSSELL,
Interstate Commerce Commission,
Washington, D. C.

DEAR MR. RUSSELL: Mr. Sweet has sent me your letter to him of June 8. We expected your appointment as general solicitor for the Federal Power Commission at a salary of $9,000 yearly would be made and I congratulate you. You are eminently fitted for that place and the salary is much more adequate for a man of your abilities than any that could be expected from the Interstate Commerce Commission in the near future. While I regret to lose your services in the commission, I am especially pleased that the appointment has come to you. You are eminently fitted for the place and will render to that commission most satisfactory service. I trust that you may find the work pleasant and the association in every way desirable.

I thank you for your kind word to me, and I am pleased to say that I am making decided progress to what the doctors say and I hope will be a permanent recovery—not permanent in the sense that I expect to live forever or for many years but I should like while I live to perform good work. I am a firm believer in occupation that one loves to make living enjoyable.

With kindest personal regards to you and wishing you success, I am,

Sincerely and cordially yours,

CHARLES W. NEEDHAM.

Mr. WHEELER. Mr. President, the provisions of the Federal water power act require the adoption of the classification of accounts as used by the Interstate Commerce Commission, so far as applicable. The first thing about which Mr. King, Mr. Russell, and Mr. Bonner clashed was over the classification of accounts. Bonner seemed insistent upon disregarding the classification. He wanted to inaugurate a system of accounts that was in line with what the power companies of the United States desired.

My information is that Bonner told Mr. King and Mr. Russell that he wanted to find some way to get around the provisions of the law. When Russell and King refused to obey Mr. Bonner with reference to evading the provisions of the law, in other words to nullify the law, the clash about which we have heard so much occurred. The requirement as to classification of accounts has never been complied with by the power companies since the Power Commission has been created. Both Mr. King and Mr. Merrill were unable to enforce those provisions for lack of legal assistance. When Mr. Russell took office he was prepared to enforce those provisions, but Mr. Bonner, who was the secretary, refused to permit either King or Russell to force the power companies to comply with them.

As I said a moment ago, that was the first occasion when the so-called disharmony occurred between the members of the staff of the Power Commission. The situation which arose in that commission was brought to the attention of the Interstate Commerce Committee, of which I am a member. During the examination of Mr. Bonner he made the statement that he felt the power companies were being persecuted. In substance he said he thought they were being persecuted by Congress, and he thought they were being persecuted by everybody else in the country. On the other hand, Mr. Russell and Mr. King felt that the power companies were filing false claims, in many instances, before the Power Commission, which claims should be investigated, and when investigated, if found that they were false, they should be eliminated from the accounts.

Last summer Congress passed the present act creating an independent commission of five to administer the Federal water power act which had been enacted in 1920. The original act automatically made the Secretary of War, the Secretary of Agriculture, and the Secretary of the Interior the commission. The business, however, was almost entirely done by the executive secretary. When Congress reassembled in December last the President sent to the Senate for confirmation the names of members of the new commission, as follows: Mr. George Otis Smith, Claude L. Draper, Marcel Garsaud, Ralph Williamson, and Frank McNinch. Hearings were held by the committee. Those nominees were confirmed by the Senate, and immediately, on Tuesday morning, December 23, when the chief accountant, William V. King, and Charles R. Russell, the solicitor of the commission, reached their offices, they found on their desks

curt notices, signed by the chairman, George Otis Smith, discharging them from their positions, to take effect the preceding day.

The executive secretary, Mr. F. E. Bonner, had resigned, but Chairman Smith asserted that he would have been dismissed the same as the others. That official act of the new commission aroused great indignation not only in this body but throughout the country, as I shall show from the newspaper clippings and newspaper editorials which I intend to introduce in the RECORD during the course of this argument.

It should be borne in mind by the Senate of the United States that the entire controversy in the Power Commission has been, on the one hand, between Russell and King trying to comply with the law and endeavoring to protect the public interests, and, on the other hand, Mr. Bonner constantly trying to break down the law and the rules of the commission in favor of the great power interests of the country. The real issue, then, is not as to whether or not Mr. King or Mr. Russell should be discharged, but where does one stand upon the power issue? Are we going to permit two public officials who endeavored to do their duty and who have been harassed and embarrassed by the power interests ever since they have been serving the commission to be sacrificed upon the altar of greed and selfishness merely because of the fact that they would not bend the knee to these interests?

Some one has said that Mr. Russell was a trouble maker. He could have gotten along in the Power Commission if he had been willing to do the bidding of the great power interests. Mr. King also could have gotten along in his position if he had been willing to do likewise. Both of these men could have gotten along in the Power Commission provided they had been willing to be subservient to the great power interests. Let Senators in this body make no mistake. When they vote to sustain Smith, they vote to sustain the power interests which are seeking, and have been seeking for several years, to get these men dismissed from their positions because of the fact that they have been trying to carry out not what they wanted to do but what the Congress of the United States directed that they should do. That is the issue here. It may be stated on the floor of the Senate that that is not an important issue, but I say it is one of the most important issues facing this country to-day.

Not only that, Mr. President, but there is another issue involved, and that is the question as to whether or not an employee who carries out the law as it is enacted by the Congress of the United States shall be discharged when he does what he thinks Congress tells him he shall do. Some of the newspapers of the country have said—and I think it was announced over the radio—that President Hoover directed that the action which was taken by the three members of the new commission should be taken. I can not believe that Mr. Hoover directed that such a thing should be done; I can not believe that the President of the United States, notwithstanding the fact that he was, as everybody knows, supported by the power interests in the last campaign, would want to say that these two employees must be sacrificed.

Some one has told me that, although the Senate of the United States should request that these names be sent back for reconsideration, the President would not send them back. I do not believe that to be so. I have more faith in the President of the United States than to think that he would refuse to send these names back to the Senate under the circumstances that exist. I have more faith in the President than to think that he would be a party to carrying out the nefarious scheme of the power interests of trying to punish these men because they did what the Congress of the United States said they should do.

Mr. GOFF. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from West Virginia?

Mr. WHEELER. I yield.

Mr. GOFF. I wish to say to the Senator from Montana that, in the light of the facts, he is absolutely justified in the conclusion he has reached that the President of the United States had nothing whatsoever to do with this matter. I make that statement to the Senate from my own knowledge after a personal conversation with the President to that effect.

Mr. WHEELER. I wish to say to the Senator from West Virginia that I am glad to hear him make that statement; I am glad to know the President told him so; but, when the roll shall be called, if the Senate shall vote to request the President to return the names to this body and he does not return them, then I say he will not be able to escape the charge that he himself is supporting and helping the power interests to carry out the scheme which, as everybody knows who is familiar with what has been going on, they have been endeavoring to carry out in relation to these men. They have gone over my State, for instance, to try to find something upon Russell so as to discredit him; they have hunted the country over searching for something on King in order to discredit him.

I say to you, Mr. President, and I say to the Senator from West Virginia, that if the Senate votes to request these names be returned to it, and the President of the United States, on some pretense or technicality, refuses to do so, the inference that he wants to have these men punished will be justified.

Mr. President, when Mr. Smith came before the committee and testified, it was brought out by me that practically the only time he ever intervened in an election in the State of Maine was when the power interests were fighting on one side and the governor of the State and the people were on the other. At that time he intervened on the side of the power interests, and I became convinced right then and there that he was not the proper man to be placed upon the Power Commission. Then, what do we find his next connection is? We find him writing the foreword of a book in behalf of a combination of superpower interests extending from the State of Maine to the city of Washington, including Great Falls, and we find him doing it at the instance of his friend W. S. Murray, the same man who filed charges with the Secretary of Interior asking that Russell be discharged or reprimanded just a few days before Mr. George Otis Smith came into office and just a few days before Mr. Russell was dismissed.

What connection, I should like to know, did Mr. Murray have with the firing of Russell? What connection, I should like to know, exists between George Otis Smith and this man Murray, who put in a charge which was sought to be cut out by Russell of something like a million dollars as a legitimate claim to be paid back by the Government at the end of 50 years? Russell cut it out. He came in conflict with Murray. George Otis Smith, Murray's friend, came in as chairman of the commission, and immediately, the next day after he came in, Russell was fired.

Mr. GOFF. Mr. President, will the Senator yield right there?

Mr. WHEELER. I shall be glad to yield.

Mr. GOFF. Those facts were before the Senate when Mr. George Otis Smith was confirmed.

Mr. WHEELER. No; they were not.

Mr. GOFF. They were known by the committee.

Mr. WHEELER. They were not before the committee, and they were not all known.

Mr. GOFF. I heard them generally discussed, and I supposed, of course, that Senators who were opposing the confirmation knew them.

Mr. WHEELER. I did not know them.

Mr. GOFF. But this is what I want to say to my friend from Montana: I am not advocating any Power Trust, and I have never intended to protect any Power Trust in the argument which I have made before the Senate. I do not know what the President would do; but, speaking for myself, in the light of the law as I see it, if I had the responsibility of deciding this question, regardless of the interests that might be affected in any way, favorably or otherwise, I would never return the papers.

I wish to say that merely in reply to the suggestion the Senator made.

Mr. WHEELER. I am not questioning what the Senator says, but I am saying this:

In the light of the facts and in the light of the law I entirely agree with the Senator from New Mexico [Mr. BRATTON], the Senator from Georgia [Mr. GEORGE], my colleague [Mr. WALSH], and the rest of the lawyers upon this side who have spoken, that to all intents and purposes the name of George Otis Smith is before this body to-day; and, if it is not before this body, then we shall have to say that the rules of the Senate are unconstitutional. We shall have to take the position either that they are unconstitutional or that the name of Mr. Smith is before this body.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Nebraska?

Mr. WHEELER. I yield.

Mr. NORRIS. So that I may not be misunderstood, I agree with the proposition the Senator has just laid down; but I do not want the Senator to forget, and I hope he will not let the Senate forget, that after all the issue is what he laid down a while ago. It is much greater than any technicality; and the President is not compelled to rely on a legal technicality.

If we assume that the Senate wants George Otis Smith, for instance, put out of this office because of what he has done and what it is shown he believes in on the power question, if the President is in accord with that he will not try to back up under any legal technicality. If he believes with the Senate, if the Senate votes to reconsider, that the action Mr. Smith took, before the ink on his commission was dry, to fire two faithful public servants who were standing by the law and the Treasury of the country and the people of the country, was unjustified and should be rebuked, if he is interested with the Senate in firing the people who were responsible for firing those men, he will not back up upon any legal technicality, however plain it may be to him as the law.

Mr. WHEELER. Why, it seems to me that the President of the United States should have been shocked at the conduct of George Otis Smith and his commission when they took this action. He himself should not have waited for the Senate of the United States to move to recall the nominations; he should have said, "These men, King and Russell, have been fighting in the public interest as against the great power interest, and I shall discharge those commissioners for their action." That is what he should have done.

Mr. NORRIS. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana further yield to the Senator from Nebraska?

Mr. WHEELER. I am glad to yield.

Mr. NORRIS. If we had had a Roosevelt in the White House when this commission took this drastic action, they would not have held their office over one night. They would have been fired as soon as the President knew what they had done.

Mr. WHEELER. I have not any doubt of it.

Mr. WALSH of Montana. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to his colleague?

Mr. WHEELER. I am glad to yield.

Mr. WALSH of Montana. I understood the position of the Senator from West Virginia yesterday to be that the rule of the Senate is unconstitutional. That is the basis of his argument, as I understood.

Mr. WHEELER. Yes; I understood that that was the basis of his argument yesterday—that the rule of the Senate was unconstitutional.

Mr. GOFF. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from West Virginia?

Mr. WHEELER. Just a moment. I also understood that the Senator from West Virginia very clearly understood that the issue before the Power Commission was as to one group being on the side of the public and the other group being on the side of the power interests. In view of that statement by the Senator yesterday, it seems to me that neither he nor the President of the United States can afford to stand upon some legal technicality, even if they could. Frankly, I do not believe that the President of the United States, Mr. Hoover, will show himself to be of such a caliber as to stand upon a legal technicality and not return these names, in view of the statements made by the Senator from West Virginia upon the floor of the Senate, in view of what the facts are, and in view of what every man in the Senate who knows anything about it knows, and what every member of the press gallery knows who has followed the situation before the Power Commission.

Mr. GOFF. Mr. President, now will the Senator yield?

Mr. WHEELER. Yes; I am glad to yield.

Mr. GOFF. The Senator and his colleague have stated what they understood to be my position. They have stated only one-half of it. I said that the Senate had not only waived the application of these rules by the action it took, but that if the Senate had not waived it then these rules themselves were unconstitutional. If there has been a waiver, or if the rule itself is unconstitutional, I submit to the Senator from Montana that there is no moral or Executive obligation upon the part of the President requiring him to return a matter here when there is no law or rule existing which would require him to do so.

Mr. WHEELER. Yes; but there is a moral obligation upon the part of the President of the United States to see to it that employees of the Government who are carrying out the will of the Congress of the United States and who are trying to protect the public interest are not discharged when the power interests want them to be discharged. That is the moral obligation upon the part of the President of the United States; and, for my part, I do not believe and I can not believe that the President of the United States will shirk that moral obligation when it is called to his attention.

Mr. BLACK. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Alabama?

Mr. WHEELER. I yield.

Mr. BLACK. Does the Senator understand that the Senator from West Virginia took the position that these men could be removed only by impeachment?

Mr. WHEELER. No; I do not think he took that position.

Mr. GOFF. No; I did not take that position—never.

Mr. BLACK. The Senator took the position, as I understood him, that the President could remove them if he saw fit.

Mr. GOFF. I said that the only thing that could be done now, legally and constitutionally, to separate these men from their respective offices, was for the President to remove them under the authority resident in the Executive, or for impeachment proceedings to be commenced in the other House.

Mr. BLACK. Then the Senator does not think there is any legal or technical barrier which would prevent the President from removing these men if he so desired to do?

Mr. GOFF. There is nothing that will prevent the President from removing anybody whom he appoints, at any time that he so desires, and without giving any reason therefor.

Mr. BLACK. So, if the Senate was right in its position, if the President knew that these commissioners had discharged men whose sole offense was preventing the padding of the capital accounts of power companies, there is nothing in the world to prevent the President from removing them, even under the Senator's contention as to the law?

Mr. GOFF. The President can do whatever he sees fit to do.

Mr. WHEELER. Now, I desire to call attention to what has been going on with reference to padding some of the accounts.

Sections 3, 14, and 20 of the Federal water power act direct the Federal Water Power Commission to determine the net investment on every project under license, based upon the actual legitimate or original cost of construction. This is used as a basis for security issues and rate schedules. The power companies contend that the Power Commission

should accept any statement they make as to plant costs—just have a clerk rubber-stamp the report, as it were, and that is all. They claim that the Power Commission has no legal right to question these figures until the expiration of the lease, 50 years hence; and that was the position that Bonner took. His position was almost identical with that of the power interests.

The position taken, if you please, by Mr. King and Mr. Russell was that the law directed them to examine these reports of net investment to see if they were accurate or padded. Mr. King filed with the Interstate Commerce Committee last summer, on demand, a statement covering some 27 projects, showing where the power companies were attempting to inject millions upon millions of water and write-ups into their accounts. He explained that not only did these violate the law, and that the electrical consumers would be compelled to pay dividends upon these fictitious values for half a century, but that Uncle Sam would have to pay these extra fraudulent accounts when he took the property back. That is the issue in the commission.

Mr. COUZENS. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Michigan?

Mr. WHEELER. Gladly.

Mr. COUZENS. Does the Senator understand that that issue has not yet been determined by the legal authorities required to determine it? Does he understand that that issue between the employees has not yet been determined by the commission?

Mr. WHEELER. I understand that it has not been determined by the commission; yes. Of course, they have not had time to determine it yet. I say, however, that when they fired the two men who have been working on the thing, the only two men who have stood up there in the public interest ever since the Power Commission was created, particularly King, the accountant, and Russell, who has been giving the legal status to it and backing up King—when they fired those two men, it could not help but indicate to anybody who knows anything about the matter and has followed it that these men were taking a position on the side of the power interests; and I think the President of the United States, when he knows the facts, will have the moral courage to come out and stand by employees who have been and are fighting on the side of the public. I think Senators on the other side are belittling the President when they say that he should stand upon a legal technicality, even though he could, and not send back these names. I refuse to believe it.

No one knows the exact amount of the fraud that the Power Trust is thus attempting to put over on Uncle Sam and the people, but my guess is that it is between five hundred million and a billion dollars; and then somebody says that this is not an important issue to the people of this country! That is the issue. That is the issue that has been made by Russell and King on the one side, and Bonner on the other. That is what we are fighting for. We are not fighting for Russell. We are not fighting for King. They are mere pawns. We are simply saying that these two men who have brought these things to light are entitled, in all decency, to have the support of every right-thinking man in the Senate of the United States, and they are entitled to have the support of the President of the United States of America; and I believe they will get it when the facts become known to him, if they are not already known.

There have been on the commission three powerful members of the Cabinet, including the present Secretary of the Interior. Did they fire Russell? Did they fire King? Either one of two things is true—either they did not fire them because they thought they were good servants, or you have to charge them with being moral cowards and not having the courage to do it. Which horn of the dilemma do you want to take?

Mr. King has been checking up on these attempted steals for 10 years. He never had an adequate force of accountants until last year; but he has done his best, and the result of his work during the last 12 months was astonishing and highly important to the people of this Nation.

Mr. King holds that the power companies should obey the law in respect to making reports promptly after construction of a plant and promptly report additions from year to year. Through the 10 years of the Harding-Coolidge régime that provision has never been enforced. It was only when King and Russell came in and brought this thing to light that they started to enforce it; and now their heads are to be chopped off. At whose instance? At the instance of the power interests. At the instance of the great combinations of wealth in this country two insignificant clerks are to have their heads chopped off because of the fact that they run counter to this great octopus which extends from one end of this country to the other.

People are crying for food throughout this land because of the fact, they are told, they are producing too much. They are told they are going hungry because they are producing too much food. They are told that they are going without clothes because they are producing too many clothes, and that they are going without shelter because of the fact that they are producing too much building material. While the people are walking the streets and going hungry all over this country to-day, the Republicans are going to let the great power interests, which have helped to bring about this condition, punish two individuals because of the fact that they just happened to get in their way; and we placed them in the position where we said to them, "You do certain things," which they did, and now we are going to chop their heads off.

Mr. Bonner, on the other hand, has held that these provisions should not be enforced. Let me call attention to the fact that Mr. Bonner was over speaking before the engineers in the city of New York, where one of the professors of Stanford University denounced him before the engineers' organization of the country for his position. Yet because these other men have taken the same position which the engineers in the city of New York took in their meeting, when they denounced Bonner in open meeting, you are going to let Smith punish them.

As I said a moment ago, Mr. Bonner says he does not think these provisions to which I have called attention should be enforced. He refused to execute orders that they be made speedily effective. He was willing to let the power companies file as they pleased, or not at all. He blocked Mr. Russell and Mr. King at every turn. He was very insulting and nasty in his conduct toward them. Then you men say that you want to get rid of them because there was trouble between them. What would an honest, decent-thinking man do under the circumstances? What would you men have done under the same circumstances? Would you have sat idly by and allowed these men to come in and file false reports? Would you have let them pad their accounts? Is there a man upon the other side of the Chamber who would stand here on this floor and say that under the same circumstances he would not have done exactly what King and Russell did? Where is the man who will stand up and say he would not have fought for the public interests; would not have fought to strike out padded accounts? Then you tell me that the President of the United States is going to discharge them because they did what every one of you men on the other side of the Chamber would have done under the same circumstances.

This attempted evasion of the accounting provisions of the power act caused the first clash between Bonner, King, and Russell. Bonner repeatedly stated he was not in sympathy with that provision, slurred accountants as "mere clerks," tried to transfer the accounting system to other departments in such fashion that its effectiveness would be lost, blocked the adoption for months of rules of procedure, and then went to the astonishing length of suggesting to a power company to withdraw its application for a major license and apply for a minor license so that it could escape the cumbersome accounting provision of the law. That is what Bonner has been doing. That is how he has been representing the power interests. That is what the fight has been. That is what all the trouble has been about.

I have here on my desk a statement as to several projects. Let me call them briefly to the attention of the Senate.





Here is project No. 516. The power company in this case reported $1,249,000 as the cost before commencement of construction. Of this amount, these discharged officials eliminated $412,000. The larger part of the sum represented payments to W. S. Barstow & Co. and W. S. Murray of superpower fame, each of the sum of $150,000. Is it any wonder that Mr. Murray is angry? Is it any wonder that Mr. Murray filed a protest, as I understand he did, with the Secretary of the Interior against these men? Murray was the friend of Smith, and is it not significant that when Smith came into office Mr. Russell was fired?

On cross-examination of W. S. Murray, George Otis Smith's friend, by Mr. Russell before the commission, Murray admitted that the $300,000 was but a part of the sum of $1,000,000 which he and Barstow had agreed to split between them as a fee for putting their two plants together. Three hundred thousand dollars was to go into the so-called prelicense cost, and $700,000 was to be included in the postlicense or construction cost.

Out of the funds raised by the issuance of securities, there was paid $135,000 to Barstow for his site consolidated with Murray's site, which $135,000 was merely a jump figure while the accountants for the commission found that the actual amount was $10,000. Are you going to punish Russell and King for saving the Government $412,000 on this item? Are you going to say that because of the fact that they found this claim and knocked it out, their heads should be chopped off? Do you mean to tell me that the President of the United States is going to stand upon some technicality and let these men be fired?

As I said a moment ago, I do not believe it, and I will not believe it until he shows to me that he has not the moral stamina to stand up in the face of facts of that kind. I think he would have done it before if he had known what the facts in the case were.

Out of a total of $18,065,850 for five cases which I have before me, it is claimed that approximately $10,000,000 of this amount had been eliminated by the discharged employees in these cases.

In this case, project No. 346, the power company filed a claim of actual cost totaling $3,451,000. Of this amount, Mr. King, the accountant, on the advice of Russell, the solicitor, eliminated $1,219,000. The facts in this case are that this is the Electric Bond & Share Co.; that one of the gross irregularities in the cost-accounting report is the fact that the American Power & Light Co. loaned the money to a subsidiary company to construct the plant, accepting notes in payment therefor totaling $3,060,000. Those notes were discounted by the American Power & Light Co., and but $2,754,000 were turned over to the operating company.

Shortly thereafter the property was transferred to another subsidiary company, and the notes were redeemed at their full face value, which returned a rate of interest to the American Power & Light Co. running from 17 per cent to 4,000 per cent, and in addition to that they charged up 7 per cent interest upon the discounted amount advanced to the construction company.

The complete transaction in this matter is as follows:

Transfer of control of the Pike Rapids Power Co. to Heyworth & Seaman. Up to March 31, 1923, there had been issued by the Pike Rapids Power Co. only 385 shares of the common stock, of the par value of $100 per share. In the commission files is a copy of an option, dated March 31, 1923, whereby certain stockholders of the company agreed to sell to James O. Heyworth and George M. Seaman, of Chicago, 330 of the 385 shares then outstanding. The option was exercised, and thereafter for a time control of the Pike Rapids Power Co. rested with Heyworth & Seaman, who prosecuted an application before the commission for a license, and also caused to be made certain engineering investigations and studies.

License for the Blanchard Rapids project was issued on August 25, 1923, following which James O. Heyworth, now deceased, who was an engineer and contractor, appears to have proceeded with the preparation of plans and specifications for the project works, equipment, and so forth, and entered into negotiations with the manufacturers for the purchase of equipment.

Under date of January 19, 1924, the Pike Rapids Power Co. entered into a contract with James O. Heyworth for the construction of the Blanchard Rapids development, but in the meantime, during the latter part of December, 1923, Heyworth & Seaman had sold their 330 shares of stock to the American Power & Light Co. That company also acquired the remaining 55 shares, and on or about December 29, 1923, assumed control of the Pike Rapids Power Co.

This report shows how this whole transaction was handled and was manipulated for the purpose, unquestionably, of defrauding the Government of the United States. There are a lot of these cases here in which we should not stop simply with the accountant and the solicitor finding them out and reporting them to the commission. They ought to be turned over to the Department of Justice for criminal prosecution for an attempt to defraud the Government of the United States.

But for doing their duty King and Russell have been discharged. Call it what you may, they have been discharged; their heads have been cut off; they have been kicked out in disgrace because they had the intestinal stamina to do their duty and not bend their knees to the great power combine. Then tell me that the President of the United States is going to hide behind some technicality! Senators do him an injustice when they make that statement.

Here is another project, project 469. The facts here show that the power company claimed a cost of $1,410,000, of which $450,000 was cut off by these discharged employees. Four hundred and fifty thousand dollars saved the Government of the United States, $450,000 cut out of the capital cost which would redound to the benefit of the consuming public, and they are to be punished for it.

In this case a number of local companies in Minnesota were acquired by the Minnesota Utilities Co., owned by the Electric Bond & Share Co., at a cost of $17,200,000, which cost was found by accountants of the commission to be correct. The property was thereupon transferred to the Minnesota Power & Light Co., another company owned and controlled by the Electric Bond & Share Co., on which there was an overnight write-up of $20,000,000, a part of which write-up applied to the cost included in the $1,410,000. Are we going to stand upon a technicality when these men have saved the Government this money? Are we going to say the rules of the Senate are unconstitutional? If we do, and if the President of the United States hides behind that sort of technicality, then let me say to Senators on the other side of the Chamber that the charge will be made, and in my judgment it will be justified, that the great power interests of the country not only contributed to his campaign but that they are running his administration.

In project No. 432 a claim was made for $924,850 as an investment in a project in North Carolina. Of this amount, $779,329 was eliminated by King, the discharged accountant, on the advice of Russel. The facts show that there are fees charged to the public in North Carolina for supervision by the Electric Bond & Share Co., of New York, and likewise charges of their lobbyist in Washington, consisting of salary and expenses. These charges run through all of these accounting reports.

The Phoenix Utility Co. is a construction company owned by the Electric Bond & Share Co., and all contracts for construction by the Electric Bond & Share Co. are made with the Phoenix Utility Co. The Phoenix Utility Co. does not own property enough or material enough to construct a 1-car garage, and yet all of the money expended for construction by the Electric Bond & Share Co. is paid through the Phoenix Utility Co., and the Electric Bond & Share Co. receives a percentage on all those construction costs. I am informed that the records show that the income from this paper construction company runs into millions of dollars for the Electric Bond & Share Co. and is paid for by the public. Again these facts were brought to light by these two men.

Here is project No. 309, the Clarion River Power Co., in Pennsylvania. This case shows glaring irregularities of the power company accounting which made up the amount of $11,032,000 as the cost of constructing property in Pennsylvania. Of this amount, these discharged employees struck out $6,387,000. This is the case which was taken to the Supreme Court of the District of Columbia, which was argued before Justice Adkins on December 8 by Mr. Russell, representing the Government. Here is a case where the same people, H. D. Walbridge & Co., who own the construction company, own the power company. The power company entered into a contract with the construction company and the owners of the two companies, the same H. D. Walbridge & Co., charged to the power company the amount paid to Walbridge, which was $300,000, as a fee for inducing his own construction company to enter into a construction contract with his own power company.

Is it any wonder, when Russell brought out these facts, that the power interests felt outraged? Is it any wonder that they wanted to see him discharged and King kicked out of office in disgrace? They wanted to serve notice upon every employee and every official in the country that "the minute you tread upon the toes of this great octopus you must expect to be punished, you must expect to be disgraced." I say that here is one time and one place where the Senate of the United States should assert its manhood and say to this great octopus, "We are not going to permit honest public officials to be trampled beneath your heel because they are serving the public interests." I say shame on the man who under these circumstances would try to hide behind some technicality.

The same Walbridge & Co. owned the finance company. The finance company contracted with the power company and fees of the same nature were charged and paid in the sum of $200,000 for so inducing one of these companies to enter into a contract with the other company. Where is the Attorney General of the United States that he does not file a criminal prosecution against this outfit for attempting to defraud the Government of the United States?

Eight hundred thousand dollars of such fees charged into this account were eliminated on Russell's opinion. Furthermore, an old predecessor of the company issued $4,000,000 par value of bonds, and of this amount but $1,000,000, or a little over, was actually received in cash, and yet the whole $4,000,000 par value was charged up to the cost of construction. On top of that there were fees of $2,550,000 paid for engineering and supervision that represented nothing but high finance.

The same company owned the Clarion Water Co. at Clarion, Pa., near where the dam was built. The power company paid for construction of a new water plant for the city, and the cost of the water plant was charged up to the power company, totaling over $250,000. There are unsupported items of over $1,000,000, and a finance charge of over $1,000,000 in this high-finance maneuver. A summary of these proposed eliminations, with full explanation, is contained in the report which I have before me and may be found on page 25 of this docket of the Federal Power Commission, project 309.

I asked Mr. Russell to furnish me with a statement of the general amount of work and what that work consisted of in his office as solicitor at the time he was discharged. His oral report to me is that there were pending on his desk 11 of this character of cases to be tried; that many more were in process of preparation; that one case was in court; that another case was about to be brought, the nature of which he did not disclose; that eight cases aside from those mentioned had been decided by the former commission on his recommendation, but that all the cases involved further proceedings of considerable magnitude; that he had on his desk three exhaustive briefs to prepare, involving very intricate questions, the preparation of which should be completed by the 1st of February; that he had before him the preparation of proceedings before the commission involving more than 10 specific subjects of a general nature for presentment and argument before the commission; that there were at least six cases in different jurisdictions of the United States where the power companies had refused to permit examination of their books, and suits would have to be instituted in all six cases; that the commission never exercised its authority except in one case over the issuance of securities of corporations subject to the act; that there were numerous cases where this should be done and that he has prepared in part a modus operandi for the determination of such cases and that the present commission would be faced with the intricate subject of laying down procedure for the issuance of securities as required by the act.

Where is the lawyer in this body who will say that some lawyer can be taken in hand to-morrow and placed in charge of these cases and have the work go on as it should go on? To be most gentle toward Mr. Smith would be to say that he is incompetent and did not know what he was doing when he would discharge a man under the circumstances existing at this time.

Mr. WALSH of Montana. Mr. President——

The PRESIDING OFFICER (Mr. BINGHAM in the chair). Does the Senator from Montana yield to his colleague?

Mr. WHEELER. I yield.

Mr. WALSH of Montana. The supreme importance of the facts to which the attention of the Senate has just been invited and not heretofore referred to must be recognized by everyone. I inquire of my colleague if it is conceivable that the three members of the commission understood the critical situation in which the business of the commission, reposed in the commission, was at the time this action was taken?

Mr. WHEELER. It seems to me it would be impossible for them to have appreciated it in view of what they have done.

Mr. WALSH of Montana. I apprehend that the same situation exists with respect to Mr. King. Mr. King doubtless had worked up for Solicitor Russell the points upon which he expected to make his contention before the courts before which these proceedings were pending.

Mr. WHEELER. That is undoubtedly correct.

Mr. WALSH of Montana. I would like to inquire of the Senator from West Virginia [Mr. GOFF] if he perchance conceives that this is an important matter to which I have adverted?

Mr. GOFF. Mr. President——

The PRESIDING OFFICER. Does the junior Senator from Montana yield to the Senator from West Virginia?

Mr. WHEELER. I yield.

Mr. GOFF. I can see the force and effect of that argument, but I do not see its importance for this reason: I do not concede the position taken by either of the Senators from Montana that these men were discharged by the commission.

Mr. WALSH of Montana. I understand. I did not intend to raise any controversy about that matter with the Senator from West Virginia; but my colleague is calling our attention to questions of the most profound importance now pending before the various courts of the country, requiring the services of a lawyer thoroughly familiar with the facts, and thoroughly familiar with the law applicable to those facts, and likewise calling for the highest character of expert testimony by an accountant. I, therefore, simply addressed myself to the Senator from West Virginia to inquire whether he does not, as a lawyer, recognize the supreme importance of that situation as it relates to the question of whether these men ought to be at least temporarily retained or not.

Mr. GOFF. Has the Senator finished his question?

Mr. WALSH of Montana. Yes.

Mr. GOFF. I appreciate when any lawyer or any expert accountant has worked up an important and intricate case involving the law and figures that a stranger can not immediately take possession of those facts and present with equal efficiency the issues involved. I think there is absolutely no question about that; but I will say to the Senator, to relieve his feelings in the matter, that these men have all filed their applications, as requested to do, for re-

instatement, except Mr. Bonner, who declined to have anything further to do with the Power Commission, giving as his reason that members of the Senate had criticized his conduct while acting as the executive secretary. If the commission should act contrary to the wishes of these men and refuse to reinstate them, then I would say to the Senator that his contention would be more meritorious than I now consider it to be.

Mr. WALSH of Montana. Is the Senator's statement in the nature of an olive branch?

Mr. GOFF. No, sir; I am not holding out any olive branches to the Senator, because I know he would neither accept them nor treat them in that way.

Mr. WHEELER. Mr. President, let me say in reply to what the Senator from West Virginia [Mr. GOFF] has stated that, according to my information, if the facts were just as the Senator has disclosed them and as I know he believes them to be, it would be quite different from the picture which I have of the situation.

Let me call the attention of the Senator to the fact that when we amended the original water power act, as the Senator knows, we had in mind not having the Army engineers do the work here in Washington. So we wrote into the provisions of the amendatory act this language:

SEC. 2. The commission shall have authority to appoint, prescribe the duties, and fix the salaries of, a secretary, a chief engineer, a general counsel, a solicitor, and a chief accountant; and may, subject to the civil service laws, appoint such other officers and employees as are necessary in the execution of its functions and fix their salaries in accordance with the classification act of 1923, as amended.

Previously Mr. Bonner had been having the Army engineers do the work here in Washington. The Congress provided in the law in effect that a civilian engineer should be employed by the commission. Did the commission scrupulously follow the direction of the law? Did it go out and hire a chief engineer? Not at all. It is still employing the same Army engineer to do the work who had been previously employed.

Not only that, but, if my information is correct, Mr. Smith called Mr. Russell into his office and told him that he could not work with the commission any more. Does that look as if he were merely automatically putting him aside, or does it look as if, because of the fact that he knew his friend Murray and the power interests were fighting Russell and opposing him, he did not want him there? He so disregarded the public interest that he did not even look into the question as to whether or not this litigation was pending; he so disregarded the public interest that he never even ascertained how many cases were pending; he never ascertained how much work was piled on the desks of these men; he never ascertained the nature of their work or anything about it; but he automatically fired them, and then said to Mr. Russell he could not come back. If my information be correct, he even went farther than that and said to one of the other employees, "Unless you behave, you, too, will be fired."

Now, going back to the work before the attorney of the commission, let me call attention to the fact that Mr. Russell informed me the amount of legal work in his office would require an additional force of at least five competent attorneys for a period running from two to three years, in order to catch up with the accounting and the valuation work of the commission, and bring it up to date as Congress intended it should be done. In addition to that Mr. Russell informed me that in a period of one year he had prepared 21 formal opinions involving intricate questions of public-utility regulation.

I have before me a bound copy of those opinions. I have perused some of them to a considerable extent. They embrace such complicated and involved problems that it is next to impossible for the ordinary practitioner even to understand of what the questions consist. Let any lawyer in this body go through these opinions, which I hold in my hand, and he will readily see that unless an attorney has had experience along this line he will not know the first thing about the cases. It is only by years of training in public-utility regulation that a man can become familiar with this kind of work. Mr. Russell has been engaged in it for more than 20 years; he has seen it grow from nothing to its present enormous proportions; he is familiar with every detail of public-utility regulation, with the laws of the different States and with the Federal water power act, and, as I have said, when he became connected with the Federal Power Commission it was on the recommendation, amongst others, of the Chairman of the Interstate Commerce Commission, Mr. Lewis, who gave him the highest kind of recommendation, which I have asked to have inserted in the RECORD along with other similar letters.

As I am informed, Mr. Russell has not had any trouble with the attorneys for the power companies excepting as to purely legal questions where he has had to contest illegal claims which have been made.

Let me call attention to the fact that the disharmony that has been cried about from every corner was due to an honest attempt by Russell and King, on the one hand, to enforce the law in the public interest, and Bonner, on the other, who was constantly seeking to aid and was constantly representing the power interests.

It seems to me that that is the kind of disharmony we want in some of the Federal commissions. We do not want employees to hold positions merely for the sake of harmony. We do not want such employees, merely for the sake of harmony, to violate their public trust, and we ought not to punish men who are seeking to carry out what we direct them to do; we ought not to punish them because they can not get along with some one else who seeks to violate the instructions given to him by the Congress of the United States or who is so disregardful of the public interest that he will pay no attention to our instructions.

Bonner was determined to force through what are known as minor-part licenses for power sites. This brought him again in direct conflict with Russell and with King. The law provides that any company desiring to develop a Federal water-power site shall obtain from the commission a 50-year license, and be subject to strict regulation as to investments, securities, recapture provisions, and so forth. This may be called a major license. As a matter of convenience, the law also permits the commission to issue minor-part licenses, of extremely inconsequential character, in which the regulatory provisions are waived. The Power Trust attempted to expand this minor-part clause into a loophole in order to escape regulation. The Appalachian Power Co., controlled by the Electric Bond & Share Co. of New York, tried, for example, to get a minor-part license on an 80,000-horsepower site on the New River in Virginia and West Virginia. Bonner was for it; Russell declared it absolutely illegal, and also destructive of the power act. He pointed out to Bonner that if one company could secure a minor-part license for a power site on an alleged nonnavigable river, it would set a disastrous precedent; in the future companies holding major licenses would demand that they be changed and reduced to minor licenses, and great sites would be leased on reduced terms, with the net result that the power companies would escape regulation on approximately 90 per cent of Uncle Sam's power sites, and many millions of dollars of "blue-sky" securities would be unloaded upon the public.

Where do we stand with reference to that question? Do we want to uphold Mr. Bonner; do we want men on the Power Commission who are going to be subservient to the Electric Bond & Share Co. or any other power interest, or do we want men who will carry out the wishes of Congress?

Are we going to say that the President of the United States of America may hide behind a legal technicality and discharge men because they have been fighting on the side of the public? I repeat, when that is said about him, it, in my judgment, does him a great injustice. I think he is too big to do a thing of that kind; and if he is not too big to do it, but is small enough to do so, then he is not big enough to be President of these great United States of America.

When this controversy was going on the question naturally arises, Where was the Power Commission at that time? Where was Wilbur? Where were the other members of the

Cabinet when this fight was going on? Did Mr. Wilbur know of this controversy? Did the Secretary of War know of this controversy? Did Secretary Hyde know of this controversy? Did they know the truth about this disharmony? Did they know the fight that was being made, on the one hand, by men trying to do what the public wanted them to do, namely, to represent their interests? Did they know what Russell and others on the staff of the commission had done with reference to knocking out millions upon millions of dollars of watered stock and fake claims? Did they know that? If they did know it, why did they not act? Is the answer to that question, that Dr. Ray Lyman Wilbur, acting chairman of the commission, was in sympathy with Bonner and what Bonner was doing? Is that the answer? Is the answer to it that the President of the United States was in sympathy with him, as Bonner said he was? I do not believe it.

What is the answer to it? If the President is not in sympathy with Bonner, as Bonner said he was; if Hyde was not in sympathy with Bonner, why did they not act? Why do they simply come and talk about "disharmony" when two men are representing the public interest, and another man is working in the interest of the power companies?

Mr. Bonner, it would seem, was trying to wreck the Federal water power act. Did Mr. Hoover know about it? If he upholds George Otis Smith and this commission in this fight; if he says to them, "We are going to hide behind a technicality, and not send back the names of these men," then we can come to only one conclusion—that Mr. George Otis Smith was acting under orders from the President of the United States, that Dr. Ray Lyman Wilbur and the other people were supporting Bonner, and that they wanted to break down the Federal Water Power Commission and the Federal water power act, as it was enacted by the Congress of the United States. That is the issue that Senators will have to meet in the next election if they do not do their duty in this instance.

The people all over this country are getting restless over the great combinations of wealth that are centering in Wall Street. They realize that with the consolidation of railroads, and the consolidation of banks, and the chain stores, the State commissions are almost helpless to deal with them. They are turning to the Government here in Washington as they have never turned to it before, and they are saying to the people in Congress, "We are demanding of Congress that you act in the matter, because the State commissions are breaking down." Then when they turn to the Congress of the United States, they find in the Power Commission two men, a lawyer and an accountant, who are actually trying to work in their interest, discharged, fired and disgraced, kicked out if you please, because the great power interests want them kicked out; and they are told that the President of the United States is going to back up the commission in taking that action.

When I called attention, if you please, on the floor of the Senate to the connections of Mr. Garsaud and the power interests and said that he was recommended by Mr. Hecht, of the power interests in Louisiana, and by Mr. Butler, another representative of the power interests in Louisiana——

Mr. BROUSSARD. Mr. President——

The PRESIDING OFFICER (Mr. FESS in the chair). Does the Senator from Montana yield to the Senator from Louisiana?

Mr. WHEELER. I do.

Mr. BROUSSARD. These letters that were inserted in the RECORD by my colleague [Mr. RANSDELL] at the hearings were letters which my colleague himself solicited from the gentlemen the Senator has mentioned after the opposition to Mr. Garsaud arose. Neither one of the gentlemen mentioned, nor any of them, so far as I know, recommended Mr. Garsaud for his appointment. They did indorse him after he was appointed.

Mr. WHEELER. They indorsed him; and not only that, but, as the Senator knows, Garsaud owes his very political life to Mr. Hecht, of the public service commission, which, in turn, is owned by the Electric Bond & Share Co., or controlled by it.

Mr. BROUSSARD. Mr. President, I challenge that statement. Mr. Garsaud was an employee of the levee board when the dock board, consisting of five members, unanimously, after six months' consideration of men qualified to hold that position, called him to that service; but he was already on the levee board.

Mr. WHEELER. Yes; I understand that he was there, appointed by Mr. Hecht to his present position; and I say that he owes his political life to Mr. Hecht.

Mr. BROUSSARD. The Senator may state it in that way, but the facts are otherwise.

Mr. WHEELER. I disagree with the Senator. I say that my statement is warranted by the facts brought out before the Interstate Commerce Committee when the hearing of Garsaud was on.

I call attention now, if you please, to an article in the Washington Herald of January 5:

POWER TRUST BACKS GARSAUD, FOES DECLARE—TWO BEHIND COMMISSIONER ARE STOCKHOLDERS IN BOND & SHARE

By M. L. Ramsay

Strong Power Trust support of Federal Power Commissioner Marcel Garsaud, of New Orleans, was revealed last night on the eve of the Senate fight to revoke the confirmation of Garsaud, Chairman Smith, and Commissioner Draper.

Senate foes of the new commission linked two of Garsaud's most influential indorsers with the Electric Bond & Share Co. of New York, which, under a score of names, has obtained many of the country's finest water powers from the Power Commission, and is seeking more.

Bond & Share interests also are leading the fight for freedom from all public regulation, in the New River case, and the fight against accounting which led to the commission's removal of Chief Accountant William V. King and Solicitor Charles A. Russell.

The Garsaud indorsers are Rudolph Hecht and James P. Butler, New Orleans bankers and directors of New Orleans Public Service (Inc.). Hecht was found listed in new Federal Trade Commission reports as holding $41,300 of stock, and Butler as holding $18,800 of stock in the Electric Power & Light Corporation.

Both were named trustees under a hidden voting trust by which this corporation controls New Orleans public service.

I have here some additional notes along the same line.

The voting trust includes 60 per cent of the common stock of New Orleans Public Service (Inc.). The stock in the trust is owned by the Electric Power & Light Corporation. The same corporation holds additional stock in other ways. Its holdings in all represent 94.8 per cent of the New Orleans company stock. (Federal Trade Commission report on Utility Corporations, Senate Doc. 92, pts. 23 and 24, 70th Cong., 1st sess., pp. 1155, 1157, and 1158.)

I am reading this statement particularly because when I said that the electric light and power interests in New Orleans were controlled by the Electric Bond & Share Co., the statement was challenged in the committee.

In showing that the Electric Power & Light Corporation, in its turn, is controlled by the Electric Bond & Share Co., the Trade Commission notes, among other things, that the Electric Light & Power Corporation is staffed entirely by officers and employees of the Electric Bond & Share Co., according to the same report, part 25, page 842. Nearly 17 per cent of its voting stock is owned directly by the Electric Bond & Share Co. The ownership of the remaining stock is scattered. The Electric Bond & Share Co. also has huge holdings of option warrants entitling it to buy more stock. There is also a clause in the Electric Power & Light Corporation's by-laws giving its directors, dominated by the Electric Bond & Share Co., unlimited authority to issue additional stock. These various points are shown in part 25, pages 859 to 861.

In explaining the significance of the stock-issue clause the Trade Commission says:

If there should be an effort made by some outside interests to acquire control of the corporation, it would only be necessary for the board of directors to issue such common stock to Electric Bond & Share as was necessary to avert the danger, and this stock could be issued on whatsoever basis the board of directors might decide.

The stock-issue clause is one of the sort now known to be widely used by utility companies, and at least to some extent by others, which sets aside the preemptive right of

stockholders to subscribe to any additional stock which may be issued. This is done by express declaration; and the declaration is followed by the statement that the directors shall have authority to issue such additional stock to persons of their own selection and on such terms as the directors may fix.

In the Senate committee the connection between the New Orleans Public Service (Inc.) and the Electric Bond & Share Co. was disputed and never established, because the Trade Commission records were not consulted.

The voting trustees who serve with Mr. R. S. Hecht and J. P. Butler are Sidney Z. Mitchell, chairman of the Electric Bond & Share Co., and C. E. Groesbeck, president of that company. There are only these four. (S. Doc. No. 92, 70th Cong., 1st sess., pts. 23 and 24, p. 1183.) This is one of the Federal Trade Commission's new reports, printed about two months ago.

I simply call attention to that fact. While I say that, of course, it does not necessarily follow that because a man is indorsed by some power company he is going, by reason of that fact, to lean toward the power company, yet coupled with his actions immediately after he got on the commission in voting to fire two men who had been scanning the accounts of the Electric Bond & Share Co., and who had cut out millions of dollars of false and fictitious claims that they had put into their records, the indication to me is that he was at least rather friendly to the power interests and to the people who recommended him.

I want to say this in defense of Garsaud, however: I do feel that he is not as culpable in this matter as George Otis Smith, because George Otis Smith was on the ground. He ought to have known about the situation up there, as everybody in public life knew it, and particularly George Otis Smith, because he was up there in the Interior Department. I say that he is culpable because of the fact that he was holding public office here in Washington; that he is an intelligent man, and that he knew what was going on. He knew what the fight was probably as well as and better than most men in the United States Senate to-day. The Secretary of the Interior knew what it was; and if he did not know what it was, and if he did not know what these records show that I have brought here to-day, then he should have known it.

I do not see how anybody can stand upon the floor of the Senate and for one second do otherwise than condemn the actions of these commissioners and ask the President to return their names.

Let us look for a moment and see what some of the newspapers of the country that have been following this matter have said about it.

Here is an editorial, if you please, from the Milwaukee Journal. I do not think anybody will credit the Milwaukee Journal for a minute with being particularly liberal in their views. The heading is:

[From the Milwaukee Journal, December 27, 1930]

OPPOSED POWER GRABS—FIRED

Not often does the Senate get an object lesson of its carelessness, of its failure to protect the public interest, so quickly. Just before the holiday recess it hastily ratified the five Hoover appointments to the new Federal Power Commission, despite the fact that the list was packed with one outright opponent of municipal operation to act as chairman, two men charged with having had close relations with the power interests, and two nonentities, men for whom nothing much could be said. The ink is hardly dry on the Senate's ratification when the commission meets and as its first official act dismisses three men—its secretary, its solicitor, and its chief accountant.

As for the secretary, F. E. Bonner, his work had been under such attack by Senators that he had to go. There was plenty of indications that as the virtual head of the old commission he had been prejudiced in favor of the power companies. But the dismissal of the solicitor, Charles F. Russell, and the accountant, William V. King, under the guise of a general "house cleaning" is an outrage. For these are the men who held the power companies in check. They stood for the public—and their reward is to be "fired."

Just as an instance of the work of Russell, recently he compelled the Lexington Water Power Co. to squeeze a million dollars of water out of the financial statement it submitted to the commission. This is the way Mr. Russell phrased the manipulation that was attempted:

"The General Gas & Electric Corporation is the company actually doing the business, and it lends to itself in the name of another company the money which belongs to itself and then attempts to charge the public interest on its own funds, loaned to itself by itself for the construction of its own property."

Russell stood guard against such manipulation and King stood with him, and for this they made bitter enemies among the power interests, of course. Senator BROOKHART will move to have the Senate require a reconsideration of these dismissals by the commission. It is the least the Senate can try to do now. That body stupidly ratified this new commission. Unless it can keep some measure of control over the commissioners for which it becomes sponsor, the power situation is likely to become a good deal worse instead of better. Have we reached the point where the reward of faithfulness to the public is dismissal if that faithfulness interferes with the schemes of power companies?

Here is another editorial, from the Philadelphia Bulletin:

[From the Philadelphia Bulletin, December 24, 1930]

A CHANCE FOR A BLUNDER

The new Federal Power Commission, under Chairman George Otis Smith, would make an awkward bow to the Nation if its initial act were to dump the solicitor of the old commission, Charles A. Russell, at the behest of anybody.

The charge of belligerency filed against the solicitor by the general counsel of the National Association of Utility Commissioners will be regarded by a great many people in the Nation as a compliment and a certificate of good character for the office he holds. More belligerency in behalf of private rights on the part of State and Federal regulatory commissions in dealing with public service would be appreciated.

Mr. Russell may have been mistaken in this controversy with the Pennsylvania Public Service Commission. Here in Pennsylvania there is a quite general belief that the public service commission has much more power than it ever has attempted to use in the regulation of public utilities, even to the extent of letting daylight in on their methods and processes of capitalization. But even if he were mistaken, his error does not warrant the new Power Commission in making an unfavorable appearance at this beginning of its career.

Here is another editorial, I think from the Daily News:

FIRE THE COMMISSIONERS

At the present moment there is only one way in which the United States Senate can oppose nullification of the Federal water power act.

That is by removal from the Federal Power Commission of George Otis Smith, Marcel Garsaud, and Claude R. Draper, whose first act in office was dismissal of William V. King and Charles A. Russell, the two commission employees who have fought for enforcement of the act, for protection of the public's power resources, and regulation of private companies.

Pleasant promises of future rectitude are not convincing from these commissioners now. Reemployment of one or both of the ousted men, while the Senate temporarily holds a gun over the commissioners, would be no guarantee of conversion and devotion to the law.

The Senate has already been notified by the November balloting how the people feel about the matter. It does less than its duty if it does not transmit this warning to the administration.

Here is an editorial from the Baltimore Sun:

[From the Baltimore Sun, December 23, 1930]

NOT SO PROMISING

The new Federal Power Commission takes office in a cloud of doubt and suspicion. Not one of its members came unscathed through the fire of senatorial investigation. Under the circumstances, it behooves the commission first to make every effort to establish public confidence in its own good faith, for then, and only then, may it count on the strong support of public opinion in whatever action it may take with regard to the power companies.

But this public confidence will not be established by firing every employee of the old commission to whom the power interests object. The commission can not clear itself of suspicion of bias in favor of the power companies by kicking out Chief Accountant King, for example, who is the man the power interests are most grimly determined to get. Yet a story from Washington in the Sun this morning gives reason to believe that King will be the first man to go.

If King and Charles A. Russell, the solicitor, who has also displeased the power interests, are thrown out of their jobs, the cloud of suspicion around the Federal Power Commission will thicken instead of disappearing. And it is already too thick.

Here is another editorial, from the New York World:

[From the New York World, December 25, 1930]

TWO DISMISSALS FROM THE PUBLIC SERVICE

The new Federal Power Commission is off to a flying start. Its five members were confirmed by the Senate on Wednesday of last week. On Tuesday of this week the commission issued its first official order, summarily discharging Charles F. Russell and William V. King, who served the old commission as solicitor and chief accountant.

We are in no position to judge the extent to which these two men were technically qualified for the offices which they have occupied for some years. We do know that both men have frequently appeared in controversies centering upon the work of the commission and that they have usually appeared in the rôle of advocates of more stringent regulation. It was Mr. Russell who filed charges before a committee of the Senate in February of this year to the effect that various important public-utility companies operating under the Federal power act have been permitted to inflate their capital accounts by many million dollars. It was Mr. King, in the rôle of chief accountant, who furnished the same committee with data which led Senator COUZENS to describe the administration of the powar act as "the rottenest exhibition of government" he had ever seen. Both men, in short, seem to be of the sort frequently described by some of the private power corporations as "trouble makers." That is, they ask unpleasant questions and insist upon compliance with inconvenient regulations. It may be that in pursuit of what they believe to be their duty they have shown themselves at times to be unduly suspicious, doctrinaire, and too easily alarmed by any threat to the public's interests. These are not grievous faults, considering the light-hearted complacency with which the power act has been administered.

It is a somewhat astonishing fact that these two men should have been discharged so promptly by the new commission. We are not surprised that the incident has created a stir in Washington or that it seems certain to be debated by the Senate.

Of course, they are "trouble makers." Anybody to-day in public life or in private life who attempts for one moment to interfere with the rule of these great corporations, extending from one end of the country to the other, is immediately charged with being a trouble maker if not with something else. Of course, you are a trouble maker when you say to the power interests, "You are inflating your capital costs upon which you seek to charge the public millions upon millions of dollars." Of course, you are a trouble maker when you say to the power interests, "You can not defraud the Government of the United States by filing false accounts, charging from $300,000 to a million dollars for entering into a contract with yourself."

Now, I call attention to an editorial from the Akron Times-Press of Akron, Ohio:

[From the Akron Times-Press, December 24, 1930]

THE WRECKING BEGINS

Christmas eve has brought to two public servants their reward for years of work. The reward is summary dismissal.

William V. King, chief accountant for the Federal Power Commission, and Charles A. Russell, its solicitor, have been turned out.

Monday afternoon three members of the new Federal Power Commission took the oath of office. Two hours later they met and agreed that these men must go. They filed no charges against them. They made no investigation of their records or the service they have performed. They gave them no hearing.

Tuesday morning, without previous warning, King and Russell were handed letters telling them they were through.

Tuesday afternoon the Capital rang with indignation.

King has been with the Government 20 years. He has been with the Power Commission ever since it was organized. He is one of the few men in the country with the expert technical knowledge necessary for performing his duties. It is King who has fought against power companies seeking to pad their net investment accounts with charges for $3 neckties given guests at a party, and with other items amounting to millions of dollars which he contends should not be charged against the public.

It is Russell who has carried on the legal fight in support of King's contentions, who has written briefs and argued in court for enforcement of the water power act and in defense of the commission's jurisdiction under it. Russell was in the midst of a legal fight on which the whole future of the Federal water act depends when he was dismissed. He was battling for the validity of the act against a power company attack which, if successful, will reduce the Power Commission to a rubber stamp and the power act itself to a dreary joke.

The three members of the Federal Power Commission who dismissed these men have forfeited the right to public confidence. They are George Otis Smith, Marcel Garsaud, and Claude L. Draper.

Instances have been called to my attention where the great, powerful power companies padded the accounts and charged themselves up with $3 neckties.

I likewise have another editorial from the Baltimore Sun, which I shall ask to have inserted in the RECORD as a part of my remarks.

The PRESIDING OFFICER (Mr. FESS in the chair). Is there objection?

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Baltimore Sun, December 24, 1930]

STORM AHEAD

If the newly reorganized Federal Power Commission had wanted to inaugurate its career with a fine large row, there was no better way to do it than by bouncing William V. King, the commission's chief accountant, and Charles A. Russell, its solicitor. For several years these men have been under constant assault by representatives of power interests. The offense charged has been, in substance, a too scrupulous devotion to what they regard as the public interest in water-power developments under the jurisdiction of the Federal commission, with possibly a subsidiary offense of causing discord in the commission by disagreeing with those less rigorous in their views on such matters.

The only possible reward for taking such a course as Mr. King and Mr. Russell have been following is a meager Government salary and the sense of a job honestly and courageously done. There are no fat jobs awaiting men who relentlessly array themselves on the side of the public in such matters as those which come before the Federal Power Commission. Under such circumstances and in view of the fact that these men are fired for being too harsh in their defense of the public interest, the public will certainly be heard from and the new Federal Power Commission will be launched in a storm.

Mr. WHEELER. I have another editorial from the Washington News, which reads:

[From the Washington News, December 27, 1930]

THE WRECKING BEGINS

Christmas eve has brought to two public servants their reward for years of work. The reward is summary dismissal.

William V. King, chief accountant for the Federal Power Commission, and Charles A. Russell, its solicitor, have been turned out.

Monday afternoon three members of the new Federal Power Commission took the oath of office. Two hours later they met and agreed that these men must go. They filed no charges against them. They made no investigation of their records or the service they have performed. They gave them no hearing. They gave the other members of the commission no chance to protest.

Tuesday morning, without previous warning, King and Russell were handed letters telling them they were through.

Tuesday afternoon the Capital rang with indignation. Senators who, on Saturday, had voted to install the new commissioners in office were incredulous and angry.

King has been with the Government 20 years. He has been with the Power Commission ever since it was organized. He is one of the few men in the country with the expert technical knowledge necessary for performing his duties. It is King who has fought against power companies seeking to pad their net investment accounts with charges for $3 neckties given guests at a party, and with other items amounting to millions of dollars which he contends should not be charged against the public.

It is Russell who has carried on the legal fight in support of King's contentions, who has written briefs and argued in court for enforcement of the water power act and in defense of the commission's jurisdiction under it. Russell was in the midst of a legal fight on which the whole future of the Federal water act depends when he was dismissed. He was battling for the validity of the act against a power company attack which, if successful, will reduce the Power Commission to a rubber stamp, and the power act itself to a dreary joke.

The three members of the Federal Power Commission who dismissed these men have forfeited the right to public confidence. They are George Otis Smith, Marcel Garsaud, and Claude L. Draper.

I have an editorial from Labor of December 30, 1930, which I ask to have inserted in the RECORD as a part of my remarks.

The PRESIDING OFFICER. Is there objection?

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From Labor, December 30, 1930]

POWER TRUST "GETS" TWO LOYAL PUBLIC SERVANTS

The perennial power row has broken out with renewed fury, and once more the administration finds itself at outs with the Senate progressives.

The new Federal Power Commission, appointed by President Hoover, was finally confirmed by the Senate on Saturday.

Monday afternoon the three members who had taken the oath of office held an executive meeting and discharged Executive Secretary F. E. Bonner, Chief Accountant William V. King, and Solicitor Charles A. Russell. King and Russell are the men who, under the old commission, fought the claims of the power interests.

Bonner was appointed at the instance of Secretary of the Interior Wilbur, on the indorsement of the power companies of California, which he had dealt with as an official of the Forest Service.

He has been under fire from the day he took office on the ground that he was too friendly with the power interests, and he has carried on a bitter feud with Russell and King.

Bonner announced his intention to resign two weeks ago, in a statement saying that the Senate progressives were making the Power Commission a "political football." In his letter of resigna-

tion he returned to the attack, saying that he was "tired of being crucified on the altar of politics."

Progressive Senators say that Bonner never has been rebuked for his attacks on the Senate, while one excuse given for discharging Russell is that he incurred the ill will of the Pennsylvania Public Utilities Commission by saying that it had failed to protect the public interests.

Though less in the public eye than Russell, Chief Accountant William V. King has long been in the black books of the power interests. He had the task of keeping "water" out of the accounts of power companies which took over Government power sites and holding them to actual legitimate investment.

The companies charge that Mr. King has been "too meticulous" in examining their accounts. In the Clarion River case he challenged more than $6,000,000 out of a total claimed investment of $11,000,000.

A "confidential memorandum," found some time ago in the course of the Federal Trade Commission's power investigations, and apparently sent out from some central office to power interests, generally, outlined a plan to get rid of King.

It complained that Mr. King's insistent scrutiny would force the companies to be content with lower earnings, "with consequent dangerous effects on our stock values, now so favorably quoted."

The same memorandum outlined a plan, to be put through with the aid of the United States Chamber of Commerce, to hand over the accounting to inexperienced men in the different departments, who "at least will be removed from the direct supervision of Mr. King."

Now Mr. King, the man the Power Trust feared, is removed.

The dismissal of Russell and King is explained in administration circles as being in the interests of "harmony" within the commission. It had quite another effect on those progressive Members of Congress who are lingering in Washington during the holidays.

They were outspoken and bitter in their comment.

In a letter to George Otis Smith, chairman of the commission, Senator WALSH of Montana said:

"I am unable to interpret the commission's action in any light except as punishment of two devoted public servants for the faithful discharge of the duties that devolved upon them.

"So far as I have been able to learn, not a word has ever been uttered against either except that he employed excessive zeal in safeguarding the interests of the public.

"It is a matter of profound regret to me that the confidence I hoped the country would have in the new commission, of which you have become the head, should be so early and so rudely disturbed."

Senator NORRIS said the commission's action was "almost unbelievable"; and Senator WHEELER, of Montana, declared that it proved that "Smith and Garsaud, at least, were tools of the Power Trust."

It is possible that when the Senate reconvenes a motion will be made to reconsider the vote by which the members of the commission were confirmed. If that carries, the entire matter will be thrashed out before the Senate Committee on Interstate Commerce.

The removal of Bonner means nothing. He will either get another position in the Government service, because of his civil-service status, or will be picked up by one of the big power companies.

King and Russell, on the other hand, having "offended the mighty," are out in the cold unless the Senate forces them back.

Mr. WHEELER. My attention has been called to an article which I was looking for a moment ago, and I want to call it to the attention of the Senate so that Senators may get a clear idea of what this fight is about, and what other people think about it. This article is from the Washington Herald of December 3, with a New York date line, December 2, and reads:

[From the Washington Herald, December 3, 1930]

BONNER STAND ON POWER HIT BY PROFESSOR—POWER COMMISSION SECRETARY HEARS HIMSELF ACCUSED OF NONFEASANCE AFTER PAPER

NEW YORK, December 2.—Frank E. Bonner, executive secretary of the Federal Power Commission, heard his own policies assailed to-day at the American Society of Mechanical Engineers meeting.

Guido H. Marx, professor of machine design at Stanford University, asserted that it was a question whether the attitude of Bonner did not amount to nonfeasance in office. The professor's attack was made at a meeting of the hydraulic division of the society.

URGED STATE CONTROL

Bonner had read a paper on Federal Relations to Water-Power Development in which he declared the primary relation of the water-power industry is with the States. He contended that the Federal Government should confine itself to a minimum of interference made necessary by the interstate nature of some problems. To this, Professor Marx retorted:

"To the student of the conservation movement, this paper, emanating from the executive officer primarily concerned with seeing that the act's provision protecting the rights and interests of the general public are effectively exercised, is more than a disquieting one. It is one which should stir to protest and action.

"The author says, 'It has been recognized that electric power must of necessity be consumed in the immediate vicinity of its place of production.'

"Upon this, he rests his argument for State regulation 'with minimum interference' by Federal authority.

STATEMENT FALSE

"To engineers, possessing even the most elementary knowledge of present-day electrical transmission of power, the statement is known to be the direct antithesis of actual fact. The argument based upon it is as invalid as the foundation is worthless. A large part of the admitted failure of State regulation of public utilities can be laid directly at the door of the lack of coincident jurisdictions."

Bonner made no response. The division voted to appoint a committee of five to confer with the Institute of Electrical Engineers and National Electric Light Association to organize a body of engineers to confer with the Federal Power Commission on the best means of developing power resources of the Nation.

There again is the fight that has been going on, Bonner constantly seeking to nullify the provisions of the act, Russell and King on the other hand seeking to uphold the provisions and to make the great power interests of the country comply with the law.

As I said a few moments ago, I am not interested in Mr. Russell. When I was a candidate for Governor of Montana he opposed me. Likewise when I was a candidate for the Senate he was on the other side. He has been upon the other side of lawsuits. Not once has he supported me. He came to Washington with recommendations from the leading Republicans of the State of Montana. Nor am I interested in King. I would scarcely know the man if he came into this Chamber to-day. But, Mr. President, I am interested in the great moral question as to whether or not public servants who do their duty honestly and faithfully as the Congress of the United States tells them to do, and who have had the temerity to stand up and fight against the great corporate interests of the United States, are going to be sacrificed upon the altar of greed and avarice.

I say to the Senators across the aisle that they do the President of the United States a great injustice when they say that he is going to hide behind some technicality and not do what I conceive to be his moral duty under the circumstances and the facts as they exist in the case before us here to-day. What President of the United States is going to say to these men, "I am going to uphold the man who has kicked you out in disgrace because you have had the temerity to stand up and cut out the fraudulent claims of the big power interests of the country?" What President of the United States is going to be so weak, if you please, that he will permit this outrageous act on the part of these commissioners to stand? Some one inquired what Theodore Roosevelt would have done if he had been President of the United States, what Woodrow Wilson would have done if he had been President of the United States under these circumstances. Neither one would have waited for the matter to have been taken up in the Senate and debated as to whether the names should be recalled. Those men would have been out of office a long time before this.

Senators, you will not be able to escape the charge that you have been unfair to two faithful public servants. You will not be able to escape the charge that you wanted to punish them because of the fact that the power interests have sought to get them. You will not be able to escape the charge that you are hiding behind some legal technicality in order to protect the power interests in their desire to kick out of office men who dared to fight for right and justice while holding public office here in Washington.

Mr. HALE. Mr. President, the Senator from Montana [Mr. WHEELER] referred in his remarks to certain activities of Mr. George Otis Smith connected with the so-called power interests. Mr. Smith was born in the town of Skowhegan, in my State. He lived there until 1896, when he came to Washington and went to work for the Geological Survey. For a good many years he has been at the head of the Geological Survey. During all the time he has worked in Washington he has maintained his residence in Maine and has always gone there during the summer and spent a considerable portion of his holidays there. He has kept in touch with matters which concern the State of Maine and has always been very much interested in the State.

We have in Maine a law which provides that the water power of the State may not be taken outside of the State. I think that no other State in the country has such a law. The law was enacted some 15 years ago and since that time has been an issue in the State. Many people have favored the law and the retention of the power within the State on the ground that we should have the entire use of our own water power. Many have opposed the law on the ground that it has prevented the development of our natural water power. As I said, all the citizens of the State have been very much interested in the matter. Among others, Mr. Smith, who, with his work on the Geological Survey, has had considerable to do with water-power matters, was very naturally interested.

About seven years ago, at a time when the matter came up before the legislature on the question of the repeal of the law, Mr. Smith wrote a series of articles in favor of the repeal of the law and published them in the Maine papers. I believe he also got out a small pamphlet containing the articles, doing this at his own expense. I think the testimony showed that it involved a matter of some $78. He was not approached by any member of any water-power interest, but simply did it as a citizen of Maine. I think the testimony showed that at one time Col. Frederick Parkhurst, who was at the time governor of the State, suggested that he do so. Governor Parkhurst was not in any way connected with any water-power interest so far as I know. What I wish to show is that Mr. Smith's action had nothing to do with wearing the collar of any water-power interest and was not taken at the request or instigation of any water-power interest.

Mr. WHEELER. Mr. President——

The PRESIDING OFFICER (Mr. PESS in the chair). Does the Senator from Maine yield to the Senator from Montana?

Mr. HALE. I yield.

Mr. WHEELER. His articles, however, were used and circularized by the water-power interests in Maine, were they not?

Mr. HALE. I think that may be true.

Mr. WHEELER. And parts of them were used in advertisements by the power interests in connection with the fight, were they not?

Mr. HALE. I think that may have been done, and quite likely was done, but Mr. Smith had nothing to do with it. All he did was to write the articles and publish them. I think he testified that he was never requested by any water-power interest to take any such action at all.

Mr. WHEELER. That is true.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maine yield to the Senator from Nebraska?

Mr. HALE. I yield.

Mr. NORRIS. Without any desire to enter into any controversy about the question which was at issue in Maine and which I think the Senator has stated correctly, I still want to ask the Senator if in that controversy it is not true that the power interests headed by Insull and influenced by the papers in Maine were all on the side of that fight upon which Mr. Smith was found? In other words, Mr. Smith was arguing there and campaigning on the side of the question with the same army, if we might call it such, that was headed by the power interests led by Samuel Insull.

Mr. HALE. In answer to the Senator's question I will say that so far as I know Mr. Insull at that time had no interests of any kind whatever in Maine and did not in any way become connected with the Maine situation until three or four years afterwards.

Mr. NORRIS. The contest has been going on in Maine for a good many years.

Mr. HALE. It has.

Mr. NORRIS. And has been voted on several times. The election to which I have reference is one that occurred in recent years, within a year, I believe.

Mr. HALE. That is the referendum?

Mr. NORRIS. Yes.

Mr. HALE. Mr. Smith had nothing to do with it in any way.

Mr. NORRIS. And the same interests were involved in it. The power people were in favor of the repeal?

Mr. HALE. Yes; the power people were in favor of the repeal.

Mr. NORRIS. And the people voted, as shown in every election in Maine, as opposed to the repeal. I do not wish the Senator to get any idea that I want to enter into any controversy as to the merits of the issue that is involved, but I think it is fair to say that in every contest had over it in his State the power people on the one side were the people who wanted to repeal the law which prevented them from taking the power outside the State. Those opposed to the power people were trying to retain the law. Mr. Smith was engaged on the same side of the controversy at least with those who favored a repeal of the law. That ought to be conceded, I think.

Mr. HALE. If the Senator will allow me to explain, I believe I can do so. The power interests in Maine at that time were simply local power interests. They did want to export the power from the State, and many of the people of the State agreed with them. But the power people at that time had nothing to do with Mr. Insull or any of his companies so far as I am aware. I never heard of his coming into the State until two or three years or possibly more after that time.

Mr. President, Mr. Smith is very well known to the people of Maine. We esteem him and look up to him as a faithful public servant. We are proud of the record he has made here on the Geological Survey. I am surprised at the nature of some of the attacks which have been made to-day and yesterday upon him. They do not accord with my idea of the man in any way, shape, or manner.

The Senator from Arkansas [Mr. ROBINSON] stated yesterday that the statement had been made several times on the floor of the Senate that two faithful public servants were turned out of office or were not reappointed because they had been doing their duty. I know nothing about Mr. King or Mr. Russell. Until this controversy came up in the Senate I do not recall that I ever heard of either of these men. I do not know about the work that they have done. It may have been good work and it may not have been. I know very little about the work of Mr. Bonner. But, Mr. President, other people do know about the conditions which existed in the old Water Power Commission. The Interstate Commerce Committee of this body made a pretty careful investigation, I understand, of conditions under the old Water Power Commission. On April 8, 1930, the able chairman of that committee, the senior Senator from Michigan [Mr. COUZENS] filed a report when the bill was reported from that committee. I do not recall that any other report or any minority report was filed, so it is to be presumed that the Senator from Michigan represented the feeling of the committee. On page 2 of his report the Senator from Michigan stated:

> Undoubtedly, when the Federal water power legislation was adopted, there was little realization of the problems and work which would develop. The Power Commission was constituted of the Secretaries of Interior, War, and Agriculture, and an executive secretary was appointed to handle the details of the work. It is shown conclusively by the evidence presented that the Secretaries of the three departments have been so burdened with the tasks of their immediate departments that they have not had the time necessary for the work of the commission.
>
> The net result of this situation is that practically all the work of the commission has devolved upon the executive secretary and regardless of what the causes of the present condition are, the facts are that the present conditions are very bad. Serious charges were made before your committee against the executive secretary by employees of the commission and counter charges were made by the executive secretary. No one can doubt after hearing the evidence that a lack of harmony exists within the commission and the work has suffered thereby. These charges have induced an atmosphere of suspicion until it has become imperative that Congress act to appoint a full-time commission which will have the opportunity and the authority to right the existing situation and to permit the carrying out of the water power act. Once the full-time commission is appointed, responsibility can be placed upon its members and there can be no reason for failure to act.

Mr. President, I see nothing in that statement which implies that Mr. Bonner was entirely at fault and that Mr. King and Mr. Russell were doing excellent work. The committee made no decision, one way or the other, as to which side was at fault in the matter.

Then, Mr. President, on page 3 the report goes on to say:

> The committee feels that a competent and full-time staff should be organized for the work in Washington, and that this staff, when organized, should be permanently in the control of the Federal Power Commission. In this way the Power Commission will have no difficulties with changing personnel in Washington, which might result under another plan and which might invite a faulty organization suffering from the same disabilities that now exist.

Mr. President, if that be not a mandate that the commission shall have a house cleaning, it is certainly of that nature.

The PRESIDING OFFICER. The question is on the motion submitted by the Senator from Montana [Mr. WALSH].

Mr. WALSH of Montana. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Fess	King	Shortridge
Barkley	Fletcher	La Follette	Smith
Bingham	Frazier	McGill	Smoot
Black	George	McKellar	Steck
Blaine	Gillett	McMaster	Steiwer
Blease	Glass	McNary	Stephens
Borah	Goff	Metcalf	Swanson
Bratton	Goldsborough	Morrison	Thomas, Idaho
Brock	Gould	Morrow	Thomas, Okla.
Brookhart	Hale	Norbeck	Townsend
Broussard	Harris	Norris	Trammell
Bulkley	Harrison	Nye	Tydings
Capper	Hastings	Oddie	Vandenberg
Caraway	Hayden	Partridge	Walcott
Carey	Hebert	Phipps	Walsh, Mass.
Connally	Heflin	Pine	Walsh, Mont.
Copeland	Howell	Pittman	Waterman
Couzens	Johnson	Ransdell	Watson
Cutting	Jones	Robinson, Ark.	Wheeler
Dale	Kean	Robinson, Ind.	Williamson
Davis	Kendrick	Sheppard	
Dill	Keyes	Shipstead	

The PRESIDING OFFICER. Eighty-six Senators having answered to their names, a quorum is present.

Mr. CONNALLY. Mr. President, I do not indulge the hope that I shall be able to contribute any new argument with reference to the pending motion to reconsider the nomination of George Otis Smith as a member of the Federal Power Commission. However, I do desire to place in the RECORD some of the reasons which actuate me to vote for the motion.

Transcending the question as to whether the particular nominees shall be authorized to hold the respective offices to which they have been nominated is the question of the Senate preserving its prerogatives and its constitutional power over nominations. I have been rather surprised to observe the seeming anxiety which some Senators exhibit to surrender what I deem to be the prerogative of the Senate to the executive branch of the Government.

I desire to submit certain propositions which, if challenged, I shall be glad to have challenged when I make them. I submit that under the Constitution the Senate has unreservedly the power to confirm or reject nominations when made by the President. An appointment which does not receive such confirmation is not an appointment that will entitle the appointee to exercise the functions of his office.

I submit, furthermore, that the special grant in the Constitution to the Senate to make its own rules of procedure endows the Senate with the power to determine the method and the manner in which it will confirm or reject a nominee.

I further submit that when the Senate, in the exercise of that power, lays down a method of procedure, if that method is a reasonable one, it then attains the same force and potency that the Constitution itself possesses. It is in pursuance of a constitutional grant, and when exercised it has the force of the Constitution.

I submit that the Senate, in providing that within two days of executive sessions a motion to reconsider a nomination may be made, adopted a reasonable rule. So in the instant case I lay down the proposition that when the Senate, on the 20th day of December, voted in the affirmative on the confirmation of George Otis Smith, it did so with the understanding that any Senator who voted in the affirmative could, within two executive days thereafter, spread upon the minutes of the Senate a motion to reconsider, and that when that motion is spread upon the record, and a vote is had thereon, it reverts back in its effect to the original vote of confirmation, so termed.

It has been urged here by Senators that when the Senate, on the 20th of December, voted in the affirmative, the Presiding Officer announced that the nominee had been confirmed and that the President would be notified, and that thereby the Senate waived its right to reconsider the nomination and absolutely foreclosed the matter in its entirety.

The RECORD discloses, on page 1261, that the President pro tempore of the Senate made this statement:

> The Senate advises and consents to the nomination, and the President will be notified.

What other announcement could have been made? That was simply a statement of fact. The Senate by that vote did confirm George Otis Smith, subject, however, to the Senate's reconsidering that matter at any time within two executive days.

Mr. President, I submit that the President of the United States and every appointee claiming title through confirmation of this body is charged with notice of the rules under which the Senate operates. The President of the United States, as one of the other coordinate branches of this Government, when he deals with the Senate, deals with it with absolute notice—whether in fact or not, he deals with it with constructive notice—of the Senate's limitations, of its powers, and of its rules.

What was the notification which the Senate gave? It was simply a notification as to what in fact did occur; and when the President received that notice he was charged with knowledge that the Senate, at any time within two days, might enter upon proceedings to reconsider that nomination.

Mr. President, the rules of the Senate provide that the President shall not be notified of a confirmation until the expiration of the time within which the matter may be reconsidered. Section 4 of Rule XXXVIII provides:

> Nominations confirmed or rejected by the Senate shall not be returned by the Secretary to the President until the expiration of the time limited for making a motion to reconsider the same, or while a motion to reconsider is pending, unless otherwise ordered by the Senate.

That rule directs that the notification which the President pro tempore announced would be sent to the President should not be sent to him until the expiration of the time during which a motion to reconsider could be entertained. So what was the announcement of the Chair? The announcement of the Chair was that the President would be notified. When? He would be notified when it was proper to notify him under the rules of the Senate; and that time was at the expiration of the two days during which a motion to reconsider might be made.

What is the notification to the President? The notification to the President is not a duty that the Constitution places upon the Senate. That notice is a mere act of comity between the two branches of the Government. It is a mere act of courtesy which the Senate exercises in notifying the President of the progress of the nomination. He is notified that the Senate has voted, it is true, to confirm his appointee; but he is not notified that the Senate may not within two days entertain a motion to reconsider.

Mr. President, it has been contended here that because that notice goes to the President the matter is then foreclosed. Then why this rule of the Senate? Why the rule of the Senate which provides that in case a motion to reconsider is made it shall be accompanied by another motion to request the President to return the nomination? Would not such a rule be foolish, would it not be beside the question, if in the contemplation of the Senate a vote of confirmation, and the sending of that notice to the President, cut off reconsideration?

The rule of the Senate contemplates the very situation with which we are confronted. It contemplates that the President may be notified of the confirmation prior to the two days during which a motion to reconsider may be made; and out of respect to the President, as an act of comity, the rule requires that the Senate request the President to return the nomination. But if the matter has been foreclosed and the President can not or will not return the nomination, why this rule? The Senate is presumed, in the adoption of that rule, to have had within the scope of its view the very contingency which now confronts the Senate.

Mr. President, it is said that because no one objected at the moment when the President pro tempore made the announcement that the President would be notified; therefore the matter is foreclosed. The rules of the Senate provide that no Senator save one voting in the affirmative can make the motion to reconsider. A Senator voting in the negative, and who is opposed to confirmation, is not accorded the right of making that motion. Therefore, the philosophy underlying that rule presupposes that some Senator who is favorable to confirmation may change his mind. Otherwise there would be no reason for limiting the motion to reconsider to those voting in the affirmative.

In other words, that rule gives to every Senator when he votes "yea" on a confirmation two further days in which to search for information, two further days in which to deliberate upon the question as to whether or not a man whose name is before us should in fact be confirmed. The Senator from Montana [Mr. WALSH] has exercised that right. It is a wise rule. This is a deliberative body, in theory, at least. It is a body which, in the making of the structure of government, was intended to exercise certain checks on other departments of the Government. No greater check upon the Executive exists than the power of the Senate to visa his appointments, and to say whether those appointments shall be confirmed or whether they shall be rejected. To entertain the view that some Senators have expressed that the mere fact that no objection was made on that vote notifying the President forecloses the Senate is absolutely to sweep away the specific rule of the Senate and to sweep away all legislative policy and procedure relating thereto.

Mr. President, it is an established policy, not alone of the courts but of all legislative bodies, that the motion to reconsider, within certain limits and under certain regulations, is fundamental. Of what did we notify the President? We notified him of what happened. We simply notified him of the truth. We did not notify him of a falsehood. We notified him that the Senate at that time had voted to confirm. We did not notify him that we had abolished the rules of this body allowing us to reconsider within two days. We did not notify him that we had by unanimous consent abrogated our practice and our procedure.

It is said that Mr. Smith and his associates, after the President was advised that the Senate had confirmed them, took the oath of office and entered upon the discharge of their duties, and therefore that the Senate is without further power relating to their confirmation.

Let me call the attention of the Senate to the fact that the Secretary of Labor, Mr. Doak, took the oath of office, assumed its duties, and was supposed to have exercised them for several days, and then woke up to the fact that his predecessor, now the junior Senator from Pennsylvania [Mr. DAVIS] had not vacated the office of Secretary of Labor; and therefore Mr. Doak, while he thought he was Secretary of Labor, was not Secretary of Labor at all. Did his taking the oath of office make him Secretary of Labor? Of course, for the oath of office to create any title to an office in its claimant, it must be preceded by the right to hold that office, an appointment by the President, and his subsequent confirmation by the Senate under the rules of the Senate and in accordance with the Senate's practice in that regard.

As has been so well pointed out in an able and exhaustive argument by the Senator from New Mexico [Mr. BRATTON], a commission is no more than a certificate that the holder of that certificate is what he purports to be. It is simply a certificate of authority under which he acts. The commission, however, confers no power whatever. It is a mere paper evidence of the fact which it sets forth.

These appointees are bound, just as the President is bound, to take notice not alone of the Constitution but of the rules of the Senate. They are claiming title to these offices, and as such claimants they are chargeable with every link in the chain of title; and if confirmation is a necessary link in that chain of title, they are bound to take notice of its regularity or its irregularity, and of every phase and aspect of that title.

The Senator from West Virginia has laid down the proposition that the rule of the Senate itself is unconstitutional. Upon what the Senator bases that argument I am at a loss to understand, because the Constitution expressly grants the Senate the right to make its rules and regulations.

If these appointees are confirmed, they must be confirmed by the Senate. If they are confirmed by the Senate, they must be confirmed in the method prescribed by the Senate. What is that method? That method is laid down in the rules of the Senate, and those rules form an integral part of the process of confirmation.

This is not a new principle. Every lawyer knows that it runs all through the field of jurisprudence. A court renders a judgment, notification of the rendition of the judgment is carried to litigants and to attorneys and to the world through the public press and through announcement from the bench. But everyone knows that that judgment is not final, it is not the last edict of the court, until the judgment becomes final under the rules and the statutes prescribed for the government of that court. So it is with reference to the Senate. Any action which the Senate takes may be reconsidered, it may be vitiated, it may be erased, it may be negated under the rules of the Senate, if those rules are applied.

The only exception that occurs to my mind would be a rule which might be an unreasonable one. But certainly no Senator will contend that the allowance of two executive days after a vote in the Senate on confirmation is an unreasonable exercise of the power to make Senate rules.

It has been suggested that the President of the United States will not return these nominations in case the Senate requests him to do so. I have no authority to speak on this floor for the President of the United States, but I can not conceive that the President would refuse the request of the Senate when solemnly made with reference to a nomination which he has made. The President will certainly respect that comity and that cordial relationship which ought to subsist between the various branches of the Government when their own prerogatives and their own powers are at issue.

The President will lose nothing of his power by returning these nominations to the Senate. Even though they had been rejected in the first instance, the President would have the right and the power again to submit them to the Senate, and again and again, if he should see fit, and that has been done heretofore.

Not by direct authorization, but simply by the impulses of common sense and of fairness, I want to repel the insinuations of certain Senators on the other side who say that the President will not return these nominations if the Senate so requests.

If there is any reasonable doubt about the title of these men, the President would most certainly desire to have that question determined, and determined speedily. The President would not care to have the legality of the acts of this commission brought into question in the courts at a later date. Those men are his subordinates. They are subject to removal at his will. They are his servants. I can not conceive of his desire that they hold by any doubtful tenure. If they are to render the service he expects of them, he wants them firmly and satisfactorily seated in their places in order that their acts may be legal, and may be beyond the question of this body or of the courts.

It is said that we can not reconsider these nominations on account of something which transpired after the vote

in the Senate. I submit that that is the very basis of the provision for a reconsideration of the question. If only Senators who vote in the affirmative may move to reconsider, the presumption is that something is going to occur, some Senator is going to acquire new information, some act which theretofore has been concealed or has not come to the knowledge of a Senator will impel him to rise in his place and say, "I was mistaken in my vote in favor of confirmation. Certain knowledge has come to me since my vote, and I now desire to vote to reconsider the nomination."

Suppose these commissioners had not discharged these employees, but suppose some Senator had learned of their plan to do so. Would not that have been a pertinent reason impelling a Senator to rise in his place and make a motion for reconsideration?

Summarizing, Mr. President, I submit that the Constitution vests in the Senate the absolute power to confirm or to reject. I submit that the Constitution gives this body the right to prescribe its own rules, and that the Senate, in the exercise of that constitutional power, did prescribe its rules, one of which is that a motion to reconsider may be made within two days, and the other rule, which requires one voting in the affirmative to make the motion, presupposes that the Senate expects, if need be, that some Senator will change his mind.

I submit furthermore that the President, these appointees, and the entire world when dealing with the Senate do so with constructive notice of every Senate rule, every portion of the Constitution, and every legal provision which relates to the Senate and to its procedure. Otherwise we could have no proper method of procedure. Just as every individual is presumed to know the law whether he knows it or whether he does not, so everyone dealing with the Senate or dealing with a right which he claims to have derived from the Senate must take notice of the Senate's rules and of its procedure.

I intend no criticism of the Secretary of the Senate, but I submit that under the rule of the Senate which I quoted a little while ago the nominations should not have gone to the President until after the expiration of the two days. That is an express rule of the Senate. Nowhere in the RECORD is there the announcement of any request for unanimous consent to set aside the rule; nowhere is there a vote of two-thirds of the Senate abrogating either of these rules.

What is the rule? It is that the President be notified—not to-night, not to-morrow, but that the President be notified under the rules of the Senate. The rules of the Senate provide that he shall not be notified until the time for making a motion to reconsider shall have expired.

Of what is the President notified? He is notified of what the RECORD contains, he is notified that the Senate on Saturday night, the 20th of December, voted in the affirmative to confirm George Otis Smith, which required no notice from this body. The President could have picked up the CONGRESSIONAL RECORD on the following day, and he would have had just as much authority to act upon that RECORD as he did upon the notice which was sent by the Secretary of the Senate.

Of what was he notified? He was simply notified of what took place. He was notified of no more than what took place. Would a Senator have been precluded from making a motion within two days if there had been no notification made to the President? No one will so contend. No Senator will be so bold as to contend that if the notice had not been sent to the President, and those nominations had remained here, a Senator could not have made the motion.

If that be true, how does the mere sending of the notice destroy that right of a Senator, a mere notice that the Senate has in fact voted in the affirmative, with the express reservation in the rules of the Senate that that action is not final, that it is contingent upon the failure of some Senator to make the motion within two days for reconsideration.

Mr. President, when we have a recess appointment, the man is appointed, he takes the oath of office, he enters upon his duties, and the President issues him a commission; but when the Senate meets, unless he is confirmed before the expiration of that session of the Senate, he vacates his office, does he not? He has no title to it, because his assumption of the office was contingent upon a future event—that is, future confirmation by the Senate.

When these gentlemen took the oath of office, when they received their commissions from the President, when they assumed the duties of office, they did so contingent upon a happening, and that contingency was that no one in the Senate within two days after the vote of the Senate should make a motion to reconsider.

Of course, when confirmation is finally made, if it is ever made, it reverts to the original of the appointment by the President, and if no motion to reconsider had been made within the two days, at the expiration of that time the Senate would have notified the President of its action, and these gentlemen would have lawfully been entitled to their offices.

With this view, Mr. President, I submit that the Senate will be doing violence to its own prestige, it will be surrendering some of its prerogatives and its power over confirmations, if it takes the position that it has no right to reconsider these nominations.

Of much greater importance than the personalities of these candidates, of far more consequence than the discharge of three faithful employees, is the importance of the Senate maintaining its right to control confirmations. There was a reason why the makers of the Constitution invested this body with that power. There was in the minds of the makers of the Constitution a danger, as they regarded it, in the power of the Executive, through appointments, through arrogating to himself power which the Constitution never intended, to build up a tyranny and to assume autocratic power. So when we are exercising our rights to confirm or reject, we are not indulging the mere fancies of ourselves as individuals, we are discharging a solemn obligation imposed upon the Senate by the organic law, and we shall be yielding one of our prerogatives if we surrender that power, if we have not the courage to assert it, if we have not the hardihood to say to the Executive, "Mr. President, we still have jurisdiction over this matter, and until the Senate shall have finally, in its deliberations, determined the question, we respectfully request that the President return those nominations to the Senate."

Contrast the spectacle that is presented here. On the one hand are Senators anxious to surrender their prerogatives, and on the other hand are Senators asserting that the President is going to maintain his power and contend for more, is going to say to the Senate, "I shall not return the nominations because technically I believe that the Senate has foreclosed its right to act further." If the Executive power maintains that attitude and the Senate of the United States maintains an attitude of timidity, of hesitancy to maintain its prerogatives, we can readily perceive how well grounded was the fear of the fathers when they looked forward to the time that it would be necessary for the Senate to hold a check on the power of the Executive.

Mr. President, I submit that the Senate has unquestionably the right to reconsider these nominations, that they ought to be reconsidered, that the Senate owes to its own prestige and to its own prerogatives and to its own duty to the people that the nominations should be reconsidered.

Mr. McNARY. Mr. President, I am pleased to assume that most of the Senators who desire to speak on this subject have done so, and therefore I ask unanimous consent that on and after 3 o'clock to-morrow afternoon speeches be limited to 15 minutes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon?

Mr. WALSH of Montana. Mr. President, I regret having to object to the request of the Senator. I had the hope and expectation of being able to reach a vote to-day upon the pending matter, but there are still a number of Senators who desire to speak, and it seems to me to be rather unfair to them to submit to the request of the Senator from Oregon at this time. I hope another day's discussion will bring us to a vote on the matter.

The PRESIDING OFFICER. Objection is heard.

Mr. HEFLIN. Mr. President, the matter which has been discussed here all this week is, I agree, important. The Senate has a right, of course, to reconsider a vote had in executive session within the time prescribed by its rule. But I submit to the Senate that the procedure we have had here in considering this matter during the daytime, when important and urgent legislative matters are being held up, is unfair and inexcusable. I do not recall that I ever saw before just this procedure in the Senate where four legislative days were consumed in considering matters that belong purely to an executive session. Mr. President, the situation here and in the country is too serious for the Senate to permit much needed relief legislation to be held up and postponed.

I submit to the Senate that on to-morrow morning we ought to take up the work of legislation and let this executive matter go over for consideration to-morrow night and the next night and so on until all the constitutional lawyers in the Senate have discussed it to their hearts' content. Bless their sober-shrouded souls. [Laughter.] I have seen them smite the rock of the Constitution with the rod of their proud legal attainments, and each and every time they smote it torrents of convincing argument leaped forth and fell upon every Senator. [Laughter.]

Inasmuch as the people of the Nation could not be here in person, it was the duty of other Senators to take their punishment in the name of those who sent them here. [Laughter.] See, Mr. President, how excited are the people in the gallery and yet how silent they sit with closed eyes and nodding heads [laughter], while all seven of the Senators present are eagerly and anxiously listening to every word uttered in this exciting and peculiarly fascinating debate. [Laughter.]

Now, I submit, Mr. President, that while starvation threatens hundreds of thousands of people in America, this body ought to be engaged in getting the truth of conditions to the President and the country, and especially in educating the House upon the importance of granting relief to suffering Americans. The relief measure which this body passed four or five days ago is still unacted upon in the House. There are two methods of procedure by which action may be had upon that measure in that hamstrung institution. One is by a suspension of the rules, and the other is by obtaining a rule for its immediate consideration from the House Committee on Rules. I have not seen any motion on the part of anybody toward doing either one of those things.

And here we are, going on day after day with three or four long speeches each day, when all that is involved in the question could be stated in 30 minutes by the Senate clock. But I repeat I enjoy hearing these able speeches. Oh, how they entertained and thrilled me when I first heard them. One constitutional lawyer gets to his feet and begins to discuss these very grave and important constitutional questions, he sets in motion the legal machinery in the head of every other constitutional lawyer, and each one of them feels that he should make it known that he is just as competent to discuss constitutional questions as he who speaks, and here they go, back and forth and round and round. [Laughter.] One Senator gets the floor and flashes forth a scintillating idea to another Senator, and then the other Senator straightway arises to his feet.

He sees the point being developed by the other able Senator who is speaking, as was the case with my good friend the Senator from New Mexico [Mr. BRATTON] this morning, and ideas begin to sprout in his mind; and lo, before the speaker is allowed to develop the idea which he had in mind, after fighting through a wilderness of fog and mist to reach his point, the other Senator—superb constitutional lawyer—jumps up and snatches it away from him as he says, "I want to suggest to the Senator this idea," when the first Senator has just suggested the idea to him. [Laughter.]

Mr. President, I am a very patient man, but this situation is at last getting on my nerves. [Laughter.] And still I love these constitutional arguments. I really do enthuse over them. [Laughter.] I do not believe that the country really appreciates just what is going on here. There ought to be some way to get these great constitutional arguments to the country. Just think of what the country has missed during the last four days. [Laughter.]

Why not, Mr. President, put a radiobroadcasting device in this Chamber? Millions of people outside would sit spellbound as they listened throughout the long, long days to these marvelous and matchless arguments. [Laughter.] How the children would throw down their toys and come in from play and sit entranced and listen. [Laughter.]

Mr. President, I want to give notice that I am going to insist to-morrow that we proceed with our legislative business during the day and attend to this matter belonging to the executive session to-morrow night and the next night. Have any votes been changed by all this discussion? I fear that the final vote will be just like it was on the original question of confirming these men.

But I want to say to my constitutional lawyer friends that I would not infringe upon their right to stand here and speak on constitutional questions, but I want them to speak at night.

I would not deprive them of the joy, of the extreme delight, that they get out of their speeches; but I want something done for the men, women, and children of the Nation who are this day in great distress. Yesterday when the Senator from Arkansas [Mr. ROBINSON] painted a most pitiful picture of conditions in his State, and in the South, a Member of the House from New York, Mr. HAMILTON FISH, was giving out a statement to the effect that he had information that the uprisings in Arkansas and the clamor amongst the people was being produced by the communists. That is the situation we have presented to us while men and women out in the States of the Nation are in dire distress.

Mr. President, the Senator from South Carolina [Mr. SMITH] on yesterday told us about how the homes and farms of the people are being sold under mortgage, how they are compelled to move away not knowing where to go and having nothing upon which they can live. Millions of people are in distress.

The drought has brought ruin to many sections; floods have brought disaster to other sections; a bad economic situation exists over the entire country; and yet we are told by those who in disguise are spreading red propaganda for the purposes of using it in the presidential campaign of 1932 that the communists are even back of the widespread demand for food. I know what is back of such statements, and I am going to discuss that question one of these days. Have Senators read a book called "The Red Napoleon," by Floyd Gibbons, setting forth how Al Smith was going to make mincemeat of all the "reds" after 1932? And, oh, how HAMILTON FISH must enjoy his part in the fascinating drama.

Let us do something for the people whose Government this is. I submit to Senators in all seriousness that when the light of day has gone, when we have finished with our legislative efforts to secure relief for the people in distress the country over, we can sit here at night and listen to Senators discuss whether we have the constitutional right to withdraw the confirmation of an appointee to the Power Commission or whether the President has the power to keep him in office when the Senate wants to withdraw him. I submit that that is not as important to the people of America, as important as it is—and it is important—as the question of relieving distress among suffering Americans.

Mr. President, there are many people in this Nation who are desperate. I wish to read what one of the brightest thinkers of the country says. I am not going to give his name, but to a very well-known citizen he wrote a letter, the last sentence of which I will quote:

I do not have any confidence in your committee—

He was talking about a committee in Congress—

or anything they can do. The time for talking and legislating has passed; we must now stand aside and listen to the thunder of events.

Mr. President, I recall a poem—I can not quote it accurately—which describes a hungry tiger pursuing his prey

amid dangers and perils. When the tiger was ready to leap upon his prey the poet describes how he looked, how determined, how daring, and he tells how—

The tiger crouches to leap upon his prey—

And he then tells us that—

A fiercer tiger crouches in a starving man at bay.

Mr. President, my heart goes out to the people of this Nation who are in distress; and when I hear Members of another body saying, "Oh, well, it amounts to nothing; it is just an uprising caused by the communists," I am indignant and I deny it. Those who are in distress are upstanding, fine American citizens. They will almost starve before they will beg. Two examples of that spirit will be recalled from an incident occurring within this city in the last two months. Two young men walked the streets of the Capital of the Nation asking for work, seeking employment, until exhausted from hunger they fell in a Washington park. When they were taken to the hospital both of them said they had not eaten for three or four days. Why had they gone hungry for that long period? It was because of pride—American pride. American citizens are so proud they will not beg until the wolf of starvation stands howling at their door. In the United States to-day people who are suffering are crying out not to be fed by charity, but they are asking the Government, whose life they fight to save in time of war, to loan them money in order that they may live, and they will pay it back. That is what they are doing in Arkansas and in other States.

The Senator from Arkansas told us of an instance where many families were living in a large schoolroom—10 or 15 families huddled together there. Perhaps, Mr. President, some people can not understand a situation of that kind. Let me tell you how it is. The farmer from whom they rented land in 1930 is broke and he can not supply them with the necessaries of life. With the winter months coming on their contracts with him for the year 1930 have expired. Even if they had remained on his farm they have nothing to live on. Why have they gone into the town? They are seeking something to eat, and in Arkansas and other places they are being helped to some extent.

The Red Cross is doing a little, but very little. It is not able to do enough. So there are numbers of families in Arkansas all crowded together in 1-room school buildings, in the land over which floats the Stars and Stripes, while the body at the other end of the Capitol sits silent, with hands folded in supine lethargy, doing nothing to relieve the situation. And from New York, where the stock exchange—a giant evil—is robbing a hundred million people, comes the cry from one of its Representatives in Congress, "There is nothing to it; the communists have inspired these movements."

Mr. President, that is not the way to encourage the spirit of patriotism; that is not the way to build up a sturdy and a loyal people. When people are robbed of their morale, when they have their substance taken from them—I do not care how it is done—when the head of a household is left empty handed and he hears nothing day after day but the cries of his wife and children for bread, and he can not give it to them, the result is to make a desperate citizen of him. This Government is too big and great to do anything like that.

I want to see the Senate and every Member of it get busy and start something to let the body at the other end of the Capitol know that no measure coming from there will be passed until the suffering people of the States shall have been relieved. The Congress can do it, the Congress must do it, and Congress shall do it.

EXECUTIVE MESSAGES

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Latta, one of his secretaries.

As in legislative session,

REPORT OF THE NATIONAL ACADEMY OF SCIENCES

The VICE PRESIDENT laid before the Senate a communication from the president of the National Academy of Sciences, transmitting, pursuant to law, his annual report for the fiscal year ended June 30, 1930, which, with the accompanying report, was referred to the Committee on the Library.

JUDGMENTS RENDERED BY THE COURT OF CLAIMS (S. DOC. NO. 244)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting, in compliance with law, a list of judgments rendered by the Court of Claims and requiring an appropriation in the total amount of $2,519,805.26 for their payment, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

JUDGMENT OF THE COURT OF CLAIMS—WILLIAM S. SHACKLETTE (S. DOC. NO. 245)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting, in compliance with law, record of a judgment rendered by the Court of Claims, under the Navy Department, and requiring an appropriation in the amount of $2,866.35 for its payment, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

CLAIM ALLOWED BY GENERAL ACCOUNTING OFFICE—DAVID HALSTEAD, RECEIVER OF AMERICAN MANGANESE MANUFACTURING CO. (S. DOC. NO. 246)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting, in compliance with law, a schedule covering a certain claim allowed by the General Accounting Office in the sum of $29,365.40, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

JUDGMENTS AGAINST THE GOVERNMENT BY UNITED STATES DISTRICT COURTS (S. DOC. NO. 241)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting, pursuant to law, records of judgments rendered against the Government by United States district courts in the total amount of $9,996.79, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

DAMAGE CLAIM ARISING FROM COLLISION WITH NAVAL VESSEL (S. DOC. NO. 242)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting, pursuant to law, an estimate of appropriation submitted by the Navy Department to pay a claim for damages arising by collision with a naval vessel in the sum of $1,388.93, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

CLAIMS FOR DAMAGES TO PRIVATELY OWNED PROPERTY (S. DOC. NO. 243)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting estimates of appropriations submitted by the several executive departments to pay claims for damages to privately owned property in the sum of $1,500.33, which have been considered and adjusted under the provisions of the act of December 28, 1922 (U. S. C., title 31, sec. 215), which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

CLAIMS ALLOWED BY GENERAL ACCOUNTING OFFICE (S. DOC. NO. 247)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting, in compliance with law, schedules of claims amounting to $46,120.19, allowed by the General Accounting Office as covered by certificates of settlement, etc., which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

PETITIONS AND MEMORIALS

As in legislative session,

Mr. CAPPER presented a petition numerously signed by sundry World War veterans residing in Bourbon County, Kans., praying for the passage of legislation providing for

the immediate payment of adjusted-service certificates of ex-service men, which was referred to the Committee on Finance.

Mr. COPELAND presented petitions of sundry citizens of Brooklyn, N. Y., praying for the passage of legislation for the exemption of dogs from vivisection in the District of Columbia, which were referred to the Committee on the District of Columbia.

Mr. JONES presented petitions numerously signed by sundry citizens of the State of Washington, praying for the passage of legislation for the exemption of dogs from vivisection in the District of Columbia, which were referred to the Committee on the District of Columbia.

He also presented resolutions adopted by the Washington Humane Education and Antivivisection Society (Inc.), of Spokane, and the Snohomish County Humane Education Society, both in the State of Washington, favoring the passage of legislation for the exemption of dogs from vivisection in the District of Columbia, which were referred to the Committee on the District of Columbia.

He also presented a resolution adopted by the Daughters of the American Revolution, of Bellingham, Wash., favoring the passage of legislation for the Federal supervision of motion pictures, which was referred to the Committee on Interstate Commerce.

He also presented a memorial of sundry citizens of the State of Washington, remonstrating against ratification by the United States of the World Court protocol, which was referred to the Committee on Foreign Relations.

He also presented resolutions adopted by the port commissions of the ports of Tacoma and Port Angeles, both in the State of Washington, protesting against the importation of Russian pulpwood and lumber in the United States, which were referred to the Committee on Finance.

He also presented resolutions of the Pomeroy Commercial Club, of Pomeroy, Wash., favoring the passage of legislation stabilizing the price of agricultural commodities, which were referred to the Committee on Agriculture and Forestry.

He also presented a resolution adopted by the Frank H. Hancock Post No. 92, Department of Washington, of Stanwood, Wash., favoring the immediate payment of the adjusted-compensation certificates of ex-service men, which was referred to the Committee on Finance.

He also presented communications in the nature of petitions from aeries of the Fraternal Order of Eagles, of Omak, Wilkeson, Longview, Anacortes, Concrete, Chehalis, Centralia, and Olympia, all in the State of Washington, praying for the adoption of the so-called Eagles' plan for the stabilization of employment and the establishment of a Federal industrial commission, which were referred to the Committee on Education and Labor.

Mr. ROBINSON of Arkansas presented a paper to accompany the bill (S. 5389) to authorize the Secretary of Agriculture to carry on agricultural-extension work within drought areas where counties are unable to make contribution, heretofore introduced by him, which was referred to the Committee on Agriculture and Forestry.

EDITORIAL OPINION ON THE WORLD COURT

Mr. PHIPPS. Mr. President, I send to the desk a letter in the form of a petition, which I desire to have printed in the RECORD and referred to the Committee on Foreign Relations.

There being no objection, the letter was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

DENVER, COLO., *December 13, 1930.*

Hon. LAWRENCE C. PHIPPS,
Senate Office Building, Washington, D. C.

RE WORLD COURT

MY DEAR SENATOR PHIPPS: As chairman of the Colorado World Court Committee I should be glad, indeed, providing you approve, if you would read into the CONGRESSIONAL RECORD the result of the recent survey of editorial opinion in Colorado on adherence to the World Court on the basis of the present protocols. You will note that the opinion expressed is overwhelming in favor of adherence, there being 22 papers for and only 1 against.

I have always appreciated your own favorable attitude toward the court. The survey all over the country shows there is no question about public opinion being in its support, there being 1,357 papers for and 265 against, the former representing approximately 30,000,000 in circulation and the latter 10,500,000.

Very truly yours,

L. WARD BANNISTER.

REPORTS OF COMMITTEES

As in legislative session,

Mr. WALSH of Massachusetts, from the Committee on Naval Affairs, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 351. An act for the relief of John Donahue (Rept. No. 1251); and

S. 2753. An act for the relief of Edward Brooks (Rept. No. 1252).

Mr. METCALF, from the Committee on Naval Affairs, to which was referred the bill (S. 3929) for the relief of James J. Lindsay, reported it without amendment and submitted a report (No. 1253) thereon.

Mr. KEAN, from the Committee on Naval Affairs, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

H. R. 4159. An act for the relief of Harry P. Lewis (Rept. No. 1254);

H. R. 8665. An act for the relief of William A. Quigley (Rept. No. 1255);

H. R. 11022. An act for the relief of Sterrit Keefe (Rept. No. 1256); and

H. R. 11297. An act for the relief of Arthur Edward Blanchard (Rept. No. 1257).

Mr. VANDENBERG, from the Committee on Commerce, to which was referred the bill (S. 4815) authorizing a preliminary examination and survey of the Crooked and Indian Rivers, Mich., reported it without amendment and submitted a report (No. 1258) thereon.

Mr. JOHNSON, from the Committee on Commerce, to which was referred the bill (H. R. 11201) to authorize a preliminary examination of the Fox River, Wis., for the purpose of flood control, reported it without amendment and submitted a report (No. 1259) thereon.

BILLS INTRODUCED

As in legislative session,

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KENDRICK:

A bill (S. 5588) to add certain public lands to the Washakie National Forest, Wyo.; to the Committee on Public Lands and Surveys.

By Mr. FESS:

A bill (S. 5589) to amend the radio act of 1927 as amended; to the Committee on Interstate Commerce.

By Mr. KEAN:

A bill (S. 5590) to establish the Sandy Hook National Park in the State of New Jersey; to the Committee on Military Affairs.

A bill (S. 5591) granting a pension to Elizabeth M. Clark (with accompanying papers); to the Committee on Pensions.

By Mr. BROOKHART:

A bill (S. 5592) granting a pension to Libbie Seals (with accompanying papers); to the Committee on Pensions.

By Mr. WILLIAMSON:

A bill (S. 5595) granting an increase of pension to Mary E. Davis (with accompanying papers); and

A bill (S. 5596) granting an increase of pension to Nancy C. Kays (with accompanying papers); to the Committee on Pensions.

By Mr. ROBINSON of Indiana:

A bill (S. 5597) to amend section 200 of the World War veterans' act, 1924, as amended; to the Committee on Finance.

A bill (S. 5598) granting a pension to Samuel E. Brown (with accompanying papers);

A bill (S. 5599) granting an increase of pension to Nancy J. Hash (with accompanying papers);

A bill (S. 5600) granting a pension to Lee Jordon (with accompanying papers);

A bill (S. 5601) granting an increase of pension to Louisa Livingston (with accompanying papers); and

A bill (S. 5602) granting an increase of pension to Elizabeth Reed (with accompanying papers); to the Committee on Pensions.

By Mr. JOHNSON:

A bill (S. 5603) for the relief of Henry Bartels; to the Committee on Military Affairs.

A bill (S. 5604) to safeguard the validity of permits to use national-forest lands; to the Committee on Agriculture and Forestry.

By Mr. COPELAND:

A bill (S. 5605) for the relief of Louis Godick; to the Committee on Claims.

A bill (S. 5606) granting a pension to Victoria Kessel; and

A bill (S. 5607) granting a pension to Rose M. Schaeffer; to the Committee on Pensions.

A bill (S. 5608) to increase the efficiency of the medical department of the Regular Army; to the Committee on Military Affairs.

By Mr. JONES.

A bill (S. 5609) granting an increase of pension to Susie M. Gilbert (with accompanying papers); and

A bill (S. 5610) granting a pension to Catherine A. Tipson (with accompanying papers); to the Committee on Pensions.

RAILROAD CONSOLIDATIONS

As in legislative session,

Mr. BROOKHART. I desire to introduce two bills for reference to the Committee on Interstate Commerce. In connection with their introduction, I wish to say that I have placed on the wall of the Senate Chamber three charts, two being on one paper, and the other a separate one. They give a picture of American business for 50 years. That picture shows that we have been in major depressions eight different times during 50 years, which is practically half the time. The principal chart shows the trend of stock values, and an analysis of it will show that speculation in stocks is perhaps the greatest cause of the depressions which have existed for practically half the time in this country. It also shows that since the deflation of stocks in the panic of last year we are still 208 per cent above 1914; in other words, we are still on a volcano.

Now we have coming a gigantic stock-jobbing railroad merger to sustain this volcano and bubble, on which there can be built up a bigger one, so that there will follow in due time another one of these explosions. Therefore I offer the two bills, one to stop consolidations, except of roads extending from coast to coast, and the other directing the Interstate Commerce Commission to acquire a line of railroad from coast to coast and, by proper competition, to stop these bubbles of stock speculation.

The VICE PRESIDENT. The bills will be received and appropriately referred.

The bill (S. 5593) to amend section 5 of the interstate commerce act, as amended; and

The bill (S. 5594) to authorize the Interstate Commerce Commission to acquire a coast-to-coast railroad system, to provide for the operation of such system, and for other purposes, were each read twice by their titles and referred to the Committee on Interstate Commerce.

CHANGE OF REFERENCE

As in legislative session,

On motion of Mr. SHORTRIDGE, the Committee on Military Affairs was discharged from the further consideration of the bill (S. 5520) for the relief of Alexander M. Simons, and it was referred to the Committee on Claims.

As in legislative session,

AMENDMENT TO WAR DEPARTMENT APPROPRIATION BILL

Mr. SMOOT submitted an amendment intended to be proposed by him to House bill 15593, the War Department appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

At the proper place in the bill insert the following:

"Extension of water system at Fort Douglas, Utah: For extending the water system at Fort Douglas, Utah, including the installation of plumbing and facilities for the disposal of sewage, and other expenses incident to such extension, $60,000."

AMENDMENTS TO AGRICULTURAL DEPARTMENT APPROPRIATION BILL

Mr. THOMAS of Idaho submitted amendments intended to be proposed by him to House bill 15256, the Agricultural Department appropriation bill, which were referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 32, line 19, strike out "$456,000" and insert in lieu thereof "$536,900, of which $80,900 shall be immediately available."

On page 42, line 13, strike out "$1,509,546" and insert in lieu thereof "$1,714,546."

On page 43, line 17, strike out "$7,289,240" and insert in lieu thereof "$7,494,240."

AMENDMENT TO DEFICIENCY APPROPRIATION BILL

Mr. MORRISON submitted an amendment intended to be proposed by him to House bill 15592, the first deficiency appropriation bill, 1931, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

At the proper place in the bill insert the following:

"For the construction of a road leading from the State highway between Kitty Hawk and Nags Head, N. C., to the Wright Memorial Reservation, and for such roads within said reservation as may be necessary, $25,000."

AMENDMENT TO LEGISLATIVE APPROPRIATION BILL

Mr. FESS submitted an amendment intended to be proposed by him to the legislative appropriation bill, fiscal year 1932, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

At the proper place in the bill to insert:

"To enable the Joint Committee on the Library to procure for the court room of the Supreme Court of the United States a marble bust, with bracket or pedestal, of the late Chief Justice William Howard Taft, $3,000."

GRADING OF CLERKS IN THE FOREIGN SERVICE

Mr. COPELAND submitted an amendment intended to be proposed by him to the bill (H. R. 9110) for the grading and classification of clerks in the Foreign Service of the United States of America, and providing compensation therefor, which was referred to the Committee on Foreign Relations and ordered to be printed.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

As in legislative session,

The following bills and joint resolution were severally read twice by their titles and referred as indicated below:

H. R. 15592. An act making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1931, and for prior fiscal years, to provide urgent supplemental appropriations for the fiscal year ending June 30, 1931, and for other purposes; to the Committee on Appropriations.

H. R. 8568. An act to compensate the Post Office Department for the extra work caused by the payment of money orders at offices other than those on which the orders are drawn; and

H. J. Res. 357. Joint resolution classifying certain official mail matter; to the Committee on Post Offices and Post Roads.

ADDITIONAL RECEIPTS OR CERTIFICATES OF MAILING

As in legislative session,

The PRESIDING OFFICER (Mr. FESS in the chair) laid before the Senate the amendments of the House of Representatives to the bill (S. 3273) to authorize the Postmaster General to issue additional receipts or certificates of mailing to senders of any class of mail matter and to fix the fees chargeable therefor, which were to strike out all after the enacting clause and insert:

That the Postmaster General is authorized to charge a fee, under such regulations as he may prescribe, for the issuance to the sender of ordinary mail, and of registered, insured, and collect-on-delivery mail, a receipt or certificate showing such mailing.

And to amend the title so as to read: "An act to authorize the Postmaster General to issue additional receipts or certificates of mailing to senders of certain classes of mail matter and to fix the fees chargeable therefor."

Mr. PHIPPS. I desire to state that the change made by the House is one in language only and does not affect the intent and purpose of the bill. I therefore move that the Senate agree to the amendments of the House.

The motion was agreed to.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER laid before the Senate messages from the President of the United States, submitting sundry nominations, which were referred to the appropriate committees.

RECESS

Mr. McNARY. As in executive session, I move that the Senate take a recess until to-morrow at 12 o'clock noon.

The motion was agreed to; and (at 5 o'clock and 22 minutes p. m.) the Senate, in executive session, took a recess until to-morrow, Friday, January 9, 1931, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 8 (legislative day of January 5), 1931

UNITED STATES DISTRICT JUDGE

Harry A. Hollzer, of California, to be United States district judge, southern district of California. (Additional position.)

UNITED STATES CIRCUIT JUDGE

William H. Sawtelle, of Arizona, to be United States circuit judge, ninth circuit, to succeed Frank S. Dietrich, deceased.

APPOINTMENTS IN THE ARMY

MEDICAL ADMINISTRATIVE CORPS

To be second lieutenants

Staff Sergt. Louis Felix Williams, Medical Department, with rank from January 1, 1931.

Sergt. Frank Randle Day, Medical Department, with rank from January 1, 1931.

Sergt. William Joseph Henry, Medical Department, with rank from January 1, 1931.

APPOINTMENT, BY TRANSFER, IN THE ARMY

TO CORPS OF ENGINEERS

Second Lieut. Henry Joseph Hoeffer, Coast Artillery Corps, with rank from June 14, 1927, effective April 4, 1931.

PROMOTIONS IN THE ARMY

To be colonels

Lieut. Col. Horace Fennell Sykes, Adjutant General's Department, from January 1, 1931.

Lieut. Col. Oliver Prescott Robinson, Infantry, from January 1, 1931.

Lieut. Col. William Ernest Persons, Infantry, from January 1, 1931.

Lieut. Col. Henry Clay Miller Supplee, Infantry, from January 1, 1931.

Lieut. Col. William Kern Moore, Field Artillery, from January 1, 1931.

Lieut. Col. David Yulee Beckham, Adjutant General's Department, from January 1, 1931.

Lieut. Col. John Overton Steger, Adjutant General's Department, from January 4, 1931.

To be lieutenant colonels

Maj. William Jackson McCaughey, Infantry, from January 1, 1931.

Maj. Eugene Ross Householder, Adjutant General's Department, from January 1, 1931.

Maj. Eugene Santschi, jr., Infantry, from January 1, 1931.

Maj. William Addleman Ganoe, Infantry, from January 1, 1931.

Maj. Elmer Franklin Rice, Infantry, from January 1, 1931.

Maj. Edwin Colyer McNeil, Judge Advocate General's Department, from January 1, 1931.

Maj. Augustine Warner Robins, Air Corps, from January 4, 1931.

To be majors

Capt. Romeo Henry Freer, Quartermaster Corps, from January 1, 1931.

Capt. Horatio Grant Coykendall, Finance Department, from January 1, 1931.

Capt. Thomas William Doyle, Infantry, from January 1, 1931.

Capt. Henry Hockwald, Quartermaster Corps, from January 1, 1931.

Capt. Carroll Morton Gale, Infantry, from January 1, 1931.

Capt. John Louis Shanley, Quartermaster Corps, from January 1, 1931.

Capt. Odber Merrill Cutler, Infantry, from January 4, 1931.

To be captains

First Lieut. Fred Cyrus Nelson, Air Corps, from January 1, 1931.

First Lieut. James Andrew Healy, Air Corps, from January 1, 1931.

First Lieut. Edward Moses Morris, Air Corps, from January 1, 1931.

First Lieut. Everett Foster Rea, Finance Department, from January 1, 1931.

First Lieut. Charles Douglas, Air Corps, from January 1, 1931.

First Lieut. James Elmer Boush, Quartermaster Corps, from January 1, 1931.

First Lieut. Hugh Albert Bivins, Air Corps, from January 1, 1931.

First Lieut. Maybin Homes Wilson, Corps of Engineers, from January 1, 1931.

First Lieut. Burton Frederick Lewis, Air Corps, from January 1, 1931.

First Lieut. Elmer John Bowling, Air Corps, from January 1, 1931.

First Lieut. Orin Jay Bushey, Air Corps, from January 1, 1931.

First Lieut. Samuel S. Burgey, Ordnance Department, from January 1, 1931.

First Lieut. Fred Sidney Borum, Air Corps, from January 3, 1931.

First Lieut. Lawrence Carmel Jaynes, Infantry, from January 4, 1931.

To be first lieutenants

Second Lieut. Branner Pace Purdue, Infantry, from January 1, 1931.

Second Lieut. George Joseph Deutermann, Field Artillery, from January 1, 1931.

Second Lieut. George Arthur Grayeb, Field Artillery, from January 1, 1931.

Second Lieut. Hayden Young Grubbs, Field Artillery, from January 1, 1931.

Second Lieut. William Albert Fuller, Cavalry, from January 1, 1931.

Second Lieut. Ralph Edmund Tibbetts, Infantry, from January 1, 1931.

Second Lieut. Edwin Lynds Johnson, Field Artillery, from January 1, 1931.

Second Lieut. Clyde Eugene Steele, Infantry, from January 1, 1931.

Second Lieut. Ernest Holmes Wilson, Infantry, from January 1, 1931.

Second Lieut. Norman Holmes Smith, Field Artillery, from January 1, 1931.

Second Lieut. John Wingo Dansby, Infantry, from January 1, 1931.

Second Lieut. Robert Milchrist Cannon, Field Artillery, from January 1, 1931.

Second Lieut. Charles Cavelli, jr., Field Artillery, from January 1, 1931.

Second Lieut. Thomas Byrd Whitted, jr., Field Artillery, from January 3, 1931.

Second Lieut. James Wilbur Mosteller, jr., Coast Artillery Corps, from January 4, 1931.

DENTAL CORPS

To be major

Capt. Arthur Benedict McCormick, Dental Corps, from January 1, 1931.



CHAPLAIN

To be chaplain with the rank of major

Chaplain Charles Oliver Purdy, from January 5, 1931.

PROMOTIONS IN THE NAVY

Lieut. Commander George L. Weyler to be a commander in the Navy from the 1st day of November, 1930.

The following-named lieutenants to be lieutenant commanders in the Navy from the 1st day of October, 1930:

William H. Hartt, jr.

Junius L. Cotten.

Lieut. Christopher C. Miller to be a lieutenant commander in the Navy from the 16th day of October, 1930.

Lieut. (Junior Grade) Richard W. Ruble to be a lieutenant in the Navy from the 1st day of October, 1930.

Lieut. (Junior Grade) Charles F. Coe to be a lieutenant in the Navy from the 28th day of October, 1930.

Lieut. (Junior Grade) Aaron P. Storrs, 3d, to be a lieutenant in the Navy from the 14th day of November, 1930.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 2d day of June, 1930:

Charles J. Zondorak. Milton A. Nation.

Frederick C. Marggraff, jr. Marshall L. Smith.

The following-named lieutenants (junior grade) to be assistant paymasters in the Navy, with the rank of lieutenant (junior grade), from the 2d day of June, 1930:

James J. McKinstry.

Harold P. Richards.

Theodore S. Dukeshire.

Ensign Albert B. Corby to be an assistant paymaster in the Navy, with the rank of ensign, from the 7th day of June, 1928.

The following-named boatswains to be chief boatswains in the Navy, to rank with but after ensign, from the 9th day of August, 1930:

Carl Allen. John F. King.

John L. Hunter. William L. Hickey.

William F. Lewis. John D. Cross.

Clarence L. Foushee.

Electrician George F. Little to be a chief electrician in the Navy, to rank with but after ensign, from the 7th day of August, 1930.

The following-named radio electricians to be chief radio electricians in the Navy, to rank with but after ensign, from the 8th day of November, 1929:

Albert J. Smith.

Edwin Hanna.

HOUSE OF REPRESENTATIVES

THURSDAY, JANUARY 8, 1931

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

As Thou hast put us here, O Thou God of Compassion, lay Thy hand upon us and bless us. We thank Thee for all the benign influences which have shaped our lives. As years roll by we shall think and talk of them with gratitude. To-day let us feel Thy presence breathing life and balm into all our natures. O Thou Divine Giver, give us the best things—joy unspeakable, peace that passeth understanding, and the heavenly voice that shall be to us a token of triumph. Enlarge our vision, broaden our horizon, and fill the heavens full of the evidences of fatherly benediction. In our tears, in our losses, and in our sorrows may we find victory. O Throne of Mystery, about which are clouds and darkness! O Throne of Grace, where our yearnings and our longings fall! O Elder Brother, hear us as we break the silence and give us wisdom. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed a bill of the following title, in which the concurrence of the House was requested:

S. 5295. An act authorizing an additional per capita payment to the Shoshone and Arapahoe Indians.

PERMISSION TO ADDRESS THE HOUSE

Mr. FISH. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes.

The SPEAKER. The gentleman from New York asks unanimous consent to proceed for 10 minutes. Is there objection?

Mr. BLANTON. Mr. Speaker, I shall not object; but I want to ask the gentleman a question. Is it the gentleman's position that all of the hue and cry about people suffering on the farms in the country in drought-stricken areas is mere bosh, is merely a question that has been raised by the communists, as the press has recently reported?

Mr. FISH. No, no.

Mr. BLANTON. Then the press must have misreported the gentleman.

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, and I shall not object whether my request is granted or not, I would like to address the House for five minutes following the gentleman from New York.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. TILSON. Mr. Speaker, we are to have general debate a little later in the day, and the gentleman will have ample opportunity to address the House. Therefore I do not think the gentleman should ask for this time.

Mr. FISH. I have not spoken in the House for some time.

Mr. TILSON. There will be plenty of opportunity to-day.

Mr. FISH. I ask for only 10 minutes.

Mr. TILSON. There will be ample time in general debate, and I do not think the gentleman ought to put the floor leader in the embarrassing position of objecting.

Mr. FISH. I ask this as an emergency proposition.

Mr. TILSON. So far as I am concerned, I am willing to stay on into the night if other gentlemen are willing to do so. If the other 434 Members are willing to stay here, I am willing to stay along with the rest. It is not my obligation any more than it is the obligation of any of the other Members, but I do not think the gentleman ought to ask for this time now.

Mr. UNDERHILL. If it will relieve my leader of any embarrassment, I do not have any qualms about objecting. I object, Mr. Speaker.

The SPEAKER. Objection is heard.

AMENDMENT TO THE NATIONAL PROHIBITION ACT

Mr. DYER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 9985) to amend the act entitled "An act to amend the national prohibition act," approved March 2, 1929, a bill that has passed the House and passed the Senate with two or three minor amendments, which do not affect the bill as it passed the House. By unanimous direction of the Judiciary Committee, I ask unanimous consent that the Senate amendments be concurred in by the House.

The SPEAKER. The gentleman from Missouri, by the unanimous direction of the Committee on the Judiciary, asks unanimous consent to take from the Speaker's table the bill H. R. 9985, with Senate amendments, and agree to the Senate amendments. The Clerk will report the bill and the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 10, strike out all after "sale" down to and including "law," in line 11.

Page 2, line 2, after "act," insert ": *Provided, however*, That the defendant has not theretofore within two years been convicted of a violation of the said act or is not engaged in habitual violation of the same."

Page 2, line 4, strike out "where" and insert "in the production of which."

Page 2, line 7, strike out "unlawful" and insert "unlawfully."

Page 2, line 7, strike out "of."

Page 2, line 9, after "in" insert ", or not theretofore within two years having been convicted of a."
Page 2, line 9, strike out "the" and insert "such."

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I do not think an exception should be made by passing a bill with Senate amendments without some explanation and debate. I think the gentleman should make a statement to the House showing the purport of these amendments, especially as this is a prohibition bill.

Mr. DYER. Mr. Speaker, I will state that the Senate amendments do not in any way change the purport of the bill. They merely make a change in the language, which the Senate felt made the bill more readable. For instance, one of the amendments is to strike out the word "where" and insert the words "in the production of which." One of them is to strike out the word "unlawful" and insert the word "unlawfully." Other amendments by the Senate are to strike out the word "of," to insert the words "or not theretofore within two years having been convicted of a," to strike out "The" and insert "such."

Mr. STAFFORD. I do not think that even an arrant dry would object to those amendments and, as a representative of the liberal side, I will certainly not object.

The SPEAKER. Is there objection?

Mr. MORTON D. HULL. Reserving the right to object, just what does this bill do in its amended form?

Mr. DYER. The bill is to create some petty offenses under the prohibition enforcement act which are now carried as felonies under the Jones-Stalker Act, and this bill will make it unnecessary to take such petty cases to the grand jury.

Mr. MICHENER. As a matter of fact, the amendments are not material, so far as the bill which passed the House is concerned.

Mr. DYER. They do not affect the bill as it passed the House.

Mr. MICHENER. It is simply a question of better language.

Mr. DYER. In the minds of the Senate.

The SPEAKER. Is there objection?

Mr. SPARKS. Mr. Speaker, reserving the right to object, is not this bill a part of the program that was recommended by the Attorney General?

Mr. DYER. It is.

Mr. SPARKS. And the Law Enforcement Commission?

Mr. DYER. Yes.

The SPEAKER. Is there objection?

There was no objection.

The Senate amendments were agreed to.

DROUGHT RELIEF

Mr. WOOD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the joint resolution (H. J. Res. 447), with Senate amendments, disagree to the Senate amendments, and ask for a conference.

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, I take it this is the so-called relief bill?

Mr. WOOD. Yes.

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, I have objected for two days to this bill going to conference. My objection is interposed in absolute good faith, because this bill introduces a novel proposition in the matter of food distribution, and it will be impossible to explain to the American people why food should be distributed in certain sections of the country, utterly disregarding the needs in other sections of the country, particularly in the cities, where distress is general and universal.

It has been suggested by some that nothing is accomplished by objecting; that the status is the same whether the bill remains in the House or goes to conference. I can not agree with this. I think those of us who are seeking to look after the interests of the people we represent have the same obligations and owe the same duty to them that other gentlemen owe to their constituents in the rural districts, and I think we may with all propriety invoke every possible parliamentary procedure in order to achieve the purpose we have in mind.

Now, if the gentleman from Indiana [Mr. WOOD] will either consent to let the membership of this House decide whether or not this relief should extend to the people of the cities as well as to the farmers, I am willing to abide by the decision of the House. There is precedent for this and the rules of the House will permit of such consideration. If, on the other hand, the gentleman from Indiana will assure the House that he will in conference make every honest effort to have the food-relief provision apply to the cities, I will take his word on it and I shall not object.

Mr. WOOD. I will say to the gentleman that if this bill is sent to conference the conferees, I assume, will attempt to agree upon something. As far as I am concerned, I am willing to state my position, but it is only my individual position. I am opposed to the $15,000,000 for food for any section of the country. [Applause.]

Mr. LAGUARDIA. May I ask the gentleman this question: If any food relief is to be granted, the gentleman from Indiana naturally sees the justness of my position?

Mr. WOOD. I will say to the gentleman I do not deny there is justness in his position, but I am opposed to this business in principle, and it is something that will live to haunt us as long as there is a Congress if it is ever adopted. However, this may be said. There are organizations in the cities for the purpose of taking care of those in distress or in need of food and clothing and fuel. There is no such organization throughout the country, and the Red Cross has been devoting all of its time practically to taking care of the needs of the small towns and the country districts where this distress exists. The reports that come to me from all over the country show that in a most remarkable degree the organizations in the cities and towns have taken care of whatever distress may be found there.

Mr. SABATH. If the gentleman will yield, is it not a fact that the committees that have been appointed by governors and mayors in the large centers are unable to cope with the present situation, and has not the gentleman heard that this is the situation?

Mr. WOOD. No.

Mr. SABATH. And that they are short of funds and can not properly meet the needs?

Mr. WOOD. The very reverse is true, and I have in my pocket, and I presume all of the other gentlemen here have read the statement, that this affair that was staged out in Arkansas for the purpose of creating consternation and confusion and trouble all over the country is without any foundation in fact, and the governor has repudiated the whole thing and says that they are amply able to take care of their own people out there.

Mr. SABATH. What does the gentleman say about Colonel Wood's statement that appears in to-day's paper showing that now 5,000,000 people are out of employment and that conditions are as bad now as they ever were?

Mr. LAGUARDIA. Mr. Speaker, further reserving the right to object, I would like to hear what the gentleman from Arkansas [Mr. PARKS] has to say about this repudiation by the Governor of Arkansas.

Mr. PARKS. Mr. Speaker, I have a telegram in my pocket which I propose to read from the governor, and also a statement by about 100 people, saying the half has not been told. The governor absolutely repudiates the statement in the Baltimore Sun and states it was not any preconceived movement, but was a movement of starving people in the vicinity of this town, which is in one of the richest sections of the country.

Mr. WOOD. That is absolutely incorrect.

Mr. LAGUARDIA. And they were native American farmers and not affiliated with any radical organization.

Mr. PARKS. They never heard of a radical organization in their lives.

Mr. BLANTON. If the gentleman will yield, if this were a bill to grant relief to his urban population in New York, what would the gentleman think of us who represent rural districts stopping his bill until we also got relief? Why not let us provide this urgent, necessary relief and then let us help the gentleman pass his relief proposal?

Mr. SABATH. Why not put both of them in one measure?

Mr. LaGUARDIA. In reply to that statement, I will say that I have served in this House for 12 years. I have voted for every farm relief bill that has been presented to this House. I have done this consistently and every Member on that side of the House knows it. I was for the equalization fee, and I am still for it. I have voted for every drought-relief measure and for every flood-relief measure all the way through. Now, it seems to me my batting average is such that I can say, "We are either in on this or else I am going to invoke every honorable, parliamentary procedure to protect the rights of the people I represent."

Mr. BLANTON. Then you would have the rural men starve in order to get something for the urban men?

Mr. McKEOWN. Will the gentleman yield?

Mr. LaGUARDIA. Yes.

Mr. McKEOWN. Is it not a fair solution of the proposition to put this fund in the hands of the Red Cross, with half of it for the urban people and half for the rural population?

Mr. LaGUARDIA. I will agree to that. I will agree to anything that is reasonable.

Mr. SABATH. That would be fair.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. WOOD]?

Mr. LaGUARDIA. I object, Mr. Speaker.

THE ARMY APPROPRIATION BILL

Mr. BARBOUR. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 15593) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1932, and for other purposes; and pending that I ask unanimous consent that general debate continue without limit to-day, one-half of the time to be controlled by the gentleman from Mississippi [Mr. COLLINS] and one-half by myself.

The SPEAKER. The gentleman from California moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15593, the Army appropriation bill; and pending that asks that general debate continue without limit, one-half to be controlled by himself and one-half by the gentleman from Mississippi [Mr. COLLINS]. Is there objection?

Mr. COLLINS. Reserving the right to object, the gentleman has no objection to running along to-day without any limit of time?

Mr. BARBOUR. None whatever.

Mr. COLLINS. And to-morrow we can make some agreement in fixing a limit.

Mr. BARBOUR. That is entirely agreeable.

Mr. CHINDBLOM. Will there be any reading of the bill to-day?

Mr. BARBOUR. Not so far as we can tell, unless some prospective speakers fail to use their time. If all the time is used that has been asked for, there will be no reading of the bill to-day.

Mr. CHINDBLOM. Can not there be some understanding to that effect?

Mr. BARBOUR. So far as I am concerned there will be no reading of the bill to-day.

Mr. JAMES of Michigan. I would like to be assured that the bill will not be read to-day.

Mr. BARBOUR. I will agree to that.

The SPEAKER. Is there objection?

There was no objection.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. TILSON in the chair.

The Clerk read the title of the bill.

Mr. BARBOUR. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BARBOUR. Mr. Chairman, I yield 40 minutes to the gentleman from New York [Mr. PARKER].

Mr. PARKER. Mr. Chairman and ladies and gentlemen of the committee, I have reduced to writing what I wish to say and I shall decline to yield to anyone until I have finished my statement. I wish to make a statement in defense of the attitude of the President in advocating the consolidation of the four eastern railway systems. I wish to point out to the House what is proposed to be done.

May I call your attention to five maps which are before you? There is one map for each system as it would be in accordance with the agreement reported by the Associated Press, as having been submitted in a letter to the Interstate Commerce Commission. Each system map shows in black the lines at present owned and operated, and in broken lines the lines which, under the agreement, the system would seek the approval of the commission to acquire. A fifth map shows each of the four systems, as they would exist, if the application of the carriers involved should be granted by the commission.

CHART NO. 1.—PENNSYLVANIA SYSTEM

Let me call your attention to the map of the Pennsylvania system, being Chart No. 1, which shows in black lines its present operated main track, and in broken lines the trackage to be acquired; note the strategic position it has, running as it does from the eastern seaboard west by the shortest route to points across the mountains. You will see that it is getting very little within its present territory. It is being permitted to go southeast to the Virginia ports, in competition with the Chesapeake & Ohio, and to go west in competition with existing systems.

CHART NO. 2.—NEW YORK CENTRAL SYSTEM

The New York Central, being Chart No. 2, is the other very powerful system in the East. The heavy black lines show the trackage now operated and the broken lines the trackage it would acquire, which shows that it would take over the Lackawanna, letting it into coal fields not now reached by its lines. Otherwise, the New York Central under this arrangement gets practically nothing. I want to emphasize that the two great systems, the New York Central and the Pennsylvania, are getting practically nothing within their sphere of influence.

CHART NO. 3.—BALTIMORE & OHIO SYSTEM

Turning now to the map of the Baltimore & Ohio system, being Chart No. 3, the black heavy lines show the trackage now operated and the broken lines the trackage to be acquired, which clearly shows how vital the proposed acquisitions are to that system, in order to bring it to an equality particularly with the Pennsylvania, and to give it an outlet to Buffalo and Rochester on the north, in New York Central and Nickel Plate territory. As Prof. William Z. Ripley points out in his article in World's Work for October, 1930, the Baltimore & Ohio is getting a direct route east to New York. At Butler in western Pennsylvania a swing far south to Washington sets in under their present system. Under the proposed acquisitions, by piecing together portions of two little properties, and by then taking trackage or paralleling a few miles of the Pennsylvania, Williamsport is reached. Thence, the Reading and the Central Railroad of New Jersey carry on almost straight into New York. By acquisition of these properties, the line of the Baltimore & Ohio from Chicago to New York is shortened more than 80 miles. This permits the Baltimore & Ohio to enter the heart of both Pennsylvania and New York Central territory. It permits it to haul thousands of trainloads of freight over this much-shortened route.

CHART NO. 4.—CHESAPEAKE & OHIO-NICKEL PLATE SYSTEM

On the Chesapeake & Ohio-Nickel Plate system, being Chart No. 4, the heavy black lines show the trackage now operated and the broken lines the trackage to be acquired and to what extent that system will be strengthened

in the East in competition with both the New York Central and the Pennsylvania. As the Baltimore & Ohio is permitted to invade the heart of the Pennsylvania territory from the south, the Chesapeake & Ohio-Nickel Plate system is permitted to invade the Pennsylvania and New York Central territory from the north. It is also given, over the Chicago & Eastern Illinois, a western connection into St. Louis and other points in competition with the Baltimore & Ohio, Pennsylvania, and New York Central. It will be seen that these allocations are necessary to enable the Chesapeake & Ohio-Nickel Plate, as is the case with the Baltimore & Ohio, to compete on an equality with the two great systems, the New York Central and the Pennsylvania. It also more evenly balances its competition with the Baltimore & Ohio.

CHART NO. 5.—COMBINED FOUR SYSTEMS

Another map, being Chart No. 5, shows the competition between the four systems. This chart does not include any trackage rights nor any of the hundreds of short lines which, under orders of the Interstate Commerce Commission, would be allocated to one or another of the four systems. A mere glance at this map is sufficient to show how extensive and complete is the competition. Instead of lessening competition, the map shows that it is not only retained but it is more evenly distributed throughout the eastern region. As examples of the retention of such competition, permit me to call attention to the fact that the following cities will be served by all four of the proposed systems: New York, Chicago, Toledo, Cleveland, Buffalo, Cincinnati, St. Louis, Louisville, Indianapolis, and Detroit. The other large cities are served by from two to three of the systems. When trackage rights are finally agreed upon and approved by the commission and the short lines are finally allocated, practically every town of any consequence in the origin or distribution of traffic will be served by two or more of these systems.

The President of the United States has announced to the country that the railway executives in the East have agreed to cooperate with a view to presenting to the Interstate Commerce Commission applications to acquire certain properties and for approval of certain systems as being in the public interest.

This announcement should have been received in every quarter with the greatest satisfaction. But instead of the universal acclaim which its reception deserved, certain individuals began to make violent accusations against the President and to denounce the proposals to come to the Interstate Commerce Commission with applications to be reviewed as to whether or not their approval would serve the public interest. Some of these charges were in language so intemperate as even to suggest to a casual reader that the consolidation of railroads is something novel in this country.

Let us turn for a few moments to the facts. The Congress of the United States in 1920 enacted the transportation act, calling for a plan for consolidating all the railroads into a limited number of systems, and authorizing from time to time the acquisition of control of one railroad by another with the approval of the commission after the commission had found such acquisition to be in the public interest. Why did the Congress pass the consolidation provisions included in section 5 of the transportation act? Some of the Members of the House are familiar with the reasons calling for such action, but by way of refreshing the memories of some others I ask your indulgence while I briefly review some well-known history.

The Interstate Commerce Commission came to your Committee on Interstate and Foreign Commerce in 1920 and asked for this provision placing consolidations under the supervision of the commission as an agent of the Congress. They gave a number of cogent reasons for their position. Among them was the plight of the weak railroads. The spokesman for the commission was the late Edgar E. Clark. You will remember that he was at one time vice president of the Order of Railway Conductors, and was one of the ablest men to head the organization of conductors. He also was one of the ablest commissioners who has served that body in all its history. He said, referring to the weak railroads:

> I have personally observed through a good many years of more or less familiarity with railroad conditions in this country a great many instances of a property struggling along in an independent and separate existence, unable to earn any profit and barely able to earn operating expenses, and therefore of necessity furnishing a very poor service with very poor equipment on a very poor railroad taken in by a large and strong system and promptly developed into a good railroad furnishing good service, and I think that the public interest was thereby served. (Senate hearings on transportation act, 65th Cong., 1st sess., vol. 1, p. 2.)

When the Senate committee submitted its report through its chairman, the late Albert B. Cummins, he said, among other things:

> The writer of this report is firmly convinced that when the Government assumed the operation of the railways they were, taken as a whole, earning all they should be permitted to earn; but in the inevitable distribution of these earnings among the various railway companies the railways which carried 30 per cent of the traffic were earning so little that they could not by any economy or good management sustain themselves. Nevertheless, it is unthinkable that these highways of commerce shall be abandoned, and some system must be devised not only for their continuance but for their betterment and growth. Government ownership would solve the problem, but it is the judgment of the committee that Government operation is attended with so many disadvantages, notably in the increased cost of operation, that this plan must be discarded.
>
> There is but one other solution: It is consolidation. Here two policies present themselves. The first, complete consolidation into one ownership; second, consolidation into comparatively few competitive systems. The first has some advantages over the second, but it has some disadvantages, and the disadvantages outweigh, in the opinion of the committee, the advantages. (Senate Report 304, 66th Cong., 1st sess, pp. 13–14.)

The chairman of your Committee on Interstate and Foreign Commerce, the Hon. John J. Esch, in speaking to this House, said:

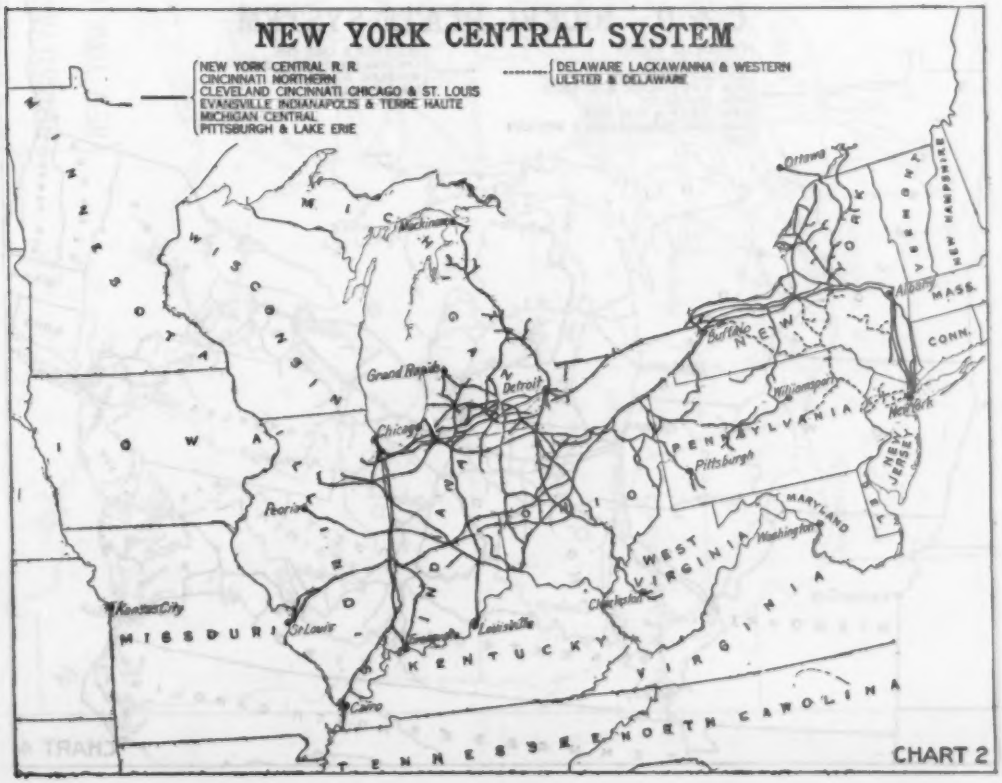
> In our opinion, the interests of the public will be better served where the consolidations are voluntarily entered into upon approval by the Interstate Commerce Commission and where such consolidation or merger is in the interest of better service to the public or economy of operation or otherwise of advantage to the convenience or commerce of the people.
>
> Under such a plan the problem of weak roads, when taken in connection with other provisions of the pending bill, will in a large measure be capable of solution. (House Report 456, 66th Cong., 1st sess., pp. 6–7.)

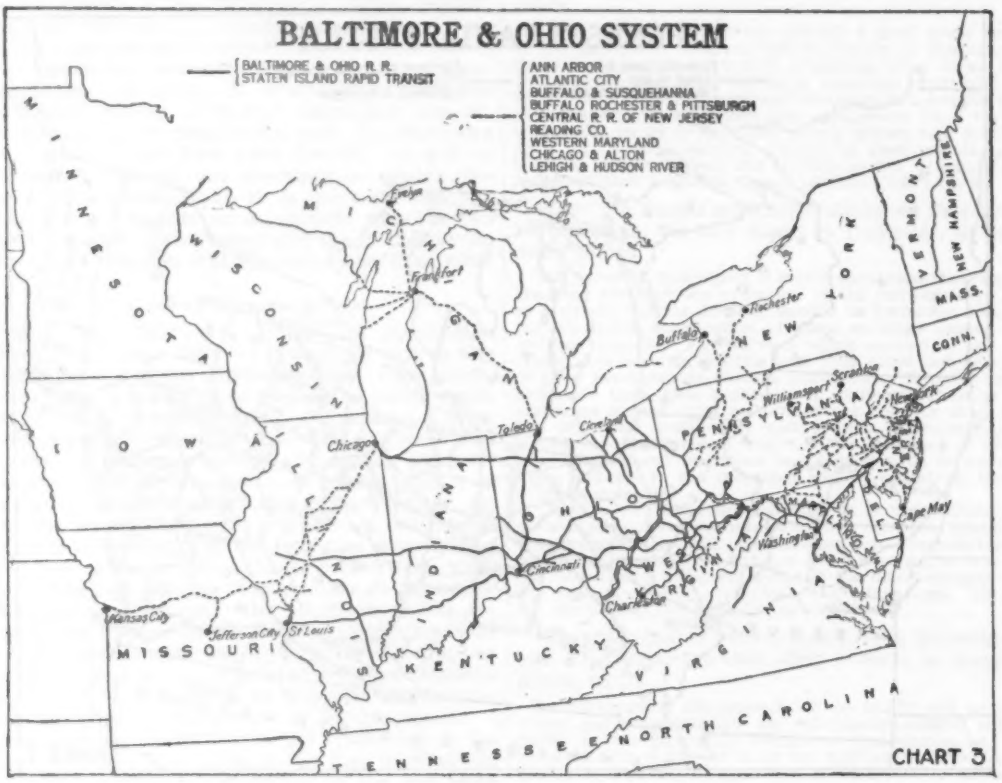
From these references it is clear that the Congress adopted a policy of consolidating the railroads of the continental United States into a few well-balanced systems after the most mature thought, the most careful deliberation. That is to say, the Congress abandoned the policy of unregulated and unsupervised unification and adopted the policy of regulating future consolidations of railroads with a view to fostering well-balanced systems of relatively equal competitive strength and relatively equal opportunity. It was believed that such an arrangement of our railway properties would bring a much more adequate and satisfactory service to the American people than would a hodgepodge of miscellaneous systems of unequal strength and of unequal opportunity. Before the act to regulate commerce was so amended there could be any sort of acquisition of control by anybody. To-day, if one carrier acquires control of another in any manner, it must convince the commission that such acquisition is in the public interest.

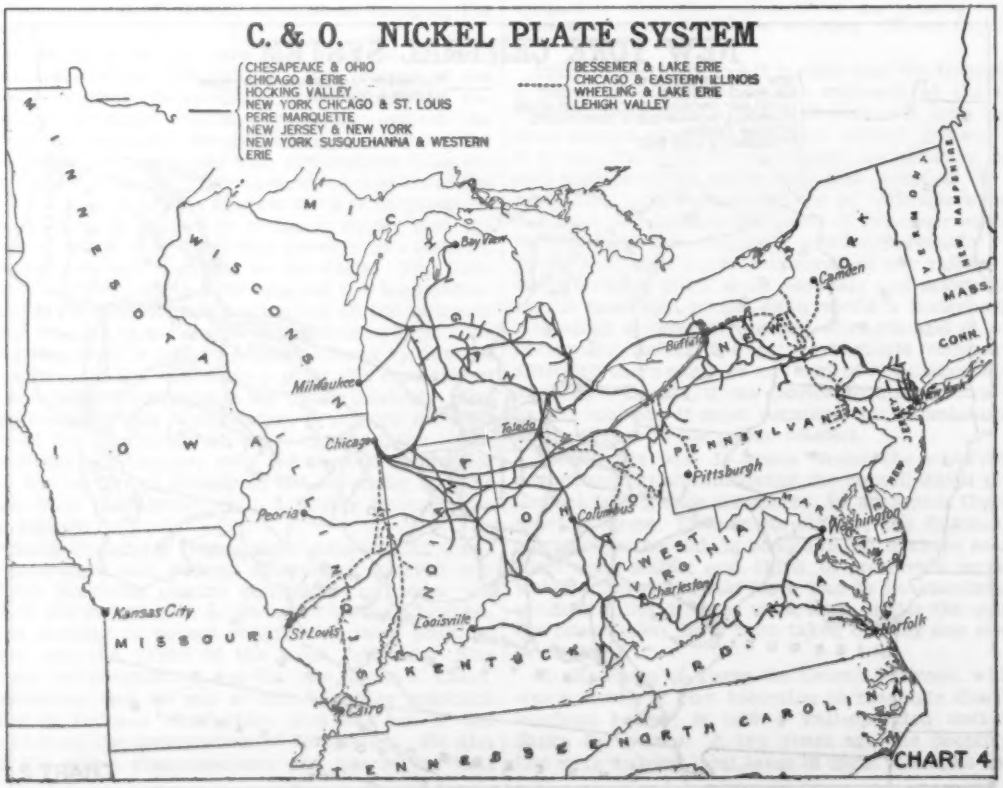
Within the past 10 years, under the supervision of the commission in administering the consolidation provisions of the act to regulate commerce, as amended, there has been great progress; first, in simplifying the financial structure of railways; second, in rounding out systems so as to make them more stable; and, third, in preserving service on lines which otherwise would have had to be abandoned. Thousands of miles of these weak lines, under the supervision of the commission, have been taken over by one strong system or another.

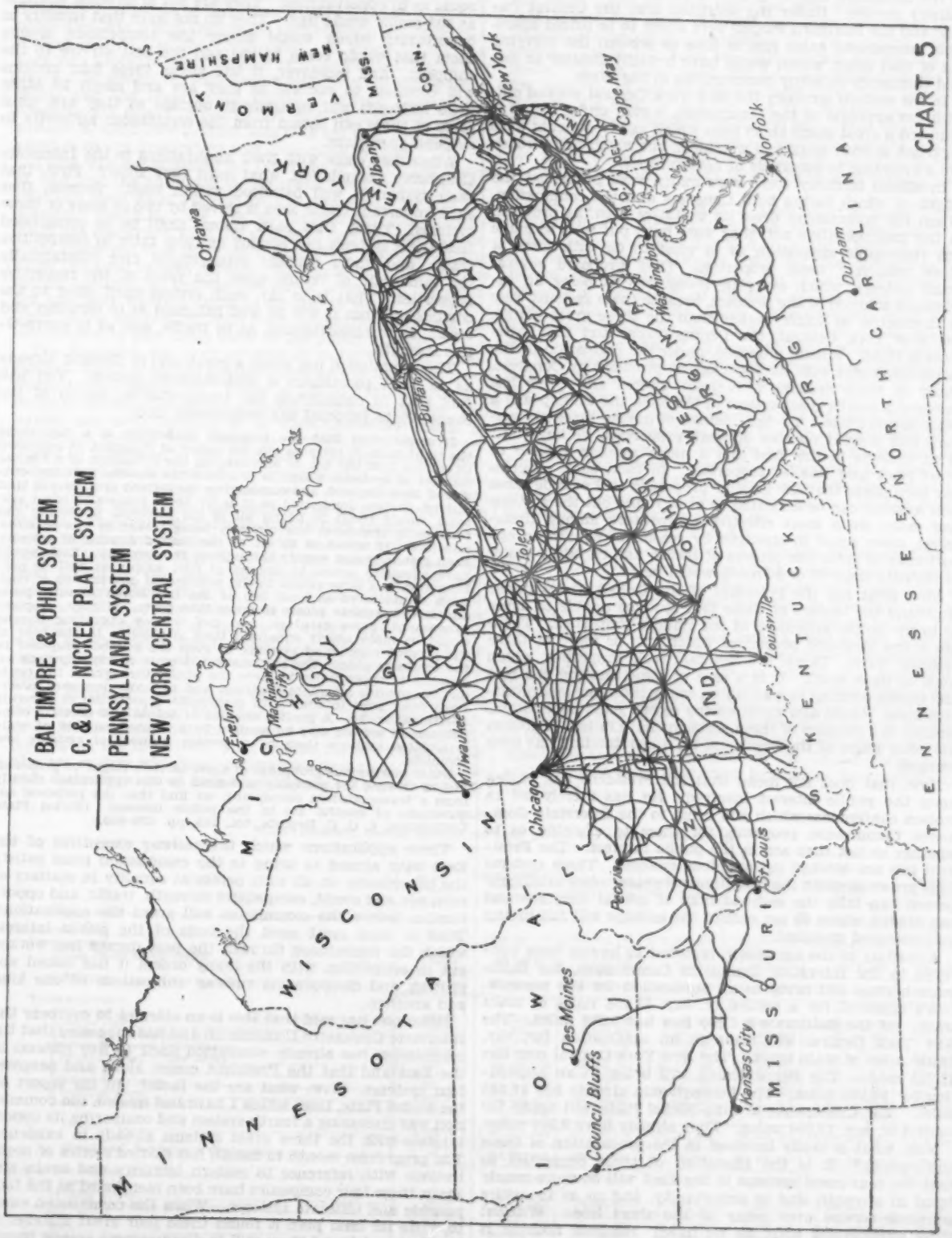
In the State of Texas the Orient Railroad, which in 1920 was a streak of rust becoming increasingly dim toward the Mexican border, is now a well-operated unit within the Santa Fe system. A few years ago the people along that line were waiving local taxes in order to enable the Orient to


PENNSYLVANIA SYSTEM
PENNSYLVANIA R. R.
LONG ISLAND
WEST JERSEY & SEASHORE
DETROIT TOLEDO & IRONTON
WABASH
NORFOLK & WESTERN
CHART 1


NEW YORK CENTRAL SYSTEM
NEW YORK CENTRAL R. R.
CINCINNATI NORTHERN
CLEVELAND CINCINNATI CHICAGO & ST. LOUIS
EVANSVILLE INDIANAPOLIS & TERRE HAUTE
MICHIGAN CENTRAL
PITTSBURGH & LAKE ERIE
DELAWARE LACKAWANNA & WESTERN
ULSTER & DELAWARE
CHART 2


BALTIMORE & OHIO SYSTEM
BALTIMORE & OHIO R. R.
STATEN ISLAND RAPID TRANSIT
ANN ARBOR
ATLANTIC CITY
BUFFALO & SUSQUEHANNA
BUFFALO ROCHESTER & PITTSBURGH
CENTRAL R. R. OF NEW JERSEY
READING CO.
WESTERN MARYLAND
CHICAGO & ALTON
LEHIGH & HUDSON RIVER
MICHIGAN
WISCONSIN
IOWA
ILLINOIS
INDIANA
OHIO
KENTUCKY
WEST VIRGINIA
VIRGINIA
TENNESSEE
NORTH CAROLINA
PENNSYLVANIA
NEW YORK
VERMONT
NEW HAMPSHIRE
MASS.
CONN.
DEL.
MISSOURI
Evelyn
Frankfort
Chicago
Toledo
Cleveland
Buffalo
Rochester
Williamsport
Scranton
Newark
Cape May
Washington
Cincinnati
Charleston
Kansas City
Jefferson City
St Louis
CHART 3


C. & O. NICKEL PLATE SYSTEM
CHESAPEAKE & OHIO
CHICAGO & ERIE
HOCKING VALLEY
NEW YORK CHICAGO & ST. LOUIS
PERE MARQUETTE
NEW JERSEY & NEW YORK
NEW YORK SUSQUEHANNA & WESTERN
ERIE
BESSEMER & LAKE ERIE
CHICAGO & EASTERN ILLINOIS
WHEELING & LAKE ERIE
LEHIGH VALLEY
MICHIGAN
WISCONSIN
IOWA
ILLINOIS
INDIANA
OHIO
KENTUCKY
WEST VIRGINIA
VIRGINIA
TENNESSEE
NORTH CAROLINA
PENNSYLVANIA
NEW YORK
VERMONT
NEW HAMPSHIRE
MASS.
CONN.
MISSOURI
Bay View
Milwaukee
Chicago
Peoria
Toledo
Columbus
Pittsburgh
Camden
Buffalo
Washington
Charleston
Norfolk
Kansas City
St Louis
Louisville
Cairo
CHART 4


CHART 5
BALTIMORE & OHIO SYSTEM
C. & O.—NICKEL PLATE SYSTEM
PENNSYLVANIA SYSTEM
NEW YORK CENTRAL SYSTEM
NEW HAMPSHIRE
VERMONT
MASS.
CONN.
NEW YORK
PA.
DEL.
MD.
VA.
N. C.
TENNESSEE
KENTUCKY
OHIO
IND.
ILL.
MICH.
WISCONSIN
MINNESOTA
IOWA
MISSOURI
Ottawa
Albany
New York
Cape May
Norfolk
Durham
Washington
Buffalo
Toledo
Evelyn
Machinac City
Milwaukee
Chicago
Louisville
Peoria
St. Louis
Des Moines
Council Bluffs
Kansas City

run some sort of trains. To-day those people are prospering in the assurance that they have a permanent and adequate railway service. Under the antitrust laws the Central Pacific and the Southern Pacific were about to be prized apart. This amendment came just in time to prevent the carrying out of that order, which would have brought disaster to untold thousands in many communities in the West.

In the eastern territory the New York Central worked out, with the approval of the commission, a plan under which it acquired a great many short lines which as investments were regarded as both weak and worthless, but which as railroads are serviceable to hundreds of communities.

In official territory there were many weak properties the plight of which baffled both Congress and the commission. When the commission drew its tentative plan, as provided in the transportation act, they were hard put to it to make any reasonable suggestion as to what to do with some of those relatively weak properties. They proposed several small systems, which everyone recognized as being an inadequate solution of the problem, because these systems were in themselves so much weaker than the three great giants, the New York Central, the Pennsylvania, and the Baltimore & Ohio. Within a decade, under the regulation of the commission and with its approval, as provided by Congress, many of these systems have been unified and there has emerged a fourth great system in the East, the Chesapeake & Ohio-Nickel Plate. To-day, instead of having three big systems and a great number of weak properties, we have four great systems in the East and a much smaller number of short lines and smaller properties. In fact, such progress has been made that the smaller properties still outside these four systems can be allocated so as to round out the systems and make them more effective competitors among themselves, more equal in strength by reason of equalizing opportunity to enter the centers of traffic, and certainly easier to regulate than 40 or 50 roads would be.

Now, what has the President of the United States done? He found the leaders of these four systems unable to agree as to the proper allocation of the smaller properties. There are a few strategic properties which two or more of these systems want. There are several weak properties which none of them want. It is a case of some wanting the best and others wanting to wish off on competitors the less profitable lines. Again and again during recent years negotiations looking to a solution of these problems have failed. Through the good offices of the President, an understanding has been reached.

Now, that does not mean that the President has passed upon the public interest involved. He has merely set in motion conferences which will bring to the Interstate Commerce Commission proposals for them to examine as to whether or not they are in the public interest. The President has not blocked out any four systems. These systems have grown through the past hundred years. Any intelligent person can take the railroad map of official territory and can predict where 90 per cent of the mileage will fall in any well-reasoned grouping.

According to the agreement reported as having been conveyed to the Interstate Commerce Commission, the Baltimore & Ohio will bring in an application for the commission's approval for a system of, say, 11,156 miles of main track; yet the Baltimore & Ohio now has 5,689 miles. The New York Central will bring in an application for, say, 12,920 miles of main track. The New York Central now has 11,793 miles. The Pennsylvania will bring in an application for 16,548 miles. The Pennsylvania already has 11,285 miles. The Chesapeake & Ohio-Nickel Plate will apply for control of, say, 12,554 miles. They already have 9,506 miles.

Now, what is really involved in the preparation of these applications? It is the allocation of these properties so that the four great systems in the East will be more nearly equal in strength and in opportunity, and so as to assure adequate service over many of the short lines. Without these applications what do we have? Suppose nothing is done, what is the result? We still have four great systems in the East. If you call a big railroad system a Frankenstein, there are already four of them in eastern territory, but at present these systems are of unequal size and are not equal as to opportunities. They are not of as equal strength as the public would like. They do not have that equality of opportunity which would assure the competition among them that would bring in the end the best service to the shippers. And moreover, if left alone, these four systems will continue to operate as they are and about 50 other little railroads will continue to operate as they are, until some of them can obtain from the commission authority to suspend operations.

When they come with their applications to the Interstate Commerce Commission, what must they show? First, that each system is well balanced within itself. Second, that each important traffic area is served by two or more of these systems. Third, that each system shall be so constituted that these systems can employ uniform rates to competitive traffic, and under efficient management give substantially the same rate of return upon the value of the respective properties. That is to say, each system must show to the commission that it will be well balanced as to earnings and credit, as to opportunities, as to traffic, and as to competitive strength.

The commission has given a great deal of thought already as to what constitutes a well-balanced system. You will find that in considering the transportation set-up of the Nickel Plate proposal the commission said:

> It seems clear that the proposed unification is a step along the right lines in carrying out the policy of Congress, as expressed in section 5 of the act, of encouraging the formation of a limited number of systems, which as it affects the eastern territory, outside of New England, and considering the railway situation in that district to-day, dominated as it is by three long-established systems, would result in nearly all of the principal producing and consuming centers of the territory being served by two or more, and in many instances by all, of the limited number of systems. Each system would ramify throughout the territory. Each would have adequate access to sources of fuel supply as well as participation to a large extent in the commercial distribution of coal. Each would serve at least two of the five North Atlantic ports and have adequate access to lower lake ports. Mileage, property investment, gross earnings, and net railway operating income would be more nearly equalized than is possible in the case of the present number of systems, or even the number proposed in the tentative plan. The systems would more nearly approach an equality of opportunity to serve the public throughout the territory, to provide adequate facilities, and to make necessary extensions from time to time with reasonable expectation of securing additional traffic. A greater amount of actual and effective competition in service may be assured by a limited number of well-articulated systems than by a greater number of systems less complete.
>
> Other meritorious groupings of these carriers might be proposed, but in viewing the grouping presented in this application strictly from a transportation standpoint, we find that the proposed acquisitions of control are in the public interest. (Nickel Plate Unification; I. C. C. Reports, vol. 105, pp. 439–440.)

These applications which the railway executives of the East have agreed to bring to the commission must satisfy the commission on all such points as equality in matters of earnings and credit, competitive strength, traffic, and opportunities before the commission will grant the applications. That is, they must meet the tests of the public interest which the commission through the past decade has worked out in connection with the many orders it has issued approving and disapproving railway unifications of one kind and another.

Some one has said that this is an attempt to overbear the Interstate Commerce Commission and has suggested that the commission has already committed itself to five systems in the East and that the President comes along and proposes four systems. Now, what are the facts? In the report on the Nickel Plate, from which I have just quoted, the commission was discussing a fourth system and comparing its opportunities with the three great systems already in existence. The press from month to month has carried stories of negotiations with reference to eastern territory and again and again these four companies have been mentioned as the four possible and ultimate systems. When the commission came to write its final plan it found these four great systems in the East and found them still in disagreement among themselves as to what each would ask for and what each would be

willing in fairness to have in a final consolidation. Since we have provided for voluntary consolidation, the commission did not see fit, in the absence of applications before it, definitely to allocate to these four great contenders the very properties over which they could foresee there would be conflicting petitions to the commission. It seems to me that they very properly put the major of those properties together into a fifth system for such future disposition as the developments and the facts might require. Anyone reading the commission's report in connection with its final plan is impressed by their care to state that they are retaining an open mind as to any application that may come to them.

Those who are accusing the President of the United States of usurping the authority of the commission should be specific and state what systems he has approved. He has not approved anything. He has not announced any systems. He is not concerned with the details of specific applications. He is concerned that there should be action where delay may bring impaired railway service. In suggesting action he has merely brought the railway executives to do what the country has been wanting them to do for 10 years; that is, to come to the commission with their applications and ask the commission to pass upon them in the public interest.

The President has been accused of dictating to the commission, and it is openly declared that he will influence those whom he has appointed. There is not one scintilla of evidence sustaining this unfair and unjustified accusation. Not having any preconception as to what properties should go into what system, how could the President of the United States be interested in the particular allocation of any individual short line or smaller railway property? The railroads of the East are holding up investments of vast sums because they do not know what the outcome as to final unification may be. They can not know that until they themselves come to the commission and ask authority to make definite acquisitions. Heretofore they have not been coming. Each has been afraid of the other apparently. Now it has been brought about that they all agree to come and to put an end to this delay and this uncertainty, which is tying up hundreds of millions of dollars of credit which otherwise would be released to buy materials, to employ men, to make our transportation systems more adequate and more serviceable.

The accusation against the railroads has been made that they have engaged in high finance and find themselves in great distress, and that the President is pulling their chestnuts out of the fire. Now, what are the facts? These people who are so free with their generalities decline to furnish us with their evidence of such high finance. They do not furnish us with a single case of a railroad which has dealt in any speculative enterprise. They know that every bond and every share of stock that has been issued by any railroad within the past 10 years has been submitted to the Interstate Commerce Commission for its scrutiny and approval. There has been no high finance among the railroads. On the other hand, the railroads have invested with the approval of the commission here in eastern territory—that is, the eastern district and the Pocahontas region—within the past 10 years $3,638,977,000. This great investment of more than three and a half billion dollars has been the gross capital expenditure from 1921 to 1930, inclusive. It does not include outlays by switching and terminal companies.

They have invested this in materials, in labor, and in equipment, and these outlays have helped to keep mills and mines going and have resulted in a great improvement of the transportation systems. But for the differences with reference to the proposals and the uncertainty of the final outcome of unification in the East several hundred millions more would have been spent. Arrangements have tentatively been made for this capital. It should be released. Now is the one time of all times to set that capital free and let it go into the improvement of our railway properties and toward the employment of tens of thousands of workers who otherwise might be idle.

At this point I want to insert in the RECORD a table which shows in each of the four cases for the existing systems and for the proposed acquisitions the average miles of road operated, the investment in road and equipment, the total operating revenues, the total operating expenses, the net railway operating income, the revenue ton-miles, and the revenue passenger-miles for the year 1929.

(Table printed as Exhibit A.)

I honor the President of the United States that he has understood this situation; that he has seen that it is against the public interest to have further and continued delay and uncertainties in the railroad situation in the East; and that he has urged these railway executives to go to the Interstate Commerce Commission, where they should have gone several years ago. The Interstate Commerce Commission is free and unhampered. I do not believe that they will be influenced by the Executive or by criticism from Capitol Hill. I have confidence that they will demonstrate the high qualities of judgment and of character which the President of the United States believed they possessed when they were appointed and which Members of the United States Senate acknowledged when they voted to confirm the appointments. [Applause.]

EXHIBIT A

Mileage, investment, revenues, expenses, and traffic, calendar year ended December 31, 1929

Roads	Average miles of road operated	Investment in road and equipment	Total operating revenues	Total operating expenses	Net railway operating income	Revenue ton-miles	Revenue passenger-miles
Baltimore & Ohio	5,068.43	$804,281,621	$345,418,776	$180,570,034	949,184,110	20,657,860,061	728,596,197
Now operated—							
Staten Island Rapid Transit	23.54	12,780,677	2,637,897	1,892,348	460,515	6,955,478	79,028,478
Subtotal	5,092.97	907,062,298	348,056,673	182,462,382	49,644,625	20,664,834,539	807,674,675
To be acquired—							
Ann Arbor	293.86	24,230,722	6,344,153	4,357,993	1,062,452	592,726,551	6,438,392
Atlantic City	163.90	15,550,114	3,986,454	3,353,831	[1] 130,242	43,500,808	142,931,186
Buffalo & Susquehanna	253.54	11,238,653	1,767,549	1,615,135	344,339	149,112,000	310,000
Buffalo, Rochester & Pittsburgh	601.97	71,648,221	17,811,818	14,577,099	2,982,763	1,931,631,893	28,819,547
Central Railroad of New Jersey	692.71	202,300,219	58,135,940	42,218,208	9,367,044	2,827,472,385	499,760,125
Reading Co.	1,459.94	419,334,972	97,195,954	75,929,795	17,195,531	6,873,980,612	300,596,445
Western Maryland	875.18	153,790,277	18,985,707	12,887,143	5,824,583	2,128,836,390	14,182,868
Chicago & Alton	1,628.49	158,304,462	26,726,453	22,022,591	3,278,827	1,925,825,200	178,494,544
Lehigh & Hudson River	96.66	7,300,980	2,649,345	1,777,707	477,609	323,412,200	461,000
Subtotal	5,466.19	1,063,914,640	235,509,273	178,760,500	40,303,886	16,786,461,359	1,172,204,097
Grand total, Baltimore & Ohio system	11,159.16	1,970,976,938	583,565,946	361,222,882	89,948,511	37,451,295,898	1,979,878,682
Chesapeake & Ohio	2,732.60	429,733,036	129,779,115	85,514,858	37,881,628	19,025,062,161	189,087,983
Now operated—							
Hocking Valley	348.57	61,129,509	20,888,800	12,602,729	6,035,440	2,928,175,368	16,944,813
New York, Chicago & St. Louis	1,090.54	232,656,260	56,365,456	39,896,985	10,471,000	5,291,371,000	70,670,156
Pere Marquette	2,241.70	161,692,460	48,468,439	34,345,201	9,273,417	3,648,957,967	97,945,230
Erie	2,946.56	508,226,617	113,610,598	88,750,517	19,084,600	9,037,744,316	582,254,733
Chicago & Erie	209.98	34,091,790	15,619,539	5,880,390	2,377,439	1,732,994,564	22,230,149

[1] Deficiency.

Mileage, investment, revenues, expenses, and traffic, calendar year ended December 31, 1929—Continued

Roads	Average miles of road operated	Investment in road and equipment	Total operating revenues	Total operating expenses	Net railway operating income	Revenue ton-miles	Revenue passenger-miles
Chesapeake & Ohio—Continued.							
Now operated—Continued.							
New Jersey & New York	45.72	$3,661,667	$1,542,907	$1,354,524	$390,092	4,617,276	107,699,940
New York, Susquehanna & Western	131.47	38,941,387	5,057,566	3,754,182	647,256	114,698,911	45,347,282
Subtotal	9,508.72	1,475,131,666	391,352,780	275,009,395	85,511,691	41,675,241,571	1,134,297,283
To be acquired—							
Bessemer & Lake Erie	227.75	63,114,361	17,912,973	9,847,608	7,444,665	2,427,645,593	3,475,242
Chicago & Eastern Illinois	946.24	88,788,098	25,398,274	19,693,096	2,209,032	2,104,170,474	123,245,486
Wheeling & Lake Erie	511.60	93,138,599	21,335,222	14,603,178	5,115,433	1,863,674,433	8,878,328
Lehigh Valley	1,361.76	270,123,015	71,722,735	53,501,134	12,938,556	5,144,619,546	222,438,119
Subtotal	3,047.35	515,169,073	136,369,204	97,735,106	27,707,686	11,540,110,046	358,037,175
Grand total, Chesapeake & Ohio-Nickel Plate system	12,554.07	1,990,300,739	527,721,984	372,834,501	113,219,377	53,215,351,617	1,492,334,458
Pennsylvania Railroad	10,511.81	2,374,932,888	682,702,931	493,150,592	133,139,626	48,991,172,739	4,002,210,159
Now operated:							
Long Island	404.11	131,394,852	41,326,194	27,734,679	8,707,943	174,496,693	1,893,237,894
West Jersey & Seashore	369.47	30,932,663	10,435,800	7,274,769	1,878,200	106,903,024	228,258,581
Subtotal	11,285.39	2,537,260,403	734,464,925	528,160,040	143,725,769	49,332,572,456	6,123,706,634
To be acquired—							
Detroit, Toledo & Ironton	499.34	49,383,353	14,057,420	8,065,030	4,501,659	855,031,284	1,238,309
Wabash	2,523.82	292,774,414	76,632,974	56,275,423	13,251,591	6,107,472,314	240,316,280
Norfolk & Western	2,240.09	453,805,454	117,631,751	66,051,247	44,208,196	16,730,308,371	151,545,519
Subtotal	5,263.25	795,963,221	208,322,145	130,391,700	61,961,446	23,692,811,969	393,100,108
Grand total, Pennsylvania system	16,548.64	3,333,223,624	942,787,070	658,551,740	205,687,215	73,025,384,425	6,516,806,742
New York Central Railroad	6,915.26	1,457,901,181	396,917,258	302,614,246	64,624,664	23,028,153,327	3,245,067,641
Now operated—							
Cincinnati Northern	244.23	9,114,419	3,840,769	2,590,171	883,240	570,791,904	1,069,754
Cleveland, Cincinnati, Chicago & St. Louis	2,398.96	326,091,354	91,981,900	69,624,283	15,920,794	8,375,176,222	423,429,596
Evansville, Indianapolis & Terre Haute	145.60	4,794,411	1,945,131	1,318,295	155,741	263,362,517	1,261,563
Michigan Central	1,858.34	248,983,555	94,718,966	64,865,394	21,898,377	4,563,484,392	563,770,812
Pittsburgh & Lake Erie	231.27	118,008,112	34,135,108	28,396,025	7,891,540	2,564,420,380	100,742,108
Subtotal	11,793.66	2,164,893,052	623,539,132	469,408,414	111,374,356	39,365,388,742	4,335,341,474
To be acquired—							
Delaware, Lackawanna & Western	908.42	316,531,799	81,743,222	57,719,910	17,508,587	4,582,184,244	615,598,245
Ulster & Delaware	128.88	6,164,715	1,094,104	957,825	32,347	22,983,595	3,562,868
Subtotal	1,127.30	322,696,514	82,837,326	58,677,735	17,540,934	4,605,167,839	619,161,113
Grand total, New York Central system	12,920.96	2,487,589,546	706,376,458	528,086,149	128,915,290	43,970,556,581	4,954,502,587

NOTE.—Does not include certain lines to be jointly assigned to the four systems.

Mr. HOCH. Mr. Chairman, will the gentleman yield?

Mr. PARKER. Yes.

Mr. HOCH. While the maps are still here, may I call attention to one feature to which the gentleman made no reference. He spoke of the allocation of some of these lines in the eastern end of the territory. I call attention to the western end, in which the part of the country from which I come is particularly interested. It will be seen from the maps that the gentleman has displayed that at the present time none of these eastern systems goes beyond the Mississippi River, whereas under this proposal two systems will go on west to Kansas City. The Pennsylvania Railroad system would be extended to Kansas City through the Wabash, and it will also be noted that the Baltimore & Ohio system would be extended to the West through the acquisition of the Chicago & Alton. I do not mean to discuss this proposal or to assume to pass judgment upon it, but I am sure that the section surrounding Kansas City, particularly the section west of Kansas City, is very greatly interested in that feature of the proposal. For many years they have objected to these eastern systems all breaking at the Mississippi River. This proposal gives two great systems an extension clear across the State of Missouri, so that both the Pennsylvania and the Baltimore & Ohio systems would operate directly into Kansas City. (See Chart No. 5.) On the face of it that would seem a fine improvement in the transportation situation for Kansas City and Kansas territory—two great competitive eastern systems serving them directly.

Mr. STOBBS. Mr. Chairman, will the gentleman yield?

Mr. PARKER. Yes.

Mr. STOBBS. The newspaper comment, as I understood it, said that in this proposed consolidation none of the New England roads have been included.

Mr. PARKER. No; they are not.

Mr. STOBBS. What is the status of that? Why is that left in that way?

Mr. PARKER. I assume, as the gentleman knows, that the New England governors can not agree among themselves as to what they want done. The gentleman must remember that consolidation is voluntary. We can not make anybody consolidate, and until they agree among themselves as to what they want, it is impossible to have consolidation.

Mr. STOBBS. And the roads marked in broken lines upon the map are what?

Mr. PARKER. They are the new acquisitions which they are going to apply for.

Mr. STOBBS. And the Interstate Commerce Commission passes on the desirability of that?

Mr. PARKER. Yes.

Mr. STOBBS. And in addition to that all of these short lines, the weak lines, are not included in the picture at all?

Mr. PARKER. No. But the agreement is that every single short line shall be allocated to one or the other of the four great systems, and that if they can not agree on price, that is a matter to be arbitrated by the Interstate Commerce Commission.

Mr. STOBBS. But they must be allocated?

Mr. PARKER. Yes. Several roads will never come in, because they are great money earners, but if there is a weak road that wants to come in, they must take it in.

Mr. BURTNESS. Mr. Chairman, will the gentleman yield?

Mr. PARKER. Yes.

Mr. BURTNESS. Does the application filed set out the fact that they have agreed to take in the so-called weak lines on an appraised valuation?

Mr. PARKER. That is my understanding, but I have not seen the application. I am very certain I am correct in that; I have been told it was so by a man who ought to know.

Mr. LANKFORD of Virginia. Mr. Chairman, will the gentleman yield?

Mr. PARKER. Yes.

Mr. LANKFORD of Virginia. Is economy one of the reasons they want consolidation?

Mr. PARKER. Economy and service.

Mr. LANKFORD of Virginia. Is it not a fact that that economy will be largely effected by a release of men at a time like this?

Mr. PARKER. I have not had opportunity to talk with any of the executives. I have had, however, the benefit of a conversation with one of the chief executives that comes to me secondhand, but I believe it to be accurate. I refer to Mr. Willard, of the Baltimore & Ohio. Mr. Willard made the statement that not one single man would lose his job, and that as soon as possible and as soon as business got so that they were warranted in doing it, they would put back all of the men that had been employed before the slump.

Mr. LANKFORD of Virginia. Did he not also state that 80 per cent of the saving would be at the expense of the men who were laid off?

Mr. PARKER. As time goes on, as a man who is working to-day dies or is retired, it is quite probable that his place will not be filled. I am not at all sure that organized labor is going to be against this proposal.

Mr. ARENTZ. Mr. Chairman, will the gentleman yield?

Mr. PARKER. Yes.

Mr. ARENTZ. The gentleman's committee has had a number of hearings in the last few years relative to the buying up of control of railroads by great systems.

Mr. PARKER. Yes.

Mr. ARENTZ. And different solutions were proposed of the way that that could be brought about. You prohibited, for instance, the secret buying of control.

Mr. PARKER. Yes.

Mr. ARENTZ. And that these controls should be had only through public notice?

Mr. PARKER. Yes.

Mr. ARENTZ. And through the acquisition of the short lines by the great systems of this proposal for four main systems, you would do away with the necessity of these railroads doing the thing that has been worrying the gentleman's committee.

Mr. PARKER. There would not be anything left for them to do. If this plan goes through, there will be no weak lines left in the eastern territory.

Mr. PARKS. Mr. Chairman, will the gentleman yield?

Mr. PARKER. Yes.

Mr. PARKS. Was it not the consensus of opinion of all of the railroad officials, the experts, who testified in the hearings on the consolidation of railroads bill before our committee, that economy in service would consist of curtailing the number of employees of the railroads, although they said that while they did not intend to discharge the employees at present, yet as fast as they retired or went out of service their places would not be filled?

Mr. PARKER. I have already made that statement in answer to the gentleman from Virginia.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. WRIGHT. Mr. Chairman, I yield 30 minutes to the gentleman from California [Mr. LEA].

Mr. LEA. Mr. Chairman, recently Senator NORRIS announced that at the beginning of the next Congress he would devote himself to securing an amendment to the Constitution of the United States abolishing the Electoral College and providing for the direct election of the President. The Senator did a good service to the country in calling attention to the defects of our Electoral College system. He did not announce, however, the details of the plan he will propose as a substitute for the existing system. Whether or not his proposal is a practical substitute for the existing plan of electing a President must be determined after its terms are known.

PRESENT SYSTEM UNRELIABLE

I deem the direct election of the President as highly desirable. As I view the matter, however, the question of whether or not the President is directly elected is not the most important phase of the problem. It is a fundamental right of the people of the United States to select their President. They should exercise that right by a method that is fair and inherently just. The only legitimate purpose of an election is to accomplish the will of the people. A method of election that part of the time operates to defeat the will of the people of the country in the selection of their President is a dangerous system.

Over 50 years ago Senator Morton, of Indiana, a great student of this problem, declared, in substance, that the wisdom of monarchies required an unimpeachable title to the crown, and that this Republic should change the Constitution so that it should be impossible for any man to reach the presidential chair who was not legitimately chosen thereto. He declared that under our constitutional method of electing the President contingencies may arise which may lead to "civil war and disaster." One of the greatest exponents of our Constitution has declared that the probable test of the ability of this Republic to endure will depend upon the justice of its method of selecting a President.

Ordinarily the Electoral College system has worked satisfactorily in the sense that the ultimate result in our presidential elections has generally been to accomplish political justice. Our history has, however, on several occasions clearly demonstrated that the Electoral College is not only crude and cumbersome, but is fraught with great ill consequences to the country. Our Constitution should be like a good ship. It is not seaworthy because it will sail the calm sea. Its real test is whether it will bear its passengers and cargo through the severest stress and storm to a safe harbor. The Electoral College serves for fair weather, but it has been historically demonstrated to be wholly inadequate for days of stress that will inevitably arise again in our country.

There is no particular evil of the electoral system that threatens us at this moment. That type of intellect that is never concerned about putting a roof on the house until the storm arrives, will be indifferent to this problem, if not actually oppose any effort to safeguard the situation in advance.

PROPOSALS STATED

I believe this a practical problem of government, and want to discuss it as such. I hope to convince you of three things:

First. That the direct election of the President, regardless of State lines, is unsuited to the practical situation of the country;

Second. That the Electoral College system is crude, unreliable, and a dangerous method on which to depend for the selection of our Presidents; and

Third. That we should abolish the Electoral College, directly elect the President, but preserve the relative strength of the States by retaining State electoral votes, as at present, crediting them to the candidates in exact proportion to their popular votes therein.

FUNDAMENTAL REQUIREMENT OF A JUST SYSTEM

The election of the President is the most important routine political event in the operation of our Government.

A presidential election is an election in 48 different States. Each of these States is properly jealous of its own rights and prestige. Each State prescribes the qualification for its voters. Each of those States controls its own election.

The fundamental requirement for the just selection of a President is the necessity of a common unit to express the will of the people of these various States. The vote that determines who shall be President should, as nearly as possible, means the same thing in every State. When we bring these votes from 48 different States here to Washington to compute the result it is necessarily important that a vote from each State shall be a common unit of the Nation for the expression of its popular will.

When the Constitution was being written one of the most intense controversies, one of the most delicate problems, was the question of preserving the relative rights of the States. The little States threatened to refuse to join the Union unless given equality with the larger States. That led to a compromise. It led indirectly to the adoption of the present method of electing the President, the Electoral College system.

APPORTIONMENT UNDER THE ELECTORAL-COLLEGE SYSTEM

That system attempts to give the same voting unit for the election of President to every State. The Constitution provides that each State shall have the same number of presidential electors as it has Representatives and Senators in Congress. In the first place, each State is entitled to at least one Representative, regardless of its population. At the present time there is only one State in the Union that has a population materially less than is proportionately sufficient for a Member of Congress. So we can discard that arbitrary feature of our present apportionment as of no consequence. In the second place, Members of the House are otherwise allotted in proportion to the population of the States.

Apportionment according to population has been accepted as the best means available of regulating and preserving the relative strength of the States in the election of Representatives. In the third place, another very important feature was injected into the method of apportionment by a provision that gives the State a presidential elector and an electoral vote for each Senator.

The Constitution to-day with reference to representation in the Electoral College on account of Senators, is not materially different from what it was when adopted. This feature of apportionment is emphasized by the recent census. At the present time, nine States have over half the population of the United States. The other 39 States have less than half. Those 9 States have 18 Senators. Those 39 States have 78 Senators. The result is that those 39 States have an advantage as measured by population of 60 electoral votes over the 9 largest States in the country. Less than half of the population as represented in electoral votes in the Electoral College, has an advantage of 11 per cent over the other States of the country.

The new census shows that if Senators were elected on the basis of population, New England has 5 more Senators than she would then be entitled to; the Eastern States have 12 less; the Southern States 1 less; the border States, 1 more; the Central States, 8 less; the Northwestern States, 3 more; the Rocky Mountain section, 13 more; and the Pacific Coast States, 1 less.

That seems like a startling inequality in the distribution of electoral votes. The situation is largely minimized, however, by the distribution of those votes to the different sections of the country. No one section is the sole victim or beneficiary of this overrepresentation. As a usual thing, important and bitter political contests in our country have had a sectional background. In the main, overrepresentation for one section of the country is counterbalanced by overrepresentation in another distant section.

The different representation given the Senate, however, is a different geographical distribution of the powers of government from that of the House. Neither House alone has effectual control. In this necessity of concession and restraint there is a conservative element of value to the country—a protection against impetuous, punitive, and retaliatory action.

This apportionment of representation to the Senate is not more objectionable now than when originally granted. It is one of the great compromises of the Constitution.

As I take it, this method for the distribution of electoral votes must be accepted as settling the relative rights of the State, and a different system can not now be adopted. The States which would lose by a change of the system have the power to prevent any change even if it should be desirable.

DIRECT ELECTION REGARDLESS OF STATE LINES

If the direct election of a President is proposed, perhaps the first suggestion will be that we shall have a popular ballot, that all votes, regardless of State lines, shall be treated as if thrown into one hat, counted, and the plurality candidate shall be President.

The question then arises, Does the popular vote of the citizens of the various States serve as a uniform unit for the equal expression of the popular will of the Nation? On first impulse it would seem that the individual voter is a common unit for all sections of the country. It would seem that the individual votes could be relied upon to preserve the relative rights of the States and represent equally popular opinion in every State. Careful consideration will show the contrary is the fact. The inequality of the proportionate voting population of the States is well established and very great.

INEQUALITY OF VOTING POPULATION

A brief reference to the past history of elections will demonstrate the facts. For instance, in 1920, 27 people out of every 100 in my State voted for President. In Indiana, 43 out of every 100 voted. Our two States were then practically the same in population—Indiana and California. If we then had the direct popular election of the President, in disregard of State lines, Indiana, of equal population, would have over 50 per cent more to say about who would be President than the people of California. The percentage of the vote in my State was about the average of the country. About 27 people out of every 100 voted. When we look over the statistics of that election we find that the percentage of people who voted in different States varied from 4 out of 100 to 43 out of 100. In other words, if we had elected a President by direct popular vote in 1920, in disregard of State lines, in some instances one State would have several times as much to say about who would be President as another State of equal population. At the hearings on House Joint Resolution 106 I placed in the record a full table showing these varied voting percentages.

Mr. DENISON. Will the gentleman yield?

Mr. LEA. I yield.

Mr. DENISON. Why is that?

Mr. LEA. That is due to differences in the qualifications required of voters, in the ability of citizens of different States to meet franchise requirements, their interest in elections, and the intensity of election contests.

Every State under the Constitution has a right to prescribe the qualifications of its voters. Some States require that a voter be a taxpayer. Educational requirements are different.

An ideal system of electing the President by direct vote in disregard of State lines would suggest the need of uniform qualifications for voters in every State and greater uniformity in the ability of the people to meet those qualifications. Otherwise, the States would lose their relative strength in the selection of a President. As a practical proposition the individual voter is not a common unit for the equal representation of the States in the election of a President. That is so manifestly true that it is improbable the States will ever be willing to accept him as such.

TEND TO LOWER VOTING STANDARDS

There is another important phase of the proposal to elect by direct vote regardless of State lines. It might lead to a competition between States in lowering their franchise standards. It might create a temptation for a State to so reduce the qualifications for its voters as to produce the largest possible vote in order that it might assert an undue influence as compared with other sections of the country.

If we want the direct election of President we must devise some method which will preserve an acceptable common voting unit applicable to all the States. The States must have confidence that they will retain their present relative strength.

The States that now have 60 electoral votes out of proportion to their population are not going to surrender that advantage. The States of low voting population are not going to surrender the equality they now possess on a basis of population for the lesser privilege of a direct vote if that means an impairment of their present relative strength. Some States will hesitate to adopt a new system that may

invite the competition of other States in lowering voting standards. Therefore I think you will conclude with me that it is impossible to secure the adoption of any amendment for the direct election of President in disregard of State lines.

Under the method I propose the increase of State voting population would not increase its relative strength. The State electoral votes would be disposed of in proportion to the popular vote regardless of the total number of the popular votes.

WHO VOTES FOR THE NONVOTERS

Under the theory of my proposal the individual voter of the State votes for himself and for the people of his State who do not vote. Under the theory of a national vote, regardless of State lines, the individual voter votes for himself and also for all the people of the whole Nation who do not vote. The first theory unifies the voting standard on the theory of equality of population. The second theory equalizes the voting standard on the theory of equality of voting population only.

The present Electoral College system is framed on the theory of attempting to preserve the relative strength of States according to population. I do not propose to abandon that theory, but to give it more accurate expression.

PROPOSED PLAN OF ELECTING THE PRESIDENT

I have proposed to Congress, in House Joint Resolution 106, which I introduced last session, a plan which I believe meets this situation. I believe it overcomes what I shall describe as the defects and evils of the Electoral College system and yet preserves the relative strength of the States.

This resolution proposes that we abolish the presidential electors; retain State electoral votes as at present; that the people vote directly for President; that each candidate be given the exact proportion of the State electoral vote that he received of the popular vote therein; the plurality of the electoral votes elects.

The fundamental glaring and indefensible vice of the electoral system is its State-unit vote. The whole vote of the State goes to the plurality candidate and minority votes within the State are not counted in computing the final result. The fundamental feature and merit of my proposal is that the State electoral votes shall be credited to the candidates in exact proportion to the popular vote they receive therein. Instead of having the unit vote, instead of casting all the electoral votes of a State for the one man who happens to have a plurality, divide those electoral votes among the candidates in exact proportion to their popular vote in the State.

In that way we would have a direct election and yet preserve a common voting unit for every State in the Union, as now established by the Constitution.

DEFECTS AND EVILS OF ELECTORAL COLLEGE SYSTEM—THE UNIT VOTE

I now call your attention to some objections, as I see them, to the Electoral College system. The primary objection is its unit vote. The whole vote of a State goes to one candidate, the man who has the plurality. In many instances in the history of this country the whole electoral vote of a State has been cast for a minority candidate. That has not been an unusual thing; it is a common thing.

Here is an illustration of the ordinary working of the unit vote under the Electoral College: New York has the greatest population of any State in the Union. It has 45 electoral votes. Nevada has a small population. It has 3 electoral votes. New York has over 12,000,000 population. Nevada has less than 100,000 population. Suppose we have an election and two men are running for President? One carries New York over the other by a majority of 5,000 votes. Then the whole 45 electoral votes of New York go to that one man. His opponent carries Nevada by 5,000 majority. Thus the aggregate vote of these two candidates in the States of New York and Nevada are exactly the same, yet the man who carried New York has 45 electoral votes, while the man with an equal popular vote who carried Nevada has only 3 electoral votes.

Let us say that candidate A received in New York 2,005,000 votes. In Nevada he received 15,000 votes. Candidate B received in New York 2,000,000 votes; in Nevada, 20,000 votes. Thus each of the candidates has a total vote in these States of 2,020,000 votes. When we bring the returns here into this hall to be counted candidate A is given 45 electoral votes and candidate B, with the same popular vote, is given 3 electoral votes. That illustrates the normal working of the unit-voting practice under the Electoral College system. Similar illustrations can be produced indefinitely from past elections.

UNIT VOTE DISFRANCHISES MINORITIES

The votes cast by the minority in every State are discarded and the candidate receiving the plurality vote of the State receives its total electoral vote. The aggregate minority vote cast throughout the Nation is never computed for the purpose of determining the result of the election. The total of the minority votes of all the States may be greater than the total of their majority votes, yet the man with the majority of the popular vote is denied the Presidency. The disfranchisement of the minority in every State is the common practice under the Electoral College system.

No man can defend the Electoral College system unless he can defend the disfranchisement of the minority voters in every State in the country.

In 1924 John W. Davis polled over 8,000,000 votes for President. His total popular vote in the States he carried was about 2,000,000. Davis received 136 electoral votes for those 2,000,000 votes. In other sections of the country he had over 6,000,000 votes, for which he did not receive a single electoral vote.

Mr. ANDRESEN. Will the gentleman yield?

Mr. LEA. For a brief question.

Mr. ANDRESEN. Can the gentleman give us some idea as to how many electoral votes Mr. Davis would have received had they used the method the gentleman proposes in his resolution.

Mr. LEA. I do not have the figures as to that election, but I have as to the election of 1928.

Mr. ANDRESEN. They will be very interesting.

Mr. LEA. Mr. Hoover would have had a majority of over 60 electoral votes.

UNIT VOTE STATISTICS

Nineteen hundred and twelve was a very interesting election in the history of this country. Mr. Taft, who had been President, received 3,500,000 votes. Woodrow Wilson received 82 per cent of the electoral vote, although he had only 42 per cent of the popular vote. An electoral vote for Woodrow Wilson in 1912 represented only 14,500 popular votes and an electoral vote for William H. Taft at the same election represented 431,000 popular votes.

In 1928 an electoral vote for Mr. Hoover represented 48,000 votes; and for Mr. Smith, 172,000. It is perfectly manifest that such a system does not faithfully represent the popular sentiment of the country. The electoral system does have a general tendency to reflect public sentiment, but so unreliably as to be untrustworthy. It lacks the basic quality of inherent justice. If political justice is secured in the election of a President under the electoral college system, it is a matter of luck and not due to any inherent quality of justice in the system.

The elections of 1912 and 1928 are two of the most illustrative elections we have had. In 1928 Smith received 2,100,000 votes in the State of New York. Hoover received 2,200,000 votes, or 100,000 more than Smith, but less than half of the 4,500,000 votes in that State. Yet the whole electoral vote of the State of New York, 45, went to Mr. Hoover; 2,100,000 men voted for Smith, but when the election returns crossed over the New York line on their way to Washington every minority vote was discarded. It was as if they had never been cast. It was worse than that. When the electoral votes, represented by those 2,100,000 popular votes, were counted in this Chamber they were credited as if those votes were all cast for Mr. Hoover.

In the single State of New York in 1928 Smith received 400,000 more popular votes than he received in all the eight States he carried. In the eight States carried he received 87 electoral votes, but not a fraction of an electoral vote for those 2,100,000 votes in New York.

We go to Massachusetts. In 1928 Mr. Smith received only about 1 per cent more of the vote of Massachusetts than his opponent. Mr. Hoover received nearly 49 per cent of the vote; yet all of the 18 electoral votes of Massachusetts were counted for Mr. Smith.

Mr. Smith received 13,000,000 votes in the United States for which he did not receive a single electoral vote. If you will count up the election returns for 1928 you will find that 38 per cent of all of the votes cast were discarded so far as their votes were represented in the Electoral College. They were in effect counted exactly contrary to the way the people intended. That includes the minority votes for both candidates. In other words, in computing returns in the Electoral College no credit whatever is given to the minority vote in any State.

AGGREGATE STATE MINORITIES MAY EXCEED MAJORITIES

It is obvious that the aggregate minority vote of the country, as represented by electoral votes, may exceed the aggregate majority vote of the people. An average majority of 10,000 each in 24 States, with 270 electoral votes, is 240,000. An average majority of 100,000 each in the other 24 States, with 261 electoral votes, is 2,240,000. Thus, the candidate with 2,000,000 majority is denied the Presidency in favor of his opponent with 2,000,000 less votes.

There is probably no other instance in the make-up of government in America, or in the civilized world, where, in computing election returns, minority votes in political subdivisions of the election territory are discarded before the final computation of the returns is made. The plan is as if, in computing the returns in a congressional election, we would refuse to count the minority votes in each county of the district, compute only the votes for the plurality side in each county and give the election to the candidate having the majority of the plurality votes only.

If there is any merit in a system that rejects 2,000,000 minority votes in one State and counts 50,000 majority votes in another, I am unable to detect it. If there is any political justice or necessity in refusing any credit in the Electoral College for 2,000,000 popular votes in one section and allowing 136 electoral votes for 2,000,000 popular votes elsewhere, I am unable to detect it.

FRAMERS OF CONSTITUTION DID NOT INTEND TO ESTABLISH UNIT VOTE

The State-unit vote, the most vicious feature of the Electoral College system, was never intended by the framers of the Constitution. The State electors divided their votes in the early presidential elections. Each man exercised his discretion as originally intended. After the system of pledging the electors in advance was established, many of the State electors were chosen by independent State districts.

The unit-vote practice developed in the early part of the last century. The Hamiltonian and Jeffersonian parties were contending for supremacy. The dominant political organization in the State adopted the unit vote to prevent the minority party in that State from getting any of its electoral votes. It was a deliberate and purposeful disfranchisement of the minority in each State where the scheme was adopted. Madison denounced the plan, but justified its adoption before the legislature of Virginia as a matter of political necessity to combat similar action by the Federalist Party elsewhere.

UNIT VOTE DANGEROUS

During the last 14 elections in the United States the average variation between the popular vote and the electoral vote received by the winning President has been over 14 per cent. This is the average result.

A system of election that refuses to count the minority votes in each of 48 States manifestly can not accurately reflect public sentiment on any rational or trustworthy basis. We can not have a system of election inherently just or reliable as long as that freakish injustice is retained.

Suppose we have an election on some intense issue; it may involve a sectional question; great bitterness may attend the contest; and it is finally determined that a man defeated by 2,000,000 popular majority is sworn in as President of the United States. This can easily happen. That can be demonstrated. What would be the situation? Discontent and bitterness would ensue. Perpetuate such a situation and we could destroy the solidarity of the Nation. Out of such injustice, out of the defects of our electoral system, situations may arise, as Senator Morton, of Indiana, once declared, which "may lead to civil war and disaster."

Three times we have elected minority Presidents, over men of larger votes—in 1824, 1876, and 1888.

In popular forms of government the dominance of majorities by minorities, in matters properly the subject of majority control, is a defect of government of major proportions.

The object of an election is to accomplish the will of the people. A system that permits the flouting of that will in the face of its positive and solemn expression is a dangerous system. The danger is not in the fair weather of to-day but in that evil hour when the injustice of it has raised a storm of condemnation and discontent.

VOTE-COUNTING METHOD ILLUSTRATED

The total popular vote of the parties at a presidential election is not computed in deciding the result. Only the votes of candidates in States they carried are counted. Votes of the candidate in States he failed to carry, no difference how great the number, do not figure in deciding the result. So the final count represents only the plurality votes of the candidate in all States he carried against the plurality vote of other candidates in States they carried. Whichever candidate secures a majority of the electors in this way is elected regardless of whether or not he receives a plurality vote in the Nation.

This situation is well illustrated by the votes in the election of 1912 which give a striking illustration of the normal working of the Electoral College system.

Explanatory table, election 1912

	Votes represented in electoral count				Votes unrepresented in electoral count	
	Popular	Electoral	Per cent of "Popular"	Per cent of electoral	Popular	Per cent of "Popular"
Wilson	5,162,267	435	0.343	0.819	1,123,947	0.074
Roosevelt	1,243,985	88	.092	.165	2,883,035	.191
Taft	65,432	8	.004	.015	3,418,390	.227
Others					1,135,013	.075
Totals	6,471,684	531	.429		8,560,385	.567

The total popular vote in 1912 was 15,031,169. Less than 43 per cent of this total vote figured in deciding the result. The total popular vote of the three leading candidates in the States they carried was 6,471,684. Those were the only votes counted in deciding the election. This represented less than 43 per cent of the total popular vote of the country, 42.9 per cent to be exact. The votes of 8,560,385 people, representing 56.7 per cent of the voters, were unrepresented and uncounted in allotting the electoral votes of 1912. The votes of that proportion of the people were in effect uncounted and disfranchised before the electoral count at Washington began.

This total shows the marked difference between the percentages in the popular votes as compared with the electoral votes of the candidates.

DEADLOCKS

The defects in breaking deadlocks under the Electoral College system is only second in importance to the vice of the unit vote. The unit vote is a constant vice of the system, always reflecting popular sentiment inaccurately, and now and then producing the great political injustice of defeating the candidate who rightfully wins the office. This ill result may equally be accomplished at any unfortunate time when a deadlock must be dealt with in the House of Representatives.

Three times we have had a deadlock in the election of a President, 1800, 1824, and 1876. In electing every official of the country except the President and Vice President we have a system that works all right all the time. All votes

are counted and the election is given to the highest man. There is no reason why we should be contented with a presidential system of election which works right only part of the time.

Every method of election must have a system of breaking deadlocks. Our Electoral College system provides a method. If all candidates fail to secure a majority in the Electoral College, the election is thrown into the House of Representatives, to break the deadlock. The first objection to that method of breaking a deadlock is that the election goes to the old Congress. It is the Congress elected two years previously that decides the election. You may have a landslide at the election at which the presidential election occurred. There may have been a radical change in the membership of Congress, and yet the Members who represent the repudiated party are given the right to select a President for the next four years.

The second object to breaking a deadlock in the House of Representatives is that the election is by States and not by the Members of the House according to their numbers.

A majority of the delegation in each State controls the total vote of the State. We have this interesting situation: There are 435 Members in the House. Eighty-nine Members represent the full delegation of 25 States, a majority of all the States. Twenty-one per cent of the Members of this House represent the full delegation of 25 States. The other 23 States have 79 per cent of the Members of Congress. States having 89 Members have the power to elect the President. Sixty-three of those 89 men constitute a controlling majority and would have the physical power to elect in case of such a deadlock. As a matter of fact, such an election would never occur, but the fact that it is physically possible shows the inadequacy of the present system, its inability to represent the people of the United States faithfully.

When the election goes to the House all States are equals. Wyoming has just as much power as Pennsylvania in selecting a President. Wyoming, with perhaps 300,000 people, and Pennsylvania, with 9,000,000, are equal in breaking the deadlock in the House of Representatives.

MUST ELECT ONE OF THREE HIGHEST

The House, of course, elects only in case of a deadlock. A deadlock can be broken in the House of Representatives only by electing one of the three highest " of those voted for as President."

In practice this would result in a party vote. If one party controls a majority of the delegations in 25 States, it is easy to elect its candidate. Such an election, however, may produce the exactly opposite effect from what the voters intended as their will was expressed by them at the election.

BARGAINS AND INTRIGUE

If no party controls a majority of the States, the deadlock can be broken only by Representatives changing their party alignments for that purpose. That involves bargains and intrigues that can not be contemplated with satisfaction.

Such efforts to bring an election out of the deadlocks of 1800 and 1824 were accompanied by scandals and suspicions.

No man can question the wisdom of the observation of Judge Story in his Commentaries on the Constitution, when he states:

> It can not escape the discernment of any attentive observer, that, if the House of Representatives is often to choose a President, the choice will, or at least may, be influenced by many motives, independent of his merits and qualifications. There is danger that intrigue and cabal may mix in the rivalries and strife. And the discords, if not the corruptions, generated by the occasion, will probably long outlive the immediate choice and scatter their pestilential influences over all the great interests of the country.

Title to the Presidency should be placed beyond bargain and compromise between those under suspicion of serving their own ends.

If the candidate whose party is able to break the deadlock in the House has died or become mentally or physically disqualified, the Electoral College system provides no method of continuing the party dominance which should prevail in breaking the deadlock. The members of the prevailing party would be forced to elect the candidate of an opposing party or else continue the deadlock.

If the House is unable or unwilling to break the deadlock, the final election is thrown into the Senate, where the selection is confined to the two highest. Again, the Senate previously elected makes the selection, instead of a Senate that represented the views expressed by the voters at the presidential election. The power to elect the man defeated by the people is still maintained when the Senate breaks the deadlock.

DEADLOCKS UNNECESSARY

Through this whole system of breaking deadlocks, as well as in the original election, under the Electoral College system, runs the same fundamental, glaring, indefensible failure of the method of selection to reflect accurately or faithfully the sentiment of the people of the Nation as solemnly expressed at the polls.

We properly have a system of electing the President that does not require that he shall receive a majority vote of the Nation. We purposely and necessarily permit the selection of the candidate, who may have nothing more than a plurality of the votes, and sometimes not that. Yet, in this artificial method of making the final selection, we require a majority vote that wholly fails to reflect either a majority or plurality sentiment of the Nation. We permit the plurality selection of a President by the people, but we permit deadlocks by agents of the people, which thwart their will Failure to secure a majority in the Electoral College, in the House of Representatives, or in the Senate does not mean a failure of the people of the country to agree on a President according to our usual methods of deciding elections. The deadlocks, as well as the indefensible method of breaking them, grow out of our failure to apply to the Presidency the same sensible rule of plurality selection that we apply to practically every other elective officer in the Nation from President to constable.

HOW TO AVOID DEADLOCKS

Under the system I propose, a plurality of the State electoral votes would elect. We set up the State electoral vote as the established, accepted, common unit of the people of the States for the expression of their will in the selection of the President. The plurality vote prevails. The election settles the result. The will of the people as established under a fair, acceptable rule, is decisive.

The possibility of a deadlock, even by a tie vote, is eliminated under this plan. In the history of the Nation, there has been no instance of a tie vote in a popular election for President in any State in all our 36 presidential elections. A difference of four votes in one State was the nearest to a tie we have had.

Even the possibilty of a tie on a single vote is eliminated by resorting to fractional numbers for that purpose, if necessary.

Instead of dividing the State electoral votes by whole numbers or by major fractions, the amendment proposes an exact mathematical division. The computation under the decimal system is the simplest of problems. Any fractional number less than one-thousandth is disregarded, " unless a more detailed calculation would change the result of the election."

Under this plan, a deadlock is an impossibility. The election would end in a certain result in every case, so far as methods of counting the result are concerned.

The primary objections to the Electoral College system are the unit vote and its unnecessary creation of deadlocks and its method of breaking them. I shall now discuss some minor objections to the system.

ELECTION BY INTERMEDIATE BODY

The Electoral College is an intermediate body. We elect this intermediate body to elect the President for us.

Originally it was intended that the members of Electoral College should exercise a free discretion and select the man they deemed best qualified for President. For 130 years presidential electors have exercised no discretion. They have been pledged in advance. Without the exercise of a discretion, there is no need for presidential electors. The

people need no intermediate body to elect their President. The voters can register their will directly. The intermediate body is a needless encumbrance. Under the plan proposed, the people can vote directly for President and preserve the relative strength of the States as it has heretofore existed.

THE FRAILTY OF ELECTORS

There is an unnecessary frailty in the human equation of a presidential elector. He is selected weeks before he finally votes. The possibility that it may be determined that he is legally disqualified, or that he may die, or be deliberately slain, or become mentally or physically incapable of casting his vote, impairs the certainty that should exist that the electoral vote entrusted to him shall be finally counted.

CUMBERSOME ELECTION MACHINERY

Another objection is the inconvenient and cumbersome election machinery of the system. Senator NORRIS speaks of this and the difficulty of developing new parties under that system.

The indirect methods of the Electoral College system, the needless nomination of so many presidential electors, the confusion it causes the voter, the denial of the direct ballot the voter naturally desires, the expense of this cumbersome system as well as the possible impeachment of the election due to the personal disability of the electors, are all unnecessary and undesirable handicaps of our election system.

Mr. STAFFORD. Will the gentleman yield?

Mr. LEA. Certainly.

Mr. STAFFORD. Do I understand from the gentleman's prior speech that there are only three instances in the history of the country where the President was elected by a minority of the popular vote—1824, 1876, and 1888?

Mr. LEA. No. There are only three instances in which a plurality candidate was defeated, but there have been many instances in which a minority man was elected.

UNSUITED TO THREE OR MORE PARTIES

It may be that eventually we will have more parties; it is probable that from time to time there will be a third party of sizable strength. The Electoral College system is unsuited to a 3-party system because it takes a majority of the Electoral College to select a President. The electors themselves are elected by a plurality vote, but when elected the majority of them must agree upon a candidate or else there is a deadlock.

Mr. STAFFORD. If there were six candidates running and all six had almost an equal number of votes but some one had a plurality, that minor minority candidate might not represent the majority will of the country.

Mr. LEA. That is true in all elections. We must have a system that does or does not permit the election of a minority candidate to the presidency. We now have a system that permits the election of a minority man. The only way we can be assured that the elected candidate will be a majority man is to permit a second election and confine the second election to the two highest candidates in the first election. Even when you have selected a President in that manner, it is a forced majority instead of a voluntary majority of the people. There is nothing that, in my judgment, indicates that we should have a second election for a President.

Mr. STAFFORD. But to-day the President and Vice President must have a majority of the electoral votes of the States.

Mr. LEA. But not of the people.

Mr. STAFFORD. In the indirect way of voting by States, and if the President does not have a majority of the electoral votes, the election goes to the House of Representatives.

Mr. LEA. But those electoral votes do not necessarily represent a majority of the voters of the country.

Mr. STAFFORD. But they reflect the individual view of the respective States of the country as to whom they want as President.

Mr. LEA. Only to the extent that there are popular votes behind those electoral votes.

Mr. STAFFORD. In no instance do the electors refuse to carry out the express will of the popular votes.

Mr. LEA. But it is entirely erroneous to say that you have a majority-vote President under the present system. Seven of the last fourteen Presidents have been minority men.

Mr. STAFFORD. We do have a majority of the electors who determine who shall be President, and if there is not a majority, then it is left to the House of Representatives.

Mr. LEA. That is correct. You have a majority of the electors, but it does not mean anything practically.

Mr. STAFFORD. It has meant considerable in all of the past years of the history of this country.

Presidential electors have never accurately reflected public sentiment. The ultimate result has generally been in accordance with the majority sentiment of the country. It is entirely insufficient to justify a method of electing the President to say that the plan usually works justly. A plan is unsatisfactory unless it always works to accomplish political justice.

ELECTORS ONLY AGENTS

Presidential electors are only agents. A majority of them can not mean more than the votes of the people who elected them. The Electoral College represents majority rule only on the theory that the States are the units of the Federal Government, and a majority of them should prevail, regardless of the dominant popular will of the people of the United States. That theory would be tenable if the States were treated as equals. Our Electoral College system does not treat our States as equals in voting power.

Under the Articles of Confederation each State was one equal unit of the Federal Government regardless of population. The framers of the Constitution started out to erect the Federal Government on that theory. Our Government underwent a metamorphosis in that convention. In the main, it came out with the individual citizen as the unit of the Federal Government instead of the State. The Electoral College was one feature that emerged only partially transformed between the two theories. Under that system the State is the unit of the Federal Government, but its power varies according to population. On the theory that the electors would use their own free discretion that theory was logical. When they were deprived of that discretion and the unit voting system was put in practice, the merit of the Electoral College system was destroyed.

The discretion of the elector was denied in response to the demand of the people to elect their own President. The people have been handicapped in the most secure use of that power by the indirect method of election and by the unit voting plan which operates to disfranchise all State minorities. The State, however, has no legitimate interest to be secured by continuing to disfranchise its minorities in presidential elections.

PREVENTS SEPARATE VOTE FOR PRESIDENT AND VICE PRESIDENT

Another objection to the Electoral College is that it prevents a separate vote for President and Vice President. The people of the United States must vote for the President and Vice President, and they have no choice to distinguish between voting for a man of one party for President and a man of another party for Vice President.

Mr. DENISON. Will the gentleman yield for a question?

Mr. LEA. Yes.

Mr. DENISON. Has the gentleman thought of the desirability of making it possible to elect a President from one party and a Vice President from another? Would the gentleman approve of that?

Mr. LEA. Ordinarily, I would say no; there might be circumstances where that should be done. Suppose, it is revealed that the candidate for Vice President has purchased his nomination or is guilty of some criminal misconduct after he is nominated and the people of the United States do not want to elect him Vice President. Is it desirable that it should be necessary to defeat the candidate of that party for President in order to defeat the unworthy candidate for Vice President?

Mr. DENISON. I do not think that would be a possible case.



Mr. LEA. I think that is a question for the people themselves to decide. It is not that the people should ordinarily favor dividing their votes, but I think they should have the right to do so.

The people, in my judgment, should have an independent opportunity to select every elective officer. The independent, patriotic voter should have the same opportunity to select the Vice President as the President. He may not need a choice, but a party convention should not deprive him of it.

Frequently parties do the illogical thing. They may nominate one type of man for President and a directly opposite type for Vice President with a view of catering to the opposing viewpoints. A McKinley and a Roosevelt, or a John W. Davis and a Charles W. Bryan may be on the same ticket. They were all good men but of radically different types. They represented different political philosophies as between which the voter should have a right to distinguish.

THE TEMPTATION TO CORRUPTION

Mr. STAFFORD. Has the gentleman in his consideration of this question considered the possibility that if we had a popular vote for President, where there was a very narrow margin, that there might be sections of the country that would charge there was ballot stuffing in other sections, and that the announced results did not correctly reflect the will of the people? The gentleman knows that such charges have been made from time to time as to various sections of the country, particularly in the large cities. Suppose the popular vote turns, perhaps, on only 1,000 votes, and the rest of the country says there was not a fair vote in this district or in that district, what does the gentleman have to say about that phase of the situation, as to whether it would not create more dissatisfaction than under the existing plan?

Mr. LEA. That suggestion is a very practical one. As long as we have popular elections there is danger of fraud and there is danger of contests over the result of an election. We can not eliminate the danger of an election contest without eliminating the election itself.

FRAUD IN DOUBTFUL STATES

Under the present practice the contest for the Presidency is concentrated in a few doubtful States. The States politically certain are practically ignored. Every influence that money, ingenuity, and political methods can exert is concentrated in a few doubtful States. That extreme effort of the party is not simply to hold its own votes but also to get credit for the votes it does not deserve—the votes of the minority that will be counted with the majority.

The temptation to win the unearned votes of the minority is the primary reason for frauds in attempting to carry doubtful States.

The whole 18 electoral votes of Massachusetts in 1928 depended on about 1 per cent of the vote of the people. Under the plan I support 1 per cent of the vote would mean only 1 per cent of the electoral vote of that State, or a small fraction of one electoral vote.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. WRIGHT. Mr. Chairman, I yield the gentleman 10 additional minutes.

Mr. LEA. The temptation to fraud is greater under the present system than under the one I propose. We have the greatest possible temptation to fraud in the existing system, because, by stealing a small number of votes, the whole vote of the State may be stolen.

Mr. STAFFORD. Will the gentleman yield?

Mr. LEA. I yield.

Mr. STAFFORD. If we follow the gentleman's argument to a logical conclusion, it would tend to increase corruption in the close boroughs.

Mr. LEA. That result does not follow. Under the present plan the temptation to fraud is concentrated in the close States. The closeness of the vote there, on which the whole result depends, offers the possibility of the fraud being successful. Under the plan I propose, all votes cast anywhere would be counted. They would have no inflated values. A few thousand votes anywhere could mean no more than a fraction of one electoral vote. We have over 37,000,000 voters. The futility of going out to capture the election by fraud with that many voters is apparent. The practicability of winning an election by fraud might be appealing where only a small vote in a few doubtful States is involved, but it is practically futile in a nation-wide vote, where no disfranchisement feature operates. Popular government must rely upon popular elections or it is a failure.

At the presidential election of 1928 the average electoral vote represented 70,000 voters. A charge of fraud affecting 7,000 votes would, on the average, affect only one-tenth of an electoral vote. The other proportion of the electoral vote of the State would not be affected by such a contest. If the contestant should prove the fraud charged, he would gain only a fraction of an electoral vote. The contest would not put the whole vote of the State in jeopardy, as it does under the present system.

Under the proposed plan the individual vote everywhere would count toward the election of a President. Each individual vote would stand for its small proportion of the State electorial vote—no more, no less. It is only the votes that would count that would ever be contested. As the proposed plan would widen the field of the presidential contest, it would to that extent furnish a wider field for fraudulent activities. On the other hand, the possibility of fraud winning the election would be greatly minimized by the tremendously reduced possibility of its affecting the ultimate result.

So far as the temptation to fraud is concerned, the plan proposed is the same as we all have in our general election system, the same as we have for governor or Congressman or any other office from President to constable.

CONCLUSION

I have taken as much time as I should, and I have not attempted to go into the details as to House Joint Resolution 106. I attempted to discuss that question fully in the hearings before the Committee on Election of President on the 14th day of last March.

To the full extent that I am capable of, I have attempted to present an amendment to the Constitution which would permit the direct election of President, simple in its operation, disfranchise no minorities, prevent deadlocks, and provide a system of election that should always promote confidence because inherently just in its operation. There would be no disfranchising of the minority. The will of the people of every section would be faithfully reflected and the relative strength of the State preserved exactly as it is to-day. I ask the consideration of the Members of the House of this problem, and do so particularly in view of what is manifestly going to be the concern of the country in the next few years. [Applause.]

PLAN APPLIED TO PAST ELECTIONS

Mr. SPROUL of Kansas. Mr. Chairman, will the gentleman yield.

Mr. LEA. Yes.

Mr. SPROUL of Kansas. Has the gentleman ever passed on the results of the presidential elections in the past with his system applied?

Mr. LEA. I have.

Mr. SPROUL of Kansas. How would the results have been different from what they have been?

Mr. LEA. In 1824 Jackson would have been elected instead of Adams; Adams was the minority man. Tilden would have been elected in 1876. Cleveland would have been elected in 1888. Tilden had a plurality of about 250,000 in 1876, and Cleveland had about 100,000 in 1888. There would have been no election in the United States under the plan I advocate where there would have been any doubt as to whom was elected. There would have been no deadlocks. The figures applied to the elections of the past would show that in every instance there was a certain election, and one that could not be impeached from the standpoint of its inherent justice.

Mr. SPROUL of Kansas. Are these instances the only ones where the result would have been different under the gentleman's plan.

Mr. LEA. Yes; except that there would have been no deadlock in 1800. Jefferson would have been elected without the deadlock. However, he was finally elected after the deadlock was broken.

Mr. McLAUGHLIN. Mr. Chairman, will the gentleman yield?

Mr. LEA. Yes.

Mr. McLAUGHLIN. I think the gentleman is wrong in saying that the Electoral College did not elect the President in 1876. There was a question as to the votes of Louisiana, South Carolina, and Florida, and a commission was appointed to determine who had been elected. That commission determined in favor of the Hayes electors, and they elected the President.

Mr. LEA. Yes. We did not have a constitutional determination of the election of 1876. We had an extraconstitutional determination of that question. The electoral votes were finally determined by a commission, but if they had been determined by this proposed method there would have been no deadlock and there would have been an election without such a commission.

The CHAIRMAN. The time of the gentleman from California has again expired.

Mr. BARBOUR. Mr. Chairman, I yield myself one hour.

Mr. Chairman and gentlemen of the committee, the bill making appropriations for the military and nonmilitary activities of the War Department for the fiscal year 1932 carries a total of $446,024,150, which is $390,386 less than the amount appropriated for comparable activities during the fiscal year 1931.

Of the total amount carried in the bill for the fiscal year 1932 the sum of $334,956,880 is for military activities. To this should be added $800,000, purchase of discharge money, making a total for military activities for the fiscal year 1932 of the sum of $335,756,880. The total for military activities for the fiscal year 1931 was $339,674,764, and in addition thereto the sum of $800,000, purchase of discharge money. The net decrease, therefore, for the fiscal year 1932, as compared with the fiscal year 1931 for the military activities of the War Department, is $4,717,884.

For the nonmilitary activities of the War Department for the fiscal year 1932 the bill carries $111,067,270, which is an increase of $4,327,498 over the amount appropriated for comparable nonmilitary activities during the fiscal year 1931. These amounts for nonmilitary activities are exclusive of items totalling $11,261,620 appropriated under this head for 1931 and now estimated for under Veterans' Administration for 1932. The items now carried under Veterans' Administration and the amounts appropriated therefor in 1931 are as follows:

Finance Department—payment of annuities	$28,500
Medical Department—appliances for disabled soldiers	42,900
National Home for Disabled Volunteer Soldiers	10,630,220
State and Territorial Home for Disabled Volunteer Soldiers	560,000
Total	11,261,620

The increase in the amount for nonmilitary activities over the 1931 appropriation is due principally to an increase of $5,000,000 in the rivers and harbors item.

In addition to the foregoing regular appropriations, there is the sum of $12,929,515 for permanent, annual, and indefinite appropriations. These appropriations are provided by permanent laws enacted by Congress, which require the Secretary of War, through the Corps of Engineers, to do certain specified work, such as the maintenance of canals, dams, and locks, removing snags and sunken vessels which obstruct or endanger navigation, and in general keeping the waterways of the country open and in operation. The amount for these activities is $4,678,000 more than was appropriated therefor in 1931. This is due to a considerable increase in activities of this nature, notably in operating and maintaining the dams on the Ohio River. Another contributing reason for the increase is that previous estimates did not provide a sufficient amount of money and it is proposed to overcome this deficiency in the present bill.

The principal increases and decreases in the 1932 bill as compared with appropriations for 1931 are as follows:

Increases:	
Salaries, account Brookhart Act	$477,056
Pay of the Army	1,106,645
Quartermaster—	
Clothing and equipage	395,280
Barracks and quarters (transfer from regular supplies)	4,865,913
Military posts (transfer from Air Corps)	4,526,130
Organized Reserve	223,023
Fredericksburg and Spotsylvania National Military Park	200,970
Rivers and harbors	5,000,000
Decreases:	
Quartermaster—	
Subsistence	3,432,075
Regular supplies (merged with barracks and quarters)	5,989,859
Army transportation	532,845
Acquisition of land (already purchased)	1,174,305
Air Corps (transferred to Quartermaster Corps, military posts)	4,143,838
Ordnance—	
Service and supplies	471,577
Ammunition storage (appropriated for)	351,941
Kitty Hawk (appropriated for)	232,500
Panama Canal ($1,000,000 less for Madden Dam and some increases)	659,454

In addition to these larger items, there are certain minor increases and decreases. All of these taken together result in the total net decrease for military and nonmilitary activities of $390,386.

The principal increases and decreases will be considered under the appropriate items.

The amount carried in the bill is $4,316,241 less than the amount recommended by the Bureau of the Budget. This substantial cut in the estimates of the Bureau of the Budget was made possible by the fact that the estimates were prepared early in the calendar year 1930, since which time there has been a material reduction in the cost of various articles and commodities which make this saving possible without curtailment of the activities of the War Department.

Mr. STAFFORD. Will the gentleman yield?

Mr. BARBOUR. I yield.

Mr. STAFFORD. Do the hearings disclose how much reduction there has been in the cost of food for supplying the Army over that of a year ago by reason of the reduction in commodity prices?

Mr. BARBOUR. In a general way, I believe there is an estimate given in the hearings as to the reduction in the cost of food items. Then there has been a certain reduction in the cost of clothing. There has been a reduction in the cost of forage for the animals, and it follows pretty generally all along the line, in varying degrees. Of course, in a great many articles there has been no reduction, but I think you will find it has been pretty general all along the line.

Mr. STAFFORD. Did any representative of the Quartermaster General's Corps state the percentage of decrease over what prices were before the depression set in?

Mr. BARBOUR. My recollection is that there was some discussion of that in the hearings. These hearings were held a month or six weeks ago, and I do not recall offhand. My recollection, however, is that there is something in the hearings along that line.

The structure of the bill has been materially improved by grouping together various related items which were previously carried under separate headings and in different parts of the bill. This rearrangement serves to clarify the language of the bill and to render its provisions more easily understood. For this improvement we are indebted to Mr. John Pugh, the very efficient clerk of the subcommittee on appropriations for the War Department.

In addition to the appropriations carried in the bill there is a contract authorization of $3,000,000 for military-post construction and $11,250,000 for the Madden Dam at Panama.

The committee commenced hearings on the 17th day of November and has been working almost continuously ever

since that time. A great deal of detail was gone into. All of the estimates of the War Department were examined in detail, and I believe the hearings will give almost complete information in regard to the matters covered in the bill.

In addition to that I may say the printed hearings are almost an encyclopedia of the activities of the War Department and its various branches. You can turn to those hearings and get information on almost anything that the War Department proposes to do during the fiscal year of 1932 or is doing at the present time.

In discussing the bill it is not my purpose to enter into any very great detail this afternoon. I want to call to the attention of the Members, and to mention for the purpose of the RECORD, the major items in the bill. The other items may be considered as the bill is read under the 5-minute rule.

The bill provides for an Army of 12,000 officers. That is, an average of 12,000 officers, 966 warrant officers, 118,750 enlisted men, and 6,500 Philippine Scouts, or a total of 138,216. That is the same as at the present time.

In that connection, however, I would like to remind the Members of the fact that in this country each year we are giving some military training under the War Department to in the neighborhood of 600,000 or more men. In the Regular Army we have a total of 138,216. Then we have at the present time 185,000 in the National Guard. We have 101,000 in the Organized Reserves, 127,000 in the Reserve Officers' Training Corps, and 37,500 in the citizens' military training camps, and those are in addition to a considerable number of what is known as the 55-C schools which are not affiliated with the Reserve Officers' Training Corps, and a large number of schools and groups throughout the country that furnish military training without any appropriation from the Government. So we are not neglecting military training in this country and have, under the Army alone, now in the neighborhood of 600,000 or more men devoting at least a part of their time to military work and studies, and none of it is compulsory as far as the War Department is concerned.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. BARBOUR. I yield.

Mr. LAGUARDIA. The gentleman just made the statement that none of it was compulsory.

Mr. BARBOUR. As far as the Government is concerned.

Mr. LAGUARDIA. Well, is it compulsory as far as the institutions receiving the benefits are concerned?

Mr. BARBOUR. Some of the institutions require military training.

Mr. LAGUARDIA. So that we could legislate or so limit the funds that no funds should be given to institutions where the training is compulsory?

Mr. BARBOUR. As far as the rules are concerned, that I believe, would be a proper limitation. I doubt the advisability of it however.

Mr. LAGUARDIA. Of course. What I wanted to bring out was the fact that the broad statement that none of it is compulsory, while it is technically correct, might be misleading.

Mr. BARBOUR. Well, had I stopped there it might have been misleading, but I said "as far as the Government is concerned."

Mr. LAGUARDIA. Well, even that I believe might be misconstrued.

Mr. BARBOUR. I think it is a correct statement.

Mr. LAGUARDIA. The gentleman is technically correct.

Mr. BARBOUR. It is absolutely true. It is not only technically correct but it is correct.

Mr. COLLINS. The gentleman is not actually correct, because the institutions would not get so much funds if military training were not made compulsory.

Mr. BARBOUR. It is up to the institutions to determine whether or not they will install this military training and get the funds. They do not have to put it in and the Government does not urge them to put it in. They can take the funds or leave them.

Mr. COLLINS. But the very fact that the Government pays for this training is the most effective way of encouraging institutions to ask for it.

Mr. BARBOUR. But a great many institutions make it elective, and there is no reason why any institution can not make it elective, unless there is some provision in the land grant act to the contrary.

Mr. STAFFORD. As I understand the situation, it is optional with the institution as to whether it will make the training mandatory, yet such an institution will receive the funds under the land grant college act.

Mr. BARBOUR. Under the land grant act I have heard it urged that they are required to provide military training as a part of their course of instruction.

Mr. STAFFORD. But it does not make it mandatory that the students at those colleges take the training.

Mr. BARBOUR. As I understand it, the law does not make it mandatory, but some of the institutions do make it mandatory.

Mr. STAFFORD. For example, the University of Wisconsin has recently, through its board of regents, decided that the training shall be optional with the students; nevertheless that institution is still the recipient of the gratuity under the Morrill Land Grant Act.

Mr. LAGUARDIA. The University of Wisconsin is always right.

Mr. STAFFORD. I am glad to have the gentleman speak so favorably about the University of Wisconsin.

Mr. BARBOUR. Mr. Chairman, the amount carried in the bill for the Army ration is somewhat reduced below the amount carried in 1931. That is due to the fact that many of the elements of the ration or components which go to make up the ration can now be purchased for much less than was true several months ago when the estimates were made up. We were advised by the Quartermaster Corps that the ration which a year or so ago was costing in the neighborhood of from 50 to 51 cents can now be purchased for 43¾ cents. This reduction in the amount for the ration does not reduce the ration. The ration is fixed by Executive order and is a fixed thing, unless changed by Executive order. This amount is what will now purchase the same ration that was purchased under the amount carried in the 1931 bill. However, we are confronted with this situation: Before the end of the fiscal year 1932 there may be an increase in commodity prices, but rather than guess at that or attempt to estimate it at this time we took the cost of the ration to-day and carried that amount in the bill, with the understanding with the Quartermaster Corps that if there were an increase they could later, knowing definitely what it would be, come before the committee and get a deficiency appropriation.

Mr. BRIGGS. Will the gentleman yield?

Mr. BARBOUR. Yes.

Mr. BRIGGS. Does not the Quartermaster General make contracts sufficiently far ahead to protect against that very situation?

Mr. BARBOUR. He does on a great many things, but a great deal of the ration is purchased locally. They buy as much as they can, I am told, locally.

Mr. BRIGGS. But, even if purchases are made locally, can they not make contracts sufficiently far ahead so as to let the contracts run over the full period?

Mr. BARBOUR. They do make a great many of their contracts ahead, and they attempt to buy when the prices and conditions are most favorable.

Mr. BRIGGS. The gentleman knows that in connection with the river and harbor funds contracts are made to cover the period of a year or a year and a half when costs are low.

Mr. BARBOUR. The matter I am discussing now is solely the ration, the matter of subsistence.

Mr. BRIGGS. And I am referring to subsistence.

Mr. BARBOUR. They buy a great many of the staple articles of the ration in large quantities. They buy many of those articles under one contract; but, you take fresh vegetables, fresh fruits, and things of that kind which now constitute a part of the ration, they buy such articles in the locality where the various posts are located, and of course they can not enter into contracts for those articles very far in advance.

Mr. BRIGGS. I can appreciate that; but as to a great many of the staple articles they can do so.

Mr. BARBOUR. Yes.

Mr. BRIGGS. I believe they should buy as many of these articles locally as is possible; and as to the purchase of staple articles they can make large contracts; is not that true?

Mr. BARBOUR. That is true. That is the policy of the Army, we are told, so far as they are able to do so. I think the policy of buying locally is a good one.

Mr. BRIGGS. I think it is an exceptionally good policy and one that should always be followed.

Mr. COLLINS. Why? Why pay more?

Mr. BRIGGS. We are not speaking about paying more. We are speaking about purchases that can be made on the same terms and in the locality where the Army posts are located.

Mr. COLLINS. I think it is a bad policy to buy in small quantities, because it makes the Government pay more for its purchases.

Mr. BRIGGS. There is no reason on earth that I can see why the Army should center all of its purchases in one section of the country. I think we should buy such commodities when they can be purchased for substantially the same that they can be purchased elsewhere, and in the locality where the Army posts are located, so that those purchases may be distributed throughout the country and not centralized in one place.

Mr. COLLINS. Will the gentleman yield to me?

Mr. BARBOUR. I yield to the gentleman.

Mr. COLLINS. But the Army pays more for food and other articles buying them piecemeal than they would pay if they bought them at wholesale.

Mr. BRIGGS. My impression is that a lot of the food that the Government has bought at wholesale they have sold from time to time as surplus products. A lot of it has gone into waste, and the Government has sacrificed thousands and hundreds of thousands of dollars in that way.

Mr. COLLINS. That is only as to war supplies; not as to food.

Mr. BRIGGS. But if they bought it in quantities under a contract that extended for a long period, with proper regulation of deliveries, they could get the benefit of lower prices and save the Government not only hundreds of thousands but perhaps millions of dollars in such purchases.

Mr. COLLINS. The Army buys its rations and undertakes to have 30 days ahead and 30 days is all, and it is better to buy such of these articles as possible en masse with delivery at required points; buy it at the very least cost. We know very well we can not buy cheaply if we buy at retail and locally. The practice may be the popular thing for the Army to do, but it is not the economical way of making purchases.

Mr. BRIGGS. Let me give the gentleman an illustration: The United States Shipping Board makes its contracts every year for the fuel oil it uses. It uses millions of barrels of fuel oil and it makes a contract with a provision for delivery at certain places or certain ports throughout the entire country. It gets exceptionally good prices by reason of this procedure, and it has no long hauls or other added costs of transportation. Deliveries and purchases are made right in the localities where the oil is to be used, and in this way the Government vessels get their fuel oil at exceptionally low prices. The only objection I have ever had to the plan is that when prices are low they can not make their contracts for two or three years, instead of being limited now, as I understand it, to six months or one year. We could adopt this plan in the Army. If the Army is buying staple goods, why can they not make a contract in buying groceries for six months or perhaps for one year and have them delivered every 30 days and buy them locally at substantially the same prices obtained elsewhere?

Mr. COLLINS. It seems now as if there is no disagreement between us.

Mr. BRIGGS. That is what I am talking about, and I think that is the proper policy to be pursued and we should have legislation that would permit that.

Mr. BARBOUR. I think the gentleman from Texas and the gentleman from Mississippi are in agreement.

Mr. COLLINS. I find now that we are.

Mr. BARBOUR. For military post construction, for the fiscal year 1932, the bill carries $20,638,990 and a contract authorization of $3,000,000.

For 1931 it carried $16,112,860 and a contract authorization of $2,773,000.

The rather substantial increase in this item is really not an increase at all, because we have transferred from the Air Corps the technical construction item over to the military post item. There was almost $6,000,000 carried in the estimate that came before the committee for Air Corps technical construction. Heretofore we have always carried that separately as an Air Corps item. The money is expended by the Quartermaster Corps and practically everything is done by the Quartermaster Corps just the same as in the case of the housing program. So we have moved the item of Air Corps technical construction over to the military post fund and placed all the money directly in the hands of the Quartermaster Corps.

This was done without the objection of the Air Corps; in fact, the Air Corps said they saw no reason whatever why this was not the proper thing to do, and it is one of the improvements the committee feels has been made in the bill, in bringing items together that heretofore have been separated, and making the provisions of the bill a little more easily understood.

Mr. STAFFORD. Will the gentleman yield?

Mr. BARBOUR. Yes.

Mr. STAFFORD. Do the hearings disclose the status of the building program by years?

Mr. BARBOUR. Yes.

Mr. STAFFORD. Last year I had occasion to examine the hearings before the gentleman's subcommittee as to the status of construction in connection with the authorization for the 1932 program, and I noticed from the tables as stated in the hearings that the construction was one or two years behind. What do the hearings of to-day show as to the status of the construction of the various programs of prior years?

Mr. BARBOUR. At the present time, I will state to the gentleman from Wisconsin, 72 per cent of the buildings that have been appropriated for are under contract or in some stage of construction.

This bill carries funds for everything authorized up to the present time except a few projects amounting to $1,928,380. These are of a low order of priority, and as to some of them there is now doubt as to just what they intend to do. They may decide upon a different kind of building that will need a different authorization or they may desire to transfer a project to some other post. So this bill will bring us almost current with the authorizations so far as appropriations are concerned.

Mr. STAFFORD. What is the status as to the entire program?

Mr. BARBOUR. The total program, according to present figures, is over $173,000,000. This figure is continually changing from year to year. Their estimates last year of the total cost of the housing program were higher than they are this year, but this year they are $173,000,000 plus. Of this amount there has been appropriated, including the 1932 appropriations, almost $72,000,000, leaving the balance necessary to complete, as the program is now contemplated, something over $101,000,000.

The total authorizations at the present time are in the neighborhood of $73,000,000. So the program as it now stands is about three-sevenths authorized and appropriated for or will be with this 1932 bill.

Mr. GLOVER. Will the gentleman yield for a question?

Mr. BARBOUR. Yes; I yield.

Mr. GLOVER. On page 26 of the bill, under the heading "Construction and repair of hospitals," there is an item

carried there in which I am very much interested. Will that be made immediately available or will we have to wait until after July 1, 1931?

Mr. BARBOUR. On pages 22 and 23 there is an appropriation for construction and installation at military posts. That is the item in which the gentleman is interested, and it is made immediately available.

Mr. GLOVER. That is the information I was after.

Mr. GIBSON. Will the gentleman yield?

Mr. BARBOUR. I yield.

Mr. GIBSON. As I understand the gentleman's statement, the appropriation carried in this bill is $4,316,000 under the Budget estimate. I am speaking of the total appropriation.

Mr. BARBOUR. Yes.

Mr. GIBSON. Is it true that nearly all the appropriation bills reported by the committee and passed by the House are under the Budget's estimates?

Mr. BARBOUR. Yes, with rare exceptions.

Mr. GIBSON. And during the last 10 years have we not cut off many million dollars from the Budget estimates?

Mr. BARBOUR. Yes.

Mr. GIBSON. Then what foundation is there for the propaganda circulating throughout the country that Congress is extravagant in making appropriations?

Mr. BARBOUR. There is absolutely no foundation in fact. I presume the statement is based on the fact that many bills are introduced which would authorize the appropriation of money, but the most of them never see the light of day. As the gentleman from Vermont says in almost every instance the appropriations have been under the estimates of the Bureau of the Budget.

Mr. GIBSON. We often see statements in the newspapers, under great headlines, on the extravagance of Congress, when in fact it is contrary to the truth.

Mr. BARBOUR. Yes; in line with many other statements about the Congress.

Mr. WAINWRIGHT. Will the gentleman yield?

Mr. BARBOUR. I yield.

Mr. WAINWRIGHT. I notice a reference in the report of the committee in connection with the Army War College—a statement that there are a certain number of personnel employed upon the examination, segregation, and compilation of the records of the World War, and that an allowance of $19,240 is made therefor. I wonder if that is all that is allowed by the bill for that purpose. I call attention to the fact that the Military Affairs Committee has had the question of the segregation and preservation of such records before it in connection with preparation for a history of the World War. The Adjutant General has been before us, particularly in connection with the Andrew bill, and my recollection is that we were given to understand that there was to be a great deal more than that required annually.

Mr. BARBOUR. Yes; a lot more is needed than that if they are going to get anywhere with the history of the World War. Our committee feels this way about it: There never has been any definite policy in regard to the matter of publishing a history of the World War. I understand it will be a tremendous thing when completed. It is going to cost a lot of money. Before we go ahead appropriating large sums of money for that work, our committee feels there should be some definite policy, which we do not have at the present time.

Mr. WAINWRIGHT. I agree with the gentleman, and I think the members of our committee are tremendously impressed with the importance, as, in fact, everybody who gives any attention to it must be, of having that properly done, and finally having a proper history of the war compiled. We are away behind the foreign powers in that respect. Britain and France are away ahead of us.

Mr. BARBOUR. Only one or two small pamphlets have been published.

Mr. WAINWRIGHT. I do not care to take up any more time in this inquiry. Is The Adjutant General being allowed a definite sum or any amount by which he can supplement the work being done at the War College in regard to working over and culling out of the important material from these reports and papers?

Mr. BARBOUR. This bill will carry just about the same as has been carried.

Mr. WAINWRIGHT. Can the gentleman state about how much The Adjutant General is being allowed for that?

Mr. BARBOUR. The money is provided under the Army War College and the figures are in the hearings under that head.

Mr. WAINWRIGHT. About $80,000, is it not?

Mr. BARBOUR. It would be more than that, counting the pay of Army personnel. The gentleman from Mississippi [Mr. COLLINS] is the bibliographer of the committee.

Mr. COLLINS. I have gathered the impression from the War Department that they had given up the idea of writing a history of the World War; that they did not now believe that the World War history ought to be written by Army officers; that it ought to be written by individuals who know more about history writing than they know.

Mr. WAINWRIGHT. By somebody who knows more about the war than the War Department officers do?

Mr. COLLINS. I have also understood that this alleged history is going to cost about $20,000,000, and that sum rather scares me. The idea of spending $20,000,000 for certain men in the Army to write a history of the war, when civilians could do it much better and more cheaply, impresses me unfavorably.

Mr. WAINWRIGHT. I do not agree with the gentleman at all that civilians could do it much better. I agree that civilians should certainly have a very important part in it. Will the gentleman from California yield further to me for a moment?

Mr. BARBOUR. I yield.

Mr. WAINWRIGHT. This thing ought to be done in some way. It is just as important to us to have a proper historical statement of the war as it is to foreign countries. The only matter that we are concerned with at the present time is the proper preservation and classification of the records.

We are not going into the question at this time as to who is to write the history of the war, but we have been told that there are acres and acres of these documents somewhere here in Washington, which are not being properly protected, and some of which are subject to very great deterioration because of the conditions under which they are kept. The point I make is that somebody at the present time should be engaged in going through those records and picking out those that should be important.

Mr. BARBOUR. There is an item of $200,000 in here that is a new item for classifying and indexing the medical and clinical records of the personnel.

Mr. WAINWRIGHT. I am not talking about that, but I am talking about the military part of it.

Mr. COLLINS. Will the gentleman yield to me further?

Mr. WAINWRIGHT. Permit me to complete my statement. I am concerned only with the material being finally put into shape, so that the history may be written. I am not concerned with who is to write the history.

Mr. COLLINS. I am glad to know that the gentleman has modified his idea.

Mr. WAINWRIGHT. I have not modified any idea at all.

Mr. COLLINS. The Congress has been appropriating around $100,000 a year for the last 8 or 10 years for these officers to write this history and they have not done anything. They wrote one little pamphlet, and then found that it was so inaccurate that they tore it up, and nobody can get a copy of it.

Mr. BARBOUR. I have one that I shall be glad to loan to the gentleman if he would like to look at it.

Mr. COLLINS. I know they will not put it out; they will not publish it. That the gentleman knows. I think that the Congress ought to content itself with making the material available, so that historians can write a history of the World War if they want to, and I think that when we have done that we have gone the limit.

Mr. WAINWRIGHT. I thought I made it perfectly plain to the gentleman that that was exactly the point of view

that I had; that that should be done, and done properly, and enough money should be given to either The Adjutant General or somebody to see that those records are properly classified.

Mr. COLLINS. The committee has given them all that they have asked for.

Mr. LAGUARDIA. Where are the records now?

Mr. BARBOUR. At the War College, I understand.

Mr. LAGUARDIA. The gentleman from New York [Mr. WAINWRIGHT] says that they are deteriorating.

Mr. STAFFORD. Oh, some of them are stored in warehouses in Washington, and also some are stored down near Baltimore, carload after carload, in a disordered state. Some provision should be made to preserve them.

Mr. COLLINS. Do not let us have it go out to the country that we are having valuable records stored in out-of-the-way places.

There is not one of these documents in 10,000 that is worth a row of pins for historical purposes. For instance, an enlisted man will buy a dozen eggs. That is a record. He may order a couple of barrels of flour or some bacon. That is a record. Most of these documents are of that or of similar nature and are perfectly valueless. We have recommended in this bill an item of appropriation so as to separate these documents, preserve the valuable ones, so that they can be preserved.

Mr. LAGUARDIA. If the gentleman will yield, I can not agree with the gentleman from Mississippi that any document is useless. I resisted on this floor some years ago the destruction of what was called a lot of obsolete vouchers, and I think in writing the history of the war there are a great many incidentals to the war aside from military activities, and I should like to see preserved along with the military records and the valor of the American soldier some of the records of Congress in passing appropriations for lost profits of contractors, some of the special bills passed by Congress and appropriations made for profits in war. I should like every dozen of eggs ordered to be a part of that record, so that posterity may have a real education as to who gets the benefits of war and who bears the burdens of war.

Mr. STAFFORD. Will the gentleman yield for me to make an observation?

Mr. BARBOUR. I yield.

Mr. STAFFORD. I am rather amazed, almost astounded, at the statement of the gentleman from Mississippi [Mr. COLLINS] that only one out of every 10,000 of these records is of any value for preservation. The hearings before the Committee on Military Affairs disclosed no such condition.

The committee was led to believe from the testimony of representatives of the War Department that everyone was of value, and that for years they have been engaged in transcribing them, not on permanent, worth-while pieces of paper but on cheap, thin paper; and it was to that character of paper that I objected. We were employing any number of scriveners to transcribe those records on paper that would not endure.

It was generally accepted by those who attended the hearings that the records are valuable and should be preserved in permanent form.

I am amazed at the statement made by the conservative gentleman from Mississippi [Mr. COLLINS] that a great majority of them are worthless. The gentleman gives me a new ray of light or darkness as to the contents and value of these archives.

Mr. BARBOUR. I think what the gentleman from Mississippi [Mr. COLLINS] had in mind was the statement made before the committee that in these records there is practically everything relating to anything that was done in the World War, and a lot of it is of minor importance—communications from one individual to another individual about their subsistence or their rations for the day, or something like that. There is nothing of general interest. That is what the gentleman from Mississippi referred to.

Mr. STAFFORD. Then the servants of the Government who came before the Committee on Military Affairs were not frank. They withheld all character of such testimony and led the committee to believe that one and all of these documents were worth while preserving.

Mr. BARBOUR. The testimony that came before our committee was that they wanted to separate the important ones from the unimportant ones.

Mr. WAINWRIGHT. Will the gentleman yield?

Mr. BARBOUR. I yield.

Mr. WAINWRIGHT. I really will have to take issue with my friend from Wisconsin, my colleague on the committee [Mr. STAFFORD], as to that. I gathered no such impression from the testimony before our committee. What they attempted to convey was that some vast amount of this material was important and some of it was not, and that the whole of it should be surveyed so that the valuable material could be separated from that which was not valuable.

Mr. STAFFORD. Oh, yes; but the gentleman will remember that the testimony was uncontroverted before our committee that they were transcribing these records on thin pieces of paper that would not endure.

Mr. LAGUARDIA. It might be a good thing if we could get that brand of paper on which to print the CONGRESSIONAL RECORD.

Mr. STAFFORD. Especially when the gentleman from New York [Mr. LAGUARDIA] and I are in action.

Mr. BARBOUR. I think we could get unanimous consent for that.

Mr. WRIGHT. Will the gentleman yield?

Mr. BARBOUR. I yield.

Mr. WRIGHT. With the force which they have at work on this job at present, and the number of boxes and cases of paper they have to go through, how many years would be required to complete the job?

Mr. BARBOUR. A good many years. I have forgotten the exact number, but I was surprised that it would take as long as they say it will. It was something like eight years, I believe.

Mr. WRIGHT. Was it not somewhere nearer 40 or 50 years? A long, long time.

Mr. BARBOUR. The record will disclose the facts.

Mr. BRIGGS. Will the gentleman yield?

Mr. BARBOUR. I yield.

Mr. BRIGGS. The bill carries an appropriation for assembling medical records and surgical records of soldiers. That is for the benefit of the Veterans' Bureau, is it not, in ascertaining disabilities of service origin?

Mr. BARBOUR. That is primarily for the benefit of the veterans in making their records more easily accessible and getting at the facts in individual cases. It will be of benefit to the veterans and to the Veterans' Bureau and also to Members of Congress and every one who is interested in trying to get these cases before the Veterans' Bureau and having them properly considered with all of the facts in each veteran's case.

Mr. BRIGGS. Has the gentleman's committee given any special attention to emphasizing the importance of those records to the disabled veterans of the United States and their families in order that they should not only be made available but correctly transcribed and presented to the Veterans' Bureau, when there are so many veterans in the United States now who are meeting refusals of their claims upon the ground that there are no records to substantiate service connection of their disabilities? Not long ago a claim was presented which was based upon an A. G. O. report of the War Department, and it was rejected by the regional office and the central board of appeals of the Veterans' Bureau upon the ground that there was no record of any service disability of the character such as the man claimed, although he had testified there was a sergeant of his company who had the same operation for a similar disability performed upon him at the same base hospital, both during the war period, right here in the United States, and they were both in the same ward for a number of weeks together. I took it up with the War Department and had them make another search of their records, and they found

the man was correct. At that time I was informed in the Veterans' Bureau that they had a great deal of difficulty in obtaining accurate transcriptions or certificates of these records, and I was wondering whether it was not due to the fact that the War Department did not have a sufficient staff to deal with that matter so that an efficient check of these records could be properly made to determine just whether a man was injured or disabled, through disease or other cause during his war service, and present a record which was thoroughly reliable and which would justify proper action by the Veterans' Bureau.

Mr. BARBOUR. I will state to the gentleman that they came before the committee with an estimate for $250,000. Of course, this is an appropriation committee, and all we can do is to recommend amounts for various activities, and we have done that in this case.

Mr. BRIGGS. I appreciate that.

Mr. BARBOUR. In inquiring about the matter, they were not certain just how much money was needed. It was a new item. The committee members were all agreed that something should be done about it. So we recommended $200,000 in the bill, and it was also the opinion of the committee that some of the present staff of the office of The Adjutant General could do a part of this work. If not, when they got it organized so that they knew definitely just what it was going to require they could come before the committee with a more definite proposition and we would know definitely what to do with regard to it. But, being new and there being some doubt as to just what they wanted to do in the way of going ahead—that is, what would be necessary to enable them to go ahead—we made this provision for $200,000 instead of $250,000, which they asked for, on the assumption that some of the present force of clerks in the Adjutant General's office could do a part of the work; and if not, then after they found out the facts and knew definitely what they could do, they could come before us with a definite proposition.

Mr. BRIGGS. Well, I rose at this time to call attention to the fact that there should be the utmost care in checking the records of these disabled soldiers or World War veterans, so that reliance is not placed upon the statement of some one clerk who happened to have occasion to glance through the record, perhaps hastily at times, as he has to distribute his time over a lot of cases, but that a proper check will be made, so that when these cases go to the Veterans' Bureau from the War Department, with a certificate from The Adjutant General, they will reflect a correct record rather than an incorrect record and that a man will not be deprived of his just compensation.

Mr. BARBOUR. Our committee feels that everything should be done to make those records available for the benefit of the veterans and for the benefit of the Veterans' Bureau and everyone who is interested in them, so that the cases may be properly adjudicated.

Mr. BRIGGS. Your committee is disposed to furnish the requisite amount of funds necessary to that end?

Mr. BARBOUR. Absolutely.

Mr. WRIGHT. And we have also urged that the work be speeded up.

Mr. BARBOUR. As the gentleman from Georgia states, we are urging them to speed this work.

Mr. DALLINGER. Will the gentleman yield?

Mr. BARBOUR. Yes.

Mr. DALLINGER. Can the gentleman state whether these valuable records are kept in a fireproof place now?

Mr. BARBOUR. I know that to be true with respect to most of them; I can not say as to all.

Mr. DALLINGER. Is it intended to transfer these valuable records to the new archives building when it is erected?

Mr. BARBOUR. That is my understanding. These are valuable records and should be preserved, the same as the records of the Civil War and other wars, and it is my understanding that they intend to preserve them in the same manner as they have preserved the Civil War records.

Now, gentlemen, to proceed with the bill. For the Air Corps this bill carries directly $31,915,740. That on the face of it is a decrease, as compared with the appropriation for 1931, of something over $4,000,000, but, as I explained a moment ago, that decrease is due to the transfer of Air Corps technical construction to the military post construction item under the quartermaster and is really not a decrease as compared with the amount carried in the bill for the current year.

It may be of interest to know that the total amount carried in this bill for the air services is $76,500,000; that this direct appropriation for the Air Corps of almost $32,000,000 does not cover all of the money that goes into the air services carried in this bill, but when you gather together all of the sums in the bill which are appropriated for the air services they amount to $76,500,000.

This money will buy a total of 392 planes, exclusive of planes for the National Guard, during the fiscal year 1932, whereas in the present fiscal year the amount appropriated purchased 443 planes. There will be 50 less planes purchased in 1932 than in this year. That is not a serious proposition, we are told by the Air Corps officers, for this reason: We have reached in this bill the fifth increment to the Air Corps under the Air Corps act. To-day the idea with regard to a properly organized Air Corps is considerably different than it was when we enacted the Air Corps act. They have different ideas in regard to it and are planning to come before Congress in the near future with another program to take the place of the 5-year program which they now say is not a balanced program. In view of that fact, and in view of the fact that we may accept this new program in the near future, we are assured by Air Corps officers that this number of 392 planes, which is 50 less than are being purchased in this fiscal year, will be satisfactory and that the reduction is not a serious matter.

Mr. WAINWRIGHT. Will the gentleman yield?

Mr. BARBOUR. Yes.

Mr. WAINWRIGHT. I notice that included in the Air Corps appropriation is an item for plans for a nonrigid metal aircraft.

Mr. BARBOUR. I was just coming to that.

Mr. WAINWRIGHT. I was hoping the gentleman would not leave this subject without giving us very full information as to how that got into this bill.

Mr. BARBOUR. In regard to the appropriation for lighter-than-air craft, the amount carried in this bill will buy three training airships, two of them of 200,000 cubic feet capacity and one of them of 80,000 cubic feet capacity. It will buy 1 motorized observation balloon; 6 observation balloons; 4 envelopes as spares, and in addition to that there is $200,000 added to the estimate for experimental and development work in connection with lighter-than-air craft. That is the item which the gentleman from New York has just mentioned. There was no estimate before our committee for this item. Its purpose is to provide for experimental and development work in connection with an all-metal covered dirigible. All of the balloons and dirigibles of the Army at the present time are fabric clad. The same is true of the Navy with the exception of the *ZMC–2*, which is a small all-metal ship. It is believed generally, or believed by a great many people at any rate, that an all-metal ship is far superior to a fabric-clad ship. It has been contended that this $200,000 will lead eventually to an appropriation of $4,500,000 to build an all-metal ship considerably larger than the one the Navy is now operating, but that does not necessarily follow. This appropriation is put in the bill for the purpose of enabling the Army, with its technical men in lighter-than-air work, to cooperate in the investigation and experimental work that is being done by the organization or corporation of private citizens, with headquarters in Detroit, who have spent something over $2,000,000 in experimentation and development along this line.

Mr. WAINWRIGHT. Will the gentleman yield?

Mr. BARBOUR. Yes.

Mr. WAINWRIGHT. Is the gentleman aware that the Committee on Military Affairs has had this proposition before it and that we thought it had been put in cold storage?

Mr. BARBOUR. I am aware that the Military Affairs Committee has had this proposition before it, and some of the strongest testimony in its favor which has come under

my observation was testimony given before the Military Affairs Committee by General Fechet and other Air Corps officers.

Mr. WAINWRIGHT. May I ask if the Army or the Air Corps is asking for this appropriation?

Mr. BARBOUR. The Air Corps did not ask for this, but have taken the position that they think it is a good thing and that something should be done.

Mr. WAINWRIGHT. May I call the gentleman's attention to the testimony or the statement submitted in some material put in the RECORD by our colleague from New York [Mr. TABER], in which Assistant Secretary Davison distinctly takes issue with respect to the wisdom of making any such appropriation?

Mr. BARBOUR. I think if the gentleman will read Assistant Secretary Davison's answer to Mr. TABER's last question——

Mr. WAINWRIGHT. That is exactly what I was referring to.

Mr. BARBOUR. He is not at all averse to this proposal. The fact of the matter is, I thought, as I read the statement, that he rather strongly approved it without directly saying so.

Mr. WAINWRIGHT. May I ask the gentleman one further question? Did the Bureau of the Budget approve this item?

Mr. BARBOUR. We did not ask the Bureau of the Budget to approve this item, and I want to say in this connection that this is a matter on which our committee was divided. The vote in our subcommittee was 4 to 1. There was an honest difference of opinion and then the matter went before the whole Committee on Appropriations and the whole committee was divided on it. I believe the four members of our subcommittee who have voted for this in subcommittee are perfectly willing to assume full responsibility for initiating the item and bringing it before the House, and we four heartily recommend it and indorse it to the House. I understand there is going to be an amendment offered to strike this $200,000 item out of the bill. It will then probably be fully discussed and all the facts will come out in regard to it, but the item is in here and it is put here with the recommendation of the subcommittee and the whole committee, and we now bring it before the House for their approval or disapproval as the Members of the House may see fit.

Mr. STAFFORD. Will the gentleman yield?

Mr. BARBOUR. Yes.

Mr. STAFFORD. It is not my purpose to go into the merits of the proposition as disclosed by the testimony before the Committee on Military Affairs, but I wish to ask whether the gentleman's subcommittee had any independent hearings on this item.

Mr. BARBOUR. Yes; we had independent hearings that took a good part of one morning; not the whole morning, but the greater part of it.

Mr. STAFFORD. Were those hearings rather supplemental and by the same individuals that testified before the Committee on Military Affairs?

Mr. BARBOUR. Some of the individuals. I do not think we had before us all those who testified before the Military Affairs Committee.

Mr. STAFFORD. Is the gentleman aware of the fact that the Committee on Military Affairs did not conclude its hearings, but rather left the matter up in the air?

Mr. BARBOUR. Yes. There is ample authority for this appropriation, I will state to the gentleman from Wisconsin, in the Air Corps act, and there was no intention on the part of the subcommittee to appropriate for anything not fully authorized by legislation.

The CHAIRMAN (Mr. MOORE of Ohio). The gentleman from California has consumed one hour.

Mr. BARBOUR. Mr. Chairman, I ask unanimous consent to proceed for 30 minutes more, and I hope I shall not have to use all of that time.

The CHAIRMAN. The gentleman from California asks unanimous consent to proceed for 30 minutes. Is there objection?

There was no objection.

Mr. BARBOUR. Gentlemen, I will try to proceed so as not to take any more time than is absolutely necessary.

The bill provides for carrying on the Military Academy at the same rate of progress, with the same activities that are being carried on there at the present time and with about the same number of cadets. It is anticipated there may be a slight increase in the number of cadets in 1932.

The National Guard appropriations are just about the same as they were for the year 1931, but contemplate an increase of 5,000 men in the National Guard, for which we are assured additional appropriations will not be necessary during 1932. They will be taken care of with the same amount of money that was appropriated for 1931 for a smaller number.

The appropriations provide for 15-day camps to be carried on about the same as the camps for 1931, although in 1931 they had a larger camp attendance—that is, in the fiscal year 1931, which was the calendar year of 1930—than is estimated for here, due to abnormal conditions, the Militia Bureau officers tell us, and they do not anticipate those conditions will continue. So we estimate here for the normal, average attendance at the camps and if the abnormal condition extends into 1932 the understanding is they will then come before the deficiency subcommittee, knowing more accurately than they do at present how much money they will need, and get whatever is necessary to cover any deficiency.

The appropriations provide for 48 armory drills, the same as heretofore, and pay for attendance at 48 armory drills.

Mr. HOUSTON of Hawaii. Is the gentleman going to touch on national matches?

Mr. BARBOUR. I have not come to that yet.

You will recall that during the past two or three years we have had before us the proposition of increasing the pay of property and disbursing officers. A year ago the subcommittee on appropriations for the War Department requested the Bureau of Efficiency to make a study of this question. They have made a study and submitted it through the War Department to our committee, and our committee is now of the opinion that we should have legislation to take care of this proposition and determine a definite policy with regard to it. We have therefore transmitted the communication to the Committee on Military Affairs, and I understand it has there been referred to a subcommittee of which the gentleman from Wisconsin [Mr. STAFFORD] is chairman.

Mr. STAFFORD. I wish to say that as chairman of that subcommittee I have gone over the files and purpose to call the subcommittee together in the near future to take action on the proposition.

Mr. BARBOUR. The appropriation for aircraft for the National Guard is carried at about the same rate as heretofore. There was appropriated money for 40 new planes for the National Guard for 1931 and they will get 46. The present appropriation is for 40 airplanes, and it is hoped that they will get an additional number.

The Organized Reserves are provided for exactly the same as they have been this year. The same amount of flying hours are provided for the Reserves.

The amount appropriated for the 15-day camps is about the same number as heretofore.

Generally speaking, the Organized Reserves are carried in the bill without any decrease in appropriation.

Mr. HUDSON. Will the gentleman yield?

Mr. BARBOUR. I yield.

Mr. HUDSON. In the provision for the airplanes for the National Guard, does that mean the total increase, or is a part of it for replacement?

Mr. BARBOUR. A part of that will be for replacement—they are being washed out all of the time.

Mr. HUDSON. What is the total increase?

Mr. BARBOUR. The gentleman is speaking of airplanes for the National Guard. On June 30, 1930, we had 171 airplanes, including 13 which were on order—that is, not delivered. According to the estimates, which are always very conservative, as to the number—on June 30, 1932, the National Guard will have 152 planes on hand. Of course, that can not be determined definitely in advance.

Mr. HUDSON. But you are providing for an increase?

Mr. BARBOUR. We are providing for the purchase of at least 40 planes, and they estimate that there will be 152 on hand, which will be 6 less than what was on hand June 30, 1930.

Mr. HUDSON. I am sorry to have the gentleman report that there will be a less number.

Mr. BARBOUR. The chances are that they will not have a less number.

Mr. HUDSON. Then the appropriation brings it up to the estimate?

Mr. BARBOUR. We are carrying an appropriation for 40, as we had last year. There is an increase in the appropriation for the National Guard Air Corps over the amount carried in the 1931 bill. It will provide the number of planes for the National Guard that are authorized in the Air Corps act.

Mr. STRONG of Kansas. Will the gentleman yield?

Mr. BARBOUR. I yield.

Mr. STRONG of Kansas. I want to ask the gentleman about maintenance for the forts. I have Fort Riley in my district, and last October they had to lay off men because they did not have appropriations sufficient to carry on the work. It seems to me they ought to maintain that efficiency as a matter of economy.

Mr. BARBOUR. If the gentleman will pardon me, I will get the figures in regard to that. There is an increase this year in the item of barracks and quarters, the maintenance item, of $4,865,913. But that is not an actual increase. There is a transfer to barracks and quarters of projects previously carried under regular supplies. Frankly, there is a net decrease in the amount of money carried in the bill for 1932. It was stated to us by the Quartermaster General that not so much money will be needed on account of the housing program.

This item for upkeep amounts to almost $16,000,000; and it seems to me that there ought to be enough money in there, with the twenty-odd millions we are spending here in the bill for new buildings, to keep those buildings out there in fairly good repair.

Mr. STRONG of Kansas. They are in fairly decent condition; but along in October and November they laid off practically all of the civilian employes and gave as a reason that the appropriation had been wholly expended, and I know there is need for a continuance of work out there and the maintenance of the forts.

Mr. BARBOUR. Of course, that is something that our committee can not direct, because we bring in enough money, we think, to keep the buildings in proper repair, and the expenditure of that money is in the hands of the War Department. I understand it is allocated out through the corps areas to the different post commanders, and they control the expenditure of it, and if they expend it all in a short time their allotment of money is gone.

Mr. STRONG of Kansas. Have you appropriated less or more this year than for the ensuing term?

Mr. BARBOUR. For 1931?

Mr. STRONG of Kansas. Yes.

Mr. BARBOUR. I have not the figures here for 1930 to compare them with the 1931 figures, but my recollection is that the 1931 figures are more than for the fiscal year 1930. That is going back into the fiscal year 1930, and we are now in the fiscal year 1931 and will be until the 30th of June of this year.

Mr. STRONG of Kansas. It seems to me that the best economy is to keep those forts up.

Mr. BARBOUR. I heartily agree with the gentleman as to that, and so far as our committee is concerned we have understood that ample money is being carried in these bills to do that. Of course, we appropriate the money in lump sums and the War Department allocates it to the various posts, and where the work is needed, and if there is not enough, they should come back and ask more in a deficiency appropriation bill or in the next year's regular appropriation bill.

Mr. STRONG of Kansas. I am glad to have the gentleman make that statement.

Mr. BARBOUR. I am going to pass on now to the nonmilitary activities carried in the bill. There are one or two items here that I wish to call to the attention of the Members of the House. For instance, in connection with the river and harbor item the bill carries $60,000,000, which is $5,000,000 more than was carried in the appropriation for 1931. In addition to this $60,000,000 the Members all know that we recently passed an emergency bill which carries $22,500,000 for rivers and harbors, so that we have or will have available—and all of this money is or will be immediately available—by enactment of Congress $82,500,000 for river and harbor work, which is in addition to a balance in the neighborhood of $30,000,000, unexpended, but mostly obligated, of prior appropriations.

Of the amount carried in this bill $36,000,000 is for improvement and $24,000,000 is for maintenance. It will carry on the work of the surveys along the streams for potential power, irrigation, and navigation, and will carry on the river and harbor work, speeding it up over what it has been during the past year.

Mr. HOUSTON of Hawaii. Mr. Chairman, I call the gentleman's attention to the fact that he has said nothing about the national rifle matches.

Mr. BARBOUR. Oh, yes. There is $500,000 provided in the bill for national matches. My recollection of the testimony given to our committee is that they did not spend all of the $500,000 that we appropriated for the matches this last fall. I do not know how much it would have required to bring the team up from Hawaii.

Mr. HOUSTON of Hawaii. All of the States and Territories should have a chance to compete in any number of competitions, but when they multiply the different competitions and the different items under the competition it makes it impossible for us to compete.

Mr. BARBOUR. The danger of that is that the people running the matches can continually multiply those competitions, so that Congress will have to follow along and provide whatever money is necessary. We have adopted the policy of providing $500,000 for the national matches, and that is an ample sum. They had in the neighborhood of 6,000 or 7,000 contestants at the last matches, and they cost almost $500,000. We are spending millions of dollars in this country annually for target practice and rifle shooting of various kinds. We are paying a million and a half in extra pay to enlisted men of the Regular Army for proficiency in arms.

Over 16,000 enlisted men, according to the latest figures I have, draw pay in addition to their base pay, because of their proficiency in arms, and we are providing pretty liberally, it seems to me, for target practice and marksmanship in this country.

Mr. HOUSTON of Hawaii. The team we were particularly anxious to get in was the civilian rifle team, and we did not get them in.

Mr. BARBOUR. Perhaps the gentleman will have better luck next time.

Mr. BRIGGS. Mr. Chairman, will the gentleman yield?

Mr. BARBOUR. Yes.

Mr. BRIGGS. Is the money appropriated in the bill for public works made immediately available?

Mr. BARBOUR. Yes; all of the money for construction at military posts is made available immediately.

Mr. BRIGGS. Of course, the gentleman knows as well as I do that, by reason of the unemployment situation, the utilization of those funds for work now is much more valuable to the mass of the people than it will be probably a year and for six or eight months hence.

Mr. BARBOUR. Absolutely; and I will say to the gentleman from Texas that all through this bill, wherever any money can be expended now to give employment to people, we make it immediately available without waiting for the beginning of the fiscal year.

We asked the War Department for a statement showing just where that money could be made immediately available and could be used without delay, and in every instance the committee has made it immediately available in the bill. We of course expect that will have the approval of the House when the bill is read.

Mr. BRIGGS. I observe the hearing also shows a statement or table showing the number of projects, some of which were included in the last river and harbor authorization bill, for which no estimates were made for 1932.

Mr. BARBOUR. Oh, yes; there are a number.

Mr. BRIGGS. I am wondering why that postponement, and why provision was not made for the projects which were given in there, so that the work on those public works which have been authorized by Congress could go forward.

Mr. BARBOUR. I will explain that by saying that the total amount of money required now to complete the entire authorized program, excluding projects that have been recommended for abandonment and projects the completion of which is not now justified, will cost $277,000,000. In addition to that, it will cost $200,000,000 to complete certain projects which have only been partially authorized. Additional authorization is needed. The Engineer Corps advises our committee that it can economically expend on this work $75,000,000 a year. So we recommend an appropriation for $60,000,000, and there is $22,500,000 in the bill which just passed Congress.

Mr. BRIGGS. The emergency relief bill?

Mr. BARBOUR. The emergency relief bill, which is a total of $82,500,000. Of the $60,000,000 contained in this bill, $16,000,000 is allotted to cover projects authorized in the bill enacted July 3, 1930.

Mr. BRIGGS. Yes. I know there are some of those, but there are others mentioned there for which apparently no appropriation is being made and which are being deferred. I was wondering why that was the situation.

Mr. BARBOUR. Well, that is up to the Board of Army Engineers. We are giving them all the money they say they can economically spend. Of course, they will have to distribute the work of the whole program over a period of years.

Mr. BRIGGS. By "money that can be economically spent" is meant the amount they request generally, both before the Budget as well as before your committee?

Mr. BARBOUR. Yes.

Mr. BRIGGS. I presume it would be the purpose of the committee in any event if the facts develop the need for more funds to carry out these public works, of a character where the Government requires it or justifies it, to provide the funds necessary?

Mr. BARBOUR. Oh, yes; we believe the work should be carried on expeditiously, but there is a certain amount of work that they say they can do in the course of a year, and by giving them the money to do more work we can not make them do more than they are able to do.

Mr. BRIGGS. Do they have a contingent fund available, where projects are started and can not be completed, to which they have recourse to make up the amount of the deficiency?

Mr. BARBOUR. I will say to the gentleman in that respect this entire fund is a contingent fund. It is appropriated as a lump sum, as the gentleman knows, and then they allocate it, and they are free to change those allocations to meet unforeseen conditions. For instance, they allocate a certain sum to a project and a certain sum to another project. They may find the first project probably does not require as much money as was allocated, or they can not advantageously do as much work as they had planned there, but they can advantageously do more work at another place; they can transfer the fund from one project to another.

Mr. BRIGGS. I appreciate that.

Mr. BARBOUR. So that really there is considerable flexibility.

Mr. BRIGGS. But assuming, for instance, that the expenditures will go forward as planned and that they will use the fund according to the reports made by the engineers, and it is estimated some of the projects can not be completed within the year and therefore will come along the following year, but suppose those projects, however, go forward much more rapidly and they find they can complete them if they have the funds, will they have to let it stay in statu quo for a while until they can get more funds to complete it, or is there any fund to which they can turn for contingencies? Should there not be some reserve to meet that sort of situation?

Mr. BARBOUR. They can take the money allocated to some other project where the need is not as pressing and can use that money. They can transfer the money, and they do it frequently.

Mr. BRIGGS. But I was referring to whether there was any contingent fund of any character?

Mr. BARBOUR. Oh, they have these funds running from year to year, and each year they have an unexpended balance of a good many million dollars but a part of which is obligated. It is a continuing work, going ahead all the time, and each year in this bill we try to bring in the amount of money that will carry them along and take care of the increased authorizations as they say they are able to take care of them, and keep the work moving along.

Mr. BRIGGS. Do you not have some contingent fund included in this amount, so that, as I say, in the event of a project being left suspended they can turn to that fund without disturbing the allocations made to other projects?

Mr. BARBOUR. I am informed by the War Department that the Board of Army Engineers sets aside a certain percentage of the appropriations each year as a reserve and holds it as an emergency or contingent fund.

Mr. BRIGGS. The gentleman means of the total appropriation?

Mr. BARBOUR. Yes. That is set aside each year and held as a sort of reserve or emergency fund until they get along toward the end of the year and find out that they can release a part of it, and then they do that.

Mr. BRIGGS. And they can resort to that fund in order to meet any case of emergency, such as I have discussed?

Mr. BARBOUR. That is my understanding of the situation; yes.

Mr. YON. Bearing out what the chairman of the subcommittee has said, I have had some experience along the line suggested by him.

Mr. BARBOUR. I hope it was a favorable experience.

Mr. YON. It was. I asked the office of the Chief of Engineers recently about some allotments that had been made to some projects in which I am very much interested. I asked what the possibility was of getting money to carry them on, and the Chief of Engineers said that no doubt they would be taken care of out of this contingent fund. As I understand it, there are always several million dollars set aside to meet emergencies which may arise.

Mr. BARBOUR. That is my understanding.

Mr. DYER. Will the gentleman yield?

Mr. BARBOUR. I yield to the gentleman from Missouri.

Mr. DYER. The gentleman's bill provides for an appropriation of $339,000,000.

Mr. BARBOUR. Yes; for military activities and including the contract authorization of $3,000,000 for post construction.

Mr. DYER. Can the gentleman state to the committee, in round figures, what part of this total amount is needed for continuing military activities in the Philippine Islands, the transportation of officers and men, and so forth?

Mr. BARBOUR. No; I can not state that to the gentleman, and, to be perfectly frank, I do not recall that there is anything in the hearings about it. There would be a good many things entering into that. The matter of transportation expenses is quite involved. Personnel would be transported on United States Army transports. The transports, in the ordinary course of things, would also carry a large amount of ordnance material, materials of various kinds,

and probably Air Corps materials, and the cost of transporting those things would be charged as a part of the expense of the trips. However, I believe the department would be able to arrive at an intelligent approximation.

Mr. DYER. Does the gentleman think the War Department could furnish substantial information upon that point?

Mr. BARBOUR. I do. My experience is that they can furnish information upon almost any of their activities you may ask about. But there are so many elements that would enter into that, all of which would affect the cost of transporting troops to the Philippines. Frankly, I am unable to answer the question asked by the gentleman and, as I say, I do hot believe there is anything in the hearings touching this matter.

Mr. DYER. However, it is a large amount?

Mr. BARBOUR. Undoubtedly it is, because the Philippines are a long distance from the United States.

Mr. DYER. It takes a lot of money to continue the occupation of the Philippine Islands?

Mr. BARBOUR. Undoubtedly. They have to run the transports a long distance and keep the men there, as well as maintaining the Philippine Scouts. There are 6,500 men in the Philippine Scouts.

Mr. LAGUARDIA. And men are being relieved every two years?

Mr. BARBOUR. Yes; the men are being relieved every two years.

Mr. DYER. All of this expense comes out of the taxpayers of the United States proper?

Mr. BARBOUR. Oh, yes.

Mr. DYER. None of this is paid by the Philippine people?

Mr. BARBOUR. So far as I know none is paid by the Philippine people. My understanding is that every cent is carried in this bill.

Mr. DYER. But they pay the expenses of maintaining the Philippine Scouts?

Mr. BARBOUR. No; they maintain the constabulary.

Mr. DYER. That is what I mean.

Mr. BARBOUR. The United States Government maintains the scouts.

Mr. DYER. Can the gentleman tell us whether or not the present bill is in substantial accord with existing law on the subject of funds for training camps?

Mr. BARBOUR. Yes. Does the gentleman mean the citizens' military training camps?

Mr. DYER. Yes.

Mr. BARBOUR. We provide in this bill an amount that will carry on the citizens' military training camps to the same extent that they have been carried on in the past couple of years.

Mr. DYER. That includes how many camps?

Mr. BARBOUR. Fifty-three camps. We provide not less than 37,500 trainees at 53 camps.

Mr. DYER. That will include high-school boys——

Mr. BARBOUR. Yes.

Mr. DYER. Who want to go to these camps for training?

Mr. BARBOUR. Yes.

Mr. DYER. Is there anything in the bill which would permit those in charge of arranging for these camps, the selection of them and the selection of the men, to use anything that is unfair to any class of people, or is it supposed to be fair to all the people?

Mr. BARBOUR. It is supposed to be fair to all the people. I will say to the gentleman that the estimate which came to our committee carried an amount that was reduced below the amount carried last year, which, if concurred in, might necessitate taking the trainees from points nearer the camps, so that some of those living at great distances would not be taken to the camps as heretofore. However, the committee put that money back in the bill.

Mr. DYER. So they can be taken from distant places.

Mr. BARBOUR. Yes. Heretofore it has worked very satisfactorily and the trainees have been taken considerable distances to these camps. The amount is carried in this bill so that the same policy can be carried on as heretofore.

Mr. DYER. I will say to the gentleman that in our section of the country it has worked in an opposite way. Under the law with reference to these camps, who is it that has the authority to fix the camps, accept the applications, and put the men in training?

Mr. BARBOUR. The officer in the War Department in charge is The Adjutant General. Then the management of the camps is placed in the hands of the various corps area commanders. In the First Corps Area it would be the First Corps Area commander, in the Second Corps Area, the Second Corps Area commander, and so on.

Then, they have certain officers under them who are in direct charge of the arrangements for these camps, but the man directly in charge would be the corps area commander. He would be the man who would determine the policies, in my opinion.

Mr. DYER. Substantially and practically, I take it from the information I have from the War Department, they leave this almost absolutely in the hands of the corps area commanders, and if they are unfair in any way, shape, or manner there is practically no recourse.

Mr. BARBOUR. The matter, as I understand, is almost entirely in the hands of the corps area commanders. The department leaves a great many matters to the discretion of corps area commanders.

Mr. DYER. Therefore they ought to be very fair to all classes.

Mr. BARBOUR. I would think so; yes.

The CHAIRMAN (Mr. TILSON). The time of the gentleman from California has again expired.

Mr. BARBOUR. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Without objection, the gentleman will proceed.

There was no objection.

Mr. BARBOUR. I just want to say in conclusion——

Mr. WAINWRIGHT. Before the gentleman comes to the concluding part of his remarks may I call his attention to something which may not seem a very important matter, but one which I think is quite serious, and that is the statement on page 22 of the report and the provision on page 11 of the bill by which it is made impossible for any part of the appropriation for pay to go to any officer who has anything to do with any of the service journals?

Mr. BARBOUR. Yes.

Mr. WAINWRIGHT. In view of the result that might be accomplished by that provision, which, as we know, would be to separate from the important service journals the officers on the active list of the Army, with all the consequent damage to the service journals, I wonder whether the gentleman really and truly and honestly in his heart believes that is the wise thing and the fair thing to the service to do, when we consider what these service journals and technical journals really mean to the different branches of the service.

Mr. BARBOUR. I believe these technical journals and service journals are very helpful and should be carried on, but the purpose of putting in this amendment, I may state to the gentleman, was to prevent Army officers being connected with these magazines, which carry paid advertisements of concerns which sell materials to the War Department. It was thought there was a relationship there which might not be exactly proper.

Mr. WAINWRIGHT. I can see the point of that, and it may be that as a matter of policy it is unwise for officers to be engaged in the occupation of soliciting advertisements for papers with which they are connected or where they may have some connection with the supplies furnished to the Army, but in order to accomplish that result, does the gentleman think it is really necessary to have as sweeping and as broad a provision as this, the result of which will be that no officer of the regular service can have any connection whatever with the management of any of these extremely important service papers?

Mr. BARBOUR. There are certain exceptions made, I will say to the gentleman.

Mr. WAINWRIGHT. The only exception is with respect to the officer who contributes an article.

Mr. BARBOUR. I may say this: I do not know of any instances in the past which have occasioned or justified any criticism.

Mr. WAINWRIGHT. Apart from the question as to whether the suggested amendment is subject to a point of order, I wish the gentleman might go to the extent of either modifying the amendment so as to accomplish the exact result which he has stated here, or else take it out altogether.

Mr. BARBOUR. I suggest that the gentleman make the point of order, and he will get a direct answer to the question at that time.

Mr. WAINWRIGHT. No; I am not basing it on that. I would like to see the gentleman agree with me and cooperate with me in taking it out of the bill.

Mr. BARBOUR. Perhaps I will, before we get through, I will say to the gentleman from New York, but right now I do not think I can agree with the gentleman.

Mr. WAINWRIGHT. I hope the gentleman will think it over.

Mr. LAGUARDIA. Will the gentleman yield just one second before he concludes?

Mr. BARBOUR. I yield.

Mr. LAGUARDIA. I hope the gentleman, before he concludes, inasmuch as there have been so many inquiries made with respect to appropriating enough for the War Department or the war activities of the department, for this item or for that item, will call attention to the fact that the total appropriation carried in this bill for military activities is $334,956,880, according to the report.

Mr. BARBOUR. The gentleman's figures are correct.

I want to say in conclusion that there are a lot of other matters in the bill I should like to have brought to the attention of the Members of the House, but we can undoubtedly take them up in the discussion of the bill under the 5-minute rule. I have been pleased to see the interest that the Members have shown in the bill as evidenced by the questions that have been asked. The discussion has been rather free and I am pleased to see it so, because I believe in that way, perhaps, the Members generally can get a better idea of what is in the bill than they would by proceeding more formally and having a formal speech as to the provisions of the bill.

I want to express my appreciation and thanks to the Members of the House for their patience in listening to me as long as they have this afternoon. [Applause.]

Mr. WRIGHT. Mr. Chairman, I yield 30 minutes to the gentleman from New York [Mr. DICKSTEIN].

Mr. DICKSTEIN. Mr. Chairman, a year and a half has now elapsed since Palestine was in the forefront of the day's news. The events of that fateful August of 1929 have receded into the background and much water has flowed under the bridges since. Almost a new world has emerged from the time of the massacres and some little advance on the question of cooperation between Jew and Arabs in the Holy Land.

But whether such cooperation will find any result in the cementing of a new understanding between the two races resident in Palestine, whether at last the Jewish people and the Arabs resident in Palestine will bury the hatchet and determine to live together as friends and neighbors, whether the massacres of the summer of 1929 will remain an unpleasant memory and will never recur again—no matter; the British Government has not done its duty in Palestine.

In my remarks on Palestine made in this House soon after the massacres of August, 1929, I pointed out how the Balfour declaration on November 2, 1917, has created a new status for the Jews from all countries in the world by inviting them to settle in Palestine with the view of transforming the country into a national home for the Jewish race. Jews have gone to Palestine from all countries and money was given plentifully by Jews from all lands for Palestine, making it again into a country flowing with milk and honey as in the days of yore, the blessed days of our Holy Bible.

When Balfour's declaration was announced to the world it was not merely a pledge of a friendly government given gratuitously, but it was a legal obligation assumed by Britain, because Britain was obliged to look for friends at a time when it was not by any means certain that Palestine would be conquered from the Turks by British arms with the help of the Jewish legions.

In his Memoirs, Lord Asquith relates that in December, 1914, Sir Herbert Samuel suggested to him that Britain might acquire Palestine. Lord Asquith, who was then Prime Minister of England, looked upon this scheme as a wild project. It was only two years later that it became clear to the British Government that the acquisition of Palestine would be of great importance to it to bring the war to a successful termination. It was then that the British Government became convinced that the Zionist organization could be of help to it in winning the war and the British Government then put the question of the advisability to acquire Palestine before representative Jews of all sections of English Jewry, asking for their opinion on the question. The consensus of opinion of all the Jews who were consulted by the British Government was that it would be advisable for Great Britain to acquire Palestine, and that Palestine would come into the sphere of interests of both Great Britain and France. We agreed Britain or France would finally acquire Palestine, which Governments promised the Jews that they would secure a homeland for the Jewish people and make it possible for the Jewish race to develop in Palestine their social, cultural, and religious life.

Has Great Britain kept the faith? It seems to be definitely established now that Great Britain did not do anything to promote Jewish interests in Palestine, but, on the contrary, permitted the situation in the country to drift from bad to worse and made a muddle out of the situation.

In the last year and a half mighty little money has gone into Palestine, and what is worse, the British Government has severely curtailed Jewish immigration into that country. An attempt was made to establish a sort of legislative assembly, but this attempt has likewise miscarried to a large extent. The continued occupancy of Palestine by British forces in a spirit more or less unfriendly to the Jewish population is again something which can not do the Jewish race any good for its future development in Palestine.

Mr. SABATH. Will the gentleman yield?

Mr. DICKSTEIN. I yield.

Mr. SABATH. It was not only a declaration but a promise made to our country, to the late President Wilson, that they would install and efficiently protect the rights of the Jewish people in Palestine.

Mr. DICKSTEIN. I agree to that.

Mr. LAGUARDIA. It was more than a promise, it was a pledge.

Mr. GIBSON. Will the gentleman state the position Mr. Balfour occupied when he made the promise?

Mr. DICKSTEIN. I am coming to that.

In my last speech to Congress on the subject, I looked upon the condition of affairs created by this unreasonable attitude of the British Government with hope. This hope, however, has unfortunately not materialized. It seems that a great deal must be done to restore to us confidence in the sincerity of purpose shown by the British Government in its management of the Palestinian situation. Unless Britain will see fit to make a radical change in its attitude toward the Jewish people in Palestine, we of the American Congress can not stand by indifferently and permit a violation of the sacred pledge which was made by Woodrow Wilson after the Balfour declaration. Our President, Woodrow Wilson, personally indorsed this declaration, and by the force of his personality made the American public adopt this declaration as a part of its own creed in the matter. Jewish legions to fight for the liberation of Palestine were openly recruited in America, and many citizens of this country gave their lives to make Palestine free from the Turks. We can not therefore look upon the situation indifferently, and must enter our solemn protest against the continuance of conditions in Palestine. The force of public opinion calls for some action on the part of our Government to make Great Britain live up to the terms of its mandate, since the attitude of our Government has always been friendly to the establishment of a Jewish homeland in Pales-

tine. This is a time where a decided stand is wanted, and I call upon the Government to do all in its power to bring about a correction in the situation.

This is no time for trifling with conditions. Already a great deal of mischief was caused by the delay in protesting against the situation. If our protest is not to fall on deaf ears, it should be backed up by such thoroughgoing and unequivocal expression of public opinion as would make Great Britain see the light and do its duty.

Palestine is no longer a Jewish question but has become a question of world-wide importance. The faith of the British Government which was pledged so unstintingly must be maintained at all costs. If Britain should fail us, then, no matter what the future may hold in store for it, it will stand convicted before the tribunal of public opinion of duplicity and laxity. No one will ever trust Britain again if our trust in the British with reference to Palestine should prove a mistaken one. It is in Britain's own interest to see to it that public opinion does not turn against it after its breach of trust since August, 1929.

Nor is this all. The Jews the world over have been looking with longing in their eyes to the time when they will be able to reestablish their national home in the Holy Land. All countries in the world in which the Jew is economically poor and unable to make a living have been taking steps to enable Jews to emigrate to Palestine. If Jews are not permitted to enter Palestine, there will be a sore problem to many nations of eastern Europe and anti-Semitism may spring up again to kill and destroy a large number of Jews throughout the world. Let us do all in our power to prevent this from happening. Only in a free Palestine can the Jewish race find a home free from massacres and excesses leveled against them by so many countries of eastern Europe. We hope and pray that the voice of the world calling for amending of Britain's ways will induce that country to change its tactics with reference to the Palestinian Jews. Our Congress must take the stand that it disapproves of the British policy as exemplified by the action of its Government at the present time. [Applause.]

Palestine was nothing more than a desert after the war, and they made it a safe place for not only Jews to live in but for all nations who sought a domicile in this holy land.

They have built stores, they have built sidewalks, they have built sanitariums and hospitals where heretofore there had been a lack of them. They have constructed overnight a wonderful and marvelous city. Now the hope of that city, planned by the American people, is practically going to naught because the people of this city and the people of this country and the people of the world are now refusing to contribute any further money in the upbuilding of Palestine, because Great Britain is now seeking to destroy that very declaration, that solemn promise to give a home to the Jews. The Arab, to a great extent, is nothing but the dirt of the desert; he has no education but has a wonderful opportunity of receiving treatment the same as the Jews and the Christians in the hospitals built by the Jewish people.

There is no discrimination made by the Jews; everybody is taken care of. But it means that the weak word of Great Britain seems to have no scientific study of the situation. They do not seem big enough to solve the problem to the satisfaction of the people, but practically destroy the mandate, and thereby everyone in this country and in the world has lost faith in Great Britain. If Great Britain wants the respect as a nation, if it wants the respect of the people of all creeds and all colors, I say that Great Britain had better turn around and live up to the letter of its declaration. Otherwise—God forgive me—there is no such thing as a promise by a nation. [Applause.]

Mr. BARBOUR. Mr. Chairman, I yield 15 minutes to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Chairman and members of the committee, for the last six months, as a member of a committee created by the House of Representatives to investigate the activities of the communists, I have devoted practically my entire time to the study of communism, including the question of commerce and trade between Soviet Russia and the United States.

Speaking as an individual and not for the committee, I am convinced from a most careful consideration that Soviet Russia, through the socialization of its land, the confiscation of farm property, and the use of American tractors and American combines, will wipe out the entire export trade in wheat of the United States within one year's time. The average export of wheat and flour from the United States for the last eight years amounted to $250,000,000 annually, or three times as much in money as the Soviet Government has bought in commodities in the United States during the last three years. The reason I refer to wheat at this time—because the subject will be covered in detail in the report which will be submitted on the 17th of January to the House—is the fact that the Government of the United States through the Federal Farm Board is holding 125,000,000 bushels of wheat in order to help stabilize the American wheat price. It is my contention that Russian wheat, first, because the land on which it is grown has been confiscated by the Soviet Government; second, because of enormous increase in production through use of American tractors and combines; and, third, because farm labor is paid on a gold basis of about 15 cents a day as against $3 and upward in the United States, will next summer be placed upon the world markets at 30 cents a bushel, or one-half the American cost of production price.

We are holding this 125,000,000 bushels of wheat in various graneries throughout the country, but we can not sell it in our own country because it would immediately depress the price of wheat on the American markets. The reason we bought it was to stabilize the American price of wheat. I suggest that at this time, during this emergency, when there is much distress, suffering, and hunger throughout the United States of America, it would be in order to authorize the Federal Farm Board to turn over this wheat to the National American Red Cross upon the requisition of its officers, to be distributed by the National American Red Cross to relieve hunger, distress, and suffering throughout the United States, both in the cities and in the country districts. That wheat is available immediately. We can not sell it on the American markets without reducing the price of wheat. The world market is already practically taken away from us by Soviet Russia, Argentine, and Canada. If we retain that wheat and have another surplus of 200,000,000 bushels next year, with no place to sell it, then the Federal Farm Board will have an enormous surplus on its hands to take care of next year. I submit as a concrete proposition that the Federal Farm Board might release as much of the 125,000,000 bushels as may be required, on the requisition of the Red Cross, to relieve distress in this emergency. I have information that the Red Cross will expend its own money, which it secures from public subscriptions, to turn that wheat into flour and distribute it through such agencies as it may deem advisable, its own agents or own subagencies, and through the associated charities in the different cities—the Jewish, Catholic, and Protestant charities in New York City, or whatever agency is deemed best. The fact is that there is suffering, distress, and starvation in certain sections of the United States, and here the Congress is in session talking about all kinds of questions, but not actually relieving this distress.

In 1921 the Congress of the United States appropriated $20,000,000 to send foodstuffs to Russia. In the following year the House of Representatives passed a bill, which I introduced, authorizing the expenditure of $10,000,000 to send foodstuffs to the starving people in Germany. During the war and afterwards we helped feed Belgium, Poland, Austria, and other countries. Are we to hesitate now when there is distress and suffering and starvation in the United States; when it is officially stated that there are 5,000,000 unemployed? Are we to hesitate to afford relief in our own country when the Government graneries are bulging with grain? I am introducing the following resolution, and I request the chairman of the Committee on Agriculture that he give an immediate hearing on this resolution and on one

somewhat similar that I am introducing at the same time. If there is an emergency we ought to act immediately, and if there is no emergency then there is no use of acting at all.

House joint resolution

Be it resolved, etc., That the Federal Farm Board is hereby authorized and directed to deliver, from time to time during the period of the emergency, to the American National Red Cross, upon the requisition of the chairman of the American National Red Cross, such quantities of the wheat purchased by the said Federal Farm Board under authority of the agricultural marketing act, approved June 15, 1929, as may be necessary, in the judgment of the national officers and central committee of the American National Red Cross, for the purpose of relieving hunger in the United States among the unemployed, and in regions affected by drought, and for whatever purpose deemed necessary in relieving distress, and to distribute the same through such agencies as may be deemed proper whenever and wherever such distress may exist in the United States.

Mr. STRONG of Kansas. Mr. Chairman, will the gentleman yield?

Mr. FISH. Yes.

Mr. STRONG of Kansas. Would not the gentleman's resolution simply take the wheat that has been purchased by the Farm Board without rendering any relief to the cash price of wheat?

Mr. FISH. To cover that I have another resolution which I think the gentleman would prefer to the one that I have just read. I have discussed the resolution with some of the highest authorities in the country, and generally they give support to it. In order to obviate the objection that the gentleman has made that possibly by the distribution of the wheat held by the Federal Farm Board to the needy and hungry and starving people of America it would replace wheat that might otherwise be bought, and that that would therefore cause a reduction in the American market price, I submit that if our people are literally starving and without money to buy anything, it would not affect seriously the price of wheat on the American market. My point is this, that if an immediate hearing is held on the first resolution we would have the Secretary of Agriculture come before the committee, and the head of the Farm Board also, and then they could be asked whether they would replace the amount of wheat requisitioned by the Red Cross to stabilize the wheat market, which is, of course, the purpose of the marketing act. If they say no, and the members of the committee who are experts on the proposition believe that such a resolution would depress the price of wheat 10 or 15 cents, then I think they could well support a resolution such as the following:

That there is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated, the sum of $15,000,000, to be expended by the American National Red Cross for the purchase and processing of grain for the purpose of relieving hunger among the unemployed, and in regions affected by the drought, and for every purpose deemed necessary in relieving distress, and to distribute the same through such agencies as may be deemed proper by the officers and central committee of the American National Red Cross whenever and wherever such distress may exist in the United States: *Provided*, That the American National Red Cross shall submit a detailed report to Congress during the present session or as soon as practicable of its administration of this authority and of appropriations made in pursuance of this resolution.

Mr. STRONG of Kansas. I would much prefer to have the last resolution considered.

Mr. FISH. I shall submit both of them. The reason I am advocating them now is that I believe an emergency exists, and I urge an immediate hearing before the Committee on Agriculture to discuss both resolutions on their merits and act on one of them or a substitute if preferred. What is needed is action and actual relief, both to the farmers and to the city people.

Mr. RANKIN. Will the gentleman yield?

Mr. FISH. I yield.

Mr. RANKIN. As a matter of fact the price of bread is the same as it was when wheat was $1.50 a bushel, or about the same, is it not? The first resolution would virtually dispose of the 125,000,000 bushels of wheat which the Farm Board is said to have on hand, which is hanging like a dead weight on the wheat market.

That wheat can never do the farmers any more harm than it is now hanging as a dead weight on the wheat market. It seems to me that the effect of the gentleman's first resolution would be to get rid of that surplus wheat and it would have a tendency to advance the price of wheat and at the same time bring down the price of bread.

Mr. FISH. It is utterly immaterial to me which of the two resolutions are adopted. They both have the same objective and that is to afford flour for the starving people wherever they may be in this country, and for the needy and those in distress. It is entirely for the Committee on Agriculture to decide which resolution is the better, or if another resolution should be submitted in preference of both. The real question to be decided is: Shall we afford relief; shall we do something in this situation, or shall we simply ignore it as we have done up to now? I offer both of these resolutions for immediate consideration in a great emergency. Shall we appropriate money or give the grain to the Red Cross to be distributed? The purpose of both resolutions is to afford immediate relief to relieve the suffering, distress, and starvation of our own citizens.

Mr. JOHNSON of Oklahoma. Will the gentleman yield?

Mr. FISH. I yield.

Mr. JOHNSON of Oklahoma. I am deeply interested in the gentleman's statement, and I am absolutely in accord with both resolutions mentioned. It is a national disgrace that we have unparalleled destitution and hunger in America with this Government hoarding 125,000,000 bushels of wheat. It seemed to me, however, that the gentleman's statement a few moments ago concerning the unusual distress in the country is not in keeping with the alleged statement which the gentleman made to the press yesterday relative to the recent outbreak in Arkansas by 500 hungry farmers as being conducted by communists. I had hoped the gentleman would mention that.

Mr. FISH. I will try to get two or three minutes in which to answer that. The gentleman has raised a question whether the communists have had anything to do with the food riots in Arkansas and Oklahoma. I hold in my hand the Daily Worker of December 6, 1930, over a month ago——

Mr. McKEOWN. Will the gentleman yield? There were no food riots in Oklahoma.

Mr. FISH. On December 6, 1930, the Daily Worker, which is the only daily communist newspaper in the English language, carried this article:

Oklahoma poor farmers form committees of action to fight bankers—

And so on. Then, further, it says:

The other day a meeting was held at Bert Curtis's place in Waldon Township, Grady County, and a committee of action of the United Farmers' League was formed. John Phillips is secretary of the committee.

Then it goes on to say that such committees of action were to be formed throughout the townships of Oklahoma.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. BARBOUR. I yield to the gentleman from New York [Mr. FISH] two additional minutes.

Mr. JOHNSON of Oklahoma. Will the gentleman yield?

Mr. FISH. I yield.

Mr. JOHNSON of Oklahoma. The gentleman speaks of a meeting of communists in Grady County, Okla. Let me say to him that while I am not familiar with the many "astounding revelations" that he and his committee have made relative to activities of so-called communists throughout the country, I am well acquainted with the citizens of Grady County, Okla. The gentleman speaks of a county I have the honor to represent in Congress. It is a rich agricultural county and ordinarily the farmers are fairly prosperous; but this year, through no fault of their own, their financial condition caused by the drought and low prices is bad.

The alleged information the gentleman has just given to the House of a communist meeting in Grady County is without foundation. There is not a communist residing in Grady

County and very few real communists to-day in Oklahoma. There are no more patriotic nor more law-abiding citizens to be found in any county in the United States than in the county of Grady. I hope the gentleman was speaking with more authority when he gave out the interview to the press yesterday relative to the outbreak in Arkansas than when he speaks of supposed communists holding communistic meetings in Grady County, Okla.

Mr. FISH. I will answer the gentleman. I do not for a minute pretend to say that there is not suffering and distress and hunger in the gentleman's district and in other districts throughout the United States. I do say, however, that the United Farmers' League is a communist organization and those who sponsor it belong to an out-and-out communist organization with headquarters at New York Mills, Minn., with a communist-owned magazine called the United Farmer, and that anybody who joins the organization called the United Farmers' League belongs to an out-and-out communist organization.

Mr. GLOVER. Will the gentleman yield?

Mr. FISH. In just a minute. When Congress met there was a mass demonstration by communists under the title of "Council for the Unemployed and Foreign Born." The National Press Club gave them a room in which to hold the meeting, because naturally they did not know it was a communist organization, but canceled permission when they found out the facts. It had the name of "Council for the Unemployed and Foreign Born," or some such similar name.

Lots of these communist organizations have these fake names, and your people—your honest farmers out there—do not know half the time that the United Farmers' organization is an out-and-out communist organization. I do not know if there are any communists in the gentleman's district, but there are certainly communists in Oklahoma City and Tulsa.

Mr. JONES of Texas. Will the gentleman yield?

Mr. FISH. Yes.

Mr. JONES of Texas. Did the gentleman use such information as this as a basis for giving these interviews?

Mr. FISH. Not these interviews. In the interviews given yesterday I merely said that in this township in Oklahoma the United Farmers were organized, which is a communist organization, and I could prove it definitely and its communistic purposes, if I had time to read all the article in the Daily Worker of December 6, 1930.

Mr. JONES of Texas. Is that all the information the gentleman had in giving out his interview?

Mr. FISH. What interview?

Mr. JONES of Texas. The interview to which the gentleman from Oklahoma referred?

Mr. FISH. I said this——

Mr. JONES of Texas. Is that all the information the gentleman had when giving out that interview?

Mr. FISH. The gentleman does not know the interview I am talking about. We are not talking about the same interview, but I am saying that the United Farmers' organization, whether it is in Oklahoma, in Minnesota, or New York, is a communist organization, and if your people, like my people or anyone else, are fooled by going into that organization, that is not my fault nor the fault of anybody else.

Mr. JOHNSON of Oklahoma. Is it possible that the gentleman made no personal investigation before he gave out that statement?

Mr. FISH. It was not necessary to make any investigation. The facts are admitted in this newspaper, a communist daily newspaper, the official organ of the Communist Party of the United States.

Mr. JOHNSON of Oklahoma. Regardless of what any communistic paper may print, I say to the gentleman that there has been no meeting of communists in Grady County, and again assure him that there is not a communist living in the county he mentions.

Mr. FISH. This organization, the United Farmers' League, came in from the outside, into your county, and formed a communist-led branch there, and their own official paper states it in black and white. It also gives the name of the organizer.

Mr. JOHNSON of Oklahoma. Does the gentleman believe everything he reads in a communist paper?

Mr. FISH. I do about themselves; yes; I certainly do. Mr. Rudolph Hardju, who is the secretary of the United Farmers' League, was recently a candidate for the United States Senate on the communist ticket. The United Farmers' League, which was established about six years ago and claims approximately 5,000 members in several Middle Western States, and publishes the United Farmer, is an out-and-out communist organization, and wherever it organizes there is bound to be plenty of trouble.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. CLAGUE. Mr. Chairman, I yield 15 minutes to the gentleman from Michigan [Mr. HUDSON].

Mr. HUDSON. Mr. Chairman and gentlemen of the committee, I want to call attention to a remark made yesterday by our distinguished colleague from Pennsylvania in his short remarks just before the close of the session. I want to pay my tribute with the other Members of the House to the great brilliancy of the gentleman and to the masterful oration he delivered at the beginning of the session yesterday with reference to Marshal Joffre. But later on in the day the gentleman from Pennsylvania [Mr. BECK] said this:

> According to the last report of the Commissioner of Prohibition, there were indicted in this country 68,173 people, of whom 54,085 were convicted, with prison sentences aggregating 14,172 years, under the Volstead law. If I could assemble those 54,000 men, women, and even children, and invite the House to witness them pass in solemn procession before the Capitol, men and women who have been changed from self-respecting citizens into either avowed or actual criminals—if I could invite this House to witness this procession of misery, and they were to march in military formation, it would require at least five hours to pass a given point.

I am surprised that a gentleman of his great brilliancy would picture that procession without thinking in his mind of the other procession that might pass by. He speaks of these 54,000 convicted citizens of the United States, or noncitizens—I do not know what proportion of the number might be noncitizens—as men and women, and even children—and he used that phrase, I am sure, in a rhetorical sense and not in a factual sense—as innocent men and women. He speaks of them as being criminals because they were convicted of the violation of the prohibition law. The gentleman knows that probably out of that 54,000 there are not 50, if there are an even baker's dozen, who had not been convicted of some other violation of law before they were convicted of that violation. These were the conspirators and violators of law. Every one of these 54,000 men and women knew they were violating the Constitution and the law of their country, and to that extent they were jeopardizing the very foundation of their Government and of its institutions. Why call them self-respecting citizens?

I do not want to picture that procession, Mr. Chairman, but I would like to picture a procession of the men and women, and, yes, children, who are maimed and crippled and those who are buried to-day because of the violators of the prohibition law. I remember the lieutenant commander who drove through a safety zone the other day and killed an innocent woman and injured several others. I remember others who have been maimed, like the woman who, with her two children, was invited to ride home and the drunken driver drove against a tree, leaving that woman dead and the children motherless. You can take that procession all through the ages and you would find it a procession of sorrow.

Then I am surprised to hear a gentleman of his brilliance and his ability say, "I like a social glass and it does not harm me." I am surprised to hear gentlemen stand on the floor of this House and say, "This is in the Constitution but I will break it, and I advise the citizens of America to break it and become nullifiers." They are the ones who

made possible the conviction of 54,000 men under the prohibition law. [Applause.]

I have been amused at these gentlemen—and the number seems to be the same and the advocates seem to be the same. They constantly stand in the well of this House and point to a law which they say can not be enforced and they say that it is filling our jails and our prisons. The gentleman from Illinois [Mr. SABATH] says that with a great smile. He says this law can not be enforced and that it is filling our prisons and our jails.

Mr. SABATH. Will the gentleman yield?

Mr. HUDSON. No; I can not yield. The gentleman had his time yesterday.

Mr. SABATH. The gentleman stated a moment ago that it can not be enforced.

Mr. HUDSON. I quoted the gentleman of Illinois. I want to put in the RECORD a statement showing the number of prisoners in the various States of the Union and the number who are there because of a violation of the eighteenth amendment, and will attach the same to my remarks. I want to call attention to my own State. The number on June 30 of this year was about the same as in December, 1929. At that time there was a total of 7,103 in the penitentiaries of Michigan, of which there were 373 there for breaking the prohibition law. This ratio holds in every State of this Union. It is not the prohibition law, sir, that is filling the prisons but men who are not willing to submerge their appetites for a law that is for the benefit of humankind. This is the cause of the filling of our prisons.

Now, another thing I want to put in the RECORD at this time is with reference to the cost. We have been told a great deal about the cost of this measure and about "the wasting of millions and millions of the money of the Government for the enforcement of an unenforceable law," quoting again the gentleman from Illinois of yesterday, and what are these millions? In the past 10 years—I have not the figures for the last year—the total amount it has cost the Government in round numbers is $36,901,364, or $3,000,000 a year.

Mr. SABATH. Will the gentleman yield?

Mr. HUDSON. I can not yield just now.

Mr. SABATH. That is what has been appropriated directly.

Mr. HUDSON. In other words, it is costing the Government less than one-third of 1 per cent per capita to place upon the statute books and to try to enforce it a law for the homes of America. We have not any right to quibble about the cost, but I will insert in the RECORD the exact figures.

Amounts realized as a result of enforcement of the national prohibition act and the amounts actually expended by the Bureau of Prohibition in administering such law:

Fiscal year	Fines and penalties collected through Federal courts	Accepted under tax and tax-penalty provisions of the act	Total collections	Expenditures
1920	$307,492.76	[1] $641,029.34	$1,148,512.04	$2,059,774.33
1921	2,418,117.55	[1] 2,152,287.45	4,570,505.00	6,300,561.25
1922	[2] 2,376,305.20	[1] 1,979,586.94	4,355,892.14	6,543,994.30
1923	[3] 4,266,056.00	[1] 729,244.23	5,095,300.23	8,135,843.44
1924	[3] 5,682,719.87	[1] 855,395.37	6,538,115.24	7,509,146.27
1925	[3] 5,312,338.38	[1] 560,888.07	5,873,226.45	9,203,394.45
1926	[3] 5,231,130.90	[1] 416,197.63	5,647,328.53	9,573,791.64
1927	[3] 4,143,040.02	1,018,969.71	5,162,009.73	11,685,101.33
1928	4,997,491.83	1,169,518.83	[4] 6,183,942.72	11,810,669.91
1929	4,709,128.65	564,514.87	[4] 5,474,497.09	12,328,408.00
			50,099,329.17	

[1] As shown by the records of the Accounts and Collections Unit, Bureau of Internal Revenue.
[2] As shown by the records of the Solicitor of the Treasury.
[3] Including $76,932.07 collected by administrators from sale of Government-owned and unclaimed seized cars.
[4] Including $140,552.87 collected from sale of confiscated cars, other seized property, and from miscellaneous sources.

Then there is one other thing I want to call to the attention of the committee. The gentleman from Pennsylvania [Mr. BECK] yesterday in his remarks said:

The present is with the drys, the future is with the wets, and it will not be any very distant future if we can judge from the returns of last November's elections.

Let me say, gentlemen of the committee, there is a great silent vote in the United States that will never compromise upon this law and will never surrender, for it is built upon the eternal rock of the best interests of the home.

I remind you, gentlemen of the House, that sacred history tells us of the beleaguered city where at first sight it would seem as though everything was lost, then the vision was given to see that there was an invisible host in defense camped around about it, so is there a great multitude of men and women whose voices have not yet been heard who will stand in defense of this great advance in legislation for humankind and will not suffer its overthrow.

Recently a lady from the gentleman's city was here visiting. I speak of Mrs. Ruth G. Strawbridge, of Philadelphia, and I want the RECORD to contain her words. Mrs. Strawbridge was a guest at the White House, and I read the following from an Associated Press dispatch:

A mobilization of women's forces throughout the country behind the whole law-enforcement question, of which prohibition was described as only a part, was proclaimed in a statement last night by Mrs. Ruth G. Strawbridge, Philadelphia society leader.

Mrs. Strawbridge was a guest at the White House dinner in honor of Vice President Curtis. Some time ago a plea from her that society matrons stop serving liquor at their social functions gained wide publicity. Asked if she would speak of such a plan to the President, she said she "couldn't say."

"While originally the summons I issued to the women who are the social leaders in their own communities suggested that they set examples in obedience to the law," she said, "was based on a desire to give prohibition its chance and to stem the tide of liquor lawlessness among the privileged groups of the Nation, a still more significant need is stimulating the responses which are continually coming in great numbers from every section of the country.

"There is no grandstand play being made to-day by the American women in support of this cause. They are not taking straw votes or polls among themselves. They are not addressing public gatherings. In short, they are not doing any advertising at all. They are, however, manifesting the same determination and the same steadfast reason which characterized the women of earlier days."

In connection with this, may I quote another woman's opinion? I refer to Mrs. Mabel Walker Willebrandt, former Assistant Attorney General in charge of the prohibition department, who said, as quoted in the Washington Post of January 7:

I want to say in the year and a half I have been out of office I have observed a confusion of thought as to the strength of conviction that is back of the law, and also an increase of conventional assault upon that law. But throughout all the increasing clamor of those who would undermine the confidence of the people in the eighteenth amendment I have always felt a sense of intellectual nausea. There will be no weakening of the American people on the eighteenth amendment, nor will there be any on the laws to enforce the amendment.

Underneath the policy of the eighteenth amendment, underneath the purpose of the voters there is an irresistible upward reaching, a spiritual flame that can not be argued with.

This is the determination of the women of this Nation.

And now just a word as to the wet program: There has not been a gentleman who opposes the prohibition law who has spoken in the well of this House but what has said that he does not want the return of the saloon. You will then give credit for the fact that in these 10 years we have at least learned that that institution, which was peculiarly American, has been outlawed and, we trust, banished from the Nation forever. We can stand on common ground upon that issue.

Now, what shall be your program? You say you want the sale of liquor legalized. What made the saloon, gentlemen? What was the saloon? It was a place where liquor was sold, otherwise it could not have existed and it would not have existed.

And if liquor is to be returned, then it must be a saloon, although it may be called by another name.

Mr. SABATH. Will the gentleman yield?

Mr. HUDSON. I desire to be courteous to the gentleman from Illinois and I wish he would bear with me when I say I do not want to be interrupted.

I want to make this plea in all sincerity, for it seems to me that we are facing a very critical situation in our country. Is there any gentleman on the floor of the House that





will stand here and say that a man or a woman or a child is worse off because that man, woman, or child does not partake of intoxicating liquor? Is there one who will say they are worse off because of that? You know there is not one.

Mr. SABATH. Will the gentleman yield?

Mr. HUDSON. You know, on the other hand—I have said to the gentleman I can not yield now, and I wish the gentleman would respect my wishes. I do not care to be interrupted constantly.

There is not a gentleman here who does not know that to-day there are literally thousands of children in schools who could not be in school under conditions of other days. I have always lived in a factory town. I have in my district great industrial centers. I can think back to the time when beside of every factory there was a saloon on the corner.

What happened in those days all over this country, gentlemen of the committee? You all know what happened. The women had the second chance, if they had any chance at all, at the pay envelope. The pay envelopes were cashed in the saloon of that day and they got the greater part of it. For 16 years I was in the retail business and I know what the conditions were. I have seen men again and again come into the city to buy their supplies, men working out upon the farms or men working in the factories, and then before they could leave they had spent the major part of their money somewhere else and could not pay their bills for the supplies they had to have. This is not true to-day.

There is not a city in the United States that does not show an increase in savings accounts. My genial friend the major from New York [Mr. LAGUARDIA] said the other day that a monograph issued by the department for information contained a misquotation, because the prosperity, or the better working conditions of to-day, were due not to prohibition but to a different economic situation; but what has made this different economic situation?

On a later date I desire to discuss more fully the matter of the monograph, The Value of Law Observance.

All of you gentlemen know that when labor was employed in the factory it took two or three days to get the normal output of the factory because of the condition of the men after a Sunday or a holiday.

Gentlemen, let us be fair in this proposition. You realize that we have never given prohibition a chance. I had not been home two weeks last summer when I reached my office and my secretary said that there was a gentleman who wanted to see me. He gave me the name, which did not mean anything to the secretary, but I recognized who it was and what it was. It was the priest in one of the largest parishes in my district outside of Detroit. For 30 minutes that gentleman sat across the table and talked to me. He concluded by saying:

HUDSON, in the name of God, do not weaken; prohibition never had a fair chance.

I want to say to those men who have criticized some of the activities of the prohibition agents that Colonel Woodcock says he has in the department a group of men there who will enforce the law honestly and legally.

Let me quote, in conclusion, those dynamic words of President Lincoln:

As the patriots of '76 did to the support of the Declaration of Independence, so to the support of the Constitution and the laws let every American pledge his life, his property, and his sacred honor. Let every man remember that to violate the law is to trample upon the blood of his fathers and to tear the charter of his own and his children's liberties.

Number of prisoners and prohibition violators, by States

State	Number of prisoners	Number of prohibition violators
Ohio	8,806	165
New York	8,019	0
California	7,072	123
Texas	5,055	635
Indiana	4,218	92
Oklahoma	3,674	28
Kentucky	2,961	83
Tennessee	2,718	310
New Jersey	2,665	1
Iowa	2,461	20
Minnesota	2,360	14
Maryland	2,281	113
Massachusetts	1,987	18
Washington	1,735	66
Colorado	1,258	150
Connecticut	1,122	5
Oregon	817	36
Rhode Island	677	22
Delaware	563	50
New Mexico	489	9
Maine	434	28
Vermont	365	40
North Dakota	310	23
Nevada	245	0
Illinois	8,026	11
Michigan	7,118	403
Pennsylvania	5,433	7
Alabama	4,263	592
Missouri	3,971	93
Georgia	3,424	36
Kansas	2,865	88
Florida	2,587	93
North Carolina	2,380	0
West Virginia	2,296	240
Louisiana	2,119	0
Wisconsin	1,858	2
Mississippi	1,719	164
Nebraska	1,125	8
Arkansas	1,082	102
South Carolina	618	39
Montana	608	0
Arizona	509	0
South Dakota	462	15
Idaho	379	10
Wyoming	356	12
Utah	278	3
New Hampshire	123	0
Virginia	2,664	90

Mr. WRIGHT. Mr. Chairman, I yield 15 minutes to the gentleman from New York [Mr. BLACK].

Mr. BLACK. Mr. Chairman, ladies and gentlemen of the committee, as the gentleman from Michigan described the procession and as the gentleman from Pennsylvania viewed it yesterday, it was badly deficient, because at the head of such a procession there should have been dry Congressmen with leaky suitcases. [Laughter.] And there were also absent citizens poisoned by Prohibition Department denaturants.

Mr. HUDSON. Will the gentleman yield?

Mr. BLACK. No; the gentleman would not yield to me. I will be fair and I decline to yield. I did not refer to the gentleman from Michigan. I was interested in the swan song of the gentleman from Michigan. He is the horrible example that to-day is the day of the drys and to-morrow the day of the wets. [Laughter.]

The American Government comprises a Congress controlled by farmers and an Executive influenced by big business bosses. The middle class, white-collar citizens of the cities, never seem to get a break.

For years the time of Congress has been devoted to various forms of farm relief. For years the President has played ball with captains of industry.

We have a Jekyll and Hyde soviet system—the farmers in Congress and the exploiters in the White House.

While the Agricultural Committee is using the time of the House on farm relief the Treasury Department is refunding public taxes to its friends in big business.

The farmer controls through congressional votes; the business pooh-bahs through campaign contributions.

We have an unhealthy class government through legislative enactments and executive regulations.

It is well that the question of political party loyalty has arisen. There is a crying need for new political alignments. Until we have such there will be no progress in this country. Political organization conformable to division of political opinion are necessary for sane political action.

A Republican caucus has been called for February 26. As far as opinions are concerned, it would be the same as putting all the animals of the zoo in one cage. The Demo-

cratic caucus will look like an army of four or five regiments with different uniforms, all marching in different directions with five different commanders.

The great sufferer from these anomalies is the white-collar worker. The President and administration leaders are in accord on this session—throw some hundred million dollars into the rural district, pass the general appropriation bills, preventing a special session. This will satisfy the farmers and the wealthy. But what about the middle class? What about the average city man? There is no thought of his present wants and his future.

Here we are in the greatest economic eruption in history, and our relief consists of farm doles and legislative inaction.

Neither the President nor leaders of either party had any definite fundamental political suggestion to make to meet changing economic conditions.

Men are out of work; machines and mergers will continue to throw them out of work. But we have no plan to prevent or balance this activity. The Russian Government has gone into business generally, and can successfully compete against any private operator. We are Russians only on the prohibition question, for we maintain Government speak-easies to peddle our vodka.

We have permitted a fear to exist about a special session of Congress as though it were a war atrocity. This fear is created by big-business leaders, who realize that Congress met to solve economic disparities, see that the community obtained a greater share of community wealth. Public utilities have rate regulation because they are natural monopolies. Yet these artificial monopolies are draining the life-blood of the Nation without hindrance by the representatives of the community in Congress.

Leaders in Congress decry a special session—fouling their own nests. Why is Congress supposed to be a bunch of Solomons in regular sessions and an assemblage of half-wits in special sessions? Of course there are many who say that we are always the latter. There is nothing so horrifying about a special session. For years the regular sessions have been used to droning out appropriation bills—and for a series of wild raids on the Treasury by the embattled farmers. Of course, the last special session which passed the Grundy tariff will long remain a nightmare. It must haunt the White House at nights.

Congress should provide for a conclave of leading economists in Washington in the near future, so that we may have the benefit of expert advice in the special session should one be called.

The undercover Wickersham Commission has again delayed its report. Great economic relief could come to the country from modification. A special session of Congress could take up this question, having available the Wickersham report for whatever it is worth. The country would welcome a special session to bring about modification. It would be a great day in the history of the country when the "Man in the Green Hat" can call upon his customers in the House Office Building without being pinched. He has taken the rap too often for dry legislators. I think the Wickersham Committee ought to call him and publish his list of customers. Statues could be erected to them in a chamber to be called Hypocrites Hall. Each statue would have a dry vote in one hand and a flask in the other. [Laughter and applause.]

In these troubled times yesterday we passed a ridiculous mosaic of prohibition enforcement laws. Once again the farmers held sway. They run the morals of the country and tap the country's till.

The farmers' soviet must be overturned in this country. Small farm States have an equal number of Senators with large industrial States. Yet we are supposed to have representative government here.

We are going to see revolutionary changes in our system. The first sign is the revolt of city Members against lopsided relief. We will see a cohesive city group here protecting the city taxpayer, the city worker, and the city liberal.

Mr. BARBOUR. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TILSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 15593, the Army appropriation bill, and had come to no resolution thereon.

RESIGNATIONS FROM CHAIRMANSHIPS OF COMMITTEES

The SPEAKER laid before the House the following communication.

The Clerk read as follows:

WASHINGTON, D. C., *January 8, 1931.*

Hon. NICHOLAS LONGWORTH,
Speaker House of Representatives.

DEAR MR. SPEAKER: I herewith tender my resignation as chairman of the Committee on Pensions, effective immediately.

With every assurance of highest regard, I beg to remain,

Respectfully yours,

HAROLD KNUTSON.

The resignation was accepted.

Also the following communication, which was read by the Clerk:

JANUARY 8, 1931.

Hon. NICHOLAS LONGWORTH,
Speaker of the House of Representatives.

MY DEAR MR. SPEAKER: I hereby tender my resignation as chairman of the Committee on Labor of the House of Representatives.

Respectfully submitted.

W. F. KOPP.

The resignation was accepted.

Mr. TILSON. Mr. Speaker, I send to the Clerk's desk the following resolution for immediate consideration.

The Clerk read as follows:

House Resolution 332

Resolved, That HAROLD KNUTSON, of Minnesota, be, and he is hereby, elected chairman of the Committee on Insular Affairs;

That ERNEST W. GIBSON be, and he is hereby, elected chairman of the Committee on Territories; and

That WILLIAM F. KOPP, of Iowa, be, and he is hereby, elected chairman of the Committee on Pensions.

The resolution was agreed to.

UNCLE SAM AND HIS CHILDREN

Mrs. OWEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing an article written by myself on Uncle Sam and His Children.

The SPEAKER. Is there objection to the request of the lady from Florida?

There was no objection.

The article is as follows:

For years statesmen have referred to the child as the future hope of the Nation and to the home as the bulwark of all governments. The phrases have a familiar ring. But when the modern mother, engaged in rearing these young national hopes and defending the governmental bulwark, begins to look about Washington for scientific advice she is puzzled.

Her husband, no matter what his business or profession may be, can profit by governmental counsel in his perplexities. He knows where to find the Departments of Commerce, Labor, or Agriculture. She does not know where, in the labyrinth of Federal departments and bureaus, to turn for aid in her problems of the home and child. And yet all the time the answers to her questions have probably been worked out in one of the several unrelated and scattered Federal agencies dealing with child welfare and household problems. Her need and their services merely lack a connecting link.

To meet this situation I have introduced in the House of Representatives a bill to create in the President's Cabinet a department of home and child, on a parity with agriculture, commerce, labor, and the rest. I believe a regrouping of existing agencies, so that their valuable work may be facilitated and made available to the home makers of America, would effect economy of effort and expenditure.

It seems to me neither impractical nor inappropriate to recognize that there are women who are splendidly equipped to represent the department of home and child in the President's Cabinet. I have therefore used the wording "he or she" in referring to the proposed new Cabinet member in this piece of legislation.

Some suggestion has been made that setting up a Cabinet post of home and child would interfere with the rights of the States. I wish to make clear my position on that important point. I am a firm believer in safeguarding the rights of the individual States against any encroachment from the Federal Government. The

proposed department of home and child can not be regarded as an infringement on State rights. Rather it regroups existing bureaus so that women can avail themselves of valuable services already being rendered. It creates a focal point where State and individual agencies concerned with education, home and family life, and child welfare can turn for information. But it does not thrust advice on any State or family.

Such a department should by surveys, experiments, and research assemble a complete knowledge regarding prenatal care, child health and hygiene, education and training, dependency and delinquency, employment and recreation, family housing, and home economics. And by this same central agency this data should be disseminated in an informative service to all the States and possessions.

I could give no better evidence of the present scattered status of that single subject, the child, than to name the agencies which would be transferred to the Department of Home and Child under my bill.

They are: The Office of Education, Department of the Interior; the Children's Bureau, Department of Labor; child health, child hygiene, family health, and home sanitation functions of the Public Health Service, Treasury Department; the National Training School for Boys, Justice Department; the National Training School for Girls, District of Columbia Welfare Board; children's vocational training and rehabilitation from the Federal Board of Vocational Education, an independent agency; boys' and girls' club work and home extension classes from the Department of Agriculture; and the Bureau of Home Economics from the Department of Agriculture.

A few may have been missed in the maze, but my bill would authorize the President to make any transfers necessary to complete the organization.

The crux of the matter is simply this: As is readily seen, the Government activities dealing with the child are disconnected and scattered among a dozen different boards, bureaus, and departments. I urge unification and adequate appropriation by Congress to carry on their vital work.

It is my desire to talk this thing to you just as I have thought it through these past two years here in Washington. I find it easier to talk to an audience in person, and as I write I am trying to visualize the readers of Good Housekeeping, to whom I am bringing this proposed department. Most of you are women—women living in the cities and towns where I have visited and lectured, women belonging to the clubs of which I am a member—and, reflecting, I often smile to think what a joiner I have been.

In my opinion, I have a woman's normal viewpoint on home life, community life, State life, and national life. I have been wife, mother, and grandmother. On week days I have taught American youth in one of our colleges, and on Sundays have served as Bible school superintendent. The presidency of a parent-teacher association kept me on the alert two winters, and I spent an equal term as chief officer of the largest Florida woman's club. I have been a case worker in an invalid children's aid society in London, secretary to a maternity home, and a World War nurse in a casualty hospital for the British Government in England and in Egypt. For four years I was a State chairman of the Daughters of the American Revolution. And among other organizations I belong to the Business and Professional Woman's Club and the National League of Woman Voters.

We can thus review together these bureaus of government which are dealing with matters of intimate interest to you and to me, and discuss them as neighbors sharing a common viewpoint.

Most of these boards and bureaus concerned with our children and our homes are waifs and wayfarers in the byways of Washington, so far as offices are concerned. They are found in frame and stucco structures that are condemned relics of the World War, or in bricks and mortar of the Civil War period. The departments to which they belong may, perhaps, cherish them. But, by and large, they have the outward appearance of being treated like the proverbial little stepchildren—burdened with heavy tasks and given little help; made to live in makeshift places; and, usually, with a very small amount of spending money.

Thus, the really great work they are doing is hampered and obscured.

When I wish to obtain helpful information for the wives and mothers of my district, I have to play a game of hide and seek with a series of separate boards and bureaus, who themselves appear to be playing pussy wants a corner. The Home Economics Bureau, the Children's Bureau, and the Vocational Board have been moved in the past six months. The Public Health Service and the extension service of the 4-H clubs are in buildings marked for razing.

This shifting about is apparently logical and perhaps fortunate. It shows they are where they do not belong. They should fit into the national scheme under one broad roof where the child is the unit.

BRAZIL AND AUSTRIA LEAD

Brazil has such a building, one of the beauty spots of Rio de Janeiro. One wing is devoted to child research, with comprehensive library, exhibits, and museum. Another wing is devoted to actual service, with clinic, day nursery, dispensary, and department of prenatal care.

In Austria's capital, Vienna, all the health and social work for children is in one department, and the whole program is unified and integrated. Child care commences before birth, and continues with the preschool children, the school children, and the working children. And Vienna, in these postwar years, has become a place where pleasant spots for children, swimming pools, wading pools, and playgrounds are almost as plentiful as miniature golf courses for the grown-ups here in America. It is my firm belief that we should do as well by our children as Austria and Brazil. And I am convinced we have reached the point in our national history when we can well afford to do so.

In the beginning our Nation was somewhat like a young married couple just starting out. How often I have heard that phrase, "a young married couple just starting out," and what a vivid word picture it brings, here in Washington, where the past is ever present! The chief concern, at first, was the very struggle for existence, and so we got those departments which belong to that struggle. We had to deal with our neighbors, finance ourselves, protect ourselves, deal with our disputes. Thus came the Departments of State, Treasury, War, Navy, and Justice.

Meanwhile, and again like a young married couple, our Nation has been doing some multiplication. The family was increasing in size, and there came those departments concerned with the physical facts of growth—the Post Office Department to speed communication; the Interior Department to administer lands since lavishly given away that we might develop Pacificward.

Now, when a young couple, ambitious and wishing to rise in the world, gets the family all assembled, the next logical focal point of effort is father's business. By building the business the family unit obtains the material prosperity of upstanding citizenry. The men who made the money were engaged in agriculture or commerce or labor. So those welfare departments came. Thus it is that all men know just where to turn in Washington for information to help them along on their jobs.

But the woman power, chiefly concerned in home building, has been waiting for the family to be well enough off that it could afford to give the children good educations and all the other advantages which parents always wish to give to children. Through our national history, a new department has been created every 18 years, on the average. It is now 17 years since the Department of Labor went into the Cabinet. It is time for our Nation to have a department of home and child.

BUT WE HAVE FAILED TO FOLLOW

Walk with me in Washington. It is a changing city now, and the thrill of things abuilding is in the air. Commissions of experts conferred and planned a great governmental scheme of beautiful buildings in stately settings to be headquarters for, and to symbolize, this government of the people, by the people, and for the people. Wreckers pile high the débris. Steam shovels tear the earth. Dazzling structures begin to rise. But I have failed to find on any blue print any building that would centralize and symbolize our national work for our children.

Let us look at the impressive new central unit of the Department of Agriculture—grilled doors, fluted columns, cloistered court with potted palms—and steam shovels starting another stupendous structure to cover three city blocks. Organized only since the Civil War, it has become a tremendous institution of experiment and research, with a 1930 budget of $208,161,514. Through its 5,000 Washington workers, its 20,000 field workers, it reaches into all the States with a within-24-hour information service.

When the great drought of last summer struck, this machinery was ready and waiting to be used in combating shortage of animal feed. I wish I might say as much for pellagra prevention among children. But there was no focal point for that malnutrition crisis among our boys and girls. The disease itself had been studied by the Public Health Service, nutrition studies had been made by the Bureau of Home Economics, mothers had learned to look for their advice to the Children's Bureau, and teachers were accustomed to turn with their hygiene class problems to the Office of Education. You will note I have named in turn Treasury, Agriculture, Labor, and Interior Departments.

Flood lighted and foot lighted like an outdoor stage setting, the white façade of the Department of Agriculture invites one to read exquisitely engraved quotations even in hours of darkness. One such inscription says, "No other human occupation opens so wide a field for the profitable and agreeable combination of labor with cultivated thought as agriculture." I should like to look at such a building and see in lasting marble some of those sentiments about the home being the bulwark of the Nation and the child the hope of its future.

But shall we turn to the new Department of Commerce Building, steadily mounting toward completion in 1932? Since the February day 27 years ago when that department started functioning our population has increased by more than 50 per cent; our manufactures by 400 per cent; our electrical consumption by 3,000 per cent; our automobiles from 1 every 2,500 persons to 1 every 5 persons. This new $17,500,000 building of 1,092,800 square feet of floor area, unquestionably one of the greatest office structures in the world, stands as a symbol to such facts. I can look at it and glory in it—a monumental fact-ascertaining and fact-disseminating mill, touching every business of every city in the United States, and feeding to our markets world-wide surveys gathered through 60 foreign offices in 47 different countries, and an annual budget which in 1930 was $65,461,558.

But let us go farther and consider by contrast the one Government agency which names the child in its title—the Children's Bureau of the Department of Labor. By its great work you already know it. It had better be known by its work, for it is no show place for visitors.

Burned out of ramshackle World War temporary building No. 4 a few months ago, the Children's Bureau now occupies a worse

fire trap, a once-abandoned wing of Temporary Building No. 5. That was its fifth move to a poor place in 15 years, and still another is pending.

Pipes are exposed, plaster is falling, walls are stained with leakage, floors sag in the ill-ventilated, ill-lighted offices provided for the splendid and able Grace Abbott, Chief of the Children's Bureau, and her experts charged with solving the problems of human health and happiness. I can lead you to one room where a stack of charred wooden filing cases, containing a $50,000 survey, stands a blackened testimonial to the fire risk taken by all the valuable research material.

I contend the Children's Bureau has earned a better fate. It is no mere coincidence of numbers that life expectancy has lengthened 10 years in the two decades the bureau has been on the job, nor that infant mortality has fallen from 100 babies per 1,000 to 66.2. The Children's Bureau made the first studies of infant mortality; worked unceasingly in behalf of vital statistics—until now all but two States are in the birth-registration area; dotted the map with baby-health campaigns; and furnished mothers remote from physician's guidance with the counsel of the best specialists.

Yet the scope of its usefulness was cut by a reduction from $1,474,465 budget basis in 1929 to a $320,200 budget in 1930 through lapse of the maternity and infancy act.

EDUCATION IS HAMPERED

For 12 years the organized educators of America have been importuning Congress for a national education department. Giving full credit to the present Office of Education for the work it has accomplished under handicap, the school men have made bitter complaint it can not adequately serve nation-wide education, with its five billions of property and annual budget of two and a half billions. Its studies, the educators say, are delayed in publication for lack of funds. Actual research, they lament, has been limited to about $300,000 annually, the remainder of the budget ($3,636,940 in 1930) being allocated principally to agriculture and mechanical arts, though the reindeer in Alaska get $17,000. The school men further bewail that the Office of Education annual report, which should serve as handy reference to educators, is part of the voluminous report of the Secretary of the Interior, buried under a mass of detail with which school people have nothing to do.

But education, important as it is, constitutes only one of many sides of the child's equipment. In the department of home and child education would find an appropriate place, together with health, recreation, and the problem of the delinquent child.

Right now, I am told by social-service experts, two national services are badly needed in getting at the delinquency problem. One is uniform reporting of statistics by juvenile courts and assembling of these statistics on a national scale. No general agreement exists on terminology or method of presentation of court reports, making it difficult indeed to obtain any sort of clear picture as to how much our youth actually are involved in law violations. The United States has been slow in gathering basic facts. This lack of definite figures on both youthful and adult crime made more difficult the task of President Hoover's law-enforcement commission. That body found they had to locate crime before they could even start to suggest a cure. The Federal Government is the only agency which could possibly gather comparative State statistics in juvenile delinquency.

The second service needed is definite research in delinquency, its causes, and its possible treatment and prevention. This service is especially in conformity with the theory the Federal Government should be a fact-accumulating agency for the States.

The very lack of any national delinquency cooperation with the various States has brought to our Federal Government the perplexing problem of juvenile offenders. The National Training School for Boys and National Training School for Girls, mentioned in my bill, challenge constructive action on this problem, though the girls are less involved in this special Federal phase of the delinquency problem than the boys.

When a boy shoots craps on a military reservation, or steals bicycle tires from a box car in interstate commerce, or goes riding in a stolen auto across a State line, or pilfers stamps from a post office, he becomes a Federal offender instead of a juvenile-court case.

Simply by circumstances, and not by seriousness of his crime, he is involved in a Federal system of punishment instead of the juvenile-court procedure of his home city or State. If the crime is serious enough, he is sent to the national home in Washington. This is likely to send him too far from home for even an occasional parental visit and to give him a criminal reputation out of proportion to the seriousness of the crime.

The delinquency clause of the proposed department of home and child would provide a chance for setting up some sort of cooperative machinery with the States whereby Federal offenders, so far as humanly possible, could be dealt with like other juvenile delinquents. They could be given the benefit of the informal chancery procedure and the parole possibilities of their home States. I hope you will note my idea on this is just the opposite of encroaching on State rights, and would instead return authority to the States.

But while we can not shut our eyes to delinquency, we must also be fair to the overwhelming majority of good children. For them we must build good homes, in keeping with the more excellent advice available each year. In this study of mine I followed home economics. Its research was in the bureau by that name. Two agencies, the Office of Education and the Federal Board for Vocational Education, were both interested in its teaching, and both making studies concerned with methods, equipment, and organization of material for teaching. And the Extension Service of the Department of Agriculture has done excellent work in its actual application in home demonstration classes and 4-H clubs. It is easily seen there is much possibility for loss of effort in such scattering.

A review of various appropriations has led me to the conclusion that common-sense proportioning could be attained only when work for the home and child is considered as a whole. I noted that in 1930 vocational-education expenditures were budgeted at $8,836,520, whereas the Office of Education, covering the entire field, was awarded $3,836,940. One phase of education would thus appear twice as important as all the others together. While vocational education does not receive too much attention, I feel the broader field receives too little.

It occurred to me we have withheld the $1,240,000 annual appropriation for the life and death matter of maternity and infancy aid, but are cheerfully and rightly contributing about $3,750,000 annually to boys' and girls' clubs on the same sort of dollar-matching basis. I contend the $137,281 allowed home-economics research is not in proportion to the importance of the field.

Concerning the broad field of child care and its puzzling admixture of administrations, I found Dr. Louise Stanley, the admirable Chief of the Bureau of Home Economics, had drawn some fine distinctions in her last annual report to Secretary of Agriculture Hyde. From it I quote:

"The work of this bureau (Home Economics) relates very closely to certain aspects of that of the Children's Bureau and the Public Health Service. The line of separation is generally considered to be that the Bureau of Home Economics is responsible for problems having to do with the normal child. When the services of a pediatrician or social agency are required, the study may be a cooperative one, or handled entirely by one of the other agencies. In the same way the problems of normal nutrition fall in the field of this bureau, leaving the therapeutic and pathological aspects of the subject to be handled only in cooperation with the Public Health Service. Similar cooperation will be needed in studies regarding the relation of clothing to health."

If it is necessary for workers to cooperate and check that closely, should one group be stationed close to Capitol Hill; another, time-consuming blocks away beside Lincoln Memorial; and the third, at a tangent in a downtown theater building? Should the first be reporting to the Secretary of the Treasury, the second to the Secretary of Labor, and the third to the Secretary of Agriculture?

To whom can the mother turn when anxious for the best possible counsel in her home-making problems? Where can community groups go for a unified picture of the American child's needs and opportunities, a picture which can only be obtained by putting together the unassembled services in almost a dozen governmental bureaus?

My own answer to these questions is the proposed department of home and child, and I confidently believe the mothers of America will stand with me in support of it.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. WILLIAMS, indefinitely, on account of important business.

To Mr. LOZIER (at the request of Mr. CANNON), for the week, on account of illness in family.

To Mr. CHASE (at the request of Mr. COCHRAN of Pennsylvania), indefinitely, on account of illness.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and under the rule referred as follows:

S. 5295. An act authorizing an additional per capita payment to the Shoshone and Arapahoe Indians; to the Committee on Indian Affairs.

BILLS PRESENTED TO THE PRESIDENT

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 13130. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Bogue Chitto River between Sun and Bush, St. Tammany Parish, La.; and

H. R. 14446. An act to extend the time for completing the construction of a bridge across the Mississippi River at or near the city of Prairie du Chien, Wis.

ADJOURNMENT

And then, on motion of Mr. BARBOUR (at 4 o'clock and 43 minutes p. m.), the House adjourned until to-morrow, Friday, January 9, 1931, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Friday, January 9, 1931, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON APPROPRIATIONS

(10.30 a. m.)

Independent offices appropriation bill.
District of Columbia appropriation bill.

COMMITTEE ON FLOOD CONTROL

(10 a. m.)

A subcommittee hearing to discuss the Atchafalaya floodways project.

EXECUTIVE COMMUNICATION

765. Under clause 2 of Rule XXIV, a letter from the executive and disbursing officer of the National Capital Park and Planning Commission, transmitting annual report of the National Park and Planning Commission for the fiscal year ending June 30, 1930 was taken from the Speaker's table and referred to the Committee on Public Buildings and Grounds.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. SMITH of Idaho: Committee on the Public Lands. H. R. 1184. A bill to provide for the relinquishment by the United States of certain lands to the city of Coeur d'Alene, in the county of Kootenai, in the State of Idaho; with amendment (Rept. No. 2193). Referred to the Committee of the Whole House.

Mr. NELSON of Wisconsin: Committee on Invalid Pensions. H. R. 15930. A bill granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; without amendment (Rept. No. 2194). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREW: A bill (H. R. 15922) providing for an examination and survey of Merrimack River, Mass.; to the Committee on Rivers and Harbors.

By Mr. JAMES of Michigan (by request of the War and Navy Departments): A bill (H. R. 15923) to prohibit the recovery of any indebtedness to the United States from either the principal or the interest due and payable to any depositor in the military or naval service; to the Committee on Military Affairs.

By Mr. EVANS of Montana: A bill (H. R. 15924) to encourage and assist the States in providing for pension to the aged; to the Committee on the Judiciary.

By Mr. BRITTEN: A bill (H. R. 15925) to amend the naval appropriation act for the fiscal year ending June 30, 1917, relating to the method of promotion of officers recommended for promotion by a line selection board; to the Committee on Naval Affairs.

Also, a bill (H. R. 15926) to amend the act approved June 22, 1926, entitled "An act to amend that part of the act approved August 29, 1916, relative to retirement of captains, commanders, and lieutenant commanders of the line of the Navy," as amended by the act of March 4, 1929; to the Committee on Naval Affairs.

By Mr. KENDALL of Pennsylvania: A bill (H. R. 15927) to prohibit importation of products of convict, forced, or indentured labor, and for other purposes; to the Committee on Ways and Means.

By Mr. McSWAIN: A bill (H. R. 15928) to authorize promotion upon retirement of warrant officers and enlisted men in the Army, Navy, Marine Corps, or Coast Guard to commissioned rank held by them during the World War or the Spanish-American War in recognition of such service; to the Committee on Military Affairs.

By Mr. SCHAFER of Wisconsin: A bill (H. R. 15929) to provide for the establishment of a construction service in the Bureau of the Census of the Department of Commerce; to the Committee on the Census.

By Mr. NELSON of Wisconsin: A bill (H. R. 15930) granting pension and increase of pension to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; to the Committee on Invalid Pensions.

By Mr. LUCE: A bill (H. R. 15931) to provide for the relocation of statue of Gen. John A. Rawlins; to the Committee on the Library.

By Mr. BRITTEN: A bill (H. R. 15932) extending the bankruptcy laws of the United States to the Virgin Islands of the United States; to the Committee on Insular Affairs.

By Mr. FULMER: A bill (H. R. 15933) to provide a preliminary examination of South Edista River, S. C., with a view to the control of its floods; to the Committee on Flood Control.

By Mr. BRIGHAM: A bill (H. R. 15934) to amend the act entitled "An act defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine," approved August 2, 1886, as amended; to the Committee on Agriculture.

By Mr. FISH: Joint resolution (H. J. Res. 456) authorizing the disposition of wheat purchased by the Federal Farm Board for the relief of distress in the United States; to the Committee on Agriculture.

By Mr. LAGUARDIA: Joint resolution (H. J. Res. 457) for farm and unemployment relief in the United States; to the Committee on Agriculture.

By Mr. FISH: Joint resolution (H. J. Res. 458) authorizing the appropriation of $15,000,000 to be expended by the American National Red Cross for the purchase and processing of wheat for the purpose of relieving hunger among the unemployed and in drought-stricken areas, and for other purposes; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALLEN: A bill (H. R. 15935) granting an increase of pension to Louisa C. Morehead; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15936) granting an increase of pension to Emma C. Butler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15937) granting an increase of pension to Ellen Essex; to the Committee on Invalid Pensions.

By Mr. AUF DER HEIDE: A bill (H. R. 15938) for the relief of Oswald Bauch; to the Committee on Claims.

By Mr. BACHMANN: A bill (H. R. 15939) granting an increase of pension to Eudora Virginia Morgan; to the Committee on Invalid Pensions.

By Mr. CONNOLLY: A bill (H. R. 15940) to correct the naval record of George Herman Francis Wilhelm; to the Committee on Naval Affairs.

By Mr. CRISP: A bill (H. R. 15941) granting an increase of pension to Margaret B. Furlow; to the Committee on Pensions.

By Mr. EATON of New Jersey: A bill (H. R. 15942) granting an increase of pension to Sarah V. Sharp; to the Committee on Invalid Pensions.

By Mr. FENN: A bill (H. R. 15943) granting an increase of pension to Mary E. Carpenter; to the Committee on Invalid Pensions.

By Mr. FINLEY: A bill (H. R. 15944) granting a pension to Tempie Farley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15945) granting a pension to Lucinda Rowe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15946) granting an increase of pension to William R. Neal; to the Committee on Pensions.

Also, a bill (H. R. 15947) granting a pension to Burl F. King; to the Committee on Pensions.

Also, a bill (H. R. 15948) granting a pension to Myrtle Griffin; to the Committee on Pensions.

By Mr. FREAR: A bill (H. R. 15949) granting a pension to Daniel T. Barnes; to the Committee on Invalid Pensions.

By Mr. GARBER of Oklahoma: A bill (H. R. 15950) granting an increase of pension to Cynthia E. Dillard; to the Committee on Invalid Pensions.

By Mr. GIFFORD: A bill (H. R. 15951) granting a pension to William W. Holmes; to the Committee on Invalid Pensions.

By Mr. GRAHAM: A bill (H. R. 15952) for the relief of Frank Lasher Ackley; to the Committee on Naval Affairs.

By Mr. HALL of Mississippi: A bill (H. R. 15953) for the relief of Marion F. Blackwell; to the Committee on the Public Lands.

Also, a bill (H. R. 15954) for the relief of Jeff Davis Caperton and Lucy Virginia Caperton; to the Committee on Claims.

By Mr. HANCOCK of New York: A bill (H. R. 15955) for the relief of Edward V. Bryant; to the Committee on Claims.

By Mr. HAUGEN: A bill (H. R. 15956) granting an increase of pension to Harriet E. Fraverd; to the Committee on Invalid Pensions.

By Mr. HICKEY: A bill (H. R. 15957) granting an increase of pension to Calista L. Ealy; to the Committee on Invalid Pensions.

By Mr. HOFFMAN: A bill (H. R. 15958) granting an increase of pension to Mary M. Rhoades; to the Committee on Invalid Pensions.

By Mr. HOGG of West Virginia: A bill (H. R. 15959) granting a pension to William Lott (with accompanying papers); to the Committee on Invalid Pensions.

Also, a bill (H. R. 15960) granting a pension to Scott West (with accompanying papers); to the Committee on Invalid Pensions.

Also, a bill (H. R. 15961) granting an increase of pension to Sarah E. Boler; to the Committee on Invalid Pensions.

By Mr. HOPKINS: A bill (H. R. 15962) making George W. Quinn eligible to receive the benefits of the civil service retirement act; to the Committee on Claims.

By Mr. HOUSTON of Delaware: A bill (H. R. 15963) for the relief of A. Randolph Holladay; to the Committee on Claims.

By Mr. HUDDLESTON: A bill (H. R. 15964) granting a pension to Charlotte Dean; to the Committee on Pensions.

By Mr. IRWIN: A bill (H. R. 15965) granting a pension to Effie A. Wright; to the Committee on Invalid Pensions.

By Mr. LUDLOW: A bill (H. R. 15966) granting a pension to Louis C. McKnight; to the Committee on Pensions.

By Mr. McSWAIN: A bill (H. R. 15967) for the relief of the heirs of Mrs. F. L. Stone; to the Committee on War Claims.

By Mr. MERRITT: A bill (H. R. 15968) granting a pension to Joseph J. Harris; to the Committee on Pensions.

By Mr. PALMER: A bill (H. R. 15969) granting a pension to Polk Stewart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15970) granting a pension to Sophia Brackmann; to the Committee on Invalid Pensions.

By Mr. REED of New York: A bill (H. R. 15971) for the relief of the estate of Ernest Raymond Brick; to the Committee on War Claims.

By Mr. RICH: A bill (H. R. 15972) granting an increase of pension to Laura E. Gerow; to the Committee on Invalid Pensions.

By Mr. SANDERS of Texas: A bill (H. R. 15973) for the relief of the State National Bank of Wills Point, Tex.; to the Committee on Claims.

By Mr. SPARKS: A bill (H. R. 15974) for the relief of Alexander M. Proctor; to the Committee on Military Affairs.

By Mr. SPEAKS: A bill (H. R. 15975) granting a pension to Lusina Z. Michael; to the Committee on Invalid Pensions.

By Mr. STALKER: A bill (H. R. 15976) granting an increase of pension to Ellen C. Hyers; to the Committee on Invalid Pensions.

By Mr. SUTHERLAND: A bill (H. R. 15977) for the relief of Clyde Sheldon; to the Committee on Claims.

By Mr. TABER: A bill (H. R. 15978) granting an increase of pension to Dora E. Hutchens; to the Committee on Pensions.

By Mr. THOMPSON: A bill (H. R. 15979) granting a pension to Sarah M. Pennel; to the Committee on Invalid Pensions.

By Mr. TINKHAM: A bill (H. R. 15980) for the relief of Adolph Amilia Gathemann; to the Committee on Naval Affairs.

By Mr. VESTAL: A bill (H. R. 15981) granting an increase of pension to Emil Yates; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8478. By Mr. CHRISTGAU: Petition of members of the Oalf B. Damm Post, No. 1216, of the Veterans of Foreign Wars of the United States, at Austin, Minn., urging the passage of legislation providing for the immediate payment to the veterans of the face value of their adjusted-service certificates; to the Committee on Ways and Means.

8479. By Mr. EATON of New Jersey: Indorsement of 161 voters of the fourth district of New Jersey, favoring the passage of House bill 7884, for the exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

8480. Also, resolution adopted by County Clerks, Register of Deeds and Mortgages, and Surrogates' Association of the State of New Jersey, protesting against conferring on judges of the United States district courts powers not given to common pleas courts in the matter of naturalization; to the Committee on the Judiciary.

8481. By Mr. MANSFIELD: Petition of Leon Zear Post, No. 166, American Legion, of Victoria, Tex., indorsing payment of adjusted-service certificates at once; to the Committee on Ways and Means.

8482. By Mr. MERRITT: Petition of sundry citizens of the fourth congressional district of Connecticut, urging the passage of House bill 7884, providing for the exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

8483. By Mr. SHREVE: Petition of Lieut. A. W. Thompson Post, No. 264, Veterans of Foreign Wars, Corry, Pa., favoring immediate payment of adjusted-service certificates in cash; to the Committee on Ways and Means.

8484. Also, petition of 125 World War veterans and members of the Pennsylvania Soldiers' Home, Erie, Pa., requesting payment in full face value of the adjusted-service certificates; to the Committee on Ways and Means.

8485. Also, resolution of Billy Simpson Post, No. 470, Veterans of Foreign Wars, Erie, Pa., for payment in full face value the adjusted-service certificates; to the Committee on Ways and Means.

8486. By Mr. YATES: Petition of Dr. W. W. Haggord, superintendent Joliet High School and Junior College, Joliet, Ill., urging the passage of the Capper-Reed vocational educational bill, S. 3969; to the Committee on Education.

8487. Also, petition of Local Union No. 3543, United Mine Workers of America, through John Woll, president, Brenton, Ill., urging Congress to enact a law for a 6-hour day, a 5-day week, and an unemployment insurance law; to the Committee on Labor.

8488. Also, petition of John D. Morris, 5515 Woodlawn Avenue, Chicago, Ill., protesting against the increase of first-class postage from 2 cents to 2½ cents per ounce; to the Committee on the Post Office and Post Roads.

SENATE

FRIDAY, JANUARY 9, 1931

(Legislative day of Monday, January 5, 1931)

The Senate met in executive session at 12 o'clock meridian, on the expiration of the recess.

The VICE PRESIDENT. The Senate, as in legislative session, will receive a message from the President of the United States.

EXECUTIVE MESSAGES

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

PROPOSED EXTRA SESSION

Mr. WHEELER. Mr. President, I ask unanimous consent to have printed in the RECORD an article from to-day's New York World entitled "Creating Another Hysteria." It discusses the question of an extra session of the Congress.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York World, January 7, 1931]

CREATING ANOTHER HYSTERIA

In fostering the notion that a special session of Congress would be a public calamity Mr. Hoover, it seems to us, is drifting into dangerous waters. He is not making a special session any less probable by this sort of talk. On the other hand, he is exposing American opinion to an hysterical disappointment at a time when it is above all desirable to be calm, confident, and realistic.

It is a great disservice at a time like this for the President to lend his encouragement to the idea that the recovery of business depends upon whether the Congress of the United States adjourns on March 4 and stays adjourned until next December. The recovery of business does not depend upon any such eventuality as that, but if everybody gets to believing it, we shall manufacture a psychological depression in the spring or summer when a revival may be starting, just because everybody believes that a calamity has occurred.

Just a year ago at this time Mr. Hoover was going to restore the boom times by announcing every few weeks that the depression was over. His announcements accentuated the depression by causing business men and investors to ignore the hard economic facts for several months and to delay the inevitable and necessary liquidation. A year and a half before that Mr. Hoover and his publicity men were telling the country that his election would guarantee four more years of the boom. By their talk they created the illusion that the boom would last forever, and every sane voice raised in warning against the excesses of those days was drowned out. Now, once again, the same expensive folly is being indulged in. The country is being taught to believe that if the President does not have his way with Congress a "calamity"—the word is Senator WATSON'S—will ensue. Where formerly we were encouraged to ignore the realities by a false optimism, now we are being encouraged to ignore the facts by an equally false pessimism.

What the American people need is to stop letting politicians exploit their credulity. The world-wide movements of prosperity and depression are not determined by the election of Republicans, or the pronouncements of a President, or the adjournment of Congress. When politicians tell us that by electing them we can make prosperity permanent, they are deceiving themselves and us. When they tell us that prosperity will not return because the national legislature may meet in the spring, they are deceiving themselves and us. The Republicans exploited the boom to get themselves elected. They are now exploiting the depression to avoid facing the political consequences of the November elections. What they really fear in a special session is not the effect on business, but the effects on their own political fortunes.

The greatest real danger which a special session presents is the fact that people have convinced themselves that it is dangerous. There would be inconveniences in a special session. There might be some legislation which many of us would regard as unwise. There would be a vast amount of maneuvering and investigating. We ourselves should prefer to see these matters postponed until next winter. But what seems to us worse than the worst that Congress might do is to become hysterical over the prospect and thereby to exaggerate beyond all reason the real consequences.

The sensible attitude to take now is to discount the inconveniences of a possible special session and to proceed calmly and resolutely with the serious business of readjustment on which a revival depends. It is not anything that Congress can do or say which will in any important way affect that readjustment. That depends upon the exercise of sound and courageous judgment by great masses of merchants, bankers, farmers, and investors. They will get no help from Washington and no real hindrance. The tariff will stay where it is for the present. The Farm Board will proceed inexorably to the failure of its policy. Nothing will be done at Washington to help stabilize the world politically. The revival will come when men have accepted the losses which must precede it and have made the readjustments which necessity imposes. The new Congress, if it meets in special session late this spring, or in regular session next winter, will not and can not and would not know how to deal in any fundamental sense with the economic situation. Its fundamental preoccupation will be the political situation of 1932. That ought not to worry those who are engaged in doing their immediate part toward the restoration of prosperity.

STATE APPORTIONMENTS OF CIVIL-SERVICE POSITIONS IN WASHINGTON

Mr. DILL. Mr. President, Mrs. Nannie Lee King, Washington, D. C., has prepared some statistics regarding employees in the civil service by States. I ask unanimous consent that the paper may be printed in the RECORD.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

Reports of United States Civil Service Commission on condition of apportionment among the States at Washington on basis of population

State	Quota, December, 1930	April 25, 1917	June 30, 1919	June 30, 1921	June 30, 1926	June 30, 1928	Reductions, 1919–1928	June 30, 1930	Increases, 1928–1930
Alabama	828	207	663	533	327	322	441	314	−8
Arizona	118	28	82	57	39	35	47	39	4
Arkansas	618	142	297	235	187	173	134	194	21
California	1,209	262	900	505	326	308	592	356	48
Colorado	331	123	439	260	202	197	259	217	20
Connecticut	497	168	443	360	277	275	168	270	−5
Florida	342	99	449	347	204	223	225	254	31
Georgia	1,022	306	690	539	406	378	317	381	8
Idaho	152	45	141	98	65	80	61	98	18
Illinois	2,288	684	2,572	1,624	1,013	1,013	1,559	1,104	91
Indiana	1,034	354	1,944	1,116	748	664	1,280	680	16
Iowa	848	302	1,565	806	574	630	735	768	138
Kansas	624	241	1,037	534	371	388	649	431	43
Kentucky	853	275	926	789	531	515	411	497	−18
Louisiana	634	182	403	295	196	186	217	203	17
Maine	271	110	403	293	246	236	167	252	16
Massachusetts	1,359	624	2,344	1,714	1,125	1,104	1,240	1,171	67
Michigan	1,294	334	1,320	765	469	456	865	474	19
Minnesota	842	261	1,236	628	400	438	798	502	64
Mississippi	632	197	636	444	290	276	360	281	5
Missouri	1,301	411	1,660	953	649	709	960	776	76
Montana	194	55	146	127	103	102	44	100	−2
Nebraska	457	157	616	290	217	227	389	285	58
New Hampshire	156	69	239	198	121	115	124	125	10
New Jersey	1,113	351	928	737	491	484	439	481	−3
Nevada	27	12	20	25	14	12	17	14	2
New Mexico	127	36	74	63	60	55	19	64	9
New York	5,664	1,864	4,831	3,360	2,081	1,971	2,860	1,977	6
North Carolina	903	271	665	620	439	449	216	477	28
North Dakota	238	86	283	145	95	88	177	100	14
Ohio	3,032	662	2,154	1,486	995	927	1,227	939	12
Oklahoma	716	130	391	254	185	174	217	193	19
Oregon	276	95	268	165	121	132	131	157	25
Pennsylvania	3,073	1,128	3,451	3,219	2,054	2,013	1,438	2,091	68
Rhode Island	213	93	262	255	169	180	82	188	8
South Carolina	504	194	387	304	244	260	127	258	−2
South Dakota	225	64	244	138	110	128	116	145	17
Tennessee	825	258	888	713	510	469	419	476	7

Reports of United States Civil Service Commission on condition of apportionment among the States at Washington on basis of population—Continued

State	Quota, December, 1930	April 25, 1917	June 30, 1919	June 30, 1921	June 30, 1926	June 30, 1928	Reductions, 1919–1928	June 30, 1930	Increases, 1928–1930
Texas	1,643	369	1,113	723	494	455	658	468	13
Utah	159	57	138	102	91	100	38	115	15
Washington	479	138	429	235	179	178	251	222	44
West Virginia	515	188	521	530	440	432	89	459	27
Wisconsin	929	259	931	565	396	398	533	427	29
Wyoming	69	21	39	40	24	27	12	40	13
Vermont	124	64	291	228	150	141	150	140	−1
Delaware	79	39	91	99	86	79	12	76	−3
Total		11,477	39,769	27,482	18,499	18,219	21,428	19,309	1,123
District of Columbia	154	1,294	7,824	11,756	10,789	12,584	[1] 4,760	12,934	350
Maryland	511	489	1,978	2,390	2,208	2,318	[1] 1,340	2,419	101
Virginia	815	377	2,029	2,458	2,249	2,495	[1] 466	2,611	116
Total		2,260	11,831	16,504	15,246	17,397	[1] 6,566	17,964	567
Grand total		13,757	51,600	44,086	33,745	35,616		37,273	1,690

[1] Increase.

In 1928 there were 35,616 in service. States had 18,219. District of Columbia, Virginia, and Maryland had 17,397.

In 1926 there were 33,745 in service. States had 18,499. District of Columbia, Virginia, and Maryland had 15,246.

Total increase, 1,861 in service. States lost 290. District of Columbia, Virginia, and Maryland gain 2,151.

In 1930 there were 37,273 in service. States had 19,309. District of Columbia, Virginia, and Maryland had 17,964.

In 1928 there were 35,616 in service. States had 18,219. District of Columbia, Virginia, and Maryland had 17,397.

Total increase 1,657 in service. States had 1,090. District of Columbia, Virginia, and Maryland had 567.

Since Governor Campbell became President of the Civil Service Commission last July, from June 30, to December 30, 1930, States in arrears received 721 appointments, making 1,811 appointments for the States during the two and one-half years since investigation under Senator HEFLIN's resolution 154 began in June, 1928; whereas for the two years prior to this investigation the District of Columbia, Virginia, and Maryland received 2,151 appointments, and the States lost 290.

States in arrears are not yet where they were in 1921, because of the ruling by the Civil Service Commission that the State quota law does not apply to reductions of force, and the local people in the Government offices advising the State people that their services were not needed because of "reduction of force."

In order to secure the number of appointments given to the District of Columbia, Virginia, and Maryland, in excess of their quotas since November 11, 1918, it was necessary for Senator HEFLIN to have a resolution passed by the Senate compelling the Civil Service Commission to supply this information, which report was filed with the Senate December 3, 1930, Senate Document 224, which may be of interest to residents of the States who pay taxes for these positions they are deprived of.

May I hope that you will have this statement published in the CONGRESSIONAL RECORD in order that the Senators and all who read the RECORD may see the service Senator HEFLIN has rendered in helping the States to receive and retain their quota of civil-service positions in the apportioned Federal service at Washington, which the civil service law provides shall be apportioned among the States and the District of Columbia on the basis of population, which was made possible by Senator DENEEN's committee providing $2,500 for the investigation.

GOVERNMENT OF AMERICAN SAMOA (S. DOC. NO. 249)

Mr. BINGHAM. I inquire if a message from the President of the United States with reference to the government of American Samoa has been laid before the Senate?

The VICE PRESIDENT. The message from the President of the United States is on the table, but has not been laid before the Senate.

Mr. BINGHAM. Mr. President, I ask the Chair to lay before the Senate a message from the President in order that I may introduce a bill appropriate thereto.

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying report, referred to the Committee on Territories and Insular Affairs and ordered to be printed:

To the Congress of the United States:

I transmit herewith for the information of the Congress the official report of the American Samoan Commission, appointed in pursuance of the joint resolution of Congress, approved February 20, 1929, being Public Resolution No. 89 of the Seventieth Congress, and of the joint resolution of Congress approved May 22, 1929, being Public Resolution No. 3 of the Seventy-first Congress, together with an appendix containing a copy of a bill.

HERBERT HOOVER.

THE WHITE HOUSE, *January 9, 1931.*

Mr. BINGHAM. I ask unanimous consent to introduce the bill which I send to the desk.

The VICE PRESIDENT. Without objection, the bill will be received.

The bill (S. 5621) to provide a government for American Samoa was read twice by its title and referred to the Committee on Territories and Insular Affairs.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the House had agreed to the amendments of the Senate to the bill (H. R. 9985) to amend the act entitled "An act to amend the national prohibition act," approved March 2, 1929.

The message also announced that the House had passed without amendment the following bills of the Senate:

S. 4803. An act to extend the time for constructing a bridge across the Atchafalaya River at or near Morgan City, La.;

S. 4804. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Atchafalaya River at or near Krotz Springs, La.;

S. 4805. An act to extend the time for construction of a free highway bridge across the Red River at or near Moncla, La.;

S. 4806. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Red River at or near Alexandria, La.;

S. 4807. An act to extend the time for construction of a free highway bridge across the Red River at or near Coushatta, La.;

S. 4808. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Red River at or near Shreveport, La.;

S. 4809. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Ouachita River at or near Sterlington, La.;

S. 4810. An act to extend the time for construction of a free highway bridge across the Ouachita River at or near Monroe, La.;

S. 4811. An act to extend the time for construction of a free highway bridge across the Ouachita River at or near Harrisonburg, La.; and

S. 4812. An act to extend the time for construction of a free highway bridge across the Black River at or near Jonesville, La.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (H. R. 9985) to amend the act entitled "An act to amend the national prohibition act," approved March 2, 1929, and it was signed by the Vice President.

FEDERAL POWER COMMISSION

The Senate being in executive session,

Mr. McNARY. Mr. President, I desire to propose the following unanimous-consent agreement and to suggest the absence of a quorum.

The VICE PRESIDENT. Let the unanimous-consent agreement be read first.

The Chief Clerk read as follows:

Ordered, by unanimous consent, that after the hour of 4 o'clock p. m. to-day no Senator shall speak more than once nor longer than 15 minutes upon the motions of the Senator from Montana [Mr. WALSH] to request the President of the United States to return to the Senate the notifications of the confirmation of the nominations of George Otis Smith, Marcel Garsaud, and Claude L. Draper, respectively, to be members of the Federal Power Commission, and that at not later than 6 o'clock p. m. to-day the Senate proceed, without further debate, to vote upon the said motions.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Fess	King	Shortridge
Barkley	Fletcher	La Follette	Smith
Bingham	Frazier	McGill	Smoot
Black	George	McKellar	Steck
Blaine	Gillett	McMaster	Steiwer
Blease	Glass	McNary	Stephens
Borah	Goff	Metcalf	Swanson
Bratton	Goldsborough	Morrison	Thomas, Idaho
Brock	Gould	Morrow	Thomas, Okla.
Brookhart	Hale	Moses	Townsend
Broussard	Harris	Norbeck	Trammell
Bulkley	Harrison	Norris	Tydings
Capper	Hastings	Nye	Vandenberg
Caraway	Hawes	Oddie	Wagner
Carey	Hayden	Partridge	Walcott
Connally	Hebert	Phipps	Walsh, Mass.
Copeland	Heflin	Pine	Walsh, Mont.
Couzens	Howell	Ransdell	Waterman
Cutting	Johnson	Reed	Watson
Dale	Jones	Robinson, Ark.	Wheeler
Davis	Kean	Robinson, Ind.	Williamson
Deneen	Kendrick	Sheppard	
Dill	Keyes	Shipstead	

The VICE PRESIDENT. Ninety Senators have answered to their names. A quorum is present. The clerk will report the unanimous-consent request submitted by the Senator from Oregon [Mr. McNARY].

The Chief Clerk read as follows:

Ordered, by unanimous consent, that after the hour of 4 o'clock p. m. to-day no Senator shall speak more than once nor longer than 15 minutes upon the motions of the Senator from Montana [Mr. WALSH] to request the President of the United States to return to the Senate the notifications of the confirmation of the nominations of George Otis Smith, Marcel Garsaud, and Claude L. Draper, respectively, to be members of the Federal Power Commission, and that at not later than 6 o'clock p. m. to-day the Senate proceed, without further debate, to vote upon the said motions.

The VICE PRESIDENT. Is there objection?

Mr. WALSH of Montana. Mr. President, I call attention to the fact that the recital of the motion in the proposed unanimous consent is not accurate. The motion is to reconsider and request the President to return the notifications.

Mr. LA FOLLETTE. Mr. President, may I make a parliamentary inquiry to the effect as to whether the Chair would hold that the agreement, if entered into, would apply to all debate in the Senate on any subject or merely to the question that is now pending?

The VICE PRESIDENT. The Chair would hold that after the hour of 4 o'clock debate would be limited on all questions until this matter is disposed of.

Mr. LA FOLLETTE. I think it fair to Senators that I should state that I desire to address the Senate on a subject not related to the pending question, and should I obtain the floor I would occupy about an hour. In fairness to Senators I want to make that statement in case it would alter their judgment as to the wisdom of adopting the proposed unanimous-consent agreement.

Mr. HEFLIN. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. HEFLIN. Would it be in order now to make a motion to postpone further action upon this matter until 7.30 o'clock this evening?

The VICE PRESIDENT. The pending unanimous-consent order could be changed to that effect.

Mr. ROBINSON of Arkansas. Mr. President, I hope that no motion to postpone will be made. I hope the Senator from Alabama will withhold the making of such a motion and that we may enter into an agreement of the nature of that proposed by the Senator from Oregon. The matter has been discussed at very great length. I have much sympathy with some of the suggestions made yesterday by the Senator from Alabama [Mr. HEFLIN] that a conclusion ought to be reached. I think the Senate will be ready to vote by the time the hour is reached as proposed by the Senator from Oregon.

The VICE PRESIDENT. Is there objection to the proposed unanimous-consent agreement?

Mr. DILL. Mr. President, does not the Senator think that 15 minutes is a rather short limitation? Senators have occupied hours on the subject, and some of us who have not spoken would hardly like to be limited to 15 minutes.

The VICE PRESIDENT. The limitation would not apply until 4 o'clock p. m.

Mr. ROBINSON of Arkansas. I think that with no limitation in effect until 4 o'clock, perhaps 15 minutes thereafter would be a reasonable limitation.

Mr. DILL. I have not any objection if I can speak before 4 o'clock; but if it is 4 o'clock before I can get the floor I do not want to agree to this proposal.

Mr. WALSH of Montana. Mr. President, allow me to make the suggestion that the proposed unanimous-consent agreement be modified so as to provide that until 4 o'clock to-day no Senator shall speak longer than 30 minutes.

Mr. DILL. I shall object to that proposal.

Mr. WALSH of Montana. Will the Senator from Washington suggest some limitation on debate between now and 4 o'clock?

Mr. DILL. I do not think that would be quite fair. This is a question of national importance. The issue interests the entire country. Some of us have had considerable interest in it. I may say that I made the only speech against the confirmation of Mr. Smith that was made on the floor of the Senate. I have made some study of the whole question. I do not know who wants to speak and I do not know whether the time will be taken up until 4 o'clock or not. For my part I do not care to consent to the proposal at this time.

Mr. ROBINSON of Arkansas. May I suggest to the Senator from Oregon a modification of his proposal which I am satisfied will secure a vote before the end of the present calendar day? I think that action ought to be taken, because some Senators who are here to-day, and would like to vote on this motion, will not be here to-morrow. That is within my knowledge. I suggest to the Senator that he ask unanimous consent that before the end of the present calendar day the final vote be taken on the pending motion and all amendments thereto. That will leave the limitation open, with the assurance that the matter will be disposed of before the end of the day.

Mr. McNARY. Mr. President, I am willing to modify the request in that way.

Mr. HEFLIN. Mr. President, if such an agreement can be reached, and we can dispose of this matter to-day, so that we can proceed with legislative business, I will not object.

Mr. McNARY. Mr. President, the suggestion of the Senator from Arkansas seems to be a very happy one and, if adopted, would afford an agreeable solution.

Mr. BORAH. Then, Mr. President, let us put some limitation on the calendar day. We do not want to stay here all night.

Mr. ROBINSON of Arkansas. We do not have to stay here later than midnight; the calendar day expires at midnight.

Mr. BORAH. I do not care to stay here until midnight on this proposition. We can just as well vote at 7 o'clock as we can at 12 o'clock midnight.

Mr. ROBINSON of Arkansas. I am willing to vote at 6 o'clock, so far as I am concerned, but other Senators object.

Mr. McNARY. In order to meet the criticism expressed by the Senator from Washington, it is my intention to suggest that unlimited debate proceed until 5 o'clock, the limitation of 15 minutes to apply after 5 o'clock, and a vote to be taken not later than 7 o'clock.

The VICE PRESIDENT. Is there objection?

Mr. DILL. What is the request?

Mr. NORRIS. I should like to hear the request.

Mr. McNARY. I desire to propose a unanimous-consent agreement conformable to the suggestion made by the able Senator from Arkansas, and I ask the Secretary to state the proposed agreement.

The VICE PRESIDENT. The Senator from Oregon modifies his unanimous-consent request, and the Secretary will report the request as modified.

The Chief Clerk read as follows:

Ordered, by unanimous consent, that after the hour of 5 o'clock p. m. to-day no Senator shall speak more than once nor longer than 15 minutes upon the motions of the Senator from Montana [Mr. WALSH] to request the President of the United States to return to the Senate the notifications of the confirmation of the nominations of George Otis Smith, Marcel Garsaud, and Claude L. Draper, respectively, to be members of the Federal Power Commission, and that at not later than 7 o'clock p. m. to-day the Senate shall proceed without further debate to vote upon the said motions.

Mr. McNARY. Mr. President, that is not the plan at all. I meant to modify the request by embodying the suggestion of the Senator from Arkansas [Mr. ROBINSON] that we vote during the calendar day.

Mr. NORRIS. Mr. President, I want to call the attention of the Senate, of the Chair, and of the clerk to the fact—the Senator from Montana has already once called attention to it—that in the unanimous-consent agreement as proposed the motion is not correctly stated.

Mr. ROBINSON of Arkansas. The proposed unanimous-consent agreement should embrace both the motions to reconsider and the motions to request the President to return the notifications.

Mr. NORRIS. The motion pending is as the Senator from Montana made it.

Mr. BROOKHART. Mr. President, there are three separate motions in one, and there is some confusion as to that. Some Senators have asked me if we would vote on them all at once or on each one separately. From the manner in which the proposed agreement has been stated we can not tell in which way it would be done.

Mr. NORRIS. The Senator from Montana made the motion; there is the record of it; that is the pending motion. Why is not that put in the proposed unanimous-consent agreement?

The VICE PRESIDENT. The Chair is advised that the proposed unanimous-consent agreement does say "motions."

Mr. NORRIS. Yes; but it does not state the motion correctly. The motion of the Senator from Montana was that the vote by which the nomination of Mr. Smith and the two other commissioners was confirmed be reconsidered, and that the President be requested to return the papers to the Senate.

Mr. McNARY. Mr. President——

Mr. GEORGE. A parliamentary inquiry.

The VICE PRESIDENT. The Senator from Georgia will state it.

Mr. GEORGE. Is it the view of the Chair that the motions are separate and distinct?

The VICE PRESIDENT. That is the opinion of the Chair; and also that the motion requesting the return of the papers shall be first submitted.

Mr. GEORGE. That motion takes precedence.

The VICE PRESIDENT. That is the present judgment of the Chair.

Mr. WALSH of Montana. I gathered from some of the newspapers that that was the attitude of the Chair with respect to this matter, but before the Chair rules I desire to be heard, because I take a contrary view.

Mr. ROBINSON of Arkansas. That need not interfere with a unanimous-consent agreement.

Mr. WALSH of Montana. I trust that that will not be injected here to embarrass the proposed agreement.

The VICE PRESIDENT. Let the Senate be in order. The Chair is unable to hear what the Senator said.

Mr. WALSH of Montana. The Senator from Arkansas very properly observed that that is not a matter which is before the Senate at the present time.

The VICE PRESIDENT. That is true.

Mr. WALSH of Montana. I trust it will not be allowed to embarrass the request for unanimous consent.

Mr. JOHNSON. Mr. President, may I suggest to the Senator from Montana that the matter will be before the Senate if the unanimous-consent agreement shall be entered into, because we shall have agreed that the vote will be taken upon one part of the motion——

Mr. ROBINSON of Arkansas. Will the Senator pardon me?

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Arkansas?

Mr. JOHNSON. Yes.

Mr. ROBINSON of Arkansas. I made no such proposition. I expressly stated that my suggestion for the unanimous-consent request was that a vote be taken during the calendar day on the motions of the Senator from Montana to reconsider the respective votes by which the nominations were confirmed and also upon the motions requesting the President to return the respective notifications.

Mr. JOHNSON. Yes; and that is the appropriate way in which the unanimous-consent agreement should be phrased.

Mr. ROBINSON of Arkansas. That is the request the Senator from Oregon is trying to submit, if he can get the opportunity.

Mr. JOHNSON. No; the unanimous-consent agreement recites quite the reverse.

Mr. ROBINSON of Arkansas. But the Senator from Oregon called attention to the fact that that was not the unanimous-consent agreement for which he is now asking.

Mr. JOHNSON. He was referring to the other terms of the unanimous-consent agreement. Now the Chair says, as I understood him—I may be in error as to that—that in his view the first thing that must be voted upon by the Senate will be the question of the recall of the papers. Am I in error about that?

The VICE PRESIDENT. That is the statement the Chair made.

Mr. JOHNSON. Very well. Then let me call to the Senator's attention the fact that the unanimous-consent agreement so recites and the Chair so holds. If we agree to the unanimous-consent agreement, then——

Mr. WALSH of Montana. In that form.

Mr. JOHNSON. In that form——

Mr. ROBINSON of Arkansas. But no such unanimous-consent agreement is being proposed.

Mr. JOHNSON. Oh, yes; it is proposed.

Mr. McNARY. Mr. President, may I——

Mr. ROBINSON of Arkansas. If I may ever make myself understood to the Senator from California, the fact is that the clerk read a proposed unanimous-consent agreement which the Senator from Oregon [Mr. McNARY] did not submit and does not propose. He now proposes, if he can get the opportunity to do so, to submit the request that I suggested, which is that before the end of the calendar day the Senate agree to vote on the motions of the Senator from Montana [Mr. WALSH] to reconsider the respective votes by which the confirmations were made and upon the motions requesting the President to return the respective notifications. If that be agreed to, the question as to precedence will be threshed out and determined, either by the Presiding Officer or by the Senate upon an appeal from the decision of the Presiding Officer.

Mr. JOHNSON. Of course, that cures the present situation; there is not any doubt about that; and it was that to which I addressed myself, and to which I think the Senator from Montana was speaking.

Mr. McNARY. Mr. President——

Mr. COUZENS. Mr. President, we might have the regular order until the proposed unanimous-consent agreement can be put into proper form. Therefore I object. I also object to the Senate running until midnight to-night. We might just as well stop discussion until the agreement can be put in a form which will be acceptable.

The VICE PRESIDENT. The Senator from Michigan objects.

Mr. McNARY. Mr. President, I wish to state—and I want the Senator from Michigan to hear me—that as soon as the proposal is reduced to proper form I shall then renew my effort to obtain unanimous consent.

Mr. BROUSSARD obtained the floor.

Mr. HEFLIN. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Alabama will state his parliamentary inquiry.

Mr. HEFLIN. Will it be in order now to make a motion to postpone further consideration of this question until after 5 o'clock to-day?

The VICE PRESIDENT. Such a motion would be in order.

Mr. HEFLIN. I make that motion, Mr. President, if we can not reach a unanimous-consent agreement.

Mr. BROUSSARD. Mr. President, I should like to proceed.

The VICE PRESIDENT. The Senator may make that motion as soon as he can get recognition for that purpose. The Senator from Louisiana has the floor and does not yield for that purpose, as the Chair understands.

Mr. HEFLIN. Very well.

Mr. BROUSSARD. Mr. President, some days ago the attention of the Senate was called to the fact that the CONGRESSIONAL RECORD of the proceedings of December 20, 1930, failed to show that the Presiding Officer had made the announcement from the chair to the effect that the President would be notified of the confirmation of Mr. Garsaud. In order that all three of the nominations may be on the same footing and in order to be accurate, I ask that an extract from the Journal of December 20, showing that such a statement was made from the chair, may be printed in the RECORD.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the minutes will be inserted in the RECORD.

The extract from the Journal is as follows:

Mr. BROUSSARD obtained the floor and addressed the Senate for a time on the pending question.

After Mr. BROUSSARD had concluded his remarks—

The PRESIDING OFFICER (Mr. FESS in the chair) stated the pending question, which was as follows: Shall the Senate advise and consent to the appointment of Marcel Garsaud to be a member of the Federal Power Commission?

On the question of agreeing thereto, the yeas and nays were demanded by Mr. NORRIS, and the demand being supported by one-fifth of the Senators present, the roll was called, resulting in 42 Senators voting in the affirmative and 14 Senators voting in the negative, as follows:

Yeas—42: Barkley, Broussard, Bulkley, Capper, Caraway, Carey, Couzens, Davis, Fess, George, Gillett, Glenn, Goff, Goldsborough, Hale, Harris, Hastings, Hawes, Hayden, Johnson, Jones, Kendrick, McNary, Moses, Oddie, Pittman, Ransdell, Robinson of Indiana, Sheppard, Shortridge, Simmons, Smoot, Steiwer, Thomas of Idaho, Thomas of Oklahoma, Townsend, Tydings, Vandenberg, Wagner, Walcott, Walsh of Montana, and Watson.

Nays—14: Blaine, Borah, Brookhart, Cutting, Dill, Frazier, Heflin, Howell, La Follette, McGill, McKellar, Norris, Nye, and Wheeler.

Not voting—39: Ashurst, Bingham, Black, Blease, Bratton, Brock, Connally, Copeland, Dale, Deneen, Fletcher, Glass, Gould, Harrison, Hatfield, Hebert, Kean, Keyes, King, McMaster, Metcalf, Morrison, Morrow, Norbeck, Patterson, Phipps, Pine, Reed, Robinson of Arkansas, Schall, Shipstead, Smith, Steck, Stephens, Swanson, Trammell, Walsh of Massachusetts, Waterman, and Williamson.

So it was—

Resolved, That the Senate advise and consent to the appointment of Marcel Garsaud to be a member of the Federal Power Commission.

Ordered, That the foregoing resolution of confirmation be forwarded to the President of the United States.

Mr. BROUSSARD. Mr. President, since Monday, when the motions of the Senator from Montana were offered in the Senate, the issue involved has taken various complexions. I dare say that if the vote had been taken on Monday, immediately after the making of that motion, the Senators would have felt called upon to vote on the issue which was presented by the motion to the effect that these three commissioners had performed officially an act which was disapproved by the Senate, and therefore the Senate was seeking to displace them or to remove them by this method.

By the end of Monday the matter took another phase, namely, whether or not the Senate, by having notified the President, had waived its right to reconsider this nomination. On the following day it shifted again, until we found yesterday that the issue now seems to be the purely academic question of whether or not the constitutional right of the Senate to frame such a rule as we have is to be disregarded in such a case when challenged by friends of the administration. I have personal knowledge of the fact that many of those who are called upon to vote to-day, due to the change of this issue, have changed their opinions as to what they should do under the circumstances.

We are now confronted purely with an academic question as to whether or not the Senate has the right to reconsider these confirmations after the President was notified, and after the officials, having received their commissions, qualified and proceed to perform their official functions.

Of course, these constitutional arguments are very illuminating to most of us. We have had the opportunity of hearing from the best constitutional lawyers in this Chamber, both pro and con; but I ask the Members of the Senate what that has to do with the removal or the recall of officials duly inducted into office, against whom acts are charged not concerned with responsibility in framing the rules of the Senate or the Constitution of the United States?

In order that I may later bring this matter to its proper basis for consideration as I view it, I desire to meet the charges made that these three commissioners acted in a sort of vindictive way or were influenced by some sinister motive in taking the action that they did take. I for one, having had the opportunity of conversation with at least one of those members who has been known to me for many, many years, and whose veracity, honesty, and truthfulness no man has ever questioned, wish to lay the facts before the Senate on the background of the facts which confronted them when they took the action that they took.

It will be recalled that the old Power Commission, consisting of three members of the President's Cabinet, who had no time to devote to this special duty and who had therefore delegated the functions of the commission to subordinate executive officials, had become very unpopular, especially among those in States that have water-power development facilities, or prospective development. The condition was not so well known to me, because I do not live in a State that has the possibility of water-power development; but the protests and the dissatisfaction resulting from the actions of the old Power Commission, including, so far as I know, all those interested in finding fault with the old Power Commission, were such that there was a demand here for the creation of a power commission that might devote its entire time to the consideration of these public questions; and it was understood that the people of the United States would then hold the new commission entirely responsible for its actions.

The conditions which existed prior to the introduction of the act creating the present Power Commission were well known to the Committee on Interstate Commerce, and they investigated them very thoroughly before they made a report. It was the actions of the old commission, there derelictions and misjudgments and lack of action, which had brought about a realization that we had to have a new Power Commission.

In April, 1930, a report was made which I desire to read again, because it is so fundamental, and so much in line with what this new commission conceived it to be their duty to do, that I think we can not too often refer to this report. It was made on April 11, 1930, by the Interstate Commerce Committee to the Senate of the United States.

Mind you, extensive hearings had been held. It was found that the three members of the President's Cabinet

had not the time to devote to the determination of these great, momentous public questions, and that they had found it necessary to delegate the discharge of those duties and the determination of public questions and the granting of permits to these subordinate executive officials. Having made the examination which they did make, here is the report. I read on page 2:

> The intent and purpose of the bill is described very accurately in the title. It is a bill to reorganize the Federal Power Commission without adding to the existing authority of the commission.
>
> In the hearings held by your committee under authority of Resolution 80, and which hearings were related to this bill, the necessity for this bill was shown. The condition within the Federal Power Commission should make this bill an emergency matter, and it is the hope of your committee that action can be taken as early as possible.
>
> Undoubtedly, when the Federal water-power legislation was adopted, there was little realization of the problems and work which would develop. The Power Commission was constituted of the Secretaries of Interior, War, and Agriculture, and an executive secretary was appointed to handle the details of the work. It is shown conclusively by the evidence presented that the Secretaries of the three departments have been so burdened with the tasks of their immediate departments that they have not had the time necessary for the work of the commission.
>
> The net result of this situation is that practically all the work of the commission has devolved upon the executive secretary, and regardless of what the causes of the present conditions are, the facts are that the present conditions are very bad. Only serious charges were made before your committee against the executive secretary by employees of the commission and countercharges were made by the executive secretary. No one can doubt after hearing the evidence that a lack of harmony exists within the commission and the work has suffered thereby. These charges have induced an atmosphere of suspicion until it has become imperative that Congress act to appoint a full-time commission which will have the opportunity and the authority to right the existing situation and to permit the carrying out of the water power act. Once the full-time commission is appointed, responsibility can be placed upon its members and there can be no reason for failure to act.

And so it is, Mr. President. The rest of the report presents a situation for the consideration of the Senate of the United States, the relief of which required emergency action.

Immediately after the report of this bill, which is the present law, the Senate considered it emergency legislation, and enacted it. It was approved on June 23, 1930. Immediately upon approving this bill the President of the United States, following out the suggestions based on the investigations of the Interstate Commerce Committee, sent here the names of five commissioners. These names were submitted to the Interstate Commerce Committee, and were, as I understand, unanimously approved.

Mr. WHEELER. Oh, no, Mr. President.

Mr. BROUSSARD. Were they not? I desire to be corrected if I am wrong; but, at any rate, they were ordered favorably reported. I was mistaken about the matter of unanimity. I never heard it challenged before; but the Senator is a member of the committee and I suppose knows better than I.

These nominations were pending at the time we took up the London treaty, which displaced everything else; and the Senate took its recess last summer without considering the nominations. Just before the Congress reconvened the President sent back these nominations, and they again went to the Interstate Commerce Committee, and were again reported favorably. In the debates here, when the question of confirmation was considered, it was urged time and time again that there was necessity for immediate organization, based upon the fact that because of the disclosures before the Interstate Commerce Committee the old Water Power Commission was rendered practically useless, and was rendering no service at all.

These commissioners were confirmed, I think two on the 18th or 19th of December and three on the 20th of December, 1930. The Congress was then about to recess for the holidays. These members being confirmed, some of them having important business connections at home determined to take the oath of office before returning to their homes to wind up their personal business. I know such was the case with the commissioner from Louisiana, who was engaged in a very large private engineering practice. After three of the members had taken the oath of office and were ready to go home for the holidays, it was called to their attention that three of them having taken the oath, under the act creating the Water Power Commission the commission was organized and was responsible for anything pertaining to the conduct of the office by the personnel still continuing their qualification under the old commission.

Mr. President, when their attention was called to the fact that three of them had, by the independent act of taking the oath of office, really organized the commission, a new situation was created. I do not know anything about the other members of the commission, but I do know something about the member from Louisiana, who came to me after the protests came out in the newspapers against the action which had been taken the day before. After three of them had qualified no meeting was required for the purpose of organization, one of the nominees having been designated as chairman of the commission. Then, reviewing the reasons which moved the Congress to abolish the old Water Power Commission, all of which were based upon the actions and conduct of the three executive subordinates in that department, as reported by committees to the Senate of the United States after investigation, the commissioners, about to leave for home, were advised that anything these three subordinate executives might do would place some responsibility upon them, and after discussing the matter they issued a notice to all three of the executive subordinate officials and another one to the civil-service employees.

These three commissioners felt that they were responsible for anything these three executive subordinates might do; at any rate, they wanted to be relieved of any responsibility, or to negative any legality which any action of theirs might pretend to carry to the public. Their only concern was to prevent the consideration of cases and the rendition of opinions and permits and decrees by these three subordinate executive officials to whom the three Cabinet members had delegated this power.

They served this notice, not in order to defy the people of the United States, not to defy the Senate of the United States, not to defy anybody at all, but they were merely carrying out, as they conceived, the purpose of the Congress of the United States in declaring that a confused condition existed in the commission, where two sides were trying to convict each other of corrupt practices. They were trying to carry out the purpose of Congress in creating this new commission, to relieve the situation, and to stop any further actions on the part of these subordinate executives which might further involve the very questions in dispute in greater confusion. I may say, and I can truthfully say, so far as the one gentleman whom I know is concerned, to whom I talked the day after, that it never crossed his mind that he was doing anything except to carry out that which Senators desired to be carried out in order to relieve the situation instantly.

Mr. President, I wish to insert in the RECORD a copy of the minutes of the first meeting of the power commissioners held after the meeting of the 22d, when Mr. McNinch returned to Washington and Mr. Williamson sent him his proxy, when the three commissioners discovered that they had stirred up a storm in this matter, and that there were a great many things charged against them which never had entered their minds.

Mr. President, these commissioners realized, as they had on the 22d, that, as there were only three members in the city, they had no right to continue these three subordinate executives in office. They wished to consult the entire membership of the commission, two of whom had gone home. Those in the city immediately tried to get the others back, and on the 2d day of January Mr. McNinch came to Washington, and I have here a copy of the official minutes of the two meetings, at the first of which these employees were notified that under the act they were advised that they were ipso facto removed from that employment, and then, as soon as they were in a position to consult the other members, they issued a notice, which I shall read. It has been

read before, but I want to read it again. On the 2d of January this resolution was adopted, after quoting from the minutes of the previous meeting:

Now, therefore, be it

Resolved by the Federal Power Commission, That all employees of the old Power Commission, without exception, are hereby invited to file their respective applications for appointment by this commission, such applications to be considered in due course along with all other applications for appointment filed with the commission.

I ask that these minutes may be published in the RECORD.

The VICE PRESIDENT. Is there objection?

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

JANUARY 2, 1931.

Whereas, on December 22, 1930, Chairman Smith and Commissioners Garsaid and Draper took their oaths of office and thereby reorganized the Power Commission under the statute of June 23, 1930, and the commission was advised that, immediately upon such reorganization, the employment of all employees of the old Federal Power Commission was thereby automatically terminated; and

Whereas, in order that routine commission matters might be carried on, the commission, as then constituted, requested the Civil Service Commission to authorize the temporary employment for not exceeding 30 days of such employees as were under civil service; and

Whereas, to all other employees Chairman Smith sent the following communication, dated December 23, 1930:

"In connection with the organization of the Federal Power Commission as provided in the act of June 23, 1930, it is understood that your services automatically terminated yesterday with the going out of existence of the commission under which you have been employed.

"In line with the authority contained in the above-mentioned act, the commission will proceed later to appoint such officers as are authorized and necessary in the execution of its functions.

"By order of the commission."

And

Whereas, in deference to the absence of Commissioners Williamson and McNinch, all personnel matters (excepting only the authority of the chairman to arrange for an administrative assistant and disbursing clerk, if necessary) were, as appears from the minutes of the said meeting of the commission, to be "considered pending until the commission can act with full attendance": Now, therefore, be it

Resolved by the Federal Power Commission, That all employees of the old Power Commission, without exception, are hereby invited to file their respective applications for appointment by this commission, such applications to be considered in due course along with all other applications for appointment filed with the commission; be it further

Resolved, That the commission believes it would be just, and hereby declares its desire and intention, if lawful, to make a reasonable allowance for leave with pay for such of the employees of the old commission, if any, as may not be appointed by this commission.

The foregoing resolution was adopted unanimously by the Federal Power Commission at its meeting on January 2, 1931, Commissioner McNinch voting for Commissioner Williamson by proxy.

Mr. BROUSSARD. Mr. President, it has been asserted here on the floor, and I understand it to be a fact, that Mr. Bonner, following the adoption of this resolution, signified his unwillingness to reenter the service, while Mr. King and Mr. Russell have both filed applications to be reinstated in that department.

Mr. President, it has often been asked on this floor, What was the emergency? Gentlemen have certain theories about this controversy, which has existed for several years in that commission, and they draw the conclusion that inasmuch as Mr. King and Mr. Russell received a notice similar to that sent to Mr. Bonner, the commission is under the influence of the Power Trust.

Nothing was ever based upon a more unsound foundation. In fact, that is a mere presumption. What have these new commissioners to do with the controversy existing these many months, and possibly years, in that department? When they are indicted on this floor, the junior Senator from Montana [Mr. WHEELER] reviews what he conceives to be the unfair actions of the old Power Commission. So far as I am concerned, not living in a State near any water-power facilities, it was all news to me; I had no particular interest in it, and never took any interest in it.

Not one of the men whose nomination is now sought to be reconsidered is a lawyer, but being advised that the employees of the commission automatically went out of office when the old Power Commission was legislated out, that fact forms the basis of the assumption that they were discharging men on both sides of the controversy because the Power Trust wanted them to do so. If that were the fact, why was it that on the 2d of January, at the very earliest possible time when all five of the members could get together, these very men whose discharge is complained of were not only invited to reapply but some of them actually filed applications prior to the making of the motion by the senior Senator from Montana [Mr. WALSH].

Mr. President, I think that anyone who will consult the act creating this commission, although he may disagree with the advice given to the three members by a lawyer, will nevertheless be fair enough to admit that that advice given to those commissioners has some basis, not only a basis in the language and the spirit of the act but a basis in view of the history of the legislation, and a basis also in decisions which conform to that advice.

We have here a situation where three laymen are appointed to very responsible positions on a commission, with the advice and consent of the Senate, where there is bitterness and clashing on the part of the subordinates, who take opposite sides in a controversy in that department, charging each other with corruption, and these commissioners who independently have taken the oath of office are told, "Your commission under the law is organized," and, pending the return of the other two members, desiring to terminate any official power among the three subordinate executives, they took the action complained of for the protection of the public, carrying out the recommendations of the Senate, carrying out the spirit of the legislation, and then busying themselves to get the other two commissioners back so as to permit these men to apply and to give their applications consideration, together with those of such other employees as they saw proper to consider.

Mr. BLACK. Mr. President, will the Senator object to an interruption?

Mr. BROUSSARD. Certainly not.

Mr. BLACK. I desire to ask the Senator a question for information. I may have been misinformed, but as I understood it the chairman of the commission issued a public statement to the effect that these men were let out of the service in order to preserve harmony and to prevent bitterness.

Mr. BROUSSARD. I am very glad the Senator brought that out. I have put the minutes into the RECORD. In whatever statement Mr. Smith may have issued, and in the letter he wrote to the senior Senator from Montana [Mr. WALSH], and in a letter I have heard he wrote to another Senator, he was speaking for himself, and he said so—"I, for one." There was no action on the part of the other members of the commission. The other men did not know about the matter until they were shown these reports. As a matter of fact, I may say to the Senator that so far as the member from Louisiana is concerned I think at that time he had never heard of Russell or King.

Mr. BLACK. Mr. President, if the Senator will pardon me, the point I wanted to bring out was this: If there is a different attitude on the part of the gentleman who was appointed from Louisiana from that of the chairman of the commission I think the Senate is entitled to know it before Senators reach a conclusion as to how they will vote.

Mr. BROUSSARD. I do not know what their attitude is, except from the minutes I have just offered for the RECORD, from which it appears these gentlemen have been asked to file their applications, to be considered in connection with all other applications.

Mr. BLACK. I understand that. Of course, that was some days after the controversy had occurred. It is possible, I may say to the Senator in all fairness, for that to be attributed to a desire to escape from the result of having issued the other statement and taken the other course. The point I desire to get clear in my mind is this: The chairman of the commission has issued a statement that

the men were discharged not because of any rule of law but in order to preserve harmony and in order that the work of the commission might proceed. If the gentleman from Louisiana who was appointed did not concur and does not concur in that view, and has never had any idea of discharging these men for that reason, does not the Senator think it would be proper for the Senate to be informed of that fact so that we can consider the matter from a different standpoint of facts?

Mr. BROUSSARD. I would not question the fact—and I know it is a fact—that Mr. Smith made those statements and said, "I for one." The Senator is trying to get me to answer for the gentleman from Louisiana. I do not know what his attitude would be toward the men except that he has always thought that inasmuch as there was confusion at the commission, they ought to consider anybody and everybody and select the very best men they could in getting the places filled. I could not say, and I would not say if I were in his place—and I do not know whether he would say or not—what I was going to do or what I would do. What he expects to do and what everybody who knows his public record expects him to do is to select the very best men available.

Mr. BLACK. I wanted to get clearly in my mind whether the Senator was leaving the inference from his conversation with the gentleman from Louisiana—Mr. Garsaud, I believe is the name—that that gentleman did not concur in the statement which was issued by Mr. Smith, and whether or not the Senator is authorized to say that Mr. Garsaud did not intend to discharge the men on the ground that there was lack of harmony.

Mr. BROUSSARD. I say that Mr. Garsaud believed and still believes that automatically the men went out of office with the old commission. He was so advised legally.

Mr. BLACK. Of course the chairman's viewpoint indicated that it was not on account of automatic severance from the service, but because he wanted to get rid of the men. I think there is no doubt about that.

Mr. BROUSSARD. I take it the resolutions, which the other gentlemen confirmed and which I have submitted here, disclose the reasons. Mr. Smith may have had some other reasons in mind. As a matter of fact, the other four gentlemen did not know Mr. King or Mr. Russell and did not know anything about them. They were simply told that three members having qualified, there was automatically a new commission, and that nothing should be left as a basis for anything under the new commission to occur while the three members were at home during the holidays, and that Mr. Smith served the notice, which they thought he ought to do, for their own protection and for the protection of the public until the other two members should join them. They did not feel that they should select these subordinate employees without consulting all five of the members.

Mr. BLACK. Then am I to understand that as far as Mr. Garsaud is concerned he disclaims any action on the basis which was given out to the public by Mr. Smith as a reason for the action being taken?

Mr. BROUSSARD. When Mr. Garsaud spoke to me the day after the action was taken he never mentioned anything along the lines stated by Mr. Smith at all. He simply mentioned the facts which I recited a little while ago.

Mr. President, we have drifted now to a legal discussion, and the issue now is whether we are going to vote to accept the supposed challenge of the Chief Executive to refuse to return the papers. Complaint is made that the two employees have been treated unjustly and unfairly because the three commissioners carried out what they understood to be their duty under the law; that they are now on trial here for something which they did in the discharge of their official duties, something which under their construction of the law and the advice given to them they thought mandatory to do. They are not being tried for that. The vote here will show whether a Senator wants to meet the President on this presumed challenge and fight it out. What can be more unfair? I submit to the Senate, what can be more unfair than to take a vote upon this question as between the constitutional rights of the Senate and the constitutional rights of the President of the United States? And yet that is what the vote will disclose. The merits of the motion pending will not be reflected in the vote at all, and still all of this discussion is based upon the fact that two subordinate officials were notified that under the law they automatically went out of office. As soon as the whole commission could be gotten together the resolution which they had intended originally to pass was passed.

Where is the unfairness? Which is more unfair—for three commissioners advised by legal authorities that their duty was to do that which they did, or for the Senate to take exception to that official action on their part and by this indirect means attempt to impeach them and permit the question to drift into a constitutional debate where the commissioners are forgotten altogether, where the justice of their claim will not be considered at all, but where Senators, as some have told me, are saying, "I expected to vote against the recall of the papers. But I understand now that the friends of the President challenge the Senate," and on that issue will be the vote. That is a poor way to try three commissioners. They serve notice on the three commissioners that they have done a minor thing compared with what the Senate shall do if it does this thing.

I do not care about the constitutional debate here. I know that what is complained of on the part of the three commissioners is because of their official action as members of the new Power Commission. Of course, we did not in court cases already decided have the rules of the Senate to pass on the consideration of that question, but I have always believed that when a man has qualified for an office and that which is charged against him is an act performed subsequent to his confirmation, it involves not a reconsideration of the confirmation, but involves impeachment proceedings or removal by the President.

The other question may be discussed here for years and years, as all constitutional questions have been. Wherever we find a question involving the constitutional rights of the Chief Executive, we find on the one side of it, in the inferior courts before the question reaches the Supreme Court, as many decisions against as for it until it is finally determined by the Supreme Court. I mean that there are many decisions each way in the inferior courts, but we find it finally decided by the Supreme Court. These questions continue and continue. We are asked now to request the return of the papers relating to three members of the commission because of an act committed subsequent to their qualification, organization, and action officially. I think on that question alone there will be a difference of opinion irrespective of what is involved; but if we are to settle that; it is most unfair on the part of the Senate to make the three commissioners the victims, the sacrifice for determining the question. Let us deal fairly with the three commissioners, fairly according to the facts in the case, and then let us determine the constitutional rights of the Senate and the President without involving the three commissioners and sacrificing them and humiliating them on the ground that legally they have merely suspended three of the employees of a former commission.

Mr. LA FOLLETTE obtained the floor.

Mr. HEFLIN. Mr. President, will the Senator yield to enable me to suggest the absence of a quorum?

The VICE PRESIDENT. Does the Senator from Wisconsin yield for that purpose?

Mr. LA FOLLETTE. No; I do not yield for the purpose.

The VICE PRESIDENT. The Senator from Wisconsin declines to yield.

THE UNEMPLOYMENT SITUATION

As in legislative session,

Mr. LA FOLLETTE. Mr. President, I shall discuss a matter which I consider to be of utmost importance to the country.

On December 15 last I presented to the Senate telegrams coming from the secretaries of central labor bodies in various cities in the United States giving information as to the conditions in those communities concerning unemployment

and the resultant suffering. On December 20 I presented to the Senate replies which had been received up to that date to a questionnaire which I sent out to the mayors of cities of 5,000 and over west of the Allegheny Mountains. Following that I presented to the Senate a resolution requesting the Appropriations Committee to call before it Judge John Barton Payne, chairman of the American Red Cross; Col. Arthur Woods, chairman of the President's Emergency Committee for Employment; General Brown, Chief of Engineers; Colonel Wetmore, Acting Supervising Architect, of the Treasury Department; and Mr. MacDonald, Chief of the Bureau of Public Roads, in order that there might be placed upon the record a statement from these gentlemen as to the conditions which they found in the country concerning unemployment and as to the effectiveness of the administration program for its relief.

Already the Senators from Arkansas [Mr. ROBINSON and Mr. CARAWAY] have presented evidence concerning the distress in their State based upon information which they have received. I shall not, therefore, in the course of my remarks discuss the testimony of Judge Payne.

It is significant in considering the testimony of Colonel Woods to find that although but a little more than a month has elapsed since the President of the United States informed the Congress in his message that the number of unemployed in the country was in the neighborhood of 3,500,000, on last Wednesday Colonel Woods informed the Appropriations Committee of the Senate that he estimated the unemployment in the country to be between 4,000,000 and 5,000,000 persons. An examination of his testimony, however, will conclusively demonstrate that this is merely an estimate, and a very rough estimate. In response to one question Colonel Woods stated:

> We have not made a survey to attempt to estimate the amount of unemployment.

Again he said:

> We do not know just what is the extent of unemployment.

Considering the immediate future, Colonel Woods said:

> We hope distress is going to be avoided; we hope every community is so organized as to be able to take care of any cases of distress in its neighborhood. I have confidence that that is the situation.

In response to a question of the Senator from New York [Mr. COPELAND], Colonel Woods testified to the effect that in no instance had there been brought to his attention a community in this country which was unable to provide for the relief of distress due to unemployment.

Mr. President, I desire to read excerpts from certain replies which I have received from the mayors of cities concerning the conditions existing in their communities. It will be noted that these replies come, for the most part, from the smaller communities, but they are sufficiently scattered over the country, I believe, to reflect a condition which is to-day all too prevalent.

I read first from a letter from Mr. F. W. Latta, mayor of Dyersburg, Tenn., who says:

> Condition of the poor is desperate in this community. Hundreds are applying daily to relief agency, which is impotent to care for the situation. There is no work for those who would gladly do it. Men who never lacked before are imploring aid for families, which can not be met. I join in with the cry of desperate men that something be done at once to help towns and counties to care for these people.

The mayor of Globe, Ariz., Al S. Floyd, says:

> In closing, may I express the hope that your questionnaire will inaugurate a movement that will result in the relief of this awful condition of want and suffering among the poor and unemployed.

The mayor of Oskaloosa, Iowa, Mr. R. K. Davis, says:

> I wish to state that it is said that Iowa is in the best economic condition of any State in the Union. If that is true, I pity some of the rest of them. Practically all labor is at a standstill. Plenty of food and shelter for everyone if funds could be obtained to pay for them.

The mayor of Jeffersonville, Ind., Mr. Allen W. Jacobs, has this to say:

> These times demand united action from the Government itself. The situation is as bad as war, in effect, because men and women are in need and their children are suffering more than they. They are not getting enough to eat, and if winter sets in bad there will be many people who will die because they will not have sufficient strength to resist illness. Death and destruction may await us on all sides if we sit idly by and let these people go hungry.
>
> These unemployed people are victims of an industrial let down and can not get work, but they must be fed somehow, and the Government should do its part to help out. There is too much delay now by those at Washington.

From the letter of the secretary of the Chamber of Commerce of Greenville, Miss., Mrs. Coburn H. Williams, I quote the following:

> To show you the conditions since the 5th of December, the applicants for relief at the Red Cross office have been 450, and the total cases handled in 1929 was 540. Now not all of these have received help, but there is quite a number who have, and, with the winter just coming on, and the Government work and most of the local lumber mills shutting down their operations, and our road program held up for an indefinite period, it seems that relief is going to have to come from the Government as most of the local citizens can't keep on giving, as most business people have been hard hit.

Here is a letter from Mr. George P. C. Newton, chairman of the local relief committee of Iron Mountain, Mich. He states:

> The worst condition to date in this area has more to do with lower operating time in largest industry in the community—automotive plant—with many employees during past few months getting only $42 per month—that is, six days at $7 per day.

The mayor pro tempore of Raton, N. Mex., Mr. O. E. Maulsby, says:

> Coal mining being the chief industry, the demand for coal has so decreased that some of the mines have closed; others working part time—8 to 11 days per month—giving the mine laborers very little to distribute to the welfare of the community after necessary living expenses are taken care of.

Mr. M. M. Vaughn, mayor of Nebraska City, Nebr., writes as follows:

> The general situation is practically the same as elsewhere, many out of employment, and conditions of unrest among those out of employment, and very little to do with, which is sure to create discontent among those in this condition, and, of course, to relieve, their sustenance must come from those who have, in order to create a better feeling among this class that are needy and are in want of the necessaries of life.

Doris M. Cangney, secretary of the Family Welfare Association of the city of Lima, Ohio, has this to say:

> Our factories, as a whole, are running on a minimum number and a part-time basis. The men employed are earning from $12 to $16 a week. This is not sufficient income to maintain a minimum standard of living, and our families are suffering from malnutrition, lack of warm clothing, and, in many cases, are living in unsanitary houses. Our board of health is unable to cope with the situation where the landlord is asking a family to move for nonpayment of rent, and where, due to bursted water pipes, the family have no water supply, and where, due to insufficient or no income, the family have no money on which to move, and the landlord refuses to repair the plumbing.

A letter from J. W. Neal, health officer of Bellaire, Ohio, has this to say:

> Due to our community being in the center of the bituminous-coal region, which is operating on a very low scale of about two days a week, with wages at the price which is below living wage, and no mills working, make industrial conditions throughout the valley deplorable and necessary for those having even such employment charges on the city and county as well.

Mr. James J. Thomas, mayor of Columbus, Ohio, says:

> Industry reducing steadily its hours of work and the number employed. Families suffering from prolonged malnutrition due to low rationing. Evictions increasing.

The mayor of Elyria, Ohio, James A. Hewitt, says:

> Elyria is a city of 25,000, and the general situation is very bad, but I believe the citizens are awake to the seriousness of the situation and can furnish the necessary temporary relief; but by reason of unemployment many of our citizens are becoming hopelessly involved in debt, and this, of course, affects the retailers in a serious way, also owners of property. I believe that the Federal Government should at once appropriate money for construction purposes in order to provide our citizens with work.

Mr. T. E. Thompson, city manager of Shawnee, Okla., has this to say:

> Our situation is very acute and the problems are becoming more burdensome every day. We are depending upon our Federal

Government to rise to the situation and restore confidence to our people to such an extent as affording opportunity for work which will be again available in our Nation for all men who honestly desire to render service.

The mayor of Terrell, Tex., says:

The general situation is very depressing. It is hard to see how many will be able to make it through the winter.

The mayor of Logan, Utah, Mr. A. G. Lundstrom, says:

Logan City and the citizens of this community have practically reached the peak of their ability to meet with this unemployment situation, and the real burden of this difficulty is increasing, and will increase for the next four months. We certainly hope that the Federal Government will make appropriations immediately available to help the State and cities meet this serious emergency.

Mr. Delbert Miller, mayor of the city of West Allis, Mich., says:

The unemployment situation is undermining the morale, if not the morals, of thousands of otherwise good citizens, many of whom have lost their homes, or are likely to in the near future.

Mr. President, up to this time replies have been received from the mayors of 303 cities and towns of about 5,000 population and over to whom the questionnaire to which I have referred was addressed by the Senator from Massachusetts [Mr. WALSH] and myself. They are from 41 States in the Union. The bulk of the replies come from Ohio, Indiana, Illinois, Michigan, Wisconsin, Massachusetts, and Connecticut. The large majority of the replies come from mayors of cities and towns of less than 100,000 population; and the majority of these, in turn, are from cities and towns of less than 50,000.

It is perfectly obvious that because there is less concentration of wealth in the smaller cities, there are fewer persons of large means in those communities to whom an appeal may be addressed in raising funds for relieving the misery of the victims of the unemployment situation. It is in these smaller places—as a perusal in detail of these letters, which I shall subsequently print in connection with my remarks, will show to any Senator who will read them—that the suffering has reached its peak. They also indicate that these are the communities where they are having the greatest difficulty in raising money in order to relieve the actual distress and suffering. The majority of these mayors report a great increase in the appeals for help in the year 1930 over the year 1929, and a majority of them also report that they expect a further increase during the early months of this year.

It will be noted by any Senator who will study these letters that the appeals for relief seem to be out of proportion to the number of unemployed that are reported. However, it seems to me that the explanation of this situation is contained in the answers to the questionnaires, in that many of them mention the fact that there is a great deal of part-time employment in their communities. Evidently the part-time employment is so meager that many of the men who are listed as being employed are receiving so small a weekly or monthly wage that they and their families are also dependent upon charity to prevent privation and want.

The picture given by the replies to this questionnaire shows that the suffering due to the part-time employment is almost as great as that due to total unemployment. Senators will find in these letters statements showing net weekly or monthly incomes totally inadequate to support a single individual, let alone a family and dependents. Apparently during the first part of the industrial depression of 1930 these part-time wages, eked out by savings accounts, helped the wage earner to meet the situation; but, as I have previously pointed out, this is the second, not the first, winter of unemployment. Judging from the situation reflected by the replies to these questionnaires, the funds of the part-time workers are now exhausted, and men and women are finding it necessary to appeal to the charity organizations in their communities for assistance to keep their children and their families from starvation.

Another factor that is causing distress in the smaller communities is that the wage earners out of work and owning property are finding it difficult to meet their tax payments. Likewise, according to the reports of these mayors, the general business depression has apparently affected the prompt payment of taxes. Taxes are difficult to collect, and therefore the city governments are having difficulty in appropriating any additional funds.

Some of the mayors in their replies call attention to the fact that the collections for charity made by various organizations in their towns are very much smaller now than a year ago, despite the fact that in many instances the burden has been increased from 100 to 500 per cent. It is evident from the picture given by the replies to this questionnaire that the normally prosperous middle class has been very hard hit by this depression and is unable to meet these demands for increased donations to the charitable organizations.

The number of mayors who, in response to this questionnaire, have unqualifiedly declared themselves in favor of Federal assistance, is proof that the crisis in many of the smaller places is acute. In many places the mayors report that they have never before faced the problem of caring for unemployed workers.

Mr. President, I proceed to a more detailed summary of some of these replies by States.

OHIO

Twenty-four cities in the State of Ohio, with a total population of 1,141,928, show 12.2 per cent of total unemployment, in addition to many workers on part time. In this calculation the cities of Cincinnati, Dayton, and Cleveland are not included. The answer to the questionnaire from Cincinnati shows 20,000 totally unemployed, which is 13.2 per cent of the employable population. In addition to this, Cincinnati states that there are 25,000 workers on part time. The figures given for the city of Dayton show 14.9 per cent totally unemployed, while the figures from the mayor of Cleveland show 11.5 per cent totally unemployed. The mayor of this, the largest city in Ohio, is frank to state in closing his letter, where he records the various activities to relieve the suffering of the unemployed, that—

I have no doubt that there are many people who are really suffering in spite of the best efforts of our charitable agencies.

It should be borne in mind in passing that this statement is made from one of the cities where great wealth is concentrated, and in which, if private sources are sufficient to meet this emergency, sufficient funds should be forthcoming.

INDIANA

Twenty-two cities in the State of Indiana, with a total population of 361,000, show 14.4 per cent total unemployment. The principal city of the State, Indianapolis, is not included in the 22 cities I have just mentioned. It has a population of 364,000. It shows a total unemployment of 21 per cent as of November 30, 1930; and its public-relief department shows nearly double the number of families being provided with help as compared with a year ago.

The mayor of Indianapolis states definitely that his figures are based on the report of a fact-finding committee. Some of the mayors of the smaller Indiana cities picture the situation as very desperate. The mayor of Brazil says that the city, as well as the private agencies, are unable to meet the heavy demands caused by unemployment and depression.

The mayor of Frankfort writes:

I have been in this community for more than 50 years, and conditions are the worst right now that I have known. Evidence of the increase in crime as well as want is already evident, and the prospects for the remainder of the winter are bad.

The mayor of Jeffersonsville, Ind., says:

These times demand united action from the Government itself.

He says:

The Courier-Journal of Louisville states that some Member of the United States Senate said that the Red Cross was taking care of most of the unemployed. That may be true in some cities, but I know that they are doing nothing here, to my knowledge.

ILLINOIS

Seventeen cities in Illinois, answering the questionnaire, show an average of 11.4 per cent total unemployment. This does not include Chicago, where, according to Mayor Thomp-



son, there are 250,000 unemployed, or 22 per cent of the employable population of that city. In this State there are again reported many workers on part time, both in mines and factories.

WISCONSIN

Twenty-one cities in Wisconsin, including Milwaukee, having a total population of 1,000,000 in round numbers, show total unemployment of 13 per cent. There is also evident in the reports from some of the Wisconsin cities the condition of short-time employment, to which I have already referred. The city of Kenosha, for example, reports that the normal pay roll of Kenosha factories carries 14,000 employees. At the present time there are about 7,500 working. Some of these men who are listed as employed are working very short hours.

The mayor of the city of Superior says:

It seems to me that the President is wrong in opposing any increase in Federal taxes required and necessary in order to help meet the present situation. He certainly must know that every municipality has had to increase its tax rate this year because of the hard times and unemployment; and he ought to know that general property has been carrying about as heavy a burden as it can carry.

MICHIGAN

Seventeen cities in Michigan in this report, with a population of 369,000, show a total unemployment of 9.9 per cent. Detroit, taken separately, shows 18.6 per cent. Again there is found a very bad condition existing among the partially employed.

MASSACHUSETTS

Twenty cities reporting from the Bay State, with a population of 1,000,000 in round numbers, show 13.9 per cent totally unemployed. In Massachusetts one finds the partially employed problem looming large. One of the several mayors reporting on this situation, the chief executive of the city of Waltham, says:

The Waltham Watch Co. had a regular force of 2,800 last June. Now, during the Christmas season, when it should be rushing and working overtime, only about 200 hands are employed, some of them on part time.

CONNECTICUT

Nine cities in Connecticut, with a total population of 524,000, show a total unemployment of 8.3 per cent. Partial employment is dealt with by some of the mayors. The mayor of Ansonia, which is a city of only 19,000, records 3,000 on part time.

PENNSYLVANIA

Eight cities reporting in Pennsylvania, with a total population of 500,000, show 9.8 per cent total unemployment, with many on part time. The city of Erie, for instance, reports 4,500 workers employed only two to three days a week.

NEW YORK

Seven cities in New York, not including New York City, reporting on total unemployment, with a population of 1,100,000, including the city of Buffalo, show total unemployment figures of 16.9 per cent. Buffalo reports spending in all probability at least $1,000,000 over and above the average for the last five years for relief purposes.

NEW JERSEY

Six cities in New Jersey, with a total population of 320,000, showed 12.5 per cent of total unemployment. The mayor of Hackensack states:

We find that many of our unemployed of all classes are having trouble keeping up payments on mortgages, building loans, rents, and so forth. People who have never yet called for relief are forced to do so at the present time.

IOWA

Eleven cities in the State of Iowa, with a total population of 240,000, show 8.1 per cent total unemployment, with many on part time.

KANSAS

In Kansas seven cities, with a total population of 225,000, show 12 per cent of unemployment.

CALIFORNIA

Eleven cities in California, including San Francisco, having a total population of 1,000,000 show 10 per cent of total unemployment.

NORTH CAROLINA

In North Carolina four cities, with a total population of 128,000, show 9.9 per cent totally unemployed.

SOUTH CAROLINA

Three cities in South Carolina, Anderson, Denton, and Columbia, show figures of total unemployment of 16.5 per cent.

MAINE

Three cities in Maine sending in unemployment figures make a very bad showing, notwithstanding that one of them, Auburn, shows a very small percentage. The city of Biddeford, with only 17,000 population, estimates that they have over 4,000 unemployed. The city of Bath, with a population of less than 10,000, reports 500 totally unemployed.

MINNESOTA

Seven cities in the State of Minnesota, with a total population of 161,000, show total unemployment of 10 per cent.

NEBRASKA

Two cities in Nebraska, with a population of 17,000, report 8 per cent totally unemployed. But Omaha, with a population of 214,000, reports unemployment figures which show nearly 30 per cent of totally unemployed.

OKLAHOMA

Five cities in Oklahoma, with a total population of 75,000, report 12 per cent totally unemployed.

ARKANSAS

In Arkansas, North Little Rock, with a population of 19,000, reports 46 per cent of total unemployment. For Smith, with a population of 31,000, has 15 per cent, and Van Buren, with a population of 5,000, has 6.7 per cent.

COLORADO

Two cities in Colorado reporting on the unemployed, with a total population of 38,000, show 8 per cent totally unemployed.

MONTANA

Four cities in Montana, with a population of 54,000, show 11 per cent totally unemployed.

NORTH DAKOTA

Four cities in North Dakota, with a total population of 58,000, show 10 per cent total unemployment.

TEXAS

Six cities in Texas, with a population of 243,000, show 10 per cent of total unemployment.

GEORGIA

Four cities in Georgia, with a total population of 429,000, show 8.9 per cent total unemployment.

VIRGINIA

Two industrial cities reporting from Virginia are Petersburg, which shows 11 per cent of total unemployment, and Danville, showing 40 per cent. The last-mentioned place, of course, is where the textile strike is in progress.

VERMONT

Two cities reporting from Vermont show 13.6 per cent total unemployment.

WEST VIRGINIA

The two cities reporting from West Virginia show 9.1 per cent total unemployment.

NEW HAMPSHIRE

Five cities in New Hampshire, with a total population of 166,000, show total unemployment of 7.5 per cent.

FLORIDA

The only city reporting from Florida is Miami, where the total unemployment is shown to be 8.1 per cent.

TENNESSEE

In Tennessee seven cities, with a total population of 443,000, show 7 per cent of total unemployment, but also report many additional workers on part time.

KENTUCKY

Four cities in Kentucky, with a total population of 348,000, show total unemployment figures of 12.8 per cent.

LOUISIANA

Four cities in Louisiana, with a population of 129,000, show total unemployment of 19 per cent.

MISSOURI

Three cities in Missouri, with a total population of only 22,000, show 6 per cent of unemployment.

ALABAMA

Two cities in Alabama, small ones, with a population of 22,000, show 13 per cent total unemployment.

OREGON

Six cities in Oregon reporting, with a total population of 62,000, show total unemployment of 14 per cent.

UTAH

Three cities in Utah, with a total population of 65,000, show 8 per cent of total unemployment.

RHODE ISLAND

The city of Providence, in Rhode Island, reports unemployment figures for the entire State, whose total population is 687,000. The estimate is 30,000 totally unemployed, which is 13.5 per cent of the employable population.

NEW MEXICO

Only one city from New Mexico has reported. From this report I have already read to the Senate a paragraph. The city of Raton, with a population of 6,000, shows 24.6 per cent of unemployment.

ARIZONA

The city of Globe, Ariz., the only city reporting, with a population of 7,157, shows 13.4 per cent total unemployment.

MISSISSIPPI

Only one city reported from Mississippi—Corinth, with a population of 6,220—showing 24 per cent total unemployment.

Mr. President, of these 303 letters to which I have referred, 175 were unqualifiedly in favor of direct Federal relief. Forty-one were in favor of it with qualifications. Forty-four were opposed, and 14 reported their communities as not needing any assistance. Twenty-nine did not express an opinion in response to this question.

These cities have a population, under the new census, of 16,024,611. They show a percentage of total unemployment of 15.8 per cent.

It should be noted, of course, that the number of unemployed in the larger cities, such as Chicago and Detroit, bring these figures up considerably. These population figures are taken from the census report of cities just completed, and the basis for finding the percentages of unemployment is that announced by the Department of Labor, that 1 out of 3 in the population is employable.

Mr. President, it has been assumed by many people who have discussed this question that the larger centers are in a position to take care of distress resulting from unemployment because of their greater resources of wealth. I want to call the attention of the Senate, however, to an article in the New York Times of January 7:

Seward Prosser, chairman of the emergency employment committee, and officers of leading private welfare agencies called upon Mayor Walker at city hall yesterday, informed him that the unemployment situation was acute and that distress was increasing. They declared that the voluntary relief agencies had budgeted all the funds possible to alleviate the situation and were unable to meet the increased demands upon them.

A possible appropriation by the city of $10,000,000 to cope with the situation was discussed when the mayor learned that the private welfare organizations could not supply relief or jobs to all those in need.

It should be remembered that it has become necessary to appeal to the city government for assistance despite the fact that the citizens of that great Commonwealth have already raised $8,000,000 for relief purposes in this emergency.

The director of the city free employment bureau declared that the unemployment situation was "desperate" and that the demand for jobs was increasing rather than decreasing.

For the 5,000 men and women who jammed the rooms of the bureau so that it was difficult to make lanes to the clerks who announced the available jobs there were but 304 placements yesterday. These, said Mr. Rybicki, were for jobs lasting an hour to a week, with very few permanent positions.

Announcement by a clerk that two men were wanted to move lumber—"one hour's work for 50 cents"—was followed by a rush toward the desk suggestive of a football scrimmage.

"Remember that these jobs are only for an hour," the clerk cried, but the men kept shoving each other in their eagerness to be selected until 50 had presented themselves.

This incident, according to Mr. Rybicki, was typical of the desperate condition of many of the applicants. He has 60,000 names on file of men and women seeking work and receives daily many personal letters sent to him and to Frank Taylor, commissioner of public welfare.

Here are a few excerpts from them. These are letters written by people in this city, which has a greater concentration of wealth than any other community in the United States. We have been told again and again that New York could raise ample funds from private contributions to relieve distress.

J. S., 40 years old, an electrician with 8 children, 6 girls and 2 boys, wrote that he had been out of work six months. His children need shoes and clothing.

A. H. wrote that he was starving, with rent, gas, and electricity bills unpaid, and was facing eviction. "I know I am lost if you do not help me out," he said. "I am going about with poor, torn shoes. Please open up your heart and do something for me and my sick wife."

C. P., a girl who spoke for her five brothers and sisters, asked Mr. Rybicki to get her father a job.

Mrs. E. S., whose husband has just left the hospital, said she was destitute and had three children to care for.

A young Porto Rican wrote: "Please put me to work as soon as possible, because I'm in the worst condition of life. My father is sick in bed and my mother abroad needs my help. I am penniless and I need work. I'm almost naked and am suffering from hunger and cold."

Mrs. J. C. wrote: "I don't know from day to day where the next meal is to come from. I have seven small children. My gas and electric is going to be turned off. I have no money to pay anything or buy anything."

Mr. President, I have cited this story as indicative of conditions which are existing in New York City. It is evident from the statement of the chairman, Mr. Prosser, they are unable to cope with the situation, and they have already appealed to the mayor of the city for a $10,000,000 additional appropriation. Of course the mayor expresses sympathy, but questions whether the city has legal authority to give aid. In the meantime, these men and women and their dependents are in dire need.

The letters which I have presented to the Senate and the situation in the city of New York as reported in the New York Times indicate that many citizens in these various communities have responded to meet the emergency. The various agencies have endeavored to meet the situation. This evidence demonstrates, however, that there are want and suffering in these communities to-day, and that despite the fact that these communities have strained every nerve to meet the situation, they are unable to cope with it.

Mr. President, what have we done about the situation? What has the administration done about it? An examination of the testimony of the chairman of the President's Emergency Committee for Employment before the Committee on Appropriations shows that he believes work should be provided rather than relief. With that I am in hearty accord. But a review of the testimony will convince any Senator that the program which we have adopted at the behest of the present administration is so woefully inadequate to meet the situation and to provide work for the unemployed that it is tragic. The principal contribution to the expansion of employment in the immediate future is the widely heralded $115,000,000 public works expansion appropriation which we passed prior to the adjournment for the Christmas recess. Perhaps that sum of money sounds large to individuals reading it in the newspapers, but when it comes to dealing with this question it is so woefully inadequate that it can not fail to blast the hopes of the people of the country.

An examination of the testimony will disclose that none of the representatives of the various departments who are to supervise the expenditure of the bulk of this money knew exactly what the funds at their disposal would accomplish toward providing work. Some of them admitted that in framing the administration program for unemployment through the expansion of public works little thought had been given to the actual number of men to be afforded

employment or to the centers in which this critical situation existed. Apparently all they sought to do was to establish how much money they could readily spend during the present year, without any regard for the number of men who would be afforded employment under the program. Pressed by Senators on the committee, however, they sought to estimate how many men would be afforded work as a result of the program. I think it is fair to say that their estimates were certainly as optimistic as possible.

How many men will find work as the result of the passage of the so-called unemployment relief program of the administration? Mr. MacDonald, Chief of the Bureau of Public Roads, estimated that the number of additional men employed would reach only 100,000. He appeared uncertain of this number and on occasion spoke of 50,000 as being the number that would be employed. But assuming that his figure of 100,000 is correct, I invite the attention of the Senate to the fact that the employment for 100,000 persons on road construction will come not wholly as a part of Federal expenditures but because of the expenditure of money by the States. In other words, Mr. President, it is a joint project between the States and the Federal Government.

According to General Brown the $22,500,000 for rivers and harbors will provide employment for 45,000 men for six months or the equipment of employment for 22,500 men for 12 months.

The third item in the administration unemployment-relief program is public buildings for 1931. While Colonel Wetmore arrives at a total of $138,000,000 for 1931, it developed that approximately $50,000,000 of the amount will go for the purchase of land and therefore will not afford any relief to the unemployed. The remaining $85,000,000, according to Colonel Wetmore, Acting Supervising Architect, will give direct employment to only 8,500 men. It must be remembered in this connection that construction was already under way during 1930. There is no explanation in the testimony as to how much of an increase the 1931 expenditures for public buildings represent in the employment of labor, but it seems to me it is fair to say that not more than 5,000 additional men will be given employment.

If we take these statements at their face value, not discounting them at all on the basis that they may be too optimistic, we find that the administration's program for unemployment relief will amount to the direct employment of 130,000 men. Of course, it must be admitted that this activity will somewhat stimulate employment in the industries furnishing materials for the work involved. According to Colonel Wetmore's estimate, for every man employed on a public-building project five would be provided with work indirectly. Even if this estimate is sound—and he gave no supporting data—the total for public buildings amounts to only 53,000 men, and at least one-third of this number must have been employed already in 1930, leaving the total expansion for public buildings in employment only 35,000 men.

Colonel Woods, chairman of the President's Emergency Employment Commission, has estimated that there are 5,000,000 unemployed and that the total number will increase during the next two months. It is therefore evident that the estimates submitted by the representatives of the executive departments, that only 130,000 workers would be directly affected by the administration's relief program, prove the program to be miserably inadequate.

Mr. President, I submit that a review of the testimony giving the details of the activities on behalf of the administration to meet this critical economic situation shows that the administration lacks either the will or the courage to meet the present emergency. The testimony, however, merely reinforces the evidence which has already existed concerning the failure of the administration to meet its responsibilities in this crisis. While men and women and children have suffered privation, want, and hardship, the administration has attempted to minimize the situation at the outset and then when the seriousness of the problem became evident it has utterly failed to provide an adequate program to meet the situation.

President Hoover, in his inaugural address, said:

> The larger purpose of our economic thought should be to establish more firmly stability and security of business and employment.

He failed to keep this pledge, however, when three months after he had delivered that message to Congress, in response to a request from the president of the Iowa State Federation of Labor that he call a conference to consider measures of permanent relief against the growth of unemployment, he stated that he—

> Hoped that we will be able to take it up when some of the momentarily pressing problems of the administration are out of the way.

He had done nothing concerning the problem, despite the efforts of the junior Senator from New York [Mr. WAGNER] to direct attention to it when, after another three months, the stock-market crash came and the Nation suffered a panic.

What followed? A series of conferences in which the leaders of various groups of industry were called together at Washington. The net result of these conferences was the issuance of statements that the situation was "well in hand" and that the various industries were going to spend such enormous sums of money that there would be work for everyone.

Mr. President, a few months after those conferences had taken place and those optimistic statements were issued it became perfectly evident that the unemployment situation was growing more critical. However, on the 6th day of March, 1930, the President of the United States still maintained his attitude of attempting to minimize the situation. Instead of any action looking to a solution of the problem he issued a statement to the country in which he said:

> All the evidences indicate that the worst effects of the crash upon employment will have been passed within the next 60 days, with the amelioration of seasonal unemployment, the gaining strength of other forces, and continued cooperation of the many agencies actively cooperating with the Government to restore business and to relieve distress.

Following that statement the President of the United States allowed the unemployment problem to grow worse for another seven months without taking any action save the slight expansion of public works. The situation, however, was called to his attention. He was waited on, according to an article in the Nation of January 14, by a committee. One of the members of the committee was Mr. Amos Pinchot, of New York City. According to his account, he was a member of a delegation "representing a committee of misguided nobodies made up mainly of bishops, bank presidents, manufacturers, and the like." They called to wait upon the President in an attempt to direct his attention to the seriousness of the unemployment situation and to urge upon him a tremendous public-works program in order that the situation might be met. I quote from Mr. Pinchot's article:

> Mr. Hoover listened with the scant patience and restrained exasperation of a man who knew every angle of the situation far better than we who had presumed to advise him. Whereupon he launched into a clear, forcible, and convincing speech, in which he proved to us that we were wrong on every point. Unemployment, he said, was being shamefully exaggerated. Its peak had been reached and passed. The tide had turned.

This, mind you, was on the 4th day of June, 1930.

> The Census and Labor Department reports, and other information to which, as he reminded us, he had better access than we, would presently show that things were quite different from what we feared. Yes; we were now to drift peacefully, if slowly, back to good times. With calm confidence he spoke of the results that were being gained through the conference he had called of great business leaders and of their fine response to his appeal not to curtail the volume of their activities. He showed us, in authoritative style, that every agency of both the Federal and State Governments was working at top capacity to relieve the situation. "Gentlemen," he said, "you have come six weeks too late." Here the great engineer was right again. Our chairman for just about that time had been trying to get an appointment with him.

Mr. President, I ask to have this article incorporated in the appendix to my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

(The matter referred to will be found as Exhibit B at the end of Mr. LA FOLLETTE's remarks.)

Mr. LA FOLLETTE. Mr. President, the administration has followed the same course in meeting the situation created by the drought that it has followed in its attitude toward the unemployment problem. On August 5 the President took official cognizance of the drought situation. He said:

> There can be no doubt as to its most serious character in many localities and that unless relieved there will be real suffering. No stone will be left unturned by the Federal Government in giving assistance to local authorities.

On August 8 he said:

> Our first duty is to assure our suffering countrymen that this will be done, that their courage and spirit shall be maintained, and our second duty is to assure an effective organization for its consummation.

The Senate attempted to relieve the starvation in the drought areas, but the President has left "no stone unturned" to prevent the Congress from affording relief to the sufferers in the drought-stricken areas.

Now, what is the situation? The program of the administration for relief has been passed. We find upon analysis that it is totally inadequate to make a dent in the unemployment crisis. We find that the administration is unalterably opposed to any direct Federal relief to the men and women and the children who are the innocent victims of this economic disaster. We find likewise, as has been demonstrated here by the two Senators from Arkansas, that the administration has refused to permit the Congress to give any direct relief even in the form of loans for the purchase of food for those who are suffering in the drought-stricken areas.

Mr. President, what is Congress going to do about it? Are we a coordinate branch of this Government or are we a subservient branch of the Government? Let us see what it is that we are to do; let us reflect upon the program which the steering committee has suggested shall occupy the attention of Congress while the country is experiencing the worst economic crisis in its history. We have passed the administration's woefully inadequate program for the expansion of public works. The influence and power of the administration have thus far prevented assistance—even in the form of food for the starving in the drought-stricken areas.

The administration's program for meeting the greatest economic crisis in our history has been enacted. But upon analysis President Hoover's program is clearly futile. Is the Senate willing to share in the responsibility for this wholly inadequate program? What answer will it make to the country in its hour of need? The steering committee has recommended a program for the coming weeks. Of what does it consist?

On January 7 the steering committee recommended that as soon as we get through with the so-called maternity bill we shall take up Senate bill 3344, a bill supplementing the national prohibition act for the District of Columbia. Following our disposition of that, we are to proceed to the consideration of House bill 6603, an act to provide a shorter work week for postal employees, and for other purposes. Mr. President, that is the only bill on the steering committee's program that has the slightest relation to the unemployment situation. Its passage might, indeed, result in the Federal Government setting a good example to industry by adopting a shorter work week.

When we get through with that we are going to take up a bill granting increase of pensions to certain soldiers and sailors of the Civil War. Naturally, Mr. President, they are in need of assistance, and I have supported the passage of this bill; but I point out that in this crisis we should give our attention as well to a constructive program.

Following that, the steering committee recommends that we take up a bill for Philippine independence. I am in favor of the passage of that bill, but I submit that to devote several weeks of debate to the question of Philippine independence in the face of the situation which now confronts the country is to demonstrate that the Congress is utterly bankrupt in its leadership.

Mr. CUTTING. Mr. President——

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from New Mexico?

Mr. LA FOLLETTE. I yield.

Mr. CUTTING. I should like to state at this point in the Senator's remarks that neither the Senator from Missouri [Mr. HAWES] nor myself, who are the authors of the Philippine bill, made any request to have it put on the preferred calendar at the present time. How it got on I leave to the Senator's judgment.

Mr. LA FOLLETTE. Mr. President, the Congress, like Nero, is fiddling while Rome burns.

The leadership in Congress, if any exists, should devote itself to the development of a program which will adequately meet this situation. First of all, obviously, we should see that food and clothing are provided for the drought sufferers. To throw the entire burden upon the Red Cross and to permit conditions to develop such as have been pictured here by the Senators from Arkansas is criminal negligence on the part of Congress.

Second, I think that the evidence which I have submitted to the Senate to-day and upon two previous occasions when I have spoken shows overwhelmingly that prompt action should be taken upon some measure to give direct relief to the unemployed and their dependents. The bill introduced by the junior Senator from Massachusetts [Mr. WALSH] which provides for a 50-50 appropriation by the Federal Government to relieve the cities of the excess burden which they have had to meet in providing relief for the unemployed, should be enacted, or we should pass a measure which would enable the Red Cross to meet the situation.

Third, Mr. President, our public works program for the next fiscal year should be expended. Let us not be caught again next winter in the situation in which we now find ourselves. Let us provide for a sufficiently large public-building program so that during the next winter appropriations for public works and the plans and specifications and contracts will be ready so that the Federal Government may step in to relieve adequately the situation.

Fourth, Mr. President, some attempt should be made on the part of Congress to afford the means for the mobilization of the intelligence of industry and finance in order that it may be brought to bear upon the problem of solving the question of distribution, as it has been brought to bear during the last 10 years upon the problem of increasing the productivity of our present industrial organization. Unless we do that, Mr. President, economic conditions may be infinitely worse 12 months from now than to-day. We can not solve this problem through mergers. The recently announced plan for consolidation of the eastern railroads, as has been shown by the president of the Baltimore & Ohio Railroad Co., will create economies largely at the expense of the employees. Consolidations or mergers of the kind proposed will add to the number of unemployed rather than reduce it. To follow such leadership will bring about a permanent unemployment problem which will be, if permitted to run its course, greater than that which has afflicted Great Britain during the years since the World War.

The administration having failed to meet this crisis, Congress should devote its energies during the coming weeks to the enactment of a relief program and to the passage of constructive measures for the prevention of unemployment in the future. The time has come for the Congress to assert its leadership.

I ask permission, Mr. President, to print in the RECORD as a part of my remarks the letters to which I have referred, and I ask that they may be set up and printed in the same form as were similar letters which I had inserted in the RECORD of December 20.

The VICE PRESIDENT. Without objection, it is so ordered.

EXHIBIT A

ALABAMA

DOTHAN

DECEMBER 16, 1930.

Hon. ROBERT M. LA FOLLETTE,
Washington, D. C.

DEAR SENATOR: Answering your letter of the 13th instant, I take pleasure in giving you the information requested as follows:

1. Approximately how many people are unemployed in your community?

Answer. We have approximately 500 unemployed in our community.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The number of persons whom the city government is called upon to aid has increased 50 per cent over last year and two years ago.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Our city has increased its appropriations to care for the poor about double the amount provided last year and two years ago.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. We estimate that the increase in number requiring relief during the winter months will be 50 per cent over last year.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Any assistance from the Federal Government will materially help to extend relief to the needy of our city and lessen the burden on local taxpayers.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. The present local relief organizations are the Salvation Army, expending about $4,000 per year; the child-welfare department, expending about $2,000 per year locally; the local post of the American Legion, expending about $500 per year; Masons and other fraternal organizations, expending about $100 per year.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I very highly favor the Federal Government appropriating a sum of money to share in this relief work for our city.

8. A brief statement of the general situation in your community.

Answer. Our city is about on an average with other cities in the agricultural sections of the country in the matter of unemployment. We have no large industries to absorb unemployment; and, on the other hand, we have no large industries to shutdown and thereby periodically flood the city with unemployment.

Thanking you in advance for any assistance you may be able to give in securing an appropriation from the Federal Government to assist us in our emergency relief work, I am,

Sincerely yours,

I. C. EZELL, *Mayor.*

TROY

DECEMBER 16, 1930.

Hon. ROBERT M. LA FOLLETTE,
United States Senate, Washington, D. C.

DEAR SIR: Replying to your questionnaire of 13th:

1. Approximately how many people are unemployed in your community?

Answer. Would estimate the unemployed around 500 in this community.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. It has never been necessary for the city to aid unemployed before except in disasters, such as floods.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Our city has had no appropriation in past, but the present situation will necessitate this.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. If present depression lasts much longer will increase considerably.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. The assistance of the Federal Government will become almost a necessity.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Relief is now being extended by Red Cross, Community Chest, church organizations, service clubs, American Legion, and private donations.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. If the situation does not change I would favor Government appropriations to help relieve the situation.

8. A brief statement of the general situation in your community.

Answer. It has never been necessary to ask the city for help for relief of unemployed in this community before, but our city is in border of flood area of last year, have had three years of crop failure, and our county was in dry area. If present depression continues unemployment and want will increase.

Yours very truly,

WALTER WALTERS, *Mayor.*

ARIZONA

GLOBE

DECEMBER 20, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
United States Senate, Washington, D. C.

DEAR SIR: In reply to your communication of the 13th instant in regard to the present unemployment situation, and your request for certain information pertaining thereto, beg to advise as follows:

1. Approximately how many people are unemployed in your community?

Answer. Three hundred twenty-one.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Fifty per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. $600 for 1928 and 1929; $1,500 this year, and this will hardly take care of our needs.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Fifty-one in 1929; 108 to date this year.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on the local taxpayer?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. The American Red Cross. Approximately four times as many calls for relief over last year and two years ago.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. See attached letter from secretary of Gila County Welfare Board.

In closing, may I express the hope that your questionnaire will inaugurate a movement that will result in the relief of this awful condition of want and suffering among the poor and unemployed. It is the best plan that has come to my notice.

Very truly yours,

A. S. FLOYD, *Mayor.*

[Inclosure]

GILA COUNTY BOARD OF SUPERVISORS,
Globe, Ariz., December 19, 1930.

Hon. ALFRED C. FLOYD,
Mayor, City of Globe, Ariz.

MY DEAR MR. FLOYD: In response to your request for a brief report of relief conditions in this community, I submit the following:

The giving of relief has increased 50 per cent over last year in the same period. Although there have been at least 200 families left this district for the cotton fields last July and August, we expect some of these to return when the cotton season is over, which will be in February, and then there will be further demands.

Through a careful survey of unemployed in the Globe-Miami district, there has been found to be 321 unemployed. This figure represents men who applied for work, not those sitting on band stand and courthouse steps who do not want work.

Not only is the work of our welfare department increasing daily because of the unemployment of our own residents but it is increasing in an alarming extent by the unemployed of the States of Oklahoma and Texas seeking work in the cotton fields of Maricopa County, drawn there, it is alleged, by widespread advertising of the Cotton Growers' Association for cotton pickers.

Daily we are paying out funds to have broken-down cars fixed, replacing worn-out tires, food and clothing to these people, both going to and returning from the cotton fields. Those who are returning claim that the wage schedule there is such that it is impossible to support themselves. Some are returning to their native States; others remaining to become county indigents and problems here. As a result our funds to care for these transients were depleted long ago. This is all in addition to the numerous demands made upon us by citizens of the county, which has increased almost 50 per cent so far this winter.

It would seem that if efforts could be made by the members of the State committees on unemployment toward discouraging the migration of the unemployed from other States to Arizona they would be doing a real service.

Trusting this is something toward the information desired, I am,

Respectfully,

ELLEN HARRISON.

CALIFORNIA

EL CENTRO, *December 19, 1930.*

Hon. ROBERT M. LA FOLLETTE, JR.,
United States Senate, Washington, D. C.

DEAR SIR: Your letter of December 13 relative to the unemployment situation was referred to me for reply.

1. Approximately how many people are unemployed in your community?

Answer. We estimate the number of unemployed at about 700.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. This is probably more than twice the number we had a year ago and possibly three times the number two years ago.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Heretofore the unemployed have been cared for by the charitable organizations, but it has become necessary for the city to assist in this work during the present year.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. The increase is difficult to determine, but probably an additional 50 per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Any assistance the Federal Government can give in providing work will give relief; for instance, the Federal Government has appropriated $140,000 for a new post-office or Federal building. Anything that might be done to get this construction work under way immediately would be a help.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Relief in the way of bread lines and lodging is furnished by the Salvation Army, the Red Cross, and some private individuals. The city is organizing to assist in this work.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. We do not favor Federal appropriation at this time. This city will probably be able to provide the necessary care for the present under existing conditions.

8. A brief statement of the general situation in your community.

Answer. Our situation geographically is attractive to idle or unemployed for the reason of the warm winter months. Our idle and unemployed are mostly from other States and usually drop out during the higher temperatures of the summer months.

Yours very sincerely,

PHILIP W. KNIGHTS, *City Engineer.*

EUREKA

DECEMBER 18, 1930.

ROBERT M. LA FOLLETTE, JR.,
United States Senate, Washington, D. C.

DEAR SIR: After making as complete a survey as possible in such a limited space of time on the unemployment situation in the city of Eureka, I submit the following answers to your query of December 13, 1930:

1. Approximately how many people are unemployed in your community?

Answer. There are approximately 500 unemployed registered in this city.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The number of persons whom the city government is called upon to aid has increased about 50 per cent over last year and the year before.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The city government has done nothing directly. The city has made no effort to aid the unemployed. A registration bureau has been started by the local branch of the Salvation Army and a committee of three composed of the mayor, the captain of the Salvation Army, and the secretary of the American Red Cross. These people have handled the situation almost entirely. Local citizens, charitably inclined, have been the ones who have maintained the soup kitchens and contributed financially to the Salvation Army.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. We figure on a 125 per cent increase during the winter months.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. It is very evident that aid from the Federal Government would help to extend relief, providing it is not put into the hands of local unscrupulous politicians.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. The American Red Cross reports that they have been giving room and board to unemployed single men, and groceries, rent, and clothes to families. The exact amount of expenditure is not obtainable at this time. There is an increase of about 60 per cent in their charitable work over last year and the year before last.

The Salvation Army is maintaining soup kitchens, rooming house for destitute men, and is carrying on the regular family relief as it has in the past. They are expending approximately $600 per month to combat the present situation. It is approximately the same as last year and two years ago.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. It would be a great help to have Federal aid, provided the money would be handled under the proper supervision, but to turn over to local politicians to handle without proper check or rein upon them would be disastrous to any community.

8. A brief statement of the general situation in your community.

Answer. There are 500 idle men who would work and 60 per cent of them with dependents. Because of the lack of employment there is an unrest. Unfortunately, the lumber industries have seen the necessity of cutting wages several different times. Some of the companies have made two 10 per cent cuts and are contemplating a third cut of 7 per cent. The woolen mills have closed down indefinitely and some lumber companies plan to shut down. Compared with other communities of its size in the State of California, Eureka, Humboldt County, is in a little better condition financially and economically than any other city in the State.

Hoping this survey is satisfactory and will lead to betterment of the present conditions, I am,

Very truly yours,

EMILY L. JONES, *Mayor.*

MONTEREY

DECEMBER 30, 1930.

Senator ROBERT M. LA FOLLETTE, JR.,
Washington, D. C.

DEAR SENATOR LA FOLLETTE: Answering your communication of December 13 regarding economic conditions in our community, we are glad to answer your questionnaire as follows:

1. Approximately how many people are unemployed in your community?

Answer. The Monterey Peninsula, consisting of Monterey, Pacific Grove, Carmel, Seaside, and surrounding unincorporated territory, with a population of approximately 23,000, has about 175 unemployed men.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The city governments of these communities have not been called upon to aid these unemployed persons.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. No increase.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. There will probably be an increase in the number requiring relief during the winter months of about 20 per cent over last year.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. The community has the situation well in hand, and we do not believe Federal assistance will be necessary.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. All funds for relief on the Monterey Peninsula are raised through the community chest. This year about $23,000 has been raised, which is an increase of $6,000 over what was raised last year and of $5,000 over 1929.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. We do not favor the Federal Government appropriating funds to share with the city and State governments in relief work. We believe that all construction work that the Government is contemplating should be rushed and that as much work as possible should be made available as soon as practical.

8. A brief statement of the general situation in your community.

Answer. The State government of California has appropriated funds for emergency road camps. Men are employed to build roads by hand, using no machinery, and this has greatly relieved the unemployment situation in many of the communities in the State. There are two camps located near Monterey, one of the camps drawing its men from the cities and the other drawing men through the office of our local chamber of commerce. Men with the most dependents are given the first opportunity. At present the city camp has about 260 men employed, and the camp furnished by the local chamber of commerce has 180.

In checking over our records we find that, including the men themselves, 833 people are being cared for by this employment of 180 men.

The State government has other camps in different sections of the State which are doing much to relieve the unemployment here.

Trusting that this is the information you desire, I am,

Sincerely yours,

J. P. SANDHOLDT, *Mayor.*

NAPA

DECEMBER 19, 1930.

Hon. ROBERT M. LA FOLLETTE,
United States Senate, Washington, D. C.

DEAR SENATOR: In reply to your inquiry which reached my office to-day, will state our people in this location have felt the depression the same as most every section in the world—as I believe it is world-wide.

Sir, may I say that our people are not looking for charity, they are looking for work and willing to work to support themselves and families.

Why in the world doesn't the United States Government release the work they have planned, start their building program at the navy yards, build their post offices, do their river and harbor work, build the Boulder Dam, build the national highways, and hundreds of other worth-while propositions? Start the whole building program that the Congress has been working on for the past four years and the whole United States will have good times again, as every line of industry will start to hum.

We urge our people to buy. Our unemployed must find employment so they can earn enough to buy!

It is up to our United States Senators and Congressmen to see that this building program is started at once and kept going until completed. Then, and not until then, will we have prosperity.

Yours very truly,

CHAS. GRADY,
Secretary-Manager Napa Chamber of Commerce.

DECEMBER 19, 1930.

ROBERT M. LA FOLLETTE,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I have for reply your letter of December 13, and while your desire to help the suffering unemployed is commendable, I can not help but feel that except in extreme cases, which can be taken care of by local agencies, the method you propose is not desirable.

The American worker does not want charity; he wants a chance to earn his way. You can aid very materially in this connection by speeding up the Government building program. Cut out the usual red tape and start work on the Boulder Dam, the Government road-building program, river improvements, speed up the post-office building program.

This is the kind of emergency relief that is desirable. It's the kind of relief that every self-respecting citizen of this country wants.

Yours very truly,

HARRY GROSSMAN,
President Napa Chamber of Commerce.

ONTARIO

DECEMBER 17, 1930.

ROBERT M. LA FOLLETTE, JR.,
Chairman Committee on Manufactures,
United States Senate, Washington, D. C.

DEAR SIR: In reply to your inquiry of December 13, 1930:

There are about 500 unemployed persons in this community.

The unemployed situation is about 50 per cent worse this year than last year.

We are increasing our expenditures about $10,000 to help take care of the situation for the next two months.

Our greatest demand will be for the next 60 days, unless we get too great a call from people coming in from the east.

The Salvation Army and the local Welfare League is doing a great deal to help the situation.

Anything the Government can do at the present time will help to relieve the situation, and I am in favor of the Government doing all that they can.

If our representatives in Washington will just get down to business and do the things in a businesslike manner and forget political parties, they will have done a lot toward restoring confidence and things will naturally correct themselves.

Sincerely yours,

FRANCIS P. WILLIAMS, *Mayor.*

PASADENA

1. Approximately how many people are unemployed in your community?

Answer. Registrations show about 2,500.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Number of dependents has increased about 23 per cent. County-tax money supplies aid.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. From $100,721.51 to $169,132.38; increase $68,410.87.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Depends on the amount of public work created.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on the local taxpayers?

Answer. No doubt it would.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. I have no way of knowing. No private agencies except Red Cross, Catholic Welfare and Mission, and Salvation Army giving relief.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. It may be necessary.

8. A brief statement of the general situation in your community.

Answer. The relief is well in hand—the tax money is still available, and intake for residents has not been limited.

PASADENA WELFARE BUREAU,
Pasadena, Calif., December 22, 1930.

Hon. ROBERT LA FOLLETTE,
United States Senate, Washington, D. C.

DEAR SIR: With reference to the attached questionnaire, we would like to make the following explanations of our replies.

Question No. 4: If we have to depend on private concerns to furnish employment, the unemployment will probably not decrease, but as there are plans on foot for much public work, if this goes through the unemployment should decrease.

Question No. 6: This office is a branch of the Los Angeles County Welfare Department. There is no private associated charities. The Red Cross, Salvation Army, Catholic Welfare Bureau, Union Mission, all do relief work besides ourselves. We have no way of knowing how much they do. Our relief work is taken care of by county-tax money. The only thing the city contributes is office space, some salaries, cars, light, gas, etc.

If we can be of further service to you, please command us.

Very truly yours,

W. H. HOLLAND,
Superintendent Los Angeles County Charities.
By EMILY M. STREET,
General Secretary Pasadena Welfare Bureau.

POMONA

DECEMBER 19, 1930.

Hon. ROBERT M. LA FOLLETTE, JR.,
United States Senate, Washington, D. C.

DEAR SENATOR: Replying to your questionnaire, just received:

1. Approximately how many people are unemployed in your community?

Answer. Probably around 500, possibly more. Many are only temporarily out of work. (Population 20,695.)

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. During the past several months practically double number aided in same period of last year.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Calls for relief were fewer in 1929 than in 1928, but nearly twice as much has been spent by our organization for welfare this year as during 1929, and considerably more than in 1928.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Probably from three to four times as many as during other months of the year.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. If properly handled with minimum expense and not so much red tape; yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Through our welfare league and other agencies, we are handling the situation, I believe, in very good shape.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. With the State, yes, perhaps; with the city, no.

8. A brief statement of the general situation in your community.

Answer. More needy than usual, but not so much real need as presumed to be.

Very truly yours,

C. C. CAVES, *Mayor.*

RIVERSIDE

DECEMBER 19, 1930.

Hon. ROBERT M. LA FOLLETTE, JR.,
United States Senate, Washington, D. C.

DEAR SENATOR: In reply to your letter of December 13, 1930, I am pleased to answer the questions, as follows:

1. Approximately how many people are unemployed in your community?

Answer. Between 300 and 400 people in this community are unemployed at the present time.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The number of unemployed has increased about 50 per cent over that of last year and about the same amount over 1928.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Our city government makes no appropriations for relief to the unemployed and the poor, but it is estimated that the county government will increase its appropriations about 30 per cent over last year.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Local unemployment should not increase to any extent during the winter months.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. The assistance of the Federal Government will not affect the local situation.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Private relief agencies expend about $12,000 upon relief work during the year, and this will not increase to any extent this year as compared with previous years.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. There is no need for Federal appropriations to handle the unemployment situation and relief in this city.

8. A brief statement of the general situation in your community.

Answer. The city of Riverside is able to take care of its own people without Government assistance unless some emergency arises, when the American Red Cross will be called upon for assistance.

Very truly yours,

JOSEPH S. LONG, *Mayor.*

SAN DIEGO

DECEMBER 22, 1930.

Hon. ROBERT M. LA FOLLETTE, JR.,
United States Senator, Washington, D. C.

MY DEAR SENATOR: This will acknowledge receipt of your letter of December 13, in which you propound eight questions, going into the unemployment situation in this city and county.

We have had a report prepared by the community chest of San Diego, which is herewith inclosed, and which answers six of the eight questions with the best information obtainable.

As to questions 2 and 3, I will answer them this way: The welfare commission covers the county of San Diego, including the city of San Diego, and the figures regarding welfare work are included in the answers to question 8.

Although no money has been spent directly for relief work by the city for over one year, we have planned our improvement projects so that everything possible could be done during the season of the year when unemployment would be the heaviest, and we are now carrying on such projects to the full extent of our ability. We are also operating a crew on special work in our city park, allowing men who are residents and have dependents to earn enough to at least provide food.

As Mr. Rainwater has said in his letter, our problem is not so much our own citizens as it is people flocking in from other sections. Our warm climate makes them feel that they can get by better here. We are pleased to furnish you this brief outline of the situation in San Diego and will be glad to follow with further facts, if you need them. We sympathize with the efforts that you are making to help in the relief of this widespread unemployment.

Very sincerely yours,

HARRY C. CLARK, *Mayor.*

COMMUNITY CHEST OF SAN DIEGO,
San Diego, Calif., December 18, 1930.

Mayor H. C. CLARK,
City Hall, San Diego, Calif.

DEAR MAYOR CLARK: The following are answers to some of the questions in Senator LA FOLLETTE'S letter. The other, I believe you are in better position to give exact information:

1. Approximately how many people are unemployed in your community?

Answer. The census figures give, as of April, 5,683 persons "without a job, able to work and looking for a job." The number now unemployed is perhaps twice this figure, judging by relief demands.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Of local unemployed not a great increase. The problem here is vastly increased by those who have been laid off elsewhere coming to San Diego.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Assistance from the Federal Government will extend relief to needy and will relieve local taxpayers, especially of part of the burden of caring for unemployed indigents who come from elsewhere to San Diego in that condition.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. The following is a comparative statement of relief by private and public agencies in San Diego over the last two years:

Relief extended by public and private agencies, San Diego, Calif.

	1928–29	1929–30	1930–31
Salvation Army	$19,653	$15,582	$17,906
Federated Jewish Aid	5,325	3,394	4,597
Associated Charities	34,327	20,451	13,775
Catholic Welfare Bureau	29,262	25,611	22,756
County Welfare Commission	89,432	196,900	363,710
Other	12,925	12,843	13,218
Total	190,924	274,781	435,962

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. San Diego is not an industrial community. Its welfare depends nevertheless on the prosperity of communities which are. When tourists decrease local trade decreases and many are out of work. The local community can take care of the situation in so far as it is local. What we can not find the means to meet is the number of unemployed who flock here from other centers in the belief that the warm climate means cheap living conditions. They are here stranded in great numbers, either out of work themselves or crowing local breadwinners out of jobs, bidding down wages, etc. It is this mobility of the unemployed population that convinces us the unemployment problem is interstate and therefore national.

I hope the above figures and observations may be of help to you.

Cordially yours,

J. H. RAINWATER, *Secretary.*

SAN FRANCISCO

DECEMBER 23, 1930.

Hon. ROBERT M. LA FOLLETTE,
Senate Office Building, Washington, D. C.

DEAR SIR: His honor, Mayor James Rolph, Jr., has sent me your letter of December 13, on the subject of unemployment, and it is a pleasure to furnish you with the information. Answering your questions, beg to say:

1. Approximately how many people are unemployed in your community?

Answer. Approximately 20,000 people. This is somewhat of a guess. No census has been taken.

2. To what extent has the number of persons to whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The number has increased tenfold. Approximately from 500 to 1,000 per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The city has increased its appropriation from an average of $10,000 per month for ordinary winter relief to $250,000 for the relief of unemployment. This is a special appropriation not heretofore made.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. I believe the number of unemployed will decrease, but considering single men as well as married, with dependents, and women, I think the increase in the number requiring relief will equal 25 per cent; reason being they will come to the end of their rope. The pressure is heaviest from about March 26 to about the 1st of April.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. I think so. Depends on how the Government handles the matter. If it goes in for modern methods and a lot of machinery, only about 20 per cent of the expenditure will be employment, that is, in road building. If, on the other hand, manual labor is the method employed, 80 per cent will be labor. We hope so.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Relief agencies doing everything possible to take care of the extra pressure, privation, desperation, and poverty. The increase according to relief agencies has been tenfold.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Think this would be a good thing to do. Not quite familiar enough with it to be an authority, but I can not but see that the States can attend to their own unemployed better than perhaps somewhat disinterested and removed Government officials.

8. A brief statement of the general situation in your community.

Answer. The situation in San Francisco is reputed not to be as bad as in other communities. Of this I am not certain. We would naturally receive a good deal of migratory labor that would want to take advantage of the somewhat milder winter here.

We have tried to stop the migration in order to hold our own and to try and meet the added pressure. To date the local government has spent approximately $350,000 in relief for unemployment alone, outside other municipal projects. We have a bond proposed of $2,500,000, the vote on which takes place at election to be held about February 6.

The biggest and most pathetic problem that we have now to meet is the problem of the single man with no dependents. We have not enough money to take care of them.

Trusting this information will be of value to you, and beg to be,

Respectfully yours,

ANDREW J. GALLAGHER.

SAN JOSE

DECEMBER 17, 1930.

ROBERT M. LA FOLLETTE, JR.,
Chairman Committee on Manufactures,
United States Senate, Washington, D. C.

DEAR SIR: The answers to your letter of December 13, 1930, are as follows:

1. Approximately how many people are unemployed in your community?

Answer. One thousand five hundred.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. No increased aid over last year or over two years ago.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. No increase in appropriations for relief to unemployed or to the poor over last year or two years ago.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. I do not know.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. We do not expect assistance of the Federal Government.

6. Briefly state what relief is being extended by pri ate relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Relief by private agencies only slightly increased over last year and two years ago.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. No.

8. A brief statement of the general situation in your community.

Answer. O. K.

Yours truly,

C. B. GOODWIN, *City Manager.*

SAN MATEO

DECEMBER 18, 1930.

Mr. ROBERT M. LA FOLLETTE, JR.,
United States Senate, Washington, D. C.

DEAR SIR: The following is in reply to your questionnaire of December 13 regarding unemployment:

1. Approximately how many people are unemployed in your community?

Answer. A local registration bureau for registering unemployed has been in operation about two weeks, and to date has registered over 100. This probably represents about one-third of the unemployed.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The unemployment has increased greatly over last year.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The city has increased its appropriations and is doing work amounting to about $10,000 in an effort to relieve unemployment.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. The number requiring relief during the coming winter months will no doubt greatly increase.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Any assistance of the Federal Government would be a relief to local taxpayers.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. An unemployment relief committee has been organized consisting of mayors of local cities and the county board of supervisors. No constructive work has been done by this committee to date.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. Unemployment is probably greatest among the building trades and "white collar" class, due to a recession in building activities and a general let down in manufacturing and financial activities. This community being near San Francisco is subject to conditions similar to those existing in a large city. It is my opinion that conditions here are not as serious as in many other communities.

Yours very truly,

E. P. WILSEY, *City Manager.*

WHITTIER

DECEMBER 26, 1930.

Hon. ROBERT M. LA FOLLETTE,
United States Senate, Washington, D. C.

DEAR MR. LA FOLLETTE: Herewith answers to your questionnaire of December 13:

1. Approximately how many people are unemployed in your community?

Answer. Approximately 500 people are unemployed in this community.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Assistance in such cases handled through the welfare bureau of this city, the demand having been doubled over last year.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Our appropriations for the relief of the poor have been doubled over last year.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. We do not expect any material increase over the number quoted.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. We are not in need of assistance from the outside at this time.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. The Whittier Welfare Association, cooperating with the Los Angeles County welfare work, takes care of the relief activities of this city. Demands have practically doubled over last year.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. We are in favor of Federal appropriation to assist city and State governments in relief work.

8. A brief statement of the general situation in your community.

Answer. This community is fortunate in that it is in a large citrus belt, large returns having been received during the last year. There is, therefore, no distress except in the homes of those who have lost their positions due to the curtailment of oil output and the decrease in the demand of the various industries identified with oil activities.

Very respectfully,

WHITTIER CHAMBER OF COMMERCE,
BURL G. MARTIN, *Secretary.*

COLORADO

COLORADO SPRINGS

DECEMBER 17, 1930.

Mr. ROBERT M. LA FOLLETTE, JR.,
Chairman Committee on Manufactures,
United States Senate, Washington, D. C.

DEAR SIR: We are pleased to give you the information requested in your letter of December 13, and have numbered our answers to correspond with your questions.

1. Appoximately how many people are unemployed in your community?

Answer. Approximately 550.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The city government here carries on all its relief work through the community chest. The associated charities, a part of the community chest, report 50 per cent increase in the number of cases handled this year as compared to last year, which can well be assumed to be a normal year.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. City's appropriation to community chest for this year same as for several years preceding. No specific unemployment relief has been provided for as yet by the city government.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Number of cases requiring relief from our community chest has now probably reached its maximum for the winter.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. No. Unemployment situation could be relieved by proposed State highway construction now before governor for his approval.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Community-chest agencies have increased their relief activities as indicated in answers to questions above.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. No. Only in so far as Federal money is appropriated to match State money in the construction of needed State highways.

8. A brief statement of the general situation in your community.

Answer. This community is fortunate in that not being an industrial city unemployment here is not as aggravated as it is in industrial centers. Prompt action on the State highway budget, combined with favorable construction weather conditions, will go a long way toward relieving the existing unemployment situation in this part of Colorado.

Yours truly,

GEO. G. BIRDSALL, *Mayor.*

STERLING

DECEMBER 20, 1930.

Hon. ROBERT M. LA FOLLETTE, JR.,
United States Senate, Washington, D. C.

DEAR SIR: Your letter to the mayor of Sterling, Colo., was referred to me, owing to the fact that the city makes no levy or provision for the poor; this work is all done through a levy made by the county commissioners and paid through the usual tax channels as provided by statute in this State.

Fortunately for us, we are not burdened as heavily locally as are the more densely populated centers and the manufacturing areas of other States, and yet with a total population of approximately 20,000 population we expended better than $35,000 for this purpose last year and no doubt will exceed that by five or six thousand this year.

Owing to heavy losses to our sheep and stock feeders last year and the three-fourths loss of our beet crop last year, on account of an unprecedented early freeze up—because of these facts farm operations were curtailed. Then, too, modern machinery, the combine in our grain fields, the husking machine in the corn fields, and the tractor, all combine to eliminate man power to such an extent that nonemployment is on the increase.

We find the same condition in our local sugar factory; the introduction of new machinery has eliminated almost half of the men used several years ago.

We feel that some practical method devised by Congress, whereby the Federal Government could assist in this matter, would no doubt help the small taxpayer materially, and I believe this would be a fair distribution of the burden if each section of the country would receive a certain pro rata share, matching the sum paid by that specific section of the country through its legal source as provided by statute in each State.

We give our aid by writing requisitions for food, clothes, fuel, and rentals as well as medical aid, all in accordance with the need and merit of each individual case, which is investigated and acted upon by the board of county commissioners to whom the investigator reports on forms provided for that purpose. Each petitioner is also requested to fill out a lengthy questionnaire which helps to make the investigation intelligently.

Sincerely yours,

B. J. RAGATZ,
Acting Clerk Board County Commissioners.

LONGMONT

DECEMBER 22, 1930.

COMMITTEE ON MANUFACTURES,
United States Senate, Washington, D. C.

GENTLEMEN: In answer to your questionnaire of December 13:

1. Approximately how many people are unemployed in your community?

Answer. We have no way of determining the number. But compared to last year and year before that those in positions to know tell me there might be 10 per cent to 15 per cent increase in unemployment.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The city welfare association is taking care of about the same number as last year and year before.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The city has not increased its appropriation. It appropriates so much each year to the welfare association, which in turn cares for the needy.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Perhaps 10 per cent to 15 per cent increase in unemployed over last year and year before. We could take care of our resident needy nicely; but, due to press advertising and radio broadcasting that Colorado is prosperous in spite of the depression elsewhere, we are overburdened by a transient element coming among us with no means of support and seeking aid.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Our burden is not excessive and will not become so but for reason given above.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Practically all relief is given through agency created for that purpose.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burden that the present emergency has necessitated?

Answer. There may be localities in which such extreme measures might be necessary, but we do not feel the need of such measures in our city.

8. A brief statement of the general situation in your community.

Answer. We are in an agricultural district, raising sugar beets, alfalfa, small grains, potatoes, etc. We had a little better than an average crop, most of which sold at a very low price, except the sugar beets, which were grown on a contracted price. All in all our crop returns were not as unsatisfactory as returns in the less-favored districts, and in many ways we know of the depressed condition elsewhere largely through the press, etc.

Very truly,

EARL T. LUDLOW,
Mayor of Longmont, Colo.

LOVELAND

DECEMBER 17, 1930.

Hon. ROBERT M. LA FOLLETTE,
Chairman Committee on Manufactures, Washington, D. C.

DEAR SIR: Your letter of December 13, addressed to Mayor H. H. Kelley, with reference to the unemployment situation has been referred to me, as the mayor is out of the city.

Answering your inquiries by number:

1. Approximately how many people are unemployed in your community?

Answer. Approximately 500 working people are unemployed in our community.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. I would say the number of persons whom the city is called upon to aid has increased 250 over the number last year.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The city has increased its appropriations for relief to the unemployed 20 per cent over previous years.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Approximately 50 per cent more people will require relief this year than two years ago.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. The assistance of the Federal Government will greatly aid our local situation.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Local organizations, such as the Elks, women's clubs, and Red Cross, are helping to relieve the immediate situation, but do not attempt to furnish employment. They are doing their utmost this year on account of the necessity of conditions.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I do favor aid in the form of an appropriation from the Federal Government.

8. A brief statement of the general situation in your community.

Answer. The general situation is probably better than in some sections of the country because of good crops, but at that it is not more than 60 per cent of normal due to low farm prices and wage reductions in the local sugar factory of the Great Western Sugar Co.

Sincerely yours,

H. T. VAN SANT,
Deputy Superintendent of the Poor.

PUEBLO

DECEMBER 16, 1930.

Mr. ROBERT M. LA FOLLETTE, JR.,
Senate Office Building, Washington, D. C.

DEAR SIR: Replying to your letter of December 13, 1930, relative to unemployment in Pueblo, Colo., will say that under the laws of Colorado the county governments maintain poor farms and provide for the poor, for mothers' compensation, and other relief matters.

The city of Pueblo has a community chest to which the city contributes $3,000 a year, but for the year 1931 will contribute $5,000. We also contribute to other relief agencies to the extent of $4,200 per year.

The largest part of unemployment here results from sugar-beet-field laborers that come into the city during the winter months; also section and construction gangs that do not work in the winter and come into the city. There is also a slowing down of coal mining operations in the counties south of Pueblo. The

steel plant in Pueblo has, in recent years, installed many labor-saving devices which has cut down the number of its employees.

It would be difficult for us to suggest any particular remedy.

Yours truly,

J. W. CARPENTER, *President of Council.*

FLORIDA

MIAMI

DECEMBER 19, 1930.

Mr. DAVID I. WALSH,
Committee on Finance,
United States Senate, Washington, D. C.

DEAR SIR: In answer to your form letter of December 13, relative to the unemployment situation in Miami and our attitude as to the Federal Government sharing to the extent of at least 50 per cent with municipalities and State governments for excess expenditures because of the unemployment and economic depression. I am pleased to inclose a report on the situation here from the Civil Service Department of the city of Miami, which report is concurred in by this office.

Yours very truly,

F. H. WHARTON, *City Manager.*

CIVIL SERVICE OFFICE,
Miami, Fla., December 16, 1930.

Mr. F. H. WHARTON,
City Manager, Miami, Fla.

DEAR SIR: Referring to your request of December 13 from the United States Senate Committee on Finance and Unemployment, I have looked up the following questions:

1. Approximately how many people are unemployed in your community?

Answer. Approximate number of people unemployed in the city of Miami—to the best of my ability and after consultation with several people who are in direct touch with the unemployment situation, we come to the conclusion about 3,000 would be a very fair estimate.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. What extent has the number of persons whom the city government is called upon to aid increased over the number of last year and two years—this was checked into very carefully with the charity department of the city of Miami and we find that there has been no noticeable increase.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. There has been no increase this year over that of last year or two years ago.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Perhaps 1 or 2 per cent increase in this will be required to take care of the floating element which Miami is overburdened with at the present time.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. If the Government will go ahead with their plans here in Miami and use local taxpayers to do their work it will be a big relief.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Our relief agencies have not been able this year to cope with the situation as they have in previous years for the fact that most of the relief money was in one of the banks that failed and therefore have been deprived of their funds for operating. There has been no increase last year or within the last two years in any of these departments. In fact, on account of the bank failures, it has been greatly reduced.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. We are not in favor of the Federal Government appropriating sums of money to go to the relief of the unemployed in Miami, but recommend very vigorously that the Government immediately proceed with their plans for this vicinity and use absolutely local people which will take care of our present situation.

8. A brief statement of the general situation in your community.

Answer. Miami is a tourist city and, of course, we have a big influx of people who must depend on public agencies for a livelihood, but our local situation is as usual and we do not find a great demand for skilled labor such as carpenters, bricklayers, masons, which this city has been oversupplied with. And a good many of these people will have to find other occupations or go elsewhere as we know during the years of 1925 and 1926 there was a tremendous influx of this class of persons. However, they have pretty well taken care of themselves and we find that our local situation is in fair condition. Of course, it is not what we would like to have it. But with the Government contemplating on some program for this vicinity we believe that the situation will be pretty well taken care of.

If there is any further information desired, kindly advise.

Yours very truly,

LOUIS K. MACREYNOLDS,
Executive Secretary.

TALLAHASSEE

DECEMBER 20, 1930.

Hon. DAVID I. WALSH,
United States Senator from Massachusetts,
Washington, D. C.

DEAR SENATOR: In reply to your letter of the 13th instant, I wish to say that my answers to your inquiries are purely guess, as we have not kept any accurate figures. I give you answers to questions as follows:

1. Approximately how many people are unemployed in your community?

Answer. One hundred.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The city of Tallahassee has not given aid to any unemployed except through giving regular or temporary jobs. This work is done by our county welfare board, and it has been in operation just one year.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. See answer above.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Probably 50 per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. This year—1930—our local welfare board has spent about $7,000 for welfare work, being mainly relief of those in real need of help.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Personally, I think it a mistake for the Federal Government to make appropriations for relief work except in extreme cases, such as disasters, etc.

8. A brief statement of the general situation in your community.

Answer. I think conditions here are worse than ever before, but are not critical. Tallahassee and Leon County have made arrangements to put on a regular health unit under United States and State supervision, and we anticipate that it will be of material benefit to this section. Any assistance that can be rendered to this section in this line by the United States Government will be very much appreciated.

Respectfully,

G. E. LEWIS, *Mayor.*

IDAHO

COEUR D'ALENE

DECEMBER 29, 1930.

Hon. ROBERT M. LA FOLLETTE,
United States Senate, Washington, D. C.

DEAR SIR: Replying to your questionnaire of December 13—

1. Approximately how many people are unemployed in your community?

Answer. Three hundred unemployed men in this city at present.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. One hundred per cent over one year ago. No figures available for two years ago.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Drastic action necessary this year and the percentage of increase necessary over a year ago might be ascertained as 100 per cent increase.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Can not determine. Should highway construction on hand-labor basis be authorized in conjunction with the construction of a new city dock and trail building in the Coeur d'Alene National Forest there is a possibility of our employing all unemployed men, thereby relieving the situation entirely except the normal number of incapacitated.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes; if properly organized. Governmental relief and funds for such relief primarily coming from taxation would normally increase taxation to care for such relief, each locality would be financially ahead to handle their own relief problem as a temporary problem rather than a permanent increase in taxation for a temporary problem.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Relief committee organized to assist Salvation Army and Red Cross, funds for such relief coming from individual contributions and being administered by the relief committee working under the mayor and chamber of commerce; 100 per cent over last year being required at this time.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes; with reservations, i. e., not wise to mortgage the future to the extent of laying the foundation for a similar recurrence of economic conditions as at present. It is the consensus of opinion in this territory that only such work be done now that is of a permanent nature and avoid any sudden cessation of activity at a later date in order to allow an orderly return to reasonably normal economic conditions.

8. A brief statement of the general situation in your community.

Answer. The general situation here would be no different than any other year were it not for the mental attitude of the public. So soon as relief is mentioned everyone wants it. Before relief was so extensively advertised and advocated the average citizen hustled for work and a living. Now he sits back and expects relief to come to him. I have personally interviewed 275 men in the past three weeks with the following results: 150 need work because they are lumbermen and the lumber market has forced the mills to close; 75 men can get through the winter without work but by virtue of an organized effort to provide employment they feel the urge of making a feeble effort to find employment since everyone is doing it; and the other 50 men wouldn't work if they had the opportunity.

The retail stores in this city report a wonderful Christmas volume. Seventy-five per cent of the retail stores in our city are either equal in volume to 1929 or from 25 per cent to 200 per cent ahead of 1929.

Banks here show a larger surplus of money than they have for a long time due perhaps to a general tendency for the local banks to reduce loans. If the bankers' confidence in their local community was revived to the extent of making loans for legitimate business and normal expansion a large amount of so-called relief would be unnecessary. It is impossible for farmers in this district to make improvement loans unless the farmer has a supply of wheat as collateral and this not being a wheat district precludes any possibility of farm expansion, building, livestock purchases, or improvements.

Following a line of industrial engineering and economic survey endeavors for some years past the undersigned can not feel that such a condition as exists in this district is at all justified.

Your request for data specified briefness and I have attempted to adhere to your request.

Yours very truly,

CHAMBER OF COMMERCE,
By J. M. VOICE, *Secretary.*

(Replying for Mayor George Natwick, of Coeur d'Alene, Idaho.)

IDAHO FALLS

DECEMBER 23, 1930.

Senator ROBERT M. LA FOLLETTE,
Washington, D. C.

DEAR SIR: I am writing to you, as well as to our own Senators, to protest against the appointment of George Otis Smith, of Maine, as a member, and particularly as chairman, of the Federal Power Commission. Mr. Smith has openly expressed himself as being unfavorable to municipal ownership, and I feel that such a man has no more place on the commission than one would who was opposed to private ownership; either man would approach his task from a prejudiced point of view. Moreover, the private interests have had their own way on power control so long that it is time the balance of opinion swung toward the interests of the people.

The city of Idaho Falls has two municipally owned hydroelectric plants on Snake River, and only State filings were necessary for these two. We now have completed our State filings for a third plant at Mesa Falls on the North Fork of Snake River, and this time we must also have permission from the Federal Power Commission. This project involves a common-carrier, high-tension line down the valley, and this line will be an incentive for further development of the power resources of our great river by large or by small concerns, by private interests, or by municipalities. This makes our project a matter of concern to the whole upper valley, and we do not want our hearing before a commission which is already prejudiced.

Your recent letter of inquiry in regard to the employment situation is at hand. We are a town of 10,000, and the income from our municipal plants is about $1,000 per day. We have carried on an extensive building program this summer—a new city hall; and additional well; airport; light, water, and sewer extensions. All this has been done without bond issue. This winter we are using all available funds on street work of various sorts.

We feel that with further power development that will increase our municipal income we will always be able to pick up any slack in employment. We are anxious, not only for ourselves but for other communities, to see that the Federal Power Commission is composed of fair-minded men.

Yours truly,

BARZILLA W. CLARK, *Mayor.*

ILLINOIS

BELLEVILLE

DECEMBER 21, 1930.

Hon. ROBERT M. LA FOLLETTE,
Chairman Committee on Manufactures,
United States Senate, Washington, D. C.

DEAR SENATOR: Your letter of December 13, addressed to the mayor of Belleville, with reference to unemployment and relief, was discussed at the meeting of the mayor's committee on unemployment relief, working in cooperation with the Federal and State committees. The letter was referred to me as chairman of the committee on survey and registration for reply.

Your first question, "Approximately how many people are unemployed in your community?"

Reply. Approximately 2,400. Of this number from 1,600 to 1,800 have been added to the unemployment rolls by the closing of the foundry industry, which takes place annually for one to two weeks. However, the shutdown this winter came about three weeks before the regular time and with no knowledge as to when these foundries will reopen.

Your second question, "To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and two years ago?" and your third question, "To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?"

Replying to these two questions: The city has never been compelled to appropriate funds for poor or unemployment relief. All relief work has been carried on in the past by charity organizations.

Fourth question, "What do you estimate will be the increase in the number requiring relief during the winter months?"

Reply. It is estimated that approximately 200 families have been given relief by charity organizations each winter during the last two years. However, the situation now is so pressing as to necessitate the appointment of the mayor's unemployment relief committee, in cooperation with the Federal and State committees, and will require the raising of a fund of approximately $15,000 immediately through voluntary pledges.

Question 5, "Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?"

Reply. It would help very materially.

Question 6, "Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?"

Reply. The increase has overburdened the private relief agencies, necessitating the appointment of the mayor's unemployment relief committee to raise funds and will become more pressing each month.

No. 7, "Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?"

Reply. Yes.

No. 8, "A brief statement of the general situation in your community."

Belleville has a population of something over 28,000, according to the last census. Like most communities, unemployment has been growing all through 1930. The foundries of Belleville are practically all shut down. The foundry industry each winter season closes for approximately two weeks. This year, however, the shutdown came about three weeks earlier and were not working full capacity during the year and with no indications as to when they will reopen. While the mines—coal mines—are working through the winter season, they are not working full time, and, with the introduction of machinery in the mines during the last three years coupled with the passing of steam as a power, many mine workers have been left without employment. It is estimated that there are approximately 2,400 unemployed in Belleville now.

Hoping this covers your questions fully and expressing the hope that with the coming of the spring of 1931 conditions will improve generally, I remain,

Most respectfully,

AL TOWERS,
Chairman Survey and Registration Committee.

KANKAKEE

DECEMBER 19, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
United States Senate, Washington, D. C.

HONORABLE SIR: In reply to your letter of December 13, 1930, relative to the unemployment situation in this community and welfare work engaged in, I am pleased to answer each one of your questions, setting forth accurate information as it comes to my attention.

1. Approximately how many people are unemployed in your community?

Answer. An unemployment survey, completed during the past few weeks, shows 866 people registered as unemployed, 80 per cent being male and 20 per cent being female.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. In 1928, 128 families were taken care of as direct charges of the city, 85 or 90 of this number, however, being in this condition due to an epidemic of smallpox, and one or two other diseases that swept through this county. In 1929, 139 families were taken care of, and in 1930 our township is taking care of 205 families; and, in addition, our local welfare organization, working through the township charity office, is providing relief for approximately 200 additional families.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Through a very well-organized community welfare organization a campaign is now under way to raise $25,000 to alleviate the unemployment and relief work situation. Locally, we

believe this amount, together with donations of clothing, some food supplies, and other things that are donated from time to time, will take care of our situation in a fairly good manner.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Our estimate at the present time is that perhaps an additional 50 families will ask for assistance in one form or another as the winter months are entered into.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Assistance from the Federal Government would help to a great extent to handle in a more adequate manner and lessen the burden on local taxpayers in taking care of the welfare work; that is, at the present time, and will be required before a general pick-up in business is anticipated.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. A Kankakee community welfare organization has been perfected and operating for the last two months. This organization is organized in a very thorough manner and cooperates wholeheartedly with the city and county officials and departments. A general committee of 34 people, representing an entire cross section of our citizenry, an unemployment survey committee of 5, a clothing and house furnishings committee of 6, a publicity committee of 6, a finance committee of 9, an administration committee of 5, and a committee to step-up employment of 6, comprise the personnel of our entire welfare organization. In addition to the fund now being raised, several of our local factories and the public-service company are doing what they can to alleviate many things which may arise in the families which have heretofore depended upon these companies for steady salaries.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Our local community welfare organization, city and county governments, and taxpayers generally, I believe, are heartily in favor of the Federal Government appropriating an amount of money that would help this city and county in relieving the burdens existing on our unfortunate citizens that the business depression has necessitated.

8. A brief statement of the general situation in your community.

Answer. The general situation in this city and county is, I believe, the same as in the average community, the most important requirement being the creation or existence of more jobs to take up the slack of unemployment. In other words, industrial activity and a general pick-up in the building trades would be a great help during the next few months.

I trust this information answers your inquiry in full, and should you desire further data, kindly advise.

Very truly yours,

LOUIS E. BECKMAN, *Mayor.*

MOUNT VERNON

Hon. ROBERT M. LA FOLLETTE, JR.,
Washington, D. C.

MY DEAR SIR: Your questionnaire received, and in reply am answering your questions as far as possible.

1. Approximately how many people are unemployed in your community?

Answer. Six hundred and twenty-five registered.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Doubled the past year, and also 1929 and 1927.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. In the same ratio as the number of unemployed, each year.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. About 500 to 700.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Provident fund of $6,000. All interests have pooled their aid.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. With a complete organization of the city under the provident fund donations; with a board of directors, a secretary-treasurer, and stenographer; with a man and lady investigator and a card index of all families or persons we are able to keep a close tab and use the money where it will do the most good.

We also have provided a place for the wanderers to have a good warm room to sleep in and something to eat for one night only or, in cases of misfortune, longer.

Trusting that this will be sufficient, and if I can be of any service in any way please advise me.

Respectfully,

H. M. SWIFT, *Mayor.*

This city has a population of about 15,000 people.

OAK PARK

DECEMBER 20, 1930.

Hon. ROBERT M. LA FOLLETTE, JR.,
United States Senate, Washington, D. C.

DEAR SIR: Replying to your questionnaire of recent date, I will take up the subjects therein as enumerated in your letter of the 13th.

1. Approximately how many people are unemployed in your community?

Answer. Oak Park has set up an office in the Municipal Building for the registration of unemployed Oak Parkers, and this registration shows that about 250 people have availed themselves of this opportunity. However, we believe a conservative estimate of the unemployed in the village of Oak Park would be closer to 750 to 1,000.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. As far as our knowledge of this question is concerned, we believe that the increase this year over 1929 and 1928 would be approximately the number as shown in answer to question No. 1.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The village of Oak Park has not increased its appropriation for this relief work. All requests for funds, etc., have been made by special citizens' committees and organizations.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. We estimate that the number looking for relief this winter from the local organizations will perhaps increase 100 per cent over any previous year. However, our previous years' record for relief of this nature has been very small.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. In my opinion, I do not believe the assistance of Federal Government is necessary in this connection. The burden will be borne by the people of Oak Park.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Our local family welfare relief organization is extending relief to all those who are asking for it. Our local organizations, such as churches, Spanish-American War Veterans, American Legion, and other auxiliaries, are doing efficient work also in this connection. Our chamber of commerce and other business organizations of this nature are in touch with the situation and are rendering such assistance through their business men in obtaining work, either of a temporary or permanent nature, for as many as possible. All these organizations, without a doubt, are doing a great amount of work not heretofore asked in previous years.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I believe that State, Federal, or outside aid is not required in Oak Park, and in my opinion Federal aid elsewhere is a debatable question.

8. A brief statement of the general situation in your community.

Answer. The village of Oak Park is a residential community entirely, having no manufacturing plants of any description. The majority of its people are employed in Chicago. Oak Park is a community of home owners, and although the present situation has touched a great number, still I believe the majority are able to carry on without any organized relief.

Yours very truly,

C. H. CRYSLER, *President.*

OTTAWA

DECEMBER 15, 1930.

Hon. ROBERT M. LA FOLLETTE, JR.,
Washington, D. C.

DEAR SIR: Answering the questions in your letter of December 13 as in order, would say that this city has a population of 15,000 people, of which, as near as we are able to estimate, 1,500 who were formerly in gainful occupation are now unemployed. This city has never before been compelled to enter into any active relief work on account of unemployment. This work has formerly been under the jurisdiction of our township supervisor, who ordinarily expends approximately $10,000 in the matter of poor relief. This year it has become necessary for the city itself to appropriate funds for this purpose, working in conjunction with the supervisor and other organizations who formerly assisted in this work. We estimate that it will require practically two and one-half times the previous amount expended in this community for that purpose during the coming six months. The funds appropriated by the city and the funds from the supervisor, plus private donations, will, we believe, be sufficient for our needs.

I do not know in what manner the assistance of Federal Government could help in this situation. In November, upon viewing the situation in this community, we organized as the Ottawa United Relief Association, taking in all organizations in the city under one head. All contributions formerly expended by those organizations are now turned into a general fund at the disposal of the United Relief Association. I can not say that I am in favor of the Federal Government appropriating any sum of money that will share with the city and State governments the increased relief burdens under the present emergency. It is my belief and opinion that if the Federal Government wishes to assist in the present emergency it should turn its efforts toward the construction of

public works, furnishing employment and obviating the necessity of direct-relief expenditures by the State or municipalities.

Sincerely yours,

H. J. HILLIARD, *Mayor*.

INDIANA

CLINTON

DECEMBER 18, 1930.

Mr. ROBERT LA FOLLETTE, Jr.,
Chairman Senate Committee on Manufactures,
Washington, D. C.

MY DEAR SIR: In answer to your questionnaire of December 13, 1930, I submit the following information:

1. Approximately how many people are unemployed in your community?

Answer. Unemployed in the city of Clinton registered with the local unemployment committee appointed by Governor Leslie is 1,100, with an average family of 4 persons depending upon each of these 1,100 men for support.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. None. This is due to the fact that the coal mines, upon which our men principally depend for employment, have been shut down for over four years. Conditions here now are the worst ever known in this locality.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The city government can give no relief to the unemployed, because there is no money in the city treasury with which to give such relief. (Township government is taxed to the utmost.)

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. There will be very little if any increase in the number requiring relief during the winter months.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Federal assistance would undoubtedly help extend relief to the needy, and it would be sure to lessen the burden which our local taxpayers are bearing through the government of the township and through private relief agencies.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Private relief agencies are extending aid to the needy to the amount of $4,000 a year. Strict supervision and investigation are maintained and all our local relief agencies are cooperating to prevent duplication and to see that only the worthy receive aid.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. This community is in a very bad situation. General depression and the general and prolonged cessation of the coal-mining industry are responsible. Our population is nearly 8,000 and we have about 4,400 persons without any support. In the heart of a coal-mining area, large numbers of them can not get coal enough to keep them warm at home. They need food and clothing, medical attention, and many other things which they can in no way provide for themselves. The other half of our population can by no means adequately care for so many people, and there is sure to be much suffering and need. Manufacturing directly plays no great part in the industrial life of our community, for we have no important manufactures, but indirectly it has closed our coal fields. Our people are expecting Congress to take some step to secure modification of freight rates in order to hasten the reopening of the mining field here. Many of our good citizens are being compelled to accept charity in order to live. What they are clamoring for is not charity—it is work. They want work and there is no work for them to do.

Very sincerely yours,

HENRY OWENS, *Mayor*.

COLUMBUS

1. Approximately how many people are unemployed in your community?

Answer. Four hundred fifty.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. None.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. About 50 or 75 per cent over previous years.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. It would probably to extent of township trustee.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. It may run 75 per cent.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. City council feels it can cope with local situation without Federal assistance.

8. A brief statement of the general situation in your community.

Answer. A great deal of suffering.

CITY CLERK.

EAST CHICAGO

DECEMBER 18, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
Chairman Committee on Manufactures, Washington, D. C.

MY DEAR SENATOR: In answer to your general letter of the 13th instant, I reply as follows:

1. Approximately how many people are unemployed in your community?

Answer. Employment conditions about as follows: Ordinarily at work, about 21,000; about 40 per cent are working at least 5 days per week and as many more 3 or 4 days, and 1,500 are working 1 or 2 days; about 2,500 are not working, some of whom are here from other cities.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. One hundred ten families.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. None.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Possibly 600 families.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Not necessary. The local taxpayer will not be asked to pay if depression is not too prolonged.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Relief work is being extended through three general channels—the city-hall food relief, the emergency-relief department of the community chest, and good-fellowship organizations in some of the industrial plants.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. No; too much danger in that.

8. A brief statement of the general situation in your community.

Answer. Employment conditions are superior here because of the number and diversity of our industries. Our steadiest plants are the oil refineries.

Hastily yours,

THOMAS W. O'CONNOR, *Mayor*.

ELWOOD

1. Approximately how many people are unemployed in your community?

Answer. About 150 in our city.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Twice as many idle.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. More than twice as much.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Twenty per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. For the first time this city has an employment bureau.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. Much better than in any other city that I know of. We had two registration days for unemployed persons. We at this time after operating the agency for nearly three weeks have registered 160 persons, and our population is 10,780.

GEO. N. BONHAM, *Mayor*.

INDIANAPOLIS

DECEMBER 26, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
Senate Office Building, Washington, D. C.

DEAR SENATOR LA FOLLETTE: Because of the illness of Mayor Sullivan, his office has referred to me your letter of December 13 and asked me to provide the information desired, and I am pleased to do so, as follows:

1. Approximately how many people are unemployed in your community?

Answer. Our fact-finding committee, based on reports from employers of about one-third the employed population of Indianapolis, estimated, as of November 30, there were 26,000 unemployed persons who customarily have employment or are employable.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Our public-relief department, operated by the township trustee, is providing aid to approximately 4,000 families. Customarily at this time of the year the number is about 1,500, and a year ago it was approximately 2,000 to 2,500.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Under the Indiana law the township trustee does not have an appropriation for poor relief, but may spend any necessary amount out of the county fund and reimburse the county fund out of the succeeding year's tax income. As the figures in the answer to the second question indicate, there has been a considerable increase in outgo. We estimate the total expenditure of all trustees of Marion County for outdoor relief for 1930 will be approximately $200,000, whereas in normal times it is $100,000 or less.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. No one, as far as I know, has attempted to estimate the increase during the remainder of the winter, but those with whom I have talked are inclined to believe that we have more nearly reached the peak of case load at this time for this winter than at any such time in previous winters.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes; manifestly.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. For our major private agency, from November, 1929, to November 1, 1930, which is the fiscal year of this agency, the amount expended was $112,627.93, as compared with $67,075.32 for the same period in 1929 and $63,129.20 for the same period in 1928.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. No; for the reason that the taxpayers of this community are quite able to provide fully the relief needed.

8. A brief statement of the general situation in your community.

Answer. Attached confidential statement of the plan of our emergency work committee will probably give the information desired.

Sincerely yours,

WILLIAM H. BOOK, *Secretary.*

JEFFERSONVILLE

DECEMBER 18, 1930.

Hon. ROBERT M. LA FOLLETTE,
United States Senate, Washington, D. C.

MY DEAR SENATOR: In reply to your letter of the 13th instant, desire to inform you that the unemployment situation here in Jeffersonville is as follows as revealed by a card survey of our city: 775 men have been listed and have an average dependency of three, making 3,000 people now who are without means to live, as they have no job or credit. This city is now endeavoring to raise $31,000 for the purpose of giving relief to them until spring. We now have collected $2,600 in cash from private persons of our city and have pledged $8,052.70 to date. I am attaching a chart which shows the progress of our drive from private persons and we are continuing it from day to day, and it is being increased slowly. You understand that it is hard to get money as we are all pretty much up against it. But people must be fed. The people down here are getting somewhat put out at the slow progress being made at Washington in this serious state of affairs. Some action should be taken for aiding the cities and towns in this country who are up against a situation never before witnessed, in peace time, in this country. Your stand in the Senate is approved by the people here. The Courier-Journal, Louisville, stated that some Member of the United States Senate said that the Red Cross was taking care of most of the unemployed men in the country. That may be true in some cities, but I know that they are doing nothing here, to my knowledge. People should seek the truth before they make such a broad statement in the United States Senate.

Of course, I do not know that such a statement was made, only have the paper for it. This was in the report from Washington by a special representative of the Courier-Journal, of Louisville, Ky. I am giving you this in order that you may know how I heard of it.

By all means the Government should do something to help out in this matter. These times demand united action from the Government itself. The situation is as bad as war, in effect, because men and women are in need and their children are suffering more than they. They are not getting enough to eat, and if winter sets in bad, there will be many people die because they will not have sufficient strength to resist illness. Death and destruction may await us on all sides if we sit idly by and let these people go hungry.

These unemployed people are victims of an industrial let down and can not get work, but they must be fed somehow, and the Government should do its part to help out. There is too much delay now by those at Washington.

With our limited funds, this privately collected fund of ours is feeding 300 people over a period of one week. The heads of the families are required to work out on street cleaning and wood cutting for their food at the rate of 30 cents per hour, and we can only take care of one-fourth of the applicants who apply for work on this plan. You know they are willing and hungry when they seek work on our plan. They are not paid money but are given foodstuff direct, which is delivered direct to the homes, to make sure that it gets on the kitchen table, which would be bare indeed but for us doing what we can. By all means, Senator, keep up your fight for the poor. God has an all-seeing eye.

I wrote this in haste.

Yours sincerely,

ALLEN W. JACOBS, *Mayor.*

LA PORTE

DECEMBER 22, 1930.

Hon. ROBERT M. LA FOLLETTE, JR.,
United States Senate, Washington, D. C.

DEAR SENATOR: This will acknowledge your query under date of the 13th instant with respect to Federal aid in the unemployment matter, and a proposal that the Federal Government share with the municipalities and State governments 50 per cent of the extraordinary expenditures in extending relief.

Replying would say that a rather complete survey of the city of La Porte shows unemployment in the town of 16,000 people, men and women, a trifle over 1,200. Of this amount our temporary relief organization committee has obtained permanent positions for about 350, and temporary jobs for perhaps 200 more.

The civil city of La Porte has not engaged in the expenditure of money for new permanent enterprises, but it has arranged to spend out of its treasury about $8,500 for furnishing employment on streets and around its buildings, and that is about the sum of increased or extraordinary expenditures of which the civil city has obligated itself. The civil city expects to give employment, during the winter, the greater part of which will, of course, be temporary, with just a few days work now and then to about 40 to 50 people. This is about the limit of the ability of the civil city to cooperate in this line, and the balance of the relief is being furnished through a temporary organization, above referred to, of which the writer happens to be chairman, and this organization is responsible for the raising of a fund of about $35,000 the opening of an office for the purpose of furnishing employment where possible, and the "doling" of charities where necessary.

Were it possible for the Federal Government to assist the civil city much more could be done, but we have extended ourselves to the limit in the appropriation of the added $8,500 above referred to.

As to your query as to how much increase has been put on private relief agencies in caring for the situation, would say, in our opinion, it has multiplied by about six.

If we can be of assistance with further information, command us.

Respectfully yours,

FRED HENOCH,
Member Board of Public Works.

MARION

DECEMBER 20, 1930.

ROBERT M. LA FOLLETTE, JR.,
United States Senate, Washington, D. C.

DEAR SIR: In the belief that you are making a sincere effort to secure a reflection of public opinion on the subject of unemployment and relief therefor, we are herewith attempting to reply to your form letter of December 13, addressed to our mayor and referred by him to this office:

1. Approximately how many people are unemployed in your community?

Answer. Approximately 600 men and 150 women are now unable to finds jobs by which they have been accustomed to supporting themselves in Marion, Ind.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. This is more than double the usual number of unemployed at this season of the year.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Demands for poor relief from all sources have more than trebled as compared with last year.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Answer to this question depends entirely upon the resumption of business and industry.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. This question requires more information than is available here for an intelligent answer.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Private agencies have more than doubled the relief work they are doing as compared with last year. Food, clothing, supplies, etc., given to needy.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Would not this only add to the burden under which business is now staggering?

8. A brief statement of the general situation in your community.

Answer. Our community is one made up largely of industrial workers. They want jobs, not charity. They believe business has been shackled and paralyzed by forces that ought to be apparent to the acknowledged leaders of the country. They are patient, but will be determined when once they are persuaded that present leadership of public affairs in this country holds out no reasonable hope of immediate action directed toward improving their present unfortunate position.

Respectfully yours,

E. F. WARFEL, *Secretary.*

VALPARAISO

DECEMBER 18, 1930.

Hon. ROBERT M. LA FOLLETTE, JR.,
Washington, D. C.

DEAR SIR: In answer to your inquiry regarding unemployment in this city, I wish to answer your questions by their number.

1. Approximately how many people are unemployed in your community?

Answer. About 80 people, of which number all have means to support themselves through the winter except 31. Of the 31, 5 were deemed unworthy and will receive no help. The remaining 26 can and will be taken care of locally.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The city government does not extend aid to anyone. The helpless are taken care of by our township trustee, and consequently I can not give you the relative numbers helped last year or of two years ago.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The city has no appropriation for relief of needy people.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. I do not believe that there will be any increase in the number requiring relief during the coming months.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. No.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. The Woman's Club of this city is collecting clothing, and it is my information that they will have sufficient to take care of everyone here. There has been some little increase, but not much, over the last year or two.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. No.

8. A brief statement of the general situation in your community.

Answer. We have a community chest in this city of approximately $8,000. This, together with the Woman's Club, the various societies, our township trustee, churches, and private help, will take care of conditions here. We do not need help.

Yours respectfully,

HAROLD J. SCHENCK, *Mayor.*

IOWA

CEDAR FALLS

1. Approximately how many people are unemployed in your community?

Answer. Fifty.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. About 100 per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. About 100 per cent.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. About 25 per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes; a little.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. About 100 per cent.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. No. I think it a local function.

8. A brief statement of the general situation in your community.

Answer. Not bad; mostly reflected by the press.

Yours truly,

J. F. CROSS, *Mayor.*

CENTERVILLE

DECEMBER 27, 1930.

ROBERT M. LA FOLLETTE, JR.,
United States Senate, Washington, D. C.

DEAR SIR: In regard to the inclosure, the mayor of Centerville requested that it be answered from this office.

1. Approximately how many people are unemployed in your community?

Answer. Our unemployment situation is not so acute, because we are a mining community. The mines are working three and four days a week, which means that enough is earned for food, at least. As most of our laboring class are miners, that takes care of them. A great number own their homes—even though they're poor—so that there is no rent to pay.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The number of persons has not increased. In fact, this community is in a much better condition now than it has been for three or four years.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The appropriations have not increased. So far this year not as much has been expended during the months of November and December as was expended last year during the same months.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. We do not anticipate an increase during the winter months over last year.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. We do not consider Federal Government help is necessary—at least, not here.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. We have no private relief agencies as such. Of course, the different church groups give help occasionally, as does the Masonic lodge, also the Elks. But there is no private organization. Relief has not increased, as stated before.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. We do not consider Federal Government appropriation will help, for that appropriation will have to be paid eventually. Our community is in a better situation, no doubt, than most, but we do not broadcast this, for we have all we can do to take care of our own.

8. A brief statement of the general situation in your community.

Answer. This has been answered in the foregoing, has it not?

Please find inclosed also a pamphlet containing a suggestion from one of our local prominent citizens. This suggestion, if carried out, we feel would relieve any condition in this community more than anything else.

Sincerely yours,

PAULINE B. BOYD.

GRINNELL

DECEMBER 24, 1930.

Senator ROBERT M. LA FOLLETTE,
Washington, D. C.

DEAR SIR: Referring to your letter of December 13 containing queries about the unemployed in the city.

The situation here is not bad and the answers are about as follows:

1. Approximately how many people are unemployed in your community?

Answer. Very few. Thirty to fifty would cover those unemployed all the time.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. No increase.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. No increase.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Probably from 50 to 100 families will ask for help a part of the time during the winter.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Assistance from the National Government would relieve the local distributing agencies somewhat.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. The Social Service League and the county board of supervisors are the relief agencies in this city. There are no private relief agencies.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?





Answer. I am at a loss to answer your question. As long as we can take care of our own needy and keep them comfortable I am willing to let the local people take care of their own unfortunate.

8. A brief statement of the general situation in your community.

Answer. We do not have much work for unemployed, but men who are willing to work and are capable of doing work well, provided they are not stricken by sickness, can get along very nicely in this city.

One of the unfortunate situations all over the country is that many well-to-do married women are holding positions and clerkships, which perhaps unmarried women should have, and at the same time their husbands are holding good positions. This doubling up of family effort is a minor cause of throwing people out of employment, but, of course, is not a serious cause.

Yours truly,

W. G. RAY, *Mayor.*

KEOKUK

DECEMBER 19, 1930.

1. Approximately how many people are unemployed in your community?

Answer. Six hundred.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. One hundred per cent.

3. To what extent has it been necessary for your county to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Double.

4. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Double.

5. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. No.

6. A brief statement of the general situation in your community.

Answer. We have organized a council of welfare agencies to prevent duplication of aid. It is functioning splendidly.

Sincerely yours,

FRED W. LONG, *Mayor.*

OSKALOOSA

DECEMBER 20, 1930.

Hon. ROBERT M. LA FOLLETTE, JR.,
United States Senate, Washington, D. C.

DEAR SIR: Replying to a letter received from you concerning the unemployment situation in this city, I have taken some time to try to advise myself of conditions here.

1. Approximately how many people are unemployed in your community?

Answer. In my judgment the list of unemployed persons in this community would be about 15 per cent.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. I believe that the city is called upon to aid at least 50 per cent more transients than that of last year or two years ago.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. It has not, up to this time, been necessary to increase the appropriations for the relief of the unemployed this year.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. As to the increase in the number requiring relief during the winter months, will amount to approximately 10 per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. The only relief agencies here are the Social Service and the Salvation Army.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. The situation is good as to food and shelter, but bad as to finances and work.

Commenting upon the above questions, I wish to state that it is said that Iowa is in the best economic condition of any State in the Union, and if that be true, I pity some of the rest of them. Practically all labor is at a standstill; plenty of food and shelter for everyone if funds could be obtained to pay for them.

Yours truly,

R. K. DAVIS, *Mayor.*

PERRY

DECEMBER 17, 1930.

Hon. ROBERT M. LA FOLLETTE, JR.,
Washington, D. C.

DEAR SENATOR: Referring to your general letter of the 13th instant, with reference to the unemployment situation, I would say in reply to the questions submitted that the number of unemployed people in this community is approximately 25 per cent below normal and, with a city population of 6,000 and an urban population of 500, that our unemployed would reach approximately 150, with about one-half of this number being heads of families.

The number of persons who are calling for aid over 1929, I would say, was 10 per cent, and I think a safe estimate of the increase in the number requiring relief during the later winter months will be about 10 per cent more.

The city government does not aid in relief, that function being referred to the county and to charitable organizations throughout the city. We have a number of relief agencies, who receive their relief funds through popular subscriptions and donations of clothing, and so forth. Information from these agencies coincide very closely with the per cent as given above as to the increase.

The assistance of the Federal Government would, of course, help in the relief of the needy and, in so far as the county relief is concerned, would lessen the burden of the taxpayers. Likewise, it would lessen the burden on the citizens who contribute to the relief associations, which in effect is a tax on all fair-minded persons.

I do not personally favor appropriations by the Federal Government for relief, except in extreme cases where there has been a catastrophe or where the local conditions, as to the ability of the local people to care for the needy, makes it necessary.

So far as Iowa is concerned, I feel that we probably could take care of all local matters, but if the Federal Government is going to appropriate a sum of money for the relief of those in need, then I would say we would be entitled to our proportionate share as our relief needs compare with those of other communities less favored by crops and other conditions.

While we have had quite a reduction in the yield in the crops in this immediate vicinity, the community as a whole is in fairly good condition, and I do not see anything alarming at the present time. We feel that we are able to take care of local relief without outside help.

As above stated, we do not feel the need of any Government appropriations at this time, but if the appropriations are made because of the relief needs of other localities not so fortunate as we are, then, of course, we would expect the aid of the Government in proportion to our needs.

Yours very truly,

J. I. KELLY, *Mayor.*

SIOUX CITY

DECEMBER 20, 1930.

Hon. ROBERT M. LA FOLLETTE, JR.,
Senate Chamber, Washington, D. C.

DEAR SENATOR: Your questionnaire of recent date relative to unemployment existing in cities throughout the country, leading up to the Federal Government sharing in the increasing cost of financial relief, received.

In the State of Iowa the financial relief does not come from the city, but, under the laws of the State, comes from the county board of supervisors, plus the set-up of the bureau of social agencies within the city, where the citizens, as in other cities throughout the country, put on a community chest drive annually.

I am inclosing a report made by a combined group of the bureau of social agencies and specifically prepared by the Federal and State employment service with the assistance of all of the participating agencies that give financial relief. In addition thereto I am inclosing a report of the overseer of the poor of Woodbury County, both reports showing very clearly that the cost of maintenance has increased approximately 100 per cent in the past year. It shows further that we in turn have within our city at the present time between 2,000 and 2,500 unemployed. It shows further that better than between 400 and 500 families are now getting their living and fuel from either the bureau of social agencies or from the county overseer of the poor.

On account of two recent bank failures within the city with deposits running around between $11,000,000 and $12,000,000, in conference with the business and professional men of the city, they estimate that our unemployment will increase instead of decrease, probably reaching the maximum during the month of February, when it may reach 5,000.

Therefore, our citizens would appreciate any relief given by the Government in aiding and decreasing the burden locally upon our people. However, if we are to have relief, on account of our geographical location and severe winters, we should have it not later than the early part of January.

The reports of the different groups are herewith inclosed and are self-explanatory.

Respectfully,

W. D. HAYES, *Mayor.*

WOODBURY COUNTY

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Per cent of increase for year 1929 over year 1928, three months: October, 2½ per cent; November, 3 per cent; December, 1¾ per cent. Per cent of increase for three months year 1929, as compared with October, November, and to December 16, 1930: October, 94 per cent; November, 96.5 per cent; December, 15 days, number of calls 100 per cent more than for same time in 1929.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Comparative increase of money expended for corresponding months of 1928 and 1929 and for October, November, and first half of December for years 1929 and 1930. Percentage of increase: October, 1929, 63 per cent increase over October, 1928; November, 1929, 21 per cent increase over November, 1928; December, 1929, 47 per cent increase over December, 1928; October, 1930, 120 per cent increase over October, 1929; November, 1930, 87 per cent increase over November, 1929; to December 15, 1930, 140 per cent increase over first half of December, 1929.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. If the weather continues mild, there will be a minimum increase of about 300 per cent over 1929. Family funds much depleted owing to shortage of labor and bank failures. Severe weather will more than double this estimate, though snow shoveling would care for a few of the unemployed.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Any assistance the Federal Government can give will help materially to lessen local burdens.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Favor an emergency appropriation which could be used at once to relieve suffering.

8. A brief statement of the general situation in your community.

Answer. Local institutions, such as homes for aged and children, full to the limit. There will be an immense amount of suffering among these two helpless groups if conditions continue as at present and there is no relief in sight at present, for there is no work at present.

DEAR SIR:

1. Approximately how many people are unemployed in your community?

Answer. In our city of 81,000 the best estimate we can get is approximately 2,000 to 2,500.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. No provision is made by the city government to directly give aid to the needy. This is cared for by welfare bureaus, as will be shown in other answers. The official duty of caring for the poor is vested by law in the county.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. In 1928 the community fund directors apportioned $51,660 for relief work. In 1929 they asked for considerable more, but received $45,100, and this years asked for considerable more, but due to economic conditions, and two large bank failures during the past two weeks, many who have pledged will fall down on their subscriptions, and the apportionments will fall away below the $45,000 of last year.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. From those who have the relief work in charge I learn that already they have demands of 100 per cent over last winter, and anticipate additional demands of another 100 per cent, making in all 200 per cent over last winter.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. It most emphatically would.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. This is answered in question No. 3, but I realize that we will have to obtain funds from some other source than our present method.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Ordinarily we would much prefer to take care of our own unfortunates and believe we would have done so had it not been for our bank failures, which, so far, has thrown all lines of business into a turmoil, and none as yet has been able to shake themselves loose from it. This means that State or Federal Government aid would be most acceptable.

8. A brief statement of the general situation in your community.

Answer. Until about a month ago this city has done remarkably well from an economic standpoint all this summer, and we had hopes of getting through the winter with very little additional aid for the needy and the unemployed, but, as noted above, the failure of two of our largest banks a week or so ago, threw everybody into a panic, many of our business firms being hit, and they immediately laid off all the help they possibly could, and some who were not hit by the banks closing took that opportunity to release some of their help. The city council has no funds that it can divert from any of its several departments for relief, due to the fact that the streets, water, parks, and other departments kept the employees at work later in the season than usual in an effort to keep the said employees off the list of the unemployed.

Another thing to be considered is the fact that we are located in the territory where we have intense cold, and very little outdoor work can be done for three to five months in the year.

We expect that some manner of relief will have to be worked out, but at this time we are not able to state what can and will be done.

J. W. HOLMES,
State-Federal Employment Service, Sioux City, Iowa.

KANSAS

ARKANSAS CITY

DECEMBER 17, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
Chairman Committee on Manufactures,
United States Senate, Washington, D. C.

DEAR MR. LA FOLLETTE: Answering questions in the order put by your letter attached:

1. Approximately how many people are unemployed in your community?

Answer. Three hundred, including an area of 2 or 3 miles around the city. All members of family not taken into consideration.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Approximately 25 per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. It should have been increased 20 per cent but was not. The city makes no appropriation except through relief organizations. The county makes the only municipal appropriation. The city is carrying on extra work for the relief of the situation.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Approximately 10 to 25 per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. It would depend on the manner in which the Federal Government extends the relief and in what manner it is administered.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Locally the county poor commissioner, the Red Cross, and Health Nurse Association.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. The city and industries have been able to take care of most of the unemployed up to this time and will be able to for approximately two months. After that time all emergency projects will no doubt be completed and I am unable to guess at what the situation will be then. Local government taxes are high, resulting in delinquent taxes and a heavy burden being thrown on those property owners inside the city who do pay. A more equal distribution of the burden is necessary.

I wish you success in your program for a reasonable and well-organized plan of relief.

Respectfully yours,

W. F. WALKER, *Mayor.*

DODGE CITY

1. Approximately how many people are unemployed in your community?

Answer. Fifty.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. City does not help; county does with Red Cross and Salvation Army.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Fifty per cent.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Twenty-five to fifty per cent.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Not for this section; do not need it.

CITY CLERK.

FORT SCOTT

DECEMBER 22, 1930.

Mr. ROBERT LA FOLLETTE, Jr.,
United States Senator from Wisconsin,
Washington, D. C.

DEAR MR. LA FOLLETTE: Yours of the 13th instant received relative to aid from the Federal Government to municipalities occasioned by the unemployment situation.

Two hundred and fifty people are unemployed in Fort Scott, Kans.

The increase is 90 per cent over one and two years ago. No increase in appropriation has been made to meet this relief. Matter taken care of through popular subscription, welfare board, and charitable institutions. The increase will be slight for future relief.

The Federal Government will be a great assistance in assisting in lightening the burden on the local taxpayers. Local relief extended by private agencies has doubled within the last year. We certainly do favor the Federal Government appropriating a sum of money to assist in relieving the present situation.

Respectfully yours,

MARTIN MILLER, *Mayor.*

GALENA

1. Approximately how many people are unemployed in your community?

Answer. Four hundred.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. One hundred per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. One hundred per cent.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Five hundred.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. One-third; 100 per cent.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. Bad.

Yours truly,

C. H. JONES, *Mayor.*

HUTCHINSON

1. Approximately how many people are unemployed in your community?

Answer. Four hundred employed one-third of time.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Double.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Double.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Twenty-five percent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Double.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. Two hundred unemployed last year; 400 this year.

H. J. HASKORD, *Mayor.*

KENTUCKY

FRANKFORT

DECEMBER 19, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
United States Senate, Washington, D. C.

DEAR SIR: Replying to your letter of the 13th instant, I am directed by the mayor to say that it is impossible for him to closely estimate the number of unemployed people in this city, but the number is far greater than at any time within several years past.

He estimates that the number of persons and families now depending on charity is three times as great as it was last year and for several years.

The allotment placed to the credit of charity under the 1930 budget is exhausted, and it will be necessary for the city to place additional funds for this purpose.

Many organizations in the city, in addition to the city government, are providing all the help possible to care for the poor and unemployed; but it is believed that it will be impossible to care for all of them in the city and county, and I am quite sure that Federal aid for this purpose would greatly aid the people of Frankfort and Franklin County in providing for the increased number of needy.

I trust that the above information will afford you some measure of assistance toward arriving at the course you desire to pursue, and wish to assure you that any additional information desired will be furnished upon request.

Very respectfully,

M. PARRENT, *City Clerk.*

LEXINGTON

DECEMBER 22, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
United States Senate, Washington, D. C.

DEAR SIR: Your inquiry of the 13th instant regarding unemployment and relief work in this city received.

Lexington is not a manufacturing center and our unemployment situation is not acute. While there are many people out of work and we have a greatly increased demand for assistance, we are able to handle the situation without help from outside. We have a well-organized relief committee on unemployment, and an appeal to the public for funds, provisions, and clothing for those in need has been met most generously.

The United States Government several months ago located a narcotic farm for this county. The property has not yet been taken over by the Government. Also, several months ago the Government selected a site for the construction of a post office and Federal court building. So far, this site has not been acquired.

If the Government will push the work on these two projects, our unemployment situation will be greatly relieved. If it can be done, we should like to have it understood by contractors that only labor from Lexington and Fayette County will be employed on this work.

We believe this is the best way for the Government to assist us. Our unemployed are asking only for work.

Yours very truly,

JAMES J. O'BRIEN, *Mayor.*

LOUISVILLE

DECEMBER 26, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
United States Senate, Washington, D. C.

DEAR SIR: Answering in detail your letter of December 13 addressed to the city of Louisville:

1. Approximately how many people are unemployed in your community?

Answer. Approximately 13,000 people are out of work in this community at the present time.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The number of persons for whom the city is called upon for aid increased last year over the year before about 100 per cent. The increase this year over last year looks to be about another 100 per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The appropriation last year of the city for relief was increased about 100 per cent. In addition to that increase, this year there is an increase for straight relief of 100 per cent, and in addition to that a special appropriation for unemployment, which would be about an amount equal to the total relief appropriation. These figures are for the current fiscal year, which begins September 1, and therefore would answer question No. 4.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. In my opinion, the question of relief for the poor is essentially a local problem. If properly handled, poor relief can be much more efficiently managed by those in closer contact, such as city and county governments, than could possibly be done by national administration.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Private relief agencies expended, approximately, during the fiscal year ending December, 1928, for relief alone $70,000; for the fiscal year ending December, 1929, approximately $85,000; for the fiscal year ending December, 1930, $98,000; and it is estimated a minimum of $110,000 for 1931.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. It would appear that the average local community can pretty well master the situation as far as their community is concerned. Federal aid might be much better administered as a nation-wide program in providing employment and working out measures for the prevention of such nation-wide depression and period of unemployment.

8. A brief statement of the general situation in your community.

Answer. Briefly, the situation in Louisville is in pretty good shape. Through a joint committee on unemployment and relief, composed of representatives of the board of trade, private social agencies, and the city government, a cooperative plan has been reached which is thoroughly covering the whole relief and unemployment program. While there is suffering, it is being reduced to a minimum, and nobody is actually starving or freezing.

If there is any further or more definite information that I can give you, please do not hesitate to call upon me.

Very truly yours,

F. H. MARVIN, *Director of Welfare.*

MICHIGAN

BESSEMER

1. Approximately how many people are unemployed in your community?

Answer. Two hundred fifty.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Two hundred per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. None.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Ten per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. None.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community

Answer. Bad.

DETROIT

DECEMBER 22, 1930.

Hon. ROBERT M. LA FOLLETTE,
United States Senate, Washington, D. C.

MY DEAR SENATOR: In reply to your communication regarding the question of the Federal Government sharing with the municipalities and State governments for relief of the present economic depression, I should like to say that I have looked forward hopefully to some such action as this on the part of the chief lawmaking body of the country. I take pleasure in answering your questions in the order in which they appear and with the best information available to me at this time.

1. Approximately how many people are unemployed in your community?

Answer. About 97,653 registrations have been made by the unemployed in Detroit. Only one unemployed person from a family was allowed to register.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Two years ago about 2,500 families were taken care of by the welfare. Last year 15,000 families and this year about 30,000 families.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Last year the increase was about 50 per cent over the year before. This year about 700 per cent over two years ago, or about $7,000,000.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. The increase will probably be gradual up to March.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. The mayor's unemployment committee has clothed over 70,000 persons—most of them completely outfitted. At the present time 7,000 homeless persons are being lodged nightly. Medical aid has been extended to over 22,000, legal aid to 3,000. The Community fund is expending $3,000,000. Many other charitable organizations are doing a fine work.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. The city welfare department assumes entire responsibility for family relief in normal times. Its activities have been doubled this year. Both the welfare department and other charitable agencies have been working in conjunction with the mayor's unemployment committee.

In the present emergency the mayor's committee has provided clothing for over 70,000 persons; is feeding 4,000 school children; has set up an unemployment bureau that has provided jobs for 17,000 men of families, affecting 80,000 people.

Several feeding agencies under the jurisdiction of the mayor's committee are giving out 6,000 meals a day. Other social and religious agencies have followed suit.

Hoping that you will call on me if I can be of any assistance to you, I remain,

Very sincerely,

FRANK MURPHY, *Mayor.*

GRAND HAVEN

DECEMBER 29, 1930.

Mr. ROBERT M. LA FOLLETTE,
Chairman Committee on Manufactures
United States Senate, Washington, D. C.

DEAR SIR: I have your letter of December 13, 1930, and am pleased to give you the following information, answering a list of eight questions pertaining to our local situation:

1. Approximately how many people are unemployed in your community?

Answer. We have approximately 600 unemployed in our city of 8,200 population.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The municipal welfare board assisted three times as many families last winter as they did two years ago. This winter we will be assisting between three and four times as many families as were assisted two years ago.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The money spent on welfare work two years ago was $3,741 and last year $8,200 and this year between $11,000 and $12,000.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. We estimate an increase of at least 200 families asking relief this year.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Assistance of the Federal Government would extend relief to the needy and lessen burden on the local taxpayers.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Practically all of the financial burden of taking care of our relief work is carried by the city or its welfare board. We are, of course, receiving great help from the Salvation Army. The various church organizations usually take care of their own needy members.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. We would favor financial assistance of the Federal Government in relieving the present burden.

8. A brief statement of the general situation in your community.

Answer. We are assisting the unemployed and some who are working only part time, but are unable to take care of large families.

Yours truly,

BRUNO PETER, *Mayor.*

HIGHLAND PARK

DECEMBER 16, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
Washington, D. C.

DEAR SENATOR: This is in reply to your letter of December 13, 1930, in re proposed Federal appropriation to be shared with city and State governments in carrying on relief work.

1. Approximately how many people are unemployed in your community?

Answer. Estimated number of people out of employment, Highland Park, Mich., 3,500.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Number of families receiving aid from city December 15, 1928, 110; number of families receiving aid from city December 15, 1929, 188; number of families receiving aid from city December 15, 1930, 287; number of single men receiving aid from city December 15, 1930, 90.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Normal appropriation for city's charities division, $21,500; 1929–30 budget appropriation, $30,000; estimated amount which will be spent, $90,000.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Estimated number of families which will require relief during the winter months, 350; number of single men, 100.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Relief from private agencies has increased 1,000 per cent over previous years. I attach outline of relief work in Highland Park which was prepared during month of November, covering relief work other than the work being done by the city's charities division.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the

increased relief burdens that the present emergency has necessitated?

Answer. In my opinion, every city of the country should carry on its own relief work and bear the cost thereof and that the activity of the Federal Government should be directed to furnishing municipalities with plans discovered, among other ways, from reports made by municipalities to the President's relief committee.

Yours very truly,

JOHN C. SHIELDS, *Mayor.*

HILLSDALE

DECEMBER 24, 1930.

Hon. ROBERT M. LA FOLLETTE,
Chairman of Committee on Manufactures,
United States Senate, Washington, D. C.

HONORED SIR: Your letter of December 13 addressed to the mayor of the city of Hillsdale has been referred to me for reply.

As a general conclusion, it may be said that communities of the size of Hillsdale are not as seriously distressed by the present economic depression as our larger communities. To reply specifically to the questions contained in your letter I would say:

1. Approximately how many people are unemployed in your community?

Answer. One hundred and fifty people are unemployed in the city of Hillsdale.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The city and county welfare authorities and other charitable organizations are assisting about 15 per cent more people than they were called upon to help last year.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Appropriations and donations for charitable work in this city and county are 25 per cent in excess of the same during the last two years.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Indications are that conditions are gradually improving and that there will be no increased demand for relief during the coming winter months.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Assistance of the Federal Government will lessen the direct burden on local taxpayers, but there appears to be a slight possibility that such relief will be received in this community.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. There are approximately 40 benevolent organizations in this city and 40 or 50 more in the county doing some relief work. The Salvation Army is particularly active in this city and will supply 100 families this year. There are several other organizations giving extensive assistance and others are concentrating on one very needy family, which they will carry through the winter and supply all needed assistance.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. This committee is in favor of any relief that may be given by the Federal Government in the way of monetary assistance.

8. A brief statement of the general situation in your community.

Answer. The general situation in this community is in no sense serious. It appears that families needing assistance are being adequately taken care of by the charitable organizations now operative. While present prospects are that there will be no material increase in the demands on these agencies, unforeseen circumstances may occur that will tax the capacity of our benevolent organizations. In such event it would be highly desirable for us to know that there would be some Federal agency upon which we could call in the case of emergency.

Yours very truly,

K. G. PRETTIE.

IRON MOUNTAIN

DECEMBER 23, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
Washington, D. C.

DEAR SIR: Inclosed you will find a letter in reply to your request of December 13. The information is being furnished by the chairman of our local relief committee, of which I am an executive committee member.

Hoping that this information will be of some service to you, I am,

Very truly yours,

G. FREDRICKSON, M. D.

IRON MOUNTAIN

DECEMBER 20, 1930.

DR. G. FREDRICKSON, *Mayor,*
Iron Mountain, Mich.

DEAR DOCTOR FREDRICKSON: I can furnish the following information relative to various points requested in La Follette's letter and will take same up under the same numbered headings as that letter.

1. Approximately how many people are unemployed in your community?

Answer. Considering this community as city of Iron Mountain and village of Kingsford and platted portions of Breitung Township immediately adjoining, total population 18,000 to 20,000. Records of community welfare committee, including unemployment registration in the three areas noted, show in excess of 350 unemployed. I estimate approximately 500 as about correct. We know that many did not register and we are receiving additional names almost every day. Of total number of 500, approximately one-half would represent married men with families, one-quarter single men with one or more dependents, and one-quarter single men with no dependents.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. No records available for last year.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. You will, of course, know, but I believe that the city did not make any appropriation for relief last year and I know the county budget for poor commission did not show any particular difference from preceding years. The village of Kingsford, I believe, added a few names on the village pay roll during the winter. This year it is hoped that entire relief required by city will be through employment and if, say in addition to $5,000 of labor being handled through water department, an additional $5,000 could be handled by the city, or in other words a total of approximately $10,000 by the city, during the four months of December, January, February, and March, this would take care of most pressing cases requiring relief. It is hoped that the county road commission will be able to employ 50 men from platted portions of Breitung Township, giving them half-time employment during the same four months and which would take care of the pressing cases needing relief in that area. The village of Kingsford is taking care, by special city work, of all pressing cases in village. It is hoped to handle the greater portion of relief work this winter by employment.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Figures already given under (1) are best estimate possible of total number requiring relief during the winter months. Not all of the unemployed will require relief. At least one-half of total number, however, will and this may increase to two-thirds, depending on conditions.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. If Federal Government can push along road work during the winter months in this area, it would assist through creation of employment.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Community welfare committee has been set up covering the entire community as noted under (1). This committee functions in cooperation with the county poor commission and investigates all cases, recommends relief to county poor commission, and is handling all necessary clothing relief for community, operating a clothing-storage depot or store. This committee also acts as employment agents for the county and city for the special work undertaken to relieve unemployment, designating the parties to whom employment is given and amount of time to be employed in relation to relief shown by investigation if needed.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Question is too general to be susceptible to an intelligent answer.

8. A brief statement of the general situation in your community.

Answer. Unemployment ratio here, 500 into 18,000, is somewhat lower than the national average. The worst condition to date in this area has more to do with low operating time in largest industry in the community, automotive plant, with many employees during past few months getting only $42 per month, i. e., six days at $7 per day.

Trusting that the above covers the necessary information, I remain,

Sincerely,

GEORGE C. NEWTON.

IRONWOOD

DECEMBER 19, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
United States Senate, Washington, D. C.

DEAR SIR: Your letter of December 13 addressed to Mayor John A. Landers has been turned over to me with the request that I answer your questions on unemployment and relief in our city to the best of my ability.

1. Approximately how many people are unemployed in your community?

Answer. We have conducted a registration of the unemployed in our city and at the present time it totals approximately 548, of which number 27 per cent are married with children, 11 per cent married without children, 20 per cent single with dependents, and 42 per cent single with no dependents. Approximately 27 per cent of those who registered are under 21 years of age.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The number of persons whom the city is called upon to assist in employment has practically doubled this year over the preceding two years.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. In order to help the unemployment situation we have increased our appropriation by starting new work to the amount of approximately $25,000.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Judging from our social-service list, I would estimate the increase for relief to be about 60 to 70 per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. In my opinion the assistance of the Federal Government in the relief work would be a great help to the local governments and taxpayers.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. The relief agencies in our city are the Red Cross and the county poor commissioner. Their work has increased considerably this winter and they have taken on quite a few more families than in previous years.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I believe that if the Federal Government appropriated a sum of money to share with the cities and States it would be a big help to the local communities, and I would, therefore, favor such a measure.

8. A brief statement of the general situation in your community.

Answer. The general situation in our community is, of course, worse than previous winters, and I would estimate that we are approximately 25 to 30 per cent below normal conditions.

Trusting this is the information you desire, I remain

Yours truly,

DOW I. SEARS, *City Manager.*

MUSKEGON

DECEMBER 22, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
United States Senate, Washington, D. C.

DEAR SIR: Your letter of December 13 received, and in answer wish to inform you that we are aiding 1,000 families at the present time.

We had 85 families two years ago, and 200 families last winter; so you will notice the increase over 1929.

The assistance of the Federal Government surely would help to lessen the burden of our local taxpayers.

It will cost this city approximately $150,000 for 1930.

Hoping this is the information you desire, I am,

Very truly yours,

BENJ. PEKELDER.

OSWOSSO

DECEMBER 18, 1930.

1. Approximately how many people are unemployed in your community?

Answer. Four hundred.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Ninety per cent; 75 per cent last two years.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Fifty per cent.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Three hundred.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Sure as you live.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Fifty per cent.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes; why not?

Two years ago we probably had between 50 and 100 men out of employment. Last year we probably had from 100 to 150, and this winter, I think we have 400 out of employment altogether. We have some 3,300 what you would call laboring men about town in a population of some 15,000. Some of these men get one or two or three days' work per week, but we do not call them unemployed. Only those who have no work are figured in the 400 out of work.

W. A. SEEGMILLER.

MINNESOTA

AUSTIN

DECEMBER 15, 1930.

ROBERT M. LA FOLLETTE, Jr.,
Chairman Committee on Manufactures:

Replying to your request and answering your questions by number:

1. Approximately how many people are unemployed in your community?

Answer. Approximately 75 unemployed.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. No increase.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. None.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Uncertain.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Relief is being extended through community chest fund and Salvation Army, also Chicago, Milwaukee, St. Paul & Pacific Railway Relief Association (to railroad employees). Possibly 10 per cent increase.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes; where conditions are such that appropriations have been increased to relieve suffering and distress.

8. A brief statement of the general situation in your community.

Answer. Our population last census, 12,262, made up of railroad and packing plant employees, mostly local men and women, and we do not have the floating class to any extent. Unless unforseen conditions arise the local agencies mentioned above will no doubt be able to take care of those in need, but where conditions exist as at the larger cities the extra burden on the taxpayers will be considerable, and if the Federal Government absorbs some of it the different municipalities receiving the assistance will be able to fall in line when conditions are back to normal without the load of heavy bonds or other indebtedness.

Sincerely,

JACOB BECKER, *Mayor.*

CLOQUET

DECEMBER 20, 1930.

Hon. ROBERT M. LA FOLLETTE,
Chairman Senate Committee on Manufactures,
Senate Office Building, Washington, D. C.

DEAR SIR: Answering your communication of December 13, 1930, with reference to the unemployment situation in the city of Cloquet, etc., I beg to report as follows:

The city of Cloquet has a population of about 7,000 people and its industries are principally woodworking plants consisting of a paper mill and a sulphite plant, a box factory, toothpick, clothespin, and physicians' supplies factory, 1 sawmill, 1 bolt mill, 1 crating mill, 1 planing mill, and the Wood Conversion Co.'s plant which makes wallboard, and also the flexible insulation known as balsam-wool.

The information which will follow is based upon a recent survey and to some extent based on estimates, inasmuch as it is hard to determine the exact unemployment situation owing to the fact that a large part of the employees working in the local industries live on small farms and tracts in the territory adjacent to the city of Cloquet and therefore we have no means of ascertaining just how many of that class of workmen, who are normally employed in the city of Cloquet, are now out of employment.

My information will be confined as nearly as possible to the city of Cloquet limits and the information will be furnished in the order of the questions in your letter.

1. Approximately how many people are unemployed in your community?

Answer. At the present time there are approximately 420 male persons unemployed in the city of Cloquet. Of this number approximately 185 are temporarily unemployed, which means that they have not worked during the last few weeks but have fair prospects of being reemployed within the next month or two providing that the plans for the commencement of operations in one of the local plants is carried out. This leaves approximately 235 men who are now out of employment and have no immediate or early future prospects of employment. Of this number a large portion are men advanced in years who have either been laid off by the local plants on account of their age, or refused employment on account of their age. This class has no bright future before them.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The number of persons whom the city government is called upon to aid has increased approximately 50 per cent over a year ago.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The city of Cloquet now maintains what is known as a "poor fund," and this year's levy for the "poor fund" amounts to approximately 10 per cent of the entire levy of the city for all purposes. In other words, approximately 10 per cent of the money collected by the city from taxes levied is now expended for the relief of the poor.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Judging from our experience during the past 30 days, it is safe to estimate that the increase in the number requiring relief during the coming winter months will increase 100 per cent and it is quite apparent that our "poor fund" will fall short of the needs.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. It is doubtful in my mind whether the city will be able to take advantage of any Federal relief, as the relief is based on conditions that the city levy certain amounts for certain public works. Owing to the fact that the city is now practically up to its limit of what it is authorized to levy, according to law, as this city has been operating practically on a cash basis and has practically no indebtedness and if bonds were to be issued for any purposes the benefits could not possibly be derived until some time next summer.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

8. A brief statement of the general situation in your community.

Answer. Besides the relief being extended by the city, several private agencies are likewise extending relief to the poor, such as the various charitable organizations, etc. These agencies report that the relief being extended this winter has increased 200 per cent over a year ago.

In conclusion permit me to call your attention to the fact that from the standpoint of relief as well as justice the people of this city are very much interested in H. R. 5660, which is now pending before the Committee on Claims in the House of Representatives and its companionate bill, which has been introduced in the Senate by Senator SHIPSTEAD. I am inclosing herewith a part of the CONGRESSIONAL RECORD containing the remarks of Hon. WILLIAM A. PITTENGER, which briefly covers the facts in connection with this bill.

The people of this city, as well as the people of four of the counties in northeastern Minnesota, feel that the Government of the United States is still indebted to them as a result of the inequitable adjustment of these losses by the Government. The settlers of this territory are mainly composed of sturdy pioneers who blazed the trails through the forests of northeastern Minnesota many years ago and are accustomed to great many hardships, and taught by bitter experience to make their own way as best they can. They do not like to beg for charity or seek undeserved relief. They do, however, possess a high regard for justice and will never hesitate in making a demand for what they believe is in justice due them. I believe that I can fairly represent the sentiment of this community by saying that if the Government of the United States, through its Congress, will enact the legislation provided for in H. R. 5660, herein referred to, and pay to these claimants the money which they are justly entitled to, that no other or further relief would be necessary. If the people of northeastern Minnesota who are affected by this bill receive the money justly entitled to them, they would be able to rehabilitate themselves in fine shape. This would hold true of the farmers as well as the people in the city. In addition thereto, the activities on the part of the settlers in the process of rehabilitation would create a demand for a large amount of labor and thus not only stimulate employment but bring general business conditions back to normal in this territory.

In closing I wish to apologize for my imposition upon your time in writing this lengthy report, nevertheless I feel and hope that the Government of the United States will deal justly with its citizens in this territory, and in that event the people of this area will not need any charity or other relief.

Very sincerely yours,

FRED C. JOHNSON, *Mayor.*

DULUTH

DECEMBER 23, 1930.

Senator ROBERT M. LA FOLLETTE, Jr.,
Chairman Committee on Manufactures,
United States Senate, Washington, D. C.

DEAR SENATOR LA FOLLETTE: Mayor S. P. Snively has asked me to answer your letter to him of December 13, 1930, asking for information about the relief situation in Duluth.

There are 4,174 persons out of work in Duluth, based on the number of unemployed registering on November 25, 1930.

The city of Duluth does not give any relief except to homeless men. The number of homeless men has greatly increased over previous years, due to the curtailment of logging operations.

The city has increased its appropriation for homeless men from $1,500 in 1930 to $3,000 in 1931. In addition, the community fund is helping with the care of homeless men to the extent of $500 a month or more.

We do not know how heavy our case load will be this coming winter. Our relief expenditures and number of relief families show an increase over the previous year.

We have been able here to work out a plan of cooperation between the private relief agencies and city work which has been very helpful. The city has appropriated about $100,000 for construction work to give employment. Many family men on the rolls of relief agencies have been placed at work.

Very sincerely yours,

S. A. BOWING,
Executive Secretary.

LITTLE FALLS

DECEMBER 16, 1930.

ROBERT M. LA FOLLETTE, Jr.,
Washington, D. C.

DEAR MR. LA FOLLETTE: Replying to your letter of the 13th instant, addressed to the undersigned as mayor of this city, I will hand you the following information:

1. Approximately how many people are unemployed in your community?

Answer. There are in the neighborhood of 150 or 200 people who are without work in this community, and it is safe to say that at least the 150 would be glad to work if it were to be had.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Up to this time there is no appreciable increase in the number asking aid from the city. What it might be later on is a question.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Our appropriation for the poor is the same as it has been in the past two years.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. There will be an increase in those requiring aid, but a great share of this will be taken care of through other means than city help.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Naturally the Federal Government's assistance would lessen the load of local taxpayers but its advisability is an open question.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. There is a great deal of activity among charitable workers to help relieve the need of the younger people in so far as supplying food and clothing is concerned.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I believe that the Government should be careful in the creation of a system which might border on the dole systems of other countries.

8. A brief statement of the general situation in your community.

Answer. It appears to me that our Government has fallen too much into the hands of big business who have been to eager to regulate the everyday affairs of the masses in order that their own interests might be advanced. They have by overproduction encouraged a plan of buying on credit to such an extent as to mortgage the future of our people and thereby stifle individual initiative.

Too much attempt to drive people into line without regard to the best interests of the people themselves. Naturally this creates unrest and an unhealthy situation generally. Our eighteenth amendment and its unpopularity is a fine example.

Very truly yours,

FRANK KIEWEL,
Mayor, Little Falls, Minn.

MOORHEAD

DECEMBER 23, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
United States Senate, Washington, D. C.

DEAR SIR: Inclosed herewith report on unemployment in Moorhead, Minn. (United States Census, 1930, 7,651.)

1. Approximately how many people are unemployed in your community?

Answer. Fifty-one have registered with unemployment agency that I established to survey situation.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Less than last year. Many less than two years ago.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. We have no special relief fund for unemployment; in fact, city as such does nothing for unemployment as regards giving money relief.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. It is possible that our poor-fund relief will be increased.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. No; no need of Federal relief here.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. A greater activity on part of private charity apparent now just before Christmas.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. No; let us not get dole system in United States.

8. A brief statement of the general situation in your community.

Answer. Ours is an agricultural community, not an industrial community. We are hit hard by agricultural depression, but not much by unemployment.

Sincerely yours,

HERMAN C. NORDLIE.

ST. CLOUD

DECEMBER 18, 1930.

Mr. ROBERT M. LA FOLLETTE, Jr.,
United States Senate, Washington, D. C.

DEAR SIR: I agree with you and other Members of the United States Senate that the economic conditions in the country warrant the interest and the extension of assistance to municipalities and State governments throughout the country. However, we in the city of St. Cloud are extremely fortunate, as our industries are all running, and our labor is employed four days a week at least.

1. Approximately how many people are unemployed in your community?

Answer. A recent survey of the unemployment situation showed 300 men and women out of work. The normal seasonal unemployment at this time is about 150.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. We have been called upon to aid about a third more people this year than last year.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Will say that we doubled our poor-relief fund over last year.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. The situation is becoming more acute day by day. We anticipate the necessity of extending relief to twice as many needy during January, February, and March.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. We hope that the economic conditions will have righted themselves before any relief from the Federal Government will be necessary, as far as our city is concerned; at any rate, I am not so optimistic as to believe that if the Government did set out on a program of relief that they would arrive or get anywhere much before 1935. The "Great Engineer" appointed a committee to do something about this more than a year ago, and the total apparent result at this time has been questionnaires sent to the municipalities seeking information as to what they are doing.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. All of our present charity organizations have been coordinated and are now operating under the direction of the city poor department.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I favor such action on the part of Federal Government as will stimulate the employment of labor, and revenue necessary for Federal governmental construction work be obtained by a levy of an income tax upon our population of overly rich.

8. A brief statement of the general situation in your community.

Answer. The situation here, however, at the present time is not of such seriousness as to warrant any alarm.

Very truly yours,

JAMES H. MURPHY, *Mayor*.

STILLWATER

DECEMBER 19, 1930.

Hon. ROBERT M. LA FOLLETTE,
Washington, D. C.

DEAR SIR: In reply to yours of December 13:

1. Approximately how many people are unemployed in your community?

Answer. We have about 450 people unemployed.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. About 10 to 1 over last year.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. So far appropriations have come through county. The best report I can get is four times last year and year before.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. If remainder of winter is severe, number will probably double.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes; if structure could be set up that would work with honesty and justice.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. We have four private agencies engaged in relief work now. Only one last year.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I don't believe it could be handled without waste and injustice.

8. A brief statement of the general situation in your community.

Answer. I don't think there has been much real suffering in Stillwater to date. Our local agencies seem to have situation in hand at present. The ultimate outcome is hard to predict.

Yours truly,

G. A. SHEILS, *Mayor*.

VIRGINIA

DECEMBER 23, 1930.

Hon. ROBERT LA FOLLETTE,
Washington, D. C.

DEAR SIR: Inclosed please find the answers to your questionnaire of recent date. Although we are having the customary difficulties in handling the unemployment situation, due to the cooperation of our city and county, we have been able to give relief to those who are in dire need. We also feel that anything done by the United States Government for the relief of the present unemployment situation should receive the whole, hearty cooperation of every city organization such as ours. Relief given by the United States Government is bound to affect the situation as a whole.

Thanking you for the interest shown in our community and assure you of our appreciation of your efforts to benefit the Nation, we are,

Sincerely yours,

VIRGINIA CHAMBER OF COMMERCE,
By D. E. NELSON, *Secretary*.

MISSISSIPPI

GREENVILLE

DECEMBER 17, 1930.

Senator ROBERT M. LA FOLLETTE,
Washington, D. C.

DEAR SIR: Replying to your letter of December 13 in reference to the unemployment conditions of our city. This letter has been referred to the relief committee, who will answer the same in full.

We have done all the city has been able to do in regard to the unemployment situation. We have voted a bond issue of $370,000 for schools and sanitary sewers and drainage service, and I have given employment to as many of the unemployed men as we could use.

Replying to your question No. 7, I personally do not favor a Federal Government appropriation, a sum of money that will share with the city and State governments, for under our charter the city government has no authority to appropriate any money for that purpose.

Our relief committee, composed of a special committee of the citizens of the town, have done all that was possible in view of the fact that the Government has stopped all levee work in our immediate vicinity and has thereby put several hundred men out of employment. I believe that the greatest relief could be given by taking the necessary steps to appropriate necessary funds to immediately proceed with the work of enlarging the levee in front of this town, which, I am informed, will not be done until next summer, due to the procedure that the United States Government has to follow.

Thanking you very much for your interest in this matter, I am,

Yours very respectfully,

FRED SCHELBEN, *Mayor*.

DECEMBER 17, 1930.

Senator ROBERT M. LA FOLLETTE, Jr.,
Washington, D. C.

DEAR SIR: In answer to your letter to the mayor, in regard to the Federal Government appropriating a fund to assist the local agencies through this period of depression. Will say in answer to the questionnaire:

1. Approximately how many people are unemployed in your community?

Answer. There are 2,500 families who are to be taken care of until March, which would be approximately 12,500; of course the wage earners would be 6,000.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The city can't appropriate any fund under their charter.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Same as No. 2.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. The increase over last year will be fully 75 per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. The assistance of the Federal Government will help very much in giving relief and lessen the burden of local taxpayers.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. The local Red Cross has been handling the relief up to two weeks ago, and the chamber of commerce was asked to organize a similar organization and has been working in conjunction with the Red Cross.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. As the charter of the city does not permit them to appropriate funds, we would like to have you and your committee to take the proper steps to expedite the levee work in front of Greenville, which would give employment to about 300 men. This would be helping in two ways, as the relief would be more satisfactory.

8. A brief statement of the general situation in your community.

Answer. To show you the conditions since the 5th of December, the applicants for relief at the Red Cross office have been 450, and the total cases handled in 1929 were 540. Now, not all of these have received help but there is quite a number who have and with the winter just coming on, and the Government work, and most of the local lumber mills shutting down their operation, and our road program held up for an indefinite period, it seems that relief is going to have to come from the Government, as most of the local citizens can't keep on giving, as most business people have been hard hit.

Any other information we can furnish you, will be glad to do it.

Yours very truly,

Mrs. Coburn H. Williams,
Secretary Chamber of Commerce.

MISSOURI

CARTHAGE

DECEMBER 16, 1930.

ROBERT M. LA FOLLETTE, Jr.,
Chairman Committee on Manufactures,
United States Senate, Washington, D. C.

DEAR SIR: In response to your letter of the 13th relative to the unemployment in our city the writer submits the following information:

At this date there is not to exceed 50 unemployed men in our city. Compared with the same time one year ago we have 200 more men employed in factories and local establishments. Our relief work is handled entirely through our welfare bureau. A sum of money is raised each year to take care of this work.

Our city will not need outside financial aid, nor will there be any greater proportion of needy to be taken care of than for the past two years.

Yours very truly,

EARL J. TUCKER, *Mayor.*

INDEPENDENCE

DECEMBER 16, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
United States Senate, Washington, D. C.

DEAR SIR: In reply to your inquiry relative to the local unemployment situation, please let me say in answer to your questions.

1. Approximately how many people are unemployed in your community?

Answer. Three hundred and fifty known to us.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Approximately 50 per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. None as yet, but no doubt our budget will be exhausted by January 15.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. One hundred additional.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Our official agency for relief is the Community Welfare League. The churches of our community assist materially in relief work.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. The situation here has not reached an acute stage, but no doubt as the winter progresses and the weather becomes severe emergency measures will have to be adopted to cope with the situation.

Yours truly,

ROGER T. SERMON, *Mayor.*

TRENTON

DECEMBER 20, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
Chairman Committee on Manufactures,
Washington, D. C.

DEAR SIR: In reply to your questionnaire mailed under date of December 13 relative to unemployment and general economic depression.

1. Approximately how many people are unemployed in your community?

Answer. One hundred.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. None.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. None.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Fifty.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Charity Union looking after needy unemployed, and Chicago, Rock Island & Pacific Railway Co. brotherhoods also extending assistance to needy employees. Fifty per cent.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. The general situation in this community is not so acute as in other localities due to extensive improvements by the Chicago, Rock Island & Pacific Railway Co. in connection with their new short line between Trenton and Kansas City. Otherwise, conditions would be serious here. To date the local Charity Union has been taking care of the needy, the city seldom having to be called on in behalf of needy.

Very truly yours,

M. L. ELLEDGE, *Mayor.*

MONTANA

BOZEMAN

DECEMBER 17, 1930.

Senator ROBERT M. LA FOLLETTE, Jr.,
Washington, D. C.

DEAR SIR: Mayor Purdy has referred to me for reply your letter of inquiry relative to the extension of Federal aid to States and municipalities in extending financial relief to the unemployed.

Under our State laws, cities of this size may not levy a tax to secure funds for the relief of the poor, so that I know of no fund from which the city might legally extend financial assistance. The State law allows the county to make a tax levy for this purpose, and puts the duty or obligation to care for the needy directly upon the county commissioners.

The foregoing statement will serve to indicate to you why we are scarcely able to answer authoritatively your questions 1 to 6, inclusive. For authoritative answers to them I wish to respectfully refer you to the county commissioners of Gallatin County, Bozeman, Mont.

Replying now to question 7, I wish to say that the mayor and I do not favor an appropriation by the Federal Government for the purpose indicated. We think this is strictly a function of the State and local governments, which should be able—and are able—to handle it their own way. We think the Federal Government should concern itself with handling more adequately and more justly its own peculiar problems before attempting to interfere with the local problems, for the handling of which the State and local governments were designed. We do not look with favor upon this idea of unrestrained extension of Federal authority and interference with local problems which seems to be growing in favor in some quarters.

Respectfully,

G. O. ARNOLD, *City Manager.*

BUTTE

DECEMBER 26, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
United States Senate, Washington, D. C.

MY DEAR SENATOR: Replying to your letter of the 13th inst., regarding the approximate number of people who are unemployed in this community, I beg leave to advise you as follows:

1. Approximately how many people are unemployed in your community?

Answer. There are approximately 15,000 to 16,000 people working in this community. A good many of these are working part time.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The number of persons whom aid has been given to this Christmas are approximately 1,600, and the increase over last year was 700.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. This city has not increased its appropriations because we are in debt so deep that it is impossible for the city to spend money in this way.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. It is hard to determine the number who will require help during the winter months but I would say in the neighborhood of 1,500 people.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes; the assistance of the Federal Government would help to lessen the burden on the local taxpayer in case you extended our relief.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Answer to paragraph 1 will answer this.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I do favor the Federal Government appropriating money to help out city and State governments so that relief can be given the needy.

8. A brief statement of the general situation in your community.

Answer. I think that this city is in about as good a shape as any other community that I know of.

Hoping that these answers will be satisfactory to you, I am

Sincerely yours,

M. KERR BEADLE, *Mayor.*

GREAT FALLS

DECEMBER 24, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
United States Senate, Washington, D. C.

MY DEAR SENATOR: Your inquiry relative to unemployment, etc., is herein inclosed properly filled out to the best of our ability, and certified to by the county auditor.

The city of Great Falls has now appropriated money for the needy and unfortunate, and is doing everything possible to make things brighter.

Respectfully yours,

A. J. FOUSEK, *Mayor.*

DECEMBER 19, 1930.

1. Approximately how many people are unemployed in your community?

Answer. Six hundred or more.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. More than doubled.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. County budgeted $15,000.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. About 400 active cards now. At least 100 more will need help.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Same proportion as county.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State Governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. Some working now, but with the coming of cold weather many of these will be out of work.

JNO. S. COOK,
County Auditor, Cascade County.

KALISPELL

DECEMBER 20, 1930.

Senator ROBERT M. LA FOLLETTE, Jr.,
Washington, D. C.

DEAR SIR: Your letter of December 13 addressed to the mayor of Kalispell has been handed us for reply for the reason that in Montana the county government is obligated for the care of the poor, hence the present added burden on our poor fund because of the general unemployment situation comes on us rather than on the cities.

We will answer your questions as you asked them numerically.

1. Approximately how many people are unemployed in your community?

Answer. There are probably 1,000 men able to work who are not working in this community (meaning county) at this time.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The increase in unemployment now as compared with a year ago is probably 100 per cent; 150 as compared with two years ago.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. County poor fund budget was increased over 20 per cent last July, planning on a hard winter, and from present indications the budget will be away short.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Coming in on a constantly increasing scale, hard to estimate what the actual increase will be.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes; emphatically. Any outside assistance will be of great benefit to our taxpayers.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Private relief work here is not greatly increased due to tight money conditions; our public relief very much increased, as answered in question 2.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Will simply say yes.

8. A brief statement of the general situation in your community.

Answer. You ask for a brief statement of the general situation. This is a timbered country, lumbering being a large business and usually employing a lot of men. This business now is practically at a standstill, which accounts in a large measure for our unemployment. Added to this fact is this condition: Dry landers from eastern Montana flock in here for woods work and augment the labor supply, which was already too large.

One other outstanding fact is this: Farm produce of all classes, including meat and dairy products, are at extremely low levels; people apparently are buying from hand to mouth and there is no surplus money to buy with. It is the old proposition of the vicious circle of low prices, falling demand, economy at the wrong time that we are all familiar with. Added to this fact is this proposition: Taxes are high and it is increasing the difficulty for farmers and home owners generally to pay taxes, and at the same time the outgo of public money for poor relief gets heavier. Briefly it is a paradox.

Montana needs roads; there is plenty of Federal money now available, but the State highway commission has no funds to match the Federal money. We hope the present movement in Congress to alleviate the situation will go through promptly.

Trusting that we have not written at too great length, we are,

Yours respectfully,

M. R. WOOD.

LEWISTOWN

DECEMBER 16, 1930.

ROBERT M. LA FOLLETTE, Jr.,
United States Senate, Washington, D. C.

DEAR SIR: In answer to your letter of December 13, in connection with unemployment, Lewistown, Mont., will make the following statement, to wit:

We are thoroughly organized here to attempt to take care of our unemployed by furnishing useful labor for them during the winter months. The committee sees its way clear at the present time through the cooperation of county and city and individual donations to carry the unemployed till February, 1931, only. I now make definite answers to your questions, to wit:

1. Approximately how many people are unemployed in your community?

Answer. About 200 unemployed.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. This is the first year we have had any problem, except the usual poor, which can be expected every year.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. It will take at least $6,000 to carry the unemployed through the winter, whereas prior years we have had no organization.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. We have now 80 men with families that must have employment and 50 urgent, whereas in former years we have had no problem.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. The cooperation of the Federal Government would solve our problem here and carry the matter through the winter without question.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. We have the usual poor-fund relief this year as other years, but we now have, as stated, about $6,000 necessary to carry through the unemployed.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the

increased relief burdens that the present emergency has necessitated?

Answer. I favor the Federal Government appropriating money that can be used for useful purposes to furnish work.

8. A brief statement of the general situation in your community.

Answer. We here are furnishing the unemployed labor to the extent of about $25 a month, and so far the labor has been on useful necessary improvements that will prove a benefit to the taxpayers.

We are trying to get away from the dole system completely. We are getting excellent response and cooperation through our methods of furnishing labor rather than donating assistance.

Yours truly,

OSCAR O. MUELLER, *Mayor.*

MISSOULA

DECEMBER 17, 1930.

Senator ROBERT M. LA FOLLETTE, Jr.,
Washington, D. C.

MY DEAR SENATOR: In reply to yours of the 13th (received this a. m.) relative to the needy and unemployed in this city, have to say that to date the demand has not been as acute as last year, largely because we have just completed a new sewer system at a cost of more than $500,000. Also the sugar factory has just finished a very successful season, thus distributing $1,000,000 among producers, labor, and railroads. All of which has helped us very materially. The only source of funds we have is through the county commissioners, who spent $86,000 last year for various kinds of relief, and private contributions through central relief board. Under our State law there is not any funds available for such work.

Missoula County expends eighty to one hundred thousand dollars annually for old-age pensions, widows and mothers pensions, County or poor farm, also other small doles to the needy.

1. Approximately how many people are unemployed in your community?

Answer. Two hundred and fifty men and women now registered.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. No apparent increase.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. No funds available under the law.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Twenty-five per cent over past two years.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. I have my doubts, unless through employment, road construction, forestry trails clearing, replacement of one and two dollar bills, which carry disease out of the slums and other poor, with silver dollars.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Situation well in hand through Kiwanis, Rotary, Lions Clubs, Salvation Army, and other smaller groups.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Only by stabilized employment, using such a plan as proposed by national officers of Fraternal Order of Eagles.

8. A brief statement of the general situation in your community.

Answer. Good. Give us work and lots of it. Clip the wings or pull the tail feathers of the gamblers in food products.

Yours for success,

W. H. BEACON.

NEBRASKA

BEATRICE

1. Approximately how many people are unemployed in your community?

Answer. Two hundred.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Possibly 60 per cent more.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Fifty per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. No.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Doubled.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I think we can handle this, although our county had very poor crops.

W. I. REED, *Mayor.*

GRAND ISLAND

DECEMBER 1, 1930.

O. A. ABBOTT, Jr.,
Mayor Grand Island, Nebr.

DEAR SIR: The following is a report of the city free employment office for a period of three weeks:

Men applicants

Odd jobs, anything, mostly married men	96
Trucking and hauling	8
Single men, no phone	22
Janitor, firemen, garage work	7
Painter, paper hangers	6
Carpenters	12
Total	151

Women applicants

Nursing, housekeeping, clerking	27
Total applications on file	178
Applications not on file, sent out of city to pick corn	200
Total applicants	378

This department has found employment for:

Women	8
Odd jobs, one day to steady work.	
Men	81

Two men hauling coal; 54 men, odd jobs, one day to steady work; 11 men, farm work; 12 men, carpenter work; 2 men, painting.

Total men and women in direct contact with job	89
Total men applicants sent out of city to pick corn	200
Total applicants sent out on jobs	289

Yours truly,

ALBERT STEHR.

KEARNEY

DECEMBER 17, 1930.

1. Approximately how many people are unemployed in your community?

Answer. Same as years before.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. None.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. No increase.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Five per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. We can take care of all.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. About same.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. No.

8. A brief statement of the general situation in your community.

Answer. An average.

D. WORK, *Mayor.*

NEBRASKA CITY

DECEMBER 20, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
Chairman Committee on Manufactures, Washington, D. C.

MY DEAR SENATOR: Your questionnaire received and will reply as nearly as possible and confine my report to the conditions now prevailing here.

1. Approximately how many people are unemployed in your community?

Answer. I would say in the neighborhood of 270.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Approximately 50 per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. I would state about 70 per cent.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. We estimate 70 per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. It would certainly relieve the situation extremely. As it now is this support must come from the city, county, and the individuals in general in order to meet the emergencies.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. We have been doing the most of this from the various lodges that can afford to do it, from the city and various individuals, kindred organizations, and the many societies. I would say at least 70 per cent.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I am certainly in favor of this protection, as it will protect the public in many ways and cause less depredations, reduce misery and want, and have a tendency to create better citizenship, and more contented people and a much better feeling among our population as to the upholding of our principles of government.

8. A brief statement of the general situation in your community.

Answer. The general situation is practically the same as elsewhere, many out of employment, and conditions of unrest among those out of employment and very little to do with, which is sure to create discontent among those in this condition and, of course, to relieve, their sustenance must come from those that have in order to create a better feeling among this class that are needy and are in want of the necessaries of life.

Yours very truly,

M. M. VAUGHN, *Mayor.*

NORFOLK

1. Approximately how many people are unemployed in your community?

Answer. About the same as last year.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer About the same.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Taken care of by the county; funds the same.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Twenty-five per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. I don't believe this is necessary for this county.

While there has been a lot of talk about hard times, I don't believe it is any worse now than it has been the last two or three years.

Sincerely yours,

JNO. F. DUDGEON.

OMAHA

DECEMBER 26, 1930.

Mr. ROBERT M. LA FOLLETTE, JR.,
United States Senate, Washington, D. C.

DEAR SIR: A very close estimate of unemployed persons in the city of Omaha is 20,000 to 25,000. This figure is arrived at by consultation with various labor union heads, newspaper editors, and others in close touch with the situation.

The increase in applications for aid is about 30 per cent.

Answers to questions Nos. 3 and 4 same as above.

The local community chest and the county charities are practically the only relief agencies in Omaha, aside from the Salvation Army and Volunteers of America. The calls on them are at least 25 per cent more than last year.

Of course, any assistance from the Federal Government would be very acceptable and enable the local agencies to care for some whom they will be unable to help from lack of funds.

Answer to No. 7. Yes.

Very truly yours,

JAMES P. CONNOLLY.

YORK

We have no more unemployed than in former years and need no assistance.

Respectfully,

GEO. E. CHILCOTE, *Mayor.*

NEW HAMPSHIRE

BERLIN

DECEMBER 23, 1930.

DAVID I. WALSH,
United States Senator, Washington, D. C.

DEAR SENATOR WALSH: Replying to your communication of recent date, would say that there are approximately 800 people unemployed in the city of Berlin at present.

Answering your questions in the order given:

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Approximately 100 per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Fifty per cent over last year and 125 per cent over two years ago.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Not much more than now.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Red Cross and local charitable organizations are helping.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. The general situation in Berlin is worse than it has ever been.

Trusting this answers your questions satisfactorily, I am,

Yours truly,

E. R. B. MCGEE, *Mayor.*

NEW MEXICO

RATON

DECEMBER 26, 1930.

Senator ROBERT M. LA FOLLETTE, JR.,
Chairman Committee on Manufactures, Washington, D. C.

DEAR SIR: In answer to your questionnaire of December 13 regarding the unemployed of our city, have received the following information from the captain of the Salvation Army, who has charge of most of the relief work in this county:

1. Approximately how many people are unemployed in your community?

Answer. Five hundred local people out of employment at the present time.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Fifty per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Donations to the Salvation Army for the years 1928–29 about $2,000 and $2,300; this year, $6,100.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Twenty-five per cent more than are now receiving relief.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Any money received would help extend relief to the needy and lessen the burden of the ones donating to this fund, as it is given within the city and county by donations and not taxation. While most of the donators to this fund are taxpayers, many others give also, and it would depend on the manner of reimbursement to the treasury as to the effect on the local taxpayer.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Eight hundred meals per month are given to the local population, besides other supplies, as milk, fuel, clothing, medical supplies, etc., and from 75 to 100 meals per week given to the floating population that pass through. An increase from 35 to 50 per cent over the last two years.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Local industries not able to support the local population. Coal mining being the chief industry, the demand for coal has so decreased that some of the mines have closed, others working part time, 8 to 11 days per month, giving the mine laborers very little to distribute to the welfare of the community after the necessary living expenses are taken care of.

Very truly,

O. E. MAULSBY, *Mayor pro tempore.*

NORTH CAROLINA

HIGH POINT

DECEMBER 22, 1930.

Senator DAVID I. WALSH,
Washington, D. C.

DEAR SIR: I inclose to you herewith the information requested in your letter of December 13.

Yours very truly,

C. A. YORK.

With reference to the Federal Government sharing with the municipalities the burden of costs of financial relief extended on account of unemployment:

1. Approximately how many people are unemployed in your community?

Answer. A careful survey through the registration of the unemployed has resulted in the registration of approximately 1,000 people. This, of course, represents the heads of families and means that approximately 5,000 people are affected, as there is an average of five to the family. An analysis of the registration discloses the fact that a considerable per cent of the registration is for a group that would be normally unemployed. There are many reasons why they would be unemployed: Lack of desire to work

regularly, inefficiency, etc. Out of the 1,000 registered, at least 350 belong to this class. The remainder of the 1,000 are people who have had employment a part of the time. They have been able to secure work for 2, 3, or 4 days each week during the year. About 250 of the 650 in this group are carpenters, brick masons, painters, and common laborers, who are ordinarily in construction work. These people have not had the amount of part-time work as the others in this group. The people in our textile industries, consisting of hosiery, silk, and underwear, have been very fortunate for the entire year in that they have been regularly employed. A great loss has been sustained by the woodworkers and those in construction work as they have been on part time.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Up until November 1 the number of persons aided through the public welfare this year was no more than during the same period last year. Since November 1, there has been a great increase in the calls on the public-welfare department for aid. The outlook at present is that this increase will continue, certainly for the next few weeks. Conditions two years ago were much better than last and this year.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. To date the city has not increased its appropriation for direct relief from a charity standpoint, but it appears that this will have to be done at an early date by the city, or through some channel, as the funds will certainly be needed. The city has appropriated $7,000 to provide work, which is work that is needed, but not scheduled at this time. This work would have to be done possibly within the next one or two years. This appropriation will have to be increased right away.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. An estimate of the increase in the number requiring relief during the winter months would have to be a guess. If the manufacturing plants receive sufficient orders to enable them to carry on after the Christmas holidays in the same manner that they have up to date there will be a small increase in relief work required, and, of course, if they are unable to carry on there will be a tremendous increase in relief work.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Naturally, if the Federal Government will aid in the relief expenses, the burden on the local taxpayers will be lessened.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Relief extended by private relief agencies is in about the same condition as mentioned in item 2.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. This to be answered by Mayor York.

8. A brief statement of the general situation in your community.

Answer. Our community is particularly fortunate. Our manufacturers and employers early recognized the situation and adopted the plan of dividing their work among their employees, thereby enabling a large number of people to have some income. This plan has reduced the unemployment and relief requirements to a very low figure. Our employers are interested in the welfare of their employees and are anxious to keep them employed and will put forth every effort possible to do this. We are inclined to look forward to a new year with optimism, in so far as High Point is concerned, as some of our industries have already advised us that they were encouraged to believe that they will have fairly good business and there are some construction projects in view that will furnish employment to a great many people. We do not wish to minimize the situation, but at the same time feel that by cooperation of the various governmental and business agencies the situation will be worked out and we can work back to normal conditions.

SALISBURY

DECEMBER 22, 1930.

Hon. DAVID I. WALSH,
United States Senate, Washington, D. C.

DEAR SIR: Referring to your letter of December 13 relative to the unemployment situation in this community, wish to advise that on a survey recently made we have somewhere in the neighborhood of 750 to 1,000 people unemployed. In this connection wish to state that this is the first year that we have set up an unemployment bureau and heretofore we have not made a survey to determine just what the unemployment situation was.

We are appropriating only a limited amount of money, but are carrying on all the municipal work that we can possibly do, which, of course, is very limited just at this time. There is no way to determine definitely what will be the number requiring additional relief during the winter months, but we believe that the number we now have will be materially increased as the winter advances.

As to the assistance by the Federal Government, I do not know in what practical way the Government will be able to assist, but we shall keep in close touch with this, and if there is any way in which we can practically avail ourselves of such assistance, we naturally wish to do so.

The local agencies here are assisting in every way possible in creating jobs that can be done at this time. We have gone through a period of advertising in making this request of our citizens, and we find that some repair work is being done and employment is being given to a limited number of our people.

With the above explanation I trust that you will be able to see a true picture of our present situation.

Thanking you for your inquiry, I am

Yours very truly,

J. L. FISHER, *Mayor.*

NORTH DAKOTA

BISMARCK

1. Approximately how many people are unemployed in your community?

Answer. None, except seasonal.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Ten per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Ten per cent.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Fifteen families.

5. Will the assistance of the Federal Government help to extend relief to the needy aand lessen the burden on local taxpayers?

Answer. No.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. None.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. No.

8. A brief statement of the general situation in your community.

Answer. Good, because of large building activities during past season.

M. H. ATKINSON, *City Auditor.*

DEVILS LAKE

DECEMBER 20, 1930.

Hon. ROBERT M. LA FOLLETTE, JR.,
United States Senate, Washington, D. C.

DEAR SIR: Your letter of December 13, with reference to the information as to unemployment and the ability of the municipality to take care of the needy was received, and I am herewith giving you the following information in accordance with the questionnaire attached to your letter.

1. Approximately how many people are unemployed in your community?

Answer. We have 150 married men unemployed and 40 single men, comprising a total population of approximately 600 people.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The increase will be approximately 50 per cent as to what it was two years ago and 40 per cent increase over one year ago.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The same proportion will apply there—50 per cent two years ago, and 40 per cent as a year ago.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Fifty per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. None. This municipality has been taking care of the poor entirely through taxation with exception of at Christmas time, when church organizations and other relief agencies have given temporary relief.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. As yet we do not think that it will be necessary to request Federal aid for the relief of the poor or the unemployment. This, however, will depend on the duration of the present depression.

8. A brief statement of the general situation in your community.

Answer. The condition here is just the same as in any other agricultural territory, and should the present economic condition last for another two years there is no doubt but what Federal aid will be necessary. The present price level on all farm products, including grain, which is a major product, has not been as low in 30 years. Taxes during this time have increased from 200 to 800

per cent, farm machinery 100 per cent, and all other commodities which the farmers are obliged to buy have increased on about the same level; consequently, the grain and products at the present prices are produced at a loss and it will be just a matter of the above-mentioned time until a great number more will be added to the unemployed and the situation will be that much worse.

Hoping that this information will be of some value to you and the committee which is investigating this serious problem, I am,

Yours sincerely,

MARTIN OLSEN, *City Auditor.*

FARGO

DECEMBER 18, 1930.

Hon. ROBERT M. LA FOLLETTE,
United States Senate, Washington, D. C.

DEAR SENATOR: This will acknowledge your letter of December 13.

1. Approximately how many people are unemployed in your community?

Answer. Fargo is a city of about 29,000 population, being the largest in North Dakota. There are approximately 800 unemployed in the city at this time.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The normal volume of unemployment is approximately 300.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The city itself makes no provision for the care of the poor, that responsibility being committed to the county. The county has made no provision for the care of the poor in excess of normal requirements. This necessarily follows, because the county adopted its appropriation budget last July, when this unforeseen situation was not anticipated. The county, therefore, finds itself facing an unusual burden in the care of the unemployed which was not anticipated and for which no provision has been made. It seems to me that this is one important factor which you should take into account. Laws placing cities and counties and other municipalities on a budget basis are common throughout the United States. These subdivisions adopt their appropriation budget or ordinance either in the month of January or in the month of July, usually the latter. Consequently, these counties and other municipal subdivisions have no funds available for the purpose of meeting the emergency created by the nation-wide nonemployment. This, to my mind, is one of the most logical and reasonable arguments why the Federal Government should meet the emergency by an immediate appropriation. It is well enough for economists and legislative leaders to say that the burden of the poor is primarily for the States and is not a function of the Federal Government, but we face a situation not a theory.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. I do not believe that in the city of Fargo or in the county of Cass there will be any increase in the number requiring relief during the winter months. North Dakota is very happily situated so far as general conditions are concerned, notwithstanding the depressed grain prices and the general adverse farm conditions. I have made some study of the situation, which confirms the statements we hear on every hand that the Northwest, and particularly the State of North Dakota, is more favorably situated at this time than any other part of the country.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Obviously, the assistance of the Federal Government is needed throughout the country, although this need is not so acute in North Dakota as elsewhere.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Relief agencies in Fargo are financed through a community chest. The funds for that purpose were raised a short time ago in amounts approximately equal to the 1929 community chest. These relief agencies will have to face a larger demand than in previous years, with only normal appropriations available. They will have to meet this in two ways: First, by reducing their overhead, and second, by restricting the activities. It may result in a more limited program of relief, but I do not believe the situation is serious in Fargo. There has been an increase in the demands made upon these relief agencies over previous years, but it is not as serious as undoubtedly exists elsewhere.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. In principle I doubt the wisdom of Federal aid or interference in local affairs; but like every other situation the exception often proves the rule. I believe this exception exists warranting prompt legislative assistance on the part of the Federal Government.

8. A brief statement of the general situation in your community.

Answer. Business conditions are on the whole below normal in this territory. The cities are particularly affected by this situation. I think the farmers are in less distress than those living in the city. As stated above, it is my judgment that Fargo and the State of North Dakota generally are much more happily situated than other parts of the United States.

This reply is made by direction of the mayor.

Yours truly,

M. W. MURPHY, *City Attorney.*

JAMESTOWN

1. Approximately how many people are unemployed in your community?

Answer. Fifty.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Very little.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. About 50 per cent, as it was almost negligible.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Very little.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Not necessary.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. None.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. No.

W. Y. JOOS, *City Auditor.*

OHIO

AKRON

DECEMBER 19, 1930.

Hon. ROBERT M. LA FOLLETTE, JR.,
United States Senator, Washington, D. C.

DEAR SIR: In reply to your communication of December 31 with reference to unemployment relief in the city of Akron, I am inclosing herewith a memo supplied by Mr. R. H. Kurtz, director city division of charities, which replies to your queries as numbered therein.

Supplementing his reply to No. 3, I would suggest that he has not included in that schedule any reference to appropriations for hospital relief, for which item the city appropriated last year $67,200, and which item was supplemented by that much additional, I understand, from the Better Akron Federation funds.

With reference to the outlook for 1931, the city will appropriate at the beginning of the year $127,000 for indigent relief, and will be compelled to add to that appropriation as the situation develops.

We have some $60,000 available in a contingent fund from which to add to our prospective initial appropriation. Our division of charities have stated that, instead of $60,000, probably $150,000 additional will be necessary.

This, I think, will give you something of an idea of our situation and of our resources, and will suggest to you that if the Federal Government intends making an appropriation to share in this unemployment relief, it seems to me it would be helpful to us. It is obvious that if the Federal Government were to make available for Akron city's use $100,000 or $150,000, it would lessen the local burden just that much.

Yours very truly,

G. LLOYD WEIL, *Mayor-Manager.*

DECEMBER 17, 1930.

1. Approximately how many people are unemployed in your community?

Answer. No one knows; 15,000, as a guess.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Four hundred per cent.

	October, 1929	October, 1930
(a) Applications	283	641
(b) Families granted relief	337	1,299
(c) Amount of relief	$4,781	$19,343

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Family relief.

	City funds	Supplemented by—
1928	$26,500	[1] $24,000
1929	45,000	[1] 31,500
1930	101,000	[1] 79,000

[1] Better Akron Federation funds.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. We expect our load to exceed 2,000 relief cases per month before the winter is over.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Approximately an equivalent amount to the above city expenditure is being supplied through private agencies. They are caring for an additional 30 per cent of families not on city relief.

8. A brief statement of the general situation in your community.

Answer. Factory employment and production picking up a little. Most of our families are laborers and building-trades men, however, and the industrial recovery will have to go a considerable distance before residence building will be stimulated.

R. H. KURTZ.

BELLAIRE

DECEMBER 27, 1930.

Hon. ROBERT M. LA FOLLETTE,
Washington, D. C.

DEAR SIR: In reply to your communication of December 13, 1930, containing questionnaire as to economic conditions in our community, in which the body of the United States Senate is desirous of ascertaining to what extent relief is needed, will to the best of my ability answer same.

1. Approximately how many people are unemployed in your community?

Answer. From a population of 13,325 we have approximately 2,600 unemployed.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Aid given by city government has increased since 1928 to 1930 about 35 per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Through necessity have been compelled to appeal to the public donations for clothing, fuel, and food to the extent of 50 per cent, as we had no appropriations available.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. We anticipate an increase in relief of 10 per cent above the 35, making it at the least 45 per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes; if this relief is afforded through the efforts of the Senate, it will be a godsend, as taxes remain at present unpaid.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Fraternal organizations, churches, and private individuals have extended relief to the extent of about 15 per cent over the two years preceding 1930.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes, sir. Our municipality joins with your body in agreeing that relief should be forthcoming from our Federal Government.

8. A brief statement of the general situation in your community.

Answer. Due to our community being in the center of the bituminous-coal region, which is operating on a very low scale of about two days a week, with wages at the price which is below living wage and no mills working, make industrial conditions throughout the valley deplorable and necessary for even those having such employment, charges on the city and county as well.

Thanking you for your interest and hoping your move to aid the unemployment situation may materialize in the near future, when it is so badly needed, I beg to remain,

Very sincerely,

J. W. NEAL, *Health Officer.*

CLEVELAND

DECEMBER 23, 1930.

Hon. ROBERT M. LA FOLLETTE, JR.,
Chairman of Committee on Manufactures,
United States Senate, Washington, D. C.

MY DEAR SENATOR LA FOLLETTE: In answer to your recent letter, I beg to advise as follows:

It is estimated that 40,000 to 45,000 persons are unemployed in this community. This estimate is made on the basis of a certain system which has been adopted by the State-City Free Employment Bureau, which involves an index based upon the number of times an applicant has to apply before receiving a position.

The city of Cleveland does not give direct relief. All such cases are handled by the Welfare Federation The city, of course, operates hospitals, infirmaries, etc.

The Welfare Federation informs me that about 4,000 families are being aided now, as compared with 1,000 families two years ago, and that during these two years there have been additional appropriations in the amount of $1,500,000 for such purposes. They estimate that if conditions continue as they are, it is probable that the number of families who will require relief would increase to 6,000.

Of course, it is apparent that any assistance given by any agency would help to extend relief. I do not know whether it would lessen the burden on the local taxpayers, as I assume that they would be called upon to pay their share of the cost of furnishing the money for this additional assistance.

As I explained above, this city does not engage in direct relief. Under our Ohio laws the municipalities have the power to issue bonds by vote of the council alone in the amount of 90 per cent by which the net indebtedness of the municipality is reduced in a given year. Under this authority the city of Cleveland has issued $750,000 in bonds and is now employing about 1,800 men for emergency work in our parks and on our streets in developing capital improvements. These men are employed in 3-day shifts in addition to our usual force. To obtain a list of the unemployed we have had two registrations and have registered about 17,000 men. Fortunately there was before the voters at the November election an extensive program of public improvements and certain tax levies, all of which the voters approved by substantial majorities, the funds for which will be available soon, and our purpose is to engage in just as much public work with this money as is practical after the first of the year. Plans and specifications are now in the process of development.

By cooperation with the city and the county government, an institution known as the Wayfarer's Lodge, which cares for homeless men, has been enlarged, so that any man may receive food and a night's lodging. In this way we have cut down begging on the streets and have felt it unnecessary to resort to apple selling or other such devices.

Despite all we have been able to do, however, there are a great many people in Cleveland who are reaching the end of their resources, many of whom will lose their equities in homes, furniture, and other personal property if employment can not be obtained in the relatively near future. It seems to me that this group of people, who have had the initiative and courage to invest in homes, for which they have been paying monthly out of their earnings, constitute a very real problem, because if they lose their investments, the attitude of mind of a group of very substantial citizens will be changed, and I doubt whether many would ever undertake a like venture in the future. I do not know whether it would be practical for the Federal Government to engage on any nation-wide scheme of loaning this type of people money or protecting their equities, but I am convinced that this class of our citizens deserves help, if any can possibly be given.

I believe the general impression is that actual want has been reduced to a minimum in this city, but I have no doubt there are many people who really are suffering in spite of the best efforts of our charitable agencies.

If I can be of any further service in providing you with information, I will be glad to advise you.

Very truly yours,

JOHN D. MARSHALL.

COLUMBUS

DECEMBER 20, 1930.

Hon. ROBERT M. LA FOLLETTE, JR.,
United States Senate, Washington, D. C.

DEAR SIR: In reply to your letter of December 13:

1. Approximately how many people are unemployed in your community?

Answer. Unemployed about 12,000.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Double that of last year and the year before.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. 1928, $54,000; 1929, $62,000; 1930, $115,000.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Four thousand families at peak load (20,000 people).

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. I can not figure where the Federal Government can be of any real service.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago.

Answer. 1929, $464,000; 1930, $439,000; 1931, $600,000.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I have little faith in the ability of the Federal Government to give any help.

8. A brief statement of the general situation in your community.

Answer. Industry reducing steadily its hours of work and the number employed. Families suffering from prolonged malnutrition due to low rationing. Evictions increasing.

In my opinion, if the United States Government would get down to earth and create confidence in the people it would be a wonderful help. The taking over of the railroads by the Government and their frightful mishandling, and the great army of men that have been let off in the last number of years, and the little faith the people still have in the Government trying to control conditions, must be considered. I am a believer in municipal owner-

ship, but the Government's failure has been a great disappointment, and the people are now commencing to blame Congress for the present condition of affairs.

Yours very truly,

JAS. J. THOMAS, *Mayor.*

ELYRIA

DECEMBER 20, 1930.

Hon. ROBERT M. LA FOLLETTE,
Committee on Manufactures,
United States Senate, Washington, D. C.

DEAR SIR: In reply to your letter of December 13, I wish to give you the following, answering your questions by number.

1. Approximately how many people are unemployed in your community?

Answer. Approximately 500.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. One hundred per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Three hundred per cent.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Ten to fifteen per cent over present number.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Associated Charities, Salvation Army, churches, American Legion, and the Community Service Council are all operating through a centralized agency provided by the city to furnish the necessary relief in the nature of food, fuel, and clothing.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. No. For the reason that I believe this would be regarded as a dole, and I am of the opinion that our citizens want work rather than dole.

8. A brief statement of the general situation in your community.

Answer. Elyria is a city of 25,600, and the general situation is very bad, but I believe the citizens are awake to the seriousness of the situation and can furnish the necessary temporary relief; but by reason of unemployment many of our citizens are becoming hopelessly involved in debt, and this, of course, affects the retailers in a serious way, also owners of property. I believe the Federal Government should at once appropriate money for construction purposes in order to provide our citizens with work.

Yours very truly,

JAS. A. HEWITT, *Mayor.*

FOSTORIA

1. Approximately how many people are unemployed in your community?

Answer. Four hundred.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. (a) 100 per cent; (b) 500 per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. (a) 200 per cent; (b) 1,000 per cent.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Five hundred per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. About equal to city.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. Our city is largely connected with the automotive industry and has been very hard hit.

H. W. WHITTA, *Mayor.*

KENT

DECEMBER 15, 1930.

COMMITTEE ON MANUFACTURES,
United States Senate, Washington, D. C.

GENTLEMEN: Replying to your letter of December 13:

1. Approximately how many people are unemployed in your community?

Answer. In a careful canvass of our community in November by the police department, assisted by the Post Office Department and the mail carriers, we found 125 men unemployed. About 50 of these were unemployable due to age and other infirmities.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The city government has made earnest effort to find work, this being much more desirable to the men themselves than charitable aid. We have thus provided relief on unimproved roads, new pavings, waterworks installation, and now an addition to the city hall which has probably doubled the number that were helped last year. Possibly one-third of our present unemployment existed also a year ago.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The city government has not increased its appropriation for charitable relief over last year or the previous year. Our welfare association, voluntary contribution, doubled its quota—raising $6,000 instead of $3,000 for this purpose.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. We do not believe there will be any increase in number requiring relief. In other words, we feel that the maximum in our locality has now been reached.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Assistance of Federal Government would unquestionably lessen the burden of local taxpayers, but we believe the situation is in hand and should be met locally.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. The municipality, various householders and individuals, and all of the factories and the schools have cooperated in extending opportunities for employment. In many cases this has been arranged so as to give two or three days a week to a larger number. The private relief is largely done by the welfare association, who, as said above, have doubled their appropriation over the two years previous. Various associations, such as Elks, Eagles, and individuals, have contributed clothing, shoes, coal, etc., generally on order either from the welfare association or the city administration.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. We believe it would be a splendid service for the Federal Government to expedite Federal contracts on typically Federal work, but we do not believe that the situation merits or justifies assistance to the city or State governments. With the natural assistance from Federal contracts that may be speeded up, such as post-office buildings, highways, docks, harbors, etc., we believe the situation will work out more satisfactorily and more completely in the long run if no Federal assistance is given to the local political units.

8. A brief statement of the general situation in your community.

Answer. A rather large number of people have migrated to our section in the last 5 or 10 years and this tends to complicate our problem. Our largest factory failed and went through bankruptcy within the past five years, and the Erie Railroad Co. summarily closed their repair shops. These two events have thrown a heavy burden on this municipality for the past five years, but the situation has been met locally and is being solved wih a minimum of suffering and distress among the poor sections. We are fortunate in having a State college located here, and its increasing enrollment of students has had a decidedly steady effect.

Very truly yours,

ROY H. SMITH, *Mayor.*

LIMA

FAMILY WELFARE ASSOCIATION,
December 31, 1930.

ROBERT M. LA FOLLETTE, Jr.,
Chairman Committee on Manufactures,
United States Senate, Washington, D. C.

DEAR SIR: In answer to your letter of December 13, 1930.

1. Approximately how many people are unemployed in your community?

Answer. According to figures compiled by our city employment office and Family Welfare Association, there are approximately 3,000 unemployed who are employable in our community.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. There is a 300 per cent increase of relief going into families over that of last year and about 350 per cent over that of two years ago. As to the number of families under care, the Family Welfare Association and the Salvation Army are semi-private organizations and are the only relief-giving associations in the city. The Salvation Army figures are not available. The Family Welfare carried a total of 195 families in December, 1928; in December of 1929 they carried 176 families, and in December of 1930 they carried 407 families.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?



Answer. The city of Lima met debts contracted by the Family Welfare Association over and above their appropriation from the community chest to the amount of $6,500 during 1930.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. During the month of December, 1930, the number of families applying for assistance up to date is 231, which is an increase of 100 per cent over November, 1930. We believe that relief will be necessary in an average of 500 families a month from now until the 1st of April.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. A public-works program by the Federal Government would hardly get under way quickly enough this year to lessen the burden on local taxpayers to any extent.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Family Welfare Association under the community chest receives an annual appropriation of $12,500; Salvation Army receives an appropriation of $4,500; the sum of these amounts is the extent of relief being extended by private agencies. The community chest has failed for the last two years and there has been, therefore, no increase in the amount of relief given.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. The present industrial depression is only one of a number of such depressions, which apparently come in cycles, and we believe that, as a family agency, the burden of unemployment is justifiably chargeable to industry and should be planned for through a sinking fund or some such arrangement. We furthermore believe that as the industrial compensation law has been of most benefit because of the safety devices installed, the safety rules and regulations that have been enforced in factories, preventing accidents, so some sort of an unemployment-fund legislation will tend to stabilize industries.

8. A brief statement of the general situation in your community.

Answer. Lima is, in comparison with other cities, in fair condition. Our factories as a whole are running on a minimum number and a part-time basis. The men employed are earning from $12 to $16 a week. This is not sufficient income to maintain a minimum standard of living and our families are suffering from malnutrition, lack of warm clothing, and in many cases are living in insanitary houses. Our board of health is unable to cope with the situation where the landlord is asking a family to move for nonpayment of rent and where, due to bursted water pipes, the family have no water supply and where, due to insufficient or no income, the family have no money on which to move and the landlord refuses to repair the plumbing.

Sincerely,

DORIS M. CANGNEY, *Secretary.*

MARIETTA

1. Approximately how many people are unemployed in your community?

Answer. Three hundred.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Two hundred.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. One thousand dollars.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Two hundred and fifty to three hundred.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. About 75 per cent.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. There is not much prospect for better conditions.

NILES

DECEMBER 19, 1930.

Mr. ROBERT M. LA FOLLETTE,
United States Senate, Washington, D. C.

DEAR SIR: The following are the answers to the questions sent by you to this office on December 13, 1930:

1. Approximately how many people are unemployed in your community?

Answer. There are 686 registered in the employment bureau, which is about one-half of the unemployed.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The number of persons asking aid has increased 100 per cent over last year. Practically no unemployed two years ago.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Appropriations for relief have increased 100 per cent and this is insufficient.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Increase during the winter months will be between 15 and 25 per cent more than at present. (So far an open winter.)

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Red cross, fraterial organizations, and community corporation 100 per cent above last year and many times over two years ago.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. The principal industry in Niles is sheet steel, working about 30 to 35 per cent capacity. The diversified industry is working about 50 per cent capacity.

Yours very truly,

GEO. O. MARSHALL, *Mayor.*

SHELBY

DECEMBER 19, 1930.

Hon. ROBERT M. LA FOLLETTE, JR.,
Senate Office Building, Washington, D. C.

DEAR SIR: Answering your circular letter, will say in answer to your questions, as follows:

1. Approximately how many people are unemployed in your community?

Answer. Believe there is approximately 200 to 300 men out of work in this city.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Two years ago there was very little call for assistance. Last year a considerable call for assistance, and this year there are many families in destitute circumstances who will be assisted by the city and by a charity board organized by the community fund committee.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The city's appropriations have not been increased because of cramped financial conditions and, further, because the city depends to a large extent upon the charity board.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Employment conditions are no better, and we anticipate that there will be some increase in those desiring relief.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Assistance by the Federal Government would certainly help both the taxpayer and the needy.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago.

Answer. Our relief is largely from this charity board, whose funds are derived through the usual community chest process and from charity football games, card parties, and picture shows. The work of this board has probably increased 100 per cent over last year.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I favor such a program as an equitable distribution of the burden brought about by the unemployment situation.

8. A brief statement of the general situation in your community.

Answer. Our community is almost entirely white American born, and I do not believe the situation here is as bad as some places. However, those who have been out of employment for a long time have about reached the end of their reserve funds, and general business conditions are certainly no better than they were a year ago. The result probably will be that more assistance will be necessary before the winter is entirely over.

Very truly yours,

G. W. MARRIOTT, *Mayor.*

WAPAKONETA

DECEMBER 25, 1930.

Mr. ROBERT M. LA FOLLETTE.

DEAR SIR: I will give you a brief outline of the conditions in our city.

1. Approximately how many people are unemployed in your community?

Answer. About 50 per cent of our labor is out of work.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. It has increased about 100 per cent in the last two years.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. We are going to have to more than double our appropriations and that won't be very much. We have not very much left for the poor fund.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. About 100 per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Our aid society, lodges, and churches are taking care of our poor right now until after the new year. Our city funds are exhausted.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. We have organized a community relief fund and are taking donations now. At present we have about $1,000 and are making a drive for $3,500, which I believe we will get; after which we will have relief headquarters where the people can apply for relief. We have a relief director and investigator. With this organization we expect to get by this winter.

Sincerely yours,

FRANK BUDDE, *Mayor.*

OKLAHOMA

MUSKOGEE

DECEMBER 18, 1930.

Hon. ROBERT M. LA FOLLETTE, JR.,
United States Senate, Washington, D. C.

DEAR SENATOR: Replying to your letter of the 13th instant, we have just completed a survey of unemployment in this city which indicates that there are about 1,400 unemployed here, of which about 800 are colored. Most of these colored people live by casual jobs; probably we could register about the same number of them at any time during the year. Of the unemployed whites, about three-fourths are day laborers. Our population is 32,006.

There is no question but what there is considerably more unemployment than there was a year ago. I would estimate it to be one-third more. We have not increased our city appropriations any, but our private relief agencies are stressed to the limit and will have to be aided from some source before long.

I certainly favor the Federal Government appropriating a sum of money that will share this burden with the city and the State.

Sincerely yours,

E. J. PHELPS, *Mayor.*

NORMAN

1. Approximately how many people are unemployed in your community?

Answer. One hundred and fifty.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. One year ago 50, two years ago 40.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. None.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. One hundred per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. No.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. None.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State Governments the increased relief burdens that the present emergency has necessitated?

Answer. No.

8. A brief statement of the general situation in your community.

Answer. If we could get the Government to proceed with the building of a Federal post office it would help unemployment in Norman, Okla.

T. JACK FOSTER, *Mayor.*

OKLAHOMA CITY

DECEMBER 19, 1930.

Hon. ROBERT LA FOLLETTE,
United States Senator from Wisconsin,
Washington, D. C.

DEAR Senator LA FOLLETTE: Please allow me to submit a plan for the abolition of unemployment in all nations:

The International Disarmament Conference has proved a great disappointment to the world. So, why not call an international conference on finance to stop this international business depression and create an international market for industrial and agricultural products, thus stopping unemployment on a grand scale in all nations? The cause of unemployment is not so much overproduction as underconsumption caused by insufficient money and international credits. People can not buy because they have no money. Why not establish an international credit for all nations of, say, $10 per capita population according to the last known census count of each nation? We already have an international bank in Basel, Switzerland, which could be used as a bank of issue for the credits of all nations, as well as a clearing house for all the nations:

1. Let each nation appoint one member as a financial director on the board of the international bank of issue at Basel, Switzerland, to help supervise and guide the affairs of the bank.

2. Establish an international exchange bank and clearing house in every nation to handle the international money or credits.

3. Let the directors of the international bank of issue be the presidents of their own national exchange bank or clearing house.

4. The international bank at Basel, Switzerland, shall be created a bank of issue and shall print and distribute the credit money, called trade note or dollar, allowed to each nation upon the basis of their per capita population. This international credit, or trade note, or dollar, should be issued solely to foster industry and commerce and shall not be used to pay war debts or loans created prior to the issue of the credit, or money, voted by the nations.

5. This international credit, or money, shall be honored and accepted by each nation at the par value or designated market thereon, on equal basis with gold for merchandise or raw products and imports, and for export balances due each nation.

This would enable each nation to buy and exchange products with each other, create and stabilize the trade, make for peace, and eventually stop the desire for revenge and war.

All old debts or obligations would still be payable in gold and thus it would not disturb the economic equilibrium of the nations, as all the money now in use by each nation, based upon the gold standard, could still be used alongside of the international trade dollar or trade note.

Each international Government would appoint the board of directors of the exchange bank of its own nation. The larger the nation, the larger credit they would have on the international market. Thus it would be fair to all nations. The trade dollar or note should be of the equal value of the American gold dollar, which system lends itself best for international commerce.

Why have hard times if a little common sense on the part of the government of all nations could avoid or abolish them?

Very respectfully,

A. BURRY.

PICHER

1. Approximately how many people are unemployed in your community?

Answer. One-fourth.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Ten per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. About two-thirds more than two years ago; one-fourth more than last year.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Ten per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. I can not say at this time.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. It is all by private relief.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. It is very bad.

J. H. KLINEFELTER, *Mayor.*

HAPULPA

DECEMBER 6, 1930.

Hon. ROBERT M. LA FOLLETTE, JR.,
Washington, D. C.

MY DEAR SENATOR: In reply to your questionnaire of the 13th instant on unemployment in our city, I have the following to say:

1. Approximately how many people are unemployed in your community?

Answer. There are about 150 men unemployed in our city. This, of course, means 500 people to be supported by the city.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Two years ago the number asking aid was very negligible; in fact, the city government did not feed but very few. Last winter we had quite a number to aid from city funds. At this time it seems like we are going to have to aid quite a large

portion of our laboring class of people; in fact, would say I believe we will have as much as 500 per cent more to care for than we had last winter.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answered in 2.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answered in 2.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. As to Government aid, I do not approve of this myself under ordinary circumstances, but, owing to the general depression and the city being short of funds on account of delinquent taxes and other sources of income, I believe help from the Federal Government would be very acceptable, as I do not see how we are going to offer the amount of aid which will be necessary without bankrupting our city.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. The Salvation Army has quite a large fund which was contributed by the citizens. The city has a small charity fund, and we have also organized an aid society which has received quite a large donation of groceries, old clothes, etc., from the citizens of the town.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I certainly favor Government aid under present conditions. Of course, this is not in accord with my own individual opinion of the Government issuing doles, as I believe it encourages the lazy, worthless class of people which we have in all communities to expect aid every time the weather is a little too cold for their clothes.

8. A brief statement of the general situation in your community.

Answer. Our city has a population of 10,533, according to the last census. We at one time were a flourishing railroad and oil city but about three years ago the railroad moved their shops, which hurt, and the oil business is practically done in our immediate vicinity, which has a tendency to cause quite a number of people to be without jobs. As is the case all over the country, it is hard for people to get down to living within their income brought about by the economical condition of the country, and also, as my own individual idea, too many people have to buy gasoline when they could walk. We have a fairly healthy condition among our citizens here; in fact, the only disease of any extent here is Hooverites.

I was a great admirer of your illustrious father, and have been watching your stand on governmental affairs, which I think are in the same channel which your father ran.

Awaiting the pleasure of your body, and the pen in the hand of "Herb" at the other end of that historic street, I am,

Very truly yours for prosperity,

LAFE SPEER, *Mayor.*

SHAWNEE

DECEMBER 18, 1930.

HON. ROBERT M. LA FOLLETTE, Jr.,
United States Senate, Washington, D. C.

DEAR SIR: In reply to your letter of December 13, relative to the unemployment and relief I will endeavor to answer by numbers.

1. Approximately how many people are unemployed in your community?

Answer. Approximately 570 have registered at the Free Employment Labor Bureau established at the city hall, most of whom claim to be destitute and badly in need of employment. This number consists principally of unorganized labor. There is no building going on to speak of, the result being that practically all building tradesmen are virtually unemployed. The Rock Island Railroad laid off 425 men on the 15th, which adds to the previous number of Rock Island employees unemployed, making a total of approximately 600 Rock Island employees off duty. The Rock Island Railroad and the employees' organizations in this locality are taking care of their own unemployed in this city and they are not at this time thrown on the labor market. Summing up question No. 1, I would estimate that there are between twelve and fifteen hundred unemployed in Shawnee, a city of 23,000 population.

2. To what extend has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The city government was not called upon to any great extend for aid two years ago. Last year, however, the problem of providing aid for our citizens began to get acute during the months of December, 1929, and January and February, 1930. This year the problem has at least increased three or four times over that of last year.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. We are limited as a city government to increase our appropriations for any problem by our State government and statutory provisions. We have not been able to extend any relief to speak of to the unemployed because of these limitations. These limitations are not flexible and we have no provisions whereby an emergency such as the present one can be met by additional appropriation.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. The answer to this question is rather problematical. We have no legal status as to what will happen during the next few months but we expect the number to increase daily during the winter months.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes; the assistance of the Federal Government would be of great value in extending relief to the needy and lessen the burden of local taxpayers.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Heretofore the local community chest fund has been able to take care of the situation fairly well during the entire year, including the winter months. This year, however, the chamber of commerce is starting a program that will unite all relief agencies, including churches, civic clubs, individuals, and other institutions on a centralized relief program. One of our local bankers is providing funds by gift sufficient to take care of the needy families until December 26, 1930. The chamber of commerce and other agencies as set forth above have just about agreed upon a program that will result in assigning needy families to different individuals and institutions for the next three or four months. These families are so assigned that they will be provided with the necessities of life by the institutions and individuals who agree to such a responsibility. This program is only temporary in nature and is set up for the purpose of helping for three or four months with the hope that the State and Federal Government will be able to come to our rescue at that time. There has been a complete increase over the last year and two years ago.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. We favor the Federal Government appropriating the sum of money and providing such legislation as will cause these tremendous burdens to be equitably borne by our entire Government agencies.

8. A brief statement of the general situation in your community.

Answer. Our situation is very acute and the problems are becoming more burdensome every day. We are depending upon our Federal Government to rise to the situation and restore confidence to our people to such an extent as affording an opportunity for work which will again be available in our Nation for all men who honestly desire to render service.

Yours very truly,

T. E. THOMPSON, *City Manager.*

OREGON

BAKER

DECEMBER 17, 1930.

HON. ROBERT M. LA FOLLETTE, Jr.,
United States Senate.

DEAR SIR: Thanks for your letter of the 13th with reference to unemployment and general economic depression.

1. Approximately how many people are unemployed in your community?

Answer. There are approximately 200 unemployed people in our city.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Last year and two years ago were probably about the same. This year there is an increase in requests for aid of at least 100 per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The usual appropriation by the city for charity has been $200. On December 1 this year this item was increased to $2,200 on the city budget request to the county assessor.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. We anticipate the increase in the number requiring relief during the coming winter months will be about in the same proportion as in section 3 above.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes, indeed.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. All relief agencies of the city are organized under one head to prevent duplication and are now functioning nicely. A special drive was necessary this year which raised $2,000 in addition to the usual amount in the past.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes. We understand appropriations now under way will do that.

8. A brief statement of the general situation in your community.

Answer. Depression locally is due to depression in the lumber market. Local mills hope to increase operations to some extent in January. Local pay rolls practically all depend on lumber industry.

Very truly yours,

WALTER A. CLARK, *Auditor.*

BEND

DECEMBER 22, 1930.

Mr. ROBERT M. LA FOLLETTE, Jr.,
United States Senate, Washington, D. C.

MY DEAR SENATOR: Your circular letter of the 13th instant addressed to the mayor has been handed to the undersigned for answer.

There are approximately 1,150 unemployed men in our community, including men who have been regularly employed in the logging camps operated by the local mills.

Our municipality has never appropriated or included in its budget any aid either for indigents or unemployed. This year, however, have appropriated the sum of $50 a month to the Salvation Army to assist them in caring for the floating population of unemployed.

It is the opinion of the writer that the number of unemployed will not increase over and above the amount now unemployed, but that the number requiring relief will increase a thousand per cent during that time. This will be occasioned by the various families consuming all of their savings before the mills can possibly reopen in the spring.

Private relief agencies are taking care of the relief work, with the exception of the county appropriations which is being handled through the Red Cross. The amount of relief by these agencies has increased to five times the amount that was used last year and about six and one-half times as much as two years ago.

Our community is practically dependent upon the two local lumber mills, which in normal times employ around 2,300 men and which at this time are employing less than 900. There is no other work available, except a minor construction job under the State highway commission.

Any relief the Federal Government could give to this community, including a start of immediate construction on the post-office building, would be greatly appreciated.

Very truly yours,

R. B. PARSONS, *City Attorney.*

THE DALLES

DECEMBER 23, 1930.

Hon. ROBERT M. LA FOLLETTE,
Senate Office Building, Washington, D. C.

DEAR SIR: Your letter of December 13 addressed to A. W. Manchester, mayor of The Dalles, Oreg., asking certain information regarding the unemployment situation in this community, has been turned over to me for attention, for the reason that all relief work here is in the hands of the county rather than the city government.

As nearly as can be estimated the following is a statement of the information requested:

1. Approximately how many people are unemployed in your community?

Answer. Two hundred and fifty to three hundred men unemployed in county.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Increased 50 per cent over 1929 and 100 per cent over 1928.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. County relief appropriation increased 50 per cent over 1929 and 65 per cent over 1928.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Unemployment now at peak. No further increase probable.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Federal assistance will lessen local burden.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Some relief by Salvation Army and Red Cross. Funds limited; also churches and lodges are assisting.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I favor Federal appropriation to relieve the burden on local taxpayers. Tax situation in this section is very burdensome, due to depression in farm products and business in general.

8. A brief statement of the general situation in your community.

Answer. The situation in Wasco County is very similar to that in other sections of this State, where farming is the source of most of our business and employment. Wheat farmers are in desperate plight and there seems no prospect of relief for them. The fruit growers are in better condition.

Our pay rolls, except that of railroad company, are seasonal, being canneries and fruit-packing plants. Canneries operated only very few weeks this year, throwing many people out of work in early fall, who generally are employed until Christmas. Railroads have cut down number of employes, and other businesses have reduced to minimum as well as reducing wages.

Trusting that the above report will be of some assistance to you and your committee, I am

Sincerely yours,

F. L. PHIPPS.

LA GRANDE

DECEMBER 26, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
Member of Senate, Washington, D. C.

HONORABLE AND DEAR SIR: Your letter concerning depression conditions was referred to me by the city commission.

There are approximately 800 people unemployed in our city, 500 of whom have dependants. This is an increase of 617 over last year.

This year we have been compelled to create a central welfare office and raise funds; coordinate our county, city, and fraternal welfare work; and solicit aid from all benevolent sources.

Due to lumber conditions, this being a mill city, we expect this number to exceed 1,000 before spring.

The assistance of the Federal Government is needed.

The commercial clubs, lodges, churches, and many private interests have been assisting in our work, but their possibilities have been largely exhausted.

We started our work by trying to provide employment. We launched a "create-a-job" campaign, the city authorized and set aside a fund for a wood yard. We instituted a "city clean up" and put out several wrecking crews tearing down old buildings, etc.; but this work only uses a limited number. The State highway appropriations made it possible for us to put 120 men out on the highway at $3 per day for three days per week. As can be seen this is not sufficient, and we are supplying fuel, food, and clothing to many of these as well as to many others whom as yet we have been unable to place. The county judge has been handling the food supply from county funds and is more than using his allowance, calling on private funds, etc. He is crying for assistance.

An appropriation from the Federal Government seems our only hope. We surely favor this plan.

Sincerely yours,

Rev. M. G. TENNYSON, D. D.

OREGON CITY

DECEMBER 22, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
Washington, D. C.

DEAR SIR: Your letter of December 13 to the mayor of Oregon City has been handed to me for reply.

1. Approximately how many people are unemployed in your community?

Answer. One hundred.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. None.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. None.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. 10 per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. 100 per cent.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. No.

8. A brief statement of the general situation in your community.

Answer. The unemployment situation is much more acute than the other years and no doubt will be more so during the next three or four months. The State, county, and city organizations are doing everything within their power to relieve the situation as far as possible.

However, we do not believe there will be enough work to entirely eliminate the employment situation.

Yours very truly,

J. L. FRANZEN, *General Manager.*

SALEM

DECEMBER 18, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
United States Senate, Washington, D. C.

DEAR SENATOR: I am in receipt of your letter of the 13th. In reply beg to advise you we have about 600 people unemployed in the city of Salem and about 1,000 in Marion County. We consider this an increase in the unemployment of about 25 per cent over last year or the year before.

The city budget provides the same as last year, although an additional budget has been allowed for park work in the sum of $3,000, and on all city departments the budget remains the same

as last year, though the crews have been split up, working three days per week to allow double the number to receive half pay.

The city of Salem is spending $100,000 this winter on sewer extension, running double crews half shifts.

We do not anticipate any further increase of unemployment throughout the winter, as we think it is at its peak. The State and county highway departments are putting on a working program that will employ several hundred people. They are listing all applicants and examining them as to their needs, and work will be given those out of jobs and in distress first.

The assistance of the Federal Government would help to extend the relief work. However, in my judgment it will not be necessary as far as Salem and Marion County are concerned, as I believe we can take care of our situation.

All our local civic clubs realize the greater number of unemployed and people in distress and are raising larger budgets than heretofore. The Salvation Ahmy and associated charities are doing likewise.

I think where the situation is acute and the distress and suffering great, the Federal Government should assist the city and State Governments at this time of need, but in these places only.

I am of the opinion that we may be more fortunately situated than the more conjested sections.

Thanking you for your interest in this matter, I remain,

Yours sincerely,

T. A. LIVESLEY, *Mayor*.

SOUTH CAROLINA

COLUMBIA

JANUARY 2, 1931.

Hon. DAVID I. WALSH,
Committee on Finance, United States Senate,
Washington, D. C.

MY DEAR SENATOR WALSH: Your letter of December 13, addressed to Mayor L. B. Owens, has been referred to me for answering. I shall consider your questions in order.

1. Approximately how many people are unemployed in your community?

Answer. In three weeks' time 2,500 people have registered as being unemployed. These are residents of Columbia and Richland County. It is difficult to state what proportion of these are employed in normal times, since there are no figures available for comparison. Columbia is a city with a population of 50,000.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The associated charities administers the county and city outdoor-relief funds. The number of families under care in November, 1929, was 265. The number of families under care in November, 1930, was 497. There had been little increase in November, 1929, over 1928.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The appropriation made by city council for outdoor relief was $4,000 each year during 1928, 1929, 1930. Within the last 10 days city council has made an additional appropriation for the year 1930 of $1,7"5.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. From present indications we believe that the number requiring relief will greatly increase during the winter months. It is difficult to forecast the extent of the increase, but it is possible that the months of January, February, and March may see the number of families requiring relief increased 100 per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. The assistance of the Federal Government could help materially to extend relief to the needy and lessen the burden on local tax bearers.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. The associated charities is a private relief organization and has resources equal to the combined appropriations of city and county. The Salvation Army is the only other relief-giving agency in the city. The proportion of increase has been answered in question No. 3.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. The outstanding responsibility of both local and Federal governmental agencies is to relieve the suffering that is caused by unemployment. If adequate relief can be supplied by local agencies its burden should be carried locally, but certainly if the local tax funds are insufficient, the Federal Government should extend aid. It is unthinkable that in America men and women who are able and anxious to work, should be deprived of the opportunity through no fault of their own; and if they are prevented from supporting their families the Government should unquestionably assume the obligation.

8. A brief statement of the general situation in your community.

Answer. The situation in Columbia, S. C., does not appear to be so critical as that of other cities. The State is largely rural and is not greatly dependent upon industry. Until the last six weeks there has been an unusual amount of building and public improvement. The State is engaged in a $60,000,000 road-building program. One cotton mill has closed, probably not to reopen, throwing out 60 families. Another cotton mill was closed for eight months, but has lately reopened and is running on a partial-time basis. The chief textile industry, operating four mills in the city, is in the process of discontinuing night work and in the next month or so will have discharged between twelve and fifteen hundred employees.

We trust that this information will be of service to your committee.

Sincerely yours,

JANE I. HOUSER.

SOUTH DAKOTA

SIOUX FALLS

DECEMBER 17, 1930.

Senator ROBERT M. LA FOLLETTE,
Washington, D. C.

MY DEAR SENATOR: In reply to your letter of inquiry, will state that we have not very many men out of employment at the present time. We have had a considerable amount of work all fall. We are putting on a sewer-building program after the first of the year which we figure will take care of most of our unemployment.

The labor situation is not bad here at all. If there is anything further that you would like to know in particular I will be glad to furnish it to you.

I might suggest that you call on Congressman CHRISTOPHERSON. He can inform you in regard to the labor situation in Sioux Falls, as he is always in close touch with the labor situation in Sioux Falls and knows most of our working people personally.

Yours sincerely,

GEO. W. BURNSIDE, *Mayor*.

WATERTOWN

DECEMBER 29, 1930.

Hon. ROBERT M. LA FOLLETTE, JR.,
Senate Building, Washington, D. C.

MY DEAR SENATOR LA FOLLETTE: I have your letter of December 13.

You have asked me to answer eight questions, which I shall be very glad to do. I point out to you, however, that my answers and explanatory comment attendant upon them is merely my personal opinion, based upon observation of and contact with the problems concerning which you inquire. In this letter I am not speaking to you as a city official or as a representative of any civic group or organization. My answers and comment might vary in large degree from that which others in this community might give you had the questions been put to them:

1. Approximately how many people are unemployed in your community?

Answer. I believe that at the present time there are no more unemployed persons in this community than at any similar period in the last 10 years. An estimate of the number would be merely a guess, and I would not hazard an opinion. There are in this city many men who are at present not working, but who should not be classed as "unemployed" in the ordinary usage of the term. These men, farmers, certain classes of railroad employees, laborers, artisans, carpenters, mechanics, and a host of others, find lucrative, concentrated, and continuous employment during certain definite seasons of the year, and during these seasons make adequate and necessary provision for themselves and their families for periods of the year, like the present, when there is no demand for their labor or services. Undoubtedly this same situation applies to millions of men in various parts of this country. Some of these men, while not actually in need, being human, would probably not be averse to accepting aid from governmental agencies, if they were convinced by appropriate and organized propaganda that they were not only entitled to it but actually needed it.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Our city does not engage in poor relief or its kindred work. Our county is equipped and prepared to carry on this character of endeavor. I am informed that this county has aided no more people this year than last. In fact, the records disclose that there was $2,150 less appropriated this year by the county for charitable purposes than in the year 1929, or a reduction of 12 per cent. This latter statement covers your question No. 3.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. I am reliably informed and believe that there will be no increase whatever in the demands upon the county and the many charitable organizations of the city during the coming winter months over similar periods in the past.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Emphatically, no. I beg your leave to comment briefly on this question, and also question No. 7, at the conclusion of this letter.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. As in every community in the country, Watertown has a large number of worthy private relief agencies. Every church, every social, fraternal, and business club, the American Legion, the Salvation Army, the Red Cross, is an actual or potential charitable organization, ready, anxious, and willing to relieve the poor and

needy. These groups at times distribute food and clothing, assist when necessary with medical care, and the like. These groups are constantly on the lookout for outlets for their activities. My opinion is that their activity has not greatly increased, if at all, this year over previous years.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Emphatically, no.

8. A brief statement of the general situation in your community.

Answer. An answer to this question is probably made unnecessary by the foregoing answers.

The fact that some of the members of the United States Senate feel very strongly that present conditions require the Federal Government to assist the various State governments and municipalities in the handling of problems in a financial way, is so pregnant with portents for the future of our Nation, that I can not but beg your indulgence for a few words of comment.

The appropriation of money by the Government of the United States of America for delivery to the various States and municipalities to be used in the relief of distress or poverty, or as a dole to the men and women temporarily without work, would be nothing short of a tragic national calamity. The seriousness of the calamity could not be measured by the amount of money thus expended, but could only be really understood by a sober appreciation of the fact that a fundamental principle of American Government has been shattered and sacrificed upon the altars of thoughtlessness, immature judgment, and hysteria, and that a priceless heritage of our people has been bartered for temporary political prestige for those sponsoring such an unsound and irrational program as suggested in your communication.

I do not mean to say that the financial aspect of such a program suggested is not serious. It is tragically serious. Your letter suggests that the tax burden of this Nation, already staggering, already confiscatory, already so burdensome that private business and enterprise is threatened with collapse, be further increased in order that the hazy nebulous idea known as "temporary relief" be realized. The suggestion, logically interpreted in the light of present well-known economic facts, means that legitimate business and enterprise will be throttled with the tourniquet of taxation for the purpose of "temporary relief," with the result that the very source of employment, security, and prosperity for the farmer and the laboring men and wage earner in every line will be partially paralyzed, if not actually permanently impaired.

However, passing the feature of the financial tragedy involved, the permanent bureaucracies established, the inevitable extravagance and waste, the unintelligent and inexperienced spending of public money for a purpose as hazy and remote as locating the foot of a rainbow, I return but for a moment to the violation of the fundamental principles of government your communication suggests. In the final analysis your suggestion means that the Government would become a charity-dispensing organization. A schoolboy but superficially learned in the science of government and in the basic principles of our constitution would scoff at the idea as preposterous. The problem of poverty and unemployment in this country is as complex and varied as the country and its interests is complex and varied. Each State and each city and community in that State has its peculiar and individual problems in this regard to contend with and to solve. The unemployment situation in the State of Washington is, in almost every particular, a different one than that of the Commonwealth of Massachusetts. The situation is even varied and different in separate sections of the same State. How could the United States Government hope to intelligently adopt a national program of relief, necessarily standardized, that would fit all conditions? Manifestly it is impossible.

The intervention of the Government, assuming that such intervention was legally and morally conscionable, is totally unnecessary. Every city and county in the Nation has an abundance of public, semipublic, and private organizations equipped to relieve distress and want. In our own community of approximately 10,000 people I know of 40 such organizations, aside from public ones, ready, able, willing, and anxious to perform charitable work of every known kind and description. In the larger communities I am confident that their numbers run into the thousands, and throughout the Nation into the hundreds of thousands, even in these organizations the more intelligent and cautious leaders realize very keenly that their efforts at relief very often temporarily effect the desired purpose but also astonishingly operate to create the need for more relief. These intelligent men and women of whom I speak realize that true charity and true relief more often than is generally realized, consists in the development of the character and situation of the individual to a point where he can and will voluntarily spurn the gratuities of his well-meaning benefactors, rather than the self-respect destroying indiscriminate and unearned donations from public and private sources, inspired and impelled by an emotion rather than good sense. The dole, is an emblem of defeat and of complete economic collapse. The dole, and all it stands for and implies, can ruin the morale and character of any people on the face of the earth.

Economic depression is with us, and with it its many resultant evils and problems. The American people, in their respective capacities, with their generous heart and spirit and resourcefulness and their faculty for spontaneous organization to meet any emergency, can meet the present difficulty if they are allowed to remain unfettered and unburdened by Federal interference with its consequent tax burdens. Public works and construction in various localities are already relieving the situation in a large measure, and will continue to relieve it so long as those in control of basic commodities used in this public construction are not allowed to effect radical and unjustifiable advances in the price of these commodities. There are, unfortunately, indications of such greed on the part of those who control these commodities, and it is hoped that their activities in this regard will come under the close scrutiny of those who have the power to halt them in their selfish program. Local and civic pride is part and parcel of every individual in this land, and so long as local pride remains, local obligations will not be neglected. We do not want charity as much as we need justice. We do not need "unemployment relief," or any other type of charitable relief, as much as we need a fair price or exchange basis for the things we produce as compared to the price of things we have to buy. I do not speak for my fellow citizens but if I did I think I could say to you that the city of Watertown serves notice upon the Government of the United States of America that our problems are our own individual ones, and that we will solve them; that our poor and our unemployed are our own and that we will care for them, protect them and make provision for their future as self-respecting and useful members of society; that we resent any suggestion of unwarranted, illegal, and unnecessary interference by the Federal Government; that we demand that our business, our farms, and our industries be not further destroyed by mounting taxes. I hope that every city, county, and State will hurl this defiance at those who would thus further prostitute the legitimate functions of government.

In closing I respectfully show to you the words of Thomas Babington Macaulay, spoken over 100 years ago. I would that these immortal and prophetic words could be engraved in imperishable letters not only upon the walls of the Congress of the United States, but in the lasting minds and memories of its Members for all time to come:

"Our rulers will best promote the improvement of the Nation by strictly confining themselves to their own legitimate duties—by leaving capital to find its most lucrative course, commodities their fair price, industry and intelligence their natural reward, idleness and folly their natural punishment—by maintaining peace, by defending property, by diminishing the price of law, and by observing strict economy in every department of the state. Let the Government do this—the people will assuredly do the rest."

I have the honor, sir, to be, yours very respectfully,

D. C. NOONAN.

TENNESSEE

CLARKSVILLE

DECEMBER 19, 1930.

Senator ROBERT M. LA FOLLETTE, Jr.,
Washington, D. C.

DEAR SIR: In reply to your inquiry of December 13, I will answer your questions according to their numerical order:

1. Approximately how many people are unemployed in your community?

Answer. There are less than 50 people unemployed in this city who have not a job in view, or who wants to work and can not find work.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Most of the unemployed here have returned from northern cities where they have been employed by automobile, tire, and other manufactories. They are natives who have come home.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Anticipating the unemployment and need among the poor in this community this winter, the city is building water mains and sewerage to relieve this situation to the extent of approximately $40,000 in excess of last year or two years ago.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. I estimate between 50 and 100, or about 10 people to each 1,000 of our population.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. If we have to borrow money, we have good credit. If the Federal Government will loan it to us at a lower rate of interest than the banks, we will gladly consider such a proposition.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. We have in this city a permanent organization known as the United Charities. This organization takes care of the ordinary charity cases, but realizing the situation this year is more acute, or out of the ordinary, we organized a county relief organization covering the entire county. We have made a survey of the county to ascertain the relief needed. We have raised a fund of approximately 1,500 through public subscriptions. The county is also furnishing work to the unemployed in building county roads. There are also a number of other charitable organizations in this city and county to supplement the above-named. I think it is a fair estimate to state the citizens of this city and county donate at least $10,000 annually to charity and will exceed that amount this year.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the

increased relief burdens that the present emergency has necessitated?

Answer. I don't favor any city, county, or any other form of government giving money to charity, except to the disabled, aged, and children. To dole money to the physically able breeds indolence. There are many good and honest men out of work who are not ordinary subjects of charity, and if a practical way can be made to loan them enough money to hold body and soul together, and same for those who depend upon them, during this emergency, I think the Federal Government will render a good service in cooperating with city, county, and State governments to that end, provided such means is not contrary to the Constitution.

8. A brief statement of the general situation in your community.

Answer. I think conditions are better in this city and county than in any other section of the country; however, there is much room for improvement here.

Yours very truly,

W. D. HUDSON, *Mayor.*

COLUMBIA

DECEMBER 17, 1930.

Senator ROBERT M. LA FOLLETTE,
Washington, D. C.

DEAR SENATOR: In reply to the questions in your message of December 13. I am inclosing your letter with answers written in following each question.

The general situation in our community, I think, is worse than has been in several years. It will depend very largely as to the kind of winter we have as to what will be necessary to take care of the poor, needy, and unemployed. We are in the drought section of the country. I think it one of the hardest years we have passed through in quite a while.

I certainly would favor, as everybody will in this section, the Federal Government appropriating a sum of money for the aid of the poor and needy. So far our city has taken pretty good care of them.

Very respectfully,

F. D. CHAFFIN, *Mayor.*

1. Approximately how many people are unemployed in your community?

Answer. One thousand to one thousand five hundred.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. About 50 per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Fifty per cent.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Fifty per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. It will.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. I would say 25 per cent.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I do.

DYERSBURG

JANUARY 5, 1931.

Senator ROBERT LA FOLLETTE,
Washington, D. C.

SIR: This replies to your circular letter of December 15, 1930.

1. Approximately how many people are unemployed in your community?

Answer. There are approximately 1,000 heads of families out of employment in this community at this time.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Practically none last year were directly aided by the city except in way of hospitalization. This year from 250 to 500 will probably be fed and clothed through city aid.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Answered in No. 2.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Answered in No. 2.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes; Federal aid could greatly aid taxpayers who are overburdened.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. All agencies working through Red Cross. The work and aid is increased tenfold, due to drought, short cotton crop, and loss of employment through breaking down of county and State road work and many bank failures.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I favor the Federal Government appropriating a liberal sum to aid in the care of the poor at this crisis. Small cities and large alike have a condition which they can not cope with unaided.

8. A brief statement of the general situation in your community.

Answer. Condition of the poor is desperate in this community. Hundreds are applying daily to relief agency which is impotent to care for the situation. There is no work for those who would gladly do it. Men who never lacked before are imploring aid for families which can not be met. I join in with the cry of desperate men that something be done at once to help towns and counties to care for these people.

Respectfully,

F. W. LATTA, *Mayor.*

KNOXVILLE

DECEMBER 20, 1930.

Senator LA FOLLETTE,
Washington, D. C.

MY DEAR SENATOR: Your message to our mayor concerning funds for relief of unemployment highly appreciated by the writer.

This interest of yours in the human, causes the writing of this letter; believing also that Knoxville's needs are elsewhere needs also.

What Knoxville really needs is a new banking system—a system that would loan money to the individual according to their ability to succeed in the line in which they wish to engage in business and the demand of their locality for the supply that they will put out.

Case in point: A few years ago we imported some bankers. A woman, well known in the business world here, applied to said banker for small loan, $250, bank of which he was head having absorbed other bank where she had heretofore done business. This banker told the applicant that he would be perfectly frank with her; that he "did not like to do business with women, that he knew her type, that she would be into something as long as she lived, and he was not going to begin with her."

The woman told him she could not do business without her bank credit, which she never used for any but small amounts, making her realty holdings support themselves usually; that she was a merchant, same as if her goods were on a shelf; that she could not carry real estate around in her pocket; but if realty did not do business in a town neither would the banks grow—they might make some money for outside control, but in the final wind-up that kind of policy would come "a cropper," that he was "riding to a fall."

Shortening the account, this bank's doors are now closed, along with some one hundred and fifteen or so others in the balloon. The writer is truly sorry for them all.

But it is not charity that the American man and woman want; it is a chance to do business.

That woman had some $75,000 of gilt-edge equities that she had made in a few years of conservative fair deals. The above policy forced her to finally go to the 42 per cent loan people to try to "hold on." Is that business for any nation? When can the one of small means ever get his head up at that rate?

This same banker told this woman that it was "not because she was not worth it, or that there was any doubt of her paying it, and he would say that it would be a good loan for the bank," but it was her. He was not going to loan her any money.

And she looked him in the eye and said, "I have faith in God, I do not believe He will let your type of man break my type of woman. Financially you can run me to the wall but you can not break my spirit."

Well, financially she is at the end of the row; she has paid all kinds of interest, now with everything in the world under mortgage and overdue she is still firm in the "faith" and smiling. Just received 1,304 votes on a last-minute announcement as an independent candidate for Lower House of Representatives for Knox County, Tenn. No money, no canvass, no organization, no advertising in papers paid except $5 in labor paper. No workers. She expects to go in 1932, though.

Now, Senator, along with the rest of the world we too have taken personal interest in your battles for the general good; please, oh please, do get some banks for the little everyday citizen to borrow his common loans from at a regular rate of interest. Why can't our "Uncle Samuel" see that it is the so-called common fellow that needs his attention in this particular respect?

A bank to make ordinary loans from $5,000 down, say, to $1, if need be; have seen the need of $10 to pay insurance many a time for folks.

Now, don't say, "Morris plan"; that means simply anticipation of the fellow's wages and an account of his friends' personal affairs. And, as before said, when can you ever get anywhere paying 42 per cent. When God created all men "free and equal," they should have an equal chance to finance themselves to do business.

My apologies for this matter at length—how else could it be made clear—or have I really made it clear.

Our late Senator Tyson was our friend. Hon. J. WILL TAYLOR can tell you who I am if you want reference, or our mayor, postmaster, etc.

Yours for all of us, and nobody get the hindmost,

Mrs. B. S. WILLIAMS.

TEXAS

ABILENE

DECEMBER 18, 1930.

ROBERT M. LA FOLLETTE,
United States Senate, Washington, D. C.

DEAR SIR: Replying to your letter of December 13, I beg to answer questions contained therein as follows:

There are approximately 500 people unemployed in our community.

The number of persons whom the city government is called upon to aid has increased 100 per cent over the number last year and 150 per cent over the number two years ago.

The city has approximately doubled its appropriations for relief for the unemployed and for the poor this year compared with last year and two years ago. There will be approximately 500 requiring relief during the winter months.

The assistance of the Federal Government in extending relief to the needy has lessened the burden on local taxpayers.

The Salvation Army has instituted a free soup kitchen and is endeavoring to relieve transients, and the United Welfare Association, through private donations and through city and county assistance, is endeavoring to relieve the local people. The relief being extended has increased approximately 100 per cent over last year.

As a relief measure I favor the Federal Government appropriating a sum of money that will aid the city and State governments in their endeavor to relieve the present situation. I especially favor this, due to the fact that approximately 30 per cent of our relief is extended to transients, which is largely a national problem, and should be taken care of by the Federal Government.

The general condition in our community is rather serious, due to the fact that we have had three years of crop failure ending in a serious drought and financial depression. This has resulted in a general depression, throwing men out of employment and causing general suffering in the rural communities.

Yours very truly,

THOS. E. HAYDEN, Jr., *Mayor.*

BRYAN

DECEMBER 27, 1930.

Hon. ROBERT M. LA FOLLETTE, JR.,
United States Senate, Washington, D. C.

DEAR SENATOR: In response to your letter of December 13, 1930, I am pleased to advise you as follows:

1. Approximately how many people are unemployed in your community?

Answer. Our unemployed number approximately 800 at the present time.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Two hundred and forty per cent over last year; 300 per cent over two years ago.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Appropriation two years ago, $1,200; appropriation one year ago, $1,500; appropriation this year, $3,600.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. About 400.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. See No. 2 and No. 3 above. Practically all relief is handled through a community-chest arrangement.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. The community is supported chiefly by the agricultural industry, cotton raising principally. This year the crop was comparatively short and the price much lower than was anticipated. I understand that in many instances producers realized little more than the actual cost of the crop. As the majority of the producers are tenants or share croppers, dependent almost entirely upon the landlord's ability to stake them from seeding time to the harvest, their condition at present is pitiful, because the landlords are not able to make the usual advances.

As a general proposition I am opposed to the dole system, because I believe its principle tends to stifle individual effort. I feel, however, that the Federal Government would be doing the right thing if it could work out some way to assist these unfortunate people until they are able to reestablish themselves.

Thanking you for your inquiry, I have the honor to be,

Yours very sincerely,

R. G. WILLIAMS, *City Manager.*

CORPUS CHRISTI

DECEMBER 19, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
United States Senate, Washington, D. C.

DEAR SIR: In reply to your inquiry dated December 13 as to the unemployment situation, I desire to state, answering your questions numerically:

1. Approximately how many people are unemployed in your community?

Answer. Approximately 1,200 people are unemployed in this community. This is a rough estimate. This number is being increased rapidly by unfortunate people flocking to this section from other parts of the State and from other States, believing that conditions are better here, and partly also on account of the mildness of the climate.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. In answering 2 and 3 it will be well for you to understand that the city has no charter power to maintain a pauper list or aid the unemployed, except to the extent that it can aid them with medical attention and by giving them work on city wages. So far we have now on the pay roll 260 wage-earning laborers, as compared with 175 at this time last year. It will probably be necessary for us to increase this pay roll in order to help out the unemployed by undertaking work of some kind.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. We expect the increase in the number requiring work to double during the winter months for two reasons: First, because during that time there is not so much work out in the fields and farms adjoining the city; and second, because, as we have stated before, on account of the immigration of unemployed from other localities.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. The assistance of the Federal Government, if it could be procured, would, indeed, help to lessen the burden on local taxpayers; and we see no reason why our people should not be aided since we have in time past extended aid to unfortunates residing in foreign countries.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Private relief agencies and local church organizations are doing their best, but you will understand that they are also handicapped by lack of funds. Their work has increased double, I would suppose, over two years ago.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I do favor an appropriation by the Federal Government as suggested.

8. A brief statement of the general situation in your community.

Answer. Conditions in this county would be sound if it were not for the influence of conditions outside. The main support of this section of the country is farming and stock raising. The market for cattle and the like is down; and you know what has happened to the price of cotton, which is our greatest asset in this county. Serious conditions are going to result to the farmers and stock raisers, because it is doubted that the banks can finance them much longer unless conditions improve. The city government itself is badly in need of money, as the city has had to meet in the past years a great many burdens, including a new source of water supply, which taxed the resources of the city to an extreme. This project was completed at a cost of over $2,000,000 last year. You no doubt saw reports in the papers about a month ago that our dam had broken, due to some defect either of construction or in planning. Our entire surplus supply of water was lost. We are now investigating the cause through engineers employed for that purpose. We know now that to repair the dam will cost at least $300,000 more money, even if we only have to repair the breakage. What we fear is that we shall have to expend a much larger sum of money in reconstructing the whole dam or remodeling it or strengthening it in some way. You will readily see that all of this will cast quite a burden upon a small city of about 30,000 inhabitants.

It has been only 11 years ago that we were visited by the destructive tidal wave, which brought such generous relief from the people of the United States, and while we feel that we have accomplished much in our rehabilitation, it has placed a burden indeed upon the taxpayers.

In 1926 was opened the port of Corpus Christi, constructed partly through aid from the Federal Government, which aid we were required to meet more than halfway. While this port has proven a success and has aided very much the city of Corpus Christi and the territory tributary to this city, the burden of constructing and maintaining this port has been heavy upon the taxpayers of Corpus Christi and of Nueces County, both in the expenses necessary to the port itself and additional expenses of operation made necessary by the establishment of the port. The

port has not been in existence long enough for us to realize its benefits sufficiently to overcome the extra burdens imposed upon us, so that you see that this period of financial stringency, whatever may be the cause of it, has hit us pretty hard.

We produce cattle and cotton and the like, and we get very little for what we produce. On the other hand, we certainly do have to pay for the manufactured articles which we have to use, some of them made from the raw product which we have to sell so cheaply.

We do not think that the United States Government should pension off the unemployed but rather that it should finance and encourage the financing of projects which will give employment to those who honestly desire work that they may make an honest living. This ought to be what our Government should desire to do.

Yours truly,

P. G. LOVENSKIOLD, *Mayor*.

EAGLE PASS

DECEMBER 18, 1930.

Hon. ROBERT L. LA FOLLETTE, JR.,
United States Senator, Washington, D. C.

DEAR SIR: Your letter 13th referring to the depression and unemployment conditions in this city, which I am very pleased to report the following:

1. Approximately how many people are unemployed in your community?

Answer. We have no unemployment that we could not handle locally.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The only help that we are called on is through our local associated charities.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. We have not had to increase our appropriations over previous years.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Our requirements for relief will be normal.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. I don't think we will require any Federal aid.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. No more relief has been extended by private agencies than previous years.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I favor relief where needed.

8. A brief statement of the general situation in your community.

Answer. Our community is in very good condition; we have $7,000,000 irrigation project going on, which is a great help to us, and we give employment to outside labor.

Yours very truly,

W. H. WALKER, *Mayor*.

GREENVILLE

DECEMBER 18, 1930.

Hon. ROBERT LA FOLLETTE,
United States Senate, Washington, D. C.

MY DEAR SENATOR: Reference to your circular letter 13th instant, to mayor of Greenville, Tex., which I am pleased to answer as follows:

1. Approximately how many people are unemployed in your community?

Answer. Approximately 500 heads families within corporate limits and suburbs, area population 14,000.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Seventy-five per cent over 1929 and 60 per cent increase over 1928.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. City will have to increase appropriation approximately $2,000, which it will do in providing employment at living wages. No decrease in wages on account increase of need to labor.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. We believe 500 will be total number.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. It will, but more largely increase ability of city to provide for these people, as city can not levy any increase of taxes until after April, 1931.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Inclosed newspaper account will explain Greenville organization and the letterhead on which this letter is written. The Masonic, Odd Fellows, and Knights of Pythias lodges will assist, also chamber of commerce. Approximately 3,000 letters will go out to members of church organizations. American Legion and Spanish War Veterans' Camp will also assist.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes. Federal Government chiefly organized and instituted for the general welfare and certainly it will contribute to the general welfare very properly by contributing to relieve the present conditions which breed revolution and inimical to American institutions.

8. A brief statement of the general situation in your community.

Answer. We are in agricultural section, and on account of the depression there is no demand for labor. Railroads cutting down office and road operating forces and the list of unemployed is increasing, mostly laborers and office help and salespeople.

I am, yours truly,

JOSEPH F. NICHOLS, *Mayor*.

TERRELL

1. Approximately how many people are unemployed in your community?

Answer. Probably 400 out of 7,000.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Three hundred per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. At least 300 per cent.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Fifty per cent more.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes; undoubtedly.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. About 50 per cent.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes; particularly with a view to providing employment.

8. A brief statement of the general situation in your community.

Answer. Very distressing. It is hard to see how many will be able to make it through the winter.

UTAH

LOGAN

DECEMBER 17, 1930.

Hon. ROBERT M. LA FOLLETTE, JR.,
United States Senate, Washington, D. C.

DEAR SIR: In reply to your questionnaire relative to the unemployment situation we are submitting the following information:

1. Approximately how many people are unemployed in your community?

Answer. There are at the present time approximately 300 persons in our community out of employment. (Population of Logan city, according to last United States Census, 9,969.)

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Logan city has had no serious unemployed situation prior to the current year.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Logan city corporation has increased the appropriations in the road department $8,500 in the last five months to help out the employment situation.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. We expect before the winter months are over that the number of unemployed will increase by at least 50 per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. The assistance of the Federal Government, as suggested in your letter, would certainly be a much-needed relief to our local taxpayers and a godsend in helping us to take care of the unemployment problem.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Our local unemployment committee, through the contributions made by the majority of the salaried employees of our local business houses, schools, and professional men and women of 2 per cent of their monthly salary, are employing on a community project 90 men who are heads of families.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. We do certainly favor and approve the Federal Government appropriating a sum of money that will share with the city

and the State in helping them to meet the unemployment problem.

8. A brief statement of the general situation in your community.

Answer. Logan city and the citizens of this community have practically reached the peak of their ability to meet with the unemployment situation, and the real burden of this difficulty is increasing and will increase for the next four months. We certainly hope that the Federal Government will make appropriations immediately available to help the States and cities meet this serious emergency.

Yours very respectfully,

A. G. LUNDSTROM, *Mayor*.

OGDEN

DECEMBER 18, 1930.

Hon. ROBERT M. LA FOLLETTE, JR.,
United States Senate, Washington, D. C.

MY DEAR SENATOR: Replying to your valued letter of December 13 requesting information as to unemployment conditions, permit me to state that we have worked in Ogden, what we consider to be a most efficient system, and to date are handling our unemployment situation in a manner wholly satisfactory. Thinking perhaps that your committee may be interested in the details of our organization and its functioning, I am attaching hereto a complete outline of our plans as developed and now in operation which you may peruse at your leisure.

In regard to the caption of your letter, permit me to state that I am heartily in accord with the idea of the Federal Government appropriating money to be furnished States and municipalities on a 50-50 basis similar to the present operation of the Bureau of Public Roads fund.

On November 10 I addressed a communication to Col. Arthur Woods suggesting in part as follows:

"There is another measure which might be of extreme importance and extreme benefit to all communities at this time, and that is if the United States Government could make available a large amount of money up to perhaps $1,000,000,000 from Government funds which could be distributed to the various municipalities for the immediate furtherance of construction work, such as courthouses, city halls, or other buildings, which could be put under way immediately—and I sincerely believe this can be done as there would not be the usual amount of 'red tape' which is necessary in preparing plans and specifications for Government work—this money to be distributed on somewhat the same basis as the Department of Agriculture now distributes funds through the United States Bureau of Public Roads for road construction. In other words, the Government could furnish a percentage while the municipalities furnished the balance either from funds available or from immediate bond issues and work provided until conditions are stabilized.

"This appears to me to be economically sound and would of a certainty relieve a situation which exists in most communities by the immediate putting under way construction projects which would call for materials of all types, thus stimulating industrial output and providing labor for all classes."

I am still of the opinion that this is the most logical and practical way of solving the present situation in which we find ourselves involved.

Directly answering the questions of your letter, I will report as follows:

1. Approximately how many people are unemployed in your community?

Answer. The unemployed in Ogden city as of this date are approximately 875.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The city was called upon last year and two years ago to aid only a very small number of persons, consequently our present number of unemployed is the result of this year's conditions solely.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Our laws prevent the appropriations of money for unemployment purposes, consequently this has not been practiced in previous years, nor is it being done this year.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. It is anticipated that the increase in number requiring relief by March 1 will be approximately 30 per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Assistance of the Federal Government will materially help in relieving the needy and lessen the burden on local taxpayers.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. For relief being offered by private relief agencies see attached report. We feel that the amount of increase is almost wholly the result of present conditions.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I strongly favor the Federal Government appropriating a sum of money to be matched by cities and State governments.

8. A brief statement of the general situation in your community.

Answer. Due to the splendid cooperation, efficient organization, and a lot of hard work, our condition is not critical, but with Federal funds we could immediately start construction of a city and county building that would consume local building projects and assimilate a large percentage of our unemployed. Bonds for $300,000 have been voted and are now available, and with a like additional amount building construction could start within 60 days.

Trusting that this communication will serve your needs and expressing to you my appreciation for your personal interest in this matter, I am,

Very truly yours,

ORA BUNDY, *Mayor*.

PROVO

DECEMBER 29, 1930.

Senator ROBERT M. LA FOLLETTE, JR.,
Chairman Committee on Manufactures,
United States Senate, Washington, D. C.

MY DEAR SENATOR: Your inquiry with respect to the economic conditions in our municipality is received, and I hasten to present you herewith a comparative study of the situation this year as compared with two or three years previous, and in presenting this cross section I am conforming as nearly as possible to the subject suggested in your questionnaire.

1. Approximately how many people are unemployed in your community?

Answer. Our community population is 15,000, and from a recent survey made by our community welfare organization there are approximately 150 people unemployed.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The number of persons whom the various organizations in our city are calling upon to aid has increased about 33 per cent over two years ago and about 25 per cent over last year.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Our city government has never made any appropriation for relief of the unemployed. The only way we can aid the poor is by creating some form of work out of our municipal budget, and this we have done by creating new street-paving districts, extending our sewer-outfall mains, and improving our water-distributing system. We have completed projects in this class of work totaling $250,000.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. We are looking to have the number requiring relief increase from now on the rest of the winter, since all outside work is at a standstill, perhaps about 25 per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. It is my firm conviction that when we experience these cycles of depression and unemployment that it should be the function of municipal, county, State, and Federal taxing units to step into the breach and supply employment, so far as practicable, for the unemployed.

I am sure that the assistance of the Federal Government will relieve our local taxpayers' burden if they can see their way clear to aid in this relief work by extending help to the needy and employment to the unemployed.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. The relief that is being extended at present by private relief agencies is more or less limited to the churches, lodges, and our county tax unit. It is rather difficult to determine how much it has increased from a year ago or from two years ago, but people in charge of this work advise me that the increase is, in round numbers, around 10 per cent.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. It is my impression that the Federal Government should aid the city and State governments in this increased relief burden, and that it should be done by creating Federal work so that the unemployed might earn their daily bread by working on Federal projects, such as building roads, reclamation projects, etc.

Thanking you cordially for any interest you may give this report, I am,

Very sincerely yours,

JESSE N. ELLERTSON, *Mayor*.

VERMONT

BARRE

DECEMBER 23, 1930.

Hon. DAVID I. WALSH,
United States Senator, Washington, D. C.

SIR: Your letter of the 13th asking several questions about our unemployment situation is received, and the same has been given attention here. I will answer your questions in the order given in your letter:

1. Approximately how many people are unemployed in your community?

Answer. About 500 out of work and some other hundreds on part-time work, but for the holiday season of about two weeks 1,000 not working.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The number of city poor on the list at any time during the year 1928 was 177; during 1929, 181, a 2 per cent increase over 1928. Thus far during 1930, 233, an increase of 28 per cent plus over 1929.

3. To what extent has it been necessary for your city to increase its appropriation for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The net cost of the poor, including administration expenses for the year 1928 was $14,486.75, a per capita expense of $81.846. The total net cost for 1929, including administration expenses, was $17,187.41, or a per capita cost of $94.956. The net cost for 1930 to date, including administrative expenses at the same amount as for 1929, is $21,450.55, or a per capita cost of $93.06.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. We estimate that the increase of number requiring relief during the winter months will be possibly 10 per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes; and in my opinion it should be done as quickly as possible.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Not well informed on this.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has neccessitated?

Answer. Yes. Think relief given now will help to hold the confidence of our people in our Government and institutions.

8. A brief statement of the general situation in your community.

Answer. The granite industry, which is our principal industry, has been dull for a long time, but worse the past three months. Last October at a city meeting $50,000 was appropriated to aid the unemployment situation. This money has been used to build surface sewers, sidewalks, and streets. This did give a lot of relief, but the money is nearly used up and ground conditions for sewer work not good, so there is bound to be greater and greater call upon our charity department.

The Federal Government should extend help to all States and cities to help meet this serious situation.

Your proposition to shorten the work day and work week and get more money into the hands of the many is the remedy for our ills.

Respectfully yours,

FRED W. SUTTOR, *Mayor.*

VIRGINIA

DANVILLE

DECEMBER 22, 1930.

The HON. DAVID I. WALSH,
United States Senate, Finance Committee,
Washington, D. C.

DEAR SIR: In answer to your letter of December 13, I am pleased to give you the following information:

1. Approximately how many people are unemployed in your community?

Answer. There are approximately 3,000 people in our city unemployed at the present time.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Due to the present depression and unemployment the city has been called upon to render aid to a great many more persons than in the last two years. However, this has not increased in proportion to the unemployed, due to the fact that a strike is now on with the industry employing the largest number of persons in our community. A great many of the unemployed are receiving relief from the United Textile Workers' organization.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The city has and is spending a great deal more in the way of relief to the unemployed and the poor than it has in former years. The city has taken over the Community Welfare Association as a city department. In former years the Community Welfare Association received substantial aid, not only from the city but also from the community chest, and this year the city is meeting the entire expense and receiving nothing in this connection from the community chest. The city home for the poor will cost approximately $1,000 more this year than last year; this year the cost will be approximately $8,250. For food and clothing distributed by the Community Welfare Association as a municipal department will run approximately this year $20,000, while in former years $12,000 from the city was the usual appropriation.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. I estimate that there will be a greater increase in the number requiring relief during the winter months than formerly, due to the fact that a great many of the unemployed have received assistance from the local labor union, and should the strike terminate shortly, which has been predicted, a great many unemployed and persons in destitute circumstances will necessarily have to be cared for. With the situation as it now exists it would be very hard to say just what percentage this increase would be.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. I am confident that assistance from the Federal Government would aid a great deal in meeting the relief to the needy and at the same time lessen the burden on the local taxpayers.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. The local private relief agencies are necessarily being called upon to render relief to a greater extent, but, as stated above, the actual charities of the city are being carried on by the Community Welfare Association, which has been taken from the private relief agencies and made a municipal department. There is no way of determining just how the relief of the Salvation Army has increased as no figures are obtainable from that organization. However, all of the churches are being called upon for increased relief among the poor of their congregations.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I am heartily in favor of the Federal Government appropriating such sum of money as it sees fit to share with the city and State governments in caring for the increased burden that the present emergency has necessitated.

8. A brief statement of the general situation in your community.

Answer. Due to the fact that for approximately three months some of the employees of the Riverside and Dan River cotton mills, located partly within and partly without the corporate limits of the city, have been on a strike, and those out of employment who were workers in the mills have been receiving food from the local union, it is very hard to estimate just what the situation normally would be or what will be the situation at the termination of the strike.

I regret that the unusual circumstance of our present situation does not allow me to give more accurate information in answer to your questions.

Sincerely yours,

HARRY WOODING, *Mayor.*

WISCONSIN

APPLETON

DECEMBER 18, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
United States Senate, Washington, D. C.

DEAR SENATOR: Received your communication of the 13th instant regarding relief being extended by municipalities because of widespread unemployment and general economic depression. Following are my answers to the eight questions asked.

1. Approximately how many people are unemployed in your community?

Answer. We have about 400 unemployed at this time.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The increase is about 80 per cent of last year and the year before.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. We have not increased the city appropriation for this reason, that there was about $30,000 raised by popular subscription to help take care of the unemployed.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. The increase will be about 75 per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. We have several relief societies who are now consolidated under the head of the Home Aid, for which a sum of around $30,000 was raised by popular subscription.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. The situation in our city is becoming more acute as winter comes on, and after the first of the year I rather expect a rather large increase in applications for help from our poor department.

Trusting this is the information wanted, and if I can be of further assistance to you, let me know, I remain,

Sincerely yours,

JOHN GOODLAND, Jr., *Mayor.*

ASHLAND

DECEMBER 29, 1930.

Hon. ROBERT M. LA FOLLETTE,
United States Senate, Washington, D. C.

DEAR SIR: Replying to your letter of December 13 addressed to the mayor, I will endeavor to answer the questions in your letter as far as possible.

1. Approximately how many people are unemployed in your community?

Answer. We have about 150 men in Ashland unemployed.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Our poor relief is probably 50 per cent greater than last year or the year before.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. We will probably use about 50 per cent more funds than we have in any year in the past.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. I am not in a position to give you the increase in the number of people.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. I do not believe that any assistance the Federal Government is able to give will be of any relief to the local taxpayer.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. We have one relief organization only. This committee is working, not only to aid those in distress, but to find work for those out of employment and in need of funds at the present time.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I am unable to answer No. 7, as I have not given this matter any particular study or attention.

8. A brief statement of the general situation in your community.

Answer. We are not very bad off so far as unemployment is concerned in this community, as we have no large industrial plants that have shut down. We have some unemployment brought about by the reduction of the forces in the railroad shops and some other industrial institutions.

If there is anything further that I can do to be of assistance to you I will be glad to accommodate you.

Yours very truly,

M. E. DILLON, *Mayor.*

CHIPPEWA FALLS

DECEMBER 20, 1930.

ROBERT M. LA FOLLETTE, Jr.,
Washington, D. C.

DEAR SENATOR: Yours of the 13th instant to hand. In regard to the economic conditions in our city, will try and answer your questions as nearly correct as I can judge them.

1. Approximately how many people are unemployed in your community?

Answer. Our registration shows about 300 unemployed in our community.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. I should judge about 10 per cent. No registration before this year.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. City and county work together for the relief of the unemployed. County board increased the relief fund 33⅓ per cent this coming year.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. I estimate about 10 per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. We have an institution here which was left a large sum for charity, but I have been unable to find out what amount of an expenditure of about $48,000 yearly goes actually to the relief of the poor and unemployed. This institution was established by the late Edward Rutledge and endowed with $1,000,000.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I believe in the Federal Government coming to the relief of the city and State governments in the present emergency and lessening the burden on the local taxpayers.

W. C. RICHTER, *Mayor.*

KENOSHA

DECEMBER 20, 1930.

Mr. ROBERT M. LA FOLLETTE, Jr.,
United States Senate, Washington, D. C.

DEAR SIR: In answering your inquiry of December 13, I have tried to answer your questionnaire in full. The information regarding the city is as follows:

1. Approximately how many people are unemployed in your community?

Answer. The normal pay roll of Kenosha factories carries 14,000 employees. At the present time there are about 7,500 working. Some of these men that are listed as "employed" are working very short hours. The registration of the unemployed in Kenosha totaled 1,887.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer:

	1928	1929	1930
Families	275	330	1,036
Persons	1,391	1,678	5,200

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The appropriations for the poor relief and poor farm for the last three years are as follows: 1928, $53,145.39; 1929, $55,113.72; 1930, $114,145.93.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. I estimate that we shall have an increase of about 600 families over and above the 1,036 we now have.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. It seems to me that the assistance coming from the Federal Government on large construction projects will help certain communities where Federal work is authorized. Not being familiar with what plan you have in mind as to lessening the burden of local taxpayers, it is my personal opinion that public funds should be spent to promote work that is well planned and a part of a definite program and that no funds should be expended on projects that are thought up in a hurry, presented under the guise of relieving unemployment, and in the end will not be of any comprenhensive service to either the local, State, or Federal Government.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. The city of Kenosha has a community chest, which has been established since 1923. This chest takes care of the following agencies: Kenosha Service League, Salvation Army, American Legion service department, Kenosha Hospital, Kenosha free clinic, St. Catherine's Hospital, Carmelite Sister Home (for aged people), Kenosha Girls' Club, Boy Scouts of America, Girl Scouts of America, Wisconsin Antituberculosis Association, and American Red Cross Society.

The units which are relief agencies are the Kenosha Service League, the Salvation Army, and the American Legion Service Department, and their expenditures for the past three years are as follows:

	1928	1929	1930
Service League	$28,199.96	$25,727.94	$80,597.92
Salvation Army	5,750.00	6,000.00	10,853.26
American Legion	4,800.00	4,425.00	4,275.00
Total	36,649.96	36,152.94	65,726.18

The total expenditures of the community chest over the 3-year period are as follows, and show an increase during 1930 of approximately 50 per cent over 1929: 1928, $100,180.63; 1929, $95,350.11; 1930, $147,770.90.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I believe the answer given for No. 5 would also apply to No. 7.

Rather than have the Federal Government create a precedent equal to establishing a dole by contributing to local relief agencies, why not adjust the distribution of the tax so local communities would maintain a greater share of the actual taxes collected? In our city this would result in a tax reduction to the small home owner and allow the continuance of the present poor-relief program.

8. A brief statement of the general situation in your community.

Answer. Our local community has always had a well-organized relief department, but we notice a vast increase in the number of families and the type of people requesting relief. The citizen requiring help now is the one that has been industrious and saved

his money, but most of them have been out of work so long that their little savings are gone.

The best barometer as to the condition existing in our city is from the inclosed tabulation of the actual money spent in relief, not taking into account the overhead in administering. It has gradually climbed since October, 1929.

Please feel free to call on me for any further information you may desire.

Yours very truly,

WM. E. O'BRIEN, *City Manager.*

MENASHA

DECEMBER 22, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
United States Senate, Washington, D. C.

DEAR SIR: In reply to yours of the 13th regarding local unemployment conditions, following are the answers to your questions:

1. Approximately how many people are unemployed in your community?

Answer. Approximately 100.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. About 100 per cent over last year and about 200 per cent over two years ago.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. An increase of 100 per cent over last year's appropriation.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. About 100 per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes; very much so.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Fuel, food, clothing, rent, medicine. Increase about the same as the city's.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. While we have not felt the effects of unemployment very much, yet we find that most of the plants are running on a part-time basis. Also, our greatest problem is with the roaming population, which every city has.

Very truly yours,

JOHN JEDWABNY, *City Clerk.*

SHEBOYGAN

DECEMBER 30, 1930.

Mr. ROBERT M. LA FOLLETTE, Jr.,
United States Senator.

DEAR SIR: In the first place, you must excuse me for not answering your request of December 13 sooner than I did. It was during our busy season, Christmas time, and the amount of city work we are doing at present has taken much of my time, so it was impossible for me to answer your questions sooner.

I am glad to answer your questions as they are in Sheboygan.

Your first question is: "How many people are unemployed in our community?"

Answer. I will say there are about 1,200.

Your second question: "To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?"

Answer. Fifteen per cent more than last year and 20 per cent more than two years ago.

Your third question: "To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?"

Answer. Twenty-three thousand dollars was raised in 1928 and 1929, and $35,000 was raised in 1930.

Your fourth question "What do you estimate will be the increase in the number requiring relief during the winter months?"

Answer. About 300.

Your fifth question "Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers.

Answer. It certainly would relieve the people in general. As relief is absolutely necessary, it would be a great help; but, on the other hand, if the Government could create some local work, such as building a post office and harbor improvements, it would be a great relief for some of our people. I feel that most of the people are not looking for aid, they are looking for work. I do know that the Government is behind in their building program, and this would be a good time for the Government to spend their money in a substantial way and help relieve the situation as it is to-day.

Your sixth question "What relief is being extended by private relief agencies, and how much has it increased as compared with last year and two years ago?"

Answer. Our welfare bureau has been getting donations from $6,000 to $7,000. This year, by subscription, will add about $20,000 to it.

Your seventh question "Do I favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?"

Answer. I am in favor that the Government should do its just share toward its citizens in general, especially in some Government work; if not in Government work, it would be proper to pay its just share toward the welfare of our citizens in general.

I hope that these answers will be clear to you, and if there is any other information needed as far as our locality is concerned, I will be glad to give it to you and expect to give it to you in a shorter time than this time.

With my kindest regards, yours respectfully,

HERMAN SCHUELKE, *Mayor.*

SUPERIOR

DECEMBER 16, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
United States Senate, Washington, D. C.

DEAR SENATOR: Yours of the 13th received, and I am glad to give the information you desire.

1. Approximately how many people are unemployed in your community?

Answer. At this time we have registered at the city hall a total of 717 men, of whom 617 are married and 100 single. We began registering applicants for labor a year ago this December, using a card which merely gave the name, address, and ward of the applicant, but last summer we got out an application in the form of a questionnaire, which sought to obtain more accurate information. I think the above number is fairly accurate.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. There has never been any unemployment census taken in Superior since last April and what might be gathered from our system of registration. However, the contractor who is now putting up a large addition to our Central High School told me yesterday that he had more applications for labor—that is, common labor—when he started to commence building this addition than he had in the winters of 1927 and 1928, when he built the nurses' home, which is a building of about the same size as the addition to the high school, and he thought there was more unemployment in the winters of 1927 and 1928 than there is at the present time. However, I feel that there is more unemployment to-day than we have ever had since possibly the winter of 1922 and 1923, and I can also see that the public is generally much more exercised over conditions now than they ever have been in any other business depression that I know of, and there also seems to be more concerted effort to remedy these conditions.

Here in Superior we have a slack period during the closed season of navigation, which is closed from December 12 to April 15. During the open season of navigation there is a great deal of activity on the docks, in the elevators, and with the railroads, and therefore we have always figured that there would be considerable unemployment during the winter. I think that possibly owing to the tendency of the average man to acquire an automobile, radio, electric washing machine, and other utensils and to buy all these desirable things on the installment plan that a large number of wage earners have during the past year or two pledged their earnings in advance, so instead of having a surplus when the business depression came on they found themselves considerably in debt. On inquiry at the free employment office here I find that during the months of November and December for the years 1928, 1929, and 1930 the number of applicants registered and placed are as follows:

	1928		1929		1930	
	November	December	November	December	November	December
Registered for employment	593	381	506	338	357	212
Applications for labor	507	401	548	372	376	250
Number of laborers placed	508	384	421	282	363	170

This is the best I can give you as to a comparison of unemployment during these years.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. In order to cope with the unemployment situation, which we thought would be bad this winter, we began last spring to inaugurate a program to take care of the situation. We authorized the building of an 18-hole golf course, to cost about $35,000, and of which $13,000 has been spent for labor this year; the building of a football bowl, to cost $9,000; a trunk sewer, to cost $10,000; rebuilding of two streets, to cost $18,000; a municipal garage, to cost $30,000; and the building of an addition to the Central High School, to cost $110,000; and in the spring we will authorize the construction of a vocational-school shop, to cost about $50,000, making a total of $262,000. Of course, none of this money is wasted, but we would probably not have built the garage this winter nor the high-school addition, and might not have built the golf course, but as a matter of fact almost all of these improvements were authorized to be built at this time owing to the necessity of employing labor during the winter months.

In this connection I might add that Douglas County, which cares for the poor of the whole county, including the city, has usually disbursed $40,000 a year for poor relief, while this year the amount placed at the disposal of the poor commissioner is $50,000. The county has started a logging camp which will employ about 50 men, who will be paid by the piece for poles and posts cut on lands owned by the county. This will probably be paid out of the $50,000 appropriated for the poor. But, of course, the county will realize about as much from the proceeds of the poles and posts cut as they pay for the labor.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. I do not believe that the number of applicants here in the City Hall will materially increase during the balance of the winter.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. The only assistance that the Head of the Lakes will receive from the Federal Government that will help to extend relief to the needy and lessen the burden on the local taxpayers will be the amount expended for improvements to the harbor, which Maj. P. C. Bullard estimated will be about $145,000 for the season of 1931.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. We have no associated charities here. A committee has been appointed by the Trades and Labor Assembly, which has held meetings, and I understand that they have or are about to set up a food depot where food will be distributed to the needy. They expect to get the food supplies from the local merchants. Of course, one can only guess at the amount they may distribute.

Pursuant to the request of Governor Kohler, I appointed a committee on unemployment and relief, composed of about 40 employers, representatives of the Trades and Labor Assembly and of the railroad brotherhoods, which met about two weeks ago and organized. They appointed a subcommittee on regularization of labor, including the rotation of labor, a subcommittee on public and private construction, and a subcommittee on relief. The committee on relief has organized by the appointment of committees of each ward, who will investigate all cases needing assistance, and we hope that from private contributions we will obtain sufficient clothing, bedding, furniture, food supplies, and money to alleviate to a considerable degree the distress caused by unemployment.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I heartily favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated.

While Superior is not as hard hit as most of its sister cities in the Northwest, owing to the fact that it has not so many manufacturing establishments as has other cities, yet we know there is considerable more unemployment this winter than there has been for several years.

It seems to me that the President is wrong in opposing any increase in Federal taxes, required and necessary in order to help meet the present situation. He certainly must know that every municipality has had to increase its tax rate this year because of the hard times and unemployment, and he ought to know that general property has been carrying about as heavy a burden as it can carry. In fact the owners of vacant lands throughout the Northwest have been hard hit for a number of years and a great many have become discouraged, and have been for several years, their lands going back to the county for delinquent taxes. It seems to me quite apparent that there is a limit to the burden you can put on general property and have people continue to pay their taxes; while, on the other hand, income taxes can be slightly increased without distressing anyone. Of course, I am aware that as soon as you talk about increasing Federal taxes there is a tremendous howl from those who would pay. But it has always seemed to me that the income tax is the fairest of all taxes, and certainly in this emergency Congress should not hesitate to add a slight amount to the income tax, if, by so doing, they can relieve the situation. While I do not wish to be critical, it seems to me that the Federal Government is very slow to respond to an emergency.

After the school board concluded they ought to have an addition built to the central high school here, a meeting was held with the council, the matter was considered and decided upon, and the plans were drawn and bids advertised for within one month from the time the matter was first considered by the school board. And the building is certainly about as large as that of the ordinary post office in a small city, and yet it seems to take months for the Post Office Department to get out plans and specifications and call for bids. By the time that the post offices now being talked about are built, it would seem to me that the emergency will long since have passed.

8. A brief statement of the general situation in your community.

Answer. As above stated, I think Superior is better off than its sister city, Duluth, just across the bay, and is better off than almost any other city of its size in the Northwest.

A year ago last December we began to rotate the labor employed by the city and continued to do so during the winter, because matters did not mend. In the spring we continued to rotate the labor, putting on a new crew every three days, and also continued this during the summer and fall. We are still rotating the labor and will continue to do so until business picks up and employment becomes normal. Through the work of the committee appointed by me we are doing what we can to have private employers rotate their labor, and think there will be a generous response. This, I think, will help a great deal. The local switchmen's union also rotate their work so a large number of these men who are unemployed will be able to get work part of the time during the winter; but with reference to the engineers and firemen and also trainmen, I do not think that it is possible to change their ideas on seniority. I have been told that the firemen have decreased the number of miles a fireman may run per week, which will help the unemployed firemen.

In conclusion, I feel that I have been somewhat verbose, but it seems to me, for many reasons, that there will be a great improvement of business in the spring, and which will gradually increase; also unemployment will be lessened and that business conditions will improve very much after next spring.

However, I feel that there is a condition which has generally been overlooked, and that is, a large number of men past middle age have joined the ranks of unemployed during the past several years, owing, as it seems to me, partially to the increased use of machinery and partially to group insurance and old-age pensions of private corporations. At any event, I believe that this group has been growing very fast in the last 10 years. As you probably remember, several months before the debacle in the stock market a year ago last November the Secretary of Labor or some one in his office stated that there were 6,000,000 unemployed, which was promptly denied by some one else in the department. The number being stated as about 4,000,000. I may not be getting the figures exact, but these statements show that there was at that time a very large number of unemployed, and yet at that time business seemed to be going along at full blast. Nevertheless, if these old, worn-out workers, who must be taken care of in some way by the city, were removed from the labor market, it would tend to cut down the number of the ordinary unemployed. To do this we should have a national old-age pension. It seems to me that the time has come when we should have a national old-age pension. European countries have had old-age pensions, as you know, for quite a long time.

I would like to see the progressive element of Congress give this matter some study, because it seems to me that while we have an unusual amount of unemployment due to the business depression yet we have had for a number of years, and will continue to have a very large number of unemployed middle aged and elderly men who will only be able to get occasional employment after business becomes normal. They constitute the army of old, worn-out workers. An old-age pension would care for them and would make their old age a comfort instead of a continual suffering and distress.

Very truly yours,

GEO. E. DUTRICH.

WEST ALLIS

DECEMBER 23, 1930.

Senator ROBERT M. LA FOLLETTE, JR.,
Washington, D. C.

DEAR BOB: I just received your letter of December 13, and am very glad, but not at all surprised, that you are taking an active and aggressive part in doing something for the common people who are so sadly in need at this time of champions in high places.

The following figures on your questionnaire are the best I can do at present, and I hope they will be useful:

1. Approximately how many people are unemployed in your community?

Answer. At least 3,000.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Three hundred per cent over 1929; 400 per cent over 1928.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. $3,000 for the establishment and maintenance of a free employment bureau and about $50,000 with which the city is doing work which could just as well be done next year.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Fifty per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes. Would suggest the immediate and full payment of soldiers' compensation, and the rushing of Federal work so that a reasonable number could be sent on such jobs from each community.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. The Family Welfare Association, which is financed from the Milwaukee County Community Fund, and which is the only one of consequence, estimate for the year ending October 1, 1930, $8,900, as against the same period in 1929, $3,000, and $1,000 in 1928.

The Civic Alliance of West Allis organized this fall has collected $1,000, which is to be used for emergency relief. Of course,

there is a great deal of help given by churches, lodges, and individuals, which can not even be estimated.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. We have a fine spirit of cooperation here, but the unemployment situation is undermining the morale, if not the morals, of thousands of otherwise good citizens, many of whom have lost their homes, or are likely to in the near future.

Thanking you for your interest, and pledging you my cooperation, I remain,

Sincerely yours,

DELBERT MILLER, *Mayor.*

WISCONSIN RAPIDS

DECEMBER 19, 1930.

Hon. ROBERT M. LA FOLLETTE,
United States Senate, Washington, D. C.

DEAR SENATOR: Replying to your circular letter of December 13:

1. Approximately how many people are unemployed in your community?

Answer. In our community of approximately 10,000 people there are probably 250 unemployed.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. This is normal at this time of the year. Probably we are a little better off than usual.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The city has not yet increased its appropriation for relief.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Conditions will probably not get better but will grow worse. There may be some increase of applications for poor relief.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. In my opinion our city and its people will be able to take care of the situation very easily and I think we would not wish to ask for or accept assistance of the Federal Government.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Our usual private relief agencies are working a little harder than usual. Thus far we can not say that we are having hard times locally, but so much has been said about the thing in the papers that the charitably inclined people are mobilizing and are very likely to do more than the usual amount of charity work this winter.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. If distress is widespread there must, of course, be found some means to alleviate it. It seems to me to be a dangerous thing for the Federal Government to deal directly with it. I would think offhand that the Red Cross or some outside agency ought to be assigned the job. Then perhaps the Federal Government might make an appropriation for such an agency and the thing could be handled in an indirect way. I should say at least that the greatest wisdom should be invoked in the approach to a solution of the problem.

8. A brief statement of the general situation in your community.

Answer. The situation in our own community is unusually good. The mills and factories are running almost if not quite on full time; wages remain the same as before with no cut; the cost of living has decreased by an appreciable percentage.

The problem and trouble has not struck us locally as yet and we are hopeful that it will not. But this does not mean that we do not recognize that conditions are serious in most other communities throughout our State. I appreciate your interest and will be glad to help if possible.

Very truly yours,

GEORGE W. MEAD, *Mayor.*

WYOMING

CHEYENNE

DECEMBER 16, 1930.

Hon. ROBERT M. LA FOLLETTE, JR.,
United States Senate, Washington, D. C.

MY DEAR SENATOR LA FOLLETTE: Have received your letter of December 13 in which you refer to the unemployment and general economic depression conditions.

Cheyenne is situated on the crossroads of the Lincoln Highway and the Yellowstone, also being crossroads for the Union Pacific and Colorado & Southern Railroads and is a community of less than 20,000 people. On account of our large pay rolls which have not been affected to any great extent in the crisis of depression which has swept over our country, Cheyenne has not felt the unemployment situation to any great degree. We can not help but take a long breath, however, and wonder how long it will be before the wave may strike us. Nevertheless, at the present time we are in about the same shape so far as employment is concerned as we were a year ago. We have been able to take care of any unemployment so far as our own people are concerned at this time. We do notice that the floating population who are on their "uppers" are somewhat more numerous than they were a year ago. But nothing to be alarmed about.

However, just because Cheyenne up to the present has been so fortunate, I would not want to take the liberty of saying that other communities do not need help. I believe that the Federal Government's decision in appropriating money that will share with the city and State governments expenditures to relieve the present emergency would probably be the only way that this general economic depression condition can be taken care of. We believe, in Cheyenne, that we can take care of ourselves during this winter and that any money the Government expends in this direction is needed very much more in other communities.

Sincerely yours,

CAL HOLLIDAY, *Mayor.*

EXHIBIT B

WE MET MR. HOOVER

By Amos Pinchot

On the morning of June 4, 1930, I had a happy and unforgettable experience. As a member of a delegation representing a committee of misguided nobodies, made up mainly of bishops, bank presidents, manufacturers, and the like, I had the pleasure of sitting at the elbow of the President of the United States and hearing him cure bad times and unemployment in about 30 minutes.

It was an awfully hot day for June. But as we waited hour after hour (our appointment was for 10), while companies of high-school cadets, groups of teachers, and girls' clubs marched past us and disappeared on their way to shake the great engineer's hand in the inner office, the anteroom seemed cool and comfortable, even though slightly cluttered by Senators and Representatives waiting to talk with Mr. Hoover.

Our purpose, it must be confessed, was an embarrassing one. It was to urge upon the President, whose shoulders were already bowed with matters of far more concern, the need of providing some relief to that situation of business depression and unemployment into which, it will be remembered, the 1929 panic temporarily threw the country, despite all precautions taken by the Republican administration. In short, it was our intention to urge Mr. Hoover to ask Congress to authorize a program of immediate expenditure on already authorized Federal road construction, road surfacing and repair, and other public works which, we hoped, might be got under way before the cold weather set in.

About 1 o'clock, to our great delight, Mr. Akerson, the President's secretary, approached—he had told us twice during the morning that there must be some mistake, as he had no memorandum of our appointment, but we held our ground—and, with that affability for which he is justly famed, said that the President would see' us, but warned us, first, that we must confine our interview, including the presentation and discussion of our plan, to 10 or 15 minutes; and, second, that on no account should we say anything to the reporters relating to the President's part in the interview, as Mr. Hoover was already doing so many things calculated to improve conditions, and working with so many helpful agencies, that any publicity as to his reactions to our particular plan would, at the moment, be exceedingly inadvisable.

We gladly accepted both conditions. Fifteen minutes would be ample for the discussion of so trivial a subject. Also, we did not need to be told twice that on any public question it was essential to guard the President's opinions from the public ear. In a moment, with a final admonition of brevity, Mr. Akerson bowed us through the corridor, and we found ourselves in the presence of Herbert Hoover. Mindful of the Akersonian injunction, our chairman at once plunged into our plan, laying especial stress on our belief: First, that the revival of business depended partly at least on giving work to and thereby putting money in the pockets of the unemployed, to the end that they could not only live but buy things; and, second, that spending money on roads had the double advantage that it could proceed without the delay of elaborate reports and planning and that it would not merely increase employment and help business but have some permanent value when done.

Mr. Hoover listened with the scant patience and restrained exasperation of a man who knew every angle of the situation far better than we who had presumed to advise him. Whereupon he launched into a clear, forcible, and convincing speech, in which he proved to us that we were wrong on every point. Unemployment, he said, was being shamefully exaggerated. Its peak had been reached and passed. The tide had turned. The Census and Labor Department reports, and other information to which, as he reminded us, he had better access than we, would presently show that things were quite different from what we feared. Yes; we were now to drift peacefully, if slowly, back to good times. With calm confidence he spoke of the results that were being gained through the conference he had called of great business leaders and of their fine response to his appeal not to curtail the volume of their activities. He showed us in authoritative style that every agency of both the Federal and State Governments was working at top capacity to relieve the situation. "Gentlemen," he said, "you have come six weeks too late." Here the great engineer was right again. Our chairman for just about that time had been trying to get an appointment with him.

The great engineer then tore to pieces our suggestion of extensive work on the roads, with the remark that such a program would require more cement than all the factories of the country could furnish. This, though it surely must have been so, was, I confess, a little surprising, as our information was to the effect that the cement makers had just been importuning Congress for higher protection in the revenue bill, on the ground that American factories were standing idle.

I do not know how the rest of the committee felt about it. But they looked to me to be in a state only to be described as glad-eyed glee. For my part, I wanted to slap the great engineer on the back and wake the echoes of the White House with a resounding cheer for the Hoover administration. I had come to Washington under the dismal obsession that we were facing a grave disaster. I had imagined that business depression, unemployment, in short, black times with all the miseries that follow in its train, had settled down on our unfortunate people, only to be routed by firm and prompt action of the Federal Government. I was to leave assured that my fears were groundless and that all was well with America.

Before packing my bag for Washington I had noted that England in peace time—that is to say, in the fiscal year of 1921–22—had been able to raise £398,757,000 by taxation on incomes alone as a war measure in her drive against depression and want. That is well on toward $2,000,000,000, and it seemed to me that this country, with double England's wealth and population, could afford, when faced with similar dangers, to raise half or a quarter that sum for the same purposes. Such reflections, however, were now wholly inappropriate. Under Mr. Hoover we had weathered the storm without resorting to so cruel an assault on the high brackets and the pockets of the mighty. Unluckily for England, she had had no great engineer.

Mr. Akerson appeared. In fact he had appeared more than once during our interview to warn Mr. Hoover, with deprecatory gestures, that people were waiting with more momentous things to say. Nobody but the President and our chairman had spoken. Our rabbi, our Christian clergyman, our lawyer, the woman who had just made a survey of unemployment—all had something they had hoped to say. There was no need of it. It would have been silly, useless, discourteous, even, to have added a word. Mr. Hoover, with characteristic efficiency, had disposed of unemployment. It was a wretched subject, anyhow. And the unemployed, I gathered, were far from good Republicans. We were bundled out of the White House into the sunlight of a world of things which we had just learned did not exist.

It was 2 o'clock of a warm June afternoon. Since then summer has passed; winter has arrived. The seasons have succeeded each other in their accustomed way. But, alas, something has gone wrong. Has the magic of the great engineer lost some of its power and cunning? Or are 5,000,000 men and women looking for work and shivering as they eat the bread of charity but another illusion of the untrained lay mind?

FEDERAL POWER COMMISSION

The Senate being in executive session,

Mr. DILL. Mr. President, I shall not attempt to discuss the technicalities involved in the rule of the Senate, or the constitutional question of the right of these commissioners to continue to hold office even if the Senate should decide to reconsider and to reject the nominations of any of them. We can meet that issue when it arises, if it does.

I desire first to call attention to just what this controversy between Mr. Bonner and Mr. Russell is, and explain that in the RECORD by inserting in the RECORD parts of the hearings that were held last spring when Mr. Russell, Mr. King, and Mr. Bonner were before the Interstate Commerce Committee.

I desire to review, in just a few words, one or two of these questions that caused disputes.

One of the most outstanding cases over which there was a struggle and contest between Mr. Bonner on the one hand and Mr. King and Mr. Russell on the other was the Niagara Falls Power Co. claim. They claimed an investment of $77,000,000. Mr. King stated that all he could find was $32,000,000, but that in order for the commission to be able to decide definitely, the accountants must have access to the books; and Mr. Russell was insisting that this action should be taken at once. Mr. Bonner was causing delay. I desire to include in the RECORD, without reading them, the questions and answers on that subject, beginning on page 21 of the hearings of Mr. Russell's testimony and running through to page 33.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

Mr. RUSSELL. The Niagara Falls power situation is a very involved situation. I do not know where to begin nor where to end it.

In 1910 a treaty was entered into between Great Britain and the United States under which the United States was permitted to withdraw from the waters of the Niagara River above the Falls 20,000 cubic second-feet. Canada was permitted to withdraw 32,000——

Senator BROOKHART. Thirty-six thousand.

Mr. RUSSELL. Thirty-six thousand—pardon me, Senator.

Thereafter there were permits issued by the Secretary of War, and up to 1917 those permits terminated every July 1, anticipating the passage of the water power act, I assume. The permits issued by the Secretary of War provided in accordance with the act (41 Stat. 163), if you care to look it up, that all rights should cease and terminate on the 1st day of July following; and this particularly applies to July 1, 1920. If Congress passed any water legislation in control of those waters prior to that time, thereupon it should cease and terminate.

And, as you know, Congress passed the water power act on June 10, 1920.

On July 3, 1920, a letter was written to the Secretary of War pointing out that the Niagara Falls Power Co. either intended to or was applying for a license. A license was issued to the Niagara Falls Power Co. for 19,725 second-feet of water—not all at one time, but it was to cover other amounts.

The original license was issued on the 2d day of March, 1921, pursuant to an application filed on January 3, 1921. That license contains a provision, in article 9, I believe, that the fair value of that property shall be determined by the commission as of the date of the license.

Senator BROOKHART. That was designed to eliminate the reproduction new difficulty in valuation?

Mr. RUSSELL. No. May I explain that right there, Senator?

Under the water power act, section 23, plants that were constructed prior to the act and had a right to continue operation of those plants under some legal authority, were entitled to come in under the act, and the properties then used in the development of power should be valued as of the date of the act; that is, the fair value.

Senator BROOKHART. Would the rules for valuation of that property be the same as for the valuation of railroads?

Mr. RUSSELL. I was just coming to that, Senator.

On the rule of fair value, we would have to take into consideration the historical cost, the actual cost, the earnings, the capitalization, its funded indebtedness, and all of the electrical construction, its reproduction new, its reproduction less depreciation, and all of the elements laid down in Smythe v. Ames, the Minnesota Rate cases, and other cases. In determining fair value we would be required to do that. That is distinct from the proposition that plants constructed under the act are only entitled to the net investment.

Senator BROOKHART. That is one thing I am very deeply interested in about these permits that have been issued, whether they protected the public and eliminate these difficult subjects of valuation.

Mr. RUSSELL. They do, Senator, and I will be glad to discuss that with you. But I would like to complete my statement with regard to Niagara Falls. If you will call my attention to it later, I will be very glad to explain what little I know about it.

Senator BROOKHART. Very well.

Mr. RUSSELL. The valuation of the Niagara Falls Power Co. under this license has never been undertaken.

Senator BROOKHART. Why not? Why was it not done?

Mr. RUSSELL. I was just coming to that, if I may.

I think it was on December 4, 1929, after many conversations with Mr. Bonner about it, in which we were told to let it alone and not to do anything about it, I addressed a memorandum to him which you will find in these files, calling his attention to the fact that this valuation was 9 years old, and every day it got that much older, and that we should get a valuation engineer and a valuation accountant to get us started on the way toward preparing an inventory and getting the thing done.

His answer to my memorandum—and you will find it in the files—was that that was being handled by the proper persons. I never found out who they were, except that I have been informed and I have seen the engineers in his department reading law books. The matter has never been referred to me at all since that day. There it remains. What they have done with reference to it I do not know. It has not been referred to me.

Senator WHEELER. In other words, Bonner is having engineers pass upon legal questions and not referring them to the legal department. Is that it?

Mr. RUSSELL. That was done as late as yesterday or the day before.

Senator DILL. Have you men available to go ahead?

Mr. RUSSELL. I could if they would give me the men and the money.

Senator DILL. Are there sufficient appropriations to do that?

Mr. RUSSELL. There is sufficient appropriation now to cover the employment of such an engineer. It will take him several months to complete the inventory and to develop the unit prices to be applied to the inventory on the items of property. We have a sufficient appropriation to do it, but it has not been done. That money has been available ever since July 1 of last year.

Senator BROOKHART. The law requires that to be done?

Mr. RUSSELL. It does.

Senator BROOKHART. Mr. Bonner has never called that to the attention of the commission and had them pass on it directly?

Mr. RUSSELL. Not so far as I know. I have never discussed it with the commission myself.



Senator WHEELER. What are some of the legal questions involved which they are asking the engineers to pass upon?

Mr. RUSSELL. The claimed value of the Niagara Falls Power Co., as I recollect—and I am speaking now, in round figures; I may be off some amount—is about $77,000,000 as of March 2, 1921. The fact of the matter is that all we can find in the investment account, and I think Mr. King can confirm me on that, is a matter of about $32,000,000. The rest of these depends upon the interpretation of the legal rights to the inclusion of certain amounts in valuation.

Senator BROOKHART. It sounds just about like railroad men to me.

Mr. RUSSELL. They come pretty close to it, Senator.

Senator DILL. Are they going to take into consideration the value of a permit or franchise?

Mr. RUSSELL. They have got $30,000,000 in there as the value of the water that the Government gives them, and the Government takes it back at the expiration of the license, and this $30,000,000 is capitalization for the public to pay rates upon and for which they ask the Government to reimburse them at the expiration of the license.

Senator DILL. Is it not probable that if it went to the Supreme Court it would be declared valid?

Mr. RUSSELL. I can not anticipate what the courts may do.

Senator WAGNER. They decided an entirely different question in the Baltimore case.

Senator KEAN. There was an old plant which the Baltimore company owned which had water rights away back.

Senator BROOKHART. Vested rights?

Senator KEAN. Surely.

The CHAIRMAN. Let the Senator from New Jersey complete his question.

Senator KEAN. They had these vested rights in that old water power. They had to buy it out, and it has a value. How much, I do not know.

Mr. RUSSELL. Whatever those vested rights may consist of, Senator, in my opinion they do not and should not include any value for water under the water power act, because the values that they paid for this water are to be entirely eliminated from any valuation. What they did before that time we have nothing to do with. They are operating under the Federal water power act which says that values for water or water rights shall not be included and capitalized; and I do not propose, as long as I am solicitor, that the company is going to add a dollar that way.

After having this discussion about valuation which I have not been able to get anywhere with, the assistant chief counsel, who is now acting chief counsel and is here in the room, called my attention recently to the fact that under the law the Niagara Falls Power Co. is not entitled to the value as specified in article 9 of the license, for the reason that in the Tule River case, decided by the commission, and in the Utah Light & Power Co. cases decided by the commission, subsequent to the issuance, however, of the license in the Niagara Falls matter, the commission has held point blank, without any equivocation, that where a plant is operating within the jurisdiction of the Federal water power act and has no right or authority to continue, it was not entitled to the value of its property but only to the net investment.

This Niagara Falls Power Co. did not have any right of continuous occupancy or use of the water when they received their license on March 3, 1921. They did not have any right to the continuous use or authority to use that water on January 3, 1921. When they filed their application they did not even have any authority to continue to use that water on July 3, 1921, because by operation of law due to the passage of the water power act, the law canceled the certificate they had from the Secretary of War on June 10.

Senator DILL. Has anybody contended in the courts that they have vested rights in water that had accrued previous to the passage of the water power act?

Mr. RUSSELL. That question has not yet arose.

Senator DILL. Is any claim being made by any one to that effect?

Mr. RUSSELL. Not that I know of. Mr. King can answer that, I think.

Senator DILL. Is the claim being made in certain cases that before the act was passed certain rights had accrued?

Mr. RUSSELL. Yes.

Senator DILL. Do I understand that the accounting department has made complete accounting of the actual investment?

Mr. RUSSELL. That has not been completed, has it, Mr. King?

Mr. KING. No.

The CHAIRMAN. Have you discussed this matter with Mr. Thad Brown?

Mr. RUSSELL. I did when he was there.

The CHAIRMAN. What was his attitude?

Mr. RUSSELL. Mr. Brown agreed with me on everything that I ever did while I was solicitor and he was chief counsel. He was a very high-class man to get along with. I will say that for Mr. Brown.

Senator WHEELER. I notice in the hearings before the House committee that Mr. WOODRUM asked Bonner this question:

"I would like to have you explain briefly to the committee and for the record just exactly what this accounting and valuation work is."

Mr. Bonner answered:

"The valuation work is relatively unimportant.

"Mr. WOODRUM. Is what?

"Mr. BONNER. Is relatively unimportant. We have few cases that involve valuation."

Is that correct?

Mr. RUSSELL. That is true, Senator. When you take out the Niagara Falls and the Minnesota Light & Power case, which I rendered a decision on likewise, the valuation of these properties under the act, section 23, is limited to practically nothing.

But that does not dispense with the proposition, Senators, that under the very intent of this law we must continue valuation principles, where we are working under the investment theory——

Senator BROOKHART. Why is that necessary? I do not understand that.

Mr. RUSSELL. It is necessary for men to understand something about valuation in order to determine what is the actual investment in these properties.

Senator BROOKHART. That is, prudent investment?

Mr. RUSSELL. Yes.

Senator BROOKHART. Is that the language of the law?

Mr. RUSSELL. No.

Senator BROOKHART. Actual investment?

Mr. RUSSELL. The actual legitimate cost of construction shall be used as the basis of net investment.

Senator BROOKHART. If it included lobby fees, they could get at it under the terms of the law?

Mr. RUSSELL. Certainly, Senator. I will give you an illustration right now. I haven't it here with me, but there is one item of one of the power companies of $140,000 that is labeled by the power company themselves as lobbying fees in a letter to the commission, and I find $140,000 set up as an actual cost of construction of the project.

Senator BROOKHART. What company was that?

Mr. RUSSELL. That is the Byllessby Co., and it is charged to projects 350, 285, and 310.

Senator WHEELER. When do they charge that the lobbying was done?

Mr. RUSSELL. On the water power bill between 1917 and 1921.

Senator WHEELER. They have spent $140,000 lobbying in connection with that bill?

Mr. RUSSELL. They paid one man monthly items on the bill. I did not bring it with me. I have it over in my office.

Senator BROOKHART. Who was this lobbyist?

Mr. RUSSELL. His name was Flynn.

Senator WHEELER. Where is he from?

Mr. RUSSELL. I do not know. He is now a member of the firm of Cummins, Roamer & Flynn, who are the attorneys for the Byllessby people in Chicago.

Senator PINE. And they charged that amount to power properties in Minnesota?

Mr. RUSSELL. They charged it as actual cost of construction of those properties, and it is entered in the account.

Senator PINE. And they are going to permit the people of Minnesota and Wisconsin to pay on that as long as they use electricity in Wisconsin and Minnesota?

Mr. RUSSELL. Yes.

Senator WHEELER. The Government would have to pay back the money that the company paid for lobbyists?

Mr. RUSSELL. Certainly.

Senator WHEELER. Have you any other cases of that kind?

Mr. RUSSELL. Mr. King can give you illustrations of a great many of them. I can tell you one now of $700,000 that I know of in Pennsylvania.

Senator WHEELER. For lobbying?

Mr. RUSSELL. Yes.

Senator WHEELER. Do you mean to say that they put in a bill for $700,000 for lobbying?

Mr. RUSSELL. We do not know what it is, Senator. There is some of it for lobbying or for something else, which we have been unable to find out.

Senator WHEELER. Do I understand you to say that that is what Bonner does not want you to go into?

Mr. RUSSELL. Oh, he did not say he did not want us to go into that, no; I would not say that.

Senator DILL. Has the commission power now to compel the disclosure of what these charges are for?

Mr. RUSSELL. They have, if they let me go ahead.

Senator DILL. Under the law you think you have that power?

Mr. RUSSELL. Yes.

Senator DILL. To subpœna them and take them into court?

Mr. RUSSELL. Yes.

Senator DILL. And the law is fully ample?

Mr. RUSSELL. I think so, although there are some few things that ought to be made a little more definite and certain.

Senator WHEELER. How long do you expect to stay with the Power Commission if you continue to look into these lobbying accounts of the power companies?

Mr. RUSSELL. I can not tell. I am holding on from day to day now.

The CHAIRMAN. You do not mean to imply that the commissioners are not in sympathy with you?

Mr. RUSSELL. I want to say that every time I have discussed one of these matters with the commissioners themselves I have found them absolutely in sympathy with my views, Senator.

The CHAIRMAN. And they are your superior officers, are they not?

Mr. RUSSELL. They are; and if those three commissioners had the time to sit down and listen to these troubles that Mr. King and myself have about these matters, I would not fear for one moment the proper disposition of them.

Senator PINE. What is the specific reason for your troubles?

Mr. RUSSELL. One is the lack of personnel; another is—the principal lack that I see in the present system is the secretary, who is undertaking to determine questions of law and questions of accounting that he does not know anything about.

Senator WHEELER. I would gather from what you say that you feel that Mr. Bonner is not at all in sympathy with your efforts.

Mr. RUSSELL. Not at all.

Senator WHEELER. You did not mean to imply that the secretaries were not in sympathy?

Mr. RUSSELL. Not at all.

Senator WHEELER. But I did gather from your statement that Mr. Bonner is not in sympathy with you. He is your immediate superior, is he not?

Mr. RUSSELL. That is correct, Senator.

Senator WHEELER. He is the man, after all, who hires or fires the legal department?

Mr. RUSSELL. No; he can not hire nor fire me. The commission can do that.

Senator BROOKHART. You would have been fired long ago if he could.

Senator WAGNER. The company that you have mentioned, being in my State, gives me, perhaps, a little specific interest in it. Has any valuation ever taken place so far by the commission?

Mr. RUSSELL. No, sir. They have never started it as far as I know.

Senator WAGNER. You said a moment ago that they claimed a valuation of $77,000,000?

Mr. RUSSELL. That is my recollection, Senator.

Senator WAGNER. In that is included some $30,000,000 which is what they assess as the value of the water or the right to the use of the water that the Government has given them?

Mr. RUSSELL. They call it the value for the use of this water.

Senator WAGNER. Just as railroad companies value easements or something of that kind which the Government has given them?

Mr. RUSSELL. Rights in public domain.

Senator WAGNER. Do you happen to know whether or not the Niagara Falls Co. is regulated by the State public service commission as to the rates to be charged?

Mr. RUSSELL. Yes; locally.

Senator WAGNER. You do not attempt to do that in the Water Power Commission?

Mr. RUSSELL. We have not attempted to do it, but the act requires us to do it. There has never been anything done relating to the regulation of rates or the issuance of securities under sections 19 and 20 of the act.

Senator WAGNER. The commission has never attempted to fix any rates?

Mr. RUSSELL. No.

Senator WAGNER. Do you happen to know, in the fixation of the rates by the State regulatory body, whether or not this $77,000,000 is used as the basis for rate making?

Mr. RUSSELL. I do not, Senator. I know that the basis that they claim to us is upon some appraisal company's valuation that was made in 1918 which they have brought down to later dates by accounting methods.

Senator WAGNER. Of course, as an expert you can readily see—even a child could see—that if that $30,000,000 were taken out of the valuation for rate-making purposes it would make a very great difference in the reasonable rate of return?

Mr. RUSSELL. Certainly.

Senator BROOKHART. Do you know what their rates are?

Mr. RUSSELL. I do not, without examining them again.

Senator KEAN. The Niagara Falls Power Co. does do an interstate business, does it?

Mr. RUSSELL. I do not know, Senator. I have never gone into that question.

Senator KEAN. It is intrastate business entirely.

The CHAIRMAN. That is not a factor so long as the Federal Power Commission has a right to go into it.

Mr. RUSSELL. I do not know whether they transport any energy in interstate commerce or not. I don't think they do.

Senator WAGNER. I do not think that is important, either, but I understand that they do at times, when they need more power than they can supply themselves, get it from the other side.

Mr. RUSSELL. They import energy from the other side, but they do not export.

The CHAIRMAN. I would like to suggest at this point that counsel for the committee inquire of the regulatory board of the State of New York on what basis they claim valuations for rate-making purposes.

Senator WAGNER. As a matter of fact, the legal situation as to what the respective rights of the State and the Federal Government are to either permit the diversion of water or to forbid the diversion of water, is a field that is really unexplored?

Mr. RUSSELL. Yes.

Senator WAGNER. As a matter of fact, those questions should have been determined long ago?

Mr. RUSSELL. They should have been.

Senator WAGNER. And that really is up in the air even to-day.

Mr. RUSSELL. Even to-day; yes.

Senator BROOKHART. It ought to be decided, because it would make more definite regulation of rates either by the Federal Government or by the State.

Senator DILL. Has there been any complaint to the Power Commission, that you know of, as to rates?

Mr. RUSSELL. None that I know of. You understand, Senator, that the power vested in the Federal Power Commission under the act is a permissive power which the courts have construed to be mandatory when the public is involved. That has not been done. I have urged it, however.

The CHAIRMAN. Are there any further questions?

Senator WHEELER. Do I understand that Mr. Bonner has practically turned over the legal work of the department to the engineering department down there?

Mr. RUSSELL. I do not know, Senator; but up until about two weeks ago he had not referred a matter to me for months. He has referred to the chief counsel matters that I should pass upon. They were not referred to me.

Senator WHEELER. Do you know why that was?

Mr. RUSSELL. I do not. That occurred shortly after the Montana hearings.

Senator WHEELER. Why did he do it after the Montana hearings?

Mr. RUSSELL. Well, I can not tell you why. I know he did.

Senator WHEELER. Was there anything that took place in that hearing that would lead you to believe that that was the reason for it?

Mr. RUSSELL. He ordered me out of the hearing.

Senator WHEELER. Out of what hearing?

Mr. RUSSELL. The Montana power hearing.

Senator WHEELER. Why did he order you out of that hearing?

Mr. RUSSELL. He said it was because he did not like the questions I was asking.

Senator PINE. What questions were you asking?

Mr. RUSSELL. The Montana power hearing, Senator, was a matter in which I as solicitor would have nothing, ordinarily, to do with. That is my home, out there, and I am familiar with the local situation.

Up until three or four days before the hearing in the Montana power case—it is the Rocky Mountain case, properly——

Senator WHEELER. The hearing on the Flathead power site?

Mr. RUSSELL. Yes. Numbers of people had asked me about my appearance in that matter, and I had repeatedly told them that it was in the jurisdiction of the chief counsel and not mine, and I had nothing to do with it.

On Friday preceding the Monday that the hearing began Mr. Scattergood, of the Indian Bureau—assistant commissioner, I believe he is—brought to me some matters of accounting that he wanted brought out. He had worked out some sort of a plan that he wanted developed. We called Mr. King in and discussed it with him, and I then told him that that was not within my jurisdiction, and we called Mr. Brown, the chief counsel. Mr. Brown, Mr. King, and myself and Mr. Scattergood—I don't remember whether Mr. Lawson was present or not—however, it resulted in Mr. Brown requesting that due to my familiarity with the local situation out there and familiarity with accounting matters that I should sit in at this hearing and conduct questions on those matters.

I then spoke to Mr. Bonner about it and he said it was all right with him, whatever Brown said.

So when the hearing began on Monday I sat with the other members of the staff in the hearing, and on Tuesday when one of the applicants, Mr. Wheeler, was on the witness stand, I asked him some questions about whether or not he intended to have his company operating its plant supervised by some management corporation, like the Electric Bond & Share or the Byllessbys, and he said no, he did not.

Then on Wednesday, the next day, a Mr. Burch, an engineer whom I have known away back in my Wisconsin days, was on the witness stand and was testifying about the rates of this applicant company, and during his testimony I asked him a question as to whether or not the fact that a corporation was managed and controlled by one of these management corporations would affect the rate to be charged, and he said that it would; that that would simply create additional expense that would have to be met in the rates.

Senator WHEELER. How would that be? I am not familiar with those holding companies.

Mr. RUSSELL. These holding companies simply add more on.

Senator WHEELER. How do they do it? Take any specific company and give us an illustration.

Mr. RUSSELL. Senator, that would take me quite a long while, and I would prefer that Mr. King do it, because he is more familiar with it than I am.

The CHAIRMAN. It is about the same as the 4 per cent rate charged by the A. T. & T. for supervising the various companies?

Mr. RUSSELL. Oh, no, Senator. They put in there charges that you can not recognize. They are not based on percentages at all. If they were, it would be a simpler matter.

Thereupon, on Thursday morning, Mr. Bonner called me on the telephone and said to me that he did not like the questions that I was asking and wanted me to stay out of that hearing. He asked me who I represented, and I told him that I was trying to present the record the best I could. He said, "I know what goes into that record, and I know what I am going to have in that record, and I want you to stay out of the hearing."

And so I stayed out. That is all the story there is to it.

Senator WHEELER. After that you went back into the hearing, did you?

Mr. RUSSELL. Secretary Wilbur, when it was called to his attention, requested that I go back into the hearing, and I remained in it until it closed.

Senator DILL. Did you ask questions?

Mr. RUSSELL. Oh, yes; lots of them.

The CHAIRMAN. Mr. Green, the counsel for the committee, has some questions that he would like to ask.

Mr. GREEN. With reference to this Niagara Falls project, there is one matter to which you called attention in your memorandum of January 7 that I think is important to get on the record, and that is with reference to the difficulty in making a valuation of that project because of the inability of the accountants to get records.

Mr. RUSSELL. Yes. When I went down there and discussed these matters with Mr. Merrill prior to the time I became solicitor, Mr. Merrill pointed out to me that there were six companies, I believe, that had refused access to their books and that we would have to proceed immediately to get possession of these books before we could do anything.

Immediately after I went down there I began to inquire what these cases were, and in looking over the records I found that the demand went away back 3 or 4 or 5 years ago, and I was somewhat fearful of attempting a mandamus action under those circumstances. The court might say, "You have not tried it lately; maybe they will give them to you now."

I brought the matter to Mr. Bonner's attention, that there ought to be new demands served in writing and to get a refusal in writing, so I could proceed. But he said, no, there was certain other work that had to be done, and he would not let me do it; and the matter rests there now.

Mr. GREEN. Is it possible to make a valuation of the Niagara Falls project without getting access to the records of the constituent companies?

Mr. RUSSELL. It is not. You can not get a valuation on any of their projects unless you get access to the cost of construction.

Mr. GREEN. Did they make any statement to you themselves as to whether they would allow you to examine the books of the constituent companies?

Mr. RUSSELL. They told me on September 6 or 7 that they were going to stand on their refusal.

Mr. GREEN. Have you ever had an opportunity to start a mandamus action?

Mr. RUSSELL. I prepared a draft of all the pleadings for that purpose when I ran into this question that the chief counsel brought to me, that they were not entitled to valuation.

Last evening about 4.20 Mr. Bonner brought me a letter—or sent it to me—in which he had referred this recent opinion of mine that they were not entitled to valuation to the Niagara Falls Power Co., yesterday.

The valuation matter, eliminating the Niagara Falls and the Minnesota Light & Power Co., which is another one somewhat in the same category—we have no actual valuation cases that need to bother us a great deal. We can get along very nicely, because those are small matters that would not take a great deal of time, and the Government would not suffer much if anything, and the people would not, no matter what we might do ultimately with the others.

Senator BROOKHART. Is that letter private?

Mr. RUSSELL. I assume it is, Senator.

Senator BROOKHART. You say valuation is not necessary. I do not see why it is necessary to even value Niagara Falls.

Mr. RUSSELL. It is not, in my opinion. That is the opinion I have just rendered; that there is an illegal provision in the license and it should be disregarded by the commission. That is the position that the assistant chief counsel takes with me.

Senator BROOKHART. Then why should you proceed with valuation at all? , Why should there be anything done on that subject?

Mr. RUSSELL. Nothing except this, Senator. I am trying to visualize it somewhat in the future, because we have not met the situation face to face. When we come to conduct hearings, which we are now attempting to do, to determine the net investment in these properties which we have got to do, by the elimination of those items, by showing the actual cost, we should have an engineer who is familiar with valuation problems so as to determine the actual cost of those items of property.

Senator BROOKHART. I can see that you should have that kind of an engineer, but I can not see why it would be necessary for him to make a physical valuation of the property.

Mr. RUSSELL. It would not. These valuation features would continue until the very end of the license.

Mr. GREEN. In determining net investment, is it necessary to have access to the books of the constituent companies?

Mr. RUSSELL. Certainly; we have got to have them.

Mr. GREEN. Will you make a statement as to the Secretary having destroyed memoranda sent him by you with reference to department matters?

Mr. RUSSELL. That was in this connection. On November 27, being unable to get any action, the commission directed that some of the cases that we could get into shape be immediately prepared and brought to them for a decision. We thereupon proceeded, Mr. King and I, with what force we had, and we have gotten out four cases, I think it is, complete.

In the first of those, shortly after the protest was filed it was necessary to serve a notice of hearing. The first one to come up was the Niagara Falls Power Co., not in connection with the valuation but in connection with an amendment to the license, where they are trying to put a million and a half more into capital.

I prepared a formal notice to the Niagara Falls Power Co. setting the matter for hearing, the form used by the Interstate Commerce Commission, where I had had my training, a formal notice directed to them, executed in the proper manner.

I sent it up to Mr. Bonner and he returned it to me and wrote them a letter about it, which did not mean anything. In all of the other cases that I have prepared notices for he has disregarded them.

In what is known as the Lexington Water Power case I prepared such a notice. Mr. Bonner sent it back to me with a note to the effect that he had revised it, which revision in fact called for a town meeting—it was not addressed to anybody, nobody in particular and everybody in general.

The CHAIRMAN. What do you mean by that?

Mr. RUSSELL. Just what I say, Senator. It was a notice to the general public that there was going to be a hearing, but it did not notify the power company that they were required to come there and present their evidence in support of the protest.

Senator BROOKHART. Did they not come in?

Mr. RUSSELL. Let me go on and explain.

He sent that back, and I told him that as solicitor for the commission I requested that the notice as prepared by me be executed and served on the company; and I submitted the question to the commission by sending each one of the commissioners a copy of my memorandum and a copy of the notice. Thereupon Mr. Bonner sent a telegram, which I did not know about until some time afterwards, asking if they would agree to some date, and the case has not been set yet. In fact, we have not any of them set.

Senator WAGNER. What was that million and a half dollar item? What did it involve?

Mr. RUSSELL. That is another long story. I can answer it if the Senators care to hear me.

Prior to the treaty with Great Britain in 1910, and going back about a hundred years ago, water from the Erie Canal locks had spilled into what was known as Eighteen-Mile Creek. The water spilling from the locks under the old Erie Canal Construction Co., with the surface waters intermingled with it, created somewhat of a flow down Eighteen-Mile Creek. As a result of this water going down Eighteen-Mile Creek a number of small industries sprang up using water for water wheels, and some for hydroelectric power and others for tanneries, and so forth. That condition existed up until along about 1925.

There is another company up there known as the Niagara, Lockport & Ontario Co., which up to 1925 was a separate and distinct company from the Niagara Falls Power Co. It was controlled by the Correys, I think. The Schoellkopfs controlled the Niagara Falls Power Co., and I think a man by the name of Correy controlled the other.

Proceedings before the Federal Power Commission resulted in the Power Commission's granting a license to the extent of 275 second-feet of water included in the treaty water of 20,000 to these small industries on Eighteen-Mile Creek. So that was how it came about that only 19,725 second-feet was up to the present time licensed to the Niagara Falls Power Co.

In 1926 the Niagara, Lockport & Ontario Co. being in the field of producing energy and furnishing small industries, purchased these 13 industries on Eighteen-Mile Creek, bought them out, or purchased their capital stock or got control of them in some way; and at the time of the acquisition of these 13 industries by the Niagara, Lockport & Ontario Co., the individual companies holding these licenses of the Federal Power Commission for 275 second-feet released that water to the United States Government, so that the license for the 275 second-feet to these industries was out of the way and the water was back in the control of the Federal Government, the same as the balance of the 20,000 second-feet. In other words, the license was wiped out.

Thereupon the Niagara Falls Power Co. made application to amend the present license to include the 275 second-feet and asked that there be inserted in their capital account $1,500,000 as the cost to them of obtaining the 275 second-feet.

Senator BROOKHART. When it had been entirely released to the Government?

Mr. RUSSELL. Yes; and did not cost them a nickel and they never paid a nickel for it.

Senator WHEELER. How did they get that $30,000,000 in their value?

Mr. RUSSELL. Senator, that is a long, involved computation, and I could not give it to you offhand.

Senator WHEELER. I was wondering, because you spoke of it and said they were putting in $30,000,000, a fictitious amount.

Mr. RUSSELL. True.

Senator WHEELER. And I was wondering if you could not tell me briefly just what it was for and what they claim it is for.

Mr. RUSSELL. They claim it is a value for this water that the Government has permitted them to use.

Senator WHEELER. It is all similar to this little item that you have just described?

Mr. RUSSELL. Yes; but that is not all. If we permitted $1,500,000 to go into the capital account for the 275 second-feet, find the cost for second-feet that the million and a half represents and apply it to the 19,725 second-feet, it would be about $107,000,000 value for their water.

Senator WHEELER. This $30,000,000 you say is for water that the Government permitted them to use?

Mr. RUSSELL. Leased to them or granted them under their permits, under the treaty with Great Britain. They did not pay anything for it. It is for the use of the water.

Senator BROOKHART. I see no difference, really, in that and the item that you described in detail.

Mr. RUSSELL. Only this, Senator. As to the small item it is claimed that it actually cost them $1,500,000. They claim that it cost them $1,500,000 because the Ontario Co. caused it to be released to the Government, and that the value of the release by the Ontario Co. to the Government was $1,500,000. They claim that the Ontario Co. and the Niagara Co. are both controlled by

the same company, and that there is a moral obligation upon the Niagara Falls Power Co.——

Senator WHEELER. Why did the Ontario Co. release it?

Mr. RUSSELL. They did not release it, Senator. If the Ontario Co. released it, we would have a different state of facts. But the individuals who had the license released it.

Senator WHEELER. How does it differ from the $30,000,000?

Mr. RUSSELL. I do not know how that is made up, except that I know it is not made up upon the question of cost to them. Mr. King can give you just what their claim is, because we have it at the office. I would not attempt to tell you what it is.

Mr. DILL. Then I desire to call attention also to another phase of that dispute.

It seems that the Niagara Falls Power Co. bought up a number of the small companies down Eighteen-Mile Creek, below Niagara, into which the spillway discharged water in the years past. By that purchase they secured 20,000 second-feet flow. They turned back to the Federal Government 275 feet of that water, and then they applied for a license to use the 275 feet, and they placed a valuation of $1,500,000 on the 275 feet of water. Mr. Russell pointed out that if the commission allowed that as a charge, the Niagara Falls Power Co. would then be in a position to insist that its remaining 19,725 feet were worth $107,000,000 of value for purposes of rate making. Thus, this case becomes a key case, as it were—a case that will set a precedent for tremendous valuations in connection with that particular plant.

I desire also to put in the RECORD the testimony, beginning on page 48 of the hearings, of Mr. King regarding the Clarion River plant in Pennsylvania. These hearings begin on page 48 and run through to page 51.

The PRESIDING OFFICER (Mr. GEORGE in the chair). Without objection, it is so ordered.

The matter referred to is as follows:

The CHAIRMAN. I remember Mr. Russell saying something on yesterday about $700,000. What case was that?

Mr. KING. That $700,000 was in a somewhat different category. I think what Mr. Russell referred to were some payments, or rather some charges, by the Clarion River Power Co., to the plant-investment account of a project up in Pennsylvania on the Clarion River. The Clarion River Power Co., at the time the license for that project was issued, several years ago, and during the time of the construction of the project, was controlled by a firm of bankers in New York City known as H. D. Walbridge & Co. That firm of bankers controlled in Pennsylvania a public-utility corporation which was operating. It controlled also a real-estate company in Pennsylvania. It controlled also a construction company. The bankers prevailed upon that public utility in Pennsylvania to guarantee the bonds of this Clarion River Power Co.

The CHAIRMAN. I did not get that. Who did they prevail upon?

Mr. KING. A public-utility company in Pennsylvania which was operating and which had financial standing.

The CHAIRMAN. To guarantee whose bonds?

Mr. KING. The bonds of the Clarion River Power Co.

The CHAIRMAN. I see.

Mr. KING. They persuaded their construction company to enter into a construction contract with the Clarion River Power Co. to supervise the construction of the project. And they caused the real-estate company to transfer to the Clarion River Power Co., the licensee, the lands necessary for the purposes of the project. Here are some items that the bankers proposed to charge to the investment in that project:

"Services securing contract with General Construction Corporation for construction of plant, $200,000."

The Walbridge Co. controlled that General Construction Corporation. And these are all charges made by these bankers:

"Services securing contract with Penn Public Service Corporation to purchase output of plant, $200,000."

That Penn Public Service Corporation was controlled by the Walbridge people. This local company further agreed to take the output of this project upon the representations of the Walbridge Co., and for that service H. D. Walbridge & Co. charged $300,000.

The CHAIRMAN. In other words, that $300,000 was simply for getting them to sign the contract to take the output?

Mr. KING. Yes, sir.

Senator HASTINGS. And was a corporation which they controlled.

Mr. KING. Yes, sir.

Senator GLENN. Then, as a matter of fact, they persuaded themselves to do it.

Mr. KING. Yes, sir.

"To guarantee payment of principal and interest of Clarion River Power Co.'s bonds, $200,000."

That makes $700,000. But that is not all:

"Expense in connection with issuance of securities by Clarion River Power Co. and familiarizing local investors with the market for the Clarion River Development, $294,102.80."

And then there is this further:

"Total charges by H. D. Walbridge & Co. for services and expenses, $2,214,000."

Senator HASTINGS. Wait a minute. Is that a summary of all the items, or is that in addition? Is that sum of $2,214,000 in addition to the other items you gave us?

Mr. KING. There is one item that I did not read. They made a charge for engineering services and exploration work, including drilling to disclose foundation conditions, $1,119,897.20.

Senator HASTINGS. And your total is $2,214,000?

Mr. KING. The total is $2,214,000; yes, sir.

The CHAIRMAN. Just at that point: There is more or less legitimacy in the last charge, provided the amount is correct. What method have you of analyzing the correctness of the amount for drilling and other engineering services?

Mr. KING. That could only be done by a very careful examination of the account. In this particular case H. D. Walbridge & Co. denied access to their books and records, so that we have never determined all the facts.

Senator HASTINGS. They would not permit you to have access to their books and records?

Mr. KING. They would not. May I read a little further here?

The CHAIRMAN. Yes.

Mr. KING. There was a charge on account of the General Construction Co., which was owned by H. D. Walbridge & Co.

Senator WHEELER. Speak a little louder, please.

Mr. KING. I say, there was a charge made to this project and paid to the General Construction Corporation for expenditures and services, including salaries of general officials, expense of New York office, and contractor's overhead and profit, in addition to promotion and financing services for general engineering and supervision, $2,550,000.

Senator WHEELER. Is that in addition to the other figure of $2,214,000?

Mr. KING. Oh, yes; that is in addition. Then there is "Unidentified items" apparently to balance that other amount, $44,736.81. Total charges by General Construction Corporation for alleged services and expenses, $2,594,736.81.

The CHAIRMAN. So when they could not find enough items to which to allocate the amount they decided to charge they added $44,000 to make it come out even; is that right?

Mr. KING. Perhaps so.

Senator HASTINGS. You do not mean to say that this has been approved by the Federal Power Commission or your office, has it?

Mr. KING. Oh, no, indeed. It has not yet been presented to the commission.

Senator GLENN. How large a project was it?

Mr. KING. The amount claimed as the cost of that project is $11,032,816.57. The accountants could only identify about one-half of that amount as being actually expended on the project.

The CHAIRMAN. I should like to ask in that connection: What have you to suggest if necessary in order to get access to those books, as you say you could not get them. What can the Congress do, or what can be done in any way, to get at those books?

Mr. KING. I do not know that it is necessary for the Congress to do anything. I think the Federal Power Commission has authority under the act to enter upon mandamus proceedings and obtain possession of the books. Mr. Russell can give you a better opinion on that, however, than I can.

Senator HASTINGS. Well, aren't you in a position to do this: Take the items you can prove and let the Federal Power Commission say that is all that will be approved unless they can show to the commission that they had more than that as a legitimate expense? That would make it necessary for them to produce their books. Have you the right under the law to do that?

Mr. KING. That is a question.

The CHAIRMAN. Mr. Russell might put in at this point what he has to say about that.

Mr. RUSSELL. As to whether or not the present act would give us authority to proceed, is that the question, Mr. Chairman?

The CHAIRMAN. Yes.

Mr. RUSSELL. We have ample authority under the act, which was closely drawn according to the wording of the interstate commerce act, which act the courts have held gave the Interstate Commerce Commission the right to examine books. The trouble with the Senator's question about going ahead and putting into the record what we can find is this, and we have had that under discussion: Under our present act we have to make a finding as to what the net investment is, and we would hardly be justified in arbitrarily saying we could not find anything more without going further and getting the books and determining as closely as we can what would be the proper result.

The CHAIRMAN. That would be true if you have authority to go into their books.

Mr. RUSSELL. We have authority if the commission will let us proceed.

The CHAIRMAN. Why has that authority not been given?

Mr. KING. I tried to explain it on yesterday, that Mr. Bonner told me we were not to interfere with any of these things, nor for me to do anything about it.

Senator HASTINGS. It seems to me the law ought to provide some criminal prosecution when things like these are attempted.

Senator WHEELER. And free action under the law would.

Mr. KING. The law provides a penalty in case they make a false return.

Senator WHEELER. Yes; and not only that, but you have upon the criminal statutes of the United States a penalty provided for the filing of false or fictitious claims, or for filing any sort of false claim before any department of the Government of the United States. There isn't any question but what, in my judgment, that

is a criminal offense and ought to be punished. Of course, I do not say that these are facts; but what I mean to say is, if this is a false and fictitious claim. I do not want to be understood as criticizing it and claiming it is a false and fictitious claim, because I do not know that. But assuming that what has been said here is correct, then that is the situation.

The CHAIRMAN. Have you had any difficulty in getting access to the books of the management companies or holding companies to ascertain the merits of these claims?

Mr. KING. We have been refused access to certain records of Electric Bond & Share.

The CHAIRMAN. Any other company?

Mr. KING. The Niagara Falls Power Co. denied us access to the records of its predecessor company. The present Niagara Falls Power Co., a corporation created in 1918 by consolidation and merger of three other corporations, has denied us access to the records of those constituent corporations.

Senator WHEELER. There was some testimony here on yesterday with reference to Byllesby—is that the name of the company?—of a $140,000 claim of theirs.

The CHAIRMAN. That was the Byllesby Co.

Mr. KING. Back in 1924 or 1925, I think it was, an audit was made of the accounts of the El Dorado Power Co. out in California, in the charges to the project, which is No. 184, in California. We found an item for attorneys' fees in Washington, D. C., amounting to $26,479.44. Investigation of that item disclosed that it was a payment to Mr. D. T. Flynn or to Cummins, Roemer & Flynn, attorneys for the Byllesby interests. Recently in auditing the account of certain projects in Wisconsin and Minnesota, namely, Nos. 250, 285, and 310, on the Mississippi and St. Croix Rivers, we found charges aggregating $137,560.08, representing similar payments to Cummins, Roemer & Flynn or D. T. Flynn, or to other individuals through the firm of Cummins, Roemer & Flynn. Those payments represented the salary and expenses of Mr. D. T. Flynn or Cummins, Roemer & Flynn, or others, during the period from January 5, 1917, to March 24, 1925. And it appears that during that period Mr. Flynn was paid about $1,950 per month. I have here the details of these charges submitted by the Byllesby Engineering & Management Corporation in a letter to the Federal Power Commission, dated January 9, 1928. The investigation by the auditor of the commission showed that the charges made to these projects in Wisconsin and Minnesota were larger by several thousands of dollars than as shown by the statements submitted by the Byllesby organization.

Mr. DILL. I call attention to the fact that this is the case in which the lobby fees and the financing fees were paid to subsidiary corporations that are owned by the parent company.

Then, on page 55, I want to read the rather modest statement of Mr. King as to the differences between himself and Mr. Bonner. In answer to the chairman of the committee as to the differences with Mr. Bonner, Mr. King said:

The trouble with Mr. Bonner and myself, if you may so characterize it, is that our views are very different. I think Mr. Bonner did not understand the situation as I understand it, and he seemed to be more in sympathy with the power interests than I am, and he is rather inclined to neglect the interests of the public of the United States.

I think that is as gentle and kind a criticism as one man could make of another who differed as widely in their views as to the interests of the American people on this question.

Then, on page 95, I want to insert in the RECORD the questions between the Senator from Illinois [Mr. GLENN] and Mr. Bonner. This part of the record shows a very interesting fact. Nobody, I think, will accuse the Senator from Illinois of being what might be termed a radical on the power question; and yet the answers of Mr. Bonner to his questions so disgusted him that he finally quit asking questions at all. The striking fact is that Mr. Bonner's evasion and dodging of the questions as to the Clarion River plant is almost in identical language with the dodging answers that Mr. Smith made when I questioned him on the same subject for confirmation. It is a very striking fact that they both refused to take a position on it, except to dodge the question and keep themselves free to take the side of the power companies.

I ask leave to insert in the RECORD, beginning at page 95, that testimony.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

Mr. BONNER. It might very readily happen that 50 per cent of the amount included in a prelicense expense claim would be subject to question, but that prelicense expense claim is ordinarily a very small part of the final cost, very obviously.

Senator WHEELER. Of course.

Senator GLENN. For instance, as I recall the testimony, and here is something about it:

"The CHAIRMAN. I remember Mr. Russell saying something on yesterday about $700,000. What case was that?

"Mr. KING. That $700,000 was in a somewhat different category. I think what Mr. Russell referred to were some payments, or rather some charges, by the Clarion River Power Co. to the plant investment account of a project up in Pennsylvania on the Clarion River."

And then the discussion continued and Mr. King said this:

"Here are some items that the bankers proposed to charge to the investment in that project:

"'Services securing contract with General Construction Corporation for construction of plants, $200,000.'

"The Walbridge Co. controlled that General Construction Corporation. And these are all charges made by these bankers:

"'Services securing contract with Penn Public Service Corporation to purchase output of plant, $200,000.'"

Now, it appears that this Penn Public Service Corporation was a subsidiary of the other company. In other words, they were charging one of their companies $200,000 for securing a contract with themselves. Do you know anything about that?

Mr. BONNER. I am not aware of the details of that case, Senator. But I want to say this, that any observations by members of the staff of the Federal Power Commission as to that particular case are quite premature at this time because that company has not even filed a sworn statement of its cost that is to be claimed in that project as yet. I think that was based upon some preliminary statement that might have been offered, and a personal interpretation of that statement, without any hearing or any evidence of the company's side being produced.

Senator GLENN. What has been your general attitude upon charges of that kind, where one corporation makes a charge for securing a contract with another corporation, both controlled by the same people?

Mr. BONNER. That will be entirely a matter to be settled in a legal way.

Senator GLENN. I know; but the question I am asking you is this: What has been your general attitude about it, upon charges of that kind?

Mr. BONNER. It has not been up to me to assume any attitude, because we have not had a case up for issue involving such a matter.

Senator GLENN. You have never had a case of that kind?

Mr. BONNER. No, sir.

Senator GLENN. Not before the Federal Power Commission since you have been with it?

Mr. BONNER. I think there are now four cases that have been reported by the accounting department for certain disallowances, and I think some of the proposed disallowances involve matters of that kind. I pass those on out to the company proposing the disallowances, and upon receiving their protest we set them down for hearing, and we will get the facts, and those facts will determine what we will do.

Senator GLENN. I have no doubt you will get the facts. But what will you do when you get the facts? If you have a case of this kind, what will you do?

Mr. BONNER. We have not had a case of that kind. All of the cases that have been settled have been settled by agreement.

Senator PINE. How about the Clarion River Power Co.?

Mr. BONNER. That project has been built.

Senator PINE. Don't you think that is the time to determine these matters, while the application for license is pending?

Mr. BONNER. I think the time certainly to get information about costs is while the construction is going on, and not depend upon going back to some paper record after the thing has been completed.

Senator PINE. Those are preconstruction costs, as I understand it.

Senator HASTINGS. Some of them are.

Senator GLENN. I should like to call attention to two or three other items here. It goes on to say:

"That Penn Public Service Corporation was controlled by the Walbridge people. This local company further agreed to take the output of this project upon the representations of the Walbridge Co., and for that service H. D. Walbridge & Co. charged $300,000."

Now, that makes $500,000. There is $300,000 for again persuading themselves. But I continue reading:

"The CHAIRMAN. In other words, that $300,000 was simply for getting them to sign the contract to take the output?

"Mr. KING. Yes, sir.

"Senator HASTINGS. And was a corporation which they controlled?

"Mr. KING. Yes, sir.

"Senator GLENN. Then, as a matter of fact, they persuaded themselves to do it?

"Mr. KING. Yes, sir.

"'To guarantee payment of principal and interest of Clarion River Power Co.'s bonds, $200,000.'"

So they charged $200,000, and this is the third charge, for guaranteeing bonds of another one of their companies that they controlled. And then, although this makes $700,000, that is not all:

"Expense in connection with issuance of securities by Clarion River Power Co. and familiarizing local investors with the market for the Clarion River development, $294,102.80."

And then there is this further charge:

"Total charges by H. D. Walbridge & Co. for services and expenses, $2,214,000."

Now, has your organization, or have you personally, any attitude upon charges of this character?

Mr. BONNER. Yes, sir.

Senator GLENN. What is it?

Mr. BONNER. Simply to determine them upon the basis of the facts and the law.

Senator GLENN. But that does not mean anything.

Mr. BONNER. Well, it means that everybody will get justice.

Senator GLENN. Do you think that these charges are justified?

Mr. BONNER. I would want to know the facts.

Senator GLENN. But I am asking you to assume for the purpose of my question that these facts are substantiated. Would you approve such charges as these as charges upon which the public must pay a return?

Mr. BONNER. Well, Senator, you understand that in these accounts we have nothing to do with rate of return.

Senator GLENN. Well, I know that they do affect the rate of return if they go into the construction cost.

Senator DILL. Mr. Bonner, why not answer Senator GLENN's question, assuming to be true these facts as stated here, would you favor allowing them?

Mr. BONNER. I would not want to give a curbstone opinion on that.

Senator GLENN. This is not asking for a curbstone opinion.

Mr. BONNER. I think it is.

Senator GLENN. This is a body of the Senate of the United States, and you are here before us on oath. You are not on a curbstone now.

Mr. BONNER. Of course, I do not know the facts.

Senator GLENN. But I say, assuming these to be the facts as they are presented here.

Mr. BONNER. You want me to assume these to be facts?

Senator GLENN. Yes; I want you to assume that these are the facts as stated here, then do you approve a charge such as this? Do you understand my question?

Mr. BONNER. I am not sure that I understand what your issue is now. Do you mean as to whether the board might properly allow as net investment charges made by one company to its subsidiary, simply a paper charge on the books between the two companies?

Senator GLENN. Yes.

Mr. BONNER. That certainly could not be allowed as a proper charge on investment.

Senator HASTINGS. In other words, that these two companies, both controlled by the same people, are in the position that one makes a charge of $200,000 for getting the other to enter into some sort of agreement whereby no responsibility is involved, you would not allow that charge of $200,000?

Mr. BONNER. No, sir; certainly not, if there is no service or value rendered.

Senator GLENN. There may be some service, or claim of service, but here are the facts: Here is one organization controlling a lot of subsidiaries, and they get one of their subsidiaries to contract with another and charge a couple of hundred thousand dollars, and they get another subsidiary to guarantee some bonds of one of their companies; you have had enough experience to know generally the nature of such charges, have you not?

Mr. BONNER. We have seen a lot of them, and sometimes the contention of one side are right and sometimes the contentions of the other side are right.

Mr. DILL. I also have here the opinion of the Attorney General on the New River case in Virginia, which I think should go into the RECORD at this point for the reason that this was the attempt on the part of Mr. Bonner to break down the power act. I say "on the part of Mr. Bonner" because Mr. Bonner manipulated the situation so that the President asked the Attorney General for an opinion of this subject instead of first securing the opinion of his own solicitor, Mr. Russell, or Mr. Lawson; and in order to get the kind of opinion that was desired they did not state the facts as they were. Mr. Mitchell's opinion, therefore, is based on one set of facts, while Mr. Lawson's opinion, which was later filed, based on the real facts, shows that that opinion could not really be applied to this case.

I mention these things, and I want them in the RECORD, because they show so clearly how a man on the inside of this organization, with the viewpoint and of the type of Mr. Bonner, can bore under and continually undermine the water power act. If this New River opinion were to stand and were to be accepted and acted upon by the commission in connection with all applications where possible, it would almost destroy the efficiency of the water power act. Therefore I ask to put into the RECORD at this point the opinion of the Attorney General and also the opinion of Mr. Lawson, the assistant solicitor.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

DEPARTMENT OF JUSTICE,
Washington, September 22, 1930.

SIR: In response to your letter of July 31, 1930, requesting my opinion on certain questions regarding the issuance of a license under section 23 of the Federal water power act (41 Stat. 1075; 16 U. S. C., ch. 12, sec. 817) contained in a letter addressed to me by Hon. Patrick J. Hurley, Secretary of War, as acting chairman of the Federal Power Commission, under date of July 21, 1930, I have the honor to advise you as follows:

The questions submitted arise in connection with the application of the Appalachian Electric Power Co. for a license for a projected water-power development on New River, a nonnavigable stream. The Power Co. has requested the commission to issue a license containing only such conditions as the commission shall deem reasonable and appropriate for the protection of navigation on the Kanawha River, a navigable stream to which the New River is tributary, and has declined to accept a license tendered by the commission containing all of the conditions, provisions, and requirements specified in the Federal water power act of June 10, 1920. (41 Stat. 1063, ch. 285.) This request and declination of the Appalachian Electric Power Co. are contained in its letter of March 1, 1928, directed to the members of the commission and published in the Eighth Annual Report of the Federal Power Commission, at pages 143 to 147.

The questions submitted are as follows:

1. The applicant having agreed to accept the conditions relating to the release of water from the project, may the commission deny a license and thereby deny to the applicant the use of his property until he accepts the application to his project on a nonnavigable stream of all the provisions of the act?

2. Is the commission authorized or required, by section 23 or any other section of the Federal water power act, to write into the license for this project on private property and on a nonnavigable tributary of a navigable waterway, any provisions other than those necessary to insure such release of water therefrom as will maintain unimpaired the navigable capacity of the navigable waterway below, viz, the Kanawha River, or, otherwise stated, may all conditions imposed on licenses (sic) on navigable streams, including the recapture clause, be inferred (sic) under the facts in this case?

The facts of the case as recited in the commission's letter of July 21, 1930, are as follows:

The Kanawha River is a navigable stream entirely within the State of West Virginia. It is formed by the junction of the New and the Gauley Rivers, a short distance above Kanawha Falls, flows thence about 97 miles in a generally northwesterly direction and empties into the Ohio River at Point Pleasant, W. Va. It is navigable for 90 miles above its mouth, a 6-foot navigable depth being maintained by means of eight locks with movable dams and two locks with fixed dams. New River, upon which the proposed development of the Appalachian Electric Power Co. is located, is neither navigated nor navigable in fact. On June 26, 1925, the New River Development Co. submitted to the Federal Power Commission a declaration of intention covering the project in question, to be located near Radford, in Pulaski County, Va., about 155 miles above the head of navigation on the Kanawha River. The United States owns no lands or other property in the vicinity of the project. None of the proposed works is in navigable waters and none can in itself offer physical obstruction to navigation. Only by the operation of the works in impounding and releasing water, and thus creating an uneven stream flow, can any effect upon the navigability of the Kanawha River be produced. Under the date of September 2, 1926, Appalachian Electric Power Co., as successor in interest to New River Development Co., submitted its application for license under section 23 of the Federal water power act. The commission thereafter, on June 1, 1927, made the following decision with respect to this application:

"The commission having caused investigation of such proposed construction to be made and it appearing from such investigation and from reports submitted thereon that said project, unless operated in the interests of interstate or foreign commerce in accordance with the requirements of said act, would have an adverse effect on such interests, but if operated in accordance with such requirements would materially benefit such commerce, thereupon found that said river and the part thereof involved in said declaration is not 'navigable waters' within the definition thereof in said act, but that the interests of interstate or foreign commerce would be affected by such proposed construction." (Seventh Annual Report of the Federal Power Commission, 1927, pp. 113–114.)

In my opinion of July 1, 1930, with reference to an application for license for a power project on the Cumberland River in Kentucky, I had occasion to advise you in regard to the application of section 23 of the Federal water power act to a project for the development of water power on the upper nonnavigable part of a stream which in its lower reaches was a highway of interstate commerce, and concluded that the commission had jurisdiction in that case to entertain the application of the Cumberland Hydroelectric Power Co. for a license to carry on its project on the Cumberland River. Similarly in this case I am constrained to conclude that in view of the findings of the commission above quoted the commission has power to entertain the application of the Appalachian Electric Power Co., and to issue a license for this project under the provisions of section 23 of the act. The commission having found that the interests of interstate and foreign commerce would be affected by the proposed construction, the Appa-

lachian Electric Power Co. is prohibited by the terms of section 23 of the Federal water power act from proceeding with the construction of its project "until it shall have applied for and shall have received a license under the provisions of this act."

Section 10 of the act provides that all licenses issued under the act, except minor part licenses authorized under paragraph (i) of section 10, shall be on certain specified conditions, and such other conditions not inconsistent with the provisions of the act as the commission may require. Many of the conditions specified in section 10 appear to have no effect in preventing impairment of or in developing the navigable capacity of the Kanawha River, which can only be affected by the manner in which the flow of the stream is controlled in connection with the operation of the projected water power. It is to such conditions that the applicant for a license objects. The only authority granted to the commission to dispense with these conditions specified in section 10 is found in subdivision (i) of section 10, which reads as follows:

"(i) In issuing licenses for a minor part only of a complete project, or for a complete project of not more than 100-horsepower capacity, the commission may, in its discretion, waive such conditions, provisions, and requirements of this act, except the license period of 50 years, as it may deem to be to the public interest to waive under the circumstances: *Provided*, That the provisions hereof shall not apply to lands within Indian reservations."

The question is therefore presented whether the commission may in this case issue a minor-part license, with such conditions as it shall deem necessary in the public interests.

The legislative history of this provision throws but little light upon its precise meaning. The genesis of the clause is found in a conference committee report on a bill pending in the Sixty-fifth Congress which failed of passage. (H. Rept. No. 1147, 65th Cong., 3d sess.; CONGRESSIONAL RECORD, vol. 57, p. 4635.) This report shows that the conference committee added to section 10, paragraph (h), which reads as follows:

"(h) That combinations, agreements, arrangements, or understandings, express or implied, to limit the output of electrical energy, to restrain trade, or to fix, maintain, or increase prices for electrical energy or service are hereby prohibited. In issuing licenses for a part only of a complete project, where the land of the United States required is to be used only for transmission lines, water conduits, or for storage reservoirs, or for a complete project of not more than 50-horsepower capacity, the commission may, in its discretion, waive such conditions, provisions, and requirements of this act as it may deem equitable in the circumstances."

The only comment upon this amendment found in the reports is a statement by the managers on the part of the House: "It is thought by your conferees that such discretion should be vested in the commission."

During the first session of the Sixty-sixth Congress, H. R. 3184 was introduced containing section 10 (h), as above quoted, from the bill which failed of passage in the previous Congress. Thereafter the Committee on Commerce of the Senate proposed an amendment to the bill by deleting the second sentence of paragraph (h), above quoted, and adding paragraph (i), in the following form:

"(i) In issuing licenses for a minor part only of a complete project, or for a complete project of not more than 200-horsepower capacity, the commission may, in its discretion, waive such conditions, provisions, and requirements of this act, except the license period of 50 years, as it may deem to be to the public interest to waive under the circumstances." (66th Cong., 1st sess.; S. Rept. No. 180, p. 15.)

There was no statement in this report regarding the purpose of the committee in proposing this amendment.

The bill passed the Senate with a proviso added to this clause reading: "*Provided*, That the provisions hereof shall not apply to lands within Indian reservations," and was then referred to a conference committee of both Houses. In conference section 10 (i) was amended to read in its present form. A statement by the managers on the part of the House appearing in the Fifty-ninth CONGRESSIONAL RECORD, part 6, page 6384, with reference to this clause, reads as follows:

"On amendments Nos. 42 and 43: These amendments strike from the House bill the provision authorizing the commission, in its discretion, to waive certain conditions, provisions, and requirements of the act in issuing licenses for a part only of a complete project, where the land of the United States required is to be used only for transmission lines, water conduits, or for storage reservoirs, or for a complete project of not more than 50-horsepower capacity. In lieu of the House provisions the Senate excepted from such waiver the license period of 50 years and increased the horsepower capacity to 200 horsepower. The House conferees agreed to the Senate substitute with an amendment reducing the horsepower capacity to 100. Under the House provision the commission could allow perpetual grants without conditions for transmission lines, water conduits, and storage reservoirs if the remainder of the project was on private land."

The bill containing section 10 (i), as thus agreed upon by the conferees, passed both Houses without debate on this paragraph.

The intent to broaden the application of the clause and thus to bring within the discretion of the commission the provisions of any license for a minor part of a complete project is entirely clear, but precisely what was meant by the clause "In issuing licenses for a minor part only of a complete project" is left obscure, and this clause requires interpretation in the light of the powers which Congress intended to exercise and the purposes which it intended to accomplish.

Upon the facts stated by the commission in this case the United States has no power to prevent the construction of the proposed project on the New River unless its operation will tend to impair the navigability of the Kanawha River by changing the normal and regular flow of the stream; and the only interest which the United States has to protect, and for which it may be justified in issuing a license, is a very minor part of the complete project, viz, the manner in which the flow of the stream below the dam is affected by the operation of the water power. I am advised by a representative of the commission that under a license providing merely for proper control of the retention and release of water this project will tend to improve the navigability of the Kanawha River. Under these circumstances every purpose within the power of Congress may be accomplished by the issuance of a minor-part license under paragraph (i) of section 10. Accordingly, I am of the opinion that the most reasonable construction of this statute is that paragraph (i) of section 10 was intended to have application in such a case provided the interests of the United States may be fully protected by the issuance of a license to control the flow of the stream and/or to use physical instrumentalities which may be constructed for this purpose, the conditions of such license to be fixed by the commission in its discretion under section 10 (i) of the act.

This interpretation appears necessary in order to avoid serious questions regarding the constitutionality of the act which might be presented if section 10 (i) should be interpreted so as to have no application to projects constructed in or on nonnavigable streams, which only remotely and indirectly affect the navigability of waters in the lower reaches of streams to which they are tributaries. If paragraph (i) of section 10 is not applicable in such cases, the commission would in no such case be authorized to waive any of the conditions specified in section 10, because section 23 prohibits any such construction, once the commission finds that the interests of interstate or foreign commerce will be affected, until a license is issued under the provisions of the act. To hold that the commission has full authority under this section to exercise its discretion in granting a minor-part license in this case leads to a reasonable construction of the statute and a full accomplishment of its legislative purpose.

This interpretation of paragraph (i) of section 10 finds some support in the administrative construction of the act adopted by the commission on May 23, 1925, in its consideration of several applications (project No. 15) of Hydraulic Race Co. and other corporations, reported in the Fifth Annual Report of the Federal Power Commission, 1925, at pages 111 and 112.

In answering the questions proposed by the commission, I have accordingly to advise you that it is my opinion that the commission may, in its discretion, issue a minor-part license under paragraph (i) of section 10 for the construction and operation of the project here in question; that it is not required to insert in a license issued for this project any conditions (except the 50-year limitation upon the terms of the license) which, in its judgment, are not necessary or appropriate to fully utilize the waters of the New River in the protection or development of navigation of the Kanawha River.

Respectfully,

WILLIAM D. MITCHELL,
Attorney General.

The PRESIDENT.

OPINION BY J. F. LAWSON, ACTING CHIEF COUNSEL

APPALACHIAN ELECTRIC POWER CO.,
October 21, 1930.

Memorandum for executive secretary.

You have submitted to me the application for license filed by the Appalachian Electric Power Co. for a project on New River, near Radford, in the State of Virginia, and also, for approval, the draft of a license in minor form, which it is proposed to issue to said company. I find the application for license incomplete, and am unable to add my approval to the draft for license, as submitted. The following defects are discovered:

1. Evidence that applicant has complied with the laws of the State of Virginia, as required by section 9 (b) of the Federal water power act, is not satisfactory. It consists of a letter to applicant, dated June 16, 1930, signed by William Meade Fletcher, chairman of the State Corporation Commission, to the effect that "Your company has begun construction on this project and it has made expenditures within the time limit, in the amounts and for the purpose as set forth in section 12 of the Virginia water power act, and therefore your company has complied with the conditions of the water power act granting it exemption from the necessity of obtaining a license from this commission." This letter was apparently written, without investigation, in response to the notice contained in a letter to the corporation commission from the applicant under date of June 11, 1930, claiming exemption because of "having made the expenditures within the time limit, in the amounts and for the purposes and having begun construction, all as required by section 12 of the said act, granting it exemption from the necessity of obtaining a license from the commission." The corporation commission's letter, constituting at best a mere legal opinion, was based upon a misapprehension of the facts and an inadequate study of the State statutes.

The Virginia water power act was approved March 24, 1928, and went into effect June 19, 1928.

Section 12 is as follows:

"Any person, firm, association, or corporation, private or municipal, which on or before January 1, 1928, had constructed or ac-

quired, and on said date or within two years prior thereto was utilizing, a water-power development or developments, including the appurtenant pondage area or areas, located wholly or in part in the waters of the State, or any person, firm, association, or corporation, private or municipal, which since January 1, 1923, and prior to January 1, 1928, has expended a substantial sum, not less than $10,000, to be increased to not less than $50,000 at the time this act becomes effective in the investigation of, the survey of, the acquisition of lands and/or rights for, and/or the construction of any water-power development or developments located wholly or in part in the waters of the State shall, as shall also its lessees, successors, and assigns, have as to such development or developments, and any reconstruction or enlargement thereof, all the rights and powers conferred by this act, to the same extent as if such person, firm, association, or corporation were a licensee under this act, without filing any application and obtaining a license hereunder, but no such corporation shall exercise any of the additional powers of eminent domain conferred by this act and not existing under the law in effect January 1, 1928, unless such corporation shall obtain a license under this act with respect to the development affected; provided, that unless such person, firm, association, or corporation, private or municipal, begins construction within two years and completes the construction for which said survey has been made within five years after this act becomes effective, then as to said development the above provisions as to proceedings without a license and the provisions in this act as to priority shall not apply." * * *

To maintain exemption, if established by expenditure of $50,000 for surveys, investigations, and purchase of lands, the company must in good faith have begun construction prior to June 19, 1930. Since the company filed declaration of intention with the Federal Power Commission, resulting in a finding that its construction would affect the interests of interstate and foreign commerce, the prohibition of section 23 of the Federal water power act became effective that the company "shall not proceed with such construction until it shall have applied for and shall have received a license under the provisions of this act." The company has not yet received a license. For the purpose of circumventing the State statute the company can not now be heard to say that it has violated the Federal statute.

I suggest, furthermore, an investigation into the company's work in the field and that proper steps be taken to penalize the company if its representation as to the beginning of construction be found true. If the fact be as stated in the letter from the company to the State corporation commission, civil and criminal actions will lie against the company, or its officials, under sections 23, 25, and 26 of the Federal water power act. And it would be a matter for serious consideration whether any company ought to receive a license, which at the beginning commits such an offense as would justify cancellation of a license.

Applicant, besides the letter from the State corporation commission, submits copy of a decision in the Circuit Court of Pulaski County (in the case of Appalachian Electric Power Co. v. George H. Miller et al.), in which it is held that the company has established its exemption from the need of a license from the corporation commission. When this cause was heard in the Pulaski County Circuit Court the time had not yet expired within which the company would begin construction. Furthermore, on the same reasoning by which the court concluded the company did not need a Federal license it would have been possible to conclude that a license from the State commission was not a prerequisite to condemnation proceedings even though there were no exemption.

Prior to the enactment of the water power law of 1928, applicant's project was subject to the requirements of sections 3576-3591 of the Code of 1919, providing procedure for obtaining leave from the circuit court of the county. Sections 3576 and 3577 seem to make it impossible for the company to obtain such consent in this case "without express authority of law." No express authority is shown. As these sections remained in force until the enactment of the water power law the company had no right of eminent domain under which it could erect this dam until the right was conferred by the water power law.

The term "waters of the State" as used in this act shall mean, (a) any stream or that portion of any stream in this State which prior to the passage of this act has been declared navigable by any unrepealed statute of this State, or (b) any stream or that portion of any stream in this State, the bed of which is owned by the Commonwealth, or (c) those parts of streams or other bodies of water in this State which either in their natural or improved condition, notwithstanding interruptions between the navigable parts of such streams or waters by falls, shallows, or rapids, compelling land carriage, are used or suitable for use for the transportation of persons or property in interstate or foreign commerce, including therein all such interrupting falls, shallows, or rapids, and also any stream or part thereof in this State other than those above mentioned in this subdivision (c) in which the construction of any dam or works as authorized by this act would affect the interests of interstate or foreign commerce. The control and regulation on the part of the State of the development of the waters of the State shall be paramount, and shall be exercised through the agency of the State corporation commission, provided, however, nothing contained in this act shall deprive any riparian owner of any right which said owner may have, under existing law, except by due and further process of law upon the exercise of eminent domain and upon the payment of just compensation of any such right.

From experience it is learned that it is not safe to rely upon unofficial assurances from State officials that the State laws have been complied with. The commission and its agents must examine the record of the action required, as supplied pursuant to the regulations of the commission, and must judge for itself whether the compliance is adequate.

Since the letter from the applicant to the State corporation commission questions the jurisdiction of that commission under the State water power law, I deem it necessary to go into the subject.

By the act of January 15, 1802 (Va. Stat. L., Shepherd, 317), it was provided:

"1. Whereas it hath been represented to this present general assembly that many persons have located, and lay claim in consequence of such location to the banks, shores, and beds of the rivers and creeks in the western parts of this Commonwealth, which were intended and ought to remain as a common to all the good people thereof:

"2. *Be it therefore enacted*, That no grant issued by the register of the land office for the same, either in consequence of any survey already made, or which may hereafter be made, shall be valid or effectual in law to pass any estate or interest therein."

The codified millidam act of March 2, 1819 (ch. 235, p. 225, vol. 2, Va. Rev. C. 1819), provided that any person owning land on one or both sides of a stream "the bed whereof may be in the Commonwealth" shall apply to the court of the county, which has discretion, on consideration of all injuries and circumstances ("if on such inquest, or on other evidence it shall appear to the court that the mansion house of any proprietor, or the offices, curtilege" garden, or orchards will not be overflowed), to grant or refuse leave. The dam must be built within three years after the date of the order of court.

It is further provided that "if the general assembly hath enacted or shall enact any law for opening, improving, or extending the navigation of any watercourse either by granting a charter for incorporating any company for that purpose or otherwise, it shall not be lawful, so long as such act shall be in force, for any court to grant leave to any person or persons whatsoever to erect any dam or other obstruction" without the consent of the company, and leave so granted may be upon such terms and conditions as may be agreed upon. Another section reserves the right to make a lock without compensation. The Statutes of Virginia, found in the Code of 1919, governing the right to construct such a dam as here proposed are as follows:

"SEC. 3576. Rights of navigation preserved: Whatever power is reserved to the general assembly by any act heretofore passed, to abate or remove any dam or other works in a watercourse, or improve its navigation, shall continue in full force. And in no case shall the right of the State, or of any company incorporated for opening, improving, or extending the navigation of any watercourse, to preference in the use of the water flowing therein for the purposes of such navigation, be affected by any order of court, which, since the 1st day of April, 1816, has been made, or hereafter may be made, granting leave to any person to erect a dam or other obstruction across or in such watercourse."

"SEC. 3577. Limitation on power of courts to grant leave to erect dams: Where a watercourse is navigable, or by law declared a public highway, no court shall grant leave to any person to erect in that part of it any dam which will obstruct ordinary navigation or the passage of fish. And where any law has been or shall be enacted, for opening, improving, or extending the navigation of a watercourse, no court shall, while such law is in force, grant leave to any person to erect any dam or other obstruction across, or in such watercourse, which will in any way interfere with the navigation thereof, without the consent of the company incorporated to open, improve, or extend such navigation, or express authority of law. Any such dam shall, notwithstanding it may be built under such leave, be deemed a nuisance, and may be abated as such, or such company or the State may make a lock or locks in such dam for the passage of vessels and boats without being required to make any compensation therefor."

"SEC. 3582. Application for leave to build or raise dam across or in watercourse, or cut canal, etc.: A person having upon lands owned by him on a watercourse, or proposing to build on such lands a water mill, or other machine, manufactory, or engine useful to the public, and desiring leave to erect a dam across, or in such watercourse (whether he own the lands on either side of the watercourse at the point where such dam is to be erected or not), or to cut or enlarge a canal through lands above or below, or to raise a dam which may have been erected under an order of court, or the owner of any such water mill, machine, manufactory, or engine, and desiring leave to construct a work on or through the lands of another for the purpose of confining the watercourse within its customary channel or restoring it thereto where it has been diverted therefrom not more than three years by floods or other natural causes may apply for such leave to the circuit court of the county wherein such mill, machine, manufactory, or engine stands or is proposed to be built."

"SEC. 3588. When court to refuse or grant leave; when granted, what terms to impose: If, on the report or on other evidence, it appears to the court that by granting such leave the mansion house of any person other than the applicant himself, or the outhouses, yard, garden, or orchards thereto belonging will be overflowed or taken, or that the health of the neighbors will be annoyed, the leave shall not be granted. But if it shall not so appear the court shall then grant or refuse the leave as may seem to it proper. If it be granted, the court shall lay the applicant

under such terms and conditions as shall seem to it right. It shall, in particular, provide that ordinary navigation and the passage of fish shall not be obstructed, nor the convenient crossing of the watercourse impeded." * * *

"Sec. 4747. Dams, etc., which obstruct navigation or passage of fish prohibited; punishment therefor: Any dam or other thing in a watercourse which obstructs navigation or the passage of fish shall be deemed a nuisance unless it be to work a mill, manufactory, or other machine or engine useful to the public and is allowed by law or order of court. And though a dam may have been so allowed in a watercourse before the 1st day of January, 1787, yet if it cause obstruction it shall not be rebuilt, if destroyed, until leave for that purpose has been obtained under chapter 140. For every 24 hours that a dam or other thing may remain in a watercourse in violation of this section the person causing or permitting such violation shall forfeit $2, whereof the informer shall have one-half. This section shall not apply to millidams across rivers, creeks, or branches within the counties of Floyd, Carroll, and Grayson."

There is no express authority of law for construction of this project, unless it is found in the State water power law of 1928. The applicant shows no compliance with the general laws. The decree of the court in Appalachian Electric Power Co. against Miller, in the circuit court of Pulaski County, shows that the proceedings in condemnation were not in pursuance of the above-quoted statutes.

In the special legislation of the State dealing with this stream it was first called Kanawha or New River. (Act of October, 1777, creating Greenbrier and Montgomery Counties; act January 13, 1806, Shepherd's Stat. L. 1803–1806, ch. 54, p. 245, establishing ferries over Great Kanawha or New River in Greenbrier County.)

A list of these special acts follows:

The acts of 1811–12 (p. 195) provides for commissioners to view New River for improvement.

The act of February 5, 1816 (ch. 228, p. 201. Rev. Code of 1819), creates a board of public works and an internal improvement fund to promote navigation and public highways. With a view to connecting the waters of the James and Kanawha by that route, the commissioners in 1819 caused a survey of New River to be made between the mouth of Sinking Creek and Greenbrier River. Moore and Briggs, who made the survey, said in their report:

"It is truly a noble river. Notwithstanding it was represented to us as being remarkably low, yet it afforded (July, 1819) a superabundance of water for every purpose of internal navigation. The fall at that part of the river, considering the mountainous country it passes through, is comparatively moderate. The principal falls are the Bull Falls, McDaniel's, Anderson's, Wiley's, Neilley's, and Peter's Mountain Falls—none of which have been improved in the least degree, yet we ascended them all with our boat, though in two or three instances with considerable difficulty, after taking out our baggage, stores, etc."

By act of February 24, 1823 (acts 1822–23, p. 50), the assembly provided for a canal and a road from upper navigation on the James to the upper navigation on the Kanawha, with power in the commissioner to erect dams and reservoirs for feeders for the canal.

The act of March 8, 1824 (acts 1823–24, p. 12), provided for further surveys for the canal route.

An act of January 24, 1827 (acts 1826–27, p. 140), ordered surveys for a canal between the Roanoke and New River.

An act passed March 19, 1838 (Laws 1836, p. 137), authorized a bridge across New River on Prices Turnpike to Cumberland Gap, reserving the right "to improve the navigation of said river in any manner that may be deemed advisable."

March 16, 1850 (acts 1849–50, p. 61), the New River Manufacturing Co. was incorporated with "right to construct a dam across New River (in Pulaski County) * * * not exceeding 8 feet in height, subject to the provisions of chapters 62 and 63 of the Code of Virginia aforesaid, and subject to any future legislation of the general assembly." Chapter 62 of Code of 1849 makes unlawful any dam obstructing navigation and provides for obtaining authority of the court of the county on condition that the dam be constructed in such manner as to improve navigation. Here was the forerunner of the Federal water power act.

The act of March 2, 1853 (Virginia Laws 1852–53, p. 69), appropriating money and making loan to the James River and Kanawha Co., and requiring the company to define "the action to be taken by such company in the location of their water line from or near Covington or Clifton Forge to the Ohio River."

An act of March 5, 1856 (Virginia Laws 1855–56, p. 116), incorporated the New River Navigation Co. "for opening and improving the navigation of New River from the central depot of the Virginia & Tennessee Railroad to the Wythe lead mines in the county of Wythe."

The act of January 29, 1856 (Virginia Laws 1857–58, p. 133), incorporating the New River Navigation Co. gave authority for the improvement of New River with power "to do whatever may be necessary to effect the improvement" and with "the privilege of renting, selling, or using any water power or other advantage, and to condemn as much as two acres of land and materials, and access to them for depots, mills, lock houses, etc."

The act of December 18, 1861 (Laws Virginia 1861–62, p. 72), appropriated $30,000 for adoption of such measures as may be necessary to remove the obstructions to the navigation of New River by bateaux and to improve the navigation of said stream by sluice, in such manner as will accommodate the transfer of military stores in bateaux from some point near the central depot on the Virginia & Tennessee Railroad to the mouth of Greenbrier River. This act provided for extinguishing the rights theretofore given to the New River Navigation Co. and made of the improvement a State project.

The act of February 21, 1867 (acts of Virginia Assembly, 1866–67, ch. 222, p. 660), provides for incorporation of a company for improvement of navigation on New River from lead mines to the mouth of Greenbrier River.

The acts of March 23, 1872 (acts 1871–73, p. 396), and May 6, 1887 (acts 1887, p. 192), provide for incorporation of the New River Steamboat Co., with authority to improve navigation and collect tolls from lead mines to the West Virginia line.

The State of West Virginia having been carved out of Virginia territory, the Virginia Assembly (acts 1866–67, ch. 202, p. 642), provides for transfer to any corporation duly empowered under West Virginia law of the West Virginia portion of the water or land routes of the James River and Kanawha County, and the act of February 12, 1872 (acts 1871–72, p. 59), bespeaks the cooperation of the new State.

A joint resolution of the assembly passed December 19, 1872 (acts 1872–73, p. 13), prays the aid of Congress in construction of the James River-Kanawha Canal.

By act of May 27, 1887 (acts 1887, p. 400), the assembly granted to Henry C. Clark permission to mine in the bed of New River opposite Clark's lands, provided navigation be not injured.

February 3, 1888 (acts 1887–88, p. 99), the Radford Land & Improvement Co. was authorized to construct a dam near New River Depot, provided that it shall construct a lock to accommodate a boat 60 by 15 feet when required by the New River Steamboat Co.

The act of March 4, 1890 (acts 1889–90, p. 846), authorized Montgomery County to build a bridge across New River at Radford, and the New River Bridge Co. was authorized to construct a bridge near the same place in 1896. (Acts 1895–96, p. 886.) A large number of acts between 1890 and 1900 were passed to authorize and regulate ferries across the river.

This mass of legislation is evidence of the special treatment accorded New River by the State. It would require a large volume to contain the statutes of the State relating to navigation of other streams of lesser character, few of which by size or use were worthy of comparison with New River. I refer to some of these acts to show the policy of the State and to show the general type of navigation prevailing when power over that subject was extended to the Federal Government.

October, 1783 (Ch. XXV, Henning Stats. at Large, p. 341), the general assembly named trustees to clear James River and open same to navigation through South Mountain from lands of Nicholas Davies in Bedford County to mouth of Cow Pasture River.

May, 1783 (Ch. XIII, Henning Stats., p. 250), for clearing Roanoke River to head of Staunton and Dan Rivers, obstructions prohibited.

October, 1784 (Ch. VLIII, p. 510, Henning Stats.). An act for opening and extending navigation on Potomac from tidewater to highest practicable point on North Branch, forming company with power to cut canals, build locks, fix its tolls. River declared forever "navigable as public highway." The right to take tolls was made dependent upon the maintenance of a channel navigable in dry seasons "to boats drawing 1 foot of water."

Act of January 23, 1798 (Shepherd, ch. 35, p. 99), forming the Shenandoah Co. and providing for opening and extending navigation of Shenandoah River, and that "said river shall forever thereafter be esteemed and taken to be navigable as a public highway."

Act of January 18, 1802 (Shepherd, ch. 64, p. 356), authorizing Potomac Co. to make improvement of Shenandoah River up North Branch to mouth of Smiths Creek in Shenandoah County and South Branch to a place called Carthrae's, in Rockingham County, where the branch forks.

Act of January 12, 1798 (Shepherd, ch. 32, p. 97), to improve navigation on Staunton River from Bookers Ferry to mouth of Pig River.

Act January 7, 1800 (Shepherd, ch. 45, p. 233), to improve navigation of Staunton River as far as mouth of Linville Creek in Franklin County and Black Water River from Staunton River as far as the forge belonging to Messieurs Hill & Co.

Acts January 26, 1804 (3 Shepherd's Stats. at Large, 1803–1806, p. 110), and December 18, 1804 (ibid, 166), providing for navigation on "Holstein" River.

Acts 1812 (Code 1891, p. 563) and 1814 (Code 1819, p. 569) requiring owners of dams in Monongalia and certain other streams to construct locks therein.

Acts 1817 (Code 1819, p. 576) incorporating a company to connect by canals, the waters of the Roanoke with those which fall into Chowan River and with the Potomac and intermediate rivers.

Acts 1818 (Code 1819, p. 580), to improve navigation for Cow Pasture River.

Session acts, 1818: Chapter 37, for improving navigation of Slate River; chapter 40, improving Cow Pasture River; chapter 47, declaring Middle Fork of Holston River a highway up to Seven Mile Ford in Washington County; chapter 54, for surveying Clinch River.

Act March 9, 1827 (Laws 1826–27, p. 137), ordering surveys for locks and dams in James and Jackson Rivers.

Act February 26, 1833 (acts, 1833, p. 61), declaring Little Cacapehon River, from its mouth to Springfield Road to be "a public highway, free for navigation."

Act March 24, 1843 (Laws 1842–43, p. 65), authorizing navigation or improvement company to repair at expense of owner any dam interfering with navigation.

Acts April 30, 1874 (pp. 449, 450), declaring Clinch River and North Fork of Clinch River to be navigable.

By sections 2003 and 3576 of the Code of 1919 it is provided:

"SEC. 2003. All statutes heretofore enacted declaring certain streams and rivers, highways and providing for removing obstructions therefrom and from other streams, shall continue in force." (Acts 1904, p. 131, sec. 35.)

"SEC. 3576. Whatever power is reserved to the general assembly by any act heretofore passed, to abate or remove any dam or other works in a water course, or to improve its navigation, shall continue in full force."

The condition of New River is probably now better than that of James River above tidewater. Of the latter the State court says that this river has been considered navigable for too long a time for it now to be questioned.

Old Dominion Iron Co. *v.* C. & O. R. Co. (116 Va. 166, 81 S. E. 108).

The facts, on which the State legislation is based, are substantially the same as those determining navigability under the Federal law.

2. In my judgment, New River, at the point where the project is proposed, is a navigable waterway of the United States. I am convinced that the finding of the commission (June 1, 1927, Seventh Annual Report, p. 113) on the declaration of intention, that New River was not navigable, was inadvertently made and would not have been made, if the commission had not understood, as the law was then construed, that full jurisdiction and requirement to issue a major license existed under the provisions of section 23. It is my opinion that the facts should now be submitted to the commission with recommendation that the findings as to the character of New River in this region be reversed.

In a report by its engineers, Viele, Blackwell, and Buck, 49 Wall Street, New York City, signed by H. W. Buck, submitted in its brief filed with the commission by Curtis, Mallet-Prevost, Colt, and Mosle, October 26, 1925, it is said:

"The 155 miles of river bed between the dam and the head of navigation is exceptionally wide and flat. It consists of a series of slack-water pools averaging perhaps 2 miles in length each. Each pool is followed by a riffle of several hundred yards in length, followed by another pool, etc. The result is in effect a chain of small storage reservoirs. I should estimate the width of the river bed throughout its entire length below the proposed dam to average 1,000 feet."

Passing the obvious comment that its affidavits to support finding of innavigability declare the river to be mostly riffles, while the company's engineers, for the purpose of ironing out the power waves, show it to consist mostly of long pools, we note the characteristics of a large river of potential usefulness. Upon a survey ordered by Congress in 1872, Major Craighill reported (Chief of Engineers Report, 1st sess., 43d Cong., vol. 2, 1873–74):

"UNITED STATES ENGINEER'S OFFICE,
"*Baltimore, Md., December 20, 1872.*

"The appropriation bill of June 10, 1872, for rivers and harbors, required that an examination or survey be made of New River from the mouth of the Greenbrier, in West Virginia, to the lead mines in Wythe County, Va.

"The field work was executed in August, 1872, by Mr. N. H. Hutton, assistant engineer. His preliminary report is inclosed herewith, as well as a report from Mr. C. R. Boyd, civil engineer attached to Mr. Hutton's party, to both of which attention is recommended.

"The country through which New River flows is represented as being very beautiful, fertile, and salubrious. Its mineral resources are extraordinary, its water-power admirable, and its excellence for farming and grazing is admitted by all who have seen it. Such a country deserves development, and it appears that attention was very early directed to it."

Referring to the report by Moore and Briggs in 1819, under the auspices of the Board of Public Works of the State of Virginia, with a view of connecting the waters of the James and Kanawha Rivers by that route, Major Craighill says:

"It is probable the difficulty encountered was due more to the rapidity of the current than to want of water. They had previously stated that draught of their boat to be 9 inches. They gave an estimate of the cost of good sluice navigation of 2 feet at all times for this portion of the river to be $10,400. It must be remembered that this estimate was made more than 50 years ago, and should now be increased to $30,000, to accomplish the same result on the part of the river (54 miles) between Sinking Creek and Greenbrier; and to $100,000, including the portion from the lead mines to the Greenbrier, 128 miles, with the understanding that the improvements at Fosters Falls be restricted to a sluiceway.

"But little has been done in the way of improving the river since the time of Moore and Briggs, though an effort is said to have been made in that direction by the Confederate government during the late war. Mr. Hutton states that the keel-boats now used draw about 12 inches when two-thirds loaded. By the construction of side deflectors or dams of rock and brush, both of which materials abound, the volume of the water may be concentrated and the depth over the shoals increased from the present average of about 12 inches to about 2 feet, without too much increase of velocity of current. Some of the falls, which are almost always vertical and of an average height of 4 feet, could be greatly improved by blasting sluices through them, about 30 feet in width, and of an average length of 50 feet. It is to be observed that the falls have in many cases natural chutes and sluices through them, susceptible, also, of such improvement as we just indicated.

"What has been said above refers to keel-boat navigation, but the pressure for the improvement of this river is increased by the development of the railroads which intersect it and afford the means of rapid transport east and west for the commodities to be procured along and near the stream. There is a demand for steam navigation.

"Mr. Hutton estimates that to give a depth of water of 3 feet at all seasons would suffice for present needs, and would cost $750,000, with only so much reduction of grade at the falls and rapids as would permit small stern-wheel steamers to ascend, which, with one or two barges in tow, and probably requiring at a few places that the ascent be made by hauling on ropes attached to fixed points above and to the drum of the steam engine of the boat. The improvement contemplated in the above estimate is of the same general character as that referred to above for the 2-foot navigation, except at Fosters Falls, where a lateral canal, if steam is used, seems to be required, at least over the first fall of 18 feet in one-half mile. This canal at a single point would consume in its construction about one-third of the sum mentioned above, $750,000. It is probable that further study of the river and revision of the estimates may enable them to be reduced, at the same time demonstrating the propriety of concentrating the first efforts to improve certain parts of the river contiguous to existing lateral outlets. Should Congress not think proper to appropriate a large sum for New River at this time, it is to be observed that the judicious use of any small sum, even a few thousand dollars, would decidedly and at once ameliorate the navigation."

The report of S. T. Abert to Chief of Engineers, February 7, 1875 (1875 An. Rept., Chief of Engineers, pt. 2, p. 134), describes the shipments of iron and copper to and from the Ore Knob Mine in Ashe County, N. C., which was to be reached by improving the river to Mouth of Wilson, shipments beginning or ending at Baltimore.

The report of William Proctor Smith, civil engineer (1879 An. Rept., Chief of Engineers, pt. 1, p. 538) to the Chief of Engineers looks to the transportation of copper, iron, soapstone, and agricultural products from North Carolina to the railroad at the New River depot.

In 1879 (pt. 1, 1879, Rept. of Chief of Engineers, p. 532, 534) Capt. James W. Cuyler described the operation of improvement and, being ordered to take charge of lower river work, had "the property put in repair and finally all boated down to Hinton, W. Va., at the mouth of Greenbrier River, a distance of 84 miles," thenceforth to be the base of operations.

The interest both of the State and of the United States was directed, in the later years of activity, to secure a waterway to connect with a railroad in interstate commerce; the Government, in the period succeeding the Civil War, giving special attention to the development of traffic from North Carolina as well as from Virginia. It was quite as legitimate an activity of the Federal Government to promote unloading of the traffic into freight cars at New River depot as into the larger barges on the Kanawha and Ohio. Neither State nor Federal Government desisted until it was demonstrated that river transportation could not exist parallel with unrestrained rail routes; and that the lead and iron mines of Virginia could not profitably be worked in competition with the richer deposits of Kansas and Minnesota and the cheaper by-products of the farther West.

Upon the question of jurisdiction of such a body as Congress, some respect might be paid to its own acts in exercise of such jurisdiction. I find that Congress, acting upon recommendation of its agents, has assumed jurisdiction of New River in the following acts:

Act June 10, 1872 (17 Stat. 370) for survey of New River from mouth of Greenbrier River, in West Virginia, to lead mines in Wythe County, Va.

Act June 23, 1874 (18 Stat. pt. 3, 237), for survey, New River from lead mines to mouth of Wilson.

Act August 14, 1876 (19 Stat. 132), for improvement, New River, lead mines to Greenbrier River, $15,000.

Act June 18, 1878 (20 Stat. 152), for improving New River, lead mines to Greenbrier River, $15,000; survey New River, lead mines to Mouth of Wilson.

Act March 3, 1879 (20 Stat. 363), for improving New River, lead mines to Greenbrier River, $12,000.

Act June 14, 1880 (21 Stat. 180), improving New River between Mouth of Wilson and mouth of Greenbrier River, $24,000.

Act March 31, 1881 (21 Stat. 468), improving New River, lead mines to Greenbrier River, $24,000.

Act August 2, 1882 (22 Stat. 191), improving New River, Mouth of Wilson to Greenbrier, $12,000.

Act August 5, 1886 (24 Stat. 310), improving New River, lead mines to Wilsons Creek, $13,000.

Act August 11, 1888 (25 Stat. 400), improving New River, W. Va.; continuing improvement Mouth of Wilson to mouth of Greenbrier River, balance from former appropriations.

Act June 4, 1900 (31 Stat. 264), permitting water-power dam across New River within 2 miles of mouth of Stevens Creek in Grayson County, Va., requiring fish ladders approved by United States fish commissioner.

Act June 13, 1902 (32 Stat. 331), discontinuing improvement New River, Va. and W. Va.; survey New River at confluence with Greenbrier.

Act February 18, 1911 (36 Stat. 921), authorizing dam in New River near Foster Falls, Va., subject to general dam act. (Lapsed without construction.)

Act February 18, 1911 (36 Stat. 922), authorizing dam across New River at Ivanhoe, Wythe County, Va., subject to general dam act. (Lapsed without construction.)

Act March 4, 1915 (38 Stat. 1915), authorizing surveys for reservoir sites and study of coordinated uses.

Act January 21, 1927 (44 Stat. 1008), authorizing bridge at Kanawha Falls, W. Va.

Act January 21, 1927 (44 Stat. 1020), survey and investigation of headwaters of the Mississippi, for storage reservoirs, and regulation of flow and for studies on the Kanawha.

Act May 15, 1928 (45 Stat. 538), urging early completion of headwater studies on Ohio and other tributaries of Mississippi.

The Chief of Engineers has construed the general acts cited above as including New River.

That Congress meant its action in improvement of navigation to be conclusive of its jurisdiction is proved by clause 2 of the definition of navigable waters. In the face of these repeated acts of jurisdiction, from 1872 to 1928, it would not seem proper for legal and administrative agents of Congress to say that Congress in every instance acted without jurisdiction and, thereupon, to renounce the jurisdiction expressly conferred. On page 5 of the copy of the Chief of Engineers' letter of December 29, 1925, to the executive secretary are found the following paragraphs:

"The district and division engineers have reported that there is no commerce and that the river is not now navigable in fact, but they assume that it is legally navigable for the reason that money has been expended on it for channel improvement by authority of Congress. It is well settled by judicial decisions that acts of Congress appropriating money for the improvement of a stream are not to be construed as declarations, express or implied, that the stream is actually navigable. Congress may authorize the improvement of a nonnavigable stream with a view to creating navigability, yet unless the improvement is accomplished the natural state of the stream is not changed. Whether or not it is navigable is still a question of fact unaffected by the consideration that money has been appropriated and expended in an effort to improve it.

"I, therefore, conclude that New River is not at the present time a navigable water of the United States within the meaning of the Constitution and laws of Congress including section 3 of the Federal power act."

It is apparent that General Taylor in the first paragraph was considering the inference to be drawn, whether by his office or the courts, from a mere appropriation act. In the Federal water power act we have an express declaration that the authorization of improvement shall give a legal status of navigability to any stream for the purpose of giving jurisdiction to the Federal Power Commission.

Recommendations for discontinuance of appropriations and failure to appropriate do not affect the status of the river. Such recommendations and decisions are based upon probable economic results from expenditures to be made for navigation alone. Recommendations and decisions might be different if taking into consideration contributions possible for incidental uses for water power or other purposes. The last act of Congress, only three years ago, proposes to study the aid to be had from such cooperation. It is noted that the division engineer's report, transmitted by the Chief of Engineers, February 10, 1930, notes the desirability of encouraging projects of this character because of their effect in improvement of navigation conditions upon the Ohio River. The act of March 1, 1917 (39 Stat. 948, sec. 3), requires a study of the uses which may be coordinated with the improvement of navigation. In his report of November 20, 1929, Major Ardery says:

"A complete survey and investigation of New River for the location and capacities of storage reservoirs and possible power developments was ordered in the rivers and harbors act of January 21, 1927, under House Document No. 308, Sixty-ninth Congress, first session. This survey has not progressed sufficiently to furnish new data. Under former examinations New River has been recognized by all authorities as having extensive power possibilities. The river, with its high run-off and steep gradients, possesses a wealth of water power. The fullest utilization of its waters will only result from a comprehensive plan which includes sufficient storage on the headwaters to impound the flood run-off for hold-over storage, and with auxiliary storage on the tributaries and the main stream below to complete the discharge regulation. From past reports it appears that this is feasible at present and for future development, provided it is taken in hand in time to define reservoir limits before new highway or railroad construction in the present channel, with the resultant increase in property values, makes river development uneconomical.

"This regulation of discharge will make run-of-river plants feasible and will result in the utilization of the maximum available head on the stream. The principal benefit to the Government will accrue in the decreased cost of prospective navigation on the Kanawha and Ohio Rivers. The resultant flood control will decrease damages to cities and industries along the streams below, which will be of increasing importance as time goes on."

The definition of navigable waters also includes "all such interrupting falls, shallows, or rapids, together with such other parts of streams as shall have been authorized by Congress for improvement by the United States or shall have been recommended to Congress for such improvement after investigation under its authority."

The reports of the Chief of Engineers from 1872 to 1890 contain repeated recommendations to Congress for improvement of New River from mouth of Wilson to Hinton, all after investigation under its authority. Some of these reports are noted above. Later reports recommended discontinuance of the work of improvement. It was plain that the cost of improvement was greater than was justified by the economic results of the navigation likely to result. New River thereupon lapsed into the condition of many other navigable waters prior to the passage of the Federal water power act. It is one of the rivers designed to be improved under that act.

Congress has vested in the Chief of Engineers and the Secretary of War authority to enforce the provisions of the act of September 19, 1890 (26 Stat. 494), and act of March 3, 1899 (30 Stat. 1151); and to approve plans and issue permits under the general act for construction of dams (36 Stat. 593) and the general bridge act of March 23, 1906 (34 Stat. 84). Pursuant to his authority under the two earlier statutes, the Secretary of War, on April 4, 1912, addressed the following letter to Hon. E. W. Saunders, Member of Congress, relating to the activities of the Appalachian Power Co. in Virginia:

WAR DEPARTMENT,
Washington, April 4, 1912.

Hon. E. W. SAUNDERS,
House of Representatives.

DEAR SIR: Referring to your letter of the 26th ultimo, asking to be advised whether War Department records show that Doctor Mott or the Appalachian Power Co. ever secured permission to dam New River, Va., I beg to inform * * * as New River is an interstate stream, the authority of Congress must, under the law, be obtained for the construction of a dam therein, and plans therefor must receive the approval of the Chief of Engineers, United States Army, and the Secretary of War before any work of construction is begun. Such approval has not been obtained in either of the cases above referred to—Doctor Mott or the Appalachian Power Co.

Very respectfully,

ROBERT SHAW OLIVER,
Assistant Secretary of War.

Pursuant to the acts of Congress, the Secretary of War has issued the following permits:

July 28, 1926, highway bridge, Cotton Hills station, W. Va., 5 miles above mouth of New River; October 16, 1926, highway bridge at Stone Cliff, W. Va., 28 miles above mouth of New River; August 29, 1907, highway toll bridge, Hinton, W. Va., 66 miles above mouth of New River; February 27, 1899, dam at Kanawha Falls, near mouth of New River. Presumably he approved the plans for the two dams authorized by the acts of February 18, 1911 (36 Stat. 921, 922), under which rights lapsed for failure to construct.

Some of the structures placed across the river without authority have met with objections, though apparently no suit has been instituted to discontinue them. (See report on water-power dams, New River, November 23, 1912, and July 15, 1913, to Chief of Engineers (E. D. 67022/13).) The industrialist builds his dam across the river; the custodians of the navigation interest, State and National, do nothing when the navigator complains; and the river becomes nonnavigable because navigation does not develop.

Eighteen bridges have been constructed across New River between Gauley, W. Va., and Ingleston, Va., 125 miles above the mouth. While only three of these appear to be under permit, all have a sufficient clearance above mean low water so that little obstruction would be presented by them to the character of commerce which could develop on the river (p. 300, List of Bridges Over Navigable Waters), and all are subject to the power of the Chief of Engineers to require changes. (Monongahela Bridge Co. *v.* U. S., 216 U. S. 177.) These many instances constitute construction by the War Department of the acts of Congress governing its own authority and might be considered as having some weight upon the question of jurisdiction. It has no power to make a binding abandonment of control.

Economy Light & Power Co. *v.* United States (256 U. S. 113).

The jurisdiction of the Federal Power Commission over New River has been involved in the following cases:

Project No. 223, West Virginia, preliminary permit at Sandstone Falls.

Project No. 379 (here involved), West Virginia and Virginia, preliminary permit granted to West Virginia Power Co. for power development at the mouth of Bluestone River.

Project No. 542, application for preliminary permit on New and Reddies Rivers in North Carolina.

Project No. 575, Virginia and North Carolina, application for power development on New River in Virginia and Fisher River in North Carolina.

Declaration of intention (No. 86) by the New River Development Co., followed by application by Appalachian Electric Power Co. for a dam (project No. 739) near Radford.

Since it has heretofore been the policy of the Federal Power Commission to issue major licenses for the large reservoirs coming under its jurisdiction under section 23 of the act, it has not been material to determine whether or not a dam which affects the interests of interstate and foreign commerce is within the navigable section of the river. It was probably for this reason that the commission was not insistent upon the claim of navigability for New River at the point involved in application for project No. 739. At page 229 of the Digest of Decisions on Declarations of Intention the division engineer reports the following facts, gleaned from various authentic sources:

"In the report submitted by Maj. W. P. Craighill, covering a distance of 128 miles of the river, dated Baltimore, Md., December 17, 1872, observations and measurements during unusually low-water stages indicated a discharge at the dam of the Wythe

Union & Lead Co., in Wythe County, Va., of 2,000 cubic feet per second and 3,000 cubic feet per second at Siffords Falls, 65 miles downstream, which the report states would indicate that the stream affords abundant water at all seasons for any scheme of navigation improvement that might be adopted.

* * * * * * *

"At the close of the working season of 1882 there was a channel 50 feet wide and 2 feet deep from Hinton Landing to Wileys Shoals, a distance by river of 26½ miles; also a channel from New River Bridge to the head of Jones Ford, a distance of 21 miles as follows: 12 miles, 30 feet wide, 2½ feet deep; 2½ miles, 20 feet wide, 2½ feet deep; 7½ miles, 10 feet wide, 2½ feet deep. This channel was extended same year 8½ miles above the bridge.

* * * * * * *

"On page 5, House Document No. 1410, Sixty-second Congress, third session, the following statement appears: 'From Hinton to the vicinity of Glenlyn, a distance of 30 miles, a boat drawing 2 feet will have sufficient depth of water for navigation at practically all times,' and on page 6 of the same document, 'From Hinton to Glenlyn, * * * there is some commerce, consisting of lumber, staves, sand, gravel, and also some grain, hay, farm products, and miscellaneous merchandise.'

"Commerce on the New River during the calendar year 1882 was reported as more than 11,000 tons.

"The low-water flow of the Kanawha at its junction with the Ohio is estimated as little, if any, less than the flow of the Ohio at the same point.

"The river and harbor appropriation act of June 13, 1902, repealed the previous acts providing for prosecution of work of improvement of New River, and directed that unexpended funds be paid into the Treasury of the United States. Congress has asserted jurisdiction over the New River in the past by having expended moneys on this stream for channel improvement with the view to improving the entire stream for navigation.

"This river is one of the principal tributaries of the Kanawha River, which has been improved for about 90 miles by the construction of 10 locks. It is really the Kanawha River under another name and the flow if not properly regulated could have an adverse effect on navigation during low-water stages in the Kanawha River.

"The possible adverse effect is not such as to warrant refusal to allow the proposed construction to proceed if control is maintained by the United States.

"Proper regulation of the flow of the river would naturally be of benefit to navigation. The extent of this benefit has not been fully determined.

* * * * * * * *

"From the above facts it is established that New River has been under Federal improvement for navigation, that navigation has actually existed, and that the river was physically capable of interstate navigation although very light draft. The fact that navigation does not exist at present is not understood to change the legal status of the stream. Congress has in the past signified its intention to assert jurisdiction of the New River by appropriating money for its improvement with a view to making the stream navigable, and it is not seen that the fact that the reversion to the Treasury of unexpended funds was later ordered alters its status. If free from any control by the United States it would be difficult to ascertain authoritatively that the proposed development would be in general accord with the most beneficial utilization of the water for navigation, water power, flood control, and other beneficial public uses, it is obvious that such utilization is essential to the best interests of commerce. Therefore, while the navigable capacity of the stream is limited, this office must report that no sufficient reason is seen why the Federal Power Commission should not exercise jurisdiction over the proposed project."

Here is shown an actual navigability and an actual use of this section of the river averaging several carloads a day for a single year.

In the report of Maj. H. M. Trippe, December 22, 1926, he says:

"The sources of New River lie in the Appalachian Mountains among the high ridges that form the divide between the Peedee and Santee Rivers, which drain eastward into the Atlantic Ocean, and the streams which drain westward through the Tennessee, Ohio, and Mississippi Rivers to the Gulf of Mexico. It may be said that the river rises in the central part of Watauga County, in the extreme northwest corner of North Carolina, at an elevation of about 3,700 feet. Thence it flows northeasterly into Virginia to a point a short distance below Radford, where it makes almost a 90° turn and flows northwesterly through a gap in the Allegheny Mountains into West Virginia. It joins the Gauley River a short distance above Kanawha Falls, forming the Kanawha River. The Kanawha, in turn, flows northwesterly into the Ohio at Point Pleasant, W. Va.

"The complete system of the New-Kanawha is 429 miles long and drains 800 square miles in North Carolina, 3,000 square miles in Virginia, and 8,400 square miles in West Virginia.

"The New River flows down a steep gradient from its source to the vicinity of Ivanhoe, Va. (mile 147 from source). From Ivanhoe to a point about 10 miles below Hinton, W. Va. (point at mile 280), the gradient is flatter. Through this reach the river bed is a series of pools connected by short rapids.

"At a point about 10 miles below Hinton the river enters a gorge, the channel being narrow and the gradient steep for about 50 miles. The river abruptly leaves the gorge and merges with the Gauley River to form the Kanawha River a short distance above Kanawha Falls (mile 334). The falls here are about 27 feet high. From Kanawha Falls the gradient averages about 3 feet per mile for 7 miles and then is very flat to the mouth.

"The Kanawha is improved for slack water navigation from a point 7 miles below Kanawha Falls to its mouth at Point Pleasant, a distance of 89 miles. This improvement is maintained by two fixed dams (farthest upstream) and eight movable dams. The valley of the Kanawha abounds in a vast amount of natural wealth, and the river affords a valuable transportation outlet for these resources.

"The elevation of New River at the proposed development is 1,725 feet. The watershed above this point is largely timbered, the river flowing through sparsely settled, rugged mountain country. Being in the Appalachian region the basin is subject to storms from the Atlantic Ocean as well as from the Gulf of Mexico. Owing to this the valley is not immune to high water or floods in any month of the year.

* * * * * * *

"Work done by private parties in the development of the watershed has been the construction of the following water-power plants:

Location	Owner	Date operation began	Head feet	Type of dam	Horsepower	
					Maximum	Average
Fries, Va	Washington Mills	1901	40	Fixed	2,800	1,300
Byllesby, Va	Appalachian Power Co., No. 2 development.	1912	52	Fixed with movable crest.	24,000	[1] 4,840
Buck, Va	Appalachian Power Co. No. 4 development.	1912	41	do	12,000	[1] 3,380
Kanawha Falls, W. Va.	Electro Metallurgical Co.	1899	28	Fixed	6,000	5,000

[1] For years 1922 to 1924

"At Fries, Va., the operation of the plant is on a 10-hour basis, but by means of hourly storage the entire low-water discharge is used.

"The plants of the Appalachian Power Co. are installed for a capacity of 4,800 second-feet, which is maintained by 5.5 per cent of the time. They have hourly storage and are used as daily peak load carriers during most of the time.

"Hhe Kanawha Falls plant is used in a metallurgical process which requires a continuous 24-hour load. A permit was issued February 27, 1899, by the Secretary of War for the dam on the crest of the falls.

"The plant at Fries was authorized by act of Congress approved June 4, 1900 (34 Stats. L. 264). However, the dam is probably an illegal structure since the plans were not presented to or approved by the War Department in accordance with section 8 of the act of March 3, 1899. (See par. 3, p. 30, S. Doc. No. 15, 63d Cong., 1st sess.)

"New River with its high run-off and steep gradient possesses a great wealth of water power. The development of this power is retarded on account of the proximity to the Appalachian coal fields and almost prohibited in some reaches because of railroads on the river bank. Due to these it is only under the most favorable conditions that a water-power development is feasible.

"No complete survey has been made to determine all the favorable locations of power sites. Those sites known from available data are as follows:

Table of dam sites on New River

Site	Distance from source	Approximate head	Drainage area	Remarks
	Miles	*Feet*	*Square miles*	
(a) Central Power Co., No. 3, plan G–1, South Fork, New River.	66.5	120	200	
(b) Central Power Co., No. 3, plan G–2, South Fork New River.	86	220	325	
(c) Central Power Co., No. 6, plan G–2, North Fork New River.	86	220	279	
(d) Central Power Co., No. 4, plan G–1.	97	160	620	
(e) Central Power Co., No. 4, plan G–2.	107	170	808	Lies in pool of (1).
(f) Central Power Co., No. 5, plan G–1.	111	100	825	Do.
(g) Central Power Co., No. 5, plan G–2.	119	80	1,010	Do.
(h) Appalachian Power Co., site A.	124.5	60	900	Do.
(i) Oldtown Reservoir	129	180	1,140	
(j) Washington Mills	135.5	40	1,150	Existing and in operation.
(k) Appalachian Power Co., No. 1.	140	60	1,200	
(l) Appalachian Power Co., No. 2.	143	52	1,310	Do.
(m) Appalachian Power Co., No. 3.	144.5	21	1,310	
(n) Appalachian Power Co., No. 4.	145.5	40	1,310	Do.
(o) Ivanhoe furnace	149	20	1,500	
(p) Foster Falls	158	40	1,600	
(q) Appalachian Power Co., No. 5.	183.5	50	2,400	Lies in pool of (r).
(r) Appalachian Power Co., No. 6.	186	110	2,400	
(s) Ingles Falls	188.5			Conflicts with (r).
(t) Appalachian Power Co., No. 8.	250.5	75	3,930	Lies in pool of (v).
(u) Appalachian Power Co., No. 9.	263.5	42		Do.

Table of dam sites on New River—Continued

Site	Distance from sources	Approximate head	Drainage area	Remarks
	Miles	*Feet*	*Square miles*	
(v) Bluestone Reservoir	265.5	140	4,400	Project No. 379, preliminary permit expired Oct. 25, 1926.
(w) Brook Falls	276	22	6,140	
(x) Sandstone Falls	281	30		Project No. 223, preliminary permit expired Nov. 5, 1924.
(y) Slater	302	50		
(z) Nuttalburg	315	50		
(z¹) Michigan	318	50		
(z²) Hawks Nest	322	98	6,800	
(z³) Gauley Junction	330	28		

* * * * * * *

"This office in its report on declaration of intention, July 23, 1925, for this project, stated in paragraph 6:

"'It is the opinion of this office that the New River is a navigable stream as defined by the Federal power act and that the proposed water-power project of the New River Development Co. should be considered as coming under the jurisdiction of the Federal Power Commission.'

"The division engineer under first indorsement, July 25, 1925, stated:

"'The division engineer concurs in the opinion of the district engineer that the reach of New River under consideration comes under the jurisdiction of the Federal Water Power Commission. This opinion is based primarily upon the fact that this reach of river was recommended to Congress for improvement after investigation under its authority, though not actually improved.'

"The Chief of Engineers subsequently in letter to the executive secretary, Federal Power Commission, August 20, 1925, stated:

"'The fact that navigation does not exist at present is not understood to change the legal status of the stream. Congress has in the past signified its intention to assert jurisdiction of the New River by appropriating money for its improvement with a view to making the stream navigable, and it is not seen that the fact that the reversion to the Treasury of unexpended funds was later ordered alters its status.'

"The Chief of Engineers later in letter to the executive secretary, December 29, 1925, stated:

"'I, therefore, conclude that New River is not at the present time a navigable water of the United States within the meaning of the Constitution and laws of Congress including section 3 of the Federal power act.'

"The Appalachian Electric Power Co. has several power sites along New River, and since they have acquired the properties of the Virginian Power Co., permittees for project No. 379, Virginia, West Virginia (v), in section 7 df this report, they will in all probability be the most extensive developers of the power resources of New River. In view of these facts the company is more interested in the best plan of development of the power resources of New River than would otherwise seem.

"The applicant proposes a draw-down in their reservoir of 10 feet. This provides a storage of 40,000 acre-feet, which is a small part of the contents of the reservoir. The maintenance of a head as high as possible is necessary for a high ultilization of the resources. However, the wisdom in placing the intake of the lowest power penstock 10 feet below the normal pool surface is doubtful. It is therefore recommended that the applicant be required to place at least one of the power penstock intakes sufficiently low so that the reservoir may be drawn down considerably more in the event of a very long and extended drought, when it would be desirable to use more than the water stored in the top 10 feet of the pool.

"There is at present no storage project in New River above the proposed project. The licensee may at some future date benefit from the construction of a storage reservoir. The applicant proposes to install hydraulic and electrical machinery that will enable them to utilize upward of 96 per cent of the flow of New River at their plant. In the event that such a reservoir was constructed by other parties the principal benefits to the applicant would be those of a higher utilization of the annual flow and utilization in the low-water season of a larger percentage of the annual flow than could be made without such storage. The latter benefit would be difficult of determination owing to the fact that the Appalachian Electric Power Co. have a relatively high percentage of steam capacity and would likely figure a kilowatt-hour developed from storage water during low-water season of no greater value than a kilowatt-hour developed from the natural flow of the river in high-water season.

"The proposed project provides a storage of 40,000 acre-feet, which is the equivalent of 667 second-feet flowing for one month. The very irregular occurrence of the low-water season with its irregular amount of flow precludes any appreciable benefit from this amount of storage other than in a season of extremely low flow of considerable duration.

"The plant of the Electro-Metallurgical Co. at Kanawha Falls (about 150 miles downstream), might be benefited by the release of storage from the applicant's pool. On the other hand, it might be damaged by the applicant's holding back water from the natural run of the stream. The Kanawha Falls plant is a legal structure but does not hold a Federal power license. Under such condition it is doubtful if they could be charged for benefits received from the applicant's project. This company has protested the granting of license to the applicant unless the applicant's plant be operated so as not to damage them. It is believed that the recommended provision of the license will minimize the possibility of such damage. In any case, the Electro-Metallurgical Co. has redress in the civil courts for any damage suffered.

"The project is desirable and justifiable in the public interest for the purpose of improving the New Kanawha River for the benefit of interstate commerce, to the extent that any increase of low-water flow will favorably affect navigation. The project is also justifiable to the extent that in creating a pool 19 miles long it renders this reach susceptible of navigation."

These excerpts from official reports show both an early use of the river and a prospective benefit to be obtained from its continued legal control. There is no such thing as loss of jurisdiction by operation of any statute of limitations or by laches. The river remains subject to application of the fundamental principle Congress sought to utilize in the Federal water power act.

The principle underlying that act was best stated by Senator Elihu Root, of New York, when the Connecticut dam bill was under consideration (vol. 49, CONGRESSIONAL RECORD, pt. 4, pp. 3053–3059):

"From the mouth to the source and in all contributory feeders a water system of navigation must be treated as a whole. * * *

"The question, I think, we ought to ask ourselves is, How shall we decide as between three possible courses of conduct? One is to do as we have, in general, done in the past, refrain from improving because it costs too much, costs more than the business to be developed would justify; or, second, shall we go on and improve these streams and tax the entire people of the country for the improvement? Or, third, shall we avail ourselves of this new discovery by which a stream can be made to improve itself, by which a stream can be made to pay the expense of fitting itself for navigation, so that this great work of internal improvement can go on? Which of the three shall we do?

"In every transaction there are two motives. The seller has one and the buyer has another. The passenger has one and the railroad company or the steamboat owners have another. The Government, charged with improving navigation, finds that a corporation is willing to do what it can not conveniently or profitably do for itself to subserve its object. It has one object; the corporation has another. We would not consent to this if it were not a benefit to navigation. They would not ask the consent if it were not a benefit to their pocket. * * *

"Of course every candid mind familiar with the history of the growth and development of our country must realize that in the extravagance of our vast natural wealth the Government has given away franchises and property with a lavish hand, and that probably the time has come when it would be wise and reasonable for Congress, as trustee for the people, to exercise somewhat more care in conferring upon individuals or particular corporations large blocks of our natural wealth. The lavishness with which our natural wealth has been portioned out has applied equally to the States. * * *

"The first thing that was done, and, in the nature of things, the first thing that could be done toward accomplishing this object, was to put a stop—and we put a stop here in Congress and in our National Government—to the process as it applied to handing out valuable things that belonged to the people of the United States. In the nature of things, also, the complete stoppage of the process presently led to inconvenience, and people began to complain. * * *

"The third step which must follow, if we do our duty and understand our business, is not to go back to the old plan of handing out public property to oblige this, that, and the other man because it will make activity and expenditure, but to evolve some reasonable method by which these great natural resources shall not be held for far-distant generations alone, but utilized in such a way that the public will get its fair benefit, and the individual will get only his fair benefit.

"* * * I am not afraid of being misjudged in that direction when I say, as I do, that the old rules of property, which I would not disturb on any account—property which is one of the bases of civilization, and which we must protect—do not by themselves alone lead to an altogether satisfactory conclusion on this subject.

"One reason why is that modern discovery and invention have produced a realization of the existence of wealth wholly unknown before. When this company was chartered by the State of Connecticut no one dreamed of any source of income for the company except from tolls. You see the charter treats of tolls and the regulation of tolls, how much they can charge and how they may be regulated.

"It appears that now in doing the very work that was contemplated by this company for the improvement of navigation out of which they expected to get a moderate profit by tolls they are creating wealth beyond the dreams of avarice. Nobody knew it when the people bought their land. Nobody knew it when they exercised their right of eminent domain and took land from the farmers there.

"All over the country there are vast reservoirs of wealth, the existence of which nobody knew when lands were settled under the homestead act, when lands were purchased and when lands

were granted; and while we must preserve the rights of the owners, yet so far as those rights are subject to lawful control, so far as those rights are subject to laws that existed when the titles were acquired, to laws under which the titles are held, so far we ought to see that by the application of those laws in lawful ways and without taking away anybody's right we give to the whole people of the United States such benefit from this great new work as they may lawfully have.

"I say, sir, that the truest policy and the highest respect for every object which government is designed to subserve dictate that when we exercise an undoubted legal power and impose a condition upon the use by this corporation of this property some slight part of the wealth produced shall be devoted to the improvement of the navigation of that stream for the common benefit of the people of the United States."

The act which finally passed, generally covering the subject of water power, recognized the propriety of applying the revenue which might be derived from any improvement to the construction of other navigation works, as well as headwater improvements from which the immediate project might derive a benefit. (Secs. 10 (f) 17.) Having got this legislation after great exertion, no reason now appears why all the virtue should be construed out of it.

Here is a river plainly within the definition supplied by the act. The Government is entitled, not only to require every project on this section of the river to be so designed and operated as to improve navigation but also to require all projects on the river to be so linked together in construction, operation, and financing as to be of benefit to each other. Proper interpretation of the definition in section 3 requires all projects on New River, benefiting from this construction work, to contribute equitably to its cost. To that end the license to this company should require an adequate accounting for the cost. The project is desirable and justified as an improvement of navigation and for its contribution to flood control.

3. Under the circumstances of this case, considering all the various phases of development of which the river is capable, it is my judgment that the interests of the United States are not of minor character and can not be adequately protected by issuing a minor license.

The requirements contained in the act and proposed under major licenses are germane to the privilege to be granted and may legitimately be made a part of the license.

Board of Public Utility Commissioners *v.* Ynchausti & Co. (251 U. S. 401).

Prior to the approval of the Federal water power act the Federal statute applying to New River was the act of March 3, 1899 (30 Stat. 1151, secs. 9 and 10). These sections superseded, in part, sections 7, 9, and 10 of the act of September 19, 1890 (26 Stat. 454), which was held to be within the authority of Congress.

United States *v.* Rio Grande Dam & Irrigation Co. (174 U. S. 690).

Every project in or affecting the capacity of navigable waters of the United States was put in at the risk of being stopped by the Government (Greenleaf-Johnson L. Co. *v.* Garrison (237 U. S. 251); United States *v.* Rio Grande Dam & Irrigation Co., supra), or its operation controlled so as not to impair the interests of interstate or foreign commerce. The situation was not relieved by the authorization of the project under permit from the Secretary of War, since his permits were revocable whenever the interest of the United States might demand. Chandler-Dunbar Co. *v.* United States (229 U. S. 53).

In the special acts of Congress sometimes enacted to facilitate power development on these streams it was customary to reserve a right of repeal, but such right remained whether expressed or not. Louisville Bridge Co. *v.* United States (242 U. S. 409).

Owing to the uncertainty of the tenure there was little incentive to the investment of the large amounts necessary to power development, and the same character of permits being in force on the public lands, the hydroelectric industry had reached a stalemate. At this juncture the Federal water power act was passed, one of its main purposes being to afford such stability of title as would justify the expenditures necessary to development. Other provisions of the act, however, were inserted in protection of the public interest.

It was realized that conditions might change in a manner not to be foreseen and that at some future time it might be desirable, in the interest of commerce, to have the project out of the way. Hence there is provided a limitation of the license to a term of 50 years. The Government, moreover, in the promotion of the interests of commerce, is entitled to select the agencies with which it shall cooperate and is entitled to preserve that right of selection, not only at the beginning of the first license period but at the close thereof. Having authority to exclude any project in or affecting navigable waters, Congress could prescribe the conditions on which the project could be allowed.

United States *v.* Midwest Oil Co. (236 U. S. 459).

Chicago, M. & St. P. R. Co. *v.* United States (244 U. S. 351).

Southern Pacific Co. *v.* Olympian Dredging Co. (260 U. S. 205).

Fox River Paper Co. *v.* Railroad Commission (274 U. S. 651).

The provisions of the Federal water power act and of the license have relation to the terms on which the right to maintain the project may be extinguished at the end of 50 years. Congress could have limited the right to that term without, at the end thereof, making any compensation to the licensee. The project works might then be a nuisance subject to removal without compensation. (Newport & C. Bridge Co. *v.* United States, 15 Otto (105 U. S.) 470.) To encourage development Congress has been more liberal. It has provided that the net investment of the licensee in the project shall be paid to the licensee, in the event that the United States wishes to destroy the project works or put them into the hands of some other agency, or to some other use, in conformity with such policy as it may wish to pursue after 50 years. But it did not wish to put itself in the position of having to pay any enhancement of the value due to changes in economic conditions or other causes. The accounting regulations have direct relation to the preservation of these rights of the United States and were primarily designed to afford security to the capital invested, without obligating the United States for any more than it should pay in equity and good policy. The ascertainment of net investment, however, is desirable, in the case of headwater reservoirs, in order that lower projects may be required to pay an equitable share in their cost and so the most comprehensive scheme of development be carried to a successful conclusion.

For a like reason there should be no reduction in the charges to be made against this project. It should bear its proper share in the cost of investigation and of final and complete development of the great stream system of which it is an important, if seemingly remote, part.

In view of the challenge to the constitutionality of the act, I think this is an appropriate place to point out the fact that water, flowing in a great river from State to State, or forming State boundaries in such manner as to be useful to a dozen States, is in itself a commodity in interstate commerce, so as to be an object of Federal concern and legislation quite as lawfully as migrating birds (Missouri *v.* Holland, 252 U. S. 416) or the pests against which Federal quarantine is established. (Oregon-Washington R. & N. Co. *v.* State of Washington, 270 U. S. 81.) This is an idea well worthy of the consideration of the courts.

The act in defining navigable waters does not specify the height or the length of the falls and shoals interrupting navigation which the act exhibits a purpose to take possession of in order to secure improvement of navigation. The authority to claim the entire flow of the river for this purpose is sustained by the case of Chandler-Dunbar Co. *v.* United States (229 U. S. 53). There does not, therefore, seem to be any justification for holding that this river is not under the jurisdiction of the United States, either because of the long gorge section between Gauley Bridge and Hinton or of the shorter interruptions between the sections improved at the expense of the United States. Neither is it proper to consider as evidence of unnavigability the allegation, contrary to the facts stated in early reports, that there is nothing at present in the surrounding country to be transported on a river channel. In United States *v.* Holt (State Bank, 270 U. S. 49) the Supreme Court said:

"Early visitors and settlers in that vicinity used the river and lake as a route of travel, employing the small boats of the period for the purpose. The country about had been part of the bed of the glacial Lake Agassiz and was still swampy, so that waterways were the only dependable routes for trade and travel. Mud River, after passing through the lake, connected at Thief River with a navigable route extending westward to the Red River of the North and thence northward into the British possessions. Merchants in the settlements at Liner and Gryla, which were several miles up Mud River from the lake, used the river and lake in sending for and bringing in their supplies. True, the navigation was limited, but this was because trade and travel in that vicinity were limited. In seasons of great drought there was difficulty in getting boats up the river and through the lake; but this was exceptional, the usual conditions being as just stated. Sand bars in some parts of the lake prevented boats from moving readily all over it, but the bars could be avoided by keeping the boats in the deeper parts or channels. Some years after the lake was meandered vegetation such as grows in water got a footing in the lake and gradually came to impede the movement of boats at the end of each growing season, but offered little interference at other times. Gasoline motor boats were used in surveying and marking the line of the intended ditch through the lake, and the ditch was excavated with floating dredges.

"Our conclusion is that the evidence requires a finding that the lake was navigable within the approved rule before stated."

In the case quoted from the court held a river navigable, not for the purpose of using it for navigation, but for the purpose of ascertaining that riparian rights did not extend into it. It is legitimate and therefore mandatory to ascertain the same fact as to New River, as a basis of jurisdiction by the Federal Power Commission, in order to preserve the public right and public interest. What that interest may be 50 years from now we can not tell. It does no injustice to anybody merely to preserve the public right for that length of time.

The right to develop power on a navigable stream is not a riparian right (Groner *v.* Foster, 94 Va. 650, 27 S. E. 492; Scott *v.* Doughty, 124 Va. 759, 97 S. E. 802); it is a franchise which, since the act of September 19, 1890 (26 Stat. 494), amended by the act of March 3, 1899 (30 Stat., 1151), must be obtained from the United States. To change the status of a stream from navigable waters to an unnavigable stream divests the public of rights of enormous value and vests them without compensation in riparian owners who before had no such rights. As these rights on public waters come into being, it is competent for Congress to attach conditions to them such as are found in the Federal water-power act.

Geer *v.* Connecticut (161 U. S. 519).

Missouri *v.* Holland (252 U. S. 416).

If such rights are abandoned without conditions, it will be necessary to repurchase them at an enormous price if the Government

ever wants to regain its right of regulation for navigation or flood control. Something ought to have been learned from the experience of buying back for spillways the swamp lands the United States once gave away. Fifty years from now it may be highly desirable to operate the reservoirs on New River primarily for purposes of flood control on the Kanawha and Ohio Rivers. Public service companies in Virginia have many rates in excess of 10 cents per kilowatt-hour. The Appalachian Electric Power Co. has, within a few years, been able to double its book value of investment by skillful management and capitalization of prospective earnings. (Report Federal Trade Commission, S. Doc. 92, pt. 22, 70th Cong., 1st sess., pp. 188-193.) With regulation of its rates by the Virginia Corporation Commission and supervision of its investment accounts by the Federal Power Commission, the company might be able to amortize its investment in the proposed New River projects within the license periods, so that the Government, without an excessive outlay, could utilize them to a large extent in flood control. Do we hear some one say that this would be an exercise of Federal authority not granted by the Constitution? On what basis, then, are $200,000,000 poured into the Jadwin plan on the Mississippi?

The authority of the Federal Power Commission was not to release navigable waters from Federal jurisdiction, even though fallen into disuse or of small economic importance for navigation compared with their value for other purposes. It was to preserve the Federal jurisdiction while making them available for all uses as the commission might best coordinate them. The method provided for this purpose was by issue of licenses, conditioned as provided in the act. Congress, in section 3, provided the definition of navigable waters. If the definition is broader than that found in some court decisions, I am yet unable to discover that the act, or any court decision, vests any authority in me, or the Chief of Engineers, or the Federal Power Commission, to disregard it or to hold it unconstitutional. The Chief of Engineers, quoting law cases in his report upon the facts, has not considered all the cases available, nor has he considered with sufficient care the language of the governing act of Congress, the function of which is to lay down the law to executives and courts. In Economy Light & Power Co. *v.* United States (256 U. S. 113) the court said:

"The district court found that there was no evidence of actual navigation within the memory of living men, and that there would be no present interference with navigation by the building of the proposed dam. The circuit court of appeals did not disturb this finding. (256 Fed. 792, 798, 168 C. C. A. 138.) But both courts found that in its natural state the river was navigable in fact, and that it was actually used for the purposes of navigation and trading in the customary way, and with the kinds of craft ordinarily in use for that purpose on rivers of the United States, from early fur-trading days (about 1675) down to the end of the first quarter of the nineteenth century. Details are given in the opinion of the circuit court of appeals and need not be repeated. Suffice it to say that there was a well-known route by water, called the Chicago-Des Plaines-Illinois route, running up the Chicago River from its mouth on Lake Michigan to a point on the west fork of the south branch; thence westerly by water or portage, according to the season, to Mud Lake, about 2 miles; thence to the Des Plaines near Riverside, 2 miles; thence down the Des Plaines to the confluence of that river with the Kankakee, where they form the Illinois River; thence down the Illinois to its junction with the Mississippi. During the period mentioned the fur trade was a leading branch of commerce in the western territory, and it was regularly conducted upon the Des Plaines River. Supplies in large quantity and variety, needed by the early settlers, also were transported over this route between Chicago and St. Louis and other points. Canoes and other boats of various kinds were employed, having light draft, but capable of carrying several tons each, and manned by crews of six or eight men. The route was navigated by the American Fur Co. regularly during a period of years down to about 1825, after which it was disused, because the trade had receded to interior portions of Illinois that could be reached more conveniently with horses. Later, changes occurred in the river, due to the drainage of a swamp in the region of the portage, the clearing away of forests, affecting the rainfall and the distribution of the run-off, and thus shortening the duration of the higher states of water; the construction (under State authority) of the Illinois and Michigan Canal in 1848 and its deepening in 1866 to 1871, which diverted a part of the hill drainage toward the Chicago River; and the construction of the Sanitary and Ship Canal in 1892 to 1894.

"But, in spite of these changes, the circuit court of appeals finds (256 Fed. 804, 168 C. C. A. 138) that the Des Plaines River is a continuous stretch of water from Riverside (at the Chicago divide) to its mouth; and although there is a rapid, and in place shallow water, with bowlders and obstructions, yet these things do not affect its navigable capacity; that the same is true of the upper part of the Illinois River, above the head of steamboat navigation; and that both streams are navigable and are within the act of 1899.

"Since about the year 1835 a number of dams have been built in the Des Plaines, without authority from the United States, and one or more of them still remain; besides, a considerable number of bridges of various kinds span the river. The fact, however, that artificial obstructions exist capable of being abated by due exercise of the public authority, does not prevent the stream from being regarded as navigable in law, if, supposing them to be abated, it be navigable in fact in its natural state. The authority of Congress to prohibit added obstructions is not taken away by the fact that it has omitted to take action in previous cases.

* * * * * * *

"We concur in the opinion of the circuit court of appeals that a river having actual navigable capacity in its natural state and capable of carrying commerce among the State is within power of Congress to preserve for purposes of future transportation, even though it be not at present used for such commerce, and be incapable of such use according to present methods, either by reason of changed conditions or because of artificial obstructions. And we agree that the provisions of section 9 of the act of 1899 (30 Stat. 1151) apply to such a stream. The act in terms applies to 'any * * * navigable river or other navigable water of the United States'; and, without doing violence to its manifest purpose, we can not limit its prohibition to such navigable waters as were at the time of its passage, or now are, actually open for use. The Des Plaines River, after being of practical service as a highway of commerce for a century and a half, fell into disuse, partly through changes in the course of trade or methods of navigation or changes in its own condition, partly as the result of artificial obstructions. In consequence, it has been out of use for a hundred years; but a hundred years is a brief space in the life of a nation. Improvements in the methods of water transportation or increased cost in other methods of transportation may restore the usefulness of this stream; since it is a natural interstate waterway, it is within the power of Congress to improve it at the public expense; and it is not difficult to believe that many other streams are in like condition and require only the exertion of Federal control to make them again important avenues of commerce among the States. If they are to be abandoned it is for Congress, not the courts, so to declare. The policy of Congress is clearly evidenced in the act of 1899, and, in the present case at least, nothing remains but to give effect to it."

The purpose of the Des Plaines River case was not to restore navigation. It was to preserve the public rights in the river.

New River is a river with "a superabundance of water for every purpose of internal navigation." It is such a river as the States and Congress thought worthy of protection in the early days of national existence. It has had the intermittent attention of Congress and the continued exercise of Federal jurisdiction. It is now under study by Congress for the purpose of promoting the improvement of the largest system of internal navigation in the world. The division engineer (Lieut. Col. George R. Spaulding) in charge of much of that system reports, December 7, 1929, that he is impressed with the value of storage for the benefit of the low flow of the Ohio River. Major Ardery, at page 10 of his report on November 20, 1929, enumerates the large reservoir sites on New River. On the next page he points out the power sites on New River, the owners of which will be benefited by storage. Each of these owners should equitably be required to contribute to the cost of that storage and not cast the whole burden on lower landowners, seeking flood control, or on the United States, seeking navigation improvements. Through the Federal water power act they can be made to contribute. In these circumstances it would seem absurd to release control of the river, now legally held, in order to accommodate voracious power companies or other private interests. At a time when it is a toss-up whether water power is cheaper than steam and the coal is privately owned, while the water right still inheres in the public, it seems proper to tell those corporations to go to steam who are unwilling to cooperate in the full development of the stream system or to make and keep a fair bargain with the United States that the public right shall be restored at the end of 50 years upon payment of legitimate net investment of licensee together with all severance damages.

J. F. LAWSON,
Acting Chief Counsel.

Mr. DILL. When the question of the confirmation of Mr. Smith was originally before the Senate it was easy for Senators to be confused as to the issue. There can be no confusion about the issue now. His testimony before the Interstate Commerce Committee indicated that he was on the side of the power interests rather than on the side of the public; but his action in discharging Mr. Russell and Mr. King proves that the indication of that testimony is the real fact. Nor do I think it is a waste of time for the Senate to discuss this question so fully as it has done. The discussion here is making clear to the American people the great fight that is on in every section of the United States over the question of hydroelectric power.

Those who say that the people of this country are not interested in the power question need only look at the returns of the last election to find their answer. The power question is fast becoming the biggest general issue before the American people. I recognize that the depression to-day is acute. I recognize that to-day, with millions of our people, the greatest question is how they will get enough food and clothing to get through the winter. But this depression, as all depressions, will pass. The power issue is here, and it is here to stay until we place in the White

House a President who will insist that the great hydroelectric power sites of this country shall be used in the interest of the people and shall insist that the appointees whom he chooses shall use their power and authority in the interest of the public rather than to see that favors are granted to the great power interests of America by which they will exploit the people who use electricity.

In 1928 the results of the elections in the various States and the actions of the different legislatures enabled the power companies to say that the people were not greatly interested in this problem. They pointed out victory after victory that they had won. But you will not hear them boasting about the victories they won in 1930. In 1930, in every section of this Republic where the power question was a dominant issue, the power interests were overwhelmingly defeated. It was an issue in Nebraska, where that great champion of the people's cause, the senior Senator from Nebraska [Mr. NORRIS], was a candidate for reelection. As a member of the Campaign Investigating Committee I have had some opportunity to learn of the secret machinations, of the secret and devious methods used to bring about, first, the defeat of the senior Senator from Nebraska in the primaries, and later his defeat in the election, by money that came directly from power interests. But it was not only in the reelection of the senior Senator from Nebraska in that State, it was also in the referendum that occurred there that we found the real sentiment of the people.

I am told that in previous years the people of Nebraska had elected a legislature that was in favor of permitting the people of the different towns and counties of that State to organize municipal corporations to produce and to deliver electric power, but the measures were always defeated in the legislature. The power companies have the ability to do that when they are dealing with legislatures generally. So the people prepared an initiative petition to place on the ballot a bill that would give them their desired rights. As soon as the power companies saw what was being done, they prepared two other bills, almost identical in their titles and in their language, except for the fact that in the power company bills there were "jokers" that took away from the people the very rights it was intended that they should have by this legislation. The newspapers of Nebraska, I am told, with one exception only, refused to print any particular amount of discussion on the subject. Most of the politicians dodged the issue. Except for the senior Senator from Nebraska [Mr. NORRIS] and the junior Senator from Nebraska [Mr. HOWELL], no men of particular note took any part in the fight; but when the people went to the polls they understood the situation clearly enough that they picked out of these three measures the one that would give them the rights that they desired and passed it by a substantial majority.

In the far Northwest, where I live, we have been struggling for years to secure legislation that would enable the people in the country districts as well as the cities to form municipal power districts to produce and distribute electricity. That has been true both in Washington and in Oregon. We have elected legislature after legislature for that purpose, but always the power companies have succeeded in defeating the passage of such bills. So a year ago the Grange in the State of Washington and the Grange in the State of Oregon managed to prepare initiative measures and have them placed on the ballots, so that the people could vote directly on these proposals.

I do not know how much money the power companies spent in those States to influence those elections; but I do know that without newspaper support, except in one or two instances, the people saw through all of the misrepresentations, and they went to the polls and by a majority of 20,000 in the State of Washington and a majority of more than 30,000 in the State of Oregon they gave to themselves the right to form municipal corporations in their counties and cities by which they can produce and distribute hydroelectric power.

There were no personalities involved. There were no parties involved. It was the straight issue, and was a definite and specific warning to the power interests that operate in that part of the country that they must treat our people fairly in the service they give and the charges they make or the people will take into their own hands, through the municipal corporations they are now authorized to form, the production and the distribution of hydroelectric power.

Mr. SHORTRIDGE. Mr. President, will the Senator yield for a question merely?

Mr. DILL. I yield to the Senator.

Mr. SHORTRIDGE. Is there not an official body in the State of Washington which has the power to fix the rates to be charged by the companies furnishing hydroelectric power?

Mr. DILL. I am very glad the Senator asked that question. The State of Washington has a public service commission to fix the rates on hydroelectric power and other public-utility rates. Let me show why the people of the State of Washington disregarded that public service commission.

Mr. SHORTRIDGE. One more question, with the Senator's permission. Do the people elect the officers of the commission?

Mr. DILL. No; they are appointed by the governor. But it would not make much difference, I suppose. This is what happened. We found in this power fight that the opposition said: "If you allow the people to form these districts, they will take all of these private operating companies' plants off the tax roll, and the people will have their taxes raised because of this, and thus they will be terribly hurt."

What did we find? We found that the total taxes in the State of Washington of all the power companies for all purposes if taken off would increase our taxes 1 mill in a 74-mill tax rate on a 50 per cent valuation; 1 mill if we took all power properties off the tax rolls, and nobody proposed to do that.

That is not all. We found that these power companies, when they went to the courthouse to pay their taxes, paid taxes on a valuation of sixteen and a half million dollars in the State of Washington, but when they went to the public service commission they used a valuation of $174,000,000 as a basis for making rates to the people who use electricity in that State. Sixteen and a half million when they go to the courthouse; one hundred and seventy-four million when they come to the homes of the people and to industries to sell power!

I recognize that that is not quite a fair statement, because sixteen and a half million is a 50 per cent valuation, so it is really $33,000,000. But they were multiplying the valuation by five. And what is true of the State of Washington is true of the State of Oregon. I venture to say that it is true of the State of California to a greater or less degree. It is true all over this country that these great companies pay taxes on as nearly the real valuation as they can, but they collect rates upon the valuations they get by watering their stock and on good-will values and every imaginable thing they can plow into the valuation.

I said repeatedly during that campaign, and I say here and now, that I am not an advocate of municipal ownership or Government ownership and development as such; but I do say that Government ownership and municipal ownership are the only weapons which the people of this country have left to-day by which they can combat and meet the great power monopoly which is extending itself like an octopus into every corner of the Republic.

Mr. SHORTRIDGE. Mr. President, will the Senator permit me to ask another question, for information?

Mr. DILL. I yield.

Mr. SHORTRIDGE. Under the law of the Senator's great State, has or has not the commission the power to correct or prevent the wrong which the Senator points out?

Mr. DILL. Yes; and that is true in other States.

Mr. SHORTRIDGE. That, to my mind, is a very important point.



Mr. DILL. That is true not only in my State but in every other State. But let me remind the Senator what would happen if they attempted to do that. The power companies, just like the street-car companies and the gas companies, would go to the Federal courts, and the Federal courts, relying upon the decision in the Baltimore street-car case, in the Indianapolis water case, in the St. Louis gas case, would be compelled to allow them values upon good will and franchises granted them by governmental bodies of the States. The people can not find protection or relief through their commissions when their commissions are overridden by the Federal courts, up to the Supreme Court of the United States. I shall not review that argument, which was fought out on this floor so fully when the Hughes nomination was before us. But I remind the Senator that the only protection the people have is the ability to form municipal corporations and make the power themselves, and distribute it to themselves in competition with private companies.

In the State of Washington to-day, as in nearly every other State where there are municipal plants, the regulating body for the control of rates on electricity which really counts is not the public-service commission at all. It is the municipal plants which are scattered around, with which comparisons are made by the people who use electricity. In my State, the city of Tacoma sells power more cheaply than any other great city in the world. The city of Seattle sells power more cheaply than most other cities in the United States. And what do we find? Within the city limits of Seattle, where the Stone-Webster Co., which is a subsidiary of the great power monopoly of the East, is in competition, that company sells power at exactly the same rate as the city rate, but the moment we step across the street, outside of the city limits, we find the power rates go up to as high as they dare make them. They charge as much as the traffic will bear, but the fight we made last year has already caused a reduction of rates by private companies.

Mr. FLETCHER. Mr. President, will the Senator permit me to interrupt him?

Mr. DILL. I yield.

Mr. FLETCHER. May I inquire whether or not these power companies are making every effort to acquire the municipally owned plants and paying great prices for them?

Mr. DILL. Yes; they are trying to acquire them, but they are not having much success. What has actually happened in one or two towns in my own section of the country is that the towns are acquiring the private plants. A little town of about 15,000 population attempted to acquire the private plant in that town, and there was a bond election, where the question was the issuance of two or three hundred thousand dollars of bonds, and the power company said, "It will cost $400,000 to buy our property." Somebody had an idea, and went over to the courthouse to see what the value of the property was on the tax rolls, and he found that they were paying taxes on a $17,000 valuation. When that was made public the power company went to the courthouse and had the assessor to reassess them for $175,000, and they paid back taxes in order to be able to go before the court with that valuation when the condemnation suit came up. A jury found the valuation to be $216,000, I think it was. So that we are getting some little light on this subject.

I do not want to put this discussion on the basis of my own State merely. I was talking of my own State and of Oregon because of the referendum elections which occurred there, in communities which heretofore have been said to be against municipal ownership. They are not in favor of municipal ownership now as a state-wide policy. They have come to the conclusion that there is no other method by which they can protect themselves against this great monopoly holding a death strangle over them, their business, and the expenses of their daily lives, unless they have the power to set up power and distribution plants in competition. When they can set up such plants in competition, then the rates come down to somewhat near what the municipal plants are charging.

What is true of that section of America is true of every other section. Let no man think that this issue will down by simply saying it is not an issue. It is a growing issue. It is the coming issue in American politics, in my judgment, because we are on the threshold of the electric age. Electricity is fast becoming the manservant and the maidservant of the American citizen, as we know; in fact, of the human family. What electricity will do in the generations which are ahead nobody can even predict.

We have thought of electricity in terms of little areas within a few miles of an electric plant. I had the privilege a few days ago of visiting the great plant of the General Electric Co. at Schenectady. I talked with the engineers and I saw the experiments with the new thyratron tube, by which it is proposed, if the experiments work out as they think they will, to transmit electricity, not a hundred or two hundred miles, as can now be done economically, but a thousand, two thousand, three thousand miles. When that development comes, electricity will be available to a nation at low rates, because from the falling rivers of the mountain areas long distances from our great centers of population electricity can actually be produced for a half a mill a kilowatt-hour. When we can transmit it unlimited distances, practically, by means of tubes, as these scientists believe we will be able to do, electricity will become, next to food, clothing, and shelter, the greatest necessity of human life.

That is why I say the power issue is the coming issue, it is a growing issue, and the American people will not be satisfied until they are certain that the man who sits as their President, with the power to administer the great water powers of this country, under the Government's control, is primarily dominated by the thought of public service, rather than private greed, in the handling of these water powers.

I started to say that, in addition to the far Northwest, the power question was an issue in Colorado. There one of the candidates was looked upon as a representative of Mr. Doherty, of the Cities Service Co., and Mr. Costigan, a Democrat, who ran against him, made that the issue, and swept the State, which is generally overwhelmingly Republican.

The power question was a big issue, at least a part of the issue, in the State of Montana, where the great senior Senator from that State was a candidate for reelection. We read in the newspapers about prohibition being the issue there. I happen to know that the power question was one of the big questions in the minds of the voters in that State and they gave him the biggest majority any man ever received in that State.

It was in part the issue in the State of New York, where Franklin Roosevelt won the greatest majority that has ever been given to any man on the Democratic ticket there. I think the only man who has carried upstate New York on the Democratic ticket for governor since the days of Grover Cleveland.

Down in Tennessee, where the President threw his influence behind Congressman REECE for the Republican nomination, a man who took the side of the private power interests in the Muscle Shoals fight, a man announced his candidacy as an independent Republican in the last two weeks before the election and defeated Representative REECE. Thus in every section of the United States this power issue is a growing issue, but it is not a partisan issue.

There are Republicans who are as determined that the Government officials and the Government generally shall use the power sites and the hydroelectric power possibilities under Government control for the people's interest as any Democrat can possibly be. There are Democrats who are as much tied up to the power interests as any power-interest man himself is. Make no mistake about that. I am glad to say that the great mass of the leaders of the Democratic Party to-day, whether we take its governors or its Senators or its Representatives, are on the side of the people in this great power fight, and the Democrats who are on the side of the power interests are in a minority and have no hope of ruling or controlling the party on that question.

The Republican organization is dominated by the great power interests. The Republican National Committee, through its officials, has been cooperating with the power interests all the time. A few days ago we had before us the treasurer of the Republican National Committee. He told of his opposition to the senior Senator from Nebraska [Mr. NORRIS]. He said he was not opposed to him as a politician, that he was opposed to him as a business man.

Of course as a business man he must have been thinking of power, because he has been in the power business. I asked what his interest was in the power business now. He said he had not had any connection with it for 16 years. I thought it rather strange because I had read in the newspapers of his connections. After he left the stand somebody called my attention to Who's Who in America, the edition for 1930–31. I looked up the record there of Joseph R. Nutt, and I found, among many other connections of a financial nature, "The Fort Worth Power & Light Co., chairman of the board." I do not know whether this book is wrong or whether he forgot it when he was before us, but I know that the record of Who's Who for 1928–29 contains the identical statement that he is chairman of the board of that company. Then I have here a newspaper clipping from the Washington Herald written by one of its correspondents, who says that the recent report to the Federal Trade Commission lists Mr. Nutt as a director of the Northern Ohio Power & Light Co. and a subsidiary company, the American Power & Light Co., this being a holding company of the Electric Bond & Share Co. I am not here to dispute Mr. Nutt, but I could not help calling attention to the evidence that was in my mind when I asked him those questions.

At any rate we know to-day that every time the power question has appeared for consideration by the administration, from the President down, we have found them almost universally on the side of the great power interests. The great power interests of the country are connected directly with the Radio Trust. They are all tied together. I need not at this time and place go into a discussion of how the Radio Trust, through its associated companies, has gotten hold of most of the desirable channels for radio broadcasting and is fast dominating the entire short-wave field of radio communication around the world.

At no time and on no occasion has the President or anyone directly under him raised a voice against the grasping policy of the great power octopus. Indeed, we have found that certain members of the Cabinet, particularly those on the Power Commission previous to the appointment of its new members, could not be induced to raise a hand or voice or to do anything against the great power interests.

The reason above all others why, in my judgment, the resolution of the Senator from Montana should be adopted is that we will find out whether the President of the United States will stand on certain constitutional powers that he may claim and refuse to send the name of Mr. Smith back here, and in that way play into the hands of the Power Trust, or whether he will send the name back and let the Senate pass on it again. The American people are entitled to know where their President stands on this issue.

On the Muscle Shoals question we know where the President stands. After having invested in that property millions and millions of dollars of the people's money, he wants that power sold to a private company at the switchboard, so the Alabama Power Co., one of the members of the Power Trust, will be able to sell it to the people at their own rate. I do not know what will happen if the agreement reached in conference on the Muscle Shoals bill ever goes to the House, but I think that is an added reason why it ought to pass. This will enable the American people to find out where Mr. Hoover stands when he is compelled to face the issue whether this Government's power is to be distributed to the people of the South at a rate at which it can be distributed without profiteering on anybody or whether he will veto the bill and refuse to sign such a measure. His friends say that he will veto it, and his friends ought to know.

He has never said or done anything publicly except to handicap those who are fighting to have this great power project serve the people of the South. The Government built that dam and the power-producing plant. The people's money is in it. It was built for war purposes in time of war and for the purpose of making fertilizer in time of peace, and whatever excess power there is ought to be distributed to the people of the South who are within reach of it rather than turned over to a private company to profiteer upon the people when sold at private rates.

If the Muscle Shoals bill is enacted into law as the conferees have now agreed upon it, it will become the finest regulator of private power company rates in the South that could possibly be created. All of the public service commissions, all of the various State officials, will not compare with it when it comes to giving the people electricity at decent rates on terms of good service.

The private companies will be compelled to bring their rates down to the level of the Government rates or admit they can not compete with a Government-owned plant. That is the reason for that 10-year fight against allowing the Government to sell power directly to the people at Muscle Shoals.

So I say it is important that the issue shall be put up to the President. If he refuses to send back Mr. Smith's name, that is his responsibility. If the Senate votes to reconsider and refuses to confirm Mr. Smith and he has any manhood in him, he will resign regardless of what the President may do about his papers. No man worthy of public office would try to hold an office in the face of a situation like that, hiding behind a mere technicality; but even if he stays in office under such conditions we will have broken his influence with the rest of the commission. Mr. Smith is an honest man, he is an able man, but he is by training, by experience, and most of all by his activities, on the side of the great power interests of the country. If there were two more men on that commission like him I should, indeed, tremble to think of what would happen to the power sites of our country during the time such a majority controlled the commission. I believe the fight which has been made here, I believe the public sentiment which has been aroused here, will tend to make the Power Commission realize that it must administer its duties in the interest of the people of the country, in harmony with the spirit of the statutes written 10 years ago by Congress after years and years of study and consideration before they were finally made into law. I believe thereby we have done a great service.

I hope, Mr. President, that the resolution will pass. I hope the President will send back Mr. Smith's name and that the Senate will refuse to confirm him and that we may have another man appointed to the commission who will be more fair to the interests of the people.

TRIBUTE TO "BUD" BROWN

As in legislative session,

Mr. CARAWAY. Mr. President, to-day there are being laid away in a little cemetery in the District of Columbia the earthly remains of Joshua A. Brown, employed for 26 years as superintendent of construction in the office of the Architect of the Capitol. "Bud" Brown, as he was known by his friends, died January 5, 1931. He supervised the construction of the Senate Office Building, the National Memorial Amphitheater at Arlington, and the Interior Department Building. His whole heart and all of his time and all of his abilities went into the service of his Government. He was a genius in his way, and, above all, he was the most humane man I ever knew.

One of the employees of the office, Mr. Horace C. Carlisle, I think, from Alabama, a man holding a very humble place, wrote three stanzas dedicated to the memory of this fellow servant in the Government service in the District of Columbia. I know that the Senate will pardon me while I have the clerk read them, so it will become a part of the RECORD and part of my remarks.

The PRESIDING OFFICER. Without objection, the clerk will read, as requested:

The Chief Clerk read as follows:

"BUD" BROWN PROMOTED

For a third of a century calmly "Bud" Brown—
As he was familiarly known
To his friends and the Capitol Architect's force,
Who loved him as they loved their own—
Went about doing good in his own quiet way,
Enjoying the highest respect
Of the most humble toiler in grimed overalls,
As well as the chief architect.

His whole being revolved around Capitol Hill—
Glad both to be spent and to spend,
To preserve and improve the grand building that lay—
As sweet as a time-tested friend—
On his great, loving, anxious American heart,
That beat with unspeakable pride
In a bosom becalmed by sublime gratitude,
On down to the day that he died.

With the passing of such an old landmark as this,
We sadly look up from the sod
In our search for a faith that asks nothing amiss,
In perfect accord with its God.
He had hoped to see finished the new Supreme Court
And then lay his loved trowel down;
But the Great Architect, for a far grander work,
Had need of His faithful "Bud" Brown.

—Horace C. Carlisle.

DROUGHT RELIEF—CONDITIONS IN ARKANSAS

As in legislative sesson,

Mr. CARAWAY. Mr. President, I am aware, even without a rule to enforce it, yet long observance that works well and which we all approve, provides that a Member of one body may say nothing about a Member of another body. I do not understand, however, that that applies to what a Member of either body may say outside of this legislative capacity and outside of the body of which he is a Member. But for fear it might, I merely want to talk about a gentleman whose name reminds us of something and has always been associated with exaggerations and stories that lack verification. This gentleman says that the trouble down in Arkansas is that we are all communists, that we have turned "red." He gave out an interview to that effect to the newspapers, and some one said to me, "Don't you think he has gone crazy on that subject?" I said, "Yes; but he is no worse off on that queston than he is on all other subjects."

Another gentleman, who is a member of the body I am not naming and whose name I do not recall because if I did I should not call only to help somebody to remember him when he is gone, and without it he will probably not be remembered at all, insists that we are just staging a show to get something for nothing. At least, if we are, we will not get any more for our State than he has insisted on getting for his State in the use of limestone as a building material every time the Appropriations Committee has made appropriations for public buildings.

Another gentleman, whose name I shall not mention, says we are playing politics with human suffering. I am not talking about the President, because everybody has forgotten what he said. I am talking about a gentleman who is a member of a legislative body. Inasmuch as this rule holds good, Mr. President, whether in Congress or outside, we always attribute to other people motives to which we ourselves would be willing to surrender. Nobody charges another man with being guilty of doing a thing for a reason unless he himself concedes that that sort of reason would move him.

With these pleasant remarks about the three gentlemen whose names, as I have said, I do not care to mention because if I were to do so then I would have to explain to everybody who they are, and that is more consideration than the subject matter is entitled to receive, I leave that for the thoughtful attention of others.

But, Mr. President, legislation designed to relieve human misery having passed the Senate is denied the right even to have consideration of another body. I presume their intention is to kill the bill. Therefore, Mr. President, I am proposing an amendment, which will be subsequently offered to the deficiency appropriation bill when it comes over here, and we shall see if those at the other end of the Capitol will not add that to the graveyard of buried hopes.

FEDERAL POWER COMMISSION

The Senate being in executive session,

Mr. SHORTRIDGE. Mr. President, as I indicated yesterday I intended to do, I now purpose stating within a few moments my views in respect to the pending question before the Senate. I shall not indulge in personalities nor impute evil motives to any Member of this body or to any person, official or otherwise. I have taken an oath to support the Constitution of our country. I am mindful of that oath, and I assume, I know, that every Member of this body wishes to be faithful to that oath and to the Constitution.

The relevant facts by which we should be guided have been stated again and again; but I desire to impress them upon the minds of Members of this body, and upon the minds of others elsewhere who may read the proceedings of this day. I wish first to read from the Constitution of the United States. The President—

shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and, by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law: but the Congress may by law vest the appointment of such inferior officers, as they think proper, in the President alone, in the courts of law, or in the heads of departments.

I wish to emphasize that under the quoted section 2 of Article II of the Constitution the President has power to nominate certain officers. I do not assume any superior knowledge of our language than others possess. The meaning of the word "nominate," I take it, is apprehended clearly by us all. The President may "nominate" certain officers, and, as the Constitution specifically provides, he may thereafter, by and with the advice and consent of the Senate, "appoint" the officers by him nominated.

Of course, no question is raised as to the President's power to nominate the officials named for the Federal Power Commission, but the question has arisen, and is now before us, When may the President appoint the persons by him theretofore nominated? The Constitution answers that question. It speaks and says that he may appoint them "by and with the advice and consent of the Senate." From the very nature of things the appointment must follow the nomination, and it must follow the giving of the advice and consent of this body.

Mr. President, in the case, so to term it, before us and in respect to the motion and the subject matter embraced within the motion under consideration, what are the facts—the officially declared, recorded facts—by which, I submit with deference and respect, we ought to be governed?

The President nominated these men. The Senate advised and consented that they be appointed. The President was officially notified that the Senate had so advised and consented. Thereupon the President appointed these men to the positions for which he had nominated them.

When did the President nominate these men? When did the Senate advise and consent to their appointment? When was the President notified of the action of the Senate? When were the appointments made?

I think it will be useful to us and interesting to those who shall perhaps hereafter read the proceedings of this body to have it clearly appear that Claude L. Draper, of Wyoming, was nominated by the President for the term expiring June 22, 1931. On December 3 the notice of his nomination reached the Senate, and was immediately referred to the Committee on Interstate Commerce. On December 15, 1930, that committee reported the nomination favorably, and on December 19, 1930, the Senate officially gave its "advice and consent" to the appointment of Mr. Draper. On the 20th day of December, 1930, the President was officially notified of the action of the Senate.

As to Mr. Marcel Garsaud, of Louisiana, on December 3 the nomination of that gentleman by the President for the term expiring June 22, 1932, reached the Senate. On the same day his nomination was referred to the Committee

on Interstate Commerce, which on December 15 reported it favorably to the Senate. On December 20, 1930, this body by official action gave its advice and consent to the appointment of Mr. Garsaud and the President was officially—and throughout I attach importance to the word "officially"—the President was officially notified.

As to Ralph B. Williamson, of the State of Washington, on December 3 the President notified us that he had nominated that gentleman for the term expiring June 22, 1933. The nomination was referred to the Committee on Interstate Commerce, and that committee reported the nomination favorably on the 15th of December. On the 19th of December this body officially gave its advice and consent to the appointment of that gentleman, and the President was officially notified.

On December 3, 1930, the President gave us notice of the nomination of Mr. Frank R. McNinch, of the State of North Carolina, for the term expiring June 22, 1934. The nomination was referred to the Committee on Interstate Commerce, and that committee on December 18 reported the nomination favorably. On December 20 the Senate officially gave its advice and consent to the appointment of that gentleman.

On December 3, 1930, the President notified us of the nomination of George Otis Smith, of the State of Maine, for the term expiring June 22, 1935, and on that day the nomination was referred to the committee named, which committee reported the nomination favorably on December 15. On December 20 this body officially gave its advice and consent to the appointment of that gentleman for the term mentioned, and the President was officially notified.

Mr. President, the official record bears out the statements I have made as to the occurrence of the events mentioned.

It appears, therefore, that the President nominated these gentlemen; that he advised the Senate of his action; that the Senate referred these nominations to one of its own committees, the Committee on Interstate Commerce; that the Committee on Interstate Commerce reported the names favorably; and that the Senate, after due consideration, gave officially its advice and consent to the appointment of these gentlemen.

But it has been suggested and argued with vigor, and, I think, with too much of feeling tending to be personal, that a rule of the Senate in respect to nominations had been ignored, overlooked, forgotten, or violated; and our attention has been called to that rule of the Senate in respect to the time of giving notice to the President of its action in the matter of giving or refusing its advice and consent in matters of nominations. I refer to Rule XXXVIII, and particularly subdivision 4 thereof.

For the record, I should add that after the facts occurring as I have stated them commissions were issued to these several gentlemen on these days, respectively: To Mr. Draper December 19, 1930; to Mr. Garsaud December 20, 1930; to Mr. Williamson December 19, 1930; to Mr. McNinch December 20, 1930; to Mr. Smith December 20, 1930; that these gentlemen, in the order named, appeared and were sworn in, inducted into the offices named, on these dates, respectively: Mr. Draper December 22, 1930; Mr. Garsaud December 22, 1930; Mr. Williamson December 31, 1930; Mr. McNinch December 27, 1930; and Mr. Smith December 22, 1930; and that they thereupon entered upon the offices named and performed official action.

It is claimed that the President had no power to make the appointments as of the dates he did make them because of the existence of the rule of the Senate referred to, which, it is argued, held up the appointments for the period of two days after action by the Senate giving its advice and consent to the making of the appointments. If I understand the argument, it is that two days must elapse after the action of the Senate before the President has the power to make the given appointment. That argument is drawn from the language of Rule XXXVIII of this body.

The RECORD will disclose, Mr. President—and I invite the attention of the Senator from Montana [Mr. WALSH]—that there was official notice given to the President of the action of the Senate. No one can question that the notice was given by an officer of this body.

Ah, but it is argued—to quote from subdivision 4 of Rule XXXVIII—that—

> Nominations confirmed or rejected by the Senate shall not be returned by the Secretary to the President until the expiration of the time limited for making a motion to reconsider the same, or while a motion to reconsider is pending, unless otherwise ordered by the Senate.

For the moment assuming the power of this body to make that rule, we see that the notice to go from this body to the President should not go until after the expiration of the period within which the right to make a motion to reconsider has expired, or whilst such motion is pending. Now, admit the legality, the constitutionality, of subdivision 4 of Rule XXXVIII, but we see, Mr. President, that within that period of time this body, officially acting through its officer, notwithstanding the rule, did give the President notice of the action of the Senate.

The Secretary of the Senate might have delayed giving this notice; but he did not delay; the notice was given, and within the period named.

Was the President bound under law to take official notice of the rule of the Senate, and after receiving official notice of the action of the Senate delay appointing the nominees until the expiration of the two days after their confirmation? First, was he required to take official notice of this rule and delay action?

Assuming for the sake of argument that he was required under law to take official notice of this rule, he had a right to assume or presume, and to act on the assumption or presumption, that by giving him official notice on the day named and within the 2-day period the Senate of the United States had waived the requirement of subdivision 4 of Rule XXXVIII.

I repeat, and would emphasize, that, assuming that the President was required to take official notice of this rule, and all of it, he having received official notice by this body within the 2-day period, he had a right to assume and to presume that the Senate had waived that requirement, namely, the 2-day delay provision of the rule in question. I submit to the learning of this body that in view of the record, and particularly in view of what I have immediately now stated—that within the 2-day period this body gave the President official notice of confirmation—this body is estopped from questioning the action of the President in making the appointments which are involved in this discussion.

It may be said that the Senate is not to be estopped—can not be estopped—by its own conduct; its own acts. I merely observe that a Senate can, in conscience and in law, be estopped by its own affirmative or its own negative conduct or acts. The Senate can not now question the power of the President to make the appointments he made. The Senate can not now take advantage of its own violation or ignoring or waiving of its own rule. The power of the President to make the appointments was not impaired or suspended by any premature notice given to him by the Senate itself, for, as I have said, the Senate waived its own rule.

Mr. President, I appreciate the importance of this matter from a legal standpoint. I appreciate also that economic questions which have been discussed but have no bearing on the decision we should reach. I content myself this day by thus briefly presenting my views as to the ultimate question which we are called upon to determine, which, perhaps, to repeat, is this: We find that the President of this Republic nominated certain gentlemen to certain offices; that the Senate received notice of these nominations; that the Senate took appropriate action by reference to its committee; that the committee performed its duty and reported the nominees favorably; that the Senate of the United States performed its duty in giving its advice and consent to the President that he might appoint these gentlemen to the offices in question.

We find that the President of the United States being so notified officially proceeded to exercise the power which the

Constitution lodges in him, and upon days named appointed these gentlemen to the offices named.

We find from the RECORD that commissions evidencing those appointments were duly issued by the President. We find, further, that upon the days named those gentlemen did a necessary act in order to be inducted into the offices in question; they subscribed to the oath required by law, and thereupon they entered into and are now in the occupancy of the offices in question.

I am not dealing here with supposititious cases; I am dealing with the resolution, the subject matter before us, and I have in mind the facts by which we should be guided and controlled.

I wish that my position may be understood. I am not tearing passion to tatters or to rags to split the ears of the galleries or the ears of anyone else, but I wish my position to be understood. It is, in essence, this, that in view of all the antecedent or preceding facts, the President of the United States—I am almost tempted to pause to pay him a loving tribute as a great American, a true patriot—legally exercised his constitutional power in the making of the appointments in question.

I feel somewhat embarrassed, because I am presently conscious of proceeding longer than I had intended; but yesterday or the day before I think I ventured to inquire of a Senator why we should go forward with this matter, why we should take up so much time, if our action would be futile, if it would be utterly without effect. I do not impute evil motive to anyone who has participated in this discussion, but with great respect I do suggest that much time has been consumed in matters utterly foreign and irrelevant to the question which we as Senators should consider, and without passion, without feeling, determine.

As to the futility of this motion, in view of the record, in view of existing facts and conditions, I have merely this to say: I can not believe, I do not for the moment, at any rate, believe, that this motion will prevail. Manifestly, I think it should not prevail, but if it should prevail, how futile. These gentlemen are in office, they are exercising their functions, there is nothing in the Constitution or the law which makes it mandatory upon the President to comply with this request if made. I am not advised as to whether he will or will not comply with it. I do not know. But I know that there is nothing mandatory in the law or in the Constitution which would compel him under his oath to comply with this request. And if he entertains the view which I entertain, without any disrespect to the Senate whatever he could decline to comply with this request.

Mr. President, I leave off by expressing my very sincere regret that personalities have been indulged in, criticisms have been made, evil motives imputed, and attacks made upon gentlemen who have not been given opportunity to defend themselves. I regret it; I deplore it. Never have I questioned the good motives or the character or the patriotic purpose of any Member of this body, and I would rather sink down here now and die than to condemn any man without giving him ample, full, opportunity to defend himself, explain his conduct, and, if it be so, exonerate himself from any imputation of evil intent or wrongful act.

Mr. GEORGE obtained the floor.

Mr. McNARY. Mr. President, will the Senator from Georgia yield that I may propose a unanimous-consent agreement?

Mr. GEORGE. I yield to the Senator.

Mr. McNARY. I ask that the clerk state the proposal.

Mr. WALSH of Montana. Mr. President, pending that I suggest the absence of a quorum.

Mr. McNARY. Mr. President, will not the Senator permit the statement to be read? Then a quorum will be brought in.

The PRESIDING OFFICER (Mr. BRATTON in the chair). The clerk will read the proposed unanimous-consent agreement.

The Chief Clerk read as follows:

Ordered, by unanimous consent, that after the hour of 5 o'clock p. m. to-day no Senator shall speak more than once nor longer than 15 minutes upon the motions of the Senator from Montana [Mr. WALSH] to reconsider the votes on the confirmations on the nominations of George Otis Smith, Marcel Garsaud, and Claude L. Draper, respectively, to be members of the Federal Power Commission, and to request the President to return the resolutions of confirmation to the Senate, and that before the end of this calendar day the Senate shall proceed to vote on the said motions, the right being reserved to demand a separate vote on each of the two propositions involved.

Mr. McNARY. Mr. President, will the Senator from Georgia further yield in order that I may suggest the absence of a quorum?

Mr. GEORGE. I yield.

Mr. McNARY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Dill	Kendrick	Shipstead
Barkley	Fess	La Follette	Shortridge
Bingham	Fletcher	McGill	Smith
Black	Frazier	McKellar	Smoot
Blaine	George	McMaster	Steck
Borah	Gillett	McNary	Steiwer
Bratton	Glass	Metcalf	Stephens
Brock	Goff	Morrison	Thomas, Idaho
Brookhart	Goldsborough	Morrow	Thomas, Okla.
Broussard	Hale	Moses	Townsend
Bulkley	Harris	Norbeck	Trammell
Capper	Harrison	Nye	Tydings
Caraway	Hastings	Oddie	Vandenberg
Carey	Hawes	Partridge	Wagner
Connally	Hayden	Phipps	Walcott
Copeland	Hebert	Pine	Walsh, Mont.
Couzens	Heflin	Ransdell	Watson
Cutting	Howell	Reed	Wheeler
Dale	Johnson	Robinson, Ark.	Williamson
Davis	Jones	Robinson, Ind.	
Deneen	Kean	Sheppard	

The PRESIDING OFFICER. Eighty-two Senators having answered to their names, a quorum is present. The question is on the proposed unanimous-consent agreement offered by the Senator from Oregon [Mr. McNARY]. Is there objection?

Mr. WALSH of Montana. I ask that the proposed order be read.

The PRESIDING OFFICER. The clerk will read, as requested.

The Chief Clerk read as follows:

Ordered, by unanimous consent, that after the hour of 5 o'clock p. m. to-day no Senator shall speak more than once nor longer than 15 minutes upon the motions of the Senator from Montana [Mr. WALSH] to reconsider the votes on the confirmations of the nominations of George Otis Smith, Marcel Garsaud, and Claude L. Draper, respectively, to be members of the Federal Power Commission, and to request the President to return the resolutions of confirmation to the Senate, and that before the end of this calendar day the Senate shall proceed to vote on the said motions, the right being reserved to demand a separate vote on each of the two propositions involved.

The PRESIDING OFFICER. Is there objection?

Mr. BORAH. Mr. President, the Senator from Nebraska [Mr. NORRIS] is particularly interested in any agreement of this nature. I would like to ask the Senator from Oregon if he has conferred with the Senator from Nebraska.

Mr. McNARY. The Senator from Nebraska must know that there has been a quorum call. I asked that he be notified personally, and that was done. I am not advised whether it is satisfactory to him. I do not know how to obtain his presence.

Mr. COUZENS. Mr. President, may I say that I have just conferred with the Senator from Nebraska and he said he would not object?

Mr. BORAH. Very well.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. GEORGE. Mr. President, I desire to state my views upon the rule of the Senate and upon the constitutional question raised by the Senator from West Virginia [Mr. GOFF] and others. I desire merely to state my position without special elaboration.

In the first place, the President, of course, has the power to nominate, and in this case he did nominate and send his nomination to the Senate. In the second place, the Senate is called upon either to reject or confirm that nomination. In this case the Senate confirmed the nomination. The Senate has the power to reconsider its action. That power

inheres in the Senate. It arises aside from the fact that the Constitution gives to the Senate the power to make rules to govern its procedure. It exists in virtue of the fact that the Senate is sovereign with respect to its own deliberations. The power of the Senate and the rule made by the Senate in pursuance of that power is not subject to question anywhere else if the rule be reasonable and if it does not conflict with some provision of the Constitution or of some law made in pursuance of the provisions of the Constitution.

There was a nomination, there was a confirmation, and there was notification to the President within the period within which the Senate might entertain a motion to reconsider. The officers of the Senate sent the notice with the authority of the Senate and no Senator, I dare say, has quibbled or desires to quibble over that point. The question of notice in my opinion has no constitutional significance or effect. The act of the Senate would be just as valid if no notice went from the Senate to the President; that is to say, a formal notification. Therefore that notification or notice has no particular constitutional significance or effect.

The position taken here rests upon two grounds; first, that there has been a waiver by the Senate of its right to reconsider the action of the Senate upon this nomination, and, second, that the rule itself is unconstitutional. I want to notice the first proposition because if the first proposition is not sound I think there can be no possible merit in the second suggestion advanced.

It is insisted, and very earnestly insisted, that the Senate, by sending to the President notification of its action upon the nomination of Doctor Smith, waived its right to entertain a motion to reconsider the vote by which he was confirmed. That can not be true for this simple reason: The rule provides that any Senator who voted in the affirmative may make a motion to reconsider within the time stated in the rule. It further provides that if notification has been sent to the President within the time given to lodge the motion for reconsideration, then, in that event, the motion shall be accompanied by the additional motion, which is simply a part of the general or principal motion in my judgment, that the President be requested to return the nomination.

How can the contention prevail, as in this case, where the rule itself expressly provides that if notification has been sent within the time within which a motion to reconsider may be lodged, then in that event the motion shall incorporate a request to the President to return the notification? There can possibly be no waiver when the act from which it is insisted the waiver arises is by the express provision of the rule recognized as constituting no waiver. The rule in express terms recognizes the right of the Senate to entertain a motion to reconsider its vote upon this confirmation, and further recognizes that the motion to reconsider may be pressed and is in order and is within the rule although notification has gone to the President, because it provides, indeed requires, that a request to return the nomination be submitted to the President in that event. There is no waiver, therefore, and I dare say that upon second thought no one can insist that there is a waiver growing out of the mere fact that the notification was sent to the President within the period within which a motion to reconsider might be lodged under the Senate rule.

Indeed the waiver in this case is finally in the argument made to rest not upon the fact that notification was sent to the President but upon the fact that the President himself acted upon that notification. Of course, the doctrine of waiver is simply a part of the general doctrine of estoppel, and there must be affirmative action to the prejudice of the party asserting the estoppel, even in private relationship, before the doctrine can be invoked.

Mr. BINGHAM. Mr. President, will the Senator from Georgia yield to me?

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Connecticut?

Mr. GEORGE. I will do so in just a moment, if the Senator will permit me to proceed.

If, therefore, one must look to something that occurred in the Executive Office in order to ascertain whether the mere sending of the notification to the Executive constitutes a waiver, the mere fact that the notification was sent within itself does not constitute a waiver of the Senate's rules. Let me repeat, it can not be asserted that, where the rule itself expressly recognizes the right to lodge the motion, and where the notification has been sent within the time within which the motion may properly be lodged, the sending of the notice to the President can constitute waiver.

It is said here, let me repeat, that the President acted upon that notification, made the appointment, issued the commission, the appointee took the oath and went into office, and that all of these several circumstances constitute a waiver of the Senate's right to entertain the motion to reconsider the vote by which the appointee was confirmed.

Now I yield to the Senator from Connecticut.

Mr. BINGHAM. I thank the Senator. Has the Senator thought of the possibility of the Executive, in view of the fact that in Rule XXXVIII clause 4 comes after clause 3, to which the Senator has referred, and therefore might be considered as explaining it and making it a little more certain, construing it to mean that a notice to the President of the confirmation would not be sent if it were likely that a motion for reconsideration was to be made? Clause 4 of the rule specially states that

> Nominations confirmed or rejected by the Senate shall not be returned by the Secretary to the President until the expiration of the time limited for making a motion to reconsider the same, * * * unless otherwise ordered by the Senate.

The Senate having "otherwise ordered," and by unanimous consent having permitted the President to be notified, was not that a sufficient notice to the Executive that he might proceed to have the appointees sworn in and commence their duties——

Mr. GEORGE. I do not——

Mr. BINGHAM. If the Senator will pardon me—particularly in view of the fact that in the first part of clause 3 of Rule XXXVIII it is stated that a reconsideration must be moved "on the same day, * * * or on either of the next two days of actual executive session of the Senate," which might mean a very considerable number of days, as there might be a period of three or four weeks before the second "actual executive session" took place. That would mean very great delay in the appointing power of the President if it were intended that there should be a reconsideration.

Clause 4 of this rule seems to do away with the possibility of the President being obliged to wait for any such length of time by providing that he shall not be notified until the period has elapsed unless the Senate shall have otherwise ordered.

Mr. GEORGE. Exactly, Mr. President; but even section 4 of Rule XXXVIII recognizes the power of the Senate to reconsider its vote by which a nomination is consented to where the notice is sent within the time fixed in the rule; in other words, the fourth paragraph of the rule recognizes the power of the Senate to reconsider its vote although the notice has been sent to the President.

Mr. BINGHAM. But is not the implication of paragraph 4 that the President will not be notified until the time shall have transpired unless the Senate believes that there is no likelihood of a reconsideration being moved and directs that the President be immediately notified?

Mr. GEORGE. No; because the rule provides for sending of the notice by order of the Senate where the motion to reconsider is actually pending, even by the very text of the rule, as the Senator will see if he will read it.

I agree with the Senator's general observation that presumably when the Senate sends a notice, unless there be a motion pending to reconsider, the Senate is certainly of the opinion presently that there will be no effort to reconsider its vote; I am not quibbling about that; I am addressing myself to the one proposition which is the base of the legal argument that has been made in this body, to wit, that the sending of a notice to the President is a waiver of the Senate's right to reconsider the vote on the nomination

itself. That can not be true because in the text of the rule provision is made for the reconsideration of the vote where the notification has been sent to the President. In that event the motion must merely add the request that the notification be returned to the Senate.

Mr. BINGHAM. Mr. President, will the Senator from Georgia yield further?

Mr. GEORGE. I will yield to the Senator for a question, but I want to conclude.

Mr. BINGHAM. Is it not possible that by implication the rule to which the Senator has just referred, namely, paragraph 3, of Rule XXXVIII, is intended to cover the notification to the President made erroneously by a clerk without authority?

Mr. GEORGE. Oh, no, Mr. President; it is not intended to cover that in any event because a rule is never made in contemplation of an error or an act beyond the authority of the officers of the body to perform. Rules are always made in contemplation of acts that officers are empowered to perform. It would not be necessary at all to provide for the recall of a notification sent to the President without authority of the Senate. Therefore, I prefaced my statement by saying that I am not quibbling at all over this situation. The nominations were sent to this body; this body confirmed Doctor Smith, and the notice went to the President from this body by its authority; but within the time fixed by the text of the rule a motion to reconsider was lodged and was accompanied by the proper motion under the language of the rule requesting the President to return the notification to this body. The single position which I take is where provision is made by the rules for the very thing which is insisted here constitutes a waiver that the insistence is illogical; it is a reductio ad absurdum, with all respect to those who have made it. There can not possibly be a waiver based upon the single fact that is contemplated and textually provided for in the rule itself, because it is equivalent to saying that, although the notification has been sent to the President, then the Senate has the right to reconsider, but, either as a matter of respect or more than that, it will accompany the motion to reconsider by a request to the President to return the notification.

Paragraph 4, to which the Senator refers, contemplates a situation where the notice is to be withheld, of course; and that is the general rule, and that is all the waiver that has been made in this case, to wit, the waiver of the general rule that the President is not to be notified until the time for the lodging of the motion to reconsider has passed. In other words, the time of the sending of the notice to the President was waived by this body by appropriate action, and therefore its officer acted with the consent and authority of the Senate, and not contrary to it.

Mr. BINGHAM. But is it not a fair inference to draw from the fact that the Senate waived its rule and, contrary to the rule, did notify the President; that therefore there was no necessity for the President to hold back the swearing in of the appointee until the time for reconsideration had gone by? Was not the very fact that the Senate notified the President against its own rules before the time limit had expired notice to the President that there would be no reconsideration?

Mr. GEORGE. Oh, no; that was not such a notice at all, because the rule——

Mr. BINGHAM. What is the inference the Senator would draw from that?

Mr. GEORGE. That is not the inference I would draw because I am forbidden to draw it by the very text of the rule itself. The rule says that if the motion for reconsideration is pending—there is the strongest case and let us take it—then the notice shall not be sent to the President unless the Senate otherwise orders; but, according to the logic invoked in the Senate, though the motion for reconsideration is actually pending and Senators are here insisting upon their right to be heard upon it, if the Senate by two-thirds vote, for instance, should send the notice to the President, the motion to reconsider would be waived and would be nugatory and void. That can not be the rule; it can not be the correct interpretation, because the rule provides for the sending of notification to the President by order of the Senate when there is actually pending in the Senate a motion to reconsider the vote by which the nomination was confirmed. So I can not draw the implication from this provision of the rule which the Senator seems to be able to draw, and I am frankly at a loss to see how he can draw it.

Mr. BINGHAM. If the motion to reconsider had been pending, I agree the Senator would be entirely right, that no such an inference could be drawn; but, since no motion to reconsider was pending when the Senate waived its rules and notified the President, was it not a fair inference to the Executive that there would be no motion to reconsider?

Mr. GEORGE. Exactly; I do not dispute that proposition; I agree to it. Not only was it a fair inference but I take it that the Senate presently believed that there would be no motion made for a reconsideration. I am willing to concede that to be true.

Mr. BINGHAM. If the Senator concedes that, will he explain what might happen if a nominee were confirmed on the last day before the Christmas recess, the President was notified, and the nominee took office and had been holding office for two weeks before we met again? Would he then claim that we might ask for the name to be sent back and reconsider the vote by which the official had been confirmed?

Mr. GEORGE. Unquestionably so, if the motion is made within the next two days on which executive sessions are held by the Senate, because the rule affirmatively and by its literal provisions so provides.

Mr. BROOKHART. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Iowa?

Mr. GEORGE. I yield.

Mr. BROOKHART. On that proposition does not paragraph 5 of the rule define what constitutes a waiver? It provides that a recess of more than 30 days shall be a waiver, but the rule having defined what is a waiver, nothing else can be a waiver.

Mr. GEORGE. Yes; I think that is true, of course, in the case of a motion to recess for more than 30 days. There is nothing better settled, I think, Mr. President, than the broad proposition that where the very act that it is insisted upon as constituting a waiver is itself recognized by the rule under which we are proceeding, or the law under which we are acting, as not setting up any bar to the proceedings the body wishes to take such waiver can not possibly be invoked.

It can not be, and it has not been. What has been attempted here is to invoke the subsequent action of the President—that is, the action of the President upon the receipt of the notice—as constituting estoppel or waiver of the Senate's power to reconsider its action. That can not be true, because in one circumstance where the President had not acted upon the notification, although it had been sent, there would be no waiver. In the other instance, there would be a waiver of the Senate's rule, according to the contention made.

I am discussing now the simple question of waiver. The sending of the notification to the President within the time fixed by the rule within which the motion to reconsider may be made can not possibly be a waiver, because if the President had not acted there would be no insistence here that it was a waiver. Therefore, the insistence here made is not that there has been in fact a waiver, but that this notification having reached the President, and he having acted upon it, the legislative body is estopped.

That can not be true. In the first place, the doctrine of estoppel applies in private relationships. It has no application to the sovereign—to the Senate exercising its constitutional prerogative. It ought not to be invoked, and it can not be rightfully invoked.

But let me say what this notification did mean as I think, and what it authorized the President to do.

When the notification went to the President he did have the right to assume, let us concede, because the Senate itself was presently of the opinion, that there would be no motion to reconsider; but what was the notification?

The notification was that on the 20th day of December, George Otis Smith was duly confirmed by the Senate. What does the Senate rule say? It provides that on that day and within the next two legislative days on which executive sessions of the Senate are held the action of the Senate may be reconsidered—that is, a motion may be made—and that motion, of course, may prevail.

Mr. BROUSSARD. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Louisiana?

Mr. GEORGE. I do. I prefer to yield for a question.

Mr. BROUSSARD. What concerns me in this matter is that two-thirds or three-fourths of the time of the debate on this question has involved a legal question such as that which the Senator is discussing, which affirms that the Senate has a right to consider this motion. Why are we discussing that for four days, when as a matter of fact it is a subject before the Senate, and we are going to take a vote on it?

If a man merely challenges the legality of a motion made, but there is no point of order raised against it, no motion made to table it, why discuss it? It is being considered, and we are going to vote on it. We have been debating that for four days.

Mr. GEORGE. Very well, then, Mr. President. I am discussing it, however, because the opposition to this motion raised the question and insisted upon it here in a very learned and a very able argument delivered by the Senator from West Virginia [Mr. GOFF]. I am assuming that if the Senate believes that it has no power to consider this motion at this time it would vote against it, whatever might be the general view of the Senate on the propriety or impropriety, or more, of the action taken by the three members of the commission upon which the motion is predicated.

Let the President himself answer, if he has an answer, why he is not willing to comply with whatever request the Senate may make of him; and I do not assert that he has not a right to answer. He has that right. It may be that he can well answer that when he received this notice he took it at face value, and assumed that the Senate knew of no reason why a motion to reconsider its vote would be made. But he must take it with notice nevertheless, Mr. President; and upon that point let me repeat: When the notification about which we have heard so much went from the Senate, it was simply a notification that on the 20th day of December the Senate did advise and consent to the nomination and appointment of George Otis Smith. The Senate rule provides for reconsideration of that vote. The notification was lawfully sent to the President. It spoke the truth; and yet in it went the rule of the Senate as if it were written upon that notification, and why?

Because the President of the United States holds office under the same Constitution that authorizes the organization of this body as the Senate; and of all agencies charged with the notice of every valid rule made by the Senate the Executive is primarily charged, even as the Senate is charged with notice of every valid Executive order issuing out of the executive department with respect to matters in which the Senate and Executive have joint responsibilities, for the simple reason——

Mr. HASTINGS. Mr. President——

Mr. GEORGE. For the simple reason that both act under and by virtue of the same organic law, and the Constitution in express language recognizes the right which of necessity would inhere in this body as a part of the sovereignty of the Nation even without that provision, but it in express language recognizes the right and power of the Senate to make rules governing its proceedings.

Mr. BINGHAM. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield; and to whom?

Mr. GEORGE. I yield first to the Senator from Delaware.

Mr. HASTINGS. Mr. President, does the Senator concede that it would be a sufficient answer to this resolution if the President should reply that the persons had been named and had taken the oath of office?

Mr. GEORGE. I do not; but upon that point the President, of course, is entitled to his judgment.

Mr. BINGHAM. Mr. President, will the Senator yield?

Mr. GEORGE. I yield now to the Senator from Connecticut.

Mr. BINGHAM. Does the Senator hold that it is the duty of the President, when he receives word from the Senate that a nominee has been confirmed, to look at the calendar and see whether the days have expired during which time the Senate might reconsider that action? Or may he immediately cause the officer of the Army or Navy or Post Office Department, as the case might be, to be sworn into office?

Mr. GEORGE. He might do either.

Mr. BINGHAM. Does the Senator hold that the President is correct, then?

Mr. GEORGE. I hold that he is bound to know, as if it were textually a part of the notification, that under the Senate rule the action of the Senate of which he is notified may be reconsidered. That is all I hold.

Mr. BINGHAM. The Senator does not hold, then, that he did wrong in having the oath administered to the commissioners?

Mr. GEORGE. Does the Senator mean moral wrong or legal wrong? I see no immorality in it.

Mr. BINGHAM. I mean offending the spirit of the Senate rules which the Senator says it was the duty of the Executive to observe.

Mr. GEORGE. I am not prepared to say that he offended the spirit of the Senate rules, or rather intended to offend the spirit of the Senate rules.

Mr. BINGHAM. Then, Mr. President, if it is quite within the bounds of propriety for the President to have the oath administered, have we not a very curious situation—that an officer of the Government properly appointed and confirmed, and having taken the oath, does not know whether he is actually in office or not, but must wait for a period of time to elapse afterward before he carries out the duties of his office, although he has taken the oath so to carry them out?

Mr. GEORGE. I hardly know where to begin to answer the Senator's question, but if he will listen I will try to make my view of it clear, to wit, that when the President received the notification, if he then wished to act, believing that in all probability and in nine hundred and ninety-nine cases out of a thousand there would be no effort upon the part of the Senate to reconsider its action, he might, if he wished, say to the nominee: "Here is your commission. Take your oath." But he is bound, above every other branch of the Government, to know that the nominee is taking no absolute right to the office, no vested or perfected right to the office; but he is taking it subject to the right of the Senate, within the time fixed by its rule, if it be a reasonable rule, to reconsider its action.

That is all. If the President wished to act immediately, and there had been no reconsideration, what then? There would be nothing of the matter. But if the President elected to act immediately, and the Senate did reconsider, under its rules, its action consenting to the nomination, what then? Mr. President, let me repeat, the Executive, above every branch of the Government, is bound by the rules of this body, if those rules be reasonable and valid, for the reasons already stated.

Now, why quibble about it? Is there anything unreasonable in the rule? Let any Senator rise and assert it. Is there anything unreasonable in providing that the Senate may have two executive sessions after the day on which the confirmation was voted to reconsider its action?

Mr. HASTINGS. Mr. President——

Mr. GEORGE. Since the foundation of this Government it has been recognized in both branches of the Congress that a reasonable period of time—and two days has been the usual time adopted—was the time in which a motion to reconsider any action by either House might be lodged and might be entertained.

Mr. CONNALLY. Mr. President——

Mr. GEORGE. I yield to the Senator from Texas.

Mr. CONNALLY. May I suggest to the Senator that rarely, if ever, when action is taken, has it been anticipated that it will be reconsidered.

Mr. GEORGE. Exactly.

Mr. CONNALLY. And if the fact that nobody makes the point would cut off reconsideration, the effect would be to destroy the rule absolutely.

Mr. GEORGE. Absolutely.

Mr. BINGHAM. Mr. President, will the Senator yield?

Mr. GEORGE. I must yield first to the Senator from Delaware [Mr. HASTINGS], because he rose first.

Mr. HASTINGS. Mr. President, I just wanted to suggest that the reasonableness of this rule, in my judgment, depends entirely upon what construction we put upon it.

If we undertake to put upon it the construction that the Senator puts upon it—namely, that the notice by the Secretary to the President is not a final notice—then I insist that it is unreasonable.

Mr. BINGHAM. Mr. President——

Mr. GEORGE. Now I yield to the Senator from Connecticut.

Mr. BINGHAM. The Senator asked whether anyone thought the rule was unreasonable; and I must confess that I agree entirely with what the Senator from Delaware has just said—that it is most unreasonable that there should be a rule permitting the President to be notified that his nominee has been confirmed by the Senate in accordance with the constitutional right of the Senate to confirm nominations, and therefore he causes the oath to be given to the officer, and yet that officer does not actually then begin his regular term of service. If that is the rule, it is most unreasonable. But, Mr. President, I believe the rule is reasonable for the reason that in section 3 of the rule it provides for the motion to reconsider, that it may take place at any time within two days of actual executive sessions of the Senate. That is a proper provision, and a reasonable one.

Mr. GEORGE. Although we might not have executive sessions within more than 30 days of each other, the Senator still believes that is reasonable?

Mr. BINGHAM. Well——

Mr. GEORGE. Oh, we usually have executive sessions occasionally.

Mr. BINGHAM. We usually have them, yes; but it might be well to change that particular part of the rule. But the reason why it seems to me the rule is reasonable is that in section 4 it is provided that the President shall not be notified of the confirmation until these two days have passed by; and——

Mr. GEORGE. Why does not the Senator repeat the balance of the rule?

Mr. BINGHAM. And it is quite obvious——

Mr. GEORGE. No, no; why does not the Senator repeat the balance of the rule? If he is going to make a speech in my time, let him quote the rule correctly. The President shall not be notified until the period has expired, or while the motion to reconsider is pending, unless the Senate shall otherwise order. Is there anything unreasonable about the rule?

Mr. BINGHAM. It seems to me, I will say to the Senator, that it is a very reasonable rule; and that when the Senate does otherwise order it is expressly saying to the President, "We do not propose to use our right to reconsider."

Mr. GEORGE. Mr. President, the logic of that position is clearly developed by the distinguished Senator from Connecticut [Mr. BINGHAM] in the face of the provision, which is that where the motion to reconsider is actually pending the sending of the notice is, nevertheless, notice to the President that we do not intend to insist upon it.

Mr. BINGHAM. Oh, no, Mr. President; the Senator is not quite fair in that.

Mr. GEORGE. That is what the Senator said.

Mr. BINGHAM. No, Mr. President.

Mr. GEORGE. The Senator said that the sending of the notice to the President was notice that the Senate did not propose to reconsider. Now I must not yield longer for argument, Mr. President.

The VICE PRESIDENT. The Senator from Georgia declines to yield further.

Mr. GEORGE. I will yield for a question but not for an argument.

Is there anyone here who will insist that the notification to the President was, within itself, a waiver? I dare say that there is no one here who will insist that the sending of the notification was, within itself, a waiver.

Mr. WALSH of Montana. Mr. President, will the Senator suffer an interruption while this matter which has been the subject of discussion between him and the Senator from Connecticut is before us?

Mr. GEORGE. I yield.

Mr. WALSH of Montana. I want to call attention to the rule which was in effect when the precedent referred to by the Senator from West Virginia arose, in 1830. The rule in effect then was adopted in 1828, and reads as follows:

> When a question has been once made and carried in the affirmative or negative, it shall be in order for any member of the majority to move for the reconsideration thereof: But no motion for the reconsideration of any vote shall be in order after a bill, resolution, message, report, amendment, or motion upon which the vote was taken, shall have gone out of the possession of the Senate, announcing their decision; nor shall any motion for reconsideration be in order, unless made on the same day on which the vote was taken, or within the two next days of actual session of the Senate thereafter.

In 1877 that rule was amended so as to provide that a motion for reconsideration could be made after the notice had passed out of the possession of the Senate, but the motion to reconsider should then be accompanied by a request that the papers be returned.

Mr. GEORGE. Exactly; and what the Senator from Montana has said reinforces the position which I take; reinforces the position, indeed, which every man must take when he, without bias or partisanship, analyzes this rule.

It is a legitimate question whether the rule is reasonable. I concede that. If it is not a reasonable rule, of course, it is void. Is it not reasonable to give to this body the day on which a vote is taken and the next two days upon which it possibly could consider a motion to reconsider a vote? Is not that a reasonable provision? Is it not entirely reasonable in all of its provisions? I pause. Are not the textual provisions of this rule reasonable?

It is asserted that the rule is unconstitutional. That assertion is based upon one proposition. It is without merit, in my view of the matter, unless one thing be true, to wit, unless Doctor Smith, in this case, had been legally inducted into his office and was entitled to that office; in other words, unless he had acquired a vested right to that office.

The argument of the unconstitutionality of the rule proceeds upon the proposition that Doctor Smith had been nominated, had been confirmed, had been legally appointed, and was legally in office. If he is legally in office, it is said that the rule is unconstitutional because it is an encroachment upon the Executive's power of removal from office. In other words, under the Constitution, the Executive and the Executive alone has the right to remove public officers. We need not now discuss what kind of public officers, but he and he alone has the unrestrained right and the unqualified power to remove a public officer.

If Dr. George Otis Smith is in office legally, then we can not make a rule of this body which would encroach upon the President's power to remove him. It would follow, of course, that the motion, if it should prevail, to request the President to return the notification of the vote taken by the Senate on the nomination of George Otis Smith, would result in the removal of Doctor Smith from an office which he legally occupied.

The whole force of the second position taken by the very able Senator from West Virginia [Mr. GOFF], my warm, personal friend, for whom I have the warmest admiration, the whole force of his argument that the rule is invalid, is based upon the proposition that Doctor Smith is actually in office, entitled to the office, and that the rule attempts

therefore to compel the President to exercise his power of removal.

Mr. President, if there is no waiver of the right of the Senate to entertain the motion to reconsider, the notification which went to the President reciting the simple fact that on a day named, to wit, the 20th day of December, the Senate affirmatively consented to the nomination of Dr. George Otis Smith, charged the President then and there with notice of the further provisions of the standing rules of this body, by which and under which this body had the right to reconsider its vote, and Doctor Smith never acquired a perfect right to the office. A vested right, if you please, by all the authorities, is a right perfect in itself, in no wise contingent upon the happening of any event. Doctor Smith took his oath, the President gave him his commission, with the rule of the Senate written across the notification sheet. The Senate advised and consented on the 20th day of December to this nomination. The Senate has the right and the power to entertain a motion to reconsider that vote if made within the time fixed by the rule.

Mr. HASTINGS. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. HASTINGS. Will the Senator explain the purpose of any notice at all to the President? What is the purpose of notice to the President, particularly in paragraph 3 of the rule?

Mr. GEORGE. It has no constitutional significance whatsoever. It is the means by which a coordinate branch of the Government deals respectfully with another. A message is sent to us, and we respectfully return the notification. In nine hundred and ninety-nine cases out of every thousand, and even perhaps a larger proportion, no motion is made to reconsider a vote by which the Senate consents to a nomination, and as a matter of legislative courtesy, in order to permit business to go on in the ordinary, usual manner, if the Senate presently knows of no reason why it will look with favor upon a motion to reconsider, it is perfectly natural and normal, and tends rather to expedite than retard public business, to let the notice go forward as a mere matter of form.

Mr. HASTINGS. Mr. President, how could it possibly expedite business to notify the President that confirmation had been made of a nomination in the Senate, if the President is to be blamed for paying any attention to the notice, and must wait and examine the record himself in order to find out whether the time for reconsideration has passed?

Mr. GEORGE. Let me answer the Senator by saying that when the Senate has the matter under consideration, it will then effectively dispose of it so far as it is then advised that it desires to deal with that particular matter. But let me warn the Senator now that if his view of the rule is correct, hereafter notification to the President will not be given until the Senate has exercised its full right.

I might well ask the Senator from Delaware, why did the Senate do the perfectly useless thing of providing in its rules that where a motion for reconsideration was made, and the notice had been sent to the President within the time in which the motion might be made, then, in that event, the President should be respectfully requested to return the notification to the Senate? My question to him answers his question to me.

Mr. President, there being nothing in the position taken, I respectfully insist, on the question of waiver, George Otis Smith never took a perfected right to his office, but he took it subject to the Senate's right to reconsider the vote by which he claimed that office. Therefore the constitutional question never arises; it can not arise. Nothing the Senate may do in the nature of a request to the President to send back the notification can be an undue encroachment upon the Executive power to remove if George Otis Smith has not a perfected right to his office; and he has not, because he took it under a notification to the President which recited the day on which the Senate voted, and with the rule clearly before the Executive's eye that within a certain period thereafter the vote might be reconsidered.

There is involved no disrespect to the President. It ought to be said in candor that the moment the notice was ordered to leave the Senate, no one contemplated a motion to reconsider. Indeed, the motion to reconsider is predicated upon something which thereafter occurred in this particular case.

The Senate acted in good faith. There is no doubt but that the President in like good faith might act immediately upon the receipt of the notice, but he must act with the full knowledge of the reserve power in the Senate under its rules and under the Constitution to revoke its action; that is all.

It certainly is not necessary to impugn the motives of the President in this matter, nor am I answering for the President, as my friends do across the aisle responsive to this notice, assuming that the motion prevails. I am not trying to give to the President an answer nor assuming to answer for the President. I am not assuming, in the first instance, that he will refuse to return the notification or nomination. I am not assuming that he will refuse to do so for the reasons which have been urged on the other side of the aisle.

We have the strange position that if the President had not acted upon the notification, then under the Senate rule there could be no contention and no claim that the Senate waived its right to reconsider the vote, and yet if the President did act that there is a waiver and a complete and absolute waiver. Senators have been most diligent in trying to provide the President with an answer to the question, in spite of the fact, no doubt, that the Senate would respectfully request the President to send the notification and the nominations back to the Senate for consideration by the Senate.

Mr. President, I have addressed myself to the legal phases of the matter and to the legal phases of the matter only. The time for the operation of the unanimous-consent agreement is now at hand, I believe.

The VICE PRESIDENT. The agreement is now in effect. The Senator has 15 minutes under the unanimous-consent agreement.

Mr. GEORGE. Surely there should be no motion lodged to reconsider in this case, and in good morals there ought not to be a motion lodged to reconsider the vote in this case unless there exists substantial reasons for reconsideration.

Upon the merits, the issue has been very clearly defined. It was defined by the controversy which arose in the old Water Power Commission. Upon the one side of the issue were the two employees, the solicitor and the accountant, Messrs. Russell and King. Then we had the precipitate action of the three members of the commission in dismissing these employees, definitely and distinctly announcing to the country the position of the newly organized Power Commission.

The issue has been joined between Bonner on the one hand and King and Russel, on the other hand, and that issue the country understands. It has been very forcefully stated here. Let me say that we may be well advised that that issue is engaging the attention not of the radical forces in the country. Millions of conservative men and women are seriously concerned over the developments which have taken place in the great hydroelectric field. To state the proposition carries conviction of its soundness. The people of the Nation want different methods of accounting. They want the direct way of arriving at the real values of the utilities. They want the time to pass away, if indeed it ever existed, when it is necessary to retain the great holding corporations into which all the utilities of the country practically have become merged. Let us be well advised that upon the issue clearly defined by the actions of men down in the old Water Power Commission, George Otis Smith meant to take his position, meant to declare his position, was anxious that the country should know his position when by hasty action three members dismissed, or attempted to dismiss, the two men who represented the one side of that great question.

Yet the attempt was made here in the early proceedings on this motion to confuse the issue. Actually for a day or

more I did not know whether these three members had discharged or had in effect discharged or had refused to avail themselves of the services of Messrs. Russell and King. It reminded one very much of the famous illustration of the right to insist upon inconsistent pleas in a court of law, one being charged with the offense of the larceny of a duck asserting in the first place that he had bought the duck, in the second place that he had found the duck, in the third place that the duck had flown into his coop, and finally that there was no duck.

In the opening of this debate we were invited deliberately to reach somehow a sorry conclusion that Doctor Smith and his two fellow members on the commission had not discharged and had not intended to discharge King and Russell, who personified the one side of a great public question, when the whole purpose of the precipitate action was to put the country on notice that they were getting rid of Russell and King. Otherwise a single statement from Doctor Smith back in the holiday season would have put the whole controversy at rest—the simple statement that the public had misunderstood the action taken or attempted and that the commission had intended no such thing as the public had erroneously been led to believe.

Mr. President, upon this issue, as I think, I am justified in changing my vote from one assenting to the confirmation to one dissenting from the confirmation of Doctor Smith. While the Vice President announced that the motions are separable and that a vote may be had separately on each of the motions, I would not vote for a request to the President of the United States to send back the nomination unless there were substantial grounds upon which I was prepared to vote against the nomination if it should be sent back.

Mr. GLASS. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Virginia?

Mr. GEORGE. I yield.

Mr. GLASS. What puzzles me is, why this constant emphasis on the action of the three commissioners? Who is prepared to assert that the other two commissioners would not have concurred if they had been present?

Mr. GEORGE. I am not. I do think, in fairness to one of them, that I should say there was some public statement made by him indicating at least that he would not have concurred. Whether that statement was authorized I do not know.

Mr. GLASS. There has never been any authoritative statement that the other two would not have concurred. As a matter of fact, I have been told that they practically confirmed what was done upon their return to Washington.

Mr. GEORGE. I am not able to answer the Senator.

Mr. BROUSSARD. I may say that that was done.

Mr. MORRISON. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from North Carolina?

Mr. GEORGE. I yield.

Mr. MORRISON. I want to ask if the Senator from Georgia is prepared or knows anybody who is prepared to state that they would not have concurred if they had been present, which seems to me to be the question.

Mr. GEORGE. I disclaim any knowledge upon that point.

Mr. BROUSSARD. I do not know anything about what the attitude of the other two members was at that time. I did offer the minutes of the two meetings held by the commission when the five members were present, at which no protest was made over what was done previously.

Mr. RANSDELL. Mr. President, the debate has gone on to considerable length. We have heard much wisdom on constitutional questions during its progress. I had hoped to avoid having anything to say but deem it my duty to submit just a few remarks. In the beginning, I wish to say that as I have only 15 minutes I hope no Senator will try to interrupt me by asking questions.

I can not agree at all with the contention of the learned Senator from Georgia [Mr. GEORGE] that the action of the Senate in notifying the President that it consented and advised to the appointment of the three gentlemen did not amount to a waiver. I think that it did amount to a waiver. It is a practice which I have seen observed during my 18 years in the Senate and observed practically all the time, and when there was any idea on the part of any Senator that a motion to reconsider would be made the President was not notified.

Briefly the facts in the case are that the five gentlemen were designated, their names were sent to the Senate, the Senate through its Committee on Interstate Commerce made a searching investigation as to the merits or demerits of the five men, hearings were held, a number of witnesses appeared, and the committee recommended the confirmation of the five appointees. Thereupon the matter came before the Senate. It was very carefully considered here, and, by a vote of fully three-fourths of the Senators present and voting, the Senate agreed to advise and consent to the appointment of the five members of the Power Commission. Thereafter the President was notified and upon being notified he issued commissions to them. They took the oath as members of the Federal Power Commission, and then, in accordance with the act creating it, as I read that act, the old commission ceased to exist, and every employee of the old commission, including Bonner, Russell, and King, ceased to hold office. Listen to section 2 of the act:

> The commission shall have the authority to appoint, prescribe the duties, and fix the salaries of a secretary, a chief engineer, a general counsel, a solicitor, and a chief accountant, and may, subject to the civil service laws, appoint such other officers and employees as are necessary to the execution of its functions and fix their salaries—

And so forth.

Then section 3 provides:

> The commission shall be deemed to be reorganized upon such date as three of the commissioners, appointed as provided in such section, have taken office.

The very moment those commissioners qualified by taking the oath all of the employees of the commission ceased to hold office. They went out of office not by virtue of the act of the commissioners but by the law itself which declares the offices vacant. It was an act to reorganize the Federal Power Commission and in its reorganization every one ceased to have any power, from the three Cabinet members who constituted the old commission down to the humblest employee of that commission. So if the commissioners did put these three men out of office—and I contend they did not, but that they went out of office as the result of law—it was not at all necessary for them to take the action.

As Senators will notice from the hearings there was a decided demand for Mr. Bonner to be removed from office at once. I read just a few words from page 38 of the hearings. The junior Senator from Montana [Mr. WHEELER] said:

> I think it is safe to say that the big majority of this committee would be opposed to Mr. Bonner being retained down there—

That is, on the Power Commission—

> because of his attitude with reference to these leases upon these power-site permits, and I think it is only fair, before these men are confirmed, that we find out what is going to be the attitude of this new commission with reference to keeping Mr. Bonner. I for one would like to know it.

The Senator from Montana indicated that Mr. Bonner's attitude had been apparently that of allowing the power companies to build up their accounts. Then he went on to say that there was general opposition to Mr. Bonner. The Senator from Washington [Mr. DILL] confirmed him in that statement, and Mr. Smith, who was being queried, was almost forced to say what would be his action in regard to Mr. Bonner. All the arguments which have been made have been in favor of Mr. Russell and Mr. King. The action in getting rid of Bonner, if he was gotten rid of, seems to have given the opposition great satisfaction. No indecent haste, no injustice, is alleged so far as Mr. Bonner is concerned on the part of the members of the Power Commission. Why? Because Mr. Bonner is supposed to have been too friendly to

the power interests, while the other two men are supposed to have been opposed to the power interests.

I contend, sirs, that we are not here to defend the power interests; we are not here to defend the opposition to them, but to do what is just and fair among all the citizens of the United States. What right have we to say because three members of the Power Commission, in accordance with the law, recognized not only that the three places filled by Bonner, Russell, and King were vacant but that all the other positions under the commission were vacant, that they showed undue friendliness to the power interests? I can not view it in that light at all.

Senators, if they performed the act of dismissal—and I contend they did not, but that it was done by the law—was not that an official act, and does not that show that they were members of the commission; that they were in office; that they were performing the functions of the office of Federal Power Commissioners? They are either members of the Power Commission de jure under legal appointment and legal qualification or they are usurpers. If they are in office legally, of course, we can not put them out in this indirect manner. Even if they are usurpers, they are certainly de facto members, for they have been exercising their powers for more than two weeks. They certainly exercised what is contended here was an illegal, unjust, indecent act in declaring the offices of three members of the staff vacant. If they are in office, can we put them out in this manner or must we resort to impeachment proceedings or to the courts? I contend that we must.

What is the purpose of a motion to reconsider? It is to look over again, to consider a second time an action previously taken. Our action was to confirm the nominations of these commissioners. We are now asked to reconsider that action, not on any state of facts that existed prior to the 20th of December but on something that is alleged to have taken place since. So far as this motion goes, these men were all right until they took this alleged action on the 23d of December. That does not come under a motion to reconsider; that is something new, it is something entirely different, something that did not exist when the original vote to confirm was taken, and it is not a proper matter for reconsideration.

Senators, after these men have been nominated and confirmed by vote of the Senate, after they have been appointed and qualified and have performed their duties for more than two weeks, how can it be contended that they can be put out of office? The able Senator from Georgia [Mr. GEORGE] has said that Mr. Smith has no vested right in the office. The Supreme Court, in the famous case of Marbury versus Madison, took a different view. The court in that case said:

> It is therefore decidedly the opinion of the court that when a commission has been signed by the President the appointment is made, and that the commission is complete when the seal of the United States has been affixed to it by the Secretary of State.

The commission in this case was signed by the President, and I assume that the seal of the Secretary of State was affixed thereto. The court goes on to say:

> Where an officer is removable at the will of the Executive, the circumstance which completes his appointment is of no concern, because the act is at any time revocable, and the commission may be arrested, if still in the office.
>
> But—

And such is the case in the present instance—

> But when the officer is not removable at the will of the Executive—

And the Executive has no right to remove these men; they have been appointed for definite, specific terms, and they can only be removed by impeachment—

> the appointment is not revocable and can not be annulled. It has conferred legal rights which can not be resumed.

Therefore, it seems to me, Mr. President and Senators, that we must treat this matter as fait accompli; it is settled; it has passed beyond us. We acted carefully, with due deliberation, examining thoroughly into the qualifications of the five men. We decided that they were qualified and were all right, and we told the President so. He acted in accordance with what we told him. They took their office; they began to perform their duties. I contend, sirs, that they have done nothing that was indecent, nothing that was wrong. They simply recognized the law as they found it; they simply declared in substance that the old commission had ceased to exist, and they were going in their own way to reorganize it, as the very title of the act and its terms required them to do. Therefore, Mr. President, I shall certainly vote against the pending motion, and I hope it will be defeated.

Mr. BINGHAM. Mr. President, I am sorry the Senator from Georgia [Mr. GEORGE] has left the Chamber, because I desire to make a few remarks along the line of answering some of the statements which he made.

It seems to me that what we are actually doing in these opening days of the session is trying in a most irregular way an impeachment. I have listened to some of the long speeches that have been made, including that of the Senator from Montana, and have read some of the others as they have been printed. The chief objection against these appointees seems to be based on something which they have done since they took office.

Doctor Smith is not objected to for what he did prior to his confirmation, but the objection is to what Doctor Smith did after he took office. If he did not take office, then he did not do the act complained of; if he did not take office, then, of course, we can reconsider our action in confirming his nomination; but if we are objecting to something that he did after he took office, then he is in office, and he can only be removed by impeachment proceedings.

Mr. President, I presume I shall be charged by the Senator from Georgia with being partisan. The Senator from Georgia remarked that no one could disagree with the position which he took as to the rule except for partisan motives. I deplore his reference to partisanship in this case. I realize that frequently we disagree with the rules of the Senate because they run counter to something we would like to do or would like to see done. I realize that very often in appeals from the decision of the Chair we are moved more by that which we desire to see done than by actual, calm, judicial judgment as to what the rule really means. I regret that there should be any charges of partisanship in this matter, because, Mr. President, it seems to me that it goes far deeper than any partisanship, far deeper than any case of hue and cry against the Power Trust. It strikes, it seems to me, directly at our theory of government, of the duties of the President and the executive department and the duties of the Senate.

The Senator from Georgia made a very able argument as to the desirability of the Senate being able to reconsider its action on a nomination after it had been confirmed. I agree with everything he said about that. I agree with what the Senator from Montana said in explaining how the rule came to be changed so that, before the Senate could reconsider, the papers must be sent for and be brought back here from the other House or from the White House. That is certainly entirely reasonable; that is the way it should be. Section 3 of Rule XXXVIII is a very reasonable section, it seems to me, except possibly——

Mr. WALSH of Montana. Mr. President——

The PRESIDING OFFICER (Mr. GOFF in the chair). Does the Senator from Connecticut yield to the Senator from Montana?

Mr. BINGHAM. I only have 15 minutes, and I should like to proceed, if I may.

Mr. WALSH of Montana. I simply wanted to correct a statement the Senator made.

The PRESIDING OFFICER. The Senator from Connecticut declines to yield.

Mr. BINGHAM. I should be glad to yield for the Senator from Montana to correct me.

Mr. WALSH of Montana. The rule does not say that the motion to request the return of the notification shall precede the motion to reconsider but shall accompany the motion to reconsider.

Mr. BINGHAM. I did not intend to say that the motion requesting the return of the notification should precede the motion to reconsider. I agree with the Senator entirely that the rule provides they shall go along together. We are not in dispute on that point. We are not in dispute as a matter of fact, Mr. President, over paragraph 3; at least, I am not questioning it. It seems to me reasonable, except possibly the requirement as to two days of actual executive sessions. Two calendar days might be a little more reasonable, especially if we are going to interpret the rule as the Senator from Georgia believes it should be interpreted.

The Senator from Georgia takes the extraordinary position, when the President of the United States, acting under his constitutional authority, signs and issues a commission to an officer of the Government, solemnly authorizing the officer to go ahead and perform his task, that there is a mysterious cloud over his commission—that there is a mysterious fog between the signature and the body of the instrument. Why? Forsooth, because the Senate may some day want to change its mind and reconsider its action which it had told the President it had taken in order that the President may go ahead and issue the commission. That is one of the most extraordinary theories I have heard presented on this floor, namely, that the President in issuing the commission did so with a little fog between his signature and the body of the instrument, a fog which could only be dispersed after a few days at best. As a matter of fact, Mr. President, the Senator from Georgia gave the whole case away when he stated, at the conclusion of his remarks—I wish I had the reporter's notes, but I took it down something as follows:

A simple statement from Doctor Smith that they had not done what they were reported to have done would have put the controversy at rest.

In other words, Mr. President, this is an impeachment proceeding; and if the officer whom we desire to impeach had only told the Senators and the public that he and his colleagues did not do, while in office, what they were reported to have done, the controversy would have been at rest, and nothing further would have been done about it. In other words, the Senator from Louisiana who just spoke is absolutely right when he says that we are asked, not to reconsider the confirmation of these appointees; we are asked to punish them for having done something while in office, which is in effect an impeachment; and under the Constitution we are not the body to start impeachment proceedings.

Mr. President, that little fact—that this matter might all have been cleared up if Doctor Smith had only stated that they did not do what they are reported to have done—gives the whole case away. When we see the junior Senator from Montana [Mr. WHEELER] consuming a large amount of time in telling us what splendid persons had been removed by Doctor Smith and his colleagues while in office, he gives the case away. He does not tell us that Doctor Smith some years ago did a lot of things that he should not have done, that we did not know about when we confirmed him. That would be a reason for reconsidering the confirmation. He tells us that while in office he has done something that he ought not to have done and that was contrary to the public interest. Without taking issue with the Senator at all as to whether it was proper or appropriate for these three commissioners to do what they did, I submit that they did it while in office, and that we can not remove them from office without going through impeachment proceedings or having the President remove them from office.

Now, Mr. President, just a few words in regard to the rule and its reasonableness.

It seems to me that paragraph 3 of Rule XXXVIII is entirely reasonable, except perhaps in regard to the two executive days, which might be at an unreasonable distance apart; but paragraph 4, to which we have paid very little attention, was an effort on the part of the Senate, when it made that rule, to protect the President against the very thing which has happened.

Paragraph 4 provides that we shall not notify the President of our confirmation until the time for reconsideration has passed, unless we specifically vote to overlook that rule. We can even specifically vote to overlook the rule while a motion to reconsider is pending; but in that case, I should like to point out to the Senator from Georgia, the President has received notice that he had better not go ahead too fast, because we were actually considering changing our action, even though we notified him of the action that had been taken.

Mr. GEORGE. Mr. President, may I ask the Senator a question there?

The PRESIDING OFFICER (Mr. FESS in the chair). Does the Senator from Connecticut yield to the Senator from Georgia?

Mr. BINGHAM. I have only 15 minutes, I will say to the Senator.

It seems to me that that little phrase was put in there in order to cover all possible contingencies. Otherwise, the rule becomes meaningless. It is an important rule. It is one to which we have usually paid no attention, in so far as we have notified the President almost immediately after confirmation.

The very fact that the President is notified by the Senate, the very fact that the Senate by unanimous vote overrides its rule with regard to not notifying the President until the two days have expired, seems to me the clearest kind of notice to the Executive that he may go ahead and issue a commission, and this officer may take the oath and may begin to act in accordance with the duties of his office.

I can see no other meaning of notifying the President. The Senator from Delaware [Mr. HASTINGS] asked the Senator from Georgia what the notification meant, and the Senator from Georgia endeavored to explain that it was in order that one branch of the Government might tell the other branch of the Government that they could go ahead and proceed in accordance with the Constitution; and that is true. When we notify the President that we have confirmed a man we tell the President that he may then go ahead and issue the commission, the man may take the oath, the office may be filled, and the term may begin, and that is what has happened in this case. The debate, the reasons for the request for the return of the papers, and the reasons for the reconsideration of the confirmation, all depend on an act performed by this officer or these officers after they took the oath.

In other words, Mr. President, we are asked to reconsider a nomination, we are asked to impeach a public official, for something that he has done since he took office. This seems to me very bad public policy, no matter how we may feel about the Power Trust, no matter how we may feel about the importance of the Senate carrying out its rules. The idea that we are going to do something which places a cloud on a commission after it has been issued by the President is contrary to the public interest.

Mr. BORAH. Mr. President, it is too late and it is really unnecessary, from my viewpoint, to discuss the legal proposition which is supposed to be involved in this controversy. I want to say a word upon the assumption that we can not effectuate what we desire without the cooperation of the President, but that we can do so with his assistance.

I am willing to assume for the purposes of the argument that if the President stands upon his technical position, this matter has passed to a point where we can not control it. In the light of that statement I want to say something in regard to my vote.

These officers whose dismissal caused the attempt to reconsider the vote are faithful and efficient public officers. They had a record which they had made commendable in the highest degree, and made it under very adverse and extraordinary circumstances. They were not merely officers having discharged their duties perfunctorily, and against whom no criticism could be lodged, but they were officers whose public service had been such as to attract the attention of all, whether they agreed with them or not, as to the

kind of service which they were rendering. I feel from what I have been able to gather in regard to their service that they have a very keen sense of public duty and a very high conception of the public interest, and they have courage.

I take it, Mr. President, that these commissioners who were nominated by the President and acted upon by the Senate, in part at least, had full knowledge of the record of these men. If they had approved of their service, they could have kept them. I can find no reason to assume that the commissioners reached a conclusion that these men were going out by operation of law. They went out by operation of the commission. Not only is there no affirmative authority in the statute for the contention that the law terminated their service but there is an affirmative provision in the statute, in my judgment, which precludes that construction. So these men, with the services which they had rendered, with that service within the full knowledge of the commission, were peremptorily and arbitrarily dismissed.

I will say, Mr. President, that I voted against the confirmation of two of these men, and this dismissal was no surprise to me. I said to my colleague sitting next to me while the debate was going on that in my opinion something of this kind would happen. I had no facts that I could present to the Senate and no data upon which I could ask Senators to act; but having some knowledge of the views and the previous service of these men and their conception of the problems with which they had to deal as commissioners, I entertained no doubt whatever that something of this kind would happen. I entertain no doubt whatever that it did happen through the affirmative desire of the three commissioners and not upon the idea that the law operated to exclude these men from further service.

As to the legal proposition, let us assume, as I say, that it is not within the power of the Senate at this time to oust those men from office, as it were, and to vacate the positions which they now assume to hold. I want to assume further that without the cooperation and assistance of the President this matter has passed beyond the control of the Senate. I have no right to assume, however, that the President is desirous of having these men excluded from the service; and I have no right to assume that the President is satisfied with what the commissioners did; and I can perfectly well conclude that, if he is not satisfied with the record, it is within his power to enable us to accomplish what we desire to accomplish.

It may be, as has been suggested, that this whole proceeding was in accordance with a preconceived policy and a well-understood policy and that these men, one of them who is peculiarly keen about detecting the policies of superiors, understood what the policy was and what it was to be. If that be true, Mr. President, in all probability the policy has been established in such a way that it will not be changed; but I am not going to assume for the purpose of my vote that the President of the United States desires this record to stand unchallenged and desires the commission to stand without criticism.

The President knows, and no one knows better than the President, the record which these two men have made. He knows perfectly well that they have upon different occasions stood between the public and those who were not willing to deal fairly with the public; and they have stood in that position under the severest criticism and with the probabilities that they would lose their positions for doing so. The President is entirely familiar with that; and that being true, I have no reason to conclude that the President feels other than I do—that this injustice to these men should be corrected. No one will dispute that with the cooperation of the President the confirmation of this commission can be reconsidered by this body.

While I feel that much may be said and much has been very well said, especially by the able Senator from New Mexico [Mr. BRATTON], as to the legality of this proceeding, I shall not cast my vote upon the theory that we have the clear legal right to call these papers back, because I think it doubtful. I am casting it upon the theory that another department of the Government should be just as anxious as we to serve the public interest and will cooperate with us; and if so, the legal argument becomes immaterial.

I believe these men ought to have been permitted to remain. I believe the commission is an undesirable commission. I shall cast any vote that I can in the way of a protest against the continuance of the commissioners and the dismissal of these men. Having done what I conceive to be in the interest of the public, the full fruition of our work rests with another department of the Government.

Mr. JOHNSON. Mr. President, in common with many of my fellows I voted, when the names of the three commissioners in question were presented to us for confirmation, for their confirmation. I did so with little or no knowledge concerning the men, and with little or no information extended to me by those whom I consulted in respect to the various individuals. I did it, sir, without any particular knowledge, according these gentlemen the presumption I would always accord men under similar circumstances.

To-day I have some knowledge upon the subject, and I think I have some information from their activities concerning the individuals, and while without knowledge and without information I voted for their confirmation, to-day, with what little knowledge I have and what little information has been derived from their acts, I will vote to recall the confirmations.

I do not do that upon the theory advanced by the distinguished senior Senator from Idaho [Mr. BORAH] at all. I do not do it upon the theory that the Chief Executive of this Nation is going to recognize, as I do, and as the Senator from Idaho does, that these men should not have been confirmed, for I believe, sir, whatever be our action, he will cling to these appointees. But there is something that is presented to me in my official capacity, and that is the vote upon the issue presented by the action of the three appointees.

In this country to-day there is the modern irrespressible conflict, a modern irrepressible conflict economic in character, and which is likewise political in character and destined to be, perhaps in the days to come, the dominant political issue. No man in this body need be told what that irrepressible conflict is. No individual who follows current events at all need be informed what that conflict is. If any man of ordinary intelligence says to-day that he does not understand that economically we are presented now with a grave question concerning hydroelectric power, that individual has little intelligence, and has read to little advantage what is transpiring. If any man in public office, any individual selected upon the Power Commission, pretends that he does not understand that the irrepressible conflict is on in this Nation to-day, he is unfit, because of his myopic mentality, to sit upon the Power Commission or hold any office at all.

We have seen, from what has been presented here, that the two warring philosophies in this irrepressible conflict are at issue. It is up to us to determine what side of that issue we take, and we need not confound that issue in the slightest degree with delicate constitutional questions, or with legal niceties concerning the rules of the Senate or with prophecies of the action of the Chief Executive.

To-day there comes to us a motion to reconsider because of the action of the three members of the Power Commission in aligning themselves on the side of the issue that some of us believe is contrary to the welfare and inimical to the interests of the people of the United States; to-day we are to vote upon that issue, and it is for each man to determine whether he be upon the one side or the other.

It is useless, in my opinion, for us to endeavor to decide how somebody else may act or what may be the attitude ultimately of some other power in this Government. Here, now, at this very time, the issue comes up to the Senate of the United States, and let us determine where we stand.

I quarrel with none upon the other side, I quarrel with no personalities on this Power Commission. I am not particularly interested because individuals have been discharged. None of these things is of paramount importance to me. The individuals merely represented one philosophy of government

and it is with that I am concerned. I do not care whether or not the rule shall be construed in the Senate or elsewhere in one fashion or in another. I do not pretend to be an expounder of the Constitution, and I have observed that those who are our greatest expounders meet with a callous indifference from the Supreme Court of the United States whenever that court passes upon their particular constructions of the Constitution.

It is not a question now of law, it is not a question now, in reality, of the rule of the Senate, except so far as it permits us to act in the fashion we do. It is not a question of what ultimately the President of the United States may do. The question now is, having learned since we acted what we did not know before, or some of us did not know before, having had demonstrated to us that these men whom we confirmed ignorantly, or confirmed without the requisite knowledge or information, are upon one side of the irrepressible conflict in the United States to-day, and stand for the so-called Power Trust; having learned that fact, where do we stand in this body upon the determination of the question to reconsider their confirmations?

If the vote be futile, if it amounts to nothing more than the registering of the position we assume upon this great national issue here and now, we ought to register our view, notwithstanding the fact that it may be ultimately determined by a court to have been of no consequence, and notwithstanding the fact that the Chief Executive or other officer shall ignore what we do.

Here, to me, is the issue, and so far as I can do so I vote against the confirmation of these gentlemen.

Mr. BROOKHART. Mr. President, it is my feeling that the Senator from California has stated the real issue in this proposition. No law and no policy of government can be successfully carried out except in the hands of men who are in sympathy with that law or that policy. What I shall have to say for a very few minutes will be relating a little history of this issue in view of the facts as I know them, to corroborate the conclusion which the Senator from California has reached.

I noticed the opinion of the Attorney General upon what was called the New River case. I called up the attorneys for the Power Commission, Mr. Lawson, the chief attorney, and later Mr. Russell himself, and I asked them if they had read an opinion upon this proposition. They told me they had, but that the Attorney General being their superior, of course, his opinion governed in the matter.

So far as I was concerned I did not regard the Attorney General as any superior, and I wanted to know the facts as to this difference of opinion. So I demanded and got a copy of the opinion of the attorneys of the Power Commission, and that opinion, I found, upon this technical question of the navigability of New River, stood exactly crosswise with that of the Attorney General.

I further found that, as a basis of the Attorney General's opinion, Mr. Bonner, the secretary of the commission, had sent over the bare statement to the Attorney General that New River was nonnavigable, and none of the facts and none of the history of that river were presented. With only that fact for consideration the Attorney General rendered the opinion that the commission had the discretion to grant a minor permit in the case of New River.

What is a minor permit? A minor permit may waive all of the provisions of the water power act except the 50-year limit. That can not be waived, but everything in reference to capitalization, amortization, and recapture by the Government can be waived under a minor permit.

For rivers which are navigable 100 horsepower is defined in the statute as minor, and here was a project which might develop 80,000 horsepower, I was informed. Some have claimed it was down as low as 9,000. But even 9,000 is no minor matter in water-power development.

Then I found that Mr. Bonner was actively engaged in preparing, with the Appalachian Power Co., papers and getting ready to put through this minor permit based upon the opinion of the Attorney General.

When I found these facts I called up the Secretary of Agriculture and found that he knew nothing about what was going on at all. He promised me he would look into it, and did so; and I noticed the very next day that he disagreed with the Attorney General's opinion.

I likewise called up the Secretary of War and did not get him, but his office assured me he would look into the matter.

I then wrote three letters, one to each of the Secretaries—the Secretary of Agriculture, the Secretary of War, and the Secretary of the Interior—and I set out the facts of the situation. I said to them that the Attorney General's opinion was wrong, that he had not considered the facts as to New River.

I found by looking into the history of New River that that river had been actually navigated for some 75 years by various kinds of boats. I found that Congress had eighteen times appropriated money to improve its navigability. I found that the Secretary of War, under acts of Congress, had five or six times issued permits for bridges over that river because it was navigable, regulating the height of the bridges above navigation, and so forth.

I found that a dam would be constructed which would create a lake about 33 miles long, deep, and navigable for almost any kind of a boat. In the face of all that history Bonner has sent over to the Attorney General the bare statement that New River was nonnavigable and then had proceeded with feverish haste with the Appalachian Power Co. to get this minor permit issued.

Under those circumstances I said to the old Power Commission that even if they had the discretion to issue a minor permit, it should not be issued in such a case as this. The permit was not issued, and the matter was passed over to the new commission.

Then I learned—and here perhaps is the biggest vice of the whole situation—that the Alabama Power Co. had already wired in to Mr. Bonner and had asked to have canceled its old permit and take out new permits under this minor provision.

I then called the attorney for the Power Commission again and asked him what portion of the old permits would come under this change if it were permitted as provided in the opinion of the Attorney General, and he told me it would cover three-fourths of all the permits that have ever been issued by the Power Commission. Under that situation it seemed to me that here was a gigantic scheme of the power companies to grab away from the people of the United States all the restrictions which the water power act required against them, and it seemed to me that there could be no doubt that this man Bonner was promoting and aiding that inside of the commission itself.

I am glad that at least two of the Secretaries took that view and stopped that proceeding, because it meant an immense damage to the people of the United States.

Therefore, Mr. President, the issue as to Bonner is not a personal issue. In all of this conflict Bonner was on the side of the power companies, assisting them in a way that was unethical and improper, if not even worse, in the accomplishment of these things.

As against all of that movement there stood this man King the accountant, quiet, even-tempered, a plain-mannered man, earnest and determined, and always familiar with the exact facts. In front of him stood the man Russell, who was really the fighting individual in the situation. He is the one that took the brunt of the criticism. He is the one that stood up against all odds and refused to yield at all times. He was also supported by Mr. Lawson, chief attorney of the commission, who I am sure never rendered an improper opinion in reference to any of these matters. So this row that occurred in the commission was not a personal row at all. The conflict and trouble were conflict and trouble over the great policy of preserving the water power rights for the people of the United States in accordance with the law of the Congress of the United States.

I am entirely certain that Mr. George Otis Smith knew accurately the situation because Mr. George Otis Smith went to Mr. Russell, told him he was on his side of the proposition, gave Mr. Russell a speech he had made many years ago and instructed him to give it to me to influence my vote in his favor in the committee in the consideration

of the question. I do not say there was anything improper about it if it were really disclosing his intention and his attitude.

That speech was presented to me. When I first examined Mr. Smith I simply had him identify the speech that he had made because it was a very good speech in a very good tone of voice toward the proposition. But as the examination went around the table in the committee room I found a different situation to exist. I found an attitude of mind that I did not expect from what had been said to me. I reached the conclusion myself that Smith was wrong, and that was out of his own mouth because Russell had, believing Smith was right, in a proper way urged me to vote for him and for his confirmation, and yet I found that after all that was done the first act of Mr. Smith, when notice of his confirmation went to the President, was to remove the man who had backed him for this confirmation and who had backed him because he agreed with his policy. The first act of Mr. Smith was to discharge this man and notify him that he could not be reemployed in the commission.

In that situation I certainly can not under any circumstances vote to sustain Mr. Smith as a member of the commission. I believe we have the legal right to consider this matter. I think there is no doubt of it at this time. I believe it terminates the office under the law. But I care not about the legal question. If the President of the United States wants to ally himself with the big power interests of the country which are attempting to grab all of the great natural rights of the people, perhaps about all the natural resources we have left, that is a question for him to determine. But I want to say, as suggested by the Senator from California [Mr. JOHNSON], that a vote for Smith is a vote for the power companies and for their control of these interests in the United States.

Mr. FRAZIER. Mr President, a year and a half or two years ago a lease for a power site on the Flathead Indian Reservation in Montana came up for consideration. I was interested in it because of being in charge of the Committee on Indian Affairs of the Senate and also because I was a member of a subcommittee which held hearings on the Flathead Indian Reservation and some testimony had been offered in regard to the leasing of the power site. I joined with the two Senators from Montana [Mr. WALSH and Mr. WHEELER] in asking for hearings upon the question. A hearing was granted by the former Federal Power Commission and some interesting facts came out in that hearing.

It developed among other things that a prelicense expense account of the Rocky Mountain Power Co., which had put in a bid for the power site, amounting to $183,312.47, was under consideration. It developed during the course of the hearing and during the course of the discussion over the leasing of the Flathead power site that some objection was raised to a part of the prelicense cost submitted by the Rocky Mountain Power Co. The list was approved by the former executive secretary of the Power Commission, but was objected to by former Secretary O. C. Merrill. It was objected to by Mr. King, the accountant of the Power Commission. Then it seems that Mr. King had submitted to the solicitor, Mr. Russell, a statement of his objection to the expense account. Mr. Russell wrote an opinion stating that in his view certain accounts amounting to $85,088.76 should not be included in that prelicense account.

Some statements have been made here during the debate that Mr. King and Mr. Russell were against the power interests, and I suppose it is considered that they were against the power interests because they demanded and held that $85,000 of the $183,000 prelicense expense account of the Rocky Mountain Power Co. was not legitimate. Senators may recall that as to many of the items in that expense account no statement was made and no explanation was made of what the expenses were and that there were a number of items listed as special expenses, contributions to various church organizations and other organizations in the State of Montana. Some interest money was listed and some salaries for officials of the company were included. The result was, because of the objection made by Mr. King and Mr. Russell, that $85,088.76 of the prelicense cost was not agreed to. When the contract for the power site was signed and approved on May 23, 1930, there appeared in it a provision which interested me and which I want to read to the Senate, being article 31 of the contract:

The licensee having submitted a claim of prelicense cost to January 31, 1929—

That is almost a year and a half before the contract was approved—

of $183,312.47 and the solicitor of the commission having recommended the rejection of items contained therein aggregating a total of $85,088.76—

The solicitor was Mr. Russell—

the commission and the licensee hereby mutually agree that the sum of $98,223.71—

Being the balance or difference between the two sums—

shall be entered upon the fixed-capital account of said project and included in the statement to be submitted to the commission, in accordance with the provisions of article 32 hereof, as representing the actual legitimate investment in said project up to and including January 31, 1929: *Provided, however,* That this agreement shall not deny or affect the licensee's right within one year from and after the date of this license to submit further evidence to the commission or to any court having jurisdiction for the purpose of establishing the propriety of any part of the said $85,088.76.

Mr. President, so far as I know, and I think I am correct in the statement, no objection was made to the $85,000 in those accounts with the exception of the objection of Mr. King and Mr. Russell; at least they were the ones who were charged with making the objection to it. A provision is put in the contract that within a year's time evidence may be brought before the commission or before any court to allow all or any part of the $85,000.

It occurs to me, inasmuch as Mr. King and Mr. Russell had been let out of the Power Commission employ, that it would be an easy matter for the Rocky Mountain Power Co. to come before the new commission, who know nothing about the situation practically, and produce evidence to have placed in their prelicense-cost expense account the $85,000 which was stricken out at the suggestion of Mr. King and Mr. Russell.

I think the Senator from California [Mr. JOHNSON] and others who have connected with the power interests this recent action of the new Power Commission in discharging these two officials are absolutely correct. In my opinion, a vote on the question that is now pending is a vote either for or against the Power Trust of the country.

Mr. MORRISON. Mr. President, I do not believe that in its present posture the Power Commission will even command the respect of our country. I think it is to the very highest interest of the power industry of the country, as well as the greater interest of the public, that if it is possible the Senate should take such action as to restore, if it ever had it, the confidence of the country in the Power Commission or to destroy it.

The condition of the public mind is absolutely dangerous to the peace and order of our whole political life on account of the power issue. If there is a Power Trust in the country it ought to be destroyed, and if it is not destroyed this great body will be more responsible for it than any other group of officials in the land. I think all these great holding companies, gathering up power companies in widely scattered sections of the Republic, ought to be destroyed, and the Congress undoubtedly has the power to destroy them.

We set up this Power Commission. To the surprise, I am sure, of most of the Senate we find that we still have them, so to speak, in our hands. Before they were out of our hands, in the already irritated state of the public mind, they have so conducted themselves as to produce widespread scandal and criticism. In my judgment, after listening to all the arguments, I think that they are still in our hands; and under the rule I think we have an undoubted right to reconsider their confirmation. It does not make any difference what the President of the United States may do. If he ignores our request to send the papers back, what of it? What do we want with the papers? What good will

they do? The matter will be ended, and then we will begin anew and will do them justice. I would have them appear before the Interstate Commerce Committee and let consideration of their confirmation proceed there.

If they can explain to the satisfaction of the Senate and the country this conduct which has aroused so much criticism, very well and good. I am very much displeased by their conduct, and especially by the conduct of one of them; and yet, I still hope that I can do them justice. I believe it is for the highest interests of all concerned that the Senate reopen this matter, and require these men to go before the proper committee. Some say they will not go. I would vote not to confirm any one of them who would refuse to go before the proper committee of the Senate and undertake to explain the conduct which has so disturbed this body and the whole country.

Mr. President, of all the tribunals of the Government which ought to have the confidence of the entire country, next to the Supreme Court of the United States, I would place the Federal Power Commission. It will not have that confidence, as I said in the outset of my remarks, in the present state of affairs. If that confidence can not be restored, it seems to me, regardless of who may be embarrassed by it or what the political effect may be, we ought to be willing to remove them, if we can, and secure the appointment of men who may hope to have the confidence of the country.

In regard to the power issue, I believe we must go deeper than we have hitherto gone. What disturbs the people is not the power industry. There are many units in that industry which are respecting the law, which are serving the country honestly and well; and yet they are suffering from the prejudice and the hate created throughout the land by the activities of other units roving all over the United States and by methods, as I understand, which in many cases can not be approved, acquiring power company after power company, entering into politics, trying to corrupt our political life in many ways. I believe that the Congress must finally take away from these corporations the power which they possess. They are nothing in the world but creations of law, and we can make or kill them as the interest of the Republic may suggest.

Mr. President, from the companies that are operating adversely to the public interest, the power to do it may be taken away instead of making the effort, which can never be adequate, to regulate them. If I had the power, I would deny any company created by law the right to roam all over the United States and buy up power companies wherever they could be found and with their mighty power even challenge pure and free government in the United States.

Mr. HASTINGS. Mr. President, if the object of the pending motions affecting the confirmation of members of the Power Commission was to endeavor to destroy the confidence of the people in that commission, it seems to me that, perhaps to some extent, that object has been attained. Up to within a short while ago all that had been said with respect to this subject was based upon the legal right of the Senate to take the proposed action, but, from the course of the debate during the last hour or so, it seems perfectly clear that there is a determination to adopt the motions, whether the legal right to do so exists or does not exist. From the very beginning of this argument I reached the conclusion that the motions of the Senator from Montana [Mr. WALSH], if agreed to, would be wholly futile. I still contend that to be so; and if so, the Senate ought not to have taken a week to consider the motions and ought not now to adopt them.

The Senator from Georgia [Mr. GEORGE] a little while ago addressed himself to the rules of the Senate in their application to the pending matter. The question has been asked whether or not the rules are reasonable. It has been stated that if we admit the rules to be reasonable then we must at the same time admit that the Senate has the right to do what it is now undertaking to do. I do not concede that proposition at all. I contend that the question as to whether or not the rules are reasonable depends entirely upon the construction to be placed upon the rules themselves. The construction I place upon the rules makes them wholly reasonable, from my viewpoint, while the viewpoint placed upon them by the Senator from Georgia makes them quite unreasonable.

Paragraph 4 of Rule XXXVIII provides that the Secretary of the Senate shall not advise the President of a confirmation until the time for reconsideration has passed, unless otherwise ordered by the Senate. Let us inquire what is the practice in the Senate with respect to nominations and see whether or not the Senate does not every day, and sometimes many times a day, otherwise order. When the Vice President or Presiding Officer says, "The Senate advises and consents to this nomination and the President will be notified," he does that without the objection of any Senator. The Secretary of the Senate thereupon notifies the President, under paragraph 3 of the rule, as he has a right to do, as it is his duty to do. Attention, however, is called to the further provision of paragraph 3, to the effect that, after confirmation, if there be a motion to reconsider, it shall be accompanied by a request to the President to return the notification to the Senate. My contention is—and it seems to me that the rule is perfectly clear in this respect—that when the Senate decides not to wait until after the two days of actual executive session have expired and otherwise directs the Secretary to notify the President, at that moment it takes its chance of losing any further control of that nomination. When the Senate, through its Secretary, notifies the President it has lost its definite control, for when it requests the President to return the notification the President may or may not return it. Just as Rule XIII, which provides that before there can be a reconsideration of a bill which has passed from this House to the other there must be a request to the other House to return it, does not mean that the other House can be compelled to return it, neither does Rule XXXVIII mean that the President can be compelled to return the notification upon the request of the Senate. As a matter of course, the President would comply with the request, except upon this one condition—namely, when the nomination has passed further along and is out of his control, as, for example, when he has issued a commission and given it to the appointee. When that has been done it has also passed out of his control, and the office belongs to the man who has been named to fill it. That is a reasonable construction of this rule. Otherwise what is the purpose of sending a notice to the President at all?

In 1835 the rules of the Senate contained no such provision as to sending notice to the President, but there was a provision in the rules at that time which clearly stated that the Secretary should furnish him a copy of the record from time to time of the executive sessions of the Senate. That practice, however, was not entirely satisfactory, and in 1873 provision was made for notice to go out by the Secretary, which was to take the place of a copy of the record being delivered to the President.

It is perfectly easy for anybody who wants to understand, and who is not prejudiced, to understand this matter. If it is desired to condemn somebody, why do it in this roundabout way? Why not present to the Senate a resolution requesting the President to remove these appointees? Why not go at it boldly and see what will happen? If such a resolution were adopted, the President could comply with it or not, just as he can comply or not with this proposed action; and I submit the President can not comply without exercising another authority which he possesses, namely, to remove these appointees from office.

Mr. JONES. Mr. President, just a word with reference to the proposition that confronts us. It has been suggested that our policy with reference to the power situation is involved in the pending motion. If I thought so, my vote would probably be different from what it will be. When the policy with reference to water power shall be determined by the Congress, if I have an opportunity to vote I will probably be found voting with my colleague and very likely with the

Senator from California; but I do not consider that the power policy is involved in this question. That is a legislative policy, which should be determined in a legislative way and upon a legislative proposal presented to the Congress. The Power Commissioners have taken an oath to support the law which we have passed, and I have no doubt they will do that. If that law ought to be changed, we should do it; the responsibility is ours, and, in my judgment, we can not shirk that responsibility by asking that these nominations be returned, nor by voting against them if they should come back. Nor should the President be censured for any action he may take, nor should any action he may take be considered as determining his policy or attitude with reference to the utilization and development of power. According to my judgment, if the President regards the law, as he will surely do, he can do nothing except advise the Senate that the matter is out of his control.

Mr. President, reference has been made to the rules of the Senate. I have not been able to listen to very much of the discussion on the pending question, but I have not heard raised the point I am about to raise. It is true we have a rule requiring a motion to reconsider to be made within two days Almost every day, Mr President, by unanimous consent, we set aside the rules of the Senate.

When the nominations of the Power Commissioners were confirmed we set our rule aside by unanimous consent, and the Secretary of the Senate was directed to notify the President of the confirmation of these appointees and the President had a right to accept that action in perfect good faith, and he did so. We have no right to complain. The Senate is alone responsible for the situation it is in. The President is not in any way responsible. He issued the commissions. This was the natural thing to do. The oaths were taken. These men are in office. We can not, in my judgment, remove them in this way.

The Senator from Delaware [Mr. HASTINGS] has very clearly and very succinctly stated the situation. If these gentlemen had not qualified; if, before they took their oaths and before the commissions were issued, we had sent our request to the President, even notwithstanding our waiver of the rule, there is no question but that the President would have sent back these papers, giving us a further opportunity to consider them. As I see the matter, however, he having received the notice of the Senate that was made by the setting aside and waiving of its 2-day rule, of which he knew nothing, and we having advised him that we advised and consented to the nomination of these men, he made the appointments and issued the commissions; they took the oath of office; they are officials of the United States Government, and can not be put out of office by the adoption of any motion of this kind.

It seems to me that the Senate ought to face the situation squarely; it acted hastily; it waived its rights under its own rule; it can not complain; it should not seek to fool the country and shift the blame, if blame there be, upon the President of the United States. It can not do it.

Mr. COUZENS. Mr. President, I would not take up any time at this late hour except for the fact that those who are opposed to the resolution of the Senator from Montana [Mr. WALSH] are charged with acting in the interest of the Power Trust.

I am not willing to assume that all of those who vote against this motion are back of the Power Trust, or intend to support them. I take the position which the Senator from Washington [Mr. JONES] takes, that this has nothing to do with the policy of the Federal Government in dealing with the power question.

While I am on my feet I am going to say a few words about the history of these men passing through a grilling by the members of the Interstate Commerce Committee.

When these names first came to the Senate there was considerable discussion in the committee as to how far we could go with respect to questioning them, not only as to their policies, but it was considered as to how far we could ethically go in asking them whether or not they would discharge Bonner. I think I may say, without fear of contradiction, that nearly 100 per cent of the members of the committee were opposed to the retention of Bonner, and I think an equal number were in favor of the retention of King and Russell. I want to say frankly that I had no thought that these commissioners would remove King and Russell. I think they used wretched judgment in doing so; but I do not think that is the controlling factor in this matter.

After considerable discussion as to how we would find out whether these proposed commissioners would remove Bonner, it was decided that every commissioner would be brought before the committee; and they were brought from the Pacific coast and from Wyoming and other States and cross-examined by every member of the committee who desired to cross-examine them. When we got through examining each and every one of the nominees, the committee by overwhelming majority reported them to the Senate, and the Senate by overwhelming votes confirmed them.

We discovered nothing against these men; and now, after they have been confirmed and have gone through the usual procedure, they have done something which I believe the majority of us believe should not have been done. I believe it should not have been done; but I am not willing to be a party to recalling them because they have committed one act with which I do not agree. Neither am I willing to say that because they have done this one thing, they are tools of the Power Trust.

After they had done this act, which most of us disapprove, Messrs. Smith and Garsaud came to my office and we discussed the matter. I told them, as frankly and as boldly and with as rough language as I possibly could, what I thought of their conduct. They submitted to me this memorandum as to what they had issued. The memorandum says:

To the civil-service employees:

In connection with the organization of the Federal Power Commission as provided in the act of June 23, 1930, it is understood that your services automatically terminated on December 22 with the going out of existence of the commission under which you have been employed.

That is the first paragraph.

The second paragraph says:

In line with the authority contained in the above-mentioned act, the commission will proceed to appoint such officers and employees as are necessary in the execution of its functions as soon as it can be determined what personnel is required. In the meantime the Civil Service Commission has been requested to authorize your temporary employment for not exceeding 30 days.

The notice containing the first paragraph was the one that was handed to these three men—Bonner, Russell, and King. The one containing the second paragraph was handed to all the other employees. So that it was evidence to the three employees under discussion that their service was terminated; but to other employees it was evidence that the commission was going to continue them for 30 days by requesting the Civil Service Commission to permit it.

It is my judgment that those who are raising this issue are doing a great disservice to those of us who believe in Government operation of Muscle Shoals and those who believed in the passage of the Boulder Dam proposal. I do not believe that we can successfully operate any utility if we are going to have interference like this interference in the actions of authorities appointed for the purpose of executing the will of Congress.

I take no second place to any man in this Chamber or in the United States in my opposition to the Power Trust, nor in my opposition to the President, if necessary. I do not take second place in my abhorrence of crookedness and dishonesty in government; and I am not willing that this vote shall be taken with the imputation that those who vote against the Walsh resolution are the tools of the Power Trust, or the tools of any other big interests. Neither am I willing to say that the President of the United States, who appointed these men—and who, I hope, will insist upon their remaining in office—is a tool of the power interests. I think that is an absurd and unfair position to take.

I have been in many issues in this body with the group who are now opposing the retention of these commissioners.

I should be one of the first to endeavor to remove or stop the pay of any commissioner who followed the procedure outlined by Bonner, but I am not willing to prejudge their conduct just because they have removed two men who we believe ought not to have been removed.

I do not desire, therefore, to take up the time of the Senate to discuss the legal phases of this matter, although I believe it is out of our hands. The President believed so, the commissioners believed so, and I believe so. I hope no one will take it for granted that those who vote against the Walsh resolution are in any manner tied up to any Power Trust or any other trust, or believe in special privileges. I hope that if this resolution passes—which, I am informed, it is likely to do—the President will refuse to return the papers.

The PRESIDING OFFICER (Mr. FESS in the chair). The question is on the motion of the Senator from Montana [Mr. WALSH].

Mr. WALSH of Montana, Mr. SMOOT, and others called for the yeas and nays, and they were ordered.

Mr. LA FOLLETTE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll to ascertain the presence of a quorum.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Dill	Kendrick	Robinson, Ind.
Barkley	Fess	King	Sheppard
Bingham	Fletcher	La Follette	Shipstead
Black	Frazier	McGill	Shortridge
Blaine	George	McKellar	Smith
Borah	Gillett	McMaster	Smoot
Bratton	Glass	McNary	Steck
Brock	Goff	Metcalf	Steiwer
Brookhart	Goldsborough	Morrison	Thomas, Idaho
Broussard	Gould	Morrow	Thomas, Okla.
Bulkley	Hale	Moses	Townsend
Capper	Harris	Norbeck	Trammell
Caraway	Harrison	Norris	Tydings
Carey	Hastings	Nye	Vandenberg
Connally	Hawes	Oddie	Wagner
Copeland	Hebert	Partridge	Walcott
Couzens	Heflin	Phipps	Walsh, Mont.
Cutting	Howell	Pine	Watson
Dale	Johnson	Ransdell	Wheeler
Davis	Jones	Reed	Williamson
Deneen	Kean	Robinson, Ark.	

The PRESIDENT pro tempore. Eighty-three Senators having answered to their names, there is a quorum present.

Mr. WALSH of Montana. Mr. President, a parliamentary inquiry. Three motions are pending, the first referable to Mr. Smith, the second to Mr. Garsaud, and the third to Mr. Draper. I suppose the votes will be considered in that order, and the question before us now relates to the reconsideration of the confirmation of the nomination of Mr. Smith.

The PRESIDENT pro tempore. Without any reference to the unanimous-consent agreement, it is within the province of any Senator to demand that the motion be divided.

Mr. WALSH of Montana. I was not speaking about a division. I did not understand that anyone had requested a division. I was speaking about the order of voting. The voting will now be upon the reconsideration of the confirmation of the nomination of Mr. Smith?

The PRESIDENT pro tempore. The commissioners are named in the unanimous-consent agreement in the order given by the Senator, and therefore the first vote will be upon the matter of reconsidering the confirmation of the nomination of George Otis Smith. The yeas and nays have been ordered.

Mr. BINGHAM. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. BINGHAM. May the motion be divided so that the first vote will come on the request to ask the President to return the papers?

The PRESIDENT pro tempore. Under the unanimous-consent agreement the vote must come upon the reconsideration of the vote whereby the nomination of George Otis Smith was confirmed. The yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. GILLETT (when his name was called). I have a general pair with the senior Senator from North Carolina [Mr. SIMMONS], who is absent. Therefore I feel obliged to withhold my vote. If permitted to vote, I would vote "nay."

Mr. ROBINSON of Indiana (when his name was called). I have a general pair with the junior Senator from Mississippi [Mr. STEPHENS]. I am unable to obtain a transfer, and in his absence I withhold my vote. If permitted to vote, I would vote "nay."

Mr. MORRISON (when Mr. SIMMONS's name was called). My colleague [Mr. SIMMONS] has a general pair with the senior Senator from Massachusetts [Mr. GILLETT]. He is necessarily detained from the Senate, and desired that I should state that if he were present he would vote "yea."

Mr. THOMAS of Oklahoma (when his name was called). I have a pair with the junior Senator from Illinois [Mr. GLENN]. I transfer that pair to the senior Senator from Nevada [Mr. PITTMAN] and vote "yea."

Mr. WAGNER (when his named was called). I transfer my pair with the junior Senator from Missouri [Mr. PATTERSON] to the junior Senator from Arizona [Mr. HAYDEN] and vote "yea."

The roll call was concluded.

Mr. GOULD (after having voted in the negative). I have a general pair with the junior Senator from South Carolina [Mr. BLEASE]. That Senator told me yesterday that he would vote the same as I have voted. I make this statement in order to make it clear that I had a right to vote.

Mr. FESS. I desire to announce the followng pairs:

The Senator from New Hampshire [Mr. KEYES] with the Senator from Massachusetts [Mr. WALSH]; and

The Senator from Colorado [Mr. WATERMAN] with the Senator from Virginia [Mr. SWANSON].

I desire also to announce that if present the Senator from New Hampshire [Mr. KEYES] and the Senator from Colorado [Mr. WATERMAN] would vote in the negative, and that if the Senator from Massachusetts [Mr. WALSH] and the Senator from Virginia [Mr. SWANSON] were present they would vote in the affirmative.

Mr. GOFF. My colleague the junior Senator from West Virginia [Mr. HATFIELD] is absent on account of illness.

The yeas and nays resulted—yeas 44, nays 37, as follows:

YEAS—44

Ashurst	Cutting	Johnson	Robinson, Ark.
Barkley	Dill	King	Sheppard
Black	Fletcher	La Follette	Shipstead
Blaine	Frazier	McGill	Smith
Borah	George	McKellar	Thomas, Okla.
Bratton	Glass	McMaster	Trammell
Brookhart	Harris	Morrison	Tydings
Bulkley	Harrison	Norbeck	Wagner
Caraway	Hawes	Norris	Walsh, Mont.
Connally	Heflin	Nye	Wheeler
Copeland	Howell	Pine	Williamson

NAYS—37

Bingham	Goff	Metcalf	Steck
Brock	Goldsborough	Morrow	Steiwer
Broussard	Gould	Moses	Thomas, Idaho
Capper	Hale	Oddie	Townsend
Carey	Hastings	Partridge	Vandenberg
Couzens	Hebert	Phipps	Walcott
Dale	Jones	Ransdell	Watson
Davis	Kean	Reed	
Deneen	Kendrick	Shortridge	
Fess	McNary	Smoot	

NOT VOTING—15

Blease	Hayden	Robinson, Ind.	Swanson
Gillett	Keyes	Schall	Walsh, Mass.
Glenn	Patterson	Simmons	Waterman
Hatfield	Pittman	Stephens	

The PRESIDENT pro tempore. On this question the yeas are 44 and the nays are 37, and that portion of the resolution presented by the Senator from Montana is agreed to.

Mr. WALSH of Montana. Mr. President, I did not quite understand the remark of the Chair about some portion of the resolution.

The PRESIDENT pro tempore. The motion has been divided into three separate votes, one on each of the three commissioners.

Mr. WALSH of Montana. What was the vote?

The PRESIDENT pro tempore. The yeas were 44 and the nays were 37.

Mr. WALSH of Montana. On what portion of the motion?

The PRESIDENT pro tempore. The portion of the motion already agreed to is that providing for the reconsideration of the confirmation of Mr. George Otis Smith.

The Chair now holds that the next question will be on recalling the resolution of confirmation as regards Mr. George Otis Smith. [Putting the question.] The Chair is in doubt.

Mr. HARRISON. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. GILLETT (when his name was called). I repeat the announcement of my pair with the senior Senator from North Carolina [Mr. SIMMONS].

Mr. ROBINSON of Indiana (when his name was called). Being unable to obtain a transfer of my pair with the junior Senator from Mississippi [Mr. STEPHENS] I withhold my vote. If permitted to vote, I would vote "nay."

Mr. THOMAS of Oklahoma (when his name was called). I have a pair with the junior Senator from Illinois [Mr. GLENN]. I transfer that pair to the Senator from Nevada [Mr. PITTMAN] and vote "yea."

Mr. WAGNER (when his name was called). I transfer my pair with the junior Senator from Missouri [Mr. PATTERSON] to the junior Senator from Arizona [Mr. HAYDEN] and vote "yea."

The roll call was concluded.

Mr. FESS. I desire to announce the following pairs:

The Senator from New Hampshire [Mr. KEYES] with the Senator from Massachusetts [Mr. WALSH]; and

The Senator from Colorado [Mr. WATERMAN] with the Senator from Virginia [Mr. SWANSON].

I desire also to announce that if present the Senator from New Hampshire [Mr. KEYES] and the Senator from Colorado [Mr. WATERMAN] would vote in the negative, and that if the Senator from Massachusetts [Mr. WALSH] and the Senator from Virginia [Mr. SWANSON] were present and voting they would vote in the affirmative.

Mr. MORRISON. I wish to state that my colleague [Mr. SIMMONS] is necessarily detained from the Senate. If present and not paired, he would vote "yea."

Mr. GOFF. My colleague, the junior Senator from West Virginia [Mr. HATFIELD] is absent on account of illness.

The yeas and nays resulted—yeas 44, nays 37, as follows:

YEAS—44

Ashurst	Cutting	Johnson	Robinson, Ark.
Barkley	Dill	King	Sheppard
Black	Fletcher	La Follette	Shipstead
Blaine	Frazier	McGill	Smith
Borah	George	McKellar	Thomas, Okla.
Bratton	Glass	McMaster	Trammell
Brookhart	Harris	Morrison	Tydings
Bulkley	Harrison	Norbeck	Wagner
Caraway	Hawes	Norris	Walsh, Mont.
Connally	Heflin	Nye	Wheeler
Copeland	Howell	Pine	Williamson

NAYS—37

Bingham	Goff	Metcalf	Steck
Brock	Goldsborough	Morrow	Steiwer
Broussard	Gould	Moses	Thomas, Idaho
Capper	Hale	Oddie	Townsend
Carey	Hastings	Partridge	Vandenberg
Couzens	Hebert	Phipps	Walcott
Dale	Jones	Ransdell	Watson
Davis	Kean	Reed	
Deneen	Kendrick	Shortridge	
Fess	McNary	Smoot	

NOT VOTING—15

Blease	Hayden	Robinson, Ind.	Swanson
Gillett	Keyes	Schall	Walsh, Mass.
Glenn	Patterson	Simmons	Waterman
Hatfield	Pittman	Stephens	

The PRESIDENT pro tempore. On this question the yeas are 44 and the nays are 37. That portion of the first resolution is agreed to. The question now recurs upon the second portion of the motion offered by the Senator from Montana [Mr. WALSH] that the Senate reconsider the confirmation of the nomination of Marcel Garsaud. [Putting the question.] The ayes have it, and the motion is agreed to.

The question now recurs upon that portion of the motion of the Senator from Montana to request the return of the resolution of confirmation of Marcel Garsaud. [Putting the question.] The ayes have it, and the motion is agreed to.

The question now recurs upon the motion of the Senator from Montana to reconsider the confirmation of Claude L. Draper. [Putting the question.] The ayes have it, and the motion is agreed to.

The question now recurs upon the motion of the Senator from Montana to request the return of the papers in connection with the nomination of Claude L. Draper. [Putting the question.] The ayes have it, and the motion is agreed to.

EXECUTIVE MESSAGE

A message from the President of the United States submitting post-office nominations was communicated to the Senate by Mr. Latta, one of his secretaries.

REPORTS OF MILITARY NOMINATIONS

Mr. REED, from the Committee on Military Affairs, reported favorably the nomination of Col. William Sharp McNair, Field Artillery, Regular Army, to be a brigadier general from December 11, 1930, and also the nominations of sundry other officers in the Army, which were placed on the Executive Calendar.

Mr. PHIPPS. I ask that the remainder of the Executive Calendar may be called.

The PRESIDENT pro tempore. The business on the Executive Calendar will be announced.

POSTMASTERS IN PENNSYLVANIA

The Chief Clerk read the nominations of certain postmasters in Pennsylvania.

Mr. PHIPPS. I move that the nominations be confirmed en bloc and the President notified.

Mr. NORRIS. I object.

The PRESIDENT pro tempore. Objection is made. The clerk will proceed with the call of the calendar.

The Chief Clerk read the name of Charles H. Truby to be postmaster at Apollo, Pa.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. SHORTRIDGE. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. SHORTRIDGE. What is going on? There is so much confusion in the Chamber it is impossible to hear.

The PRESIDENT pro tempore. The Senate is now considering the Executive Calendar under the rule.

Mr. SHORTRIDGE. We are still in executive session?

The PRESIDENT pro tempore. We are still in executive session considering the calendar under the rule to confirm certain postmasters in the State of Pennsylvania.

Mr. SHORTRIDGE. May I respectfully suggest that the Senator from Colorado ask permission that the postmasters be confirmed en bloc?

The PRESIDENT pro tempore. Unanimous consent to that end has already been asked and refused.

Mr. SHORTRIDGE. The request was that the President be notified.

Mr. ROBINSON of Arkansas. The Senator from Colorado did not ask unanimous consent. He made a motion.

Mr. PHIPPS. That is the usual procedure and never has been objected to before.

Mr. ROBINSON of Arkansas. No; the usual procedure is to ask unanimous consent that it be done.

The PRESIDENT pro tempore. The Senator from Arkansas is absolutely correct. The usual procedure is to ask unanimous consent. The Chair understood the Senator from Colorado to have asked it and unanimous consent to have been refused by the Senator from Nebraska [Mr. NORRIS]. In consequence the Chair holds that it is necessary to consider each nomination separately.

Mr. HEFLIN. Mr. President, a point of order.

The PRESIDENT pro tempore. The Senator will state it.

Mr. HEFLIN. Suppose an objection should be made by a Senator and he would afterwards change his mind when some other Senator asks for unanimous consent to consider the nominations en bloc. I think it would be in order.

The PRESIDENT pro tempore. Of course the Senate can seesaw back and forth in a matter of this sort as much as it pleases, but the Chair holds that a unanimous-consent agreement once entered into there is no recourse for the Chair except to go forward under the rule.

Mr. ROBINSON of Arkansas. I do not know of any objection.

Mr. PHIPPS. I ask unanimous consent that the remaining names on the calendar be confirmed en bloc.

Mr. NORRIS. To what does that apply? Let me hear the Senator's request.

Mr. PHIPPS. I ask unanimous consent that the names which have not already been called of postmasters in Pennsylvania may be confirmed en bloc.

Mr. NORRIS. I have no objection.

The PRESIDENT pro tempore. Without objection, the remainder of the nominations for postmasters in the State of Pennsylvania will be confirmed en bloc. The clerk will state the next business on the calendar.

THE JUDICIARY

The Chief Clerk read the name of Lynn Smith, of Alaska, to be United States marshal, division No. 4, District of Alaska.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

COAST GUARD

The Chief Clerk announced sundry nominations in the Coast Guard.

Mr. McNARY. Mr. President, I ask unanimous consent that nominations in the Coast Guard may be confirmed en bloc.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and they are confirmed. Proceeding under the practice which the present occupant of the chair has always followed, without objection, as to all nominations and confirmations this day made the President will be notified.

Mr. ROBINSON of Arkansas. I object.

Mr. NORRIS. I object.

The PRESIDENT pro tempore. Objection is made.

EXECUTIVE MESSAGE REFERRED

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States, submitting sundry post-office nominations, which was referred to the Committee on Post Offices and Post Roads.

LEGISLATIVE SESSION

Mr. McNARY. I move that the Senate proceed to the consideration of legislative business.

The motion was agreed to and the Senate resumed legislative session.

WATERWAYS AND RAILWAYS

Mr. RANSDELL. Mr. President, I have here an address by the junior Senator from Iowa [Mr. BROOKHART] and an address by Mr. Samuel O. Dunn, editor of the Railway Age, of Chicago, both delivered before the National Rivers and Harbors Congress at its meeting at Washington, D. C., December 10, 1930. I ask unanimous consent that these addresses be printed in the RECORD.

There being no objection, the addresses were ordered to be printed in the RECORD, as follows:

AN ADDRESS BY HON. SMITH W. BROOKHART, UNITED STATES SENATOR FROM IOWA, BEFORE THE NATIONAL RIVERS AND HARBORS CONGRESS, WASHINGTON, D. C., DECEMBER, 10, 1930

Gentlemen, I am glad, indeed, you invited the representatives of the railways to present their side of this question. Nothing is lost by hearing the other side of any proposition. I am also glad that Mr. Dunn so frankly admitted that he was the "hardest boiled" of the railway propagandists and I can assure you that, after 26 years' experience with his railway economics, I can testify to the absolute truth of that statement.

Now, I notice his claim that the railways are drifting toward disaster. How familiar that sounds to me! I heard that first away back in 1906. That was the song that was sung when we started out to get the law for the regulation of the railways, the Roosevelt regulation proposition; the railways were going to disaster and the railways were getting into trouble and their credit was being destroyed. I heard that same song when we went before the commission later, after the law was enacted, to reduce some three or four million dollars of railway discrimination against my own State. I heard that same song again when they came with the advanced-rate cases and wanted to raise them 10 or 5 or 15 per cent. All the time they came with that tale of the railroads facing disaster. Well, I remember in one of those cases where Clifford Thorne—and here is one of his men here now—worked up a statement of their railroad credit and compared it with the Government of the United States for 15 years, and it was a little bit steadier, a small fraction steadier, than the Government of the United States itself—and has been during all those years of howling railway calamity.

Now, this fight is with the railways. As Mr. Moore said here, they are fighting us, but I have been a soldier a little myself and I always defend by counterattack; I do not stand still and let the other fellow do all the advancing. I am going to tell you something about the other side of this railway proposition.

Now, where are the calamities in this country? Who is it that is suffering under this economic situation at the present time? A million and a half farmers in the United States since 1920 have lost their homes or property as the result of this economic situation, and from 10 to 25 per cent of the cause of that was due to excessive railway rates in the United States. Agriculture has been in a constant state of depression. Its capital has been depleted more than the book value of all the railways in the whole United States in that time, and the railways have been contributing to that by their extortionate rates; they have been contributing a large percentage toward that situation.

I am not going to stop either by telling you that their rates were extortionate in general terms. That don't mean anything. I want to give you some of the facts: I was helping to prepare a law that was to be the transportation act of 1920, but the law I was preparing was something like what the Canadians have done with their railways, and then, all at once, the author of that law changed front entirely and took a law that the railways themselves wanted—the Davies-Warfield bill. I was in conference over it many times before it was finally adopted as the Esch-Cummins bill, and that is the bill the railways themselves were proposing. So this 1920 transportation act is their law and not our law.

That law gave to the Interstate Commerce Commission a command, first, to fix the value of the railroads and laid down the rules and regulations for doing it; and the commission, starting about the 1st of March—the law was passed the 1st of March, 1920—and completed its job about the 1st of September and fixed the value at $18,900,000,000, and, at the time that value was fixed, the market value of the same railroads, as shown by the quotations of their stocks and bonds on the stock exchange, where they listed them for sale and did sell them to you or anyone else who would buy them was about $11,750,000,000. I have the first statement of that market value from C. W. Barron at twelve billions and Theodore Price at about the same and there is no doubt about that being the situation as to the market value of the railways, and yet, by the terms of this law, they sold these roads to the people of the United States for $18,900,000,000, with more than $7,000,000,000 of water in that valuation; and then, after doing that, the command went into the law directing the Interstate Commerce Commission to levy rates on the people of the United States high enough to pay, first, all operating expenses—that includes all those taxes they complain about—and over and above all those expenses pay a return, first fixed at 6 per cent and then at 5¾ per cent, on all of that value, water and all.

Now, is 5¾ per cent a reasonable return for a railroad investment? Do you know what the return of this United States is? Do you know what we are producing in new wealth in the United States every year, after we have our living and the expenses of our industry paid? I have an estimate of it here: The census estimate from 1912 to 1922 shows it is about 5½ per cent a year, but in 1922 the war inflation had not all been squeezed out yet—most of it in agriculture had been, but not in other businesses—so the National Industrial Conference Board estimates it up to 1928, and these latest figures are the ones I am quoting. They are the latest I have, and going up to that date it is reduced back down to 4¼ per cent.

When you take the whole history of the United States, from the signing of the Declaration of Independence down to the present date, we have produced less than 4 per cent of new wealth each year. If all we produced in this country were given to capital alone, and it were evenly distributed then, througout the history of the country, we would only get a return of a little less than 4 per cent.

Have we a right to come in by law and prescribe rules and regulations and rates of return for capital in railways that will give them 5¾ per cent upon $7,000,000,000, even of water? Have we that right when the American people can only produce 4 per cent, or about that, a year? If there is any business in this country that reaches out to all the people that ought to parallel the average earnings of the country, it is the railway business. And they have collected off of us on that item a large amount, although they did not collect all under that guaranty of the law. They do not like me to call it a guaranty, because they say it is not; it is only a command of the law to get the return above the operating expenses. Therefore, they say it is no guaranty.

Of course, it was not any guarantee that the money would come out of the Treasury of the United States; it was a guarantee that it would come out of the pockets of the people; that is a lot nicer guarantee I presume. But it commanded the commission to get it out of your pocket. They did not get it always. The reason was that you did not have enough to pay it. I think that not only the farmers were unable to pay their share but a million and a half lost out in this economic situation. That is only one item in this railway situation.

Now, then, as to the supplies of the railways: The rails, the cars, the locomotives, about everything they use is furnished to them by some inside corporation owned and operated by the same big men operating the roads; and when they sell those things to a railroad they never sell them at the lowest prices they can afford to sell them to a railroad but at the highest prices

they can collect out of your pockets under the guarantee of the law, because all the wear and tear and depreciation goes into operating expenses, and you pay it all. So there is two or three hundred million dollars more of excess profits over and above this 4 per cent that the American people can produce, and that is taken in railway rates that way. Now, that is not all either. There is the waste of competition. They have admitted this. Edward Dudley Kenna, of the Santa Fe, in his book said that the waste of competition in the United States was more than $400,000,000 a year, and yet they collect that, too, in their system.

The capitalization of unearned increment amounts to another two or three hundred million dollars per year. So when we get down to actual facts there is more than a thousand million dollars a year taken from the people of the country to sustain the railways since the Esch-Cummins Act became law, to pay a return on this $7,000,000,000 of legalized subsidy given them, together with these other items.

You know about the public lands, of course. There were 158,000,000 acres—that is about as much land as there is in the entire State of Texas; it is an area four and a half times as big as Iowa—and Mr. Dunn figured out there was a $50,000,000 benefit to the United States in offsetting of that subsidy here to-day. But that is not all the subsidy. Here is another one in this railway law; this was out of the Treasury of the United States.

This law guaranteed the war-time profits for the first six months after March 1, 1920, and that was to be paid out of the Treasury of the United States if the rates did not produce it. And then what happened? Well, I have what happened right here; here it is, a whole volume of it. It is told by the railway employees before the committees of the Congress of the United States.

First, during this Government operation they padded their expenses by several hundreds of millions of dollars and they did it for the purpose of discrediting the Government of the United States in the operation of the railways. I do not hesitate to make that charge anywhere and I have the testimony of the railway employees by the thousands to prove it anywhere. There is no doubt of it.

Well, after getting this guaranty, after preparing and padding all these accounts for two years and two months, then they got this railway law with this guaranty for the war-time profits for six months. The reports to the Interstate Commerce Commission show they increased the operating expenses $1,485,000,000 more in 1920. That is the year of this six months' guaranty. That is nearly a billion and a half dollars.

Perhaps four or five hundred millions of that they can charge to increased wages, but the balance of it can only be charged to every kind of graft known to the science and art of grafting, to get subsidies out of the Treasury of the United States. Well, they got it. That made a deficit. That made a deficit of $529,000,000. Think, $529,000,000! And we wrote checks on the Treasury of the United States and paid it as a subsidy to the railways to guarantee, not their losses, not their damages—we paid all that two or three times over, too—but to guarantee their war-time profits, and that during a period that ended almost two years after the war was over.

Now, under that situation, do you think that a railroad has any business to go around to the farmer and say: "You shall not get cheaper transportation by water," and shall not have the Government establish a subsidy to build that waterway after taking all those things from the Government itself and getting a law that gives them, by its operation, a $7,000,000,000 subsidy in value. That, I say to you, is the last argument that they have any right to make against us, that subsidy argument.

Now, let us see; I want to meet these points. The railroads reduced their employees. Yes; and the capital in the railroads got the benefit and not the employees.

Then he said they had the lowest return in 35 years. That was on passenger business, I believe he said. But how has it been during all the years gone by? We are in this period of depression brought on by all these special privileges given to the railroads and other industries, and they always took the particular time that is bad and presented that to you instead of taking a series of years. I never, in the rate cases or anywhere else, saw them present in a picture of railway economics, a fair analysis of the whole situation over a period of years; they always doctored and fixed things up, and in the end it is so intricate that the ordinary person can not figure out and detect the plan they use; but here it is: He says they only got 3½ per cent on their property investment. Well, the whole American people got only 4¼ per cent, and that figures everything to capital and does not allow any proper share to labor, invention, genius, management, or anything else. Three and one-half per cent would be about right if it were on an honest value, but it is on a value that is 40 per cent, probably, higher than it ought to be, and you can figure that out as being about 7 per cent, or 3 per cent more than the American people can get as a return on all their capital.

Now, what about the busses? You are not concerned directly with that. But I don't want the railway monopoly to have control over the busses. I want to see them develop as an independent system, too, and if it can handle this transportation cheaper for all the people it is entitled to do it. Perhaps the kind of competition that will come will bring the railways to realize that in the end they will be compelled to take the water out of this capitalization and to take out these excess profits of their favorites—inside subsidiary companies—and when these things are done then I will be ready to consolidate them and stop the waste of competition, that other gigantic item also.

Now, about taxes: First, what a terrible thing are taxes. I looked in the report the other day and I saw the railroads of the United States are paying about 7 per cent, $7 out of $100, of their gross income in taxes. Then I looked into agriculture, and I found that they were paying about $28 out of every $100 of gross income, and I am ready to present to the Congress of the United States some cases showing the grossest attempts to avoid taxation by a crowd of the biggest railways in the United States. There is something to be said about that. The whole story is not near told of taxes.

Now, about the cost again. Mr. Dunn frankly admitted that the cost of ocean and lake transportation is less than the cost by rail. And it is less, and very much less. I have here his Bureau of Railway Economics book. This is the method they have always followed when they set out to fight us on these various propositions, and it leaves out the cost of the lake traffic and the ocean traffic. It is not in here. It looks to me as if there ought to be room enough in this book for that. How about all these rivers? There is only one river in the whole lot that is really completed; that is Monongahela, and when they come to give the figures of the cost of the Monongahela River they tie it into the whole Ohio River, and that was not completed until recently, and, of course, the traffic is not developed.

And another thing, our Inland Waterways Corporation has not been allowed to operate on the Ohio River. I think we will have to get them permission to do that, too. [Applause.] And take all these other propositions, all these figures he has given here, and there is not a one of them that is given for a fully developed situation, with a big volume of traffic such as it will be when the work is completed and the traffic developed.

Therefore these figures are valueless, and while I concede that inland transportation may be higher in cost than transportation on the Great Lakes—that, however, will depend again on the volume of traffic—yet, nevertheless, when we get all the development we will find that our waterway traffic will be less in cost than the rail traffic, even on their fantastic theory. They would not fight us so hard if that were not true. They know it is true. They figure up a lot of these imaginary things that they say are part of the cost of the inland waterways transportation.

I shall not take the time to-day to figure up the extent of all the expenses of the railways, either. I remember that not long ago 40 per cent of the railways in the United States were in the hands of receivers, all at one time. What happened in that case? All the little stockholders who paid in their millions and hundreds of millions of dollars were thrown out, and that is one of the hidden expenses of the operation of the railroads that is hidden down deeper and crookeder than any taxes that the railroads have to pay in any development.

Mr. WEBBER (interposing). What about the express companies and the telegraph companies?

Senator BROOKHART. Let me tell you about that. I missed the express companies and I missed the telegraph companies. They all come in under these subsidiaries of the railways, and the Pullman Co., the refrigerator cars, and the oil-tank cars. There is no end to this thing. I did not come down to tell you the whole story because that would take too long. I came only to tell you a few of the high spots in it. All of these companies are dipping out of the railroad business three or four times this 4 per cent that the American people can produce.

I want to say in conclusion to the railways of the United States: If you can not operate your roads in competition with the lower rates of the inland waterways, your Uncle Samuel can. [Prolonged applause.]

AN ADDRESS BY SAMUEL O. DUNN, EDITOR RAILWAY AGE, CHICAGO, ILL., BEFORE THE NATIONAL RIVERS AND HARBORS CONGRESS, WASHINGTON, D. C., DECEMBER 10, 1930

Mr. President, gentlemen of the River and Harbor Congress, I am probably the most hardened of railroad propagandists to which you have heard allusions made this morning. I confess that I hesitated about accepting the invitation to come here because of known differences of opinion, but I recalled that about 12 years ago I accepted an invitation to address this body upon the subject of Government ownership of railways and that, whether the address did any good or not, I was listened to with the utmost courtesy, and I appreciate greatly the honor of being invited to "play a return engagement."

You represent the advocates of all forms of waterway development. Transportation on the ocean and the Great Lakes is much cheaper than by rail, and I agree with those who believe that our harbors should be developed to make these deep waterways as useful as possible. I entirely disagree with those who believe that a vast expenditure of public money for the development of an extensive system of rivers and canals is desirable. I hope before I finish briefly to discuss that question, but, first, I wish to say something about a transportation problem that far transcends in importance the question of waterways. Our most important means of transportation, the railways, are drifting straight toward disaster. If you do not believe it, investigate the facts yourselves. Three former members of the Interstate Commerce Commission recently have said that the situation of the railroad industry, considering both present and prospective conditions, is the worst in history. I agree with that statement.

I have never heard or read a recent discussion by any prominent advocate of inland waterways, from President Hoover and Secre-

tary of War Hurley down, who has not conceded and emphasized that the railways must, for a long time, be the "backbone of our transportation system." Most or all of you are more dependent upon the railways for transportation service than you are, or for years will be, upon all other means of transportation.

It is often said that we must consider all our means of transportation as a single system, develop and maintain the strength of all of them, and coordinate them in order to get the best results. It is obvious that, in any such program, the effects upon the railways of the public policies adopted must be considered.

The percentage of return earned upon their investment by the railways this year will be, excepting in 1921 and the years when the war-time guaranties were in effect, the smallest for 35 years. This will be in spite of the fact that such drastic retrenchments have been made that the number of their employees in September was 262,000 less than in September 1929 and thus far this year has averaged less than in any year since 1900. What is of even more importance is that, in view of experience during the last decade, the railways can not look forward with confidence to any such large increase in their traffic, when business revives, as enabled them to recover their earning power after past depressions.

Both the Association of Railway Executives and the principal railway labor organizations, including especially the five great train-service brotherhoods, recently have adopted resolutions urging changes in the Government policies now being applied to the railways, under which competing means of transportation are subsidized without being subjected to the same kind of regulation that the railways are, and, as a result of which, large amounts of traffic are being diverted from the railways and many thousands of railway employees in all parts of the country are being thrown out of work.

Since the middle of this year the railways, as a whole, have spent less upon the maintenance of their properties than in any year since 1917. Although they have made such drastic retrenchments, they have earned at the annual rate of only 3.5 per cent upon their property investment.

None of you will believe that the Interstate Commerce Commission would exaggerate the gravity of a situation which has been created largely by its own policy. Allow me, therefore, to read you some extracts from the annual report of the Interstate Commerce Commission for 1930, which has just been made public. The commission recites that, in the first eight months of this year, the net operating income of the railways available for interest and dividends declined $273,000,000, or nearly 33 per cent. Then it proceeds:

"If railway finances were suffering only from the fact that a recession in business is being experienced as in other industries of this country and of the world, it might be sufficient to point out that, in judging of railway income, one should in fairness consider the good and bad years together. But a different and more threatening financial difficulty confronts the railways. This is the effect of the competition of other forms of transportation."

Having called attention to the fact that railway passenger earnings in 1929 were $414,000,000 less than in 1920, the commission continues:

"The prospect of a continued expansion in freight business to offset the further loss in passenger business is darkened by the competition of water lines, pipe lines, and trucks, and by changes that may check the growth in demand for ton-mileage, such as economy in the use of coal, changes in the location of industry, and the relatively slower growth of transportation."

The present condition of the railways is, of course, largely due to the prevailing business depression. It is only partly due to that cause, however. A revival of general business will not solve the railroad problem. It can be solved under private ownership only by relieving the railways of influences which, throughout the 10 years the transportation act has been in effect, have prevented them from earning anywhere near a fair return, even when general business has been extraordinarily good, and the full destructive effect of which upon earnings has become manifest only since the depression came.

The most important of the adverse influences to which I refer are, first, the rate-regulating policy of the Interstate Commerce Commission, and, second, the competition of Government-aided means of transportation.

The transportation act of 1920 directed the Interstate Commerce Commission to so initiate, modify, and adjust rates as to enable the railways under good management to earn a fair return. As the railways, since rates were reduced in 1922, have constantly earned less than a fair return, it has been the commission's duty under the law to adjust rates upward. It has not performed that duty, and average revenue per ton-mile has constantly declined.

In addition to a policy of regulation of rates which has disregarded the constitutional rights and economic needs of the railways, they have been suffering throughout the last decade from huge losses of passenger earnings and from a startling decline in the growth of their freight traffic. From 1890 to 1900 their freight business increased 86 per cent; from 1900 to 1910, 80 per cent; from 1910 to 1920, 62 per cent; from 1920 to 1929, less than 9 per cent.

The enormous decline of passenger business and the great reduction in the growth of freight business have been largely due to Government policies which have resulted in the railways being completely denied equality of opportunity in competing with other means of transportation. Motor coaches and trucks have been able to make low rates because they have been allowed to use highways built at public expense without being required to pay anywhere near enough for their use to reimburse the public for the cost they have caused it.

The number of motor busses increased 820 per cent between 1920 and 1929. Motor trucks have increased in size and resorted to the use of trailers, until we now have, all over the country, what are virtually trains operating on highways, which are not only taking huge amounts of traffic from the railways but are destroying the highways and making difficult and dangerous their use by private motor vehicles.

During the period of nine years ending with 1929, when railway freight business increased less than 9 per cent, the number of registered motor trucks increased 236 per cent. Competition of steamships using the Panama Canal has rapidly increased in severity, and from 1921 to 1929 the tonnage handled through the canal increased 637 per cent. Between 1920 and 1929 the number of tons handled on inland waterways, exclusive of the Great Lakes, increased 94 per cent.

The Government, by taxation of the public, has provided other means of transportation with subsidies that have enabled them to compete so effectively with the railways. Meantime the railways are subjected to regulation of rates which further cripples them in meeting competition. The rates of ocean carriers operating through the Panama Canal are not regulated, and at the same time the railways are denied the right to make low rates to the Pacific coast to meet water competition. Carriers by both highway and waterway are allowed to practice any discriminations they please between shippers and communities in making rates, while the railways are required to publish and maintain their rates without discrimination.

To avoid immediate financial disaster many of the railways are resorting to retrenchments in maintenance such as could not long be continued without most serious effects upon the condition of their physical properties. In spite of their retrenchments many of them are earning so little net return that their credit is being seriously undermined. If their physical properties get into bad shape and their credit is so seriously damaged that they can not raise new capital, the resulting deterioration of their service will cause very heavy losses to every branch of industry and commerce in this country.

What needs to be done to arrest this drift of the railroad industry toward disaster and to enable it to continue to render good service? The railway executives of the country have given a great deal of very serious study to that question and at a recent meeting in New York agreed upon a statement of the policies that they believe must be adopted by our State and National Governments to meet this situation. The substance of the policies enunciated by them is that competing means of transportation should be treated as the railways are, in order that the railways may be able to compete with them on equal terms.

Now, I am not here to contend that the present very serious and threatening condition of the railroad industry is a reason for stopping the development of other means of transportation. What I do contend is that our Government policies should be so changed that every means of transportation will be forced to pay out of its earnings all the costs directly or indirectly incurred in rendering its service, and that they shall all be similarly regulated, in order that all transportation service, whether passenger or freight, shall be rendered by that means which can handle the traffic at the lowest total economic cost, allowing for differences in the speed, reliability, and other qualities of the service rendered. I do not think any man here would publicly contend that the Government should use its regulating power and the money of the taxpayers to divert from the railways to other transportation agencies traffic that the railways can handle at a lower cost than these other agencies.

One of the principal arguments formerly advanced for the development of inland waterways was that it was impossible to expand the railways sufficiently to handle our increasing traffic. During the first 90 years of their history the principal problem of the railways was that of sufficiently expanding their facilities to handle a rapidly growing traffic. The average annual increase of railway freight business during the nine years ending with 1929 was only one-third as great as the average annual increase throughout the preceding 30 years, and there are no conditions or tendencies that warrant the belief that there will be any need in the future for development of waterways to relieve the railways.

Nobody can deny that better freight service can be rendered by rail than by rivers and canals. Therefore, the crucial test of the desirability of extensive development of inland waterways is whether they can provide cheaper transportation than the railways. It is often said that waterways can handle bulky commodities at lower cost, and that the railways should be relieved of handling them and left to handle only more valuable classes of commodities, from which, it is said, they derive more profits. It happens, however, that it is from the transportation of bulky commodities that the railways actually derive their largest profits, because of their heavy loading per car. Furthermore, it is not true that inland waterways can carry bulky commodities cheaper than railways, if all the costs of water transportation be considered.

I contend, without any hesitation, that all kinds of freight can be handled more cheaply by railways than by inland rivers and canals. The only cost paid for the transportation of freight by rail is the freight rate charged. The cost of transportation by inland waterway is divisible into two parts. The first is paid by the public in taxes and consists of interest upon the investment made in improving the waterway and building terminals, and

the expense of maintaining them. The second consists of the rates paid by shippers.

Now, on sound principles of economics, what should be our objective? Should it be to reduce freight rates entirely regardless of the effect on taxes? Plainly, if the development of waterways will result in reductions of freight rates, it will also result in increases of taxes. As taxes in this country are twice as great as railway freight earnings, I can hardly believe anybody would contend that taxes are so unimportant, and freight rates so important, that the national prosperity would be promoted by securing a saving of freight rates at the cost of a larger increase in taxes.

How, then, do the total costs of transportation by inland waterways and by railways in this country compare, and how may we reasonably expect them to compare in the future? For many years we have been improving inland waterways and actually have had transportation by both water and rail. There is an abundance of information regarding costs of rail transportation, but, in spite of all the claims made, remarkably little reliable and satisfactory information regarding costs of inland water transportation. For many years estimates have been given to Congress and the public regarding proposed waterway improvements, including the traffic that would be handled, the expense of improving and maintaining the waterways, and the savings in transportation costs that would result, but those who have made these estimates seldom have come forward after the money has been spent with clear and conclusive evidence regarding the results attained.

For more than 20 years I have studied such data as have been available regarding comparative costs of transportation by rail and inland waterway in this and other countries. Every figure at which I have ever arrived has convinced me more strongly that the total cost of transportation by inland waterway is almost invariably higher than by rail. The Bureau of Railway Economics, which is maintained by the railways, but which is generally recognized as an organization whose statistical studies are made with the utmost care, recently has completed and published an exhaustive comparative study of rail and inland waterway costs in this country, which strongly supports the views I have expressed for years. Some of its conclusions are as follows:

In 1929 the average total cost of carrying a ton of freight 100 miles on the New York State Barge Canal was $1.94, made up of 45 cents as the boatmen's actual charge for transportation (or the direct freight rate), and $1.49 paid by the public in taxes for expenses of operating, maintaining, and repairing the canal, and interest on the State's investment in it. As contrasted with this total cost of $1.94 for carrying one ton of freight 100 miles on the canal, the eastern railroads would have performed the same service for an average charge of $1.09, or 43 per cent less than the total canal cost.

In 1928 the average total cost of carrying a ton of freight 100 miles on the Ohio River system was 82.4 cents, made up of 40 cents as the direct cost of transportation, and 42.4 cents paid by the public in taxes for interest on Government funds invested in improving the river and for maintaining the dams, wickets, and river channel. On the seven principal railways paralleling the Ohio, the average charge in 1928 for carrying a ton of freight 100 miles was 88.3 cents, but due to the winding course of the river, for every 100 miles of rail haul the river haul averages 150 miles. Therefore, for the movement of a ton of freight between two points 100 miles apart by railroad, the average costs of transportation was $1.236 by river, and $0.883, or almost 30 per cent less, by rail.

On the Mississippi River, in 1928, the average total cost of moving a ton of freight 100 miles was 74.5 cents, made up of 40 cents as the direct cost of transportation, and 34½ cents paid by the public in taxes as interest on the Government's investment in river improvements and for maintenance expenses. On the eight principal railways which roughly parallel the river, the average charge in 1928 for carrying a ton of freight 100 miles was $1.009. But here again, because of the curving course followed by the river, the mileage by river between various points averages at least one-half again as much as the mileage by rail. In other words, between two towns 100 miles apart by rail, the water distance would average 150 miles. It would thus cost, to haul a ton of freight between these two points, $1.12 by water and $1 by railroad.

It must also be considered that in each of these cases the service by rail would be better and more valuable than that by water.

If those who favor the development of inland waterways decline to accept these figures, let them come forward with better data—not merely figures regarding comparative freight rates by rail and water, but reliable data regarding total costs such as would be convincing to any trained student of business and economic problems. The public is being asked to invest hundreds of millions of dollars in inland-waterway improvements, and in support of this expenditure it is being given information such as would not induce a business man to invest a dollar of his own capital.

The Nation has to-day a railway system which is being operated efficiently and is more than adequate to all the demands being made upon it. When it is proposed to develop another system of transportation by the expenditure of public money which, it is claimed, will carry freight at less cost, the burden of proving that claim obviously rests upon those who make it. As this other means of transportation is to be provided by increasing the taxes of the public, it is obvious that its development can not be economically justified excepting by showing that it will almost certainly cause a reduction in what the public must pay for freight transportation that will exceed the increase in taxes it will make it necessary for the public to pay.

Formerly one of the principal arguments made for the development of inland waterways was that the introduction of this form of competition would force down railway rates. Now, we are often told that the development of waterways will not injure the railways—that waterways and railways do not compete with, but supplement each other, and that waterway development will so stimulate traffic as to increase the amount of it for both waterways and railways. I call your attention to the fact that in the statement of the Interstate Commerce Commission from which I quoted early in this address it referred specifically to the "competition of water lines." The commission is not deceived, and it would be foolish for the public to deceive itself. Every economist knows that inland waterways always have been and always will be competitors of the railways, and the more extensively they are developed the more traffic they will take from the railways—not because the cost of transportation on them is less, but because a large part of that cost is defrayed by the taxpayer.

The American people have a right to have any kind of transportation they want, and to spend their money in any way they please in order to get it. But what they have a right to do is one thing, and what it is wise for them to do is another thing.

The public, and especially business men, profess to want, among other kinds of transportation, good railway service rendered by railways owned and managed by private companies; and yet they are allowing and even urging their governments to so subsidize other means of transportation with the taxpayer's money, and to so differentiate between them and the railways in regulation, that railway rates are kept too low, enormous amounts of traffic are being diverted to other means of transportation, and our ability in the future to maintain the earning capacity and service of the railways under private ownership is being seriously threatened.

I urge each of you to study our entire transportation situation in this country, present and prospective, and only after such study to decide in what way your influence upon the Government's transportation policy shall be exerted both in your own self-interest and in the interest of the entire public. [Applause.]

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the Speaker had affixed his signature to the enrolled bill (S. 3273) to authorize the Postmaster General to issue additional receipts or certificates of mailing to senders of certain classes of mail matter and to fix the fees chargeable therefor, and it was signed by the Vice President.

PETITIONS

Mr. SHIPSTEAD presented a resolution adopted by the city council of Minneapolis, Minn., favoring the making of appropriations and the apportionments thereof needed for the vigorous prosecution of the work ordered by Congress in the adoption of the project for a 9-foot channel in the upper Mississippi River, which was referred to the Committee on Commerce.

Mr. CAREY presented resolutions adopted by Kemmerer Post, No. 17, the American Legion, of Kemmerer, Wyo., favoring the passage of legislation for the payment to all ex-service men of the face or maturity value of adjusted-service certificates upon being applied for by the owners of the certificates, which were referred to the Committee on Finance.

Mr. FESS presented a petition of sundry citizens of the State of Ohio praying for the passage of the so-called Kendall 44-hour week bill for postal employees, which was ordered to lie on the table.

Mr. McGILL presented a petition of sundry citizens of Bourbon County, Kans., praying for the passage of legislation providing for the immediate payment of adjusted-service certificates of ex-service men, which was referred to the Committee on Finance.

He also presented the petition of C. S. Lawrence, of Wichita, and approximately 800 other citizens of Sedgwick County, Kans., praying for the passage of legislation for the payment in cash of adjusted-service certificates of ex-service men, which was referred to the Committee on Finance.

Mr. BLAINE presented a petition of sundry citizens of New Richmond, Wis., praying for the passage of legislation providing for the immediate payment in cash of soldiers' adjusted-compensation certificates, which was referred to the Committee on Finance.

He also presented petitions numerously signed by sundry citizens of the State of Wisconsin, praying for the passage

of legislation for the exemption of dogs from vivisection in the District of Columbia, which were referred to the Committee on the District of Columbia.

REPORTS OF COMMITTEES

Mr. SHEPPARD, from the Committee on Military Affairs, to which was referred the bill (S. 1712) for the relief of William T. J. Ryan, reported it with an amendment and submitted a report (No. 1260) thereon.

He also, from the same committee, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

H. R. 516. An act for the relief of John Jakes (Rept. No. 1261); and

H. R. 7272. An act to provide for the paving of the Government road across Fort Sill (Okla.) Military Reservation (Rept. No. 1262).

Mr. FRAZIER, from the Committee on Indian Affairs, to which was referred the bill (H. R. 6668) for the relief of Peter R. Wadsworth, reported it with amendments and submitted a report (No. 1263) thereon.

DROUGHT RELIEF AND UNEMPLOYMENT (LA FOLLETTE RESOLUTION), REPORT NO. 1264

Mr. JONES. Mr. President, a few days ago the Senate directed the Appropriations Committee by Resolution No. 376 to take the testimony of certain gentlemen with reference to unemployment conditions throughout the country. I ask unanimous consent to present the testimony which has been taken by the Appropriations Committee and that it may be printed.

The PRESIDENT pro tempore. Without objection, it is so ordered.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ASHURST.

A bill (S. 5611) granting a pension to Eugene C. Harrington (with accompanying papers); to the Committee on Pensions.

By Mr. HALE:

A bill (S. 5612) providing for the appointment as ensigns in the line of the Navy all midshipmen who graduate from the Naval Academy in 1931, and for other purposes; to the Committee on Naval Affairs.

By Mr. ROBINSON of Arkansas:

A bill (S. 5613) for the relief of Commercial Loan & Trust Co., Monticello, Ark.; to the Committee on Claims.

By Mr. JOHNSON:

A bill (S. 5614) to provide for the establishment of a construction service in the Bureau of the Census of the Department of Commerce; to the Committee on Commerce.

By Mr. WALSH of Massachusetts:

A bill (S. 5615) for the relief of John Jakmauh; to the Committee on Military Affairs.

By Mr. NYE:

A bill (S. 5616) to amend an act entitled "An act to provide for the creation of the Colonial National Monument in the State of Virginia, and for other purposes," approved July 3, 1930; to the Committee on Public Lands and Surveys.

By Mr. MOSES:

A bill (S. 5617) for the relief of John W. Warren (with accompanying papers); to the Committee on Military Affairs.

A bill (S. 5618) granting an increase of pension to Louise M. Barlow (with accompanying papers); to the Committee on Pensions.

By Mr. ODDIE:

A bill (S. 5619) to authorize the acquisition of a site and the erection of a Federal building thereon at Yerington, Nev.; to the Committee on Public Buildings and Grounds.

By Mr. WATSON:

A bill (S. 5620) granting an increase of pension to Mariam Hill (with accompanying papers); to the Committee on Pensions.

By Mr. WAGNER:

A bill (S. 5622) to authorize appropriations for construction at Plattsburg Barracks, Plattsburg, N. Y., and for other purposes; to the Committee on Military Affairs.

By Mr. DENEEN:

A bill (S. 5623) to incorporate the National Woman's Relief Corps, Auxiliary to the Grand Army of the Republic; to the Committee on the Judiciary.

A bill (S. 5624) to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Shawneetown, Gallatin County, Ill., and a point opposite thereto in Union County, Ky.; and

A bill (S. 5625) providing for the participation of the United States in A Century of Progress (the Chicago World's Fair Centennial Celebration) to be held at Chicago, Ill., in 1933, authorizing an appropriation therefor, and for other purposes; to the Committee on Commerce.

A bill (S. 5626) granting a pension to Vivian N. Garrett (with accompanying papers);

A bill (S. 5627) granting an increase of pension to Emily M. Ryan (with accompanying papers); and

A bill (S. 5628) granting an increase of pension to Orthelia A. Whitwam (with accompanying papers); to the Committee on Pensions.

By Mr. CAPPER:

A bill (S. 5629) to provide for the regulation of the business of making loans of $300 or less in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

A bill (S. 5630) granting an increase of pension to Jessie M. Cox (with accompanying papers);

A bill (S. 5631) granting an increase of pension to Rebecca Jane Day (with accompanying papers); and

A bill (S. 5632) for the relief of Cordelia Evangeline Mitchell (with accompanying papers); to the Committee on Finance.

By Mr. WAGNER:

A bill (S. 5633) granting an increase of pension to Emma Jarvis McLean; to the Committee on Pensions.

A bill (S. 5634) to provide for cooperation with the several States in providing insurance against unemployment; to the Committee on Commerce.

By Mr. ROBINSON of Arkansas (by request):

A bill (S. 5635) authorizing the War Department to construct a levee and drainage ditch; to the Committee on Commerce.

By Mr. ROBINSON of Indiana:

A bill (S. 5636) granting a pension to Alfred McClellan (with accompanying papers); to the Committee on Pensions.

By Mr. SHIPSTEAD:

A bill (S. 5637) to regulate the discharge of water from certain reservoirs at the headwaters of the Upper Mississippi River; to the Committee on Commerce.

By Mr. HAYDEN:

A bill (S. 5638) granting a pension to Golden S. Briggs; to the Committee on Pensions.

By Mr. DILL:

A bill (S. 5639) authorizing the War Department to transfer 5,000 acres of land at Fort Lewis to the Navy Department for an auxiliary airship base; to the Committee on Military Affairs.

By Mr. HARRIS:

A bill (S. 5640) for the relief of S. K. Brown (with accompanying papers); to the Committee on Claims.

A bill (S. 5641) to give military status to officers and enlisted men of the National Guard who served as field or civilian clerks with the armed forces of the United States during the war with Spain; to the Committee on Military Affairs.

By Mr. FESS:

A joint resolution (S. J. Res. 228) to provide for the relocation of the statue of Maj. Gen. John A. Rawlins; to the Committee on the Library.

By Mr. SMOOT:

A joint resolution (S. J. Res. 229) tendering the thanks of Congress to Maj. Gen. Ulysses G. McAlexander and to the

officers and men under his command on July 15, 1918, for conspicuous gallantry and heroic conduct in the Second Battle of the Marne; to the Committee on Military Affairs.

By Mr. McKELLAR:

A joint resolution (S. J. Res. 230) authorizing and directing the Comptroller General to investigate and reexamine the account between the United States and the State of Tennessee with respect to cotton seized in the Civil War period and to advances and expenditures made by such State for military purposes during the War of 1812–1815, etc.; to the Committee on the Judiciary.

AMENDMENTS TO AGRICULTURAL APPROPRIATION BILL

Mr. WHEELER submitted an amendment intended to be proposed by him to House bill 15256, the Agricultural Department appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 48, line 4, to strike out "$120,000" and insert in lieu thereof "$130,000, of which not to exceed $10,000 may be expended for grange-utilization research in cooperation with the United States Range Livestock Experiment Station at Miles City, Mont."

Mr. FLETCHER submitted an amendment intended to be proposed by him to House bill 15256, the Agricultural Department appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 36, line 22, strike out "$1,355,360" and insert in lieu thereof "$1,375,360."

Mr. HAYDEN submitted an amendment intended to be proposed by him to House bill 15256, the Agricultural Department appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 36, line 22, strike out "$1,365,360" and insert in lieu thereof "$1,385,360"; and on page 37, line 3, after the word "purpose," insert the following: "and of which $20,000 shall be available for investigating, curing, transportation, and storage of dates grown in the United States."

AMENDMENTS TO DEFICIENCY APPROPRIATION BILL

Mr. CARAWAY submitted an amendment intended to be proposed by him to House bill 15592, the first deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 8, between lines 7 and 8, insert the following:

"FOOD LOANS TO FARMERS IN DROUGHT AND STORM STRICKEN AREAS

"To enable the Secretary of Agriculture, for the crop of 1931, to make advances or loans to farmers in the drought and/or storm stricken areas or hail-stricken areas, where he shall find that an emergency for such assistance exists, for the purchase of food, under such terms as he may prescribe, such advances or loans to be made, so far as practicable, under the same terms and conditions as the advances or loans made pursuant to the joint resolution entitled 'Joint resolution for the relief of farmers in the drought and/or storm stricken areas of the United States,' approved December 20, 1930, $15,000,000."

Mr. WAGNER submitted an amendment intended to be proposed by him to House bill 15592, the first deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 9, line 14, insert the following:

"BUREAU OF LABOR STATISTICS

"For the collection and publication of statistics of the volume of changes in employment as required by the act of July 7, 1930, 'An act to amend section 4 of the act entitled "'An act to create a Department of Labor, approved March 4, 1913,"' including personal services in the District of Columbia, $40,000."

IMPROVEMENTS ON THE MONONGAHELA RIVER, PA.

Mr. REED submitted an amendment intended to be proposed by him to the joint resolution (H. J. Res. 441) amending section 1 of the act entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved July 3, 1930, relating to the Monongahela River, Pa., which was referred to the Committee on Commerce and ordered to be printed.

UNEMPLOYMENT INSURANCE SYSTEMS

Mr. WAGNER submitted the following concurrent resolution (S. Con. Res. 36), which was referred to the Committee on Commerce:

Resolved by the Senate (the House of Representatives concurring), That there is hereby established a joint congressional committee to be composed of 5 Senators, of whom 3 shall be from the majority political party and 2 shall be from the minority political party, to be appointed by the President of the Senate, and 5 Members of the House of Representatives who are Members elect of the Seventy-second Congress, of whom 3 shall be from the majority political party and 2 shall be from the minority political party, to be appointed by the Speaker of the House of Representatives. The committee is authorized and directed to make a general study of the unemployment insurance systems in use by private interests in the United States and by foreign governments, with a view to determining (1) the manner in which such systems were instituted and are now being operated, (2) the cost involved and the results achieved under each such system, (3) the relief, if any, afforded by each such system during the economic depression of 1930, and (4) the condition of each such system on July 1, 1931, with particular regard to the manner in which it survived the economic depression of 1930. The committee shall report to the Congress on or before December 7, 1931, the results of such study, together with its recommendations for necessary legislation.

For the purposes of this resolution the committee or any duly authorized subcommittee thereof is authorized to hold such hearings, to sit and act at such times and places during the sessions or recesses of the Seventy-first and succeeding Congresses, to employ such experts and clerical, stenographic, and other assistants, to require, by subpœna or otherwise, the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, and to take such testimony and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed $50,000, shall be paid, one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives, upon vouchers approved by the chairman of the committee.

INTERNATIONAL WATER COMMISSION, UNITED STATES AND MEXICO (S. DOC. NO. 250)

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed:

To the Congress of the United States:

I commend to the favorable consideration of the Congress the inclosed report from the Secretary of State to the end that legislation may be enacted to authorize an appropriation of $287,000 to defray the expenses of the American section of the International Water Commission, United States and Mexico, in continuing its study, in cooperation with representatives of Mexico, of a plan for the equitable use of the waters of the lower Rio Grande, the lower Colorado, and Tia Juana Rivers, for submission to the Congress, pursuant to the provisions of the act of May 13, 1924, entitled "An act providing for a study regarding the equitable use of the waters of the Rio Grande below Fort Quitman, Tex., in cooperation with the United States of Mexico," as amended by the act of March 3, 1927.

HERBERT HOOVER.

THE WHITE HOUSE, *January 9, 1931.*

(Inclosure: Report from the Secretary of State.)

WELFARE OF MOTHERS AND INFANTS

The PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business which will be stated.

The CHIEF CLERK. A bill (S. 255) for the promotion of the health and welfare of mothers and infants, and for other purposes.

Mr. SMOOT. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of the Interior Department appropriation bill.

The PRESIDENT pro tempore. Is there objection?

Mr. KING. May I ask my colleague if he intends to proceed to-night with consideration of the appropriation bill?

Mr. SMOOT. No.

The PRESIDENT pro tempore. Is there objection?

Mr. BLAINE. Mr. President, I am disposed to object to the unanimous-consent request. It seems to me the bill which is the unfinished business, the maternity bill, is being kicked around hither and yon, and it appears to be a vehicle at this session of Congress for what apparently may develop into a real filibuster on the part of the administration. So I object to the displacing of the unfinished business.

The PRESIDENT pro tempore. Objection is made.

RECESS

Mr. McNARY. I move that the Senate take a recess until 12 o'clock noon to-morrow.

The motion was agreed to; and the Senate (at 7 o'clock and 10 minutes p. m.) took a recess until to-morrow, Saturday, January 10, 1931, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 9 (legislative day of January 5), 1931

POSTMASTERS

ALABAMA

Marion F. Boatwright to be postmaster at Ashville, Ala., in place of M. F. Boatwright. Incumbent's commission expired January 7, 1931.

Levi A. Knapp to be postmaster at Auburn, Ala., in place of L. A. Knapp. Incumbent's commission expired December 13, 1930.

Harry C. Peterson to be postmaster at Robertsdale, Ala., in place of H. C. Peterson. Incumbent's commission expired January 7, 1931.

Albert N. Holland to be postmaster at Scottsboro, Ala., in place of A. N. Holland. Incumbent's commission expired January 7, 1931.

ALASKA

Wilkie T. Pinkerton to be postmaster at Fairbanks, Alaska, in place of W. T. Pinkerton. Incumbent's commission expired December 10, 1930.

Oren F. Hill to be postmaster at Hyder, Alaska, in place of O. F. Hill. Incumbent's commission expired December 10, 1930.

Elizabeth D. De Armond to be postmaster at Sitka, Alaska, in place of E. D. De Armond. Incumbent's commission expired December 10, 1930.

ARIZONA

Edward J. Huxtable to be postmaster at Douglas, Ariz., in place of E. J. Huxtable. Incumbent's commission expired January 7, 1931.

ARKANSAS

Robert B. Cox to be postmaster at Prairie Grove, Ark., in place of R. B. Cox. Incumbent's commission expired December 10, 1930.

Charles M. Davis to be postmaster at Scott, Ark., in place of T. W. Steele, jr., resigned.

CALIFORNIA

Charles A. Osborn to be postmaster at Atwater, Calif., in place of C. A. Osborn. Incumbent's commission expired December 17, 1930.

Alice McNamee to be postmaster at Castroville, Calif., in place of Alice McNamee. Incumbent's commission expires January 15, 1931.

Charles K. Niblack to be postmaster at North Hollywood, Calif., in place of C. K. Niblack. Incumbent's commission expired December 22, 1930.

Jessica H. Wright to be postmaster at Sierra Madre, Calif., in place of J. H. Wright. Incumbent's commission expired December 22, 1930.

Emma S. Gillum to be postmaster at Summerland, Calif. Office became presidential July 1, 1930.

Frederick W. Brinker to be postmaster at Temple City, Calif., in place of F. W. Brinker. Incumbent's commission expired December 22, 1930.

Grace P. Johnson to be postmaster at Windsor, Calif., in place of M. N. Johnson, deceased.

COLORADO

David P. Saunders to be postmaster at Brush, Colo., in place of D. P. Saunders. Incumbent's commission expired December 14, 1930.

James G. Jardine to be postmaster at Frederick, Colo., in place of J. G. Jardine. Incumbent's commission expired December 10, 1930.

Olie Thorson to be postmaster at Glenwood Springs, Colo., in place of Olie Thorson. Incumbent's commission expired December 10, 1930.

Frank L. Alexander to be postmaster at Ovid, Colo., in place of F. L. Alexander. Incumbent's commission expired December 10, 1930.

CONNECTICUT

Guy M. Bartlett to be postmaster at Andover, Conn., in place of G. M. Bartlett. Incumbent's commission expired December 13, 1930.

Harry N. Prann to be postmaster at Centerbrook, Conn., in place of H. N. Prann. Incumbent's commission expired December 21, 1930.

Irving S. Cook to be postmaster at Higganum, Conn., in place of I. S. Cook. Incumbent's commission expired December 17, 1930.

Anthony Hansen to be postmaster at North Windham, Conn., in place of Anthony Hansen. Incumbent's commission expired December 13, 1930.

W. Frank Smith to be postmaster at Wallingford, Conn., in place of W. F. Smith. Incumbent's commission expired December 17, 1930.

DELAWARE

Stanley S. Stevens to be postmaster at Delaware City, Del., in place of S. S. Stevens. Incumbent's commission expired December 21, 1930.

Charles R. Lee to be postmaster at Clearwater, Fla., in place of C. R. Lee. Incumbent's commission expired December 21, 1930.

FLORIDA

Lewis A. Morris to be postmaster at Leesburg, Fla., in place of W. G. Ross. Incumbent's commission expired May 17, 1930.

Richard M. Hall to be postmaster at St. Petersburg, Fla., in place of R. M. Hall. Incumbent's commission expired December 13, 1930.

IDAHO

Joseph S. Cooper to be postmaster at Carey, Idaho, in place of J. S. Cooper. Incumbent's commission expired January 5, 1931.

ILLINOIS

Benjamin F. Helfers to be postmaster at Arlington Heights, Ill., in place of B. F. Helfers. Incumbent's commission expired December 11, 1930.

Cleo Preston to be postmaster at Arrowsmith, Ill., in place of Cleo Preston. Incumbent's commission expired December 11, 1930.

Hanson A. Garner to be postmaster at Chandlerville, Ill., in place of H. A. Garner. Incumbent's commission expired December 22, 1930.

Howard N. Gillespie to be postmaster at Chenoa, Ill., in place of H. N. Gillespie. Incumbent's commission expired December 11, 1930.

Philip W. Maxeiner to be postmaster at Dorchester, Ill., in place of P. W. Maxeiner. Incumbent's commission expired December 14, 1930.

Reuben A. Gumbel to be postmaster at Forest City, Ill., in place of R. A. Gumbel. Incumbent's commission expired December 11, 1930.

Walter J. Holt to be postmaster at Hanna City, Ill., in place of W. J. Holt. Incumbent's commission expired December 14, 1930.

Thomas H. Plemon to be postmaster at Jonesboro, Ill., in place of T. H. Plemon. Incumbent's commission expired December 11, 1930.

Mary G. Lawless to be postmaster at Loraine, Ill., in place of A. E. King. Incumbent's commission expired December 18, 1929.

Milton G. Hartenbower to be postmaster at Lostant, Ill., in place of M. G. Hartenbower. Incumbent's commission expired December 14, 1930.

Henry E. Farnam to be postmaster at Pawnee, Ill, in place of H. E. Farnam. Incumbent's commission expires January 14, 1931.

Daisy A. Nieman to be postmaster at Philo, Ill., in place of D. A. Nieman. Incumbent's commission expired December 11, 1930.

Lucian D. Lyons to be postmaster at St. David, Ill., in place of L. D. Lyons. Incumbent's commission expired May 18, 1930.

Hazel M. Riber to be postmaster at South Pekin, Ill., in place of H. M. Riber. Incumbent's commission expired December 22, 1930.

INDIANA

Martha T. Dunn to be postmaster at Bargersville, Ind. Office became presidential July 1, 1930.

Benjamin F. Pitman to be postmaster at Bedford, Ind., in place of B. F. Pitman. Incumbent's commission expired December 13, 1930.

Donas E. Denny to be postmaster at Cloverdale, Ind., in place of D. E. Denny. Incumbent's commission expired December 14, 1930.

Charles M. Woodfill to be postmaster at Greensburg, Ind., in place of H. T. Kitchin. Incumbent's commission expired March 31, 1930.

John C. Hinshaw to be postmaster at Westfield, Ind., in place of J. C. Hinshaw. Incumbent's commission expired December 14, 1930.

IOWA

Anna Reardon to be postmaster at Auburn, Iowa, in place of Anna Reardon. Incumbent's commission expired December 16, 1930.

Bertha Zadow to be postmaster at Blencoe, Iowa, in place of Bertha Zadow. Incumbent's commission expired December 21, 1930.

Blinn N. Smith to be postmaster at Coon Rapids, Iowa, in place of B. N. Smith. Incumbent's commission expired December 10, 1930.

Charles S. Lewis to be postmaster at Davenport, Iowa, in place of C. S. Lewis. Incumbent's commission expired December 10, 1930.

Otto W. Bierkamp to be postmaster at Durant, Iowa, in place of O. W. Bierkamp. Incumbent's commission expired December 16, 1930.

Carrie Andersen to be postmaster at Hancock, Iowa, in place of Carrie Andersen. Incumbent's commission expired December 10, 1930.

Albert Lille to be postmaster at Lake View, Iowa, in place of Albert Lille. Incumbent's commission expired December 16, 1930.

Arvin C. Sands to be postmaster at Mallard, Iowa, in place of A. C. Sands. Incumbent's commission expired December 10, 1930.

Rush A. Culver to be postmaster at Manly, Iowa, in place of E. F. Walter, resigned.

Harry J. Perrin to be postmaster at Monroe, Iowa, in place of H. J. Perrin. Incumbent's commission expired December 16, 1930.

Oscar J. Houstman to be postmaster at Olin, Iowa, in place of O. J. Houstman. Incumbent's commission expired December 21, 1930.

Leslie H. Bell to be postmaster at Paullina, Iowa, in place of L. H. Bell. Incumbent's commission expired December 16, 1930.

KANSAS

Philip F. Grout to be postmaster at Almena, Kans., in place of P. F. Grout. Incumbent's commission expired December 13, 1930.

Joseph B. Dick to be postmaster at Ellinwood, Kans., in place of J. B. Dick. Incumbent's commission expired December 20, 1930.

Edmond Houdyshell to be postmaster at Pawnee Rock, Kans., in place of Edmond Houdyshell. Incumbent's commission expired December 20, 1930.

KENTUCKY

John G. Leak to be postmaster at Franklin, Ky., in place of E. H. Blewett, deceased.

Frank C. Wilson to be postmaster at Fredonia, Ky., in place of C. L. Loyd, deceased.

Harlan M. Hatfield to be postmaster at Glendale, Ky., in place of H. M. Hatfield. Incumbent's commission expired December 15, 1929.

Della McDaniel to be postmaster at Horse Cave, Ky., in place of Della McDaniel. Incumbent's commission expired December 21, 1930.

Nancy E. Sergent to be postmaster at Shonn, Ky., in place of N. E. Sergent. Incumbent's commission expired December 21, 1930.

Flora Carroll to be postmaster at West Paducah, Ky., in place of Flora Carroll. Incumbent's commission expired July 2, 1930.

John S. Jones to be postmaster at West Point, Ky., in place of J. S. Jones. Incumbent's commission expired December 15, 1929.

LOUISIANA

Edward L. Mire to be postmaster at Laplace, La., in place of E. L. Mire. Incumbent's commission expired December 14, 1930.

MAINE

Nellie B. Jordan to be postmaster at Cumberland Center, Me., in place of G. W. Jordan, resigned.

Preston N. Burleigh to be postmaster at Houlton, Me., in place of P. N. Burleigh. Incumbent's commission expired December 14, 1930.

Edward I. Waddell to be postmaster at Presque Isle, Me., in place of E. I. Waddell. Incumbent's commission expired December 14, 1930.

Robert J. Dyer to be postmaster at Turner, Me., in place of R. J. Dyer. Incumbent's commission expired December 10, 1930.

MARYLAND

Elmer W. Sterling to be postmaster at Church Hill, Md., in place of E. W. Sterling. Incumbent's commission expires January 10, 1931.

Walter W. Flanigan to be postmaster at Deer Park, Md., in place of W. W. Flanigan. Incumbent's commission expired December 16, 1930.

Lawrence M. Taylor to be postmaster at Ferryman, Md., in place of L. M. Taylor. Incumbent's commission expired December 16, 1930.

Mary C. Worley to be postmaster at Riverdale, Md., in place of M. C. Worley. Incumbent's commission expired December 16, 1930.

MASSACHUSETTS

Fred S. Black to be postmaster at Auburn, Mass., in place of F. S. Black. Incumbent's commission expired December 21, 1930.

Lucius E. Estey to be postmaster at Brookfield, Mass., in place of L. E. Estey. Incumbent's commission expired December 21, 1930.

Horace W. Collamore to be postmaster at East Bridgewater, Mass., in place of H. W. Collamore. Incumbent's commission expired December 21, 1930.

Annie E. Cronin to be postmaster at North Wilmington, Mass., in place of A. E. Cronin. Incumbent's commission expired December 21, 1930.

Merton Z. Woodward to be postmaster at Shelburne Falls, Mass., in place of M. Z. Woodward. Incumbent's commission expires January 10, 1931.

Douglas H. Knowlton to be postmaster at South Hamilton, Mass., in place of D. H. Knowlton. Incumbent's commission expired December 21, 1930.

Silas D. Reed to be postmaster at Taunton, Mass., in place of S. D. Reed. Incumbent's commission expired December 21, 1930.

MICHIGAN

Henry W. Boyle to be postmaster at Bark River, Mich., in place of H. W. Boyle. Incumbent's commission expired December 11, 1930.

Hiram L. Dawson to be postmaster at Ellsworth, Mich., in place of H. L. Dawson. Incumbent's commission expired December 21, 1930.

Helen B. Martin to be postmaster at Indian River, Mich., in place of H. B. Martin. Incumbent's commission expired December 21, 1930.

Charles L. Meach to be postmaster at Lakeview, Mich., in place of C. L. Meach. Incumbent's commission expired December 11, 1930.

Walter G. Rogers to be postmaster at Lansing, Mich., in place of W. G. Rogers. Incumbent's commission expired December 14, 1930.

Ada E. Gibbs to be postmaster at Mancelona, Mich., in place of A. E. Gibbs. Incumbent's commission expired December 21, 1930.

Alberta Montpas to be postmaster at Powers, Mich., in place of Alberta Montpas. Incumbent's commission expired December 21, 1930.

Cameron E. Rose to be postmaster at Walled Lake, Mich., in place of C. E. Rose. Incumbent's commission expired December 11, 1930.

William R. Bryce to be postmaster at Yale, Mich., in place of W. R. Bryce. Incumbent's commission expired December 14, 1930.

MINNESOTA

Arthur F. Johnson to be postmaster at Barrett, Minn., in place of A. F. Johnson. Incumbent's commission expired January 21, 1930.

Mary J. Stensby to be postmaster at Cyrus, Minn., in place of M. J. Stensby. Incumbent's commission expired January 21, 1930.

Nels E. Nelson to be postmaster at Fergus Falls, Minn., in place of N. E. Nelson. Incumbent's commission expires January 25, 1931.

Emanuel Nyman to be postmaster at Foley, Minn., in place of Emanuel Nyman. Incumbent's commission expired December 17, 1930.

Robert B. Forrest to be postmaster at Lake Wilson, Minn., in place of R. B. Forrest, resigned.

Joseph J. Barta to be postmaster at Lonsdale, Minn., in place of F. J. Machacek, resigned.

Clyde W. Long to be postmaster at Osakis, Minn., in place of C. W. Long. Incumbent's commission expired July 2, 1930.

Otto C. H. Heinzel to be postmaster at Sauk Rapids, Minn., in place of O. C. H. Heinzel. Incumbent's commission expired December 21, 1930.

William A. Clement to be postmaster at Waseca, Minn., in place of W. A. Clement. Incumbent's commission expired December 21, 1930.

Edward Lende to be postmaster at Appleton, Minn., in place of Edward Lende. Incumbent's commission expired July 2, 1930.

MISSISSIPPI

Sallie P. Flemming to be postmaster at Cruger, Miss., in place of W. G. Berry. Incumbent's commission expired April 20, 1930.

Charlie M. Breazeale to be postmaster at Ethel, Miss., in place of I. I. Massey. Incumbent's commission expired June 7, 1930.

William D. Woods to be postmaster at Houston, Miss., in place of W. D. Woods. Incumbent's commission expired December 14, 1930.

Walter L. Goodman to be postmaster at Iuka, Miss., in place of W. L. Goodman. Incumbent's commission expired December 14, 1930.

Erskine C. Cloon to be postmaster at Jackson, Miss., in place of W. A. Freeman. Incumbent's commission expired June 22, 1930.

Amy E. Axtell to be postmaster at Madison Station, Miss., in place of M. E. Herring. Incumbent's commission expired February 15, 1930.

Ocran C. Elliott to be postmaster at Nettleton, Miss., in place of O. C. Elliott. Incumbent's commission expired December 14, 1930.

Alfred L. King to be postmaster at Vance, Miss., in place of A. L. King. Incumbent's commission expired December 16, 1930.

MISSOURI

Jesse W. Brown to be postmaster at Crane, Mo., in place of J. W. Brown. Incumbent's commission expired December 17, 1930.

William T. Thompson to be postmaster at Eugene, Mo., in place of W. T. Thompson. Incumbent's commission expired December 17, 1930.

Clarence Wehrle to be postmaster at Eureka, Mo., in place of Clarence Wehrle. Incumbent's commission expired December 17, 1930.

Edward W. Stiegemeyer to be postmaster at Gray Summit, Mo., in place of R. J. Renneberg, resigned.

Arden R. Workman to be postmaster at Lockwood, Mo., in place of J. A. Pidcock. Incumbent's commission expired March 16, 1930.

Lawrence L. Hahn to be postmaster at Marble Hill, Mo., in place of M. W. Ledbetter, removed.

MONTANA

Ernest C. Robinson to be postmaster at Wyola, Mont., in place of E. C. Robinson. Incumbent's commission expired December 21, 1930.

NEBRASKA

John C. Rollins to be postmaster at Indianola, Nebr., in place of J. C. Rollins. Incumbent's commission expired December 11, 1930.

Charles R. Wareham to be postmaster at Kearney, Nebr., in place of C. R. Wareham. Incumbent's commission expired December 11, 1930.

Iva V. Clampett to be postmaster at Naponee, Nebr., in place of I. V. Clampett. Incumbent's commission expired December 11, 1930.

Elmer G. Watkins to be postmaster at Orleans, Nebr., in place of E. G. Watkins. Incumbent's commission expired December 21, 1930.

George W. Harding to be postmaster at Ralston, Nebr., in place of G. W. Harding. Incumbent's commission expired January 6, 1931.

Mary E. McBeath to be postmaster at South Sioux City, Nebr., in place of M. E. McBeath. Incumbent's commission expired December 11, 1930.

NEW HAMPSHIRE

Blanche B. Pineo to be postmaster at Center Ossipee, N. H., in place of E. W. Hodsdon, deceased.

Willard C. Fogg to be postmaster at Lincoln, N. H., in place of W. C. Fogg. Incumbent's commission expired December 11, 1930.

NEW MEXICO

H. Emory Davis to be postmaster at Los Lunas, N. Mex., in place of H. E. Davis. Incumbent's commission expired December 16, 1930.

NEW YORK

Lewis H. Miller to be postmaster at Accord, N. Y., in place of L. H. Miller. Incumbent's commission expired December 11, 1930.

Ivan G. Howe to be postmaster at Belmont, N. Y., in place of I. G. Howe. Incumbent's commission expired December 11, 1930.

Henry Gibson to be postmaster at Cornwall, N. Y., in place of Henry Gibson. Incumbent's commission expired December 11, 1930.

Mildred E. Monroe to be postmaster at Croghan, N. Y., in place of E. J. Monroe, deceased.

John G. Cochrane to be postmaster at Darien Center, N. Y., in place of J. G. Cochrane. Incumbent's commission expired December 11, 1930.

Hans C. Hansen to be postmaster at Fishers Island, N. Y., in place of H. C. Hansen. Incumbent's commission expired December 11, 1930.

LeRoy Krom to be postmaster at High Falls, N. Y., in place of LeRoy Krom. Incumbent's commission expired December 11, 1930.

R. D. Rider to be postmaster at Medford Station, N. Y., in place of R. D. Rider. Incumbent's commission expired January 25, 1930.

Charles W. Fletcher to be postmaster at Montour Falls, N. Y., in place of C. W. Fletcher. Incumbent's commission expired December 21, 1930.

George A. Gardner to be postmaster at Newfield, N. Y., in place of G. A. Gardner. Incumbent's commission expired December 11, 1930.

Lawrence D. Carr to be postmaster at Petersburg, N. Y., in place of L. D. Carr. Incumbent's commission expired December 11, 1930.

John A. Page to be postmaster at Phelps, N. Y., in place of E. G. Miller, deceased.

William T. Binks to be postmaster at Rome, N. Y., in place of W. T. Binks. Incumbent's commission expired January 6, 1931.

John A. Maybee to be postmaster at St. James, N. Y., in place of J. A. Maybee. Incumbent's commission expired December 11, 1930.

George B. Sample to be postmaster at Schagticoke, N. Y., in place of G. B. Sample. Incumbent's commission expired December 11, 1930.

Dexter S. Slack to be postmaster at Speculator, N. Y., in place of D. S. Slack. Incumbent's commission expired December 21, 1930.

Burton A. Fradenburg to be postmaster at Stanfordville, N. Y. Office became presidential July 1, 1929.

Frank Davis to be postmaster at Stone Ridge, N. Y., in place of Frank Davis. Incumbent's commission expired December 11, 1930.

Victor J. Banfield to be postmaster at Van Etten, N. Y., in place of V. J. Banfield. Incumbent's commission expired January 6, 1931.

William S. Elwyn to be postmaster at Woodstock, N. Y., in place of W. S. Elwyn. Incumbent's commission expired December 11, 1930.

NORTH CAROLINA

Riley W. King to be postmaster at Candler, N. C., in place of R. W. King. Incumbent's commission expired December 14, 1930.

Nollie M. Patton to be postmaster at Morganton, N. C., in place of N. M. Patton. Incumbent's commission expired December 13, 1930.

Roy F. Shupp to be postmaster at New Bern, N. C., in place of R. F. Shupp. Incumbent's commission expired January 5, 1931.

John L. Dixon to be postmaster at Oriental, N. C., in place of J. L. Dixon. Incumbent's commission expired December 13, 1930.

Blanche S. Wilson to be postmaster at Warsaw, N. C., in place of B. S. Wilson. Incumbent's commission expires January 10, 1931.

NORTH DAKOTA

Robert E. Hurly to be postmaster at Forman, N. Dak., in place of O. B. Johnson, deceased.

Nels D. Nelson to be postmaster at Milnor, N. Dak., in place of N. D. Nelson. Incumbent's commission expired December 17, 1930.

OHIO

Ralph I. Wolf to be postmaster at Coolville, Ohio, in place of R. I. Wolf. Incumbent's commission expired December 21, 1930.

Frank G. Winterringer to be postmaster at Hilliards, Ohio, in place of F. G. Winterringer. Incumbent's commission expired December 21, 1930.

James M. Leatherman to be postmaster at Hoytville, Ohio, in place of J. M. Leatherman. Incumbent's commission expired December 13, 1930.

Howard J. Swearingen to be postmaster at Kensington, Ohio, in place of H. J. Swearingen. Incumbent's commission expired December 13, 1930.

Frank R. Jackson to be postmaster at Nelsonville, Ohio, in place of F. R. Jackson. Incumbent's commission expired December 17, 1929.

Joseph M. Collins to be postmaster at Springfield, Ohio, in place of J. M. Collins. Incumbent's commission expired December 21, 1930.

Dora D. Doughty to be postmaster at Walbridge, Ohio, in place of D. D. Doughty. Incumbent's commission expired December 13, 1930.

Duane G. Keener to be postmaster at West Salem, Ohio, in place of D. G. Keener. Incumbent's commission expired December 21, 1930.

OKLAHOMA

Harold W. Amis to be postmaster at Covington, Okla., in place of H. W. Amis. Incumbent's commission expired December 16, 1930.

Ulysses S. Curry to be postmaster at Newkirk, Okla., in place of U. S. Curry. Incumbent's commission expired March 16, 1930.

William H. McKinley to be postmaster at Pondcreek, Okla., in place of W. H. McKinley. Incumbent's commission expired December 22, 1930.

Nora R. Dennis to be postmaster at Sperry, Okla., in place of R. F. Harshbarger. Incumbent's commission expired January 8, 1930.

Thomas B. Fessenger to be postmaster at Wynne Wood, Okla., in place of T. B. Fessenger. Incumbent's commission expired December 16, 1930.

OREGON

Roy C. Hale to be postmaster as Echo, Oreg., in place of R. C. Hale. Incumbent's commission expired December 14, 1930.

Irwin D. Pike to be postmaster as Grass Valley, Oreg., in place of I. D. Pike. Incumbent's commission expired December 14, 1930.

Edward W. VanHorn to be postmaster at North Portland, Oreg., in place of N. A. Perry. Incumbent's commission expired May 8, 1930.

Russell H. Sullens to be postmaster at Prairie City, Oreg., in place of R. H. Sullens. Incumbent's commission expired December 14, 1930.

PENNSYLVANIA

Daniel Jones to be postmaster at Coaldale, Pa., in place of Daniel Jones. Incumbent's commission expired December 17, 1930.

Harvey A. McKillip to be postmaster at Bloomsburg, Pa., in place of H. A. McKillip. Incumbent's commission expires January 10, 1931.

Louise E. Carpenter to be postmaster at Bushkill, Pa., in place of H. H. Potter, deceased.

Arthur B. Carey to be postmaster at Elkland, Pa., in place of T. C. Wood. Incumbent's commission expired December 21, 1929.

James S. Crawford to be postmaster at Freeland, Pa., in place of J. S. Crawford. Incumbent's commission expired December 16, 1930.

Mark M. Merritt to be postmaster at Granville Summit, Pa., in place of M. M. Merritt. Incumbent's commission expired December 16, 1930.

Nellie B. Lyons to be postmaster at Grindstone, Pa., in place of Beatrice Davidson, removed.

George W. Murphy to be postmaster at Hawley, Pa., in place of G. W. Murphy. Incumbent's commission expired December 16, 1930.

Paul Smith to be postmaster at Hughesville, Pa., in place of Paul Smith. Incumbent's commission expired December 20, 1930.

Joseph J. Myers to be postmaster at Irvine, Pa. Office became presidential July 1, 1930.

Clarence F. Ellis to be postmaster at Jamestown, Pa., in place of C. F. Ellis. Incumbent's commission expired December 21, 1930.

Lena E. Gould to be postmaster at McClellandtown, Pa., in place of L. E. Gould. Incumbent's commission expired January 6, 1931.

Robert G. Stilwell to be postmaster at Masontown, Pa., in place of R. G. Stilwell. Incumbent's commission expired December 21, 1930.

John W. Biddle to be postmaster at Millville, Pa., in place of J. W. Biddle. Incumbent's commission expired December 21, 1930.

Margaret M. Jones to be postmaster at Miquon, Pa., in place of M. M. Jones. Incumbent's commission expired December 22, 1930.

Charles J. Hieber to be postmaster at Perrysville, Pa. Office became presidential July 1, 1930.

Franklin H. Bean to be postmaster at Quakertown, Pa., in place of F. H. Bean. Incumbent's commission expires January 10, 1931.

Gardner H. Brown to be postmaster at Rouseville, Pa., in place of A. N. Rose, resigned.

Beula E. Dembaugh to be postmaster at Russellton, Pa., in place of B. E. Dembaugh. Incumbent's commission expired December 22, 1930.

George F. Carling to be postmaster at Sayre, Pa., in place of G. F. Carling. Incumbent's commission expired December 16, 1930.

Jessie M. Burns to be postmaster at Selinsgrove, Pa., in place of J. M. Burns. Incumbent's commission expired December 16, 1930.

Frank Shupp to be postmaster at Shillington, Pa., in place of Frank Shupp. Incumbent's commission expired December 16, 1930.

Roy L. Kalbfus to be postmaster at Shohola, Pa., in place of R. L. Kalbfus. Incumbent's commission expired December 16, 1930.

Louis O. Mellinger to be postmaster at Slickville, Pa., in place of L. O. Mellinger. Incumbent's commission expired January 6, 1931.

Robert J. Weld to be postmaster at Sugargrove, Pa., in place of R. J. Weld. Incumbent's commission expired December 22, 1930.

Charles B. Illig to be postmaster at Womelsdorf, Pa., in place of C. B. Illig. Incumbent's commission expired December 17, 1930.

SOUTH CAROLINA

Walter T. Barron to be postmaster at Fort Mill, S. C., in place of W. T. Barron. Incumbent's commission expired December 14, 1930.

Horace M. Watkins to be postmaster at Ridge Spring, S. C., in place of H. M. Watkins. Incumbent's commission expired December 14, 1930.

SOUTH DAKOTA

Carl H. Kubler to be postmaster at Deadwood, S. Dak., in place of C. H. Kubler. Incumbent's commission expired December 17, 1930.

Benjamin R. Stone to be postmaster at Lead, S. Dak., in place of B. R. Stone. Incumbent's commission expires January 14, 1931.

Clarence A. Carlson to be postmaster at Philip, S. Dak., in place of C. A. Carlson. Incumbent's commission expires January 14, 1931.

Matt Flavin to be postmaster at Sturgis, S. Dak., in place of Matt Flavin. Incumbent's commission expires January 14, 1931.

TENNESSEE

Samuel N. Barr to be postmaster at Baxter, Tenn., in place of S. N. Barr. Incumbent's commission expired December 13, 1930.

Myrtle E. Hambright to be postmaster at Charleston, Tenn., in place of M. E. Hambright. Incumbent's commission expired December 22, 1930.

John D. Taff to be postmaster at Dandridge, Tenn., in place of J. D. Taff. Incumbent's commission expired December 11, 1930.

John V. Allmon to be postmaster at Gleason, Tenn., in place of J. V. Allmon. Incumbent's commission expired December 11, 1930.

Malcomb B. Tipler to be postmaster at Grand Junction, Tenn., in place of T. E. Tipler, resigned.

Everett R. Doolittle to be postmaster at Madison, Tenn., in place of E. R. Doolittle. Incumbent's commission expired January 6, 1931.

Robert H. Thompson to be postmaster at Rockwood, Tenn., in place of R. H. Thompson. Incumbent's commission expired December 11, 1930.

Marvie L. Tipton to be postmaster at Townsend, Tenn., in place of M. L. Tipton. Incumbent's commission expired December 11, 1930.

Gaston H. Rhodes to be postmaster at Whiteville, Tenn., in place of G. H. Rhodes. Incumbent's commission expired December 11, 1930.

TEXAS

Joseph H. Wright to be postmaster at Byers, Tex., in place of J. H. Wright. Incumbent's commission expired December 11, 1930.

John C. Gee to be postmaster at Call, Tex., in place of J. C. Gee. Incumbent's commission expired December 17, 1929.

William F. Stuart to be postmaster at Canutillo, Tex., in place of W. F. Stuart. Incumbent's commission expired December 11, 1930.

William A. White to be postmaster at Cleveland, Tex., in place of W. A. White. Incumbent's commission expired June 12, 1930.

Lillian W. White to be postmaster at Clint, Tex., in place of L. W. White. Incumbent's commission expired December 10, 1928.

Jean Teel to be postmaster at Devine, Tex., in place of Jean Teel. Incumbent's commission expired December 11, 1930.

Carrie E. Netz to be postmaster at Edcouch, Tex. Office became presidential July 1, 1929.

Charles E. Hart to be postmaster at Fort Stockton, Tex., in place of C. E. Hart. Incumbent's commission expired December 11, 1930.

Charles A. Duck to be postmaster at Greenville, Tex., in place of C. A. Duck. Incumbent's commission expired December 20, 1930.

Sallie E. St. Jaque to be postmaster at Higgins, Tex., in place of S. E. St. Jacque. Incumbent's commission expired December 13, 1930.

Valcor G. Pringle to be postmaster at Jasper, Tex., in place of V. G. Pringle. Incumbent's commission expired December 11, 1930.

George Rice to be postmaster at Jayton, Tex., in place of George Rice. Incumbent's commission expired December 11, 1930.

William F. Mooore to be postmaster at Kemp, Tex., in place of W. F. Moore. Incumbent's commission expired December 20, 1930.

James W. McBee to be postmaster at Lavernia, Tex., in place of J. W. McBee. Incumbent's commission expired December 11, 1930.

John L. Dillon to be postmaster at Leonard, Tex., in place of J. L. Dillon. Incumbent's commission expired December 20, 1930.

Charlie N. Hooser to be postmaster at Maypearl, Tex., in place of C. N. Hooser. Incumbent's commission expired December 11, 1930.

Arthur A. McNiel to be postmaster at Moody, Tex., in place of A. A. McNiel. Incumbent's commission expired December 20, 1930.

Joseph Wren to be postmaster at Normangee, Tex., in place of Joseph Wren. Incumbent's commission expired December 20, 1930.

William T. Henderson to be postmaster at Odessa, Tex., in place of W. T. Henderson. Incumbent's commission expired December 11, 1930.

Douglas P. Rounds to be postmaster at Rio Hondo, Tex., in place of D. P. Rounds. Incumbent's commission expired December 11, 1930.

Fannie Stieber to be postmaster at Rocksprings, Tex., in place of Fannie Stieber. Incumbent's commission expired December 13, 1930.

Mary A. Haskell to be postmaster at Stockdale, Tex., in place of M. A. Haskell. Incumbent's commission expired January 6, 1931.

Burna H. Cain to be postmaster at Thrall, Tex., in place of B. H. Cain. Incumbent's commission expired December 11, 1930.

Thomas D. Coupland to be postmaster at Winters, Tex., in place of B. F. Huntsman. Incumbent's commission expired April 20, 1930.

UTAH

Arza C. Page to be postmaster at Payson, Utah, in place of A. C. Page. Incumbent's commission expired January 6, 1931.

Josephine H. Day to be postmaster at Woods Cross, Utah, in place of J. H. Day. Incumbent's commission expired January 7, 1931.

VIRGINIA

Denton T. Walthall to be postmaster at Alberta, Va., in place of D. T. Walthall. Incumbent's commission expired December 22, 1930.

Charles E. Nash to be postmaster at Amonate, Va. Office became presidential July 1, 1930.

Robert P. Dickenson to be postmaster at Dante, Va., in place of R. P. Dickenson. Incumbent's commission expires January 10, 1931.

E. Pearl Smith to be postmaster at Dublin, Va., in place of T. D. Rorrer, resigned.

John N. Coffman to be postmaster at Edinburg, Va., in place of J. N. Coffman. Incumbent's commission expired December 22, 1930.

S. Clyde Bliss to be postmaster at Farmville, Va., in place of S. C. Bliss. Incumbent's commission expires January 10, 1931.

Samuel G. Allen to be postmaster at Front Royal, Va., in place of S. G. Allen. Incumbent's commission expired December 22, 1930.

John W. Ketron, jr., to be postmaster at Lebanon, Va., in place of J. W. Ketron, jr. Incumbent's commission expired December 22, 1930.

Mathew B. Hammitt to be postmaster at Pocahontas, Va., in place of M. B. Hammitt. Incumbent's commission expired January 5, 1931.

Robert S. Bowers to be postmaster at Timberville, Va., in place of R. S. Bowers. Incumbent's commission expired December 22, 1930.

Roy M. Cleek to be postmaster at Warm Springs, Va., in place of R. M. Cleek. Incumbent's commission expired December 22, 1930.

WASHINGTON

Robin A. Runyan to be postmaster at Ariel, Wash. Office became presidential July 1, 1930.

Jesse R. Imus to be postmaster at Chehalis, Wash., in place of J. R. Imus. Incumbent's commission expired December 17, 1930.

Edith M. Lindgren to be postmaster at Cosmopolis, Wash., in place of E. M. Lindgren. Incumbent's commission expired December 17, 1930.

Mark L. Durrell to be postmaster at Deer Park, Wash., in place of M. L. Durrell. Incumbent's commission expired December 17, 1930.

Edward Van Dyke to be postmaster at Lake Stevens, Wash., in place of Edward Van Dyke. Incumbent's commission expires January 15, 1931.

Alfred Polson to be postmaster at Mount Vernon, Wash., in place of W. R. Wells, deceased.

Frank S. Clem to be postmaster at Olympia, Wash., in place of F. S. Clem. Incumbent's commission expired December 17, 1930.

William R. Cox to be postmaster at Pasco, Wash., in place of W. R. Cox. Incumbent's commission expires January 15, 1931.

Charles E. Rathbun to be postmaster at Pomeroy, Wash., in place of C. E. Rathbun. Incumbent's commission expires January 15, 1931.

Marion J. Rood, to be postmaster at Richmond Highlands, Wash., in place of M. J. Rood. Incumbent's commission expired December 17, 1930.

Selina Laughlin to be postmaster at Vader, Wash., in place of Selina Laughlin. Incumbent's commission expired December 17, 1930.

WEST VIRGINIA

Charles E. Davis to be postmaster at East Rainelle, W. Va. Office became presidential July 1, 1929.

Nora V. Roberts to be postmaster at Glenville, W. Va., in place of N. V. Roberts. Incumbent's commission expired December 21, 1930.

Homer Fogg to be postmaster at Lost Creek, W. Va., in place of W. P. Jett, deceased.

John W. Fortney to be postmaster at Lumberport, W. Va., in place of J. W. Fortney. Incumbent's commission expired December 11, 1930.

John W. Farnsworth to be postmaster at Weston, W. Va., in place of C. B. Goodwin, deceased.

Flavius E. Strickling to be postmaster at West Union, W. Va., in place of F. E. Strickling. Incumbent's commission expired December 21, 1930.

Louis Knakal to be postmaster at Widen, W. Va., in place of Louis Knakal. Incumbent's commission expired December 11, 1930.

WISCONSIN

Peter E. Korb to be postmaster at Boyd, Wis., in place of P. E. Korb. Incumbent's commission expires January 14, 1931.

John A. Mathys to be postmaster at Casco, Wis., in place of J. A. Mathys. Incumbent's commission expired December 22, 1930.

Hazel I. Hicks to be postmaster at Linden, Wis., in place of H. I. Hicks. Incumbent's commission expired December 22, 1930.

Roland Harpt to be postmaster at Mishicot, Wis., in place of E. L. Wilsmann, resigned.

David R. Fryklund to be postmaster at Prentice, Wis., in place of D. R. Fryklund. Incumbent's commission expired December 22, 1930.

Otto A. Olson to be postmaster at Star Prairie, Wis., in place of O. A. Olson. Incumbent's commission expires January 14, 1931.

WYOMING

Mayme A. Jackson to be postmaster at Osage, Wyo., in place of M. A. Jackson. Incumbent's commission expired December 16, 1930.

Thomas B. Wright to be postmaster at Riverton, Wyo., in place of T. B. Wright. Incumbent's commission expired December 16, 1930.

William O. Braley to be postmaster at Upton, Wyo., in place of W. O. Braley. Incumbent's commission expired December 16, 1930.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 9 (legislative day of January 5), 1931

UNITED STATES MARSHAL

Lynn Smith to be United States marshal, division No. 4, District of Alaska.

APPOINTMENT AND PROMOTIONS IN THE COAST AND GEODETIC SURVEY

To be aides

Kenneth Surrell Ulm.
Jeremiah Strauther Morton.
John Crawford Ellerbe.
Robert Alexander Marshall.
Herman Carl Applequist.
Junius Thomas Jarman.

To be junior hydrographic and geodetic engineers

Ernest Bane Lewey.
Edwin Caleb Baum.
Clifton James Wagner.
Ross Angus Gilmore.
John Laskowski.





To be hydrographic and geodetic engineers

Albert Jay Hoskinson. Glendon Edwin Boothe.
Jack Chester Sammons. Earle Andrew Deily.
Isidor Rittenburg. John Carlos Bose.

POSTMASTERS

PENNSYLVANIA

Charles H. Truby, Apollo.
Lemuel A. Bosserman, Barnesboro.
William J. Wilson, Bentleyville.
George Wetmiller, Berlin.
Hilda A. Lago, Bessemer.
Arthur R. Lovell, Blandburg.
Emma J. Coleman, Braeburn.
Lewis C. Mensch, Catawissa.
Joseph E. Lohr, Central City.
Clayton S. Bell, Chicora.
J. Henry Gibson, Conneautville.
Vera Ritchey, Dunlo.
William E. Reed, Duquesne.
George D. Kinkead, Ebensburg.
George H. Cole, Evans City.
Alexander Hamilton, Export.
William H. Weston, Gallitzin.
Emma M. Schrock, Garrett.
Harry L. Warnick, Glen Riddle.
Edward S. Lawrence, Graterford.
Wilson R. Kulp, Hatfield.
Mae Van Buskirk, Kinzua.
William H. Lowry, Ligonier.
Thomas B. Conrad, Lilly.
Harold D. Lowing, Linesville.
Tillie Bradley, Loretto.
Arch R. Lykens, Martinsburg.
Thomas V. Diffendafer, Millerstown.
Thomas H. Kelly, Moores.
Mary M. Davis, Mount Morris.
J. Bertram Nesper, Narberth.
Elma C. Dryden, New Galilee.
Mary G. Campbell, Nottingham.
Homer T. Wear, Orbisonia.
Thomas Powell, Patton.
Samuel E. Crawford, Petrolia.
Edward Bayley, Picture Rocks.
Smith M. McCreight, Reynoldsville.
John E. Pennel, Rydal.
Jennie W. McFarland, Sagamore.
Jean McPherson, St. Benedict.
Otto W. Petry, Salisbury.
Lucille T. Packer, Skytop.
Zola K. Rodkey, Spangler.
Annie O. Sandt, Stockertown.
Hulda J. McCormick, South Connellsville.
Vincent S. Pownall, Swarthmore.
Charles H. Potter, Titusville.
Alvin O. Sieg, Tobyhanna.
Dean R. Clifford, Trafford.
John F. Dougherty, Villanova.

HOUSE OF REPRESENTATIVES

FRIDAY, JANUARY 9, 1931

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Just now, our Blessed Heavenly Father, we would be lifted up above the lower range of our faculties and meditate for this moment in the realm of the invisible. There are many gods—gods of cruelty, gods of law, gods of equity—but what we need is the God of Divine Fatherhood, with patience, forbearance, and forgiveness. We praise Thee that Thou art our Lord and our God, and Thou wilt sustain us when we falter, and even catch us when we fall. In this most baffling world, through its difficult ways of human adventure, we bless Thee for the assurance of our most holy faith. Welcome discordances, for they are the background of the sweet melody of the heavenly life. Welcome the crash of circumstances, for it drives us to the altar of dependence. Welcome infirmities, for they are the loosening of the cords of our earthly tabernacle. Welcome troubles, for they tell us that we are crossing the sea, and just ahead is the crown set in the sunburst of eternal glory. O God, lead us to where the farthest beacon beckons. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Latta, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had agreed to the amendments of the House to the bill (S. 3273) entitled "An act to authorize the Postmaster General to issue additional receipts or certificates of mailing to senders of any class of mail matter and to fix the fees chargeable therefor."

GEORGE CAMPBELL

Mr. UNDERHILL. Mr. Speaker, I present the following privileged resolution from the Committee on Accounts, which I send to the desk and ask to have read.

The Clerk read as follows:

House Resolution 331

Resolved, There shall be paid out of the contingent fund of the House of Representatives to Dr. George Campbell, son of Hon. James Campbell, late an employee of the House, an amount equal to six months' compensation and an additional amount not exceeding $250 to defray the funeral expenses and last sickness of the said James Campbell.

With the following committee amendment:

Line 2, strike out the word "Doctor" and insert the word "executor," and in line 3, strike out the word "Honorable."

The committee amendments were agreed to and the resolution as amended was agreed to.

FRANCES SLADE

Mr. UNDERHILL. Mr. Speaker, also the following resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

House Resolution 318

Resolved, There shall be paid out of the contingent fund of the House of Representatives to Frances Slade, the widow of Charles Slade, late an employee of the House, an amount equal to six months' compensation and an additional amount not exceeding $250 to defray the funeral expenses and last illness of the said Charles Slade.

The resolution was agreed to.

AGNES HELEN KUBELDZIS

Mr. UNDERHILL. Mr. Speaker, I also present the following privileged resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

House Resolution 308

Resolved, That there shall be paid out of the contingent fund of the House Agnes Helen Kubeldzis, mother of Albert J. Kubeldzis, late clerk to Congressman GEORGE W. LINDSAY, a sum equal to six months' compensation as such clerk, together with the amount due him at date of his death and an additional amount not exceeding $250, to defray the funeral expenses of the said Albert J. Kubeldzis.

With the following committee amendment:

Line 5, strike out the words "together with the amount due him at date of his death."

The amendment was agreed to and the resolution as amended was agreed to.

FRED R. MILLER

Mr. UNDERHILL. Mr. Speaker, I also present the following resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

House Resolution 314

Resolved, That there be paid out of the contingent fund of the House $600 to Fred R. Miller for extra and expert services as law examiner to the Committee on Pensions from March 4, 1930, to March 4, 1931, second and third sessions of the Seventy-first Congress.

The resolution was agreed to.

SUSSEX TRUST CO.

Mr. UNDERHILL. Mr. Speaker, I also present the following resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

Senate Concurrent Resolution 34

Resolved by the Senate (the House of Representatives concurring), That there shall be paid out of the contingent funds of the Senate and House of Representatives to the Sussex Trust Co., executor under the will of Napoleon B. Hearn, late an employee of the Capitol police, a sum equal to six months of his compensation as such employee, one-half of said sum to be paid by the Senate and one-half by the House, and an additional amount, not exceeding $250, to defray the funeral expenses of said Napoleon B. Hearn, shall be paid by the House.

With the following committee amendment:

Line 4, strike out the words "Sussex Trust Co., executor" and insert in lieu thereof the words "executor of the estate."

The amendment was agreed to and the concurrent resotion as amended was agreed to.

FISCAL RELATIONS OF THE DISTRICT OF COLUMBIA

Mr. UNDERHILL. Mr. Speaker, I present the following resolution from the Committee on Accounts, which I send to the desk and ask to have read.

The Clerk read as follows:

House Resolution 329

Resolved, That there shall be paid out of the contingent fund of the House not to exceed $10,000 for the expenses of the select committee appointed under authority of House Resolution 285, to investigate the fiscal relations between the United States and the District of Columbia.

With the following committee amendment:

Line 2, strike out "$10,000" and insert "$7,500."

Mr. MAPES. Mr. Speaker, there are some members of the select committee who would like to be heard to discuss the proposed amendment.

The SPEAKER. Does the gentleman from Massachusetts yield?

Mr. UNDERHILL. Mr. Speaker, I shall make a short explanation and then yield such time as is necessary. This resolution was presented to your Committee on Accounts carrying the sum of $10,000, but the Committee on Accounts, after hearing the members of the committee and taking into consideration the work which they have laid out, thought that $7,500 would be sufficient to carry them through on their work. I speak for one member of the committee, and I may say that the committee has no pride particularly in these amounts recommended to the House. The House itself must necessarily act upon them and give such amounts to these special and select committees as it thinks necessary. This particular select committee has worked for a long time and has up to this time asked for no appropriation. They have accomplished a great deal, and the work which they are engaged in is of extreme importance. I hope and I believe, and the committee also hopes, that their findings and recommendations may be adopted by the House and Senate and that this situation, which has confronted us for so long and brought us so much trouble, trial, tribulation, and criticism, may be eliminated. For the committee I think I am authorized to state that I shall not oppose any effort on the part of the chairman of the select committee to increase this amount from $7,500 to $10,000. If the House thinks that the committee requires $10,000, it will relieve us of all responsibility. If the House believes that $7,500 is sufficient, then it will adopt the recommendation of the committee.

Mr. PARKS. Mr. Speaker, will the gentleman yield?

Mr. UNDERHILL. Yes.

Mr. PARKS. What is the expense for? Ordinarily select committees have to travel from one end of the United States to the other, but in this instance I assume that all of the duties of the select committee will be here in Washington, where most of them remain during the year.

Mr. UNDERHILL. The expense is partially clerical hire, but largely for the purpose of bringing to Washington experts on taxation matters in order that they may give to this committee information which it is impossible for the committee to compile. These men have been communicated with, I understand, and I think that the charges that they contemplate are very reasonable.

Mr. BYRNS. Mr. Speaker, will the gentleman yield?

Mr. UNDERHILL. Yes.

Mr. BYRNS. Of course, the gentleman is correct when he says that after all it is a matter for the House, but the Members of the House do not know anything about the facts involved. I wish the gentleman would tell the House just how his committee determines that $7,500 is sufficient and whom his committee has heard and upon what it bases its finding, because naturally I am disposed to follow the committee.

Mr. UNDERHILL. That is the only question with which the committee is concerned. I think the committee was largely actuated by the fact that when this was first mentioned to a member of the committee, the member of the select committee suggested that $6,000 would be sufficient for them to carry on. Later on it was thought their work would extend beyond March 4, and it was their intention to still further investigate this condition.

It was feared by the members of the commitee who appeared before the Committee on Accounts that the $6,000 might be exhausted and they would have to suspend their work until further appropriations were made.

Mr. FREAR. Will the gentleman yield?

Mr. UNDERHILL. I yield.

Mr. FREAR. Was the matter of $6,000 discussed at all before the Committee on Accounts in the half hour we were there?

Mr. UNDERHILL. I stated that this suggestion of $6,000 was made to an individual member of the committee.

Mr. FREAR. Some days ago?

Mr. UNDERHILL. Yes.

Mr. FREAR. But conditions have changed.

Mr. COCHRAN of Missouri. Will the gentleman yield?

Mr. UNDERHILL. I yield.

Mr. COCHRAN of Missouri. I might say it is the view of the Committee on Accounts that between now and March 4, if it develops that this select committee needs more money, there will be no opposition within the committee to granting them the needed amount to complete their investigation.

Mr. UNDERHILL. I am glad the gentleman from Missouri [Mr. COCHRAN] brought up that matter. The committee in this case, as in other cases, is ready and willing to be liberal with the select committee, and it was thought that if it seemed likely they could not get along on the amount which the committee recommended, the committee could hold a meeting at any time previous to March 4 and submit an additional appropriation.

Mr. CRAMTON. Will the gentleman yield?

Mr. UNDERHILL. I yield.

Mr. CRAMTON. The committee that has been appointed, of which my colleague from Michigan [Mr. MAPES] is chairman, was appointed without their desire.

It is a service which the House thrust upon them. They were not anxious to undertake it. They accepted it, however. I think we all concede that they are proceeding in a judicial and able way to carry on the job which the House placed upon them. They are all Members in whom the House has great confidence. It occurs to me, in view of what the chairman of the Committee on Accounts has said, that if the chairman of the select committee [Mr. MAPES] is asking the full amount of $10,000 now so that their work can be planned on that basis, the House would want to follow his recommendation.

Mr. UNDERHILL. The only difference between the two committees is whether they need the $10,000 now or whether they may need it later on. If they need it later on, the committee would have no hesitation in recommending it.

Mr. CRAMTON. I think the House will feel, because of the confidence they have in this select committee, that if they can get through with $7,500 they will do it; but if they do need more and it is helpful to them to be able to plan their work on the basis they have laid out they should be given that amount.

Mr. UNDERHILL. The chairman of the committee tried to tell the House that no one in the House has a higher regard for the chairman and members of the select committee that has been drafted for this work than the chairman of the Committee on Accounts. He realizes the value of the work that is being done by that committee. The only question is whether the committee is justified, in trying to protect the contingent fund, in recommending an appropriation larger than the amount which they deem necessary to carry them over a certain period. That is the only difference. There is no quarrel between the committees.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. UNDERHILL. I yield.

Mr. CHINDBLOM. Is it the opinion of the Committee on Accounts that the $7,500 would be sufficient to carry the work beyond the 1st of March?

Mr. UNDERHILL. The opinion of the committee is that $7,500 would be amply sufficient to carry on the work as laid out and presented to the committee by the chairman of the select committee until March 1. Then, if it is necessary, they could make a further request.

Mr. CHINDBLOM. Of course, if the work is to continue beyond March 1 by this present committee, and it is to be paid for out of the contingent fund, it will be necessary to pass a joint resolution.

Mr. UNDERHILL. Not a joint resolution.

Mr. CHINDBLOM. A joint resolution if it goes beyond the 4th of March, beyond the life of the present Congress.

Mr. UNDERHILL. Then this resolution is out of order in any event.

Mr. CHINDBLOM. No; it is in order up to the 4th of March, but we can not make any appropriation to be paid out of the contingent fund of the House for the work of a committee of this House beyond March 4. After March 4 there will be no committees of this Congress.

Mr. BLANTON. Will the gentleman yield?

Mr. UNDERHILL. I yield.

Mr. BLANTON. Since the necessity for this special committee was brought about on behalf of and at the instance of the citizens of the District of Columbia, and since their main argument for a change of present regulations is based on the fact that the money which the United States Government has in the Treasury Building here in Washington should be taxed at the rate of $1.70 per $100, and that turned over to the people for defraying local fiscal expenses, does not the gentleman think that this extra $2,500 ought to be paid out of the treasury of the District of Columbia and not use the people's money?

Mr. UNDERHILL. I find myself so frequently in accord with the gentleman from Texas [Mr. BLANTON] that I surprise even myself. On this question of District taxation, the gentleman and I have always worked together, and if it were possible that this amount could be taken out of the treasury of the District of Columbia, or one-half of it, I would be willing to go along with the gentleman from Texas, but it is not possible. We have to provide for this special committee, and I think that their work will well justify the expense the House may see fit to order under this resolution or under the amendment.

Mr. Speaker, I yield 10 minutes to the gentleman from Michigan [Mr. MAPES].

Mr. MAPES. Mr. Speaker, I feel I ought to make a statement in regard to this matter. I am opposed to the amendment of the Committee on Accounts. After careful and mature consideration I was directed by the unanimous vote of the select committee to introduce this resolution asking for $10,000. The amendment suggested by the Committee on Accounts puts this special committee in the attitude of making an argument——

Mr. GARNER. If the gentleman will permit, I would like to have him tell the House about the personnel of this special committee, so that the House may understand just who it was that unanimously asked for $10,000.

Mr. MAPES. The select committee is composed of the gentleman from Wisconsin [Mr. FREAR], the gentleman from Illinois [Mr. HOLADAY], the gentleman from Pennsylvania [Mr. BEERS], the gentleman from Tennessee [Mr. DAVIS], the gentleman from Mississippi [Mr. COLLINS], the gentleman from Texas [Mr. PATMAN], and myself. When this action was taken all of the members were present with the exception of the gentleman from Tennessee [Mr. DAVIS], and the gentleman from Illinois [Mr. HOLADAY], but I had discussed the matter with both of them and both, I think, are in perfect accord with the action taken by the committee.

As I was about to say, this puts the select committee in the attitude of making an argument for an opportunity to do something which no man on the committee wants to do. No one on this committee sought this work, but the work was assigned to the committee, and every man on the committee wants to do the job creditably. In order to do it creditably we feel we must have assistance. The committee—and I am largely responsible for that, and I think as I now look at it unwisely—has gone along up to date without any assistance at all, not even a secretary. We have held hearings which comprise a little over 500 pages of closely printed matter. We should have had a tax expert, I am now satisfied, sitting in with the committee during the taking of that testimony. But in order to avoid any unnecessary expense and with the hope that we could get along with such assistance as we could get from one of the bureaus of the Government, which we found we could not get along with, we went along before the holidays without any assistance at all. We have completed the hearings in the District in so far as voluntary witnesses are concerned. We have heard everyone who has indicated a desire to be heard. It has been urged on all sides, by the leaders on both sides of this aisle, that we make a thorough and exhaustive study of this question, so that, if possible, we may produce a satisfactory report.

I do not know how many of you have studied comparative tax tables, but if you have, you know how difficult it is, because of the varying standards of value and because of the varying methods of assessment, to arrive at any intelligent idea of the comparative tax burdens in the different cities. It may be quite possible, it is quite probable, that we will need a tax man to visit some of these comparable cities, so called, to determine the various methods of taxation. We will need a man who knows something about the different systems in order to arrive at any adequate notion about the comparative tax burden of the people in the District of Columbia with other cities.

The committee has endeavored to be economical and careful with its expenditures up to date, as you have seen.

It is true that on the floor of the House I mentioned the sum of $6,000 to the chairman of the Committee on Accounts, probably rather impulsively. I approached him to tell him that it would be necessary for us to introduce a resolution asking for some expense money. He asked how much I thought it would be, and I said that personally I thought we might be able to get along with $6,000. That was before discussing it with other members of the committee. Then I called the members of the committee together the next day or the day following, and after a thorough discussion of the matter and after considering more carefully the amount of help we would need and the probability that we will not be able to finish the work before the 4th of March, we felt we should ask for more, and if there was any more than we needed we could turn it back. We do not want to go into the spring or summer, find ourselves with our report uncompleted, and with no funds to enable us to complete it. Neither do we want to be obliged

to come before the House again and ask for an additional amount. To get this resolution introduced and passed has delayed the work of the committee one week. I am sorry that the help could not have been here during this week, but it takes nearly a week to introduce a resolution, get the Committee on Accounts together, and bring it up in the House. We think we ought to have this additional allowance.

Mr. UNDERHILL. Mr. Speaker, I yield five minutes to the gentleman from Wisconsin [Mr. FREAR].

Mr. FREAR. Mr. Speaker, I do not believe it is necessary to add anything to what the chairman of the special committee [Mr. MAPES] has said beyond this: I want to give the House an understanding of the situation which confronts the fiscal committee at this time. We have had many expert tax men before us representing one side of this question. We have also run up against what is known as the Bureau of Efficiency.

Mr. BLANTON. So called.

Mr. FREAR. They have made a report, or a substantial report, on District affairs to this effect: Through their experts—and they have many of them who serve them and whose work was presented before our committee—they have proposed an offset on the part of the District against the United States to the extent of $500,000,000 in property belonging to the Federal Government, because of the Capitol Building and all of the other buildings which belong to the Federal Government, excepting only, I believe, the Washington Monument, and a bridge across the Potomac River. That is all they have excepted.

The parks and everything else are put into this offset by the Bureau of Efficiency. The amount of Federal Government personal property to be offset against District private property is $180,000,000, based on the furniture and machinery and other property claimed to be in all of these various Government buildings. The Board of Efficiency has cut that item down to $90,000,000 because of depreciation, as the board has determined; $90,000,000 additional for intangibles is put into the same bill, because that is the practice taken by the assessor of the District of Columbia, namely, to make the intangibles equal the personal property irrespective of facts. So they say the cash in the Treasury and the debts due the United States ought to amount to $90,000,000, which they set off against District of Columbia tax payments. With a proposition of that kind and coming from that source, I suggest to you gentlemen that we need not only one tax expert but possibly several. That is the situation which confronts us, and we ought to be able to make our agreements and contracts with employees at this time.

Mr. COLLINS. Will the gentleman yield?

Mr. FREAR. I yield to the gentleman from Mississippi, a member of the committee.

Mr. COLLINS. At whose suggestion did Mr. Brown furnish the committee this report?

Mr. FREAR. Well, not at the suggestion of the committee. That is all I can say.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. FREAR. Yes.

Mr. CHINDBLOM. Is it a fact, as has been reported in the press, that consideration was even given to so-called sentimental and historical value?

Mr. FREAR. Well, I would not be surprised if that were true. I would not want to deny it in view of some of the arguments made before the committee.

Mr. CHINDBLOM. I refer to sentimental and historical value in connection with some of the Government property here.

Mr. FREAR. That is true, I recall, in regard to the Capitol Building, because they said that on account of its historical value it is worth nearly $50,000,000, including the ground on which it stands. Other property was placed in the same category, valued at some historical figure known alone to this bureau.

Mr. CHINDBLOM. I saw that reported in the press, and I wanted to know whether sentimental or historical value has been considered as a part of the liability to be charged against the Government.

Mr. FREAR. That was an argument advanced because it established the Capital in the District of Columbia; yes.

Mr. BYRNS. Will the gentleman yield?

Mr. FREAR. I yield to the gentleman from Tennessee.

Mr. BYRNS. The gentleman stated in reply to the gentleman from Mississippi [Mr. COLLINS] that his select committee did not request the Bureau of Efficiency to make an investigation. Has not the gentleman some idea as to who did request it? How did they get into the picture? That is a Government agency, and I would like to know how they came into the picture.

Mr. FREAR. I do not know, except I am satisfied the committee was in no way responsible for it. They were called before us because they had made this report, and on the request of some individual or agency, I assume.

Mr. BYRNS. The gentleman says the committee was in no way responsible; what committee?

Mr. FREAR. I mean our special fiscal committee now investigating the relations between the Federal Government and the District.

Mr. BYRNS. How did the Bureau of Efficiency get into this picture?

Mr. FREAR. They were called before us.

Mr. BYRNS. Did they volunteer, or just what did they do?

Mr. FREAR. They were called there because they had previously made a report upon the alleged liability of the Federal Government and, as I understand, Chairman MAPES invited them to come before our committee to discuss this report; but the report was not requested by or prepared for the committee.

Mr. BLANTON. But it is a fact, is it not, that this Bureau of Efficiency, so called, not called by the committee, but coming before the committee under the influence of the District of Columbia, did recommend to the committee, in substance, that this Congress shall tax the money that is in the Treasury of the United States to the extent of an offset of $90,000,000 to furnish funds for the District; that is the fact, is it not?

Mr. FREAR. I would not put it in just that way.

Mr. BLANTON. But that is the substance of their recommendation?

Mr. FREAR. They reported it should be held as an offset to District taxable property, and we endeavored to ascertain from them the facts so they could be understood, and I have given the effect of their report.

Mr. STAFFORD. Will the gentleman yield?

Mr. FREAR. I yield to my colleague from Wisconsin.

Mr. STAFFORD. I think the House is most curious to know at whose instance the Bureau of Efficiency, headed by Mr. Herbert Brown, performed this work of investigation. Was it a voluntary work on their part or a nosing expedition on his part into the fiscal affairs of the District?

Mr. FREAR. All I can say to my colleague is that the report of the Bureau of Efficiency was not asked for by our committee, but it has embarrassed us very much because it contains conclusions not supported by recognized tax authorities, either in its assumption of State or governmental tax set-offs or in its per capita basis of tax comparisons.

The SPEAKER. The time of the gentleman from Wisconsin has expired.

Mr. UNDERHILL. Mr. Speaker, I yield the gentleman two additional minutes.

Mr. FREAR. This bureau report is also based on what they call this per capita tax rate. In other words, after they have set up this particular form of property valuations of the Government, then this bureau of efficiency has declared that the city of Washington, by counting in all the Government property as taxable, may be considered as comparable with certain other cities in its tax rate.

Mr. STAFFORD. But under what legislative direction or authority did this superbureau of efficiency, so called, do

this work? Certainly not at the instance of the special committee that the House appointed.

Mr. FREAR. No.

Mr. STAFFORD. Under what legislative authority or direction did they perform this work?

Mr. FREAR. I can not say, but I can state that they have embarrassed our committee by the report they have made.

Mr. BLANTON. They have been doing this unauthorized reporting to our committees for years.

Mr. STAFFORD. Are they supposed to be a sort of Salvation Army with respect to everything pertaining to the work of the Government?

Mr. FREAR. I would not care to express myself, but the facts speak for themselves.

The SPEAKER. The question is on the committee amendment.

The committee amendment was rejected.

The resolution was agreed to.

BRIDGES ACROSS THE ATCHAFALAYA RIVER

Mr. DENISON. Mr. Speaker, I call up certain Senate bridge bills now on the Speaker's table, similar House bills having been reported to the House.

The first bill is S. 4803, to extend the time for constructing a bridge across the Atchafalaya River at or near Morgan City, La.

The Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge authorized by act of Congress approved March 10, 1928, to be built by the Louisiana Highway Commission across the Atchafalaya River, at or near Morgan City, St. Mary Parish, La., are hereby extended one and three years, respectively, from the date of approval hereof.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. STAFFORD. Mr. Speaker, may I inquire whether the House bills were reported after or before the Senate bills came over to the House?

The SPEAKER. The Chair understands they were reported to the House before the Senate bills came over, which makes the bills privileged.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

A similar House bill was laid on the table.

The SPEAKER. The Clerk will report the next bill.

The Clerk read as follows:

S. 4804

An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Atchafalaya River at or near Krotz Springs, La.

Be it enacted, etc., That the consent of Congress is hereby granted to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge and approaches thereto across the Atchafalaya River, at a point suitable to the interests of navigation, at or near Krotz Springs, St. Landry, and Pointe Coupee Parishes, La., in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

A similar House bill was laid on the table.

BRIDGE ACROSS THE RED RIVER AT MONCLA, LA.

The SPEAKER. The Clerk will report the next bill.

The Clerk read as follows:

S. 4805

An act to extend the time for construction of a free highway bridge across the Red River at or near Moncla, La.

Be it enacted, etc., That the times for commencing and completing the construction of a bridge authorized by act of Congress approved March 10, 1928, to be built by the Louisiana Highway Commission of the State of Louisiana across the Red River, at or near Moncla, Avoyelles Parish, La., are hereby extended one and three years, respectively, from March 10, 1931.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

A similar House bill was laid on the table.

BRIDGE ACROSS THE RED RIVER AT OR NEAR ALEXANDRIA, LA.

The SPEAKER. The Clerk will read the next bill.

The Clerk read as follows:

S. 4806

An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Red River at or near Alexandria, La.

Be it enacted, etc., That the consent of Congress is hereby granted to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge and approaches thereto across the Red River, at a point suitable to the interests of navigation, at or near Alexandria, Rapides Parish, La., in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

A similar House bill was laid on the table.

BRIDGE ACROSS THE RED RIVER AT OR NEAR COUSHATTA, LA.

The SPEAKER. The Clerk will read the next bill.

The Clerk read as follows:

S. 4807

An act to extend the time for construction of a free highway bridge across the Red River at or near Coushatta, La.

Be it enacted, etc., That the times for commencing and completing the construction of a bridge authorized by act of Congress approved February 3, 1928, as amended by act approved February 13, 1929, to be built by the State Highway Commission of Louisiana across the Red River at or near Coushatta, Red River Parish, La., are hereby further extended one and three years, respectively, from February 13, 1931.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

A similar House bill was laid on the table.

PRIDGE ACROSS THE RED RIVER AT OR NEAR SHREVEPORT, LA.

The SPEAKER. The Clerk will read the next bill.

The Clerk read as follows:

S. 4808

An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Red River at or near Shreveport, La.

Be it enacted, etc., That the consent of Congress is hereby granted to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge and approaches thereto across the Red River at a point suitable to the interests of navigation at or near Shreveport, Caddo and Bossier Parishes, La., in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

A similar House bill was laid on the table.

BRIDGE ACROSS THE OUACHITA RIVER AT OR NEAR STERLINGTON, LA.

The SPEAKER. The Clerk will read the next bill.

The Clerk read as follows:

S. 4809

An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Ouachita River at or near Sterlington, La.

Be it enacted, etc., That the consent of Congress is hereby granted to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge and approaches thereto across the Ouachita River, at a point suitable to the interests of navigation, at or near Sterlington, Ouachita, and Union Parishes, La., in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

A similar House bill was laid on the table.

BRIDGE ACROSS THE OUACHITA RIVER AT OR NEAR MONROE, LA.

The SPEAKER. The Clerk will report the next bill.

The Clerk read as follows:

S. 4810

An act to extend the time for construction of a free highway bridge across the Ouachita River at or near Monroe, La.

Be it enacted, etc., That the times for commencing and completing the construction of a bridge authorized by act of Congress approved January 26, 1925, as amended by act approved February 6, 1928, to be built by the State Highway Commission of Louisiana across the Ouachita River at or near Monroe, Ouachita Parish, La., are hereby further extended one and three years, respectively, from February 6, 1931.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

A similar House bill was laid on the table.

BRIDGE ACROSS THE OUACHITA RIVER AT OR NEAR HARRISONBURG, LA.

The SPEAKER. The Clerk will report the next bill.

The Clerk read as follows:

S. 4811

An act to extend the time for construction of a free highway bridge across the Ouachita River at or near Harrisonburg, La.

Be it enacted, etc., That the times for commencing and completing the construction of a bridge authorized by act of Congress approved March 10, 1926, as amended by act approved March 10, 1928, to be built by the State Highway Commission of Louisiana across the Ouachita River at or near Harrisonburg, Catahoula Parish, La., are hereby further extended one and three years, respectively, from March 10, 1931.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

A similar House bill was laid on the table.

BRIDGE ACROSS THE BLACK RIVER AT OR NEAR JONESVILLE, LA.

The SPEAKER. The Clerk will report the next bill.

The Clerk read as follows:

S. 4812

An act to extend the time for construction of a free highway bridge across the Black River at or near Jonesville, La.

Be it enacted, etc., That the times for commencing and completing the construction of a bridge authorized by act of Congress approved March 10, 1926, as amended by act approved February 6, 1928, to be built by the State Highway Commission of Louisiana, across the Black River, at or near Jonesville, Catahoula and Concordia Parishes, La., are hereby further extended one and three years, respectively, from February 6, 1931.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

A similar House bill was laid on the table.

THE AMERICAN SAMOAN COMMISSION (S. DOC. NO. 249)

The SPEAKER laid before the House the following message from the President of the United States, which was read, ordered printed, and, with the accompanying papers, referred to the Committee on Insular Affairs:

To the Congress of the United States:

I transmit herewith for the informaton of the Congress the offical report of the American Samoan Commission, appointed in pursuance of the joint resoluton of Congress, approved February 20, 1929, being Public Resolution No. 89 of the Seventieth Congress, and of the joint resolution of Congress approved May 22, 1929, being Public Resolution No. 3 of the Seventy-first Congress, together with an appendix containing a copy of a bill.

HERBERT HOOVER.

THE WHITE HOUSE, *January 9, 1931.*

THE INTERNATIONAL WATER COMMISSION (S. DOC. NO. 250)

The SPEAKER laid before the House the following message from the President of the United States, which was read and ordered to be printed, and, with accompanying papers, referred to the Committee on Foreign Affairs.

To the Congress of the United States:

I commend to the favorable consideration of the Congress the inclosed report from the Secretary of State to the end that legislation may be enacted to authorize an appropriation of $287,000 to defray the expenses of the American Section of the International Water Commission, United States and Mexico, in continuing its study, in cooperation with representatives of Mexico, of a plan for the equitable use of the waters of the Lower Rio Grande, the Lower Colorado, and Tia Juana Rivers, for submission to the Congress, pursuant to the provisions of the act of May 13, 1924, entitled "An act providing for a study regarding the equitable use of the waters of the Rio Grande below Fort Quitman, Tex., in cooperation with the United States of Mexico," as amended by the act of March 3, 1927.

HERBERT HOOVER.

THE WHITE HOUSE, *January 9, 1931.*

(Inclosure: Report from the Secretary of State.)

UNVEILING OF MONUMENT MARKING BIRTHPLACE OF HENRY CLAY

Mr. MONTAGUE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing an address of Hon. Henry T. Wickham, of Virginia, on the unveiling of a monument marking the birthplace of Henry Clay in Hanover County, Va.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The address is as follows:

ADDRESS OF HON. HENRY T. WICKHAM

Madam directress and members of the Hanover Branch of the Association for the Preservation of Virginia Antiquities, ladies and gentlemen, may I be permitted to express my high appreciation of the honor you have conferred upon me by your invitation to be with you this evening? May I also express to you on behalf of the county of Hanover and the entire State of Virginia the respectful admiration they feel for the splendid band of women constituting your association, because of the noble and patriotic work you have accomplished throughout the State?

I am well aware that, under the customary limitations of such an address as this, I can do no more than briefly sketch the salient points of Mr. Clay's career, and to tell you in Mr. Clay's own words, "If anyone desires to know the leading and paramount object of my public life, the preservation of this Union will furnish him the key."

The key to his private life is equally important to our knowledge of the man. When Mr. Clay came to die his last breath murmured the whisper, "Mother—mother—mother—and my dear wife."

The inscription of this monument is as follows:

"Clay Spring, birthplace of Henry Clay, 'The Mill Boy of the Slashes,' born April 12, 1777, died June 29, 1852. Speaker of the House of Representatives 1811–1814, 1815–1820, 1823–1825; Secretary of State, 1825–1829. Commission Treaty of Ghent, 1814; United States Senator from Kentucky, 1807, 1809–1811, 1831–1842, 1849–1852.

"'The Great Pacificator,' author of the Missouri Compromise, 1820; the American Tariff, 1833; and the Compromise of 1850.

"I would rather be right than be President.

"Erected by the Hanover Branch of the A. P. V. A., 1928."

Here Clay was born on April 12, 1777. He was the son of the Rev. John Clay, a Baptist clergyman of sterling character, beloved by all who knew him, and remarkable for his great eloquence as a pulpit orator, and his wife, Elizabeth Hudson.

It may, perhaps, interest you to hear something about the good people who lived here, on this very spot, and their forebears.

The Clays were of Welsh origin. The record shows that John Clay, the emigrant, landed at Jamestown from the good ship *Treasurer* in February, 1613, and that his wife, Mrs. Anne Clay, landed at Jamestown in August, 1623, from the good ship *Ann*. Tradition tells us that he was an officer in a British regiment of grenadiers, and he was known as Captain Clay. He was young. He had a sweetheart. Just before he sailed they were married. They parted at the ship's side in tears, but with hope and high resolve. They plighted their troth of mutual love and faithfulness. She to watch and to wait; he to struggle and to work to make her a home in a savage and unexplored country; and to send for her when he thought it safe for her to come. "Widowed wife though wedded maid," she waited for the hoped-for sum-

mons. Ten long years, an eternity of time to her, rolled between them—a distance, 3,000 miles, across a stormy ocean, to her the immensity of space, separated them. Her brave heart wrung with the apprehension of the merciless savage lurking in the bush—for it must be remembered that when John Clay landed at Jamestown there were less than 350 English-speaking people in the whole of the vast continent of North America.

Meantime John Clay did his full duty as a soldier. He worked and finally established himself at "Jordan's Journey," close to where the city of Hopewell now stands. He received a grant of 100 acres "as an old planter before the government of Sir Thomas Dale." He escaped the massacre of 1622. He aided in subduing the hostile Indians, and in 1623 he sent for his wife. She brought with her a manservant, William Nicholls, and "a little maid." She also arranged to be followed by 22 settlers, and by patent 210 John Clay was given a further grant of 1,100 acres adjoining his 100 acres, being at the rate of 50 acres per settler. There they cleared the primeval forest and built their homes; there their children were born; there they lived and died and were buried. There peace and happiness, contentment and love, enveloped them, as the reward of plighted faith; and there they founded a great family, distinguished in every walk of life for lofty character and high intelligence—soldiers and statesmen, jurists and ministers of the Gospel—in public life and above all in private life.

Tradition, history, and romance have no nobler example than that afforded by the lives of John Clay and his dear wife Ann.

Their fourth son was Charles. He was born in 1638. He married Hannah Wilson, daughter of John Wilson, of Henrico, and died in 1686. The records of that county show he was one of those "good housekeepers well armed" that joined Nathaniel Bacon in 1676 and marched to Jamestown.

The fifth child of Charles and Hannah was Henry Clay, born 1672, and died August, 1760, aged 88. He married Mary Mitchell, daughter of William and Elizabeth Mitchell, of Chesterfield County. Henry Clay's will is on record in Chesterfield; by it he devised to his son, John, the home farm on Swift Run.

John, son of Henry and Mary, left a will recorded in Chesterfield, by which he provided his "beloved wife Mary" with land and negroes, and he gave his son, the Rev. John Clay, 400 acres of land and negroes by name, together with their increase.

As I have stated, the Rev. John Clay married Elizabeth Hudson in 1765. His will recorded in Hanover bears date 4th November, 1779, and by it he left his son, Henry, then a baby, two negroes, "James and little Sam," with the direction that should they be lost it should be made good out of his estate. It may be noted that the subscribing witnesses to the will were his neighbors, John Starke, Charles Wingfield, and Isaac Perrin, well-known Hanover names to this day.

Perhaps it will interest you to know something about Elizabeth Hudson, the wife of Rev. John Clay, and her family. The Hudsons were of English descent. John Hudson emigrated in 1700, married Elizabeth Harris, and settled in Hanover. Their son, George Hudson, married Elizabeth Jennings. They had two daughters, Elizabeth, wife of Rev. John Clay, and Mary, wife of John Watkins.

The Hudsons were well-to-do people. George Hudson was in the colonial service as inspector of tobacco at Pages' Warehouse (Hanovertown). He purchased 1,500 acres of land, built the original house, and made his home on the spot where we now stand. His will was probated in Hanover, April 14, 1773. The subscribing witnesses were his neighbors, Thomas Tinsley, Thomas Clarke, and Thomas Oliver; all Hanover names to this day. By his will he disposed of 1,500 acres of land and 31 negroes by name. The fires of the Revolution were beginning to blaze before the death of George Hudson. He sympathized with the King's Party, but his daughters were ardent patriots.

You surely would like to hear something about Elizabeth, the mother of Henry Clay. She surely is entitled to a high place on the roll of the illustrious women of Hanover—nay, of the State of Virginia. She was a daughter of the Revolution and mother of the great. She could say with the Thracian woman—

> "Though born in Thrace, Abrotinon my name,
> My son enrolls me in the lists of fame,
> Themistocles the Great."

From the descriptions of her, given by those who have recorded their recollections of her person and her character, she was a brunette, glowing cheeks, and brilliant dark eyes, and a wealth of hair.

> "Whose glossy black to shame might bring
> The plumage of the raven's wing."

She had engaging manners, spritely conversation, and was a great favorite in the social circle in which she moved. She possessed strong common sense and determination; and she enforced order, industry, and thrift in the conduct of her domestic duties. She was earnestly patriotic and knew Patrick Henry, her neighbor. Doubtless she was present, with her sister and her young companions, when Patrick Henry, after his famous summons for the 9th day of November, 1774, saying that he had an important message for the young men of Hanover, organized at the Merry Oaks (within a mile of the spot on which we now stand) the first company of the first regiment of Revolutionary soldiers. She was active in the congregation of the old Slash Church, which has just celebrated its two hundredth anniversary within a mile from where we are now assembled. She picked lint, rolled bandages, and took part in the work that we all know so well that our noble women perform in war time.

The Rev. John Clay died in March, 1781, leaving a widow 31 years of age, three infant children, and the burdens of managing the farm and the negroes. The substance of the following is from the lips of Mrs. Clay herself. The day after Mr. Clay was buried Tarleton and his dragoons appeared at Hanover Courthouse, and Tarleton allowed his men to forage upon and ravage the countryside. A number of them plundered the house and home of the widow and defenseless orphans—first the kitchen, larder, smokehouse, and poultry and food animals; then they entered the house, destroyed the furniture, ripped open the beds and bedding, chopped to pieces bureaus, trunks, and chests, and rifled the contents, and the widow herself was taunted with brutal jibes and insults, as "the most malignant rebel in the country." They proclaimed freedom to the slaves and carried off all who were willing to go.

She heard that Tarleton himself was moving on yonder road. With her three little children clinging to her skirts, she walked by yonder path to yonder highway and stood on yonder bank. Tarleton halted, and she indignantly denounced her treatment. He told her he would have his command paraded before her and if she would point out the guilty persons he would punish them. Her courage and her spirit rose, and she told him he knew it was impossible for her to do so as they were all strangers and all dressed alike, but that he could ascertain them himself if he were in earnest. Her demeanor and her helpless condition impressed Tarleton. He directed an aide to drop in her apron a couple of guineas and passed on his way. She retraced her steps, her heart swelling in indignation with every step. Standing in front of the hearth, she tossed the money from her apron into the fire, saying she "would rather trust to the kindness of her neighbors than soil her fingers with British gold."

Henry Clay was literally a son of the American Revolution. He was born during the dark hours of the struggle, and the earliest impressions made on his youthful mind were the scenes frequently called to mind through which his mother and her orphan family passed during those desperate days. These he never forgot and remembered bitterly when he urged war with England in 1812. Little did Tarleton imagine that the barefooted child of that day would become the great commissioner of a great Government and sign the treaty of Ghent.

The widow of the Rev. John Clay afterwards married Mr. Henry Watkins, and when the boy was 14 his good stepfather got him a position "behind the counter" in Richard Drewry's retail store in Richmond, where he showed signs of brightness and activity; and later Mr. Watkins secured for him a place under Peter Tinsley, the clerk of the high court of chancery. There he attracted the notice of George Wythe, the great chancellor, who directed his studies and guided him to the law. He entered the law office of Robert Brooke, the then attorney general of Virginia, and one year thereafter obtained a license to practice law.

As his mother and stepfather had removed to Kentucky, he in his twenty-first year resolved to follow them, and he left Richmond in 1797 with his license and little else in his pocket to "grow up with the country." He established himself at Lexington, in anticipation of its becoming the site of "Transylvania University, the literary and intellectual center west of the Alleghanies." He immediately took the first place at the bar and in the public meetings.

In 1803 he was sent to the Legislature of Kentucky; and General Adair having resigned from the United States Senate, Mr. Clay was appointed in 1806 to fill the vacancy. In 1807, the term having expired, Mr. Clay returned and was elected to the assembly and made speaker.

In 1809–10 he was again sent to the United States Senate, and in 1811 he was elected to the House of Representatives and made the Speaker by a large majority.

There, fired by his recollections of the past, he urged immediate war with Great Britain, which was declared in 1812.

In 1814 he was one of the American envoys to Ghent to negotiate a peace.

In 1819 he denounced the Adams proposition to make the Sabine River the boundary with Spanish America instead of the Rio Grande—and the fight for Texas was begun.

The invention of the cotton gin by Eli Whitney in 1793 had made the culture of cotton a very productive source of wealth and the labor of the negro slaves became more profitable than ever before. It must be remembered that African slavery existed in every one of the thirteen Colonies and was protected by the laws.

The slave owners in the North becoming aware that the climate prevented slave labor from being productive and the price of slaves having at least trebled during the past 20 years, with an eye to the profit, sold practically all of their slaves to the South; and the slavery question began to agitate the minds of the people and the statesmen of both sections. The apportionment of representation clause 3 of section 2 of article 1 and the fifth amendment recognized and protected the property right in the slave. For the political purpose of increasing their representation in Congress the northern leaders offered an amendment to the bill admitting Missouri to the Union providing that it should be a free and not a slave State. It became vital, therefore, to the life of the South to maintain a political equilibrium. Excitement spread and mutual threats of Civil War and bloodshed threatened the dissolution of the Union.

In 1820 Mr. Clay proposed his famous compromise, known as the "Missouri compromise." It declared that no restriction as to slavery be imposed upon Missouri, but that north of latitude 36° 30', which was the southern boundary of Missouri, should be free territory, and south of that line slave, and that States subsequently erected north or south of that line should be free or slave, respectively. This in substance was the very essence of the compromise. This action earned for Mr. Clay the soubriquet of "The Great Pacificator." Northern publicists without exception, I believe, admit that had the inevitable conflict then resulted in war between the States, the South, to put it mildly, "would have been likely to succeed."

By the tariff of 1824 Mr. Clay carried through what he termed "the American system." The adjustment of the duties being highly protective of home manufactures, the effect of which he claimed would give the American agricultural producer the benefit of a "home market."

The provisions of the tariff of 1828, under the influence of the northern manufacturers, were made still more objectionable to the agricultural South; and Mr. Calhoun and South Carolina began the famous nullification measure which so enraged General Jackson, then President, that he threatened to hang Mr. Calhoun, and was believed to be preparing to carry his threat into execution.

Jackson's measure was known as the "force bill."

Mr. Clay, in 1833, carried through his second great compromise to avert war. His tariff reduced the protective duties and thereby gave relief to the South from what was known as "the tariff of abominations." Both bills passed and were signed by Jackson on the same day. South Carolina repealed her nullification ordinance, and Mr. Clay again was hailed by the proud title of "The Great Pacificator."

I believe that it is now conceded that had South Carolina insisted upon putting the ordinance into effect the energy and vigor of the fiery "Old Hickory" would have instantly crushed the movement.

Meantime, the slavery question and its effect upon the political control of the Government was growing more and more acute. Thoughtful men were alarmed by the increasing numbers of the African slaves and the dreaded racial effects upon the white race, as well as the disturbance of the political equilibrium. Mr. Clay, in common with numbers of the leading men, especially in Virginia, were seriously affected by the moral questions involved. Colonization associations were widely formed, but the impossibility of solving the question by deportation became quickly manifest. Then the New England Anti-Slavery Society was formed and its activities were ceaseless, illegal, and often violent.

It must not be forgotten that most of the leaders of Virginia deplored the institution of slavery. The slave trade was one of the causes assigned for the Declaration of Independence. When Jefferson signed the deed of cession for the great northwest territory to the United States two conditions were inserted—one that no more than five States should be erected therefrom, and the other that in such States slavery should be prohibited. It must be remembered also that when the Territory of Liberia was acquired by the United States, its capital was named Monrovia, after a Virginia President.

The Mexican War was in progress when David Wilmot, of Pennsylvania, a Democrat, moved as an amendment to an appropriation bill needful for the prosecution of the war, his celebrated proviso that in all territory to be acquired from Mexico, slavery should be forever prohibited. It passed the House but failed in the Senate. It was regarded as a breach of the Missouri compromise. Texas was admitted as a State as a result of the war, but as it had previously adopted its own constitution which permitted slavery, no reference was made to the question in the act admitting Texas into the Union.

But the northern leaders apprehensive that a number of States could be carved from the immense boundaries of Texas, saw the danger to their section, and the Wilmot proviso became a leading issue.

The question became acute on the bill for the admission of California into the Union. Part of California was north of the compromise line of 36° 30' and part south, but the people had organized under a constitution prohibiting slavery; and the abolition societies had grown strong and bold enough to demand the prohibition of the sale of slaves in the District of Columbia and of the sale of slaves for transportation from one State to another. Disunion was rife. Mr. Jefferson Davis, a Senator from Mississippi, demanded the strict observance of the line 36° 30' and that California should be half slave and half free. Then it was that Mr. Clay carried through the famous measures known as the compromise of 1850—that California should be admitted as a free State; that the territory of New Mexico and Utah should be organized without restrictions as to slavery and that the sale of slaves in the District of Columbia should be prohibited, but a more efficient fugitive slave law enforceable throughout the United States should be enacted.

The result of this was to postpone the breaking out of the irrepressible conflict till the election of Mr. Lincoln, and again Mr. Clay was hailed as "The Great Pacificator."

During the debates on the admission of California, Mr. Jefferson Davis entered the Senate of the United States as a Member from Mississippi, and took part in them. He heard the great speeches of Calhoun, Webster, and Henry Clay. He was a great debater, practically the only successor in oratorical talent to that great triumvirate. Mr. Davis had a very famous interview with Mr. Clay. There have been many accounts of it, varying in some particulars. I prefer to take Mr. Davis's own account, which is found on page 17 of volume 1 of his History of the Rise and Fall of the Confederacy.

It is as follows:

"While the compromise measures of 1850 were pending and the excitement concerning them was at its highest, I one day overtook Mr. Clay, of Kentucky, and Mr. Berrien, of Georgia, in the Capitol Grounds. They were in earnest conversation. It was the 7th of March, the day on which Mr. Webster had delivered his great speech. Mr. Clay, addressing me in the friendly manner which he had always employed since I was a schoolboy in Lexington, asked me what I thought of his speech. I liked it better than he did. He then suggested that I should 'join the compromise men,' saying that it was a measure which he thought would probably give peace to the country for 30 years—the period that had elapsed since the adoption of the compromise of 1820. Then, turning to Mr. Berrien, he said, 'You and I will be underground before that time, but our young friend here may have trouble to meet.' I somewhat impatiently declared my unwillingness to transfer to posterity a trial which they would be relatively less able to meet than we were, and passed on my way."

Soon afterwards, Mr. Clay made his great speech in support of his compromise, appealing for the preservation of the Union, and outlining the consequences of its rejection.

After Mr. Clay had taken his seat, Mr. Davis replied in what was hitherto perhaps the greatest oratorical effort of his life, in the course of which he said:

"That I may be understood upon this question and that my position may go forth to the country in the same columns that convey the sentiments of the Senator from Kentucky I here assert never will I take less than the Missouri compromise line to the Pacific Ocean, with the specific right to hold slaves in the territory below that line; and that before such Territories are admitted to the Union as States, slaves may be taken there from any of the United States at the option of the owners." That was a fateful debate.

Ah! My friends! Do you not hear the forging of the guns of Sumter? Do you not hear the cannon on the heights of Gettysburg? And if you listen, can you not catch the echo of the last notes of the bugle sounding "Taps" upon the field of Appomattox?

The terrific strain of the conflict and its great length wore down Mr. Clay's iron constitution, weakened as it was by advancing years. His health became seriously impaired, and on June 29, 1852, his great spirit left its mortal tenement in the 76th year of his age.

The inevitable struggle continued. The Kansas and Nebraska bill repealed the Missouri compromise; the Supreme Court decided the Dred Scott case; Mrs. Harriet Beecher Stowe published Uncle Tom's Cabin; the Democratic Party split at Charleston; Mr. Lincoln was elected President; and the War between the States ensued. The emancipation of the slaves was proclaimed not as a humanitarian measure but as a war measure, taking effect not at the North or on the border but only where there was so-called "armed rebellion," with expectation that the armies of the South would disintegrate for the protection of the mothers, wives, and daughters of our Southland from the horrible consequences of servile insurrections. Then followed Appomattox and the horrors of reconstruction.

The revered name of Washington and the patriotic services of Patrick Henry could not save them a violence of abuse and rancor that I think exceeded bounds of ordinary decency; but few, if any, public characters in all American history have aroused more heated controversy than Henry Clay. There were no terms of obloquy that his opponents did not use, and there was no limit to the eulogies, admiration, and personal attachment of his friends.

The lapse of years have softened the animosities of his enemies, and the universal sentiment of the people of America now concedes the purity of his patriotism, the nobleness of his spirit, and the goodness of his heart.

Three times Mr. Clay was the candidate of his party for the Presidency of the United States, and three times he was defeated. When he declared, "I had rather be right than be President," he was acclaimed throughout the length and breadth of this great country as "The Great Commoner." This is his proudest title.

I stood before the noble monument that the State of Kentucky has erected to his memory. I looked through the bronze grill and saw the marble sarcophagus, where repose the mortal remains of himself and his devoted wife. I saw wreaths of flowers that the pious care of the devoted women of Kentucky keep fresh upon his tomb; I realised that his memory had not failed even in the lapse of the years that have passed and that new generations still keep fresh the tender sentiment of the rose and the laurel.

I said to my friend, "I come from the county of Hanover, the county of his birth. I was reared in the principles of the Whig Party. My forbears had walked with him over the scenes of his birth and his boyhood, had heard his magnetic voice rise in sublime apostrophe within the walls of our historic courthouse; and yet—and yet I could stand in the presence of his ashes and, remembering the terrors of the war, the emancipation of the black race, the disfranchisement of the white people, and the horrors of reconstruction, wonder what would have been the history of this country had he never brought about the temporary compromises of an inevitable conflict." My friend said, "Mr. Wickham, I am amazed to hear you say so. The issues in-

volved in Mr. Clay's career are dead and buried." I answered, "Yes; I know the issues that engrossed the thoughts and actions of that great statesman now sleep in death, but from that bloody grave there emerges a specter of even more frightful mien, and a conflict perhaps more irrepressible—the dreadful racial conflict—and I ask who can foretell the history of those fateful measures that is yet to come?" He with solemnity asked, "What can we do about it?"

I propose to answer that question now more fully than I did.

Frankly, I do not know what the finger of Fate will trace. I only know that when the hour strikes the man will step forward.

But when we recall the names upon the roll of Patrick Henry Company in 1774; when we read the names of our heroic soldiers of 1861–1865 upon that noble monument at our old and historic courthouse, when we hear the roll call of our brave boys who offered themselves for the supremest sacrifice that patriotism can make in the last terrific convulsion that shook civilization in the great World War, we find the same names, native here and to the manor born.

Our hearts swell with the courage and high resolution that characterized John Clay and his wife Anne and their descendants; that characterized Elizabeth Hudson and her neighbors and the descendants of those sturdy and patriotic men and women who lived and moved and had their being amid the same scenes that are now before our eyes.

What can we do? We do not know what the finger of Fate will write. We do not know whether the day will be filled with sunshine or whether the dark clouds of adversity will gather and again roll threateningly over our fair horizon, but we do know that "whatever sky's above us, we'll have hearts for any fate." We do know we'll still be "captain of our soul."

PERMISSION TO ADDRESS THE HOUSE

Mr. BANKHEAD. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

The SPEAKER. The gentleman from Alabama asks unanimous consent to address the House for five minutes. Is there objection?

Mr. TILSON. Reserving the right to object, are the gentleman's remarks likely to bring up any controversy? There is going to be general debate on the Army bill a little later.

Mr. BANKHEAD. I do not think my remarks will provoke any controversy, but I think they are of sufficient importance so that Members of the House might be interested. I will say frankly that I wish to say something about the present parliamentary situation of the emergency drought situation.

Mr. TILSON. Does not the gentleman think that the House pretty well understands it now?

Mr. BANKHEAD. There are some things that Members on this side do not understand, and we are seeking information in regard to it.

Mr. LaGUARDIA. Reserving the right to object, and I shall not object whether my request is granted or not, I wish to reserve about three minutes for myself, so that I can make a few remarks.

Mr. TILSON. The gentleman can see where that will lead us to.

Mr. BANKHEAD. Mr. Speaker, I have submitted my request, and gentlemen can object to it or not.

Mr. TILSON. The gentleman from Alabama heard the distinguished minority leader the other day say that if he were leader on the majority side he would not permit any of these general discussions in the House when appropriation bills are pending in Committee of the Whole. Does not the gentleman think that I ought to heed the rather gentle rebuke which the gentleman from Texas gave me?

Mr. BANKHEAD. Will the gentleman object if I should speak out of order when we get into the Committee of the Whole House on the state of the Union?

Mr. TILSON. Not at all.

Mr. BANKHEAD. Then I withdraw my request.

DROUGHT RELIEF

Mr. PARKS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing certain telegrams with reference to the drought situation in Arkansas.

The SPEAKER. Is there objection?

There was no objection.

Mr. PARKS. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following telegrams received by me relative to the drought situation in Arkansas:

HAMBURG, ARK., *January 7, 1931.*

TILMAN B. PARKS:

Five thousand people in Ashley County that are destitute and we favor the Caraway amendment for fifteen million. Red Cross is helping but help is inadequate.

G. P. GEORGE.

ARKADELPHIA, ARK., *January 7, 1931.*

TILMAN B. PARKS,
House of Representatives:

Government aid badly needed; conditions worse than reported. Letter follows.

MCMILLAN & MCMILLAN.

MAGNOLIA, ARK., *January 8, 1931.*

TILMAN B. PARKS:

We heartily indorse Caraway amendment—$15,000,000 food relief.

LIONS CLUB.

ELDORADO, ARK., *January 8, 1931.*

Congressman TILMAN B. PARKS:

Answering cotton crop for Arkansas 1929 netted $105,000,000. Nineteen thirty crop nets $36,000,000. As a rule we have sufficient grain in the State to supply the demands until April 15. For 1930 we have only 10 per cent normal supply of grain. Assistance in the way of credit badly needed.

C. H. MURPHY, *Vice President.*

EUDORA, ARK., *January 7, 1931.*

Hon. TILMAN B. PARKS:
Member of Congress:

Human suffering and destitution in Arkansas as result of drought is appalling, eastern press reports to the contrary are absurd. In Chicot County 3,500 families have applied to Red Cross for aid. Red Cross is functioning but grants thus far have not been adequate. Sufferers are honest and ordinarily thrifty citizens. Conditions will get worse as winter progresses; immediate general relief is imperative.

F. M. KINCAID, *Chairman.*

DERMOTT, ARK., *January 6, 1931.*

TILMAN B. PARKS,
Member of Congress:

Parnell's statement to eastern papers is not based upon fact. Red Cross can not meet the demands now being made upon it and unless aid is extended by Government, intense suffering, if not actual starvation, will be lot of many people living in the drought-stricken sections of the State.

E. G. HAMMOCK.

EUDORA, ARK., *January 7, 1931.*

Hon. TILMAN B. PARKS,
Member of Congress:

Human suffering and destitution in Arkansas as result of drought is appalling. Eastern press reports to the contrary are absurd. In Chicot County 3,500 families have applied to Red Cross for aid. Red Cross is functioning but grants thus far have not been adequate. Sufferers are honest and ordinarily thrifty citizens. Conditions will get worse as winter progresses; immediate general relief is imperative.

CHAMBER OF COMMERCE.

ELDORADO, ARK., *January 6, 1931.*

TILMAN B. PARKS:

Conservatively 50,000 people in Arkansas need help.

C. W. MCKAY.

HAMPTON, ARK., *January 6, 1931.*

TILMAN B. PARKS,
United States Congress, Washington, D. C.:

Unless this county receives aid from outside source many families will surely suffer. I am without a job. In favor of Government aid.

Judge B. M. BIGGERS.

HOPE, ARK., *January 6, 1931.*

TILMAN B. PARKS,
House Office Building, Washington, D. C.:

Do not let eastern papers deceive public. If Parnell made statement then he does not know condition in State. Hope incident at England proof of fact that people have nothing to eat.

U. A. GENTRY.

LITTLE ROCK, ARK., *January 6, 1931.*

Hon. TILMAN B. PARKS,
Member of Congress, Washington, D. C.:

Have just been informed by Mr. Bob Huie, of Arkadelphia, of your telegram. I hasten to correct any impression that Arkansas does not need assistance regardless of what the eastern papers may say. Am strong for the Caraway amendment and hope that it will pass by big majority.

HARVEY PARNELL, *Governor.*

LAKE VILLAGE, ARK., *January 7, 1931.*

Hon. TILMAN B. PARKS,
Care Congress:

Governor's telegram Baltimore Sun crudely and ambiguously worded. Had reference to avoidance of violence rather than amelioration of suffering. State without funds to supplement Red Cross activities. Banks without resources to supply farmers. Landowners without funds to employ or advance tenants. Bread line lengthening daily. People not only without food but without shoes and clothing, and stock without feed. Widespread drought and demoralizing prices for products the cause. National aid freely and generously accorded only visible relief. Red tape causing more distress. The cry will soon be heard, "Give us food or give us death."

HARRY E. COOK,
Former President Arkansas Judges' Association;
Eight Years Flood Relief Commissioner, 1927.

HOPE, ARK., *January 6, 1931.*

Hon. TILMAN B. PARKS,
Member of Congress, Washington, D. C.:

Replying to your telegram of to-day I am firmly convinced that governmental aid is needed to buy food for the drought sufferers of this section. The greatest suffering is among tenants and share croppers, hundreds of whom are without means of supplying themselves with food. Their landlords in most instances are without money or credit and can not feed them. These people are unemployed and have no hope of employment in the near future, and I believe that the Red Cross and local agencies are entirely inadequate to meet the situation. On principle I am opposed to governmental aid, such as this, except as a last resort to prevent starvation, but I believe that the present situation demands this measure.

HARRY J. LEMLEY.

CAMDEN, ARK., *January 6, 1931.*

Hon. TILMAN B. PARKS,
United States Congress, Washington, D. C.:

Government aid for food in Arkansas is urgently needed by many people.

T. J. GAUGHAN.

CAMDEN, ARK., *January 6, 1931.*

Hon. TILMAN B. PARKS,
United States Congress, Washington, D. C.:

It is imperative that Arkansas have Government aid. Feed for mules is not enough, as the man that plows the mule must eat, too. The Red Cross is not sufficient. This county has not received one cent from Red Cross. Many people are destitute and aid must come from somewhere.

WATT JORDAN, *County Judge.*

PRESCOTT, ARK., *January 7, 1931.*

Hon. TILMAN B. PARKS,
House of Representatives:

Famine conditions prevail in this part of Arkansas. Four hundred families in this county will starve if not helped. Local charity doing all it can, but many are suffering now. Red Cross beginning to function, but doubt if its resources can meet necessities of such widespread destitution.

W. V. TOMPKINS.

HOPE, ARK., *January 6, 1931.*

Hon. TILMAN B. PARKS,
House Office Building, Washington, D. C.:

Regardless of what Eastern newspapers and Governor Parnell may say, I know that Government aid is needed at once in this county to keep people from starving. Local Red Cross chairman here told me that funds here were completely exhausted and food is needed at once. Over 200 men were let out of employment here January 1 and are without money or credit for food, and both white and negro farmers are begging for food.

E. F. MCFADDIN.

LEWISVILLE, ARK., *January 7, 1931.*

Hon. TILMAN B. PARKS:

Government aid badly needed to enable our people to live through winter and make another crop. Government aid to county roads give employment badly needed. Red Cross helping the very needy.

N. D. HARRELL,
Chairman Drought Committee, Lafayette County.

CAMDEN, ARK., *January 7, 1931.*

TILMAN B. PARKS,
Care House Office Building:

Human suffering in Arkansas for want of sufficient food becoming serious. Is not believed that Red Cross and local authorities can cope with situation. Federal aid much desired and needed. Your position commendable.

G. R. HAYNIE.

MAGNOLIA, ARK., *January 7, 1931.*

Hon. TILMAN B. PARKS,
Member of Congress:

Eastern paper reports of Parnell's statement in error. Conditions at England, Ark., may be expected to obtain at other points of this State momentarily. Red Cross activities entirely inadequate and financial conditions such as to necessitate outside aid to buy food for those in destitute circumstances. This report given after consultation with business, professional, and banking men.

CHARLES G. COLQUITT.

ARKADELPHIA, ARK., *January 7, 1931.*

Hon. TILLMAN B. PARKS,
Congressman, Washington, D. C.:

In reply to your telegram, I am strongly in favor of Mr. CARAWAY'S amendment to give Government aid whereby it will give our people help to get food for themselves and families. Yes; Government aid is needed and it is needed now. Never saw conditions before as they are to-day in this part of Arkansas. Farmers and laborers, people are in helpless conditon. They need food for themselves and families. Merchants and planters are suffering with the farmer and the people. They fail to collect, but they are doing all they can to provide. There is no work to be had for the farmer and laborers and this makes the condition more serious.

G. E. BAILEY, *Mayor.*

ARKADELPHIA, ARK., *January 6, 1931.*

TILLMAN B. PARKS,
House of Representatives, Washington, D. C.:

Telegram just received Am dumfounded at statement in eastern papers. Arkansas is one of the worst hit States in the Union. Hundreds and thousands of the best people are suffering for want of food and clothes. Citizens are coming by hundreds to different chambers of commerce for relief. We are strongly in favor of Caraway amendment. I know these to be facts; am not guessing.

R. W. HUIE, Jr.

HAMBURG, ARK., *January 7, 1931.*

TILLMAN B. PARKS:

Much distress in this county. Men in my office daily whose families without food. Slow to ask aid of Red Cross. Children in Hamburg Consolidated School who are obviously underfed. No work to be had. Chairman of Red Cross, T. C. Hundley, advises me none have been turned down who are deserving. Loans should be made by Government for food with which to feed stock and people to make crops. Letter follows.

Y. W. ETHERIDGE.

PRESCOTT, ARK., *January 7, 1931.*

Representative TILMAN B. PARKS:

Six hundred families Nevada County destitute, and Red Cross allotment sufficfent for only meager assistance. Prescott taking care its citizens, but country districts need assistance badly.

RANDOLPH P. HAMBY.

STAMPS, ARK., *January 7, 1931.*

Hon. T. B. PARKS:

We have about 50 men at Buckner demanding food. The Red Cross authorities without adequate funds to supply. Something must be done at once.

S. B. ROWE.
W. R. STOKES.
J. D. BOULAND.
A. F. NIX.
L. PELT.
J. L. WARREN.
W. P. RIGGINS.

WARREN, ARK., *January 7, 1931.*

TILMAN B. PARKS, M. C.:

Caraway amendment only known means so far suggested to relieve suffering among a large proportion of our farmers. Total of 2,000 farmers in Bradley County; 1,500 will have to have help to make crop. The only security these farmers can offer is their livestock and expected crop. Because of the drought, these same farmers, which list includes 750 tenants and share croppers, are now overburdened with debt. Unless food for the families is furnished there will be no use to offer feed, seed, and fertilizer. The seriousness of this situation demands immediate action. Federal aid seems only solution.

CARL HOLLIS.

LITTLE ROCK, ARK., *January 8, 1931.*

Hon. TILMAN B. PARKS,
House of Representatives.

Governor Parnell statement abused and misconstrued. Arkansas must have aid.

J. C. GILLISON.

ARMY APPROPRIATION BILL

Mr. BARBOUR. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 15593) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1932, and for other purposes. Pending that I ask unanimous consent that yesterday's arrangement with reference to general debate be continued to-day, with the expectation that later in the day we will be able to fix a time definitely when we will close debate.

The SPEAKER. The gentleman from California moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the Army appropriation bill, and asks unanimous consent that for the present general debate be continued, to be equally divided between himself and the gentleman from Mississippi. Is there objection?

Mr. JAMES of Michigan. Mr. Speaker, I reserve the right to object. Will the gentleman from Mississippi conclude his statement to-day, or will he finish it to-morrow?

Mr. COLLINS. I thought that I would finish my statement to-morrow.

Mr. BARBOUR. Then, can we not agree on this proposition, that general debate shall continue to-day and be concluded to-morrow with the gentleman's speech, and that his speech be the only speech in general debate upon the bill?

Mr. COLLINS. That is satisfactory to me.

Mr. BARBOUR. Then, Mr. Speaker, I ask unanimous consent that general debate end to-morrow with the speech of the gentleman from Mississippi [Mr. COLLINS], and that that be the only speech to-morrow in general debate upon the bill.

The SPEAKER. The gentleman from California asks unanimous consent that general debate upon this bill shall end to-morrow with the conclusion of the speech of the gentleman from Mississippi [Mr. COLLINS], and that that shall be the only speech in general debate upon the bill, meantime the general debate to continue, to be equally divided between the gentleman from California and the gentleman from Mississippi. Is there objection?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from California that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the Army appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the Army appropriation bill, with Mr. TILSON in the chair.

The Clerk read the title of the bill.

Mr. COLLINS. Mr. Chairman, I yield five minutes to the gentleman from Alabama [Mr. BANKHEAD].

Mr. BANKHEAD. Mr. Chairman and gentlemen of the committee, I imagine there is no measure of legislation now pending before the House that is of more pressing importance to the Members of this body, particularly to those from the so-called drought-stricken areas of the country, than the emergency appropriation bill which was passed providing the sum of $45,000,000 to lend to these distressed farmers. I am not going to undertake to recite at this time the very desperate and destitute circumstances under which thousands and hundreds of thousands of our people are laboring at the present time. This measure of Federal relief was evidently thought of sufficient importance by the administration to recommend legislation to attempt to relieve and alleviate in some small measure this very distressing situation. The bill was introduced and passed by the House of Representatives and went to the Senate. It was there amended by the Senate providing an additional sum of $15,000,000 for the purpose of providing food for the people who were to be benefited by this legislation. In the ordinary course the bill came back to the House and is now upon the Speaker's table. What I particularly desire to address myself to in this connection is whether we can by the inquiry which I propose to submit at the conclusion of my remarks determine from the responsible leaders themselves whether after conference—and I am sure they have had such conference—they have determined upon any course of parliamentary procedure to give the representatives of the American people in this House an opportunity to express themselves upon several phases of the proposed legislation. I earnestly submit to the consideration of those leaders, as well as to the general membership of the committee, that it is a matter of sufficiently supreme and imperative importance to justify some action upon the part of those who are responsible for the activity of this House to give us some assurance as to whether or not this measure is to be indefinitely postponed by virtue of the present situation, or whether they shall exercise the power and authority vested in them under the rules of the House to bring this measure before us for final determination.

There are three methods by which the judgment of the House upon these controversial questions may be tested. One of them has already been resorted to by the chairman of the Committee on Appropriations—the request for unanimous consent to send the bill back to conference and to disagree to the Senate amendments. That request has been submitted to this House upon at least three different occasions, and the gentleman from New York [Mr. LAGUARDIA], a Republican, well within the exercise of his rights—and I do not criticize him for his opinion—has objected to that course because he thinks that if food is to be provided, it ought to have universal application and not be confined to the rural sections of the country, and has sought an assurance from the chairman of the committee [Mr. WOOD], that the House would be given an opportunity to vote on his amendment—which assurance has so far been withheld.

I say I have no quarrel with the judgment and right of the gentleman from New York [Mr. LAGUARDIA] upon that question, but, shall mere obstinacy, if I may call it such, of opinion, upon the part of one or two or three gentlemen of this House with reference to parliamentary procedure, block indefinitely consideration by this House of this matter of such grave importance?

The second remedy was to refer this matter to the Committee on Appropriations and let them bring back a bill and throw it open for consideration and give the Members of this House an opportunity to express themselves as to whether or not "food" should be eliminated or whether it should be retained. Apparently, as far as we are able to learn, that is not the determined policy of those who are in charge of the responsibilities in this situation.

The third remedy, and the one it seems to me that ought to be invoked under the circumstances, especially in view of the fact that it seems entirely improbable that unanimous consent will be given for its return to conference, is to invoke the instrumentality of the power vested in the Committee on Rules [applause] to bring into this House a special rule.

The CHAIRMAN. The time of the gentleman from Alabama [Mr. BANKHEAD] has expired.

Mr. COLLINS. I yield to the gentleman from Alabama five additional minutes.

Mr. GARNER. May I ask the gentleman a question?

Mr. BANKHEAD. Certainly.

Mr. GARNER. The rules of the House provide a method by which a bill of this kind can be brought before the House of Representatives. When it came back from the Senate and the report was read, the Speaker's duty was to refer it to the Committee on Appropriations. It has been on the Speaker's desk since that time, and if it had been referred to the Committee on Appropriations and reported back to the House of Representatives, it would have been disposed of on that identical day. The rules provide that method.

Mr. BANKHEAD. There is no question on earth but that the predicate laid down by the gentleman from the State of Texas [Mr. GARNER], assuming it would have been referred to the Committee on Appropriations as it certainly was within the power, if not the duty of the Speaker to refer it, would provide an opportunity for action, provided the com-

mittee had seen fit to take action on it and report it back to the House.

Mr. LONGWORTH. Will the gentleman yield?

Mr. BANKHEAD. I yield to the distinguished Speaker.

Mr. LONGWORTH. The gentleman is an authority on the rules of the House and knows that it is the almost invariable custom when a House bill comes back with Senate amendments that the bill remains on the Speaker's desk, in order to send it speedily to conference. I can not myself recall any other method that has been pursued since I have been the occupant of the chair.

Mr. BANKHEAD. I will say to the distinguished Speaker that I did not inject that phase of it into the controversy.

Mr. LONGWORTH. I simply desire to say that it is not the duty of the Speaker to refer a bill, under such circumstances, to a committee, and that it is very seldom done.

Mr. BANKHEAD. It certainly was within the power of the Speaker to do so.

Mr. LONGWORTH. It was within the power of the Speaker.

Mr. BANKHEAD. If he desired expedition upon the consideration of this question he might have taken that course.

Mr. LONGWORTH. The gentleman very well knows that is not the expeditious way.

Mr. BANKHEAD. It is one of the ways.

Mr. LONGWORTH. It is the least expeditious. The gentleman knows that. Moreover, if this particular bill had been referred to the committee and been reported out, it would have gone to the calendar and a rule would have to be had for its consideration, as the bill is not privileged. Such a course might have involved prolonged delay.

Mr. BANKHEAD. I said before the distinguished gentleman interrupted me that the power which I thought should be invoked, the direct and plenary power, is the exercise of the functions of the Committee on Rules, and I am sure the distinguished Speaker will not disagree with me that that would be probably the most expeditious method to effectuate the purpose I have in mind.

Mr. LONGWORTH. I am willing to say that I would be in favor of such a course if further objection is made to the unanimous-consent request.

Mr. BANKHEAD. I am making a little headway with reference to the purpose of my inquiry. If the distinguished gentleman from Indiana, the chairman of the Committee on Appropriations, is present, I would ask whether or not he will coincide with the declared purpose of the distinguished Speaker of the House upon that question? I also see before me the distinguished chairman of my own committee, the Committee on Rules, the gentleman from New York [Mr. SNELL], and while we are having this experience meeting I should like to have some declaration from the gentleman from New York as to how he feels upon this question of securing action.

Mr. SNELL. Upon what subject does the gentleman want a declaration?

Mr. BANKHEAD. As to whether or not the gentleman favors bringing a rule from his committee, of which he is chairman, to send this bill back to conference with such limitations as the gentleman may want to put on it by the great power vested in the gentleman's committee.

Mr. SNELL. I have not been asked thus far to present any such rule. When the time comes I am willing to consider it, and I expect that eventually such request will be made.

Mr. BANKHEAD. When will that time come? On the 3d of March?

Mr. SNELL. I do not know. I have not been asked.

Mr. BANKHEAD. By whom?

Mr. SNELL. If you people had not started objecting, it would have been a law at the present time. [Applause.]

Mr. BANKHEAD. Well, it is very easy for the gentleman to fall back upon that rather sententious expression.

Mr. SNELL. Well, it is a fact just the same, is it not?

Mr. BANKHEAD. I am not discussing the past with reference to this situation.

Mr. SNELL. All right. Forget the past.

Mr. BANKHEAD. I am discussing the present problem, the situation of this bill, and what seems to me to be the importance of getting some declaration from those who are responsible for the direction of the affairs of this House, to give us some assurance as to whether or not we will have this bill considered and sent back to conference with such expression of the House as it may desire to put upon it, at any reasonable time within the future.

I want to say to my distinguished friend from New York that I did not rise here for the purpose of engaging in a controversy. What I am endeavoring to do is to get some assurance from those who can give it that we will get action upon this bill [applause], and I do that, Mr. Chairman, because I realize, as all of you from those drought-stricken areas realize, the keen anxiety that those people are giving to the course of this legislation and the eager and earnest communications which they send to us from day to day as to when they may expect the passage of this bill in some form so that they may begin to receive the money to be carried in it.

The CHAIRMAN. The time of the gentleman from Alabama has again expired.

Mr. COLLINS. Mr. Chairman, I yield the gentleman two additional minutes.

Mr. BANKHEAD. I do hope—and, as I say, this suggestion is made not in a spirit of partisan controversy but in a spirit of conciliation and advancement of the whole cause in hand—that those who are responsible for this situation may at a very speedy moment reach some conclusion and follow the course suggested by the Speaker of this House and bring in a rule which will give the House an opportunity to express itself upon this bill and the character of amendments which it ought to carry.

Mr. LaGUARDIA. Will the gentleman yield?

Mr. BANKHEAD. Yes.

Mr. LaGUARDIA. In advocating a rule the gentleman would not advocate such a rule as would foreclose the expression of this House as to whether or not the food provision should be generally applicable.

Mr. BANKHEAD. I absolutely would oppose any such restriction in the rule. [Applause.]

Mr. COLLINS. Mr. Chairman, I yield one hour to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Chairman, just before we adjourned for the holidays this House provided an additional $150,000,000 for the Farm Loan Board in an attempt to grant further aid to the farmers of the country.

The President of the United States suggested that we provide $100,000,000 for relief to unemployment. This House before we adjourned for the holidays, provided $116,000,000 for relief to unemployment, of which sum $80,000,000 were to become additional funds for constructing public highways in every district in the United States. We also voted to authorize and to appropriate $45,000,000 to loan to farmers in drought and storm stricken areas of the United States in order to enable them to make another crop. That bill is now being held up on the Speaker's desk because of an amendment that the Senate has placed upon it to provide an additional $15,000,000 for food. It has been held up, as was stated by the gentleman from Alabama [Mr. BANKHEAD], now for several days without action. I have seen upon this floor the chairman of the Rules Committee ready with hip-pocket resolutions already authorized by the Rules Committee to meet just such emergencies as present themselves at this time. When some Member objects to an important bill going to conference because of some idea he has as to the provisions which it should contain, the chairman of the Rules Committee is prepared to provide immediately a way for the bill to go to conference in spite of such objection, and there is no reason now why the Rules Committee should not send that bill immediately to conference.

But I do not care to talk just now on that subject, Mr. Chairman. I have asked for this hour, and I hate to occupy that much time of the House, but I think it is important enough to let the country know just why there is no action taken on the proposal to grant immediate payment of the

solemn debt that this Government owes the ex-service men on their adjusted-compensation certificates, and to place that responsibility where it belongs. We know here in the House, of course, just why that measure is not brought before us and why it is not passed. But the people all over the United States may not understand it.

Mr. JOHNSON of Texas. Will the gentleman yield?

Mr. BLANTON. Yes; to my colleague from Texas.

Mr. JOHNSON of Texas. If such a measure should be brought before the House and the House given an opportunity to vote upon it, has the gentleman any doubt as to what the result will be?

Mr. BLANTON. No; none at all. There is no doubt in the world. It would be passed by a tremendous majority. I have not been able to find a single Democrat in this House who is against that proposal, not one. Not a single Democrat, and I believe if it were brought to a vote in this House you would not find more than a handful of Republicans across the aisle who would dare to vote against it.

Just why is it we can not get action? We understand it, but the country does not understand it. If you think it is just the ex-service men who are clamoring for this bill to be passed you are mistaken. Aside from Mr. Mellon and his influential friends concerned with international bond markets, it is the business interests of the United States which are demanding that this measure be speedily passed.

I want to discuss the present situation. I was one of those who from this House floor on April 6, 1917, voted for the resolution that put this country into war. These men did not go to France upon their own volition. They went because this Congress sent them. It was the Rules Committee, it was the Appropriations Committee, and it was the steering committees on both sides of the aisle that passed the proper legislation which caused these men to leave their homes, their loved ones, their wives, their fathers and mothers, sisters and brothers and friends, and go abroad to the trenches of France.

Mr. LINTHICUM. What is the matter with the Foreign Affairs Committee? That is the one which declared the war.

Mr. BLANTON. It is not obstructing the passage of this proposal. I was going to get only the ones that are holding this resolution back. I was trying to place the blame and responsibility where it belongs.

I happened to be in New York on one occasion at a time when our men were leaving on transports—leaving at night from Hoboken in the dark—when they themselves did not know upon what boat they were sailing; they did not know what course they were going to take across the waters; they did not know at what port they were going to land; they were even forbidden to apprise their own fathers and mothers and wives as to anything about the trip they were about to take. I was one of those who, on such an occasion, with reference to a bunch of boys from my district, told them as a solemn promise, "Boys, when you come back I am going to be one who is not going to forget the service you rendered to this country." I gave them my promise and you who were here then probably did, too. The whole country was behind them then. It meant much to Mr. Secretary Mellon for the boys in this country to go to France. If you will take an inventory of the wealth of Mr. Mellon as of April 6, 1917, and an inventory of his wealth to-day, you will find that his wealth to-day trebles his wealth as of April 6, 1917. The war has been worth that much to Mr. Secretary Mellon.

Everybody then was acclaiming the fact, "Boys, when you come back we will not forget you." Some of them came back. Some did not. There were 70,000 fatalities among our American soldiers as a result of the war. Fifty-six thousand of them were battle fatalities, the result of battle where they were killed in action. There were 375,000 came back maimed and disabled for life, many of whom have since died because of their disabilities. There were at least 300,000 of them or more who came back suffering from various diseases, which were incident to the war. Many of them have died from disease since the armistice.

When we passed the bill providing for adjusted compensation I was one of those here in the House who advocated that they should be paid in cash—not certificates, but in cash. These men who served abroad, who faced the dangers of the sea, who had in their minds every moment of the voyage across a realization of the fact that a submarine could rise and send them down to the bottom of the ocean by a torpedo at any time got $1.25 a day for serving in the trenches of France, knee deep in mud, cooty infested, serving sometimes 24 hours a day; and if they had murmured they would have been stood up against a stone wall at sunrise and shot by a firing squad as traitors to their country. They did not murmur, they performed their duty at $1.25 a day, and from that small stipend the Government deducted the premiums on their insurance policies.

At the same time their industrial brothers, who by the several hundred thousand were exempt from the draft to do necessary work for the Government, some of them skilled workers, drew as high as $35 a day while our soldiers in France were drawing $1.25 a day for service in the trenches.

When the adjusted-compensation proposal came up that we should pay the men in the service who did not go across an extra $1 a day and pay the men who went to the trenches of France an extra $1.25 a day, I thought it was just and right that they should be paid in cash and not in certificates. I insisted that they should be paid in cash. They came home, many of them, with their positions gone. They came home, many of them, schoolboys with their higher education interrupted, and many of them were not able to go back to school. They came home, many of them, broken in finances and they needed this little extra $1.25 a day in cash and not in certificates. But it was given to them in adjusted compensation certificates.

On May 28, 1929, my distinguished colleague from the first district of Texas [Mr. PATMAN] who himself is an ex-service man, who himself is a distinguished officer in the American Legion, who has their interests close to his heart, introduced a bill here, H. R. 3493, to pay at once to these men the value of these adjusted certificates in cash.

This bill was sent to the Ways and Means Committee. It has been there without action since May 28, 1930. Has there ever been a hearing on it?

Mr. PATMAN. I will say to the gentleman we have never been able to get a hearing before the committee.

Mr. BLANTON. There has never, from May 28, 1929, been even an attempt to have a hearing on this bill by that committee.

Mr. JOHNSON of Texas. Will the gentleman yield?

Mr. BLANTON. I yield.

Mr. JOHNSON of Texas. What excuse, if any, does the chairman of the Ways and Means Committee give for not granting a hearing upon this bill? There have been a number of similar bills introduced and there is a great deal of interest in the question.

Mr. PATMAN. Well, request has been made, not only by myself, but by other Members of the House, I understand, of the chairman of the committee for a hearing and the chairman of the committee always listens to us very attentively, but he does not make any reply in the affirmative, neither does he make a reply in the negative, but states he will take it up with the committee and let us know later on.

Mr. BLANTON. So there is where the responsibility rests.

The dominant party, and many of them are my strong personal friends, for whom I have the highest respect and regard, and if most of them had their way they would pass this legislation right now, but they can not get up here and speak their sentiments like I can. Whenever I feel like I ought to say something I say it, but they can not do this and still stand in with the steering committee of their Republican Party. They are circumscribed by certain regulations of their steering committee and of their dominant party that keeps them from getting up here and fighting a fight that will win, when they want something to pass.

You Republicans have 104 majority in this House. You Republicans could do now anything on earth you wanted with respect to legislation as a party matter if you wanted

to. If your steering committee wanted to, if the Speaker of the House, the distinguished gentleman from Ohio [Mr. LONGWORTH], who controls things just now in the way of legislation in the Government, if he wanted to; if the distinguished chairman of the Rules Committee [Mr. SNELL] wanted to; if the distinguished gentleman from Connecticut [Mr. TILSON], an honored and distinguished Member of this House, the majority leader, who was designated by the Speaker to sit as the Chairman of the Committee of the Whole House in the discussion of this Army bill, if he wanted to; he could get his steering committee together and he could pass this bill in 24 hours, paying off the honest, just debt that this Government owes the ex-service men of the country. Why do you Republicans not do it?

I have not found a Democrat who is against this measure. Our distinguished minority leader, who is a leader, who is a real leader, himself introduced a bill, on January 5, concerning which no man could reasonably raise any opposition whatever.

It is to pay those who want their certificate paid and to allow those who want to carry their certificates to maturity to carry them and cash them in full at maturity. Where is the man who will say that that is not a good bill? Where is the man on either side of the House who will say that that is not a righteous, just, and proper bill?

In order that the service men all over the United States may know the number of that bill I want to put it in the RECORD. It is H. R. 15589.

Mr. LINTHICUM. Will the gentleman yield?

Mr. BLANTON. Certainly.

Mr. LINTHICUM. How much money is it estimated that it will cost to pay these certificates?

Mr. BLANTON. The Garner statement gives the figures specifically, and you can rely upon them, for they were estimates based on figures from the Treasury Department. He estimated that it would cost about $1,000,000,000 in addition to the $700,000,000 now in the hands of the Veterans' Bureau.

Mr. LINTHICUM. That gives full information?

Mr. BLANTON. Yes; and I will put Mr. GARNER's press statement in my speech.

Mr. LANKFORD of Georgia. Will the gentleman yield?

Mr. BLANTON. I will.

Mr. LANKFORD of Georgia. Will the gentleman also put in a comparison of the amount of the cost of paying the soldiers with the amount given to foreign governments and big concerns here just after the war?

Mr. BLANTON. Yes; if I have time to secure same. Mr. Chairman, I am going to comment and quote from some communications I have received, and I ask unanimous consent to put in these papers from which I quote.

The CHAIRMAN (Mr. LETTS). Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BLANTON. I have received a letter from an ex-service man in California, and he sent me a clipping from a California newspaper, an editorial which I want to read. It is headed "Mellon Didn't Object to Paying Profiteers."

It will give the country an idea of what editors out on the Pacific coast think about this question. The editorial is as follows:

MELLON DIDN'T OBJECT TO PAYING PROFITEERS

It was to be expected, of course, that Billionaire Mellon, of the Aluminum Trust and the United States Treasury, would oppose the simple justice of paying America's war veterans the wages still owing them for "saving the world for democracy."

Mr. Mellon, whose income is somewhere around $100,000 a day, says that distributing this money among veterans for redistribution among merchants all over the country would "hurt business" and "unsettle the bond market."

It is unlucky that Mr. Mellon didn't think of these arguments when, after the war, the railroads got $1,600,000,000 in back pay and war contractors got more than $3,000,000,000.

It is unfortunate he didn't think of them when his Treasury was engaged in paying out other millions in tax refunds to—including others—the Aluminum Trust.

Whenever it has been proposed to do justice to the veterans Mr. Mellon has objected. When the original bonus proposal was made he asserted it would cause a Treasury deficit of $300,000,000. The Treasury turned up that year with a $600,000,000 surplus. Mr. Mellon was only about a billion dollars out in his figuring. He's just as far out in his calculations concerning what a cash payment to our war heroes would do. It wouldn't "hurt business"; it would stimulate business. It wouldn't "unsettle the bond market"; and if it did, what of it? Did anyone ask about the health of the bond market when the railroads and profiteers and corporations got theirs?

There is no argument about it. Congress should do simple justice to war veterans; it should pay them what the Nation owes them—in cash.

I was talking with our colleague, Judge BRAND of Georgia, this morning, and he told me that in a check-up in his State of Georgia he did not know of but two or three who were against this proposal; that there was only one man in his district against it.

Mr. RUTHERFORD. I would like to state to the gentleman for the information of the House that the adjutant of the American Legion in Georgia said that a poll had been made on this bill and that there were only three votes against it.

Mr. BLANTON. I was talking to the distinguished gentleman from the fifth district of North Carolina [Mr. HANCOCK], who succeeds our former beloved colleague Major Stedman, and Mr. HANCOCK said he had been over the district, talking with members of the American Legion posts, and that all of his posts were in favor of it. He said he had only been able to find one man against it, and this one man thought that the time had not yet come to pay them.

I was talking to our friends from Mississippi, Mr. COLLINS, who has charge of this bill on the minority side, and Mr. RANKIN, and they tell me that in Mississippi they have been able to find only one man against the proposal.

And yet, with practically everybody in accord except Mr. Mellon and the steering committee and the powers that be that control the Republican Pary, which has 104 majority in this House, we can not get the bill up.

Mr. JOHNSON of Texas. Will the gentleman yield?

Mr. BLANTON. I will.

Mr. JOHNSON of Texas. I have received letters and telegrams in support of the bill, a support which I have promised, and I would like for the gentleman to explain what is necessary to be done to give us the right to vote on the bill, so that a layman can understand it.

Mr. BLANTON. That is just what I secured this time for, and I will do so in a moment.

Mr. BLACK. I want to say that veterans out of work have asked me when the bill was going to pass.

Mr. BLANTON. That is the situation everywhere. Why, these Republican colleagues of ours would vote for it if the Republican steering committee would permit them to do it.

My friend Mr. PATMAN, of Texas, has done great service in regard to it.

He is no novice so far as the matter of procedure is concerned. He has had experience in legislative bodies. He has resorted to the only means on God's earth that he had any control of in order to get this bill before the House. On December 9, 1930, shortly after this session convened, he filed with the Clerk a motion under clause 4 of Rule XXVII of the House, to instruct the Ways and Means Committee to report his bill out favorably to the House. The title of the bill is "to provide for the immediate payment to veterans of the face value of their adjusted service certificates." That motion became No. 4 under clause 4 of Rule XXVII. There had been three such motions concerning other legislation already filed under that rule. Do you know what that rule requires? That motion can not be called up until after as many as 218 Members of the House have signed the petition. That is the first step to be taken. You have to find 218 Members of the House to sign the petition, and that is a majority of the entire House. My friend PATMAN did everything that he could. That is the only step that one individual could take. He made his motion; I signed it immediately. One hundred and four Members have signed it. It requires 218 Members. Even when so signed it is a futile proceeding. A lot of Members on the Republican side, I am sure, have not signed it because their steering committee has not approved it. The Speaker has not approved it. The gentleman from Connecticut [Mr. TILSON] has not approved, and the gentleman from New York [Mr. SNELL] has not approved it. The gentleman from Indiana [Mr. WOOD] has not approved it, so far as I know.

That motion is futile because it can be called up only on the third Monday in the month, in its regular order, after 218 Members have signed it. The third Monday in this month it could be called up after the 218 signatures have been obtained, or it could be called up on the third Monday of the next month, which will be the only third Monday left of this Congress. It could be called up, in its turn, only on any third Monday seven days after 218 Members had signed the petition. Then, when he calls it up seven days after the 218 Members have signed it, and he can call it up only on the third Monday in a month, he has to have 218 Members of the House vote, by tellers, to consider it, and to pass through the tellers in seconding the motion before he could have the House consider it.

Mr. LAGUARDIA. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. LAGUARDIA. With reference to this rule, the gentleman recalls—I do not remember which Congress it was—when we first introduced a discharge rule, after a few of us on this side held up the election of the Speaker?

Mr. BLANTON. Yes.

Mr. LAGUARDIA. And the gentleman saw what they did to the Barkley railroad bill under the rule?

Mr. BLANTON. Yes. He could not get anywhere with it. A few men could stop it.

Mr. LAGUARDIA. This House must have a discharge rule, and I think in all likelihood we will have a rule to discharge in the next Congress.

Mr. BLANTON. And the gentleman knows that this one is futile and you can not get action under it.

Mr. LAGUARDIA. It is not practical or operative.

Mr. BLANTON. I do not know a word that would properly describe it. It is absolutely impracticable, it is unworkable, it is a futility, because, as I say, you have to have 218 Members right here ready on the floor to pass through the tellers before you can even call it up, although it gets on the calendar after 218 Members sign the petition.

Mr. PATMAN. Does not the gentleman believe that when 218 Members of the House have signed the petition asking that a committee give a hearing on any proposal, that the Ways and Means Committee will respect the wishes of those Members?

Mr. BLANTON. I doubt it; and I shall call the gentleman's attention to something in a few minutes to show you why I doubt it. After 218 Members pass through the tellers giving the gentleman authority to call it up, then he can only consider it on every third Monday, and one or two in a filibuster could waste enough time to keep you from passing it in an ordinary session, and in its finality, when you come to vote on it, you have to have as many as 218 Members vote for it before it can be passed. If 217 Members were to vote for it and 212 against it, or only 1 against it, it would fail, because the rule provides that it must be passed by a majority of the whole membership of the House, which requires 218 votes for it. So you never could take it up and pass it at this session, and if the service men now over the United States are feeling any sense of security in the hope that 218 men will sign this petition, and that it will be taken up in that way and passed, their minds should be disabused of that idea at once, because it will never happen; and if they want this measure passed before March 4, I will tell the service men of the country the names of the men that they had better begin hammering. They are the Speaker of the House; Hon. JOHN TILSON, of Connecticut, the majority leader; Hon. BERTRAND SNELL, the chairman of the Committee on Rules; Hon. WILLIS C. HAWLEY, the chairman of the Committee on Ways and Means; and Hon. WILL WOOD, of Indiana, chairman of the Committee on Appropriations. If the ex-service men in the United States will just begin hammering on these distinguished Members, I think they will get results—and I forgot my friend from New York, Doctor CROWTHER. You do not hear much from him, but he is a big power after all with this steering committee of the Republican Party.

Mr. LANKFORD of Georgia. And he is right a good many times. I venture he is in favor of this bill.

Mr. BLANTON. He is a power behind the throne. They ought to write to Doctor CROWTHER, and if they will begin to put some burning fires under those Members I have named and let them know that if they let this legislation die before March 4 they will hear from these service men in the next campaign, probably there will be some action.

Mr. RANKIN. Will the gentleman yield?

Mr. BLANTON. I yield.

Mr. RANKIN. I suggest to the gentleman from Texas that, if the ex-service men throughout the country will get busy and put a fire under the rest of the membership, they will put a fire under the five gentlemen to whom the gentleman from Texas has just referred.

Mr. BLANTON. But the men I have just mentioned pay more attention to the voters back home than they do to the political representatives on the floor of this House.

Mr. RANKIN. I desire to say to the gentleman from Texas that that is true on election year, but just before organizing the House they pay a great deal of attention to the rank and file of the membership of this body.

Mr. BLANTON. Permit me to say there is not a man in this House or in the Senate or anywhere else who has made a more valient fight for the service man than the gentleman from Mississippi [Mr. RANKIN]; and it was his fight that caused the first bill since the creation of the Committee on Veterans' Legislation in this House to be brought to this floor, so that it could be considered by this House where even the dotting of an "i" or the crossing of a "t" could be made by the membership. It was his fight that brought that bill before this House to let this House give expression on it.

Mr. MURPHY. Will the gentleman yield?

Mr. BLANTON. I yield.

Mr. MURPHY. I am sure the gentleman wants to keep the record straight.

Mr. BLANTON. Surely.

Mr. MURPHY. I am sure that long before the gentleman from Mississippi ever came to Congress this House passed a compensation bill or whatever you choose to call it, in the interest of the World War veterans. The gentleman from Texas [Mr. BLANTON] was here himself. I remember the time the gentleman led me out of that door to try to get me off the floor of this House so that I might get out of the way and the usual trend of business could flow through the channels of this House. At that time the gentleman from Texas was not in the same frame of mind toward the World War veterans as he is to-day.

Mr. BLANTON. Oh, I have supported every measure, without any exception, that has been before this House in favor of the ex-service men.

Mr. MURPHY. But I am taking the gentleman back.

Mr. BLANTON. No. I am not going to let the gentleman place that kind of a remark in my speech, because the record does not support it. I have supported every bill in favor of the veteran from the very inception of the war.

Mr. MURPHY. The gentleman supported the bill, I remember that quite well, but I remember right at that door when the gentleman took me out as a friend, because some of the leaders on this side were unable to handle me at that particular time, and the gentleman led me out.

Mr. BLANTON. I did not know I had such power over the gentleman that I could lead him out.

Mr. MURPHY. Oh yes; under the guise of friendship. You and I were good friends, and you are my friend yet.

Mr. BLANTON. I am, but I do not want the gentleman to put something in my speech which the record does not uphold. I have stood for every bill for the ex-service man ever since the war.

Mr. MURPHY. Then put in your speech the fact that there was a service bill passed back in 1920, long before the gentleman from Mississippi [Mr. RANKIN] came here.

Mr. BLANTON. But the gentleman from Ohio misunderstood my statement. My statement was that until the gentleman from Mississippi [Mr. RANKIN] forced the last bill

in the last Congress onto the floor from the Committee on Veterans' Legislation every bill that the Veterans' Committee had theretofore brought in here and passed from the time it was first created was passed under a rule where only 20 minutes' debate on a side was permitted, and when it could not be amended in any way, and that is true.

Mr. BLACK. Will the gentleman yield?

Mr. BLANTON. I yield.

Mr. BLACK. I think the gentleman from Ohio must have a case of mistaken identity, because I have watched the gentleman from Texas and I do not recall he was ever on that—Republican—side of the House even for a minute. [Applause and laughter.]

Mr. BLANTON. Mr. Chairman, I am not going to be led away from my argument.

Mr. PATMAN. Will the gentleman yield?

Mr. BLANTON. I yield.

Mr. PATMAN. To my knowledge the gentleman has always supported veteran legislation and has always been a friend of the veteran, and, having a great deal of admiration for him as a parliamentarian, I would like to ask the gentleman if there is any other way or any other method or step that a Democratic Member of this House could take to get consideration of the measure than what has been taken?

Mr. BLANTON. Not at all, except the action which the gentleman from Texas [Mr. PATMAN] has taken in trying to ask for this rule, and the action that I am taking in using one hour of the time of this House to try to show the Legion men of the country where the responsibility lies for this legislation not being taken up and passed.

Mr. LANKFORD of Georgia. Will the gentleman yield?

Mr. BLANTON. I yield.

Mr. LANKFORD of Georgia. It is true that many of us voted for the original adjusted compensation bill who really wanted it to be paid in cash.

Mr. BLANTON. Yes.

Mr. LANKFORD of Georgia. We voted for this form of bonus because that is all we could get at that time.

Mr. BLANTON. That is all we could get. I voted for the certificates because that was all that I could get for them.

Mr. LANKFORD of Georgia. I know I was anxious to have it paid in cash, and so stated on the floor of the House. I have always favored the payment of a cash bonus to our boys who fought in the World War.

Mr. BLANTON. Yes. Now I want to read a few telegrams.

Mr. CROWTHER. Will the gentleman yield for a moment?

Mr. BLANTON. I always yield to my friend from New York.

Mr. CROWTHER. The gentleman quoted the distinguished minority leader, and I believe I have no better friend in the House than the gentleman from Texas [Mr. GARNER], and none that I esteem more highly; but the gentleman is calling particular attention to the Garner bill to make this payment optional. As I remember it, the gentleman from Texas [Mr. GARNER], who introduced this bill, was against the bonus proposition and voted against the adjusted compensation bill, did he not?

Mr. BLANTON. I do not know what the gentleman's idea is of the action of the gentleman from Texas who is the distinguished minority leader of this House and who will be the next Speaker in the next Congress. [Applause.]

Mr. CROWTHER. Perhaps.

Mr. BLANTON. But I want to say this, that whatever Mr. GARNER has done in the past he has the confidence right now of every American Legion man not only in his district but in his State and in his Nation, and he has the confidence not only of the Democrats and Republicans in his district but he has the confidence of the Democrats and Republicans in my district and the Democrats and Republicans all over Texas and I am backing him 100 per cent.

Mr. CROWTHER. That begs the question. I just asked whether it is not true——

Mr. BLANTON. I do not know.

Mr. CROWTHER. That he voted against the bonus bill?

Mr. BLANTON. I can not remember all those things.

Mr. CROWTHER. The gentleman ought to know it because he remembers everything else. Nobody can charge him with having a poor memory.

Mr. BLANTON. I can not yield further. Whatever his record is the people of his district and the people of his State are now back of him, and supporting him 100 per cent.

Mr. HASTINGS. Of course, the gentleman from New York is begging the question because he wants to get away from this question now.

Mr. BLANTON. Oh, yes. He is one of the Republican leaders that controls the steering committee of the Republicans in this body.

Mr. CROWTHER. No. I disclaim any such influence as that.

Mr. BLANTON. He speaks for them on the tariff; he speaks for them on this question and that question. When his party administration is assailed he is the one who dares to get up to answer for his party. Now, I do not want to yield further.

Mr. RANKIN. Will not the gentleman yield to me?

Mr. BLANTON. I yield to my friend the distinguished gentleman from Mississippi.

Mr. RANKIN. I desire to say in answer to the gentleman from New York that, regardless of how the minority leader has voted in the past, he has now patriotically responded to the appeals of the veterans of the World War throughout the country who are suffering as the result of this Hoover panic and who need this money.

Mr. BLANTON. And he always responds to the appeals of the people.

Mr. CROWTHER. But he did not vote for the adjusted compensation.

Mr. BLANTON. I am not going to allow that colloquy any further to go into the RECORD, Mr. Chairman. The doctor is an authority in Republican councils, and I want to have him let me ask him this question: If this proposal were brought here on the floor, whether he would not support it?

Mr. CROWTHER. If what were brought here?

Mr. BLANTON. This proposition of paying this just debt to the veterans.

Mr. CROWTHER. The gentleman stated that the propaganda was being distributed and that recommendations were being made. I received three or four letters from Legion posts in my own district to-day, and I want to say that if this matter comes on the floor for action I will vote for the payment of these certificates.

Mr. BLANTON. I knew it; and that is all. I want the distinguished leader of this House, the gentleman from Connecticut [Mr. TILSON], and I want the distinguished gentleman from New York [Mr. SNELL], the chairman of the Rules Committee, to take notice of what the distinguished power behind the throne has said on this floor.

Mr. CROWTHER. Oh, well, I hope the gentleman will let me say that that is my poor individual opinion, and the gentleman ought not to allude to other Members, because I have no influence with the leadership of this House. I am just an ordinary Member and I control only my own vote.

Mr. BLANTON. The distinguished gentleman is getting very modest.

I desire to read some telegrams just received from American Legion posts in my district.

Here is one from my home city, which is the county seat of Taylor County, Tex., which county has a population of 41,023:



ABILENE, TEX., *January 8, 1931.*

Hon. THOMAS L. BLANTON,
House Office Building, Washington, D. C.:

Parramore Post, No. 57, had its regular meeting; indorsed plan of having Government pay off the adjusted-service certificates in full at this time to relieve unemployment situation and distress among the veterans.

M. W. CARRICO, *Post Commander.*
R. C. WINTERS, *Post Adjutant.*

Here is one from the county seat of McCulloch County, Tex.:

BRADY, TEX., *January 8, 1931.*

THOMAS L. BLANTON,
Washington, D. C.:

Entire post and citizenship in favor of immediate payment of adjusted-compensation certificates.

M. J. BENEFIELD,
Commander Elijah F. Allen Post, American Legion.

Here is one from the post in the county seat of Comanche County, Tex., which county has a population of 18,430:

COMANCHE, TEX., *January 8, 1931.*

Hon. THOMAS L. BLANTON,
Member of Congress, Washington, D. C.:

Comanche American Legion Post voted unanimously favoring payment in full adjusted-compensation certificates.

J. B. ALLCORN, *Commander.*

Here is one from the county seat of Eastland County, Tex., which county has a population of 34,156 people:

EASTLAND, TEX., *January 8, 1931.*

Hon. THOMAS L. BLANTON,
Congressman, Washington, D. C.:

At mass meeting held by this post of all ex-service men in this community voted unanimously for immediate payment of adjusted-compensation certificates. Resolved in view of present unemployment condition that we vigorously urge all our law makers do all in their power to pass law for immediate payment of same.

R. P. CROUCH,
Post Commander Post No. 70, Eastland, Tex.

Here is one from the county seat of Brown County, Tex., which county has a population of 26,382 people:

BROWNWOOD, TEX., *January 8, 1931.*

Hon. THOMAS BLANTON,
Congressman Seventeenth District, Washington, D. C.:

This post American Legion favors unanimously payment of adjusted compensation now. Requests your support.

W. G. STRECKERT, *Adjutant.*

Here is one from a Legion post in Jones County, Tex., which county has a population of 24,233 people:

STAMFORD, TEX., *January 8, 1931.*

Hon. TOM BLANTON,
House of Representative, Washington, D. C.:

Vernon D. Hart Post, No. 100, is on record as strongly favoring payment of adjusted-compensation certificates now.

R. H. ASTIN, *Post Commander.*
M. B. HARRIS, *Adjutant.*

Here is one from my old west Texas home, in which I began the practice of law, and married, and from which I entered political life, it being the county seat of Shackelford County, Tex.:

ALBANY, TEX., *January 8, 1931.*

Hon. THOMAS L. BLANTON,
Congressman of Texas,
House Office Building, Washington, D. C.:

One hundred ex-service men without employment or funds here. Guy Taylor Post, No. 61, of Albany, Tex., is very much in favor of immediate payment of adjusted-compensation certificates.

PETROFSKY,
Post Commander American Legion.

This telegram will indicate to you the sentiment of the ex-service men at Burnet, Tex.:

BURNET, TEX., *January 8, 1931.*

THOMAS L. BLANTON,
Congressman, Washington, D. C.:

Practically all local veterans favor payment in full.

WALTON J. CHRISTIAN.

Here is a telegram just received from the post of Llano County, Tex.:

LLANO, TEX., *January 8, 1931.*

Congressman THOMAS BLANTON,
Washington, D. C.:

This post 100 per cent favors payment of compensation certificates.

COMMANDER, *American Legion.*

Here is a telegram just received from the commander of the post of Concho County, Tex.:

EDEN, TEX., *January 8, 1931.*

Congressman THOMAS L. BLANTON,
Washington, D. C.:

Former service men here favor immediate payment of adjusted-compensation certificates. Continue the fight for this cause.

EMSY H. SWAIM.

Here is a telegram just received from the post of Stephens County, Tex., which has a population of 16,560.

BRECKENRIDGE, TEX., *January 8, 1931.*

THOMAS L. BLANTON,
Congressman, Washington, D. C.:

Our post advocates payment now by the Government of adjusted-compensation certificates at their face value.

C. J. O'CONNOR,
Commander Bernice Coles Post 191.

Here is a telegram just received from the post of Runnels County, Tex., which has a population of 21,821:

BALLINGER, TEX., *January 8, 1931.*

Congressman THOMAS L. BLANTON,
Washington, D. C.:

We heartily favor payment now of adjusted-compensation certificates. Many ex-service men in this section are in distress. We are having calls for help daily.

JOE SIMMONS,
Adjutant Pat Williams Post, No. 8.

Here is one from the county seat of Lampasas County, Tex.:

LAMPASAS, TEX., *January 9, 1931.*

Congressman TOM L. BLANTON,
Washington, D. C.:

Lampasas Post voted unanimously in favor of face-value payment.

H. EASTERS, *Post Commander.*

Here is one from the American Legion post of Marble Falls, Tex.:

Hon. THOMAS L. BLANTON,
House of Representatives, Washington, D. C.:

The ex-service men of this town and surrounding territory respectfully urge that you do all in your power to relieve their financial situation by working in behalf of any bills put before the House in the way of paying the adjusted compensation.

GEORGE C. HARWOOD,
Commander Post.

Mr. Chairman, all of the above telegrams are from American Legion posts situated in my district alone. I will now read you one from the former State commander of the American Legion of Texas:

ABILENE, TEX., *January 8, 1931.*

Hon. THOMAS L. BLANTON,
House Building, Washington, D. C.:

The posts of the entire seventeenth district have indorsed plan of having adjusted-service certificates paid off in full at this time to relieve the unemployment situation and distress among veterans.

In my opinion, posts of the entire State are in favor of such move, basing this on the action of our delegation at the last national convention of the Legion, when Texas delegation joined with New York in an effort to have the national organization indorse such plan.

Situation in west Texas is critical with little relief in sight. I have personally arranged loans on these certificates for almost every ex-service man in this section. In my opinion the passage of bill by Congress paying these off in full would be a godsend to the ex-service men in this section. Would appreciate your showing this telegram to Congressman PATMAN.

R. C. WINTERS,
Past State Commander.

Here is another telegram just received from one of the posts in my district in Callahan County, Tex.:

BAIRD, TEX., *January 8, 1931.*

Congressman THOMAS L. BLANTON,
Washington, D. C.:

Members of Eugene Bell Post, No. 82, and ex-service men of Callahan voted unanimously at mass meeting for immediate payment in cash of adjusted-compensation certificate. Note resolutions your files.

B. O. BRAME, *Commander.*
A. L. JOHNSON, *Adjutant.*

Here is a telegram that I have received from the border Post 107 at Donna, Tex.:

Representative THOMAS L. BLANTON,
Washington, D. C.:

Wish to advise that Border Post 107, American Legion, and all ex-service men are strong in favor of cash payment at once of their adjusted compensation. They need it to make payment on homes, for food, clothes, etc. It will not be thrown away as has been suggested. We appreciate and ask your support for this legislation.

H. Todd, *Border Post 107, American Legion.*

In proof of the fact that prominent business men heartily indorse this proposal for the Government to pay its just debt to our ex-service men I want to read you a few letters I have received from them on the subject.

Here is one from the City National Bank of Sweetwater, Tex.:

SWEETWATER, TEX., *December 5, 1930.*

Hon. THOS. L. BLANTON, M. C.,
Washington, D. C.

DEAR SIR: Press reports indicate there will be, or already is, a bill before your honorable body with the view of making some kind of settlement with our soldiers.

Knowing conditions, as we all do, the writer indorses this proposition. It will have a tendency to put some money in circulation and be of great assistance in times of distress which now exist. Of course, I do not know how you feel about it, but you have the writer's views, and he has discussed it with many and has found no opposition. If consistent, will appreciate your lending every aid toward this end.

Thanking you and with kindest personal regards, I am,

Yours very truly,

E. C. BRAND, *Vice President.*

Here is a letter from the First National Bank of Hamlin, Tex.:

HAMLIN, TEX., *December 4, 1930.*

Hon. THOMAS L. BLANTON,
Washington, D. C.

MY DEAR MR. BLANTON: I notice from the recent paper reports that you possibly will have a chance to vote on the bill to pay what I term the soldiers' bonus policies that were issued by the Government in 1925. In my opinion I do not think that you could do anything that would be more beneficial to your district than to have this bill passed, as you are aware of the fact that a large majority of the people that hold these policies are farmer boys, and on account of the recent drought this would be very acceptable to them, and in the event you think this would be in line to do so, I certainly would like for you to use your influence in getting this bill passed.

Yours very truly,

O. H. BERRY, *Cashier.*

Here is one from the First National Bank of Baird, Tex.:

BAIRD, TEX., *December 3, 1930.*

Hon. THOMAS L. BLANTON,
Washington, D. C.

DEAR SIR: I am writing you in regard to the situation of the suggested payment in cash by the Government at this time to the ex-soldiers of their adjusted-compensation certificates. They had a meeting here, attended by perhaps a hundred members, and voted unanimously to ask that this be done.

It is my information that a survey shows that the most of this money would be used in the liquidation of debts, some of these debts being on homes.

They have asked me to write this letter in order to get the proposition before you in the correct light.

Yours very truly,

BOB NORRELL, *Cashier.*

Here is one written on the stationery of the Farmers & Merchants National Bank, of Hamlin, Tex.:

HAMLIN, TEX., *November 29, 1930.*

Hon. THOMAS L. BLANTON, M. C.,
Washington, D. C.

DEAR SIR: I notice there is some talk of paying the adjusted-compensation insurance certificates, or there is talk of proposed legislation to that effect. I believe it would relieve the lot of the holders of these certificates as well as stimulate business by placing the money in circulation.

Some one seems to have talked of a bill to pay 20 per cent of the value at this time. I wish to say that 95 per cent of the holders of those policies have borrowed the full-loan value of their policy, which is approximately 20 per cent of the face value. I know this to be true of this section of the country, and believe it to be pretty general. Therefore a bill should provide the payment in full, or 80 per cent at least, to be of much benefit to us here in this section.

Yours truly,

FRED CARPENTER,
Service Officer, Kiefer Patterson Post, American Legion.

Here is one from the Chamber of Commerce of Brady, Tex.:

BRADY, TEX., *December 13, 1930.*

Hon. THOMAS BLANTON,
House of Representatives, Washington, D. C.

DEAR MR. BLANTON: We would like to urge passage of the Wright-Patman bill, H. R. 3493, relating to the immediate liquidation of the World War veterans' adjusted-compensation certificates.

We believe that the distribution of this money among the ex-service men at this time would be of considerable economic aid, not only to the immediate families of these men but also the community in which it is spent.

We would appreciate anything you may be able to do in bringing about the immediate passage of this bill.

Very truly yours,

BERT HUGHES,
Vice Chairman, Legislative Committee,
Brady Chamber of Commerce.

Here is one from the ex-service men of Winters, Tex.:

WINTERS, TEX., *November 26, 1930.*

Hon. THOMAS L. BLANTON,
Washington, D. C.:

We, the undersigned holders of adjusted-service certificates, respectfully request that you do all in your power to get the bill sponsored by Representative PATMAN before the Seventy-first Congress and to urge its passage, as we believe that paying of the certificates in cash at this time would do more to relieve the national depression than anything that could be done.

Prentiss Garrett, H. A. Baker, Delma Mills, Edd Gee, W. S. Byars, R. L. Davis, W. L. Seay, W. E. Laudermilk, Lanham Brown, H. H. Chandler, Jess Smith, H. W. Lyle, Ira Brannon, jr., J. B. Miller, jr., E. J. Adami, Charles Conlee, Walter O. Wheeless, H. G. Hammerhill, J. W. Pyburn, E. N. Reid, Carl D. Davis, Joe L. Mapes, L. B. Townsend, Walter Lee Butt, M. S. Patrick, L. L. Boone, W. F. Goettel, T. A. Morgan, R. K. Russell, W. W. McKissock, jr.

Here is one from the ex-service men in Callahan County, Tex.:

BAIRD, TEX., *December 1, 1930.*

A special call meeting of the ex-service men of Callahan County, held December 1 at the courthouse in Baird, Tex., for the purpose of discussing a proposed measure to be presented in Congress during the present session, for the immediate payment in cash of the adjusted-service compensation certificates, the following resolution was passed:

Whereas after thorough explanation and discussion, it is the desire of the ex-service men here assembled that a bill be immediately introduced in Congress providing for the payment in full, in cash, at the earliest possible date, of all adjusted-service compensation certificates: Whereas be it further

Resolved, That a copy of this resolution, with the signatures of each ex-service man, be forwarded to all Members of the Texas delegation in Congress.

E. T. Hughes, John W. Gregg, John W. Burk, Haynie Gilliland, Joe E. Jones, John W. Lovern, Robert Walker, C. E. Poe, J. R. Stroupe, B. F. McCaw, Charles R. Neal, E. C. Fortune, O. C. Yarbrough, Ed L. Caperton, H. M. Warren, H. H. Shaw, T. O. Dulancy, H. M. Dudley, Vernon King, Perry Gilliland, C. Q. Armstrong, Hiram B. McIntosh, Robert Estes, D. J. Anderson, R. T. Walls, T. C. Tabor, Frank A. Bouchott, John S. Trotter, Ed D. Barker, Bill F. Cornelius, Preston B. Butler, Fred Cooke, S. B. Miller, James C. Asbury, William J. Eavans, A. L. Johnson, Fred Heyser, T. A. White, B. O. Brame, Tom B. Hadley, A. M. Cooper, Ode Strahan, County Judge W. C. White, B. F. Russell, Less Walker.

Mr. Chairman, there is just one man in my district who advised me that he is not in favor of paying these adjusted-compensation certificates now and this is Mr. L. C. Ward, of San Saba, Tex.

Let me now read some telegrams to my colleague:

LOMETA, TEX., *January 6, 1931.*

Representative PATMAN,
House of Representatives, Washington, D. C.:

At a regular meeting Lometa American Legion Post 116 it was unanimously decided to wire regarding your bill before Congress. We favor full payment, optional with holder, and pledge our support in the matter. Advise THOMAS L. BLANTON.

E. E. CASS, *Commander.*

VICTORIA, TEX., *January 6, 1931.*

Congressman WRIGHT PATMAN,
Washington, D. C.:

In regular meeting assembled, post passed resolution strongly indorsing payment of adjusted-compensation certificates at once. Believe this important step for relief from depression. We ask your whole-hearted support for this measure.

LEON ZEAR POST, No. 106, AMERICAN LEGION.

McCAMEY, TEX., *January 7, 1931.*

Representative PATMAN,
House of Representatives, Washington, D. C.:

Price Pool Post, typical west Texas Legion organization, at its meeting last night again went on record 100 per cent in favor your payment-in-full plan.

GEORGE MCMASTERS, *Post Commander.*

SEATTLE, WASH., *January 5, 1931.*

Hon. WRIGHT PATMAN,
Washington, D. C.:

Seventy thousand veterans of Washington, backed by National Veteran's Association of Enlisted Men, demand immediate action on motion H. R. 3493 in House of Representatives. Welfare of Nation and future support of party depends on this action. Wire the decision of House immediately.

V. HICKMAN,
National Executive Secretary.

JOHNSON CITY, TENN., *January 6, 1931.*

Hon. WRIGHT PATMAN,
House of Representatives, Washington, D. C.:

Johnson City Chapter, No. 2, Disabled American Veterans of the World War, at its regular meeting Monday, January 5, went on record as indorsing the Wright-Patman bill which provides for the immediate cash payment of the bonus certificate. We are the largest chapter of the Disabled American Veterans of the World War in Tennessee.

JOHN J. CRUM, *Commander.*
HENRY V. BATTEN, *Adjutant.*

WINTERPARK, FLA., *January 6, 1931.*

Mr. PATMAN,
Texas Representative, Washington, D. C.:

I have consulted many veterans over State of Florida. They are unanimously in favor of cash payment of bonus certificates now. Ex-service men are in financial distress. Need relief at once. Wish you Godspeed and best wishes for success.

G. B. CHUBB.

HELENA, MONT., *January 6, 1931.*

Hon. PATMAN,
House of Representatives, Washington, D. C.:

As ex-service men serving overseas in Ninety-first and First Divisions, respectively, want you to know we are heartily in accord with your compensation certificate plan. We need the money now, not in 1945. We have never applied for compensation, and ask you to do your utmost.

THOMAS C. COOPER.
CHARLES E. BUCKIUS.

BRUNSWICK, GA., *January 6, 1931.*

Representative WRIGHT PATMAN,
Washington, D. C.:

Brunswick Post, No. 9, joins me in congratulating you for your splendid fight for full payment of bonus.

C. H. MORGAN, *Adjutant.*

NEGAUNEE, MICH., *January 7, 1931.*

Hon. WRIGHT PATMAN,
House of Representatives, Washington, D. C.:

The John H. Mitchell Post, No. 66, American Legion, goes on record in favor of paying the adjusted-compensation bonus now to relieve the distress of ex-service men.

O. J. LACOMBE, Jr.,
Commander John H. Mitchell Post.

LOS ANGELES, CALIF., *January 5, 1931.*

Representative PATMAN,
Washington, D. C.:

We are in favor of cash for ex-service men.

HARRY LESLIE,
CHARLEY POPHAM,
Two Ex-Soldiers, Los Angeles, Calif.

CHICAGO, ILL., *January 5, 1931.*

Representative WRIGHT PATMAN, of Texas,
Washington, D. C.:

Congratulations for your splendid work in behalf of the ex-soldier. May your efforts be fruitful, and rest assured the prayers of thousands are with you for help in this hour of need. You are in a great fight and deserve to win.

HARRY I. BRAUNS.

CHICAGO, ILL., *January 5, 1931.*

Representative WRIGHT PATMAN, of Texas,
Washington, D. C.:

May your colleagues see the vision as you have and rally to your support in aiding the ex-soldier. The cash bonus will stabilize the manhood of America and restore the faith and confidence in our great Nation. Best wishes for success.

GEORGE W. SWANSON.

Mr. GLOVER. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. GLOVER. The gentleman said a moment ago that the Secretary of the Treasury, Mr. Mellon, is the principal opposition to this bill. Is it not true that this Congress, since it has been in session, has made a settlement with France by which more was given to them out of the debt they actually owed, or perhaps twice as much, as would be required to pay these certificates to the soldiers?

Mr. BLANTON. A most liberal settlement was granted France. I remember the eloquent speech of the gentleman from Pennsylvania [Mr. BECK] delivered here the other day. He spoke of the French High Commission headed by Mr. Viviani. Many of you were here at that time when that French High Commission was on the floor of this House and when Mr. Viviani spoke from this rostrum, and all of you remember that not only Mr. Viviani and others of that French High Commission shed tears here when they promised this country that if we would send the means and the men, they would never forget it and the debt would be repaid, yet after we reduced that debt as tremendously as the gentleman has indicated, it was a long time before the French Republic would ratify the settlement.

If we can make settlements with foreign nations in this way with respect to the billions we lent them during the war, we can certainly settle this debt to our own men who gave their time and their blood in the trenches of France for our flag.

Mr. COCHRAN of Missouri. Will the gentleman yield?

Mr. BLANTON. I yield to the gentleman from Missouri.

Mr. COCHRAN of Missouri. Will the gentleman tell the House exactly what will happen in the event a sufficient number of signatures is attached to the petition presented by the gentleman from Texas [Mr. PATMAN]?

Mr. BLANTON. The gentleman perhaps was not present when I showed that you could hardly get it up before we would adjourn March 4, even if the Members came in and signed the petition right now, because it can only be called up seven days after it has been on the calendar, and the petition must have 218 Members sign it to get it on the calendar, and then it can be called up only on the third Monday of a month in its turn and there are three such motions numbered ahead of it with respect to other legislation. It is No. 4 on the list. You can only call it up after a majority of this House—218 Members—pass through the tellers to sanction it being called up, and then you could only pass it when 218 Members had voted for it, and any determined minority against it could prevent its passage before adjournment.

Mr. PATMAN. I think the gentleman is in error in stating that there are three other motions ahead of it.

Mr. BLANTON. It is No. 4.

Mr. PATMAN. But the other three have failed.

Mr. BLANTON. But if signed by the requisite number they could be brought up.

Mr. PATMAN. I do not think so.

Mr. COCHRAN of Missouri. What I want to bring out is this: The committee would not be required to bring in the Patman bill as written. They could bring in an amended bill.

Mr. BLANTON. Certainly; but they have 15 days to do that, and it would have to be taken up in the manner which I have indicated and you could hardly get it up before we would adjourn March 4. Even if the entire membership were willing, it would hardly be possible. So, in order to get this measure considered, it is absolutely necessary for the Rules Committee to bring in a rule, and then they could pass it in 15 minutes without any debate, I am sure.

Let me call your attention to some other communications:

AMERICAN LEGION, DULIN-DANIELS POST, No. 70,
Eastland, Tex., December 23, 1930.

Hon. THOMAS L. BLANTON,
Washington, D. C.

DEAR MR. BLANTON: I am inclosing herewith three copies of resolution adopted by this post in a mass meeting together with representative ex-service men from all parts of Eastland County.

You will note in this resolution it provides that Congressmen PATMAN and GARNER also be furnished with copies. In view of the fact that you are our Representative I am inclosing three copies to you so that you may hand them to the other two gentlemen interested in this bill as I feel this is the proper manner of handling it. I am furnishing copies direct to the other agencies mentioned in the resolution.

Considerable discussion of your activities were had at the meeting that passed this resolution, and I am sorry that I can not convey in words just how much everyone present appreciates your efforts. If this resolution will be of any benefit or aid in getting this bill through, it is our wish that you use it in any manner you desire.

Thanking you, yours for service,

HERBERT REED,
Adjutant Dulin-Daniels Post, No. 70.

ELIJAH F. ALLIN POST 327,
Brady, Tex., December 13, 1930.

Hon. THOMAS BLANTON,
House of Representatives,
Washington, D. C.

DEAR MR. BLANTON: Believing that the money paid each ex-service man of the World War under the provisions of the Wright-Patman bill, H. R. 3493, would provide relief for thousands of families in this time of depression, we earnestly request that you support this bill.

We would appreciate it very much if you would lend your influence and efforts in bringing about the immediate passage of this legislation.

Very truly yours,

M. J. BENNEFIELD,
Post Commander, Elijah F. Allin Post, American Legion.

AMERICAN LEGION, ISHAM A. SMITH POST, No. 196,
Brownwood, Tex., December 19, 1930.

Hon. THOMAS L. BLANTON,
Congressman Seventeenth District, Washington, D. C.

DEAR MR. BLANTON: This is to acknowledge receipt of the copy of the CONGRESSIONAL RECORD, and wish to inform you that the part covering the payment of the adjusted compensation to ex-service men at this time was read in the regular meeting of the post held yesterday evening.

The members of the post wish to express to you their thanks for your untiring efforts and interest taken in the welfare and assistance of the ex-service men.

We feel that in you we have one friend in Congress that has and will fight for the rights of the ex-service men.

We realize that the present plan of compensation is a failure, due to the fact that a greater number of ex-service men are borrowing money on their certificates each year when the loan value increased, and that by 1945 the loans and interest will amount to the full value of the certificate.

If the proposed bill would be passed at this time, it would enable all ex-service men to pay their obligations, especially on farms and homes purchased by them, which they will lose due to the fact that they are unable to pay for them on account of the crop failure and unable to secure employment. This would not only help the ex-service men but put the money in circulation and relieve the present conditions much.

Yours very truly,

ISHAM A. SMITH POST, No. 196,
By W. G. STRECKERT, *Adjutant.*

UNITED STATES HOSPITAL No. 55,
Fort Bayard, N. Mex., December 29, 1930.

Hon. THOMAS L. BLANTON,
House Office Building, Washington, D. C.

MY DEAR CONGRESSMAN: There is petition on the desk of the Clerk of the House of Representatives forcing the Ways and Means Committee to take action on H. R. 3493, by Hon. WRIGHT PATMAN, of Texas, bringing about the immediate payment of the adjusted-service certificate. The average ex-service man needs this money now, more so than ever before. It would alleviate so much suffering and would do more toward restoring this country to a state of prosperity than any other one law that Congress could enact.

We need and want this money paid now, and I urge you to go at once and sign this petition in order that this bill may be brought to the floor of the House, and I further urge you to support this measure until it is made a law at this session of Congress.

Assuring you that your support of the above-mentioned matter will be highly appreciated by the writer, as well as by millions of other ex-service men who need the money now, I am, believe me,

Yours very truly,

EDGAR F. CRAIGHEAD.

TYLER, TEX., *December 10, 1930.*

Hon. THOMAS BLANTON,
House of Representatives, Washington, D. C.

DEAR SIR: May we count on your assistance in the matter contained in our letter to Representative WRIGHT PATMAN, a copy of which letter is attached?

We have always found you willing to champion our cause in Congress and feel quite sure this case will be no exception.

Respectfully,

FAVRE BALDWIN POST, No. 12,
DEPARTMENT OF TEXAS,
THE AMERICAN LEGION,
E. R. BEARD, *Post Commander.*

I read two telegrams from the posts in the city of Chicago, where racketeers flourish. But these communications do not come from racketeers. They come from men who safeguard the Government from racketeers. It comes from the patriots of this country. It comes from men who stand behind the flag when menaced by racketeers and communists and the enemies of our Government.

Here in the photogravure section of the Star last Sunday was a picture of the distinguished Secretary of the Treasury, Mr. Mellon, and his son.

I am the father of four boys. All have attended Princeton University. I was once attending the ceremonies there at the graduation of a class, one of whom was my son. I saw an honorary degree conferred upon Mr. Secretary Mellon. I rejoice with this father that he has such a fine young son. This picture shows this splendid young man just before being sent to Europe to finish his education. Mr. Mellon is able to send his son to Europe, and I am proud of him because of that fact. Every endeavor of my life has been to properly educate my four boys and my daughter. The sympathy of my heart goes out to Mr. Mellon in his attempt to give his boy a proper education. He is sending this boy abroad to be educated in high finance, possibly with some of these accumulations that come from the war. As I said, check up now the wealth of Mr. Mellon, and you will find that his wealth is three times what it was in 1917. He has profited by the war. He is able to send his splendid boy across to Europe to be educated in the graduate schools on high finance, but with all of his millions he ought not to stand in the way of the rank and file of the men who went across to France and fought the battles of that flag. He ought to come across with us and say that we do not care what it costs the Government, that it is an honest debt that this Government owes, and that we are going to pay, no matter whose shoe pinches. He talks about it interfering with the bond market. Let it interfere with the bond market, what is left of it.

There is not much left of the stock market. If this Government would begin by paying its debt to the men who fought her battles in France and who made it safe for these multimillionaires and their property, the stock market possibly would have more confidence in them and its administration, and you might see a reaction on the stock market in New York.

Mr. SEGER. Has the gentleman any computation of what it would cost to pay these men?

Mr. BLANTON. I shall not take up time now to explain, but if the gentleman will read the enlightening press statement made by my friend and colleague from Texas [Mr. GARNER], the minority leader, in connection with his bill, he will see that it would cost a billion dollars in addition to the $700,000,000 now in the hands of the Veterans' Bureau, and it would not interrupt the financial plans of the Government at all to pay these men.

Mr. SEGER. I do not assume that it will.

Mr. BLANTON. The gentleman will vote with us?

Mr. SEGER. On a reasonable bill; yes.

Mr. BLANTON. That is the way it is with all of you Republicans, if you are in a position to speak up, and I hope you will get up here and twist and smoke this steering committee out of its hole, just as we boys used to smoke and twist a cottontail rabbit out of a hollow, and make them come in and pass this bill before we adjourn on March 4.

Mr. Chairman, I do not like to consume this hour, but I thought it was important that the ex-service men in the country should know exactly the situation on their proposed bill.

It is said that the national convention did not vote to ask Congress to pass this and I can readily understand why they did not. They did not want to ask that as a national or-

ganization. It was asking that they be paid $1.25 a day for risking their lives fighting for their country in the trenches of France.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLANTON. I wonder if I could have five more minutes.

Mr. WRIGHT. Mr. Chairman, I yield the gentleman five minutes more.

The CHAIRMAN. Without objection, the gentleman from Texas may proceed for five minutes.

Mr. BLANTON. O Mr. Chairman, the time has been yielded to me by the gentleman from Georgia.

The CHAIRMAN. But the gentleman has consumed an hour, and in addition to the yielding it requires unanimous consent under the rule. Without objection, the gentleman may proceed for five additional minutes.

There was no objection.

Mr. BLANTON. I thank my colleagues, even if I have been getting after some of the leaders on the Republican side. I know that most of these gentlemen on the Republican side are just as much for this bill as I am, if their administration would allow them to press it, and I thank them for permitting me to conclude. I have already obtained permission to insert these documents, but I want to refer to them now. I have in my hand a letter from Frank Egan, commander of Civil Service Post, No. 678, Chicago, and I shall insert that at this point.

CIVIL SERVICE POST No. 678,
Chicago, December 26, 1930.

DEAR FRIEND: Civil Service Post, No. 678, American Legion, having completed its referendum on the proposition, "Bonds for soldiers now or 1945," herewith transmit to you the final tabulation of the vote:

Are you in favor of the immediate payment of the adjusted-compensation certificates? Yes, 37,294; no, 2,021.

Have you made or applied for a loan on your adjusted-compensation certificate? Yes, 23,389; no, 8,488.

The costs in connection with this referendum have been greater than contemplated and inasmuch as post finances will not permit carrying this referendum further, it will be necessary to discontinue further tabulation and distribution of ballots.

A rumor that the American Legion was opposed to the immediate payment of these certificates was given widespread publicity. This was not in any manner consistent with the trend of opinion among ex-service men as we found it; hence, the conception of this referendum.

The minutes of the Twelfth Annual National Convention of the American Legion, held in Boston, Mass., October 6–9, 1930, discloses that the convention did not go on record as being opposed to the immediate payment of the certificates. A resolution asking conventional approval of the acceptance of the certificates to the extent of 80 per cent of their face value was decisively beaten.

The United States Veterans' Bureau wrote this post, under date of December 20, 1930: "It may be stated that out of approximately 3,500,000 certificates issued there are at present held as security for loans by this bureau and by banks throughout the United States approximately 1,600,000. Between 2 and 3 per cent of borrowers have redeemed their adjusted-service certificates."

The results of the referendum conducted by this post shows conclusively, we believe, that the consensus of opinion of the major number of ex-service men is that they favor the immediate payment of these adjusted-compensation certificates at their full face value.

Respectfully submitted.

FRANK EGAN, *Commander.*

MICHAEL J. FOLEY, *Adjutant.*

Also an article from the Fort Wayne Legionnaire, printed at Fort Wayne, Ind., January 1, 1931:

THE ADJUSTED COMPENSATION

Did the American Government refund and pay the railroads, the war profiteers, and hi-jackers after the war was over the billions of dollars paid to them on a 20-year endowment basis? No; they received cash; and the boys who ask for nothing and gave all while we were at war and who were lucky enough to return with whole hides will receive a stipulated amount 20 years from now, if you live that long.

The only sacrifices of the railroads, war profiteers, and hi-jackers was to be overloaded with the American dollar. Wasn't it cruel that they should suffer like this, and after they were showered with gold and the war was over those poor boys—wasn't their life tough? They received a few billions of the American eagle as bonuses (paid in cash and not on the payment plan), and our old friend Andy, watch dog of the Treasury, sings the blues, "We can not pay the ex-service man the amount of his adjusted-compensation service certificate, as we have no funds."

Just how much did Andy sacrifice during the World War and what was his profit? The average ex-service man to-day is 37 years of age, over 75 per cent of them are married, and a good per cent have families and are buying homes. Many at this time are out of work and are trying to make an honest living for their loved ones. Do you mean to say that these men will squander their money if the Government pays off the certificates in cash? You know they won't.

The question of paying the adjusted-service certificates is one that can not be answered by any special group of legionnaires. The only honest opinion can only come from the multitudes, and every individual legionnaire should have the opportunity to vote on this question.

In the city of Toledo, Ohio, the Councillor, a Legion publication, held a straw vote among Toledo legionnaires, and out of approximately 1,100 votes taken only 7 voted against the payment of same. Every post should take a straw vote on this question and inform your United States Senators and Representatives the results.

P. T. HAAS.

I call attention to the following excerpt from a Memphis paper dated the 28th of December, 1930:

EVICT FAMILY OF JOBLESS WAR VET—SICK WIFE AND THREE SMALL DAUGHTERS HOMELESS

When M. M. Shipley, 37-year-old war veteran, comes back "home" Tuesday after tramping the city looking for a job he'll find his wife and three small daughters in the street.

Deputies from the court of Squire George B. Coleman served a writ of eviction upon the family Tuesday morning. The Shipleys were two months behind in their rent.

The woman, aged 47, has been under the care of doctors at General Hospital for three months.

The three girls, aged 12, 8, and 7, have had tonsil operations at General recently. They are pupils at Pope School.

The family moved here five months ago from Osceola, Ark. They have lived in the house at 263 Chelsea for three months.

But Tuesday they were living just "on Chelsea."

Also one from the New York Herald-Tribune:

JOBLESS VETERAN AND FAMILY OF FOUR FACE EVICTION—PENNILESS PARENTS OF THREE FIND NO SOLUTION TO PROBLEM OF THEIR FUTURE—SAVINGS GO FOR DOCTOR—POLICE FOOD DOLE GONE, NOT A NICKEL IN HOUSE

Mr. and Mrs. Oscar Granquist held a family conference last night in their third-floor apartment at 313 West One hundred and seventeenth Street. They were trying to decide what a family does when the wife is about to become a mother and at the same time they are about to be dispossessed from their home for nonpayment of rent. They talked a long time, but when the conference ended they had arrived at no conclusion.

Granquist, who served more than nine years in the American Army, has been out of work for five months. His brother-in-law, Edward McGlynn, who resides with them, paid the rent for the apartment until two months ago, when he too lost his job. Then two things happened: A summons to appear in court to-day on dispossess action for $60 unpaid rent was served, and the doctor came yesterday and informed Mrs. Granquist that the baby would arrive any day. There already are three children in the family—Thomas, 8; Rose, 7; and Joseph, 3 years old.

"We can't decide what to do," Granquist said. "You see we had $300 saved up, and then I lost my job. We had to use some of what we had saved to help my brother-in-law pay the rent. Then my wife had to have a doctor, and we used the rest of it. It's tough, because we were saving that money to use when the baby came.

"There is nothing, not even a nickel, in the house. The only food we've had lately is some that we got from the police station. I was surprised that they gave us so much. That we got last Wednesday was a great big bundle that must have weighed 70 pounds, but it's almost gone now.

"You know this thing of people being out of work started some time ago. I used to get pretty steady work, because I'm an all-round handy man. Then work kept getting scarcer. Finally I had to take an elevator job for $80 a month, and then I lost that five months ago."

Granquist was born in New York City. The family has lived in the apartment they now occupy for seven months.

Mr. HASTINGS. Mr. Chairman, if the gentleman will permit, I suggest that he obtain an hour some morning and call the entire roll of the membership on the Republican side, as he has with reference to a few of them this afternoon, and I think in that way he would get enough admissions to pass this legislation.

Mr. BLANTON. That would not be parliamentary, because I would have the right to ask only those who interrupt me. I wish some more would interrupt me so that I could ask them how they stand.

Mr. HASTINGS. The gentleman might invite them to interrupt him.

Mr. BLANTON. Yes; if they interrupt me I am going to ask them. Here is a letter from J. D. Murray, of Blanket, Tex.:

BLANKET, TEX., *December 15, 1930.*

Mr. THOMAS L. BLANTON, *Congressman.*

DEAR MR. BLANTON: I am a disabled soldier and have a bonus certificate worth $1,263. I have been asked to write you and ask you to please pass a bill to pay this to the old boys as we need it bad. Please tell Hon. Mr. SHEPPARD, our Senator, to help you pass this bill at once.

Thanking you and trusting that you may be able to pass same,

Your friend and supporter,

J. D. MURRAY.

Here is another from Scott V. Burns, of Dallas:

DALLAS, TEX., *December 25, 1930.*

MY DEAR MR. BLANTON: I notice through the papers that you are waging a gallant fight to pay off the ex-soldiers which they are honestly due. And, as you say, it would do more to relieve depression and the so-called hard times than any other one thing that could be done, and I for one wish you the greatest success in your fight, and I am sure there are thousands of other ex-service men who feels the same as I do. As I sit here this Christmas Day, my mind wanders back to the days in France when we young, able-bodied boys were fighting in the mud and rain, hungry and cold, that justice and liberty might still prevail; and now most of us are getting up in years and, my dear sir, why wait until we are old, old men to pay the debt which we earned many years ago. As I see it, now is the time, while we still have some ambition left to do things.

I am by profession a farmer but from necessity a wage earner at a very small wage, not enough to buy the comforts of life, and should we receive our just reward in the near future I can assure the world at large that I would own and be operating a farm again by the next crop year, and there are thousands of others who would do likewise, and brother, if that didn't relieve the unemployment situation and put more money in circulation than Congress will ever appropriate at any one time I will pay for the smokes, and best of all our Government will receive a good part of it back in taxes which they won't otherwise get.

Now, my dear Mr. Blanton, I have written this to express my appreciation for the fight you are making for the ex-service men and I truly hope you much success, and that you will win out by a large majority.

So, here's hoping you had a very merry Christmas and will have a prosperous New Year.

My motto is, pay the ex-service men and watch the dear old U. S. A. prosper.

Sincerely yours,

SCOTT V. BURNS,
1123 Morrell Street, Dallas, Tex.

Let me read a few more of these communications:

RULE, TEX., *December 4, 1930.*

Hon. THOMAS L. BLANTON,
Congressman, Washington, D. C.

SIR: Re United States World War veterans' policies.

We are to-day writing our Senators and our Representative, Hon. Marvin Jones, urging them to support a bill in the present Congress toward paying off the above-mentioned policies in full. These letters were written under the instruction of the post at a regular meeting on December 1, 1930. May we urge your support.

Yours very truly,

C. C. NAGER POST, AMERICAN LEGION,
A. W. MOORE, *Post Commander.*
J. T. MAY, *Post Adjutant.*

LUEDERS, TEX., *December 1, 1930.*

Hon. THOMAS L. BLANTON,
House of Representatives, Washington, D. C.

DEAR SIR: In a few days, no doubt, the bill for the payment of the adjusted-compensation certificates will probably be presented to the House for consideration. Although I know you will support it as you have always done any bill helping the ex-service man, I respectfully urge that you help us get the very maximum amount, as that will be a real help at the present time of so-called business depression.

At a recent meeting of our post of the American Legion we made a rough estimate as to the amount of money that would be paid to men in our trade territory, basing our figures on a payment of 80 per cent, and at the lowest figure this would amount to approximately $65,000, and as you know the condition of this section of the country, you owning land here, you will readily see what that would do for the people here, as the majority of the farmers in this section are ex-service men.

Sincerely hoping you will give us your whole ability and support, and assuring you of my deepest gratitude and respect, I am

Yours very respectfully,

ALBERT HANSEN.

UNITED STATES VETERANS' HOSPITAL,
Fort Bayard, N. Mex., December 31, 1930.

Hon. THOMAS L. BLANTON,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: Permit me to urge you to sign the petition to bring H. R. 3493 out of committee to the floor of the House for action. This bill provides for the immediate payment of the adjusted-service certificates in full.

About 75 per cent of the ex-service men have secured loans on their adjusted-service certificates, which shows that the average ex-soldier is in need of this money. The Government has admitted that the soldiers were not paid in proportion to others not in the service. I feel that we are entitled to this money now, and not in 1945, and I am confident that the majority of us need it at the present time.

Assuring you that your support will be appreciated by the writer and thousands of other ex-service men, I am,

Very truly yours,

GUY FREELAND.

BAIRD, TEX., *November 25, 1930.*

Hon. THOMAS L. BLANTON,
Washington, D. C.

MY DEAR MR. BLANTON: The ex-service men of Callahan County are very anxious that you sponsor a bill in the next Congress to give the United States Government the right to pay the adjusted-compensation certificates now, instead of waiting until 1945. We feel that it would be worth more to us, and to the country as a whole, to be paid at this time, as the majority of them could use it in paying debts or invest it in some way that it would be of more value by 1945.

We would appreciate a reply from you expressing your views on this suggested piece of legislation.

Yours truly,

A. L. JOHNSON,
Adjutant Eugene Bell Post No. 82, Baird, Tex.

INDIAN CREEK, TEX., *December 20, 1930.*

Representative THOMAS L. BLANTON,
Washington, D. C.

DEAR SIR: Am writing to you for some help and information and power to put before the House of Representatives the soldiers' cash bonus. I want to see it go over in high in Congress at Washington.

So if you have any power, Mr. BLANTON, put the soldiers' cash bonus bill over with a big majority for all of ex-service men of the State of Texas.

It is due us; we ought to have already had the soldiers' cash bonus. Lots of the old boys have done passed over the river and did not get a thing for their hard service.

If you have the power, Mr. BLANTON, put this bill before Congress and keep hammering on it till it is passed. Bring it up in the Senate and keep hammering on the soldiers' bill till it passes over with a big majority. Let me hear from you in regard to this particular subject. Thanking you for all of your might and power.

Yours most truly,

C. R. GRADY.

INDIAN CREEK, TEX., *December 20, 1930.*

Hon. THOMAS L. BLANTON,
Washington, D. C.:

Being an ex-service man, Ninth United States Infantry, Second Division, and being a firm believer of flowers for the living, I am writing you to please do all in your power to get passed a bill in Congress to pay all ex-service men bonus certificates in full.

I firmly believe that if the boys will ever need the money now is the time of greatest need. According to records, there have already been thousands to "pass on," while someone else will share all the benefits. So I think if the boys are to receive anything now would be an awfully good time to do so. Thanking you for past favors, I am,

Yours very truly,

H. W. GRADY.

HAMLIN, TEX., *November 28, 1930.*

Hon. THOMAS L. BLANTON,
Washington, D. C.

DEAR CONGRESSMAN: I notice where Representative PATMAN suggests veterans' bonus be paid in cash. I think the passage of such a bill would be a great help to the country. It would enable many of us to farm another year that can not without it, and would get many by until work could be had. The loans we get on certificates does not help much. After once getting said loans in times like these one can not pay off notes and the interest soon gets the greater part of it. It seems to me that we deserve it, and the country at large would benefit by it.

There are many families in this country that could live on it until another crop is made, and we certainly need it. I trust you can see it in this way and help us all you can by working for an early passage of said bill.

Yours truly,

T. V. FARRIS.

WINTERS, TEX., *December 1, 1930.*

Hon. THOMAS L. BLANTON,
House of Representatives, Washington, D. C.

DEAR SIR: In behalf of my husband who has suffered from a World War disability from time of discharge and who has had quite a struggle, having to hire quite a bit of his work done, to pay for his farm implements, I feel that it would be quite a relief on his nerves and relieve quite a bit of his worries at this time which I feel, that will mean much to his health, and I am taking this means of asking you to use your sincere efforts to pass this bill to pay this Government insurance.

And from what my husband Andrew D. Drury (C-483-701) says about your efforts, he feels that your efforts to pass this bill means much as it has been his whole talk since he has heard your part in the prosecution of Mr. Penning, as he was in the Mount Alto Hospital at this time and personally heard quite a bit of your hard fight in this case.

Thanking you for your support, should it meet your approval for the reason stated, am taking this means in behalf of my husband to express my thanks for your support.

Yours truly,

Mrs. A. D. DRURY.

BALLINGER, TEX., *January 1, 1931.*

Hon. T. L. BLANTON, M. C.,
Washington, D. C.

DEAR MR. BLANTON: There is pending legislation in the Congress of the United States involving the question of payment in full the bonus certificates issued to the World War veterans for their relief on account of business depression and unemployment situation throughout our Nation.

In my opinion this is the most opportune time for the Government to come to the financial aid and relief of the ex-service men. Payment of bonus certificate will be of more value and real benefit at this time of depression, perhaps, than ever again. It will relieve a situation that probably will not occur or come to certificate holders again in life. Many have obligations incurred by home building and families depending upon them, and even are without employment or means of support. It is very gratifying to know that you are an ardent supporter of the measure and I most respectfully ask and urge you to continue using your good office and influence in the support of and in securing the successful passage of this measure.

Thanking you in advance for your service and support of measure, I beg to remain,

Most obediently, yours truly,

N. BRUCE CREASY, *Ex-Service Man.*

BAIRD, TEX., *November 25, 1930.*

Hon. THOMAS L. BLANTON,
House of Congress, Washington, D. C.

DEAR CONGRESSMAN: It is a pleasure to address you again as our Congressman in Washington.

There is quite a little agitation with regard to the bonus policies that were given World War veterans to be paid in full to those holding same. I have talked this over with men who seem to be very much in favor of it, and these same men are all very serious minded and this of course leads one further on when he is of the same belief. I am of the opinion if this could be done and done in such a way as to completely keep the policies forever out of the hands of brokers and speculative column, it will greatly relieve the present depression. I believe they figure something like one-half million would come to Callahan County to ex-service men. It appears that the Federal reserve banks have a plenty of money but can not loan without security. These policies would, I think, be very good collateral and let the entire country share in the relief it would bring about. All these things you of course are more familiar with, and I will just ask that you give to it your support if you see that the thing to do.

I know that you are busy getting ready for the short session, and will appreciate a line from you at your leisure on the matter.

With best wishes, sincerely,

H. H. SHAW.

SIPE SPRINGS, TEX., *November 28, 1930.*

Hon. THOMAS L. BLANTON,
Representative of the Seventeenth
Congressional District, Texas.

DEAR SIR: I take this opportunity of expressing to you the sentiments of the ex-soldiers of the World War from community in regard to the new rumor of payment to the World War veterans' certificates. It is the desire of all with whom I have talked that you use your greatest influence in passage of such a measure should it come before the House.

We have in this community veterans who are in almost destitute circumstances, and to all it would be a great relief.

Sincerely yours,

W. H. CHASTAIN,
Ex-Soldier of the World War.

EL PASO, TEX., *November 12, 1930.*

Hon. THOMAS L. BLANTON, M. C.,
Abilene, Tex.

MY DEAR MR. BLANTON: Guess recongratulations are first in order, and may you be in line for such for many more elections.

Now, remembering your good work in the cause of the service men, able and disabled, I have clipped a little article, but one with a great deal of meaning, sent in to the El Paso Post here to be published under "Thinking Out Loud," column, and while heartily sanctioning everything Mr. Payne says, I am wondering if you wouldn't take this matter up upon the convening of Congress, introduce a bill that this affects, and put it through.

This move is being agitated pretty generally all over the country, as I note in various papers.

Hoping that you can see your way clear to take this matter under your wing and we shall hear from you soon after the opening of the coming Congress, I am,

Gratefully yours,

J. T. MCLEAN, M. D.

BACKS BONUS PLEA—THINKING OUT LOUD

In reading letters in the thinking columns I find a letter written by Mr. Ysleta Alderete on subject, Bread and Bonuses.

I am with Mr. Alderet on that. If the Government would pay the bonus at once, it would help lift many a mortgage from the shoulders of the poor ex-soldier; it would give his family bread and meat this winter. In other words, if Uncle Sam would pay the soldiers the bonus, it would mean the same thing to them that the second engine does to the stalled train on the grade; it would just push him over a mighty grade.

QUINCY PAYNE, *Pecos, Tex.*

Mr. Chairman, let me say in conclusion there is no reason why this bill should not be taken up and passed. My colleague from Texas [Mr. PATMAN] has no pride of authorship in this bill. The gentleman is one of the most modest men in this House. He said, "I am willing to vote for any bill which will pay this just debt to the soldiers." One man from the other side of the aisle intimated the other day that some of the Members did not want to sign Mr. PATMAN's motion, because it was from a Democrat and a Republican introduced a Republican bill and wanted the Republicans to sign it. He filed the motion under Clause IV of Rule XXVII, and four men have signed it. This is not a political question. It is not a question to divide the Democrats from the Republicans. It was the vote of all of us that sent these men across the water; it was the vote of all of us that provided this little adjusted compensation of $1.25 a day to be paid them. It was the vote of all of us and is the responsibility of all of us and we can not escape it. We must pay this just debt to our ex-service men before we adjourn. [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. HALL of North Dakota. Mr. Chairman, I yield 40 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Chairman and members of the committee, personally I may be a little different from the rest of the people, but frankly I have been disturbed by the seeming readiness on the part of Congress to disregard its obligation to the people of the United States to keep down our expenditures and to keep them within reasonable bounds, so that if there is a deficit in such times as these, that deficit shall be just as small as possible.

I am frank to say that judging by some of the bills which have been passed, and judging by some of the appropriations that are in sight, I should not be surprised if when we finish on the 4th of March, we will have created a deficit of a billion dollars for the current fiscal year. Some of you may think that does not amount to anything, but I say to you there is no step which this Congress can take which will so retard economic recovery as to have the governmental budget unbalanced by so large an amount.

I appreciate that it is not the popular thing to oppose expenditures, but it is a time when somebody must do it. It is time when we must put on the brakes and see that things are kept within proper bounds.

I am going to do something to-day which I have not done before since I have been a Member of this House. I am going to move to strike from this appropriation bill an item which other members of the subcommittee favor and which they have incorporated in this bill. Not only that, but a majority of the members of the entire Committee on Appropriations favor it—a majority of one—so you can see that I had other substantial support with me upon the whole committee.

The item is a small item in itself, but far-reaching in other ways. It is an item of $200,000 for experimental work and preparing plans for a metal-clad dirigible of 3,800,000 cubic feet capacity.

Now it has been said on the floor and it has been said in other places that this is just an experimental item. It is not just an experimental item. It is an item for the starting of work on that kind of a ship, and it will lead to

$4,500,000 for the construction of the ship, and before we get through it will lead to $10,000,000 for hangars and other accessory buildings connected with it.

So that this item of $200,000 is really an item of $10,000,000.

It means many other things in addition to that. In order that that situation may be fully understood I want to tell Congress something of the history of lighter-than-air construction since the war. In 1920 the Army and Navy got together and decided that for the purpose of avoiding duplication and waste the Navy should have charge of the experimental work and construction of rigid airships. Since that time the Navy has had charge of the construction and experimental work in connection with rigid airships. At the present time the Navy has under construction two large rigid airships of 6,500,000 cubic feet capacity at Akron. They are the largest airships in the world. Those are Zeppelin-type airships. They are constructed with rigid frames throughout so that they support themselves when in the air.

This proposed metal-clad airship has a metal-clad skin made of duralumin. It has not enough framework inside of it to support it in high-speed operation, and it is supported by air pressure. Otherwise the metal skin would collapse. Outside of that it is a rigid airship.

We are spending for the Navy something like thirteen or fourteen or fifteen million dollars to build these Zeppelins at Akron, and when we have built them we must have housing for them. We must have all sorts of accessory buildings in connection with them, and the entire cost will be about $15,000,000.

Those ships will demonstrate absolutely whether or not Zeppelins have military value for use by this country in time of war. Some of the highest authorities in both the Army and Navy in airship construction express doubt as to whether airships outside of those ordinary, self-propelled balloons and small dirigibles of 200,000 or 300,000 cubic feet capacity have any military value. These two airships now building for the Navy will absolutely determine the question as to whether we need them or not.

I want to go into the history of the metal-clad dirigible. That first came to the attention of Congress in 1926, when Mr. Carl Fritchie, representing the Aircraft Development Corporation of Detroit, came before us. That corporation is an institution, a branch of the so-called Ford Airplane Co. Its directors consist of Mr. Mayo, Ford engineer, a number of engineers of the General Motors, and a man by the name of Upson, who designed this particular type of craft.

Mr. Fritchie came before us when we were considering the Naval appropriation bill for the fiscal year 1927, on the 6th day of January, 1926, and there he said this:

> The question has been raised, Why not have the Department of Commerce undertake commercial airship construction in the new civil bureau of aeronautics? Perhaps that would be all right a year or two from now, but it takes time for a new bureau to begin to function, and naturally the new bureau will tackle the most acute problem first, which is the inspection of present commercial airplanes and licensing of airplane pilots.
>
> * * * * * * *
>
> I predict this: If a contract for this first ship is awarded and the ship succeeds, you will not need to worry about appropriations from Congress or shouldering this onto the Department of Commerce for development, for private capital will step in, just as it stepped in after the Kelly bill was passed, and begin to develop its own commercial airships. Private capital is only waiting for a successful type of commercial airship on which to spend its money. As an illustration of this, our company has had correspondence with a group of business men in California, men of very outstanding character, asking for estimates on a metal-clad airship to use between San Francisco and Hawaii.

The naval appropriations subcommittee brought in a bill providing at that time for a metal-clad airship to be built by these same people. I was on that subcommittee, as I am on this one now, and as I am still on the naval subcommittee on appropriations, and I say that I have not nor has Congress been stingy with this particular outfit and this particular proposition in the line of experimentation and the development of their projects.

A contract was entered into for the construction of this metal-clad ship of 200,000 cubic feet capacity and the Government paid $300,000 for that upon these recommendations. There were a lot of folks who did not approve of that at that time. That ship was not delivered until the first of September, 1929. It has been flown some by the Navy. I think, something like 300 hours, although I am not sure; but it appears in a series of questions that I propounded to the Navy Department and which appear on page 1459 of the CONGRESSIONAL RECORD. That ship has not been exposed out of doors. It has not been used in such a way nor to such an extent that it has demonstrated whether or not it is a successful airship.

Mr. WAINWRIGHT. Will the gentleman yield?

Mr. TABER. I yield.

Mr. WAINWRIGHT. May I ask if this airship, to the provision for which the gentleman is now objecting, is precisely the same kind of an airship as that which was built for the Navy?

Mr. TABER. It is the same type of airship, but instead of having 200,000 cubic feet capacity, as the one which was delivered to the Navy, this has 3,800,000 cubic feet capacity, and instead of costing $300,000 this is to cost for the ship itself $4,500,000; and, on top of that, we would get the hangar and other incidental buildings and expenses which I estimate would run to $10,000,000.

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. TABER. Yes.

Mr. VINSON of Georgia. Was this item, as carried in the military appropriation bill, approved by the Budget?

Mr. TABER. No; nor has it been approved by the War Department.

Mr. VINSON of Georgia. Did not the Military Affairs Committee have hearings on such a proposition, and is there not a similar bill now pending before the Military Affairs Committee which has not been favorably acted upon?

Mr. TABER. Last spring there was introduced in this House a bill authorizing the construction of this type of ship, which was referred to the Military Affairs Committee. The number of the bill is 12199. The committee had hearings on it and went into it at considerable length but not enough was developed to satisfy the committee and the bill is still awaiting the completion of the hearings. The committee has not been able to complete those hearings to such an extent that they felt it was enough of a proposition to warrant them in coming before the House with such a bill.

Mr. STAFFORD. If the gentleman will permit, I may say for the information of the House that the hearings which have been held were only partial and if further hearings are held it is the desire of the committee to bring before it representatives of the Navy Department, especially Admiral Moffett, to give testimony as to what the experience of that department has been with reference to similar craft. When the debate takes place I hope to have a letter from the representative of the Aeronautical Division of the Navy Department advising against this extravagant policy of going ahead with this $5,000,000 program.

Mr. VINSON of Georgia. Without any authority from the Budget.

Mr. STAFFORD. I am not considering the Budget. I am considering the feasibility of the proposition and the mechanical practicability of this large rigid dirigible.

Mr. VINSON of Georgia. Let me call the gentleman's attention to the fact that the Appropriations Committee always calls attention to the fact that this item or that item is approved by the Budget.

Mr. STAFFORD. The Appropriations Committee in many instances at this session is not paying attention to the recommendations of the Budget Bureau.

Mr. VINSON of Georgia. Does the gentleman mean that the Appropriations Committee has adopted the policy of paying no attention to the Budget Bureau when a certain proposition appeals to the members of the Appropriations Committee?

Mr. TABER. Not so far as this member of the committee is concerned.

Mr. BARBOUR. Is it now going to be the policy of the gentleman from Georgia to follow that practice with respect to the Budget?

Mr. VINSON of Georgia. I always pay attention to the recommendations of the Budget.

Mr. TABER. If the gentleman from Wisconsin will look at page 1459 of the RECORD he will find a letter from the Navy Department, from the Assistant Secretary of the Navy for Aeronautics, answering a great many of the questions I asked. It appears that this 200,000 cubic foot ship has not been tested far enough so they would want to embark on this kind of project.

Mr. STAFFORD. Will the gentleman yield there?

Mr. TABER. Yes.

Mr. STAFFORD. Through the courtesy of the gentleman from New York [Mr. TABER] my attention was called to that questionnaire and last night I read in detail the entire questionnaire. This only confirms the doubt I have from a business standpoint and from a governmental standpoint of the practicability and feasibility of going into this wholesale policy of a $5,000,000 appropriation for this rigid metal-clad dirigible.

Mr. TABER. Let me read just a word or two from Secretary Ingalls of the Navy, and a word or two from Secretary Davison of the Army, with reference to the value of this appropriation unless it means real construction of an airship, and that is what it means:

Assistant Secretary Ingalls:

Question 22. Of what value could a small appropriation be unless it is intended to go ahead with the construction of an airship?

Answer. It is difficult to say how a small appropriation for the preparation of plans, specifications, and experimental work would prove of any real value unless it is the intention to go ahead and actually construct an airship to those plans and specifications. For maximum benefit the preparation of plans and specifications should really proceed simultaneously with construction work, as in an engineering project of such magnitude I consider the two matters, design and construction, really should proceed simultaneously.

Now Assistant Secretary Davison:

Question 3. Could an appropriation of $200,000 for plans, specifications, and experimental work in connection with metal-clad airships serve any useful purpose unless we shall determine to build and use one?

Answer. The purchase of the experimental plans for this airship at this time is not warranted, unless it is intended to construct the airship if the design is approved. Long experience in aircraft construction has shown that the preparation of experimental plans and specifications, to be of substantial value, should go hand in hand with actual construction.

Now, what does the War Department, through Assistant Secretary Davison, say about it?—

Question 6. Will you give me your views as to what the committee should do with this proposition?

Answer. In this connection it is thought only fair to point out that this project is being fostered by competent engineers and business executives of national reputation, and it is apparent that these men have great faith in the ultimate success of this type of airship. Many difficult engineering problems will no doubt be encountered in the design and construction of such an airship. Similar problems are usually encountered in the design and construction of aircraft which are radically different from existing types. In this case the first step—the *ZMC-2*—has proven a success from an experimental point of view up to the present time. In my opinion the construction of the 100-ton metal-clad airship is the next logical step to be taken if the development of the metal-covered airship is to be continued. It is also my opinion that if this project is undertaken, much will be learned which will be of value to the science of aerostatics. The War Department has reported unfavorably on the project because:

(a) It does not feel that such a costly lighter-than-air project should be undertaken until its heavier-than-air requirements, which are more important from a national-defense point of view, have been completely taken care of.

(b) It considers the metal-clad airship to fall within the category of rigid airships and its development to be a function of the Navy Department, in accordance with a joint agreement of the Army and Navy, which assigns for reasons of economy the development of rigid airships to the Navy Department.

Now, the War Department and the Navy Department for once have come together and agreed on a policy through which rigid airships are to be handled by the Navy Department alone. Should this Congress for a moment think of upsetting this program and embarking the Army upon the construction of rigid airships, when it has no trained personnel which has been working upon large airships and has had no experience along that line? The only men they have are experienced in operating small airships. The largest one they have in operation is a 500,000 cubic feet ship, which would only be about one-eighth as big as this one, and that is altogether different, because it is not in any sense a rigid airship.

Now, here is the situation. These people came before the naval subcommittee of the Committee on Appropriations last year and they asked for this same ship. The naval subcommittee turned them down because they did not think this should be done with these ships being built at Akron. And, mind you, we are not being niggardly with lighter-than-air construction or experimental work. We are going ahead on a large scale, larger than anybody else in the world. They turned them down because in view of that situation they did not believe it was the thing to do.

The promoters were not satisfied with this, and they went to the Naval Affairs Committee, but they did not get a report of a bill favoring the construction. They were not satisfied with this, and they went before the Military Affairs Committee, and they did not get the report of a bill favoring the construction.

Now, they come in here to the Committee on Military Appropriations, and they ask you not only to go ahead with the experimental proposition which involves the expenditure ultimately of $10,000,000 but they ask you to upset the policy of the Government which has resulted in confining the construction of rigid airships to one branch of the Government.

Why should we go ahead and create in the War Department a bureau or set up a group of men to handle rigid airships and to build airships when we have already got that same thing in the Navy? It is duplication of the rankest kind. It is something we should sit down on and should stop instead of encouraging and promoting this kind of extravagance. I am not opposed to experimentation, but by means of a persistent lobby these people have followed up the different committees of the House until they have finally got this matter out here on the floor.

It seems to me that in the whole situation just as it is there are a lot of things that ought to be tested out before we consider the construction of this large dirigible.

They state that the metal skin for these airships corrodes, gets so it will crumble after it is exposed to the air for a time. They have not been able to give the small ship which the Navy has the kind of a test that it needs before they enter on this large expenditure.

On top of that the War and Navy Departments both say that the life of this duralumin skin is not as great as that of the cloth skin. Ordinarily one might question this. The cloth skin, however, is so treated that 75 per cent of the original *Los Angeles* is still in service since 1923, and that being put on the Zeppelin at Akron is better than that put on the *Los Angeles*. So in view of all these things we ought not to go into this.

Another thing, it is urged and will be urged, that with this money they can build a cross section which they can take and test at laboratory of the National Committee on Aeronautics, Langley Field. I say that that is already being done now without this appropriation. Every legitimate line of experimentation can be followed up without this. Why should we embark on the project of building and buying plans to develop schemes for the construction of this ship in a way that could not be otherwise than wasteful and destructive to the sound principles of operation of our Government?

It seems to me that this thing should be cut out and our Government should be given some support in trying to keep it on an efficient, sound, and economical basis.

I am going to move, when the item is reached in the bill, to strike out the $200,000 and I am going to ask for the support of the committe when we get to that. [Applause.]

Mr. WRIGHT. Mr. Chairman, I yield 15 minutes to the gentleman from Alabama [Mr. PATTERSON].

Mr. PATTERSON. Mr. Chairman and members of the committee, I feel that there is some justification for those who believe that we should quit talking so much about bad

conditions and strike a more optimistic note, but there are some things that it seems to me are worthy of our time to talk about.

I just noticed here in the latest issue of Labor, the official organ of a great body of organized labor in this country, an article which was very interesting to me. I recollect that about 12 months ago when most everybody realized that this country was facing a great period of depression and distress among our people, and the chances were from the number of people laid off and being laid off that it would be a long period, that a great many political prophets prophesied that it would all be ended in 30 or 60 days at the outside.

But about the middle of November, this year, these same prophets began admitting that we had a very serious condition facing the country.

I noticed that this article says that the railroad workers alone lost in wages in October, 1930, more than $49,000,000, or almost $50,000,000 from what they received in October, 1929. This article goes on to say that the railroad workers have lost almost $600,000,000 in wages during 1930; that is, from October 1, 1929, to October 1, 1930.

Well, if that be approximately true, if other classes of workers have lost accordingly, and it seems that unskilled workers have lost more comparatively than the skilled workers, then the workers of this country have lost a tremendous sum from what they received in 1929 compared with their income in 1930. This brings me back to what I said on the floor and in other places. That the trouble is not overproduction but underconsumption. I do not see how anyone can seriously maintain with all the hunger and lack of clothes that there is overproduction.

In spite of the fact that this doctrine has been promulgated by the administration, and I believe it was promulgated also by the President when he was still Secretary of Commerce, that the great trouble with farmers and farming in America is overproduction, I do not subscribe to it. I speak only for myself, but I have never subscribed to that theory. I believe that the greatest trouble with our country to-day is not overproduction, but underconsumption. Whenever the working people of America are getting $5,000,000,000 less a year than they received previously, it is natural that there is that much less money left for purchasing. I believe to-day that if our people, the ordinary common man I refer to, who works in a mine or a factory or on a farm or who runs a small business, profession, and whatnot, could have sufficient income to purchase the necessities of life, business would open up from top to bottom. I believe in that kind of a doctrine. You need not talk to me about a surplus of food and clothing and things like that. Mr. Woods, the head of the President's employment commission, or whatever it is called, admitted that there were nearly 5,000,000 people in the country out of work; but he did say one thing that is encouraging to me. He, according to press reports, intimated or probably stated that he believed such a situation as we face to-day is not necessary to recur at regular intervals. I subscribe to that doctrine. I believe any system which necessarily produces every 7 or 10 years a period of distress, with millions of people thrown out of work, is a system which needs revision. I do not believe that we ought to subscribe to any doctrine that such a thing must happen and that we can not do anything to prevent it. I admit we need temporary relief, but the thing that disturbs me is that it seems to me the administration considers this situation which we face to-day as nothing but a temporary situation, to be dealt with in a temporary way. We are going to appropriate so many hundred million dollars to employ a few people in certain public works, and, of course, that is essential, and I support it and would support even a larger appropriation; but I believe the administration should bring forth some recommendation to deal with the situation permanently so that we may not have it recurring from time to time.

I want to touch somewhat on the farm situation. At the present time there is pending in this House an appropriation to give some slight relief to the farmers and those who have suffered from the drought. The drought has been widespread, but I do not think that that necessarily has been the whole cause of all the distress.

One of the great causes of the distressed condition of the farmers is the drought which destroyed their prospective crops in wide and extended areas. A great deal of the low prices are caused by the fact that people can not buy the products of the farm. They have no money with which to do it. Whatever remedy is proposed should be hastily gotten to the farmer. We have a bill before the House with two amendments on it placed there by the Senate. I feel that it is important that this bill should be hastened to its final passage; and I think those two amendments are so important that time should be given in the House to discuss them, and that we may express our sentiments upon them.

Mr. LARSEN. Mr. Chairman, will the gentleman yield?

Mr. PATTERSON. Yes.

Mr. LARSEN. The gentleman realizes that the Republicans have a working majority of 100 on their side of the House.

Mr. PATTERSON. Yes.

Mr. LARSEN. Is it not a fact that they can pass that legislation any day they want to?

Mr. PATTERSON. Oh, surely. No Member on that side would question that they have the power to pass the legislation any time, and send it to conference, or give the House an opportunity to express its opinion upon the legislation.

Mr. LARSEN. Then this delay is absolutely unjustified.

Mr. PATTERSON. Yes. In my section of the country where the farmers have been in the habit of making from 20 to 25 bushels of corn per acre, because of the drought they have made this year only 2½ to 3 bushels to the acre, and they are absolutely without food or anything to feed their livestock. We should act promptly in this matter. Our people are in great distress; and I appeal to our leaders to join us in getting a rule to pass this measure, and let us express ourselves on these amendments.

Mr. BLACK. Mr. Chairman, will the gentleman yield?

Mr. PATTERSON. Yes.

Mr. BLACK. To my mind the Republicans are playing miserable politics with human misery. The White House leader in this House is the gentleman from Indiana [Mr. WOOD]. He has lately been issuing White House pronouncements. You no longer hear of TILSON, LONGWORTH, or SNELL speaking for the President, but it is WOOD, of Indiana. The next move on drought relief is up to him. The Speaker and the chairman of the Committee on Rules signified to-day that they favored a rule, but our friend WOOD, of Indiana, refuses to take the next parliamentary step. I charge that he is acting for the President in obstructing drought relief. His obstinacy against a bill from his committee is so extraordinary as to indicate that he is not a free agent. The White House has hobbled him so that he can not move to advance the relief bill. In these perilous times the other leaders of the House have broken with the President. Internal Republican politics has stagnated the House, and is forcing a special session. Secretary Newton was here yesterday to obstruct Muscle Shoals for the President. He was in the open. The gentleman from Indiana [Mr. WOOD] is obstructing relief by omission to make the proper move before the Committee on Rules. He is the President's favorite in the House. The great engineer has become the great obstructionist. As he produced bad times, he will continue them. Calvin Coolidge was for economy, and naturally after he left the White House he became a director of a life insurance company. Al Smith, during the time that he was Governor of New York, was doing big things, and naturally when he retired, he started to erect the biggest building in the world, and I predict that when Herbert Hoover retires from the Presidency he will become the president of a wrecking company.

Mr. PATTERSON. Does the gentleman refer to the gentleman from Indiana who desires to abrogate the direct primary in order to get the demagogues out of Congress? I yield back the balance of my time, Mr. Chairman.

Mr. BARBOUR. Mr. Chairman, I yield two minutes to the gentleman from Michigan [Mr. CRAMTON].

Mr. CRAMTON. Mr. Chairman, in connection with what I am about to say, I ask unanimous consent to revise and extend my remarks and in doing so to include certain statements and extraneous matter.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan [Mr. CRAMTON]?

Mr. BLANTON. Mr. Chairman, reserving the right to object, and I shall not object, of course, I desire to ask the gentleman from Michigan, who is a very prominent member of the Committee on Appropriations and who has always been a stickler for keeping within the budget, if the gentleman in this extension is going to explain the $10,000,000 proposition that the Committee on Appropriations at his instance put in the Army bill which the Budget had not approved.

Mr. CRAMTON. I have not had anything of the kind done. Nothing of that kind has happened.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

DEVELOPMENT OF THE METAL-CLAD AIRSHIP

Mr. CRAMTON. Mr. Chairman, there is in the bill an item amounting to $200,000 and no more, which has been discussed, I understand, at some length this afternoon. It has also been the subject of prior discussion by an extension of remarks by my colleague, the gentleman from New York [Mr. TABER].

I desire to invite the attention of the Members of the House to the real character of that proposition. It is simply an authorization to permit the Army, through its highly trained special personnel, in contact with such problems, to study a certain line of development in aviation; to study the one field of aviation development that is not to-day being investigated or experimented with in any other nation. If this item of $200,000 for the study of metal-clad airships is not approved, experimentation along that line in this Nation must also cease. I wish to emphasize the fact that the wisest preparedness for the emergencies of war that can be carried on in time of peace is experimentation along scientific lines, not that we may be equipped with any large number of any arm of offense or defense but that we may know the type that we will need in time of war. It is not real preparedness to do to-day and to-morrow only what we were doing yesterday. We must advance. The item under discussion is only $200,000 and is only for studies, and does not commit us to any construction program whatever. All this hurrah is about an item of $200,000 for study and experiment in a supremely important field of preparedness. In a bill amounting to $347,000,000 for military activities of the Army we ask to include $200,000 for this supremely important study.

We ask that that experimentation and study be permitted in order to develop needed types. [Applause.]

AVIATION AND PREPAREDNESS

War calls into use all the progress and developments of peace. So rapid is the advance in aviation in the development and use of craft to navigate the air that no sane man can well ignore the part that aircraft must inevitably play in any future wars. That the military authorities of the United States, that the Congress of the United States, recognizes the military importance of aircraft is eloquently emphasized by the immense appropriations for construction, maintenance, and operation of aircraft that are annually included in the Army and Navy budgets.

I hold that, not only should this Nation adequately prepare in the field of aviation but that such preparation should not be one-sided. That preparation which ignores any important branch of the subject is not adequate, is incomplete.

TYPES OF LIGHTER-THAN-AIR CRAFT

It is to be admitted that heavier-than-air craft are of great importance. But the possibilities in lighter-than-air craft must likewise be given consideration. In the field of lighter than air, there are the nonrigid and the rigid types and neither type is wisely to be ignored in our studies and in our preparedness program. In the rigid field there are the fabric clad and the metal clad. We have spent millions, we are spending millions, we are committed to spend many more millions in study and production in experimentation with the fabric clad. The United States has up to this day spent only $300,000 in experimentation with the metal-clad type and that in cooperation with private interests which have spent about three times that amount in experimentation in this metal-clad field which, as yet, has no commercial support. As against hundreds of millions for heavier than air, as against tens of millions for fabric-covered lighter than air, we have spent $300,000 for metal-clad lighter than air, and the committee proposal to spend $200,000 more in the next logical step in logical line of experimentation is denounced in this Chamber by my friend, the gentleman from New York [Mr. TABER].

It is not my purpose at this time so much to present an argument as it is to present information to the House concerning the very interesting issue raised upon this $200,000 item.

THE METAL-CLAD SHIP

No other nation in the world is now experimenting with the metal-clad airship; no other nation ever has constructed a successful metal-clad airship. The United States has, as an experiment, constructed one small metal-clad airship, with capacity of 202,000 cubic feet—about 0.1 of the size of the *Shenandoah*. This experiment has been a success and the craft is now successfully navigated by the Navy.

It is logically urged that the next step to be taken in this metal-clad lighter-than-air field is the construction of a larger ship. Increase in size brings new factors into the problem, but the successful handling of those factors means the production of a ship of such a size as, if proven feasible, to be of the greatest practical value in either military or commercial use. To stop short of the construction of the larger ship or to stop short of determining the feasibility of construction of such a ship is to abandon a highly important experiment most auspiciously begun. The Committee on Appropriations, in reporting this bill, have sustained the view of 4 out of 5 of the subcommittee in charge of the bill, that the next step in experimentation in the metal-clad lighter-than-air field should now be taken, that the progress now made, successful and encouraging as it is, should not be ignored or repudiated, but should be heeded and made use of.

The gentleman from California [Mr. BARBOUR], chairman of the subcommittee; the gentleman from Minnesota [Mr. CLAGUE]; the gentleman from Mississippi [Mr. COLLINS]; and the gentleman from Georgia [Mr. WRIGHT] have supported this idea of continuing this important study. The Committee on Appropriations has recommended the item to the House. I urge that it be approved by the House.

THE PROVISION IN THE BILL

It is proposed to include in this $31,000,000 appropriation for the Air Corps of the Army $200,000 to enable them to collaborate with a notable array of private engineering and aeronautical talent in further experimentation on this important problem. The report of the committee states:

> The committee has added to the estimate for experimental and research work $200,000 to enable the Army Air Corps to collaborate with the Aircraft Development Corporation in working out certain technical preliminaries to the construction of a large metal-clad airship. Whether or not the Government will engage in the construction of such a ship is a matter for future determination. If large dirigibles besides those now authorized for the Navy are to form a part of Army or Navy air equipment, it would seem desirable to take advantage of the existing opportunity to determine the relative merits of the metal-clad and the fabric-covered types. The Aircraft Development Corporation feels that the Government should share the expense attendant upon the further study that must precede any actual construction; in fact, that the Government must be a partner if the investigation it is now conducting is to be brought to a conclusion.

DOES NOT COMMIT TO BUILDING SHIP

Approval of this item of $200,000 does not commit the United States to the building of the ship. It makes possible

this cooperative study of the feasibility of such a ship. If deemed feasible as the result of such studies, the construction of such a ship, according to the plans then developed, would seem the next logical step then to be authorized, but this item does not authorize it. That this is well understood and agreed to by the Aircraft Development Corporation is made clear by the following letter:

AIRCRAFT DEVELOPMENT CORPORATION,
DIVISION OF DETROIT AIRCRAFT CORPORATION,
Detroit, December 20, 1930.

Hon. LOUIS C. CRAMTON,
House Office Building, Washington, D. C.

MY DEAR MR. CRAMTON: Replying to your request for information concerning the $200,000 item proposed as an addition to the Army appropriation bill, it is our understanding that these funds, if appropriated, are to be used exclusively for scientific research and engineering development essential to the design of a military metal-clad airship suitable for training and other purposes and having a gross lift of at least 100 tons and a maximum speed of 100 miles per hour.

These funds will permit the proper coordination of the engineering skill and experience of our own staff with that of the Engineering Division of the Army Air Corps. None of these funds are to be used for actual construction purposes. Furthermore, we fully recognize that this appropriation would not obligate the War Department to proceed with the building of the ship, any decision in this matter obviously being deferred until conclusions drawn from this proposed engineering investigation become available.

The correspondence during the past year between the War Department and our corporation reveals that we have been asked to submit approximate estimates of the cost of construction of two sizes of ships; namely, of 100 tons and 130 tons, respectively. The request for an estimate for the larger size ship contemplates the availability of Diesel aircraft engines. Inasmuch as no such engines of suitable type now exist, we, of course, were unable to include the cost of such an installation in the estimate submitted. Specifically our estimates were as follows:

100-ton ship, including engines	$4,500,000
130-ton ship, exclusive of engines	4,950,000

These estimates are based on the best data and experience available at this time, and it is believed that they are reasonably reliable.

Yours very truly,

CARL B. FRITSCHE, *President.*

WHAT IS THE AIRCRAFT DEVELOPMENT CORPORATION?

What is the Aircraft Development Corporation? The following is a partial list of original sponsors of metal-clad airship development and others associated with the enterprise:

Mr. William B. Mayo, chief engineer Ford Motor Co.
Mr. Owen D. Young, General Electric Co.
Mr. Charles A. Stone, Stone & Webster.
Mr. C. S. Mott, vice president, General Motors Corporation.
Mr. William B. Stout, Stout Metal Airplane Co.
Mr. Carl B. Fritsche, president Aircraft Development Corporation.
Mr. Edwin S. Webster, Stone & Webster.
Mr. C. F. Kettering, vice president, General Motors Corporation.
Mr. A. B. C. Hardy, Oldsmobile Motor Co.
Prof. R. A. Milliken, California Institute of Technology
Mr. J. A. Switzer, University of Tennessee.
Mr. Alex. Dow, president Detroit Edison Co.
Mr. Harold H. Emmons, chief of Liberty engine production for Army and Navy during war.
Mr. Arthur Waterfall, Dodge Bros. Motor Co.
Mr. Walter O. Briggs, Briggs Manufacturing Co.
Mr. Roy D. Chapin, chairman of board, Hudson Motor Car Co.
Mr. R. E. Olds, chairman of board, Reo Motor Car Co.
Mr. Ralph H. Upson, winner of Wright brothers aeronautical medal.
Mr. Fred Gardner, Gardner Motor Co.
Mr. Edward S. Evans, president Detroit Board of Commerce.
Mr. Frank W. Blair, president Union Guardian Trust Co.
Prof. Alex. Klemin, New York University.
Mr. Eugene W. Lewis, president Industrial Bank.
Mr. Lawrence Whiting, president Boulevard State Bank.
Dr. William Hovgaard, Massachusetts Institute of Technology.
Mr. P. D. C. Ball, manufacturer.
Mr. Harold M. Bixby, Mr. Harry H. Knight, original sponsors of Colonel Lindbergh.
Prof. Herbert C. Sadler, University of Michigan.
Mr. W. Watters Pagon, consulting engineer.
Mr. Charles A. Parcells, banker.
Mr. P. R. Beasley, manufacturer.
Mr. Thomas R. Dysart, banker.
Mr. C. W. Harrah, real estate.
Mr. John S. Elliott, banker.
Mr. Sheldon R. Noble, banker.

No more able, no more brilliant array of engineering minds and executives could be brought together anywhere in the world. If the Government had taken the initiative and had sought the cooperation of engineers and others best qualified to participate in experimentation in this field many in that list would inevitably have been chosen. But instead of waiting for the invitation of the Government, for an initiative in official quarters which often is lacking, these men came together, pooling their brains, energy, and money in this organization for a study of a supremely important problem. Their action in this was as courageous as it was public-spirited and patriotic. True the Aircraft Development Corporation is a corporation, and it is a corporation financed by private capital. Legally it has the right to make profits and pay dividends. Actually it has done neither and is not seriously expected to do so at any time in the near future. If any of you question the public spirit and patriotism of their motives ask yourself how much stock in the corporation you desire to buy as an investment.

PURPOSES OF AIRCRAFT DEVELOPMENT CORPORATION

Let three of these distinguished business executives state the purposes of the Aircraft Development Corporation.

C. F. Kettering, president General Motors Research Corporation and member technical committee, Aircraft Development Corporation, in a letter dated June 2, 1930:

It should be emphasized that the Detroit Aircraft Corporation, in its lighter-than-air division, the Aircraft Development Corporation, possesses a group of trained specialists, who for nine years have been working in harmony toward one common objective—the all-metal construction of rigid airships. Their accomplishment is an example of the value of modern organized research.

In the development of the metal clad these men have had the valuable assistance of scientists who are devoting their lives to advanced research; they have enjoyed the close cooperation of nationally prominent engineers associated with our greatest universities and industries.

Through the continuation of this same cooperation and relying on the experience gained from the construction of the *ZMC-2*, these men, in my opinion, are entirely competent to proceed with the design and construction of a metal-clad airship of 100 tons gross lift. They are worthy of a vote of confidence.

If it took courage to build the first unit, it is a matter of common sense to proceed with this larger and more useful metal-clad airship.

It is obvious that, even to the layman, if a substantial metal covering can be substituted for the conventional cotton-fabric covering in airship construction, the superiority of this new type of construction will be as great as that of the iron steamship over the old wooden clipper ships.

Roy D. Chapin, chairman of board, Hudson Motor Car Co., and director Aircraft Development Corporation, in a letter May 27, 1930:

Quite a number of years ago a group of us in Detroit started the Aircraft Development Corporation. We did it without any hope of financial gain, but to endeavor to bring together manufacturing and engineering talent of this section in an organization that could be helpful in pushing along aeronautics and aviation.

The United States Navy has at the present time an all-metal dirigible built by the Aircraft Development Corporation. I understand that our new successor organization, the Detroit Aircraft Corporation, is trying to interest the Army in building an all-metal dirigible.

I simply want to tell you that if the Army should place such an order, I think that the company is entirely responsible and is capable of fulfilling any contract that it might take.

C. S. Mott, vice president General Motors Corporation, and director Aircraft Development Corporation in a letter November 12, 1930:

A number of years ago I was approached by engineers with the all-metal dirigible plan and I and others are interested in its feasibility and possibilities for the following reasons: First, because we believed in national defense and preparedness, and secondly, because we believed that the all-metal construction would be stronger, faster, safer, and more durable than the over-long fabric-covered type, the use of which is responsible for many disasters which would probably not have occurred with the all-metal construction.

The metal-clad ship has greater structural strength, larger factor of safety, a covering of many times the life of fabric, faster because it employs a shape with less skin friction than the fabric covered, and its gas losses are but a small fraction of those of fabric-covered ships—all of which facts have been proved.

We have not in mind trying to argue the great importance of dirigibles in time of war, but that they are likely to have a part seems to be admitted by some of the leading nations, including our own, judging by experiences and present state of the art. Who would have been so bold some years ago to have prophesied the importance of aeroplanes or to now deny their importance as a means of national defense.

TECHNICAL COMMITTEE AND CONSULTING ENGINEER PERSONNEL

The technical committee consists of Mr. William B. Mayo, chairman, who is chief engineer of the Ford Motor Co.; Mr. C. F. Kettering, president of the General Motors Research Corporation; and Carl B. Fritsche.

The consulting engineers include Dr. William Hovgaard, professor of naval design and construction at the Massachusetts Institute of Technology, who was consulting engineer to the United States Navy on the design of the rigid airship *ZR–1*, and who was consulting engineer to the United States Army on the design of the semirigid airship *RS–1*. He was also a member of the *Shenandoah* board of inquiry, and has been consulting engineer for the Army and Navy for a period of years both on submarine and airship work.

Also, Dr. Alexander Klemin, director of the Guggenheim School for Aeronautics at New York University, who was a research engineer for the Army Air Corps during the World War, and who is now consulting engineer for the Department of Commerce.

Another is Mr. W. Watters Pagon, a consulting engineer at Baltimore, Md., who was consulting engineer for the National Advisory Committee for Aeronautics on the design of the Navy's rigid airship *ZR–1* and the Army's semirigid airship *RS–1*.

Another is Dr. Herbert C. Sadler, who is dean of engineering at the University of Michigan, and professor of naval architecture and marine engineering at that institution, and consulting engineer of the United States Shipping Board.

Also Mr. Ralph H. Upson, a member of the faculty of the Department of Aeronautics at the University of Michigan, who is a leading airship pioneer, and who trained the original airship pilots in the United States Navy, including Commanders Weyerbauer, Landsdowne, and others. He was also the chief designer of the first metal-clad airship, the *ZMC–2*. Last year he was awarded the Wright Brothers medal for outstanding contribution to aeronautics.

In addition, they have a staff of some 30 design and construction engineers whom they have trained at considerable expense. This constitutes our engineering background.

WHY SHOULD ARMY AIR CORPS COLLABORATE

Why is it desirable the Army Air Corps collaborate with these distinguished engineers in preparation of plans for the large ship? If such a ship is to be built, it must necessarily be built by the Government and for military use. Not only does such participation of the Air Corps in these studies mean an important contribution of engineering skill and aeronautical knowledge but is absolutely essential if the military needs and the military uses of the ship are to be considered.

WHAT IS THE BASIS OF COLLABORATION

What is the basis of the cooperation? In the *ZMC–2* the Government put up $300,000 and the company about $500,000 and the small craft thus planned and constructed became the property of the United States. In the preparation of the plans for the large ship, with a content of about 3,800,000 cubic feet as against 202,000 for the *ZMC–2*, or about twenty times as large, the Government uses $200,000 and the company whatever balance is needed in the preliminary studies and in the making of plans, and agrees to build the ship at cost if deemed feasible and authority is hereafter given.

PAST PERFORMANCE OF THE DEVELOPMENT CORPORATION

What has been the experience of the Government in its previous contact with this company? The *ZMC–2* was not requested by the Navy, though now approved by it. It was not estimated for. It was initiated by the subcommittee on the Navy appropriation bill headed by the very able gentleman from Idaho, Mr. FRENCH. In the hearings before the committee with reference to the item now proposed, Mr. FRENCH made this statement:

Mr. FRENCH. Mr. Chairman, Mr. CRAMTON has already indicated what I could have said touching Mr. Fritsche.

Mr. Fritsche appeared before our Naval Subcommittee on Appropriations about four years ago with the proposition of building a lighter-than-air metal ship, and I am glad to report that we have been pleased with the experimental work that was carried on and with the result that has been attained in the building of that particular craft.

Another thing: We found that the representations made by Mr. Fritsche were more than borne out in the product that was finally given over as the finished product to the Navy Department. That was a ship that was built through the cooperative program, with the sharing of expense by the Detroit Aircraft Co. and the Navy Department. However, the Detroit Aircraft Co. probably expended three times as much in experimental work as the Government appropriated.

PROBABLE PERFORMANCE OF LARGER SHIP

The ship would have a speed of 100 miles an hour, with, it is believed, possibilities of as high as 125 miles an hour, as against 80 miles for the Zeppelin type. It would be able to transport a 40,000-pound military load from Washington to Panama in 28 hours. In addition to quarters for the crew for the ship, it would have quarters for 32 officers. With a full military load it would have a radius of 2,200 miles; with half a load, 3,600 miles; with crew only, 4,400 miles. It would probably be 554 feet long and 120 feet in diameter. It would be of particular use in time of war in contacting the United States mainland with Panama Canal or with Hawaii.

IMPORTANCE OF METAL-CLAD FIELD

Is this metal-clad field one of sufficient importance to justify experimentation therein by the United States? Let me call several distinguished American authorities.

Dr. William Hovgaard, professor, naval design and construction, Massachusetts Institute of Technology; consulting engineer, United States Navy, on airship design; consulting engineer, Aircraft Development Corporation:

I would add that the more I study the metal-clad airship the better I like it. (November 19, 1930.)

The principal difference between the metal-clad airship and the Zeppelin consists in the fitting of a thin, gas-tight metal skin, which is riveted to the structure and which takes the place of the outer cover, the wire and cord netting, the gas-tight fabric, and the diagonal wires in the Zeppelins. The metal plating may be regarded as the principal strength member of the hull and serves at the same time as a gas container. It excels by its simplicity, its superior strength, and its gas-tightness.

* * * * * * *

The metallic skin in conjunction with the rigid main frames and a high gas pressure insure a maintenance of form not obtainable in Zeppelins, where the diagonals permit very great shearing deflections.

* * * * * * *

The fact that a high internal pressure can be safely maintained is one of the most important advantages of the metal-clad airship. Associated with a rigid structure, the metal skin places this type of airship in a class by itself, superior in strength and stiffness to all former rigid and nonrigid airships. (Excerpts from preliminary engineering report, December 2, 1930, on proposed Army metal-clad airship.)

Alexander Klemin, director, Guggenheim School for Aeronautics, New York University; consulting engineer, Aircraft Development Corporation:

I think further development of the metal-clad airship is undoubtedly the most important work in lighter-than-air craft at this time. (March 3, 1930.)

Herbert C. Sadler, dean of engineering, University of Michigan; consulting engineer, United States Shipping Board; consulting engineer, Aircraft Development Corporation:

It is a matter of common knowledge that a circular-shaped structure with metal disposed on the circumference is the lightest form from the strength point of view, and metal containers for holding gases are by no means new; so the question can be carried a step farther from the more theoretical aspect of "should it be done" to the form of "can it be done."

Here begins the cooperation of the scientist, engineer, and metallurgist in carrying out the necessary designs, investigations, and experimental research work to cover each and all of the details that may be involved in the problem. To-day, with the development of such processes, the chances of failure are reduced to a minimum as compared with the old rule-of-thumb methods.

The present status of the metal-clad airship is a good illustration of the foregoing. Years of patient research, theoretical investigations, numerous types of design and details were undertaken before the *ZMC–2* was built.

Although the very small size of this vessel introduced additional factors which made the problem more difficult of solution than that of a larger vessel, the result has proved that the fundamental conceptions are sound and that such ships are practicable. The *ZMC–2* may therefore be regarded as proof that certain elements on which there might have been some doubts have been dispelled. The strength of the structure, its ability to hold gas,

its practicable operation as an aircraft, and, so far as can be seen at present, its durability have been demonstrated.

The next step—namely, the proposal to build a large vessel of a really practical size for useful work in either the military or commercial field—will naturally involve carrying the designs, investigations, and research work to further stages.

While with the *ZMC–2* a number of men were willing to spend their time and money to the development of ideas in which they had faith and which subsequent events proved to be correct, it would seem not only proper but almost the duty of the Government of the United States to foster further developments in this new form of transportation.

W. B. Mayo, chief engineer Ford Motor Co., member technical committee, Aircraft Development Corporation:

[Excerpt from letter October 6, 1930]

The designer of the British airship *R–101*, the late Lieut. Col. V. C. Richmond, in a scientific address recently delivered in Bristol, England, September 8, 1930, stated:

"Filled with helium, driven by engines burning heavy oil fuel, and sheathed in metal, there is no reason why the airship should not become the safest form of transport yet devised."

I believe this prophecy of Colonel Richmond's will come true. I had considerable to do with the *ZMC–2* Navy metal-clad airship, which was built in Detroit by the Aircraft Development Corporation. I believe the unqualified success of this small ship justifies the continuation of Government support of this development at least until its technical success has been proved, thus paving the way for actual commercial application.

Arthur Brisbane, October 7, 1930:

The lesson of the *R–101* disaster is plain enough.

It is folly to build gigantic flying bags of cloth that will absorb, as that unfortunate ship did, more than 16,000 pounds of rain water when already heavily loaded.

Dirigibles should be made as one was recently made by the United States Government, setting an admirable example, all metal clad.

Such a metal gas bag can be kept absolutely free from leaks, so that even hydrogen gas might be safely used. It is not exposed to danger from lightning since it offers no resistance to the passage of electric current from sky to earth.

"The Elkhart Truth" editorial on August 26, 1929:

It is with more than ordinary interest that we turn toward our own dirigible builders to see what they are doing. Our latest remarkable accomplishment, and a pioneer venture, is the completion of a successful all-metal dirigible. On its trial flight it sailed gracefully from the Grosse Ile Airport at Detroit last week on its trial flight and performed to the satisfaction of the experts of the United States Army and Navy.

* * * German dirigibles now have the limelight. But America promises to lead sometime soon in producing these great airships. We are rapidly learning how to build them in the most up-to-date fashion, and we are the only country which produces helium gas, which will not burn or explode. * * *

The discovery and perfection of a new alloy metal called Alclad has made it possible to substitute metal for fabrics. Circular strips of the metal, which is but 0.0095 of an inch in thickness, were stitched together by a sewing machine, using wire instead of thread. This metal sheeting is said to be only a fraction heavier than fabric. Truly, the work of man is growing more marvelous every day.

Editorial in Washington Post, December 18, 1930:

Perfection of the process of adapting all-metal construction to the airship promises to make it one of the safest and most practicable of all transportation agencies.

The organization responsible for the entire development of the metal-clad idea exists intact. Unless the Government evidences an intention to utilize its services through a congressional appropriation to start the work for the proposed Army metal-clad airship, that organization may be forced to disband. With its monopoly of helium, and with an organization trained and experienced in metal-clad airship construction available, the United States is in a position to command world leadership in this new and revolutionary development. Congress should insist that the work preliminary to the construction of metal-clad dirigibles be got under way.

INTEREST IN FOREIGN NATIONS

What do most distinguished foreign authorities say as to the importance of this problem? Note the following expressions:

Sir C. Dennistoun Burney, builder of the British airship *R–100:*

[Excerpt from letter received from Commander Burney dated October 18, 1930]

The disaster to the *R–101* is indeed a blow to airship development over here. I rather anticipate that the next advance will have to be made from the United States and Germany. I shall be very much interested to hear whether you get your contract for the 4,000,000 cubic foot all-metal airship. I feel that until we get away from all this fabric work we shall never get a first-class vessel.

Maj. G. Herbert Scott, director of airship development for the British Air Ministry and commander of the *R–34* and *R–100*, each of which made successful round-trip flights across the Atlantic.

[Excerpt from speech delivered by the late Major Scott at the public reception accorded the officers and crew of the *R–100* at Montreal, Canada, August 2, 1930]

The fabric covering still presents the most serious problem in airship construction and operation.

Commander Robert T. Pollock, associated with the design of the British airship *R–100*.

[Excerpt from letter December 11, 1930]

I can not begin to tell you my admiration of the work that you people have done with the production of the *ZMC–2* metal clad. To me it is the important development in airships, and I never hesitate to endeavor to impress upon interested people the importance of your work.

Sir Robert McLean, chairman of the board, Vickers (Aviation) (Ltd.), London, England.

The descriptions, both of the *ZMC–2* and the 100-ton metal-clad ship which you have projected, are of great interest to all concerned in aviation. May I congratulate you upon a most interesting development and the enterprise which has led up to it. (February 11, 1930.)

Hon. J. A. Wilson, comptroller of civil aviation, department of national defense, Ottawa, Canada:

The particulars you give regarding the proposed 100-ton, 100-mile-per-hour metal-clad airship are certainly stimulating, and if your company undertakes this work the whole world will watch progress with a great deal of interest. (February 1, 1930.)

Dr. Ing. Bleistein, Berlin, consulting aeronautical engineer, formerly chief engineer of Schutte-Lanz Airship Works during the World War:

Eighteen hundred and ninety-seven, David Schwarz built an aluminum-covered airship in Berlin. Its power plant failed on its first test flight and the ship was dismantled by souvenir hunters. Because of the nonavailability (at that time) of suitable sheet metal of a thinness required for the hull plating, airship designers in Germany then turned to the principles of the free balloon, using fabric as the covering.

In Germany we do not entertain any hope of producing metal-clad airships in the near future. With the present economic outlook the enormous investment required for experimental work is out of the question. However, it is most welcome news that the United States Navy *ZMC–2* has demonstrated such excellent possibilities for building and operating metal-clad airships. When American experience is available to our German airship works then we shall once again turn to the building of metal-clad airships.

[Excerpts translated from a scientific paper on airships delivered by Doctor Bleistein before the Wissenschaftliche Gesellschaft fur Luftfahrt (Scientific Society for Aerial Navigation) at Breslau, Germany, on September 11, 1930.]

Mr. Jan Pavlecka, director of schools, Berkovice Horni, Czechoslovakia:

In our country and by all the cultured world was the news of the first successful flight of this first metal-clad airship watched with a great interest.

You are uniting aluminum with helium for this great task, which in your hands will meet with success.

I wish you may succeed in building the second metal-clad airship, 100 tons, 100 miles per hour. I and all fellow citizens of our Czechoslovak Republic are looking forward that you will honor our country with your kind visit in this airship. (March 16, 1930.)

The Illustrated Monthly Review, London, England, November, 1930:

(Immediately following the disaster to the British airship *R–101*)

* * * All-metal construction (in airships) * * * seems to assure fulfillment of the world-wide demand for a commercial airship which is fireproof, durable, and permanent in structure, navigable in practically all weather, and economical in the use of buoyant gas and ballast.

* * * In the magnitude of its importance as an engineering achievement it is believed it (the metal clad) equals that of any airship ever built.

Mr. Charles G. Grey, editor of The Aeroplane, London, England:

The metal-clad airship interests me more than almost any other mechanical problem of which I know. It seems so obviously too good to be true, and yet it seems so much more sensible than the European method of making a huge skeleton and putting gas bags inside it, and then covering it all up with an immensely heavy envelope of painted fabric. (June 18, 1930.)

INTEREST OF AMERICAN MILITARY AUTHORITIES IN THE METAL CLAD

Is it true that American military authorities do not appreciate the importance of experimentation in the possibilities in the metal clad? Read this from eminent authorities:

Brig. Gen. F. P. Lahm, the Air Corps training center, Duncan Field, Tex. He was the first American officer to fly, flying with Orville Wright:

I have followed the progress of the metal-clad airship from the beginning, and was very much pleased when it was successfully produced and delivered. I believe there is a great future for this type of airship, and feel sure we shall see the fulfillment of the predictions contained in the book you sent me. (February 14, 1930.)

Col. E. V. Rickenbacker in the Cleveland Press, Monday, August 26, 1929 (during visit of *ZMC–2* at the Cleveland air races):

* * * I stood with Admiral W. A. Moffett, of the United States Navy, a man who has done much to forward lighter-than-air aeronautics in America, and watched this first all-metal dirigible *ZMC–2* circle the field and come to a graceful landing.

The ship, we agreed, may be the forerunner of all-metal dirigibles of many times the size of this first craft. * * *

From an article appearing in the Pacific Flyer for August, 1930, by Capt. Stanford E. Moses, formerly commanding aircraft squadrons, Battle Fleet:

* * * Metal airships promise to come to the front in the lighter-than-air field, as all-metal planes are doing in competition with fabric-covered planes.

All-metal dirigible airship construction may bring a change as radical as that which occurred in the shipbuilding industry when the wooden vessels gave place to ships of iron and steel. Arnold Bennett's comedy, "Milestones," makes the change from iron to steel ships as marked as the change from wood to iron.

C. F. Kettering, president of General Motors Research Corporation, declares that the construction of an all-metal dirigible of 100 tons, eight times the size of the *ZMC–2*, is entirely practicable, less difficult, and more simple. He states that a corps of specialists in lighter-than-air research have worked on the problem of an all-metal airship for the past nine years and have solved the problem.

As commercial extension of landplane and seaplane flying followed rapidly upon the heels of naval and military aviation, similar extension of dirigible airship service may be expected to follow in the near future. It is encouraging to find the Army Air Corps seconding the Navy's experiments with the all-metal dirigible.

James V. Piersol in the Detroit News, November 9, 1930:

The metal-clad airship, known as *ZMC–2*, * * * has now completed nearly 14 months of service at the naval air station here (Lakehurst). It has flown 265 hours, approximately 12,000 miles, giving satisfactory service as an experimental and training ship, according to Commander F. T. Berry, executive officer of the station.

Commander Berry said, * * * "it has been satisfactory and has come up to all expectations thus far. * * * Its maneuver ability is good, and we find the officers and enlisted men like to fly in it."

* * * The ship is in command of Lieut. B. May, who has flown it over the Atlantic and the Eastern States from Connecticut to Virginia.

"The metal-clad has been doing nicely," Lieutenant May said. "It was designed chiefly to test a type of metal construction and it is doing that satisfactorily * * *. We have been flying it regularly without any serious difficulty. We have gone over its entire surface with magnifying glasses and have not found any deterioration of consequence." * * *

In the recent hearings before the Military Affairs Committee of the House, Mr. F. Truebee Davison, Assistant Secretary of War, said:

The proposed airship appears to be the next logical step in the development of the large metal-clad airship.

Here is an extract from the annual report of Assistant Secretary Davison to the present Congress:

The Air Corps finds itself in the position of being charged with the air defense of the country and its possessions from land bases, including aerial seacoast defense, appreciating the strategical and tactical value of airships, realizing the possibilities of future development, but unable to do anything on account of lack of appropriations. The Army Air Corps has built up a nucleus of airship personnel over a period of years which is competent to take advantage of the technical development of airships, which are receiving a great deal of impetus here and abroad. This nucleus of personnel has a real economic value to the country in the commercial development of airships, and it should be retained and supplied with modern equipment or else its great value will shortly disappear. I believe that the future of the lighter-than-air branch of the Air Corps should be definitely determined as soon as possible and that due consideration should be given to the future development of the airship.

We propose that this personnel be given the opportunity to study this important problem.

The same hearings disclose the following pertinent views by General Fechet, head of the Army Air Service, and General Gillmore:

General Fechet said:

I believe the ship (metal-clad airship) is an advance in the development of dirigible aircraft.

Mr. REECE, a member of the committee, asked:

Have your engineers made a special study of this proposed airship so that they have had an opportunity to form an opinion as to its probable value?

General FECHET. Yes, sir.

Mr. REECE. What are the general conclusions of the report?

General FECHET. Very favorable.

Then Mrs. KAHN asked:

Do you think there is a possibility of the metal-clad pushing out the fabric-clad dirigible; do you think it is more useful, more feasible, more advantageous?

General FECHET. Absolutely. I do not think a ship of that size (large airship) is practical covered with fabric.

Mr. RANSLEY asked:

Would it not be more durable, General?

General FECHET. Very much more durable; yes, sir. I think the construction of this type is very superior to the semirigid or any fabric-covered rigid. I do believe in the metal clad.

Mr. SPEAKS asked:

Well, how do you account for the fact that this country has not made more progress in the development of dirigibles?

General FECHET. I imagine it is due to a certain extent to the expense of the development and to the very much greater interest in the heavier-than-air craft and the lack of engineers developed for that particular type of work.

Mrs. KAHN asked:

I want to ask him (General Gillmore) the same thing, as to what he thinks of the feasibility of this type of machine and the probability of its supplanting the fabric-covered or semirigid. Do you think it would be more valuable to the service?

General GILLMORE. Without having any special technical knowledge of lighter-than-air craft, I agree with General Fechet. I think the development of a metal-clad airship, metal-covered airship, is very desirable. My thoughts on this development are these: I am a very strong believer in experimental work during peace times. I think our country should devote its money and the experience of its engineers to develop, in time of peace, the things we may need in time of an emergency, and it strikes me this development of the metal-clad airship is one of the engineering projects that should be undertaken by our Government so that we may know whether or not this type of airship is the one that we would want built in time of an emergency. Certainly, in time of emergency we can not go through the period of experimentation and development that would be required to know whether or not this ship is what we need.

NAVY CONCERN OVER ARMY APPROPRIATION

It is true that in Washington there are evidences of grave concern in some naval quarters about this proposed research work by the Army Air Corps. The gentleman from New York [Mr. TABER] has recently inserted in the RECORD certain answers by Hon. David S. Ingalls, Assistant Secretary of the Navy, evidencing concern with reference to this proposed Army research project.

COMMENT ON THE INGALLS ANSWERS TO THE TABER QUESTIONS

The questions answered so largely have to do with technical matters that, for the benefit of the House, I have asked comment upon them by Mr. Carl B. Fritsche, which is given in the following letter.

In this letter appears first the question as asked by Mr. Taber, next the answer as given by this prominent official of the Navy Department, and then the comment by Mr. Fritsche:

JANUARY 7, 1931.

Hon. LOUIS C. CRAMTON,
House of Representatives, Washington, D. C.

MY DEAR MR. CRAMTON: Agreeable to your request of January 6 for comment on the subject, Construction of a Proposed Metal-clad Dirigible, published in the CONGRESSIONAL RECORD of January 5, pages 1424 to 1426, which text consists of a reply by Hon. David S. Ingalls, Assistant Secretary of the Navy, to 23 questions, submitted by Hon. JOHN TABER, M. C., we have the honor to place at your disposal the following comment:

The communication of Secretary Ingalls bears evidence of careful consideration and fairness, and while our comment contained herein may differ in certain details, no reflection is intended on the good faith of those who might not agree.

As is always true in any new development, an honest difference in opinion is of benefit to the art, because it invites a more careful analysis of the problems involved, stimulates scientific research, and encourages a friendly competition, all of which are conducive to progress.

Question 1. During the time since the delivery of the *ZMC–2*, how many hours has it been in operation?

Answer. The Navy Department's metal-cad airship *ZMC–2* has had a total of 279 hours' operation since September, 1929.

Comment: None.

Question 2. During that same time, how many hours has a nonrigid ship of comparatively the same type been in operation?

Answer. The Navy has, during the same period, operated two fabric nonrigid airships of the same size as this metal-clad airship. One of these has operated 366 hours, the other has operated 388 hours.

Comment: Proves nothing, because comparison is considered irrelevant.

Question 3. What have been the results of the operation and what are the advantages and the disadvantages of this type of ship as compared with either the nonrigid type, which the Navy now has, or the Zeppelin type?

Answer. It is impossible at this time to draw definite and positive conclusions from the small *ZMC–2* metal-clad airship. An important matter is durability, and this can not be appraised with information that has been accumulated to date. As to performance of the *ZMC–2*, it holds gas as well as fabric-type airships. Its handling qualities have been the subject of some criticism by pilots, but this feature is not necessarily chargeable to metal-clad construction. The superheating effects of gas inclosed in a metal hull as opposed to similar effects with a fabric hull are now under study, but it is too early to draw any conclusions. In brief, the *ZMC–2* to date has performed satisfactorily, but has not so far developed any advantages over comparable types of airships. On the other hand, there are no marked disadvantages that have appeared, and which are chargeable to metal-clad construction. The intention of the Navy Department is to continue the *ZMC–2* in service, to try to learn from it what lessons we can; to try to draw no premature or unwarranted conclusions.

Comment: It is agreed premature conclusions are unwarranted. The official log indicates, however, that the *ZMC–2* has suffered from a considerable less diffusion of helium gas than that experienced with the fabric-type blimp.

Question 4. How does the metal clad hold its helium pressure as compared with the other?

Answer. The *ZMC–2* metal-clad airship should be classed as a "pressure-type" airship. This means that in flight the gas within the hull must always be under pressure; otherwise failure of the airship is likely to occur. In principle a flexible fabric diaphragm, or balloonet, is inserted horizontally in the hull of the airship. The lifting gas, helium, lies above this diaphragm; below it there is air. As the airship rises the helium expands, the diaphragm is forced downward, and air is forced out of the balloonet. As the airship descends the helium contracts and additional air is forced into the balloonet. By manipulations of controls and air scoops the pilot maintains the interior hull pressure within certain specified limits.

Comment: No comment other than reference to definition "pressure-type airship," which seems to be disregarded in the Secretary's answer to question 20.

Question 5. Is a higher helium pressure required in the metal clad than the other?

Answer. The *ZMC–2* airship is normally flown at a somewhat higher interior hull pressure than a fabric "pressure" or nonrigid airship of similar size, and, of course, at a much higher pressure than a Zeppelin-type airship.

Comment: No comment other than reference to following extract from engineering report prepared by Dr. William Hovgaard, of Massachusetts Institute of Technology, on the proposed Army metal-clad airship:

"The fact that a high internal pressure can be safely maintained is one of the most important advantages of the metal-clad airship. Associated with the rigid structure the metal skin places this type of airship in a class by itself, superior in strength and stiffness to all former rigid and nonrigid airships."

Question 6. What is the pressure required in both types of airships?

Answer. A fabric nonrigid or pressure-type airship normally operates at 1 to 1½ inches in water, whereas the *ZMC–2* metal-clad airship is operated at 1½ to 2 inches of water.

Comment: None.

Question 7. How much of the skin now on the *Los Angeles* is part of the original?

Answer. Approximately 75 per cent of the present outer cover on the *Los Angeles* is the same cover as originally applied in 1923–24.

Comment: In the Army and Navy Register, October 11, 1930, there appears an official report submitted by the board of inspection and survey of the Navy on the condition and record of the *Los Angeles*. The following is quoted:

"The *Los Angeles* is now over 6 years old, and has had over 2,500 hours under way, representing over 110,000 air miles, and in addition has operated about 1,200 hours at mooring masts."

Allowing approximately 300 hours for taking the airship in and out of the hangar for its various flights, this would indicate that the *Los Angeles*, during the 6½ years which have elapsed since its first trial flight, has operated outside of the hangar and exposed to the elements a total of about 4,000 hours. The elapsed time in 6½ years totals 56,840 hours. This indicates that during the active life of the *Los Angeles* it has operated inside of the hangar 93 per cent of the time, and outside of the hangar 7 per cent of the time. It is submitted that neither the *Los Angeles* nor any other vehicle used in transportation would possess any economic usefulness if it remained inactive 93 per cent of the time. Neither would it possess any marked military usefulness if during actual warfare it were housed inside of its hangar 93 per cent of the time. Actually, in commercial operation, it would probably be in the hangar not to exceed 15 and 20 per cent of the time, and the remainder of the time would be under headway or else moored in the open at terminal points.

It is a matter of experience that, exposed to changeable weather and to the deteriorating influence of the actinic rays of the sun, that the fabric covering of a conventional Zeppelin-type airship suffers a gradual loss in strength.

The reply of Secretary Ingalls indicates that 75 per cent of the original cover is still intact on the *Los Angeles*. It is submitted that the specific reason why this amount of outer covering is still intact is due to the fact that the airship has spent 93 per cent of its life housed safely inside of the hangar and free from exposure. If it had been operated in the open for the length of time equivalent to what might be expected in commercial operation, it is unquestionably true that none of the original fabric would be intact, and that at the end of its 6½ years of active life it would now perhaps be wearing its third hull covering. It is reported that the last of the German fabric is now being removed from the *Los Angeles* and is being replaced with new fabric.

Question 8. Is the metal clad a rigid airship as such, or is it dependent for its structural integrity upon air or gas pressure from the inside?

Answer. As stated, the *ZMC–2* metal-clad airship operates on pressure principles and is properly classified as a "pressure-type" airship. It requires interior hull pressure to preserve its structural integrity at any but very moderate speeds. The interior framing is just sufficient to prevent collapse of the hull plating when the airship is stationary. A rigid-type airship, as exemplified by the Zeppelin type of construction, has a rigid framework inclosing the gas containers and the structural integrity of the airship is independent of the gas pressure within the hull. There are minor reservations to these general statements, but it does not appear to be important to go into technical details. In a manner of speaking, a Zeppelin-type airship operates at zero internal pressure.

Comment: Reference is made to the quotation from Doctor Hovgaard in answer to question 5. The following is also quoted from a recent engineering report on the proposed Army metal-clad airship prepared by W. Watters Pagon, formerly consulting engineer to the National Advisory Committee for Aeronautics, on airship design:

"The ship (metal clad) is of pressure type, but the design contemplates a structure that will be safe without pressure at reduced speed with the twin cells in any frame space completely deflated."

Question 9. How is the pressure available?

Answer. The *ZMC-2* metal-clad airship obtains its interior pressure as outlined under question 4. The pilot has at his command scoops which "pick up" pressure from the air as the ship travels through the air, and this pressure can be made proportional to the ship's speed. In other words, for higher speeds higher internal pressures are required. As a precautionary measure, blowers are provided to insure that when the airship is stationary the internal pressure may not fall below a certain specified minimum.

Comment: None.

Question 10. State whether or not the proposed design of the 100-ton ship is dependent upon air or gas pressure in the same way.

Answer. The information which the Navy Department has on the proposed design of a 100-ton metal-clad airship is very meager and of a general nature. It is understood that this proposed airship will operate upon pressure principles similar to those outlined for the *ZMC-2*. It is a fundamental that unless hull framing comparable in magnitude and strength to that provided in Zeppelin-type airships is provided, the hull covering, or plating, must be placed under pressure in order that this plating may take the loads which come upon it.

Comment: Reference again is made to the Engineering Report by Dr. William Hovgaard from which the following is quoted:

"The metallic skin in conjunction with the rigid main frames and a high gas pressure insures a maintenance of form not obtainable in Zeppelins where the diagonals permit very great shearing deflections."

Questions 11 and 12. What effect would a break of moderate size have in the hull of the Zeppelin type of airship? What effect does such a break have in the hull of the proposed metal clad?





Answers. A break of moderate size in the hull of a Zeppelin-type airship would not necessarily involve a loss of gas (or gas pressure), and, since the Zeppelin type does not depend upon pressure for its structural integrity, a loss of gas would be serious only in that a certain amount of lift would be lost. (Because the structure of a Zeppelin-type airship is complex and there is overlapping of structural members, minor failures do not as a rule destroy the structural integrity of the airship but merely throw increased burdens upon adjacent members, and failure of the airship does not occur.)

As regards a pressure-type airship, a break of moderate size would involve loss of interior hull pressure to an extent which might prove fatal. Instances of this have occurred with fabric pressure airships. Depending upon the extent to which interior pressure can be maintained by artificial methods and the amount of strength possessed by the hull, a pressure airship might be able to proceed at very much reduced speed.

Comment: Reference again is made to the report of Dr. William Hovgaard, from which the following is quoted:

"The principal difference between the metal-clad airship and the Zeppelin consists in the fitting of a thin, gas-tight metal skin which is riveted to the structure and which takes the place of the outer cover, the wire and cord netting, the gas-tight fabric, and the diagonal wires in the Zeppelins. The metal plating may be regarded as the principal strength member of the hull and serves at the same time as a gas container. It excels by its simplicity, its superior strength, and its gas-tightness.

"The introduction of the metal skin is, of course, the principal new feature in the design. As far as strength is concerned, it at once places the ship in a class superior to that of the Zeppelin, since it becomes possible to attain factors of safety of about four or more as against about two or less in a ship like the *Shenandoah*.

"The skin plays about the same part as in the strength hull of a submarine, where the shell plating forms at once a water-tight envelope for the inner hull capable of standing pressures and a girder which, together with the framing system, serves to resist longitudinal bending and transverse shearing."

Question 13. Is it possible to move around easily in the hull of a Zeppelin-type airship?

Answer. It is possible to move around easily in the hull of a Zeppelin-type airship.

Comment:

Questions 14 and 15. Is it possible to move around in the hull of the proposed metal clad? What are the difficulties of moving around in the hull of either?

Answers. This question is difficult to answer precisely because of the meager information available on the proposed 100-ton metal-clad airship; but because of the necessity for keeping the hull always under pressure it is difficult to see how adequate accessibility to the interior can be arranged unless some of the crew are to carry on their duties in an air-locked chamber.

The difficulties of moving around in the hull of a Zeppelin-type airship are those of climbing around on any large structure. Moving around within a pressure-type airship is complicated as outlined under question No. 14.

Comment: Ninety per cent of the internal structure of a large metal-clad airship is precisely as accessible as is the framework of a large Zeppelin. The remaining 10 per cent, which is constituted of the longitudinal frame members in the top half of the ship, from a repair standpoint, are as easily accessible as are the top longitudinals of a Zeppelin.

Obviously the outside structure of both types of ships is equally accessible.

The internal pressure offers no difficulty in providing convenient accessibility to the inside of the hull without interfering with the maintenance of operating pressure, whether in flight or at rest.

Question 16. What are the advantages or disadvantages between the two ships for military purposes?

Answer. The advantages and disadvantages of a Zeppelin-type airship and a metal-clad airship for military purposes are matters provocative of considerable discussion. Without going into any such discussion, I list the principal advantages of each type as they appear to me. The disadvantages of the two types can be inferred from this tabulation:

METAL-CLAD AIRSHIP

Possibly less loss of gas by leakage.
Less variation of lift by absorption and loss of water in fabric.
Slightly less danger from fire.
Greater strength attainable for ground handling by increasing the internal pressure.
Less frequent renewal of fabric.

RIGID AIRSHIP

Operation is independent of internal pressure.
Overlapping structure makes for added safety.
Cheaper to construct. (How much is not known at present.)
More easily repaired.
Structure more easily inspected.
Less liable to loss of strength by corrosion.
Gas cells accessible and readily replaced.
Less variation of lift by superheat.
Longer total life of ship.
Interior compartments are possible for carrying engines, airplanes, etc.

Comment: No detailed comment is made on the comparison as outlined. However, it is apparent to everyone that the purpose of air transportation is "high speed." In this connection it is the belief of many prominent engineers that in so far as high speed is concerned, the large Zeppelin has very nearly reached its maximum. From an engineering standpoint, those who have spent 10 years in the development of the metal-clad type firmly believe that within the next decade large metal-clad airships can and will be constructed capable of a speed of as much as 125 miles per hour. It is our belief that Zeppelin airships covered with fabric can not from the standpoint of economy in structural weight be built strong enough to stand such a high speed.

The realization of this prediction of a speed of 125 miles per hour is not a problem of metal-clad design, but is dependent upon increased thermal efficiency of engines and increased efficiency in the use of fuel. Such a speed will bring London within 30 hours of New York, and its contribution to improved internation contacts is beyond appraisal.

Question 17. Is there a possibility of overcoming these disadvantages; and if so, how?

Answer. I would not wish to go on record as saying there are not possibilities of overcoming some of the disadvantages indicated as applying to the metal-clad airship, but I have no hesitancy in stating that, considering the two types in their present states of development, the Zeppelin-type airship is preferable for naval purposes.

Comment: It is submitted that the so-called disadvantages referred to in the Secretary's reply have not been proven.

Question 18. How would the cost compare between the two types of airships?

Answer. As regards cost, it is impossible to be specific. We have no real information as to the cost of either the Zeppelin type or the metal-clad type of airship. The *ZMC–2* cost considerably more than originally estimated by the firm which built her, and because of the higher degree of precision required to fabricate a metal hull I believe the cost of a metal-clad airship will always be higher than that of a comparable Zeppelin-type airship.

Comment: The answer to this question is a matter of opinion. It is believed that the statement of the Secretary that the cost of a meal-clad airship will always be higher than that of a Zeppelin type is a nonjustifiable assumption.

Question 19. What would you regard as the length of life of either the metal clad or the Zeppelin?

Answer. Again there is no real data on which to base an opinion as to the relative life of the two types of airship. My opinion is that the probable life of a Zeppelin type is around 10 to 12 years and the life of a metal-clad airship about three-quarters that period. Naturally replacement parts will be required for each type during these periods. Because of the difficulty of replacing it, the life of a metal-clad airship is probably the life of its thin hull plating, and it is believed that thin sheets deteriorate faster than thicker sections.

Comment: The art is too young to indulge in a speculative comparison of the life of the two types of ships, other than to direct attention to the high cost of renewal of the fabric outer covering and the gas cells in the Zeppelin type, if it is operated under commercial conditions when the majority of the time it is exposed to the elements.

Question 20. I have always assumed that the Navy and Army had an understanding that the Navy would confine itself to the rigid type of airships and the Army to nonrigid airships, in the lighter-than-air class. I would like to know if there has been any change between the two services or if you or anyone else of the Bureau of Aeronautics has made any statement that they would waive such an arrangement.

Answer. There is an agreement approved by the joint board which places the development of rigid airships with the Navy Department. It is under this agreement that the Navy Department has proceeded with its work on the *Shenandoah*, *Los Angeles*, and the two new airships now under construction. There is no restriction as to the use of rigid airships by either the Army or Navy after they are developed. I know of no similar mandate which charges the Army with the development of nonrigid airships, although the Army Air Service has devoted most of its attention to that type of airship, the Navy confining its attention to the operation of only two or three nonrigid airships for training and experimental purposes. When the matter of procurement of the *ZMC–2* was an active topic of discussion in 1926 the question arose as to whether its development should be lodged with the Army or with the Navy. At that time the Army waived whatever claim it might have on the development of the *ZMC–2* "pressure-type" airship in favor of the Navy. A year ago there was an exchange of correspondence between the Chief of the Bureau of Aeronautics and the proponents of the proposed 100-ton metal-clad airship wherein the Bureau of Aeronautics stated neither authorization nor appropriations were available for the procurement of such an airship by the Navy. The proponents of the 100-ton metal-clad airship replied, stating that they felt free to develop whatever interest they could in the Army toward the procurement of such an airship. I inclose copies of the correspondence in question.

Comment: The procurement of this airship by the Army Air Corps is not in conflict with the policy laid down by the joint

Army and Navy board relative to the development and use of rigid airships approved January 12, 1920, as evidenced by the following two excerpts:

"3. (c) In accordance with the proposed policy, no restriction should be placed upon the use of rigid dirigibles by either air service, if after development it is considered that such type is required in the accomplishment of the functions of either air service.

"4. (c) That no restriction should be placed upon the use of the rigid dirigible by the Army, if after development it is considered that such type is required in the accomplishment of the functions of the Army Air Service."

But even if an agreement reached almost 11 years ago did erect a technical barrier to the procurement of this airship by the Army, should it be allowed to stand in the way of progress? Should modern military requirements imposed by the advent of aircraft in warfare be ignored? Should the excellent Army airship base at Scott Field remain practically inactive because of lack of equipment? Should the highly trained lighter-than-air personnel of the Army be retained and supplied with modern equipment, or should its great value be dissipated through lack of constructive activity?

It is submitted that what may have been intended as expedient policy 11 years ago is not necessarily sound policy to-day. Nothing is permanent in this world. In every walk of life man is constantly faced with the necessity for change, without which there is no progress.

Furthermore, the joint agreement of January 12, 1920, applied to rigid airships and nonrigids, and did not contemplate the advent of this new type referred to by Secretary Ingalls in his answer to question 4 as to the "pressure-type airship." In addition it is submitted that no executive interdepartmental agreement abrogates the legislative powers of the Congress.

> Question 21. Will you also tell me whether or not it is desirable or necessary, in times of peace, that whenever an airship is expected to stay in any particular place for a considerable length of time that a hangar be provided for it?
>
> Answer. While I believe the use of airships at mooring masts is in its infancy and that it is possible to base airships on mooring masts for extensive periods—say, a month or more—at the present time, and that as development proceeds this period will be lengthened, I would regard it as inadvisable not to provide housing facilities for every airship that is in existence. In other words, there should be hangar space for every airship, although an airship does not necessarily have to base entirely on a particular shed.

Comment: As applied to fabric-covered airships, the Secretary's answer is no doubt well taken. However, inasmuch as metal-clad airships will not suffer from deterioration due to the action of the actinic rays of the sunshine, particularly in the Tropics, a hangar will bear the same relation to a metal clad as a dry dock does to a steamship. This being true, the only occasion for housing a metal clad inside of a hangar will be for repair purposes, and it is submitted that it is beyond the realm of reason that an entire fleet of either merchant airships or military airships would all require repairs at the same time. Consequently, we are in disagreement with the opinion of the Secretary that a hangar should be provided for each airship.

Furthermore, it is our belief that if this were true, airships could never hope to become commercial.

> Question 22. Of what value could a small appropriation be unless it is intended to go ahead with the construction of an airship?
>
> Answer. It is difficult to say how a small appropriation for the preparation of plans, specifications, and experimental work would prove of any real value unless it is the intention to go ahead and actually construct an airship to those plans and specifications. For maximum benefit, the preparation of plans and specifications should really proceed simultaneously with construction work, as in an engineering project of such magnitude I consider the two matters, design and construction, really should proceed simultaneously.

Comment: In so far as actual shop drawings and patterns necessary for fabrication and assembly are concerned, we are in entire agreement with the Secretary's answer.

It is submitted that harmonious coordination of effort of the engineering section of the Army Air Corps with our own engineering group must be arranged before the actual specifications of the proposed large army metal clad can actually be written. This collaboration of effort involves a patient, consistent research, thorough, unhurried, and costly.

Full-sized sections of transverse and longitudinal frames of different sections of the ship must be built and in physical laboratories tested to destruction in order to prove in advance of actual detailed design, fabrication, and assembly that the safety factors desired will not fall below the strength required for safety. As an example of the importance of this feature it is pointed out that the total length of built-up girders in the proposed Army airship, including both longitudinal and transverse frames, will total approximately 10 miles in length. Beneficial weight reductions and actual increase in structural strength of these frame members are possible only through painstaking research and meticulous design, the fundamentals of which must be worked out in detail before shop drawings can be prepared for fabrication.

To emphasize more fully the necessity for this preliminary organized research, the following is quoted from a public address delivered by President Hoover in Detroit, October 21, 1929:

> "I may emphasize that both scientific discovery and its practical application are the products of long and arduous research. Discovery and invention do not spring full grown from the brains of men. The labor of a host of men, great laboratories, long, patient, scientific experiment, build up the structure of knowledge, not stone by stone, but particle by particle."
>
> Question 23. Also as to whether or not the two dirigibles now under contract with the Goodyear people will give a complete opportunity of maneuvering the two ships so as to tell absolutely whether or not large-sized airships have value for military purposes with either the Army or the Navy?
>
> Answer. I consider that the two dirigibles now under construction for the Navy Department, when in the air and provided with adequate operating-base facilities, will give complete opportunity of determining definitely whether or not large-size airships have value for naval purposes. It is somewhat difficult and embarrassing for me to comment on Army requirements, but I should think it possible to draw direct conclusions and inferences from the operation of these airships as to their value for use with the Army.

Comment: It is believed that this question and the answer both avoid a broad view of the entire subject of airship development. Furthermore, it is submitted that the construction of the proposed Army metal clad will not constitute a duplication of effort, inasmuch as it is an entirely different type of airship from the large Zeppelins being constructed for the Navy. But even if it were a duplication of effort, it is not believed that it is sound policy for any country to be dependent on only one source of supply of any outstanding instrument of defense or vehicle of commerce. Would the United States be satisfied with one shipyard, with one airplane factory, with one armament factory, with one powder mill? The answer is obvious.

Furthermore, all human experience discloses that we make progress by retaining the best of the past, developing the good of the present, and encouraging the development of what may be better in the future. It is submitted that the Zeppelin-type airship falls in the second category, and the proposed metal clad in the third category, and that the usefulness of airships in general holds forth such great promise that both developments at this particular stage are equally justified.

Respectfully submitted.

AIRCRAFT DEVELOPMENT CORPORATION,
CARL B. PRITSCHE, *President*.

IMPORTANCE OF RESEARCH IN PREPAREDNESS

In conclusion, let me say, first, I have no personal or political interest in the Aircraft Development Corporation or in this project. No one interested financially in this company, so far as I know, lives in my district. I do not know of any favors, political or otherwise, that I have had from any of them. I do know of them as able men and have full confidence in their integrity and patriotism.

I am interested greatly in this as highly important research work, experimentation in a great problem of military preparedness. I have often opposed extravagance and waste in Army and Navy appropriations. I have always supported needed funds and have taken especial interest in funds for research and experimentation to keep us in the forefront of progress in preparedness for military emergency. Because this is a notable opportunity to carry on the work of experimentation in a particularly important problem of this character I am for this small appropriation.

LET THE TRUTH BE DEVELOPED

The opposition of those financially interested in production of fabric-clad airships is natural and to be expected.

The opposition of Navy Department officials or others partial to the fabric-clad ship is not so easy for me to understand. The truth is more important to the Nation than the preconceived ideas of any of us. The national defense is too serious a problem to let merely pride of opinion halt the development of truth.

If the further studies show the metal-clad ship is not feasible, or is inferior in every way to the Zeppelin type, or serves no special field of importance, it will be well to know that and the Zeppelin is not displaced.

If the further studies show, however, the metal-clad ship is feasible, is in any way superior to the fabric-clad, serves special needs of the country in peace or war, it is highly important we know that, and each ship, metal clad or fabric clad, must be content to serve where it best serves.

We are not asking the study of the Zeppelin type be discontinued or that pending programs in that field be disturbed.

We are asking that the whole field be properly studied and all the truth be established.

In a bill carrying $346,000,000 it is not too much to carry $200,000 for further advance in the important problem of metal-clad lighter-than-air ships.

In Aeronautical Engineering Mr. Fritsche has well summarized the vital importance of the problem when he said:

The theoretical application of the airship for naval, military, civilian, and commercial uses appears so promising that the expenditure of both public and private funds for actual demonstration is well justified. The cost for certain missions for which the airship is peculiarly adapted should unquestionably be less than for existing forms of transport. The question as to whether it will pay can be answered only with reference to specific application of the airship.

With respect to naval and military uses, neither the value of adequate preparation for the national defense, nor the tragedy of a poisonous gas attack on a metropolitan center can be measured in dollars and cents. Long distance reconnaissance, coast patrol, and transportation of personnel and supplies appear to be the most useful application of the rigid airship in this regard. In any well-balanced program of national defense, the function of the airship is not to replace, but rather to release, certain existing facilities and equipment for other important duties for which they are peculiarly fitted, thus aiding in the efficient disposition of the armed forces.

Commercially the airship will supplement present facilities, not replace them. The airship will transport first-class passengers, mail, and express at higher speed, do more work per unit of energy, save more time, earn more profits. It has power in abundance, long range, safety, comfort, dependability, and economy in operation and maintenance.

It is destined to play an important rôle in the general advancement and prosperity of our country. Its future is as brilliant as that of the first steamship. As a means of promoting the peaceful pursuits of commerce, as an instrument for bridging quickly the physical barriers that often are obstacles to better understanding among nations, it is an international asset. Because of its speed the airship will expedite trade and thus increase the volume of commerce. Therefore its general application to world trade routes is inevitable.

In 1900 Thomas A. Edison was asked if the automobile would ever pay. His reply is historic as to the automobile and prophetic as to the airship. "A great invention which facilitates commerce enriches a country just as much as the discovery of vast hordes of gold."

Mr. BARBOUR. Mr. Chairman, I yield 20 minutes to the gentleman from Wisconsin [Mr. FREAR].

Mr. FREAR. Mr. Chairman, I heartily agree with the gentleman who has just spoken [Mr. CRAMTON]. That is one of the important questions which has come before this House in regard to a bill that is now under consideration in the Senate. It is folly to continue obsolete war equipment, and the Government can better employ funds in experimenting with the latest inventions.

Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

Mr. BLANTON. Reserving the right to object, just to ask a question, the gentleman from Michigan [Mr. CRAMTON] stated that the proposal he referred to would only embrace $200,000. Eventually it will mean the expenditure of $10,000,000. Is that not true?

Mr. FREAR. I do not know. My remark was addressed to the fact that, according to many of the experts of the world, inventions to-day have made battleships useless and also cruisers of the present type useless.

Mr. BLANTON. I will agree with the gentleman, and I agree with the gentleman from Michigan [Mr. CRAMTON] as the value of experimentation, but I do not want the RECORD to show that it will be merely $200,000. That is the initial proposal, but eventually it will cost $10,000,000.

Mr. FEAR. It would be better to expend $10,000,000, if for useful purposes, than to expend $30,000,000 to-day for battleships to be reconditioned when they are useless.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. FREAR. I yield.

Mr. LAGUARDIA. It has the additional feature that the lighter-than-air ship is not necessary to be used for war purposes. We are still in the experimental stage with lighter-than-air ships. The Germans have accomplished a great deal, and if these experimentations are necessary for technical and scientific purposes, of course, that will result in benefit for the entire country. It does not mean that we have necessarily got to build any ships as a result of that experiment, as I understand it.

Mr. FREAR. The gentleman from New York is absolutely right, and let me say this, for the benefit of the House and those who are not familiar with the fact, that during the World War Major LAGUARDIA was an active aviator and, I believe, in Italy had charge of the American air forces. He is an authority and at times speaks understandingly but very modestly in regard to these various appropriation bills. To my mind, the question of these inventions is more important than many of the archaic measures we have taken over in the past. I am not criticizing anyone, because, of course, these bills come to us for consideration, but I want to say this is a most important thing and we ought not at this time to enter on any great naval proposition when we are claiming to be the foremost peace government in the world.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. FREAR. Mr. Chairman, I did not intend to speak to-day, but after mentioning the propriety of a Member not on the committee immediately concerned with legislation in speaking before a measure comes to the House I was encouraged to do so by two or three Members and so desire to discuss a proposition now before another body that soon may reach the House.

It is an advance guard of a far greater program, tentatively before both Houses, of vital importance to our people, so that if in the discussion of its various phases I am not in harmony with the Naval Committee, that will not be considered important to the committee, because I only speak from the standpoint of a layman.

In another body the reconditioning of three battleships at a cost of $30,000,000 is under consideration. It is an authorization that does not appropriate money at this time, but after the passage by Congress of an authorization it is a brave appropriation committee that fails to make good a contract we have then entered into with all interests concerned.

That battleship measure and warship-building program under the "parity" with England conference limitation will probably reach, with normal Army and Naval expenditures, nearly a billion dollars during the next fiscal year and be followed by a vast expenditure of money thereafter to reach the desired "parity." Briefly, that is the general subject I wish to discuss.

BATTLESHIPS TO BE SENT UP THE MISSISSIPPI BECAUSE USELESS

In a brief consideration of the $30,000,000 authorization for reconditioning these three battleships occurs this enlightening observation—

Mr. BROOKHART. Our highest naval authority says that the only safe place for battleships during a war would be as far up the Mississippi River as we could get them; and, of course, if they were up there they would not fire either 22,000 yards or 35,000 yards, for if they should do so they would kill somebody. (RECORD, January 6, p. 1458.)

Again—

Mr. BROOKHART. If we decide, then, as a matter of efficiency that the battleship is worthless in war and a waste of money, we do not have to waste that money ($30,000,000) in building." (RECORD, p. 1485.)

These two observations of a distinguished Senator in debate seem to cover the question, although answers were proffered that did not seem to meet either proposition satisfactorily. Quoting from page 1460 of the same RECORD:

Who wants to hold up the Government of the United States at a time like this and take out of the Treasury $30,000,000 to enrich those who furnish materials to build battleships, while men and women and children, starving, are begging for help in obtaining food on which to live?

The extract from Senator HEFLIN's speech is expressive of another phase of the situation.

Mr. SNELL. Will the gentleman yield?

Mr. FREAR. Yes; certainly, I yield.

Mr. SNELL. Is this $30,000,000 the $30,000,000 they are discussing in the other end of the Capitol at the present time? Is that the same bill that has been passed by the Committee on Naval Affairs and is now on the calendar?

Mr. FREAR. I am not sure whether it passed the House at some prior session or not, but no appropriation has been made. I am sure of that. That is the matter I am calling to your attention.

Mr. SNELL. But it is the same bill that has been reported from the Committee on Naval Affairs and is now on the calendar?

Mr. FREAR. I believe that is correct. They are opposing an authorization in the Senate at this time, and no appropriation has been made by either House.

Interrupting the Senator from Alabama, Senator KING, mover of a motion for reconsideration, made this interesting statement:

Mr. KING. In addition to the $30,000,000 asked by the pending bill there is another bill * * * calling for an appropriation of $27,650,000 for aircraft carriers, $20,780,000 additional for cruisers, for another cruiser $16,605,000, submarines $17,600,000, and other large appropriations. In addition we have a naval appropriation bill which will soon be before us which asks for more than $350,000,000, a War Department appropriation now before the House asking for $440,000,000, so we will be called upon to appropriate before Congress adjourns nearly $1,000,000,000 for naval craft and for military and naval expenses for the next year. (RECORD, p. 1461.)

A further significant statement by the distinguished Utah Senator is quoted:

More than $400,000,000 in peace time—

For the Navy in one year—

Germany when it was alleged she was seeking to conquer the world and to build up a great navy in competition with Great Britain never asked for $400,000,000 in one year.

And what happened to Germany?

Another significant colloquy:

Mr. HALE. Two battleships would employ 2,400 men (in construction).

Mr. HEFLIN. I am trying to get relief for 20,000,000 people who are in great distress this minute.

It has been frequently stated that if the shipbuilding concerns and Government navy yards were taken out of consideration that the pressure for a big navy would materially lessen. That condition exists when a man like Shearer is employed, as he alleged, to prevent the reduction of armament conference at Geneva. The struggle for naval construction at local Government naval yards is also a factor in both Houses and will ever be, but when the public interest is of major importance, then local interests are secondary; otherwise, as suggested in debate, Congress might construct an additional 100 warships. But these ships are for fighting purposes and not primarily to furnish employment. There is the rub.

OTHER CONSIDERATIONS FOR WARSHIP BUILDING

To illustrate. In a recent discussion in another body two statements made by a naval authority in charge of the bill carry a world of meaning, as disclosed in the RECORD of January 6:

Mr. ———. I will say frankly that one of these battleships is being modernized in the ——— navy yard. I hope, though I have no assurance to that effect that another will go there. I hope that will be the case. I am frank to admit it.

This frankness related to an expenditure of $20,000,000, or two-thirds of the $30,000,000 in a local navy yard—a strong argument in favor of their authorization by the one who controlled the bill. Again the same speaker says:

The nation that controls the surface of the sea controls the flow of commerce in time of war, controls where military power shall be projected in time of war and when other nations shall be prevented from projecting their military power in time of war.

In other words, the United States while consenting to a reduction of arms agreement increases its Navy so as to control the sea, and a local navy yard receives special consideration. Both are customary reasons, but may not appeal to the rest of the world.

Without reference to the above discussion I appreciate the position of those who represent districts in which navy yards are located and recognize their sincerity and ability in voicing the desires of constituents, but those of us who represent districts and States that help pay the bills and are equally concerned in the welfare of the Nation, must be influenced by considerations which affect the country at large, as we view them.

The London reduction of arms conference provided that England scrap 140,000 tons of her warships and consented to the United States building 100,000 tons of new warships to reach "parity." This is "reduction of arms" with a vengeance at a cost of $1,000,000,000 and over by this Government that initiated the Kellogg peace treaty and has sponsored every reduction of arms conference. To quote the last speaker—

The nation that controls the sea, controls the flow of commerce in time of war.

The nation that controls the sea, though temporarily, becomes a challenger of all world forces. It invites war and forces war by an overt act of admirals, diplomats, or other agencies, not disavowed.

War is soon to occur in Europe, according to many writers. In that event this Government may easily become involved with some one or more of the warring nations. The American people have no more voice in that war declaration than the people of Russia. Congress surrounded by a flood of war propaganda alone decides when war shall come, but Congress is not always a free agent.

Millions of youth sent to Europe for another war to end wars have no more voice in their place or term of service than the youth of any European country. A draft law controls.

The time to consider this situation is not when war comes, but before. If this Nation "controls the sea" in time of war in order that "other nations shall be prevented from projecting their military power in time of war" then we assume to "control the sea." The conclusion is irresistible that attempts to boss the sea or land lead to war, and thus far in history every world boss has met a Waterloo.

That is the issue, and as a layman I desire briefly to discuss the last World War to end wars together with the next one and acts that invite war.

BUILDING MANY NEW WARSHIPS

Bill H. R. 14688, introduced by Chairman BRITTEN, authorizes the construction of an airplane carrier at a cost of $27,650,000, 1 cruiser to cost $20,780,000, 1 cruiser to cost $16,605,000, 4 submarines to cost $17,600,000, and includes other provisions of uncertain effect, some of which are not included in the 100,000-ton naval increase permitted by the London conference.

Additional construction of warships must be authorized each year to meet the demands of Admiral Pratt and other naval officials in order to reach "parity" with England.

With this program these 3 battleships are also to be reconditioned at a cost of $30,000,000 and 11 destroyers under an old authorization will add $47,000,000 more to the naval bill apart from a 100,000-ton increase authorized by the London treaty, or in round numbers $160,000,000, not all to be expended in one year, is required to begin our naval program in addition to $360,000,000 annual appropriation for naval maintenance.

It has been called to my attention that of editorials in the American press, for or against the abolition of battleships, out of 339 articles so published, 306 or about 90 per cent were opposed to more battleships. Of 595 articles on the subject of reduction or parity in naval matters 438 were for reduction rather than parity and 157 or slightly over 25 per cent were for parity over reduction or 75 per cent against the naval program.

I do not assume to discuss technically "important categories" in war vessels or the full scope of our big-navy program. From the standpoint of a layman or man on the street I have listened to controversies in and out of Congress between alleged naval experts and have often believed that time is usually consumed in trying to convince each other that the same figures mean different things. It is probable that not 1 layman out of 10 throughout the country, and the

proportion in Congress may be no larger, understands that after several reduction of armament conferences held in Washington, Geneva, and London, in which the United States has always been a moving factor, the net results has been to spell for us, the apostles of peace, a larger navy than ever before—second to none in the world.

After placing Kellogg, our spokesman, on a high peace pedestal because he secured signatures of over 50 nations to a pretentious treaty outlawing war that same world now learns that the Government he represents is about to build a big navy, double pre-war size, with which to end another war to end wars.

To soothe public protest against another declaration of war without right of the people to decide and of a universal draft again of man power to fight Europe's battles, Congress has passed a harmless resolution permitting a committee to inquire when and how it is possible to draft property for war purposes. Without power to summon a single witness this meaningless resolution is used as a catch-all for protests against war on the one hand and to support a flood of propaganda certain to overwhelm Congress if the big-navy program of our naval officers is endangered.

In the War Department bill now before the House it is only necessary to point out the stupendous expenditures made by this department compared with pre-war expenses by quoting from page 43 of the report of the bill before us that for 1931 the appropriation is $456,041,951, and for 1932, $464,645,806. That total reaches nearly $4 per capita for every man, woman, and child or an average of $20 for every family of five persons for present War Department needs. Nearly $100,000,000, it is fair to say, are for waterways and flood control.

A PEACE ARMY OF 2,000,000 MEN PROPOSED

A recent demand from General Summerall for an army of 2,000,000 soldiers on the plea that our Regular Army could not place one-half of its present force immediately in the field is also noted, coupled with equally surprising and insistent demands from Assistant Secretary of War Payne that much larger funds are needed by him to cover 3,876 items cited, of which less than one-half, or only 1,705, can be met with present appropriations.

These appeals, or more correctly "demands," that rally the army-of-preparedness enthusiasts like bugle notes from the trumpeter, are calculated, if not intended, to arouse a vigorous propaganda against Congress for its niggardliness and lack of understanding of our military and naval needs.

At the outset it appears that while our organized man power of 18,500,000 men is greater than that of any other country in the world—Great Britain, Russia, Germany, and France not excepted—that our active force is only 136,217, or less than 1 per cent of the man power of the country. These figures are from our own War Department, but they do not include a reported strength of 176,988 men in the National Guard, making a total military force immediately available for service of about 300,000, and in addition should be added 1,000,000 able-bodied veterans—if acceptable to the Army Staff.

Reverting to the strenuous appeals now made to Congress for greater appropriations for vast military and naval forces, it would seem important to know that expenditures last year by the War Department reached more than 150 per cent over 13 years ago, and naval expenditures increased nearly 140 per cent during the same period. The latter expenditures were also greater than those of any other country in the world for its navy. I have just quoted the 1931 and 1932 increases that disclose the sky limit of this branch of government.

With this remarkable situation, in view of asserted results, confronting a people far removed from World War controversies or its beneficiaries or protestants affected by the Versailles treaty, we learn that in addition to over three-quarters of a billion dollars annually expended by these officials for our military and naval forces that we must now furnish, beyond the $780,000,000 regularly appropriated, $1,250,000,000 additional in order to give Admiral Pratt and the Naval Board the biggest navy in the world.

That proposal is of great importance in a monetary way, but the liabilities and responsibilities attached to the proposal far transcends any financial burden to be borne by the taxpayers of the country.

Many years of industrious efforts put forth by ex-Secretaries Kellogg and Root and Ambassador Hugh Gibson, with a host of able assistants, in order to promote better peace relations internationally, now confronted with this great war-preparedness program, must excite distrust and astonishment among the nations of the world that study acts as well as words.

MORE USEFUL WAYS TO SPEND MONEY

From a humanitarian viewpoint appropriations of $150,000,000, a fragment of our present annual normal peacetime war expenditures, will partially relieve from extreme suffering the army of our unemployed. One fund is for physical improvement of men for peace service and the other is to maintain an Army and Navy proposed to be the largest in the world, so it would seem that we should first aid the unemployed and their families and study well the great war-preparedness program made ready for us. That program for increased military and naval preparation will reach from one to two billion dollars to be added to the regular three-quarters of a billion dollars annual war expense.

Equally important to the American people is the present predicament of thousands of veterans of the last war who in some cases are now totally disabled or seriously disabled. Yet with families to support these veterans, unless able to present evidence that their ailment was contracted during war service, receive a maximum payment for the totally disabled and their families of $40 per month, and for lesser disabilities proportionately smaller payments. As a general proposition, Congress would have given far greater relief to the hundreds of meritorious cases that come to each Member for aid, but a threat of presidential veto induced us to accept the half loaf. That injustice should be righted before any big-navy project for another war is begun. Statisticians allege that over 80 per cent of all present Government disbursements are now made for past wars or those anticipated. We should do justice to those who served in the last war before plunging into future European conflicts.

What excuse exists for a big naval building of warships when we face the fact that never in recent history has agriculture been in such distress? Every available dollar not imperatively needed elsewhere, and that can be spared, should help relieve agricultural distress, for over 30,000,000 people in a basic industry must prosper if the remainder do.

With this situation we are confronted with an annual naval bill of more than $360,000,000—larger than that of any other nation in the world—and, in addition, is offered this new naval building bill, a forerunner of others. For a century and a half no limit has been placed on the size of our Navy. Now that other countries are reducing theirs under the London agreement our admirals and others of like views feverishly demand more warships.

WARSHIPS USEFUL FOR AIRPLANE-BOMBING MARKSMEN

Experts have declared that battleships are obsolete and out of date. The sea terrors of two decades ago are useless because of modern methods of warfare. Experts are proving that many hundreds of millions of dollars spent for $40,000,000 battleships have been wasted, apart from a false sense of security temporarily given, and that modern cruisers are soon to join the procession of obsolete war craft.

With these experts relegating to the scrap heap wooden frigates and single-turreted monitors and all their successors from battleships to cruisers, while experimenting with more destructive sea vessels, our admirals yet demand that Congress build enough of these antiquated "categories" to insure "parity" with England. Defense for such course may be that if naval experts agree that the present types of warships are to be scrapped as useless that the same condemnation of British fleets will reach "parity" in the obsolete.

With discarded muzzle-loaders of our colonial troops and Civil War days this is a changed age of machine guns, poison gas, and hand grenades; yet with feverish haste our

naval experts urge parity of warships that soon after their completion may be as useless and obsolete as old muzzle-loaders for war use.

Lifelong studies of modern inventions are valueless when their advice is to be discarded. That is the conclusion of a distinguished naval official who unburdened himself in the press as late as yesterday, January 8, as follows:

MOFFETT URGES LARGER NAVY

MIAMI, January 8.—A ringing call for the United States to build up to the limit allowed by the London naval treaty was sounded by Rear Admiral William A. Moffett, Chief of Naval Aeronautics, here yesterday.

Speaking at the dedication of the new naval reserve aviation base, Admiral Moffett declared:

"I consider it our national duty to build up to the treaty strength allowed. Failure to do so can result in but one thing—a world-wide admission that we have relinquished our hard-won right to be regarded as a first power and are lacking in the spirit to take our rightful place as a Nation in world affairs."

Admiral Moffett predicted that at the next arms conference in 1935 an effort will be made to impose limits on both aircraft and ships carrying aircraft.

To the last prediction of an effort to limit aircraft and ships carrying aircraft the admiral's aid at the conference is clouded in uncertainty. A clipping handed me contains interesting advice on this general subject, if true. It says:

The last reported achievement of science is the stratoplane, scheduled to travel 500 miles an hour at an elevation, if needed, of 40,000 feet. Add to this achievement new high explosives of unprecedented destructive power and poison gases of threefold deadly potency and yet there remain "preparedness" officials perpetually prating of security.

Preparedness "parity" is not mentioned.

Again, this writer says:

Security is to be achieved only by adding armament to armament—frontier forts and floating fortresses.

Speaking of the sham invasion of London some months ago, this writer speaks of the impossibility of finding "security" anywhere. In that invasion he says:

Seventy-five planes invaded London from the north. London, forewarned, was defended by an equal number of planes, plus antiair guns and balloons. In spite of all these preparations the invaders dropped 200 bombs (duds) over selected targets and retired without losing a single plane. Evidently "preparedness" furnishes no "security."

That is his conclusion.

AIRPLANES, BATTLESHIPS, AND CRUISERS

Col. William Mitchell testified before my committee on the aircraft investigation that a well-directed shell from an airplane could destroy a battleship. That would not occur, however, if battleships were kept in harbor, as they were during the last war, and protected by a steel net capable of resisting airplane shells spread over the battleship from bow to stern, like nets hung over its sides. To the layman it would seem if a shell could sink a $40,000,000 battleship, the same airplane shell could sink a $20,000,000 or $30,000,000 cruiser. The same is true of submarines.

No object exists in obtaining the much-vaunted sea "parity" if a fleet of enemy airplanes should demolish a nice new fleet of the latest model cruisers.

This is a problem in aeronautical-cruiser warfare that might well be referred to Admiral Moffett, Chief of Aeronautics, but for the fact that this distinguished naval official urges Congress to build a fleet of cruisers or "categories" so as to reach "parity" with England. Here again the distinguished naval official may be shrewd, for as our expert naval gunners have been accustomed to fire at dismantled $40,000,000 battleship targets until sunk at sea, a $20,000,000 or $30,000,000 cruiser would offer like opportunities for marksmanship to a fleet of bombing airplanes.

This comes within the admiral's special field of study. Again experts clash if Colonel Mitchell, who commanded over 1,000 airplanes in one battle during the World War and believes in the effectiveness of airplane bombing, should find opposed to him an admiral in charge of aeronautics who apparently discounts the marksmanship of his own airplane bombers.

Whatever the merits of the two schools of thought, it appears that no convincing case for "parity" of warships has been made by the seaman who now sails with airplanes.

THE FATE OF GREAT WAR MACHINES

Military, naval, and civilian officers who are so greatly concerned over our military and naval strength that they fail to note the course of events or world conditions are reminded that less than a score of years ago Russia and Germany were possessed of the greatest war machines in the world. Those machines incidentally had no voice in the determination of their own military service—no more than our own soldiers of the last war. In the midst of that conflict the Russian machine threw down its arms on ship and shore and without any uncertainty of procedure took over the reins of government. The suddenness of that action and character of government substituted, that destroys individual ambition or opportunity, has excited the fears and apprehension of the world.

With a like supposedly unbeatable military machine, Germany has strongly drifted in the same direction as Russia. No greater upheaval in all history has occurred than these results of militarism that have confounded the people of the world as well as those of the countries affected. Other disturbing conditions the world over are familiar to every Member, often invited at home and abroad by the junkers who do not study cause and effect.

To emphasize war preparedness in the face of peace professions must excite distrust and doubts among all nations excepting those that secretly hope for our aid in case of war and so approve our demands for naval "parity."

GREATEST NAVY IS DEMANDED

Demands for an enormous Navy under a "parity" plea are echoed by the appeal just made by General Summerall, who asks for an Army of 2,000,000 fighting men. It all comes to us within a dozen years after a war to end wars was ended. Eminent men have pointed to the prevailing reign of crime from racketeering to murders, the latter ten times more frequent here than in Europe; to our failure to control unlicensed violation of laws, effecting bootlegging, gambling, kidnaping, gun play, and other crimes, an aftermath of war exalted on the stage, by the screen, and by a considerable section of public press. The trend of this newfound unrestrained license, these eminent men predict, will uproot our boasted civilization. Cardinal Hayes, Manning, and others of high standing, point out these after-war influences that meet the eyes and ears of the average American man and woman through sensational headlines of lawless happenings, suicides, triangles, and murders, reflected on the screen and stage every day. If this new Army and Navy is to control lawlessness and unlicensed reckless immorality at home instead of settling the affairs of Europe, that purpose would be commended although the increase would be without warrant.

Why should we have an Army of 2,000,000 men or a big Navy "equal" to any in the world swaggering around the earth with a chip on its shoulder? Have our admirals and generals had a taste of the wine that made Napoleon temporarily drunk with power and so profess to voice the peace purposes while constantly demanding more power? Napoleon, Kaiser Wilhelm, and the Russian Czars, with their militaristic methods, were not exemplars of national security or peaceful ends. Their religion was preparedness and war. We should be warned by their experiences, for all were destroyed.

Whether the reign of lawlessness and violence that invites racketeers and gangsters in our cities is a heritage of war and war spirit that holds human life cheaply is unimportant excepting that only militarists, profiteers, and propagandists find benefits in war. Yet in this enlightened day and age, with the shadows of a Great War on many households and its effects depressing the moral and economic life of the country, it is in the minds of many a crime to speak for peace and a virtue to glorify war. Those who object to wars are denounced as pacifists by a press that largely forced us into the war to end wars. Every demand for more guns,

men, and ships with which to fight an unknown foe meets with unrestricted approval from these propagandists. We have the least to fear of any country, and yet already we spend more money for armaments than any country in the world. The sky is now proposed as a limit for peace-loving United States in its war preparations.

I do not pretend to discuss this preparedness propaganda or the ultimate need of a big Navy and Army as now urged, except from the standpoint of a layman. Experts disagree and can be found to approve any program however wild and fantastic. Those who profit from wars employ them. But at the risk of having peace views misstated and ridiculed by those who rarely fight battles or send others to do their fighting, I offer a few observations for the purpose of discussion and in hopes that it may in some slight degree call attention to the flood of taxpayers' funds now being poured into this preparedness quicksand and to the effect of a "big navy movement."

As a first proposition I submit that the only excuse for a big naval building bill should be evident necessity. How has that been shown and by whom?

Second. We have had no limitation in naval building for a century and a half but, on the contrary, are now spending more for existing naval forces than any other nation in the world.

Third. Now that Great Britain and Japan have agreed to reduce their own warships we are confronted and confounded with this demand for a naval increase of from 10 per cent to 15 per cent over its present size. The reason therefor is yet wanting and should be convincing before approved.

FRIENDSHIP DOES NOT CALL FOR AID IN WARS

The English tongue and English people appeal to all who have no closer ties with European countries. For many reasons the "mother country" has the sympathy of those of this generation far removed from the colonies once ruled by British red coats and Hessian soldiers.

Washington's warning against foreign entanglements, however, seemed to anticipate the future of European diplomacy, as disclosed by Wilson's experience with Lloyd George and Clemenceau at Versailles. Secret treaties and agreements, scraps of paper, the balance of power, economic and war alliances, and other European practices all emphasize the wisdom of Washington's solemn warning.

Over a century has passed, during which time every European country has sent to our shores sturdy emigrants reaching in the aggregate many millions—all now American citizens. With immediate descendants they have sometimes equaled in number their kinsmen left back in the homeland.

European wars in which we engage necessarily strain the relations of our people, who thus find themselves with a divided allegiance due to love for the homeland against which they are called to fight.

Greater by far in national importance is a right of all to peace and the pursuit of happiness; a right to life by the youth of the land whom we sacrifice on foreign fields; a right to their own, by mothers who suffer most in war; and a right of all to be free from the influx of greed, crime, and misery that follows in the train of every war.

Based on all history, no professions of peaceful purpose by those whose trade is war will give security against war. The way to insure peace is to avoid placing in such hands instruments of war not needed for self-defense.

A step toward that desired peace is to make our professions for a reduction in armaments sound true instead of being a false alarm for "parity."

"INTERNATIONAL PEACE WILL BE SHAKEN TO ITS FOUNDATIONS"

On December 20, Admiral Pratt is reported to have urged upon Congress an amended warship building program that boosts the naval program to $1,100,000,000 for cruisers to the limit of the London Conference, and $150,000,000 additional for naval airplane vessels, all apart from an annual naval maintenance bill of around $360,000,000.

As if to answer this prodigious naval program at a time when England under the same treaty is called upon to reduce her armament 140,000 tons, two leading English officials spoke to the world their fears of a world upheaval due to this jingo spirit for mad "preparedness" that has seemingly consumed the United State as well as Europe.

Arthur Henderson, speaking over the radio at Brighton, England, on December 21, said:

> We have to choose between peace and war, between cooperation and conflict, between a developing and ennobling civilization and a collapse into the barbarism of the past. We have to make that choice now.
>
> For unless we can build this structure of world peace upon a firm foundation, unless we can do it now before the memories of war have faded, we may depend upon it that sooner or later, and probably sooner than later, a cataclysm will come upon the world which will engulf all that we care about in Western civilization.
>
> I am absolutely convinced there is no one * * * who does not realize that war would be an unmitigated disaster to all.

Will action by our Government, the professed leader in peace overtures when now demanding an enormous Navy, give confidence to the world of our sincerity, or will it excite apprehension, inviting "a cataclysm for the world that will engulf all that we care about in western civilization"?

There can be but one answer to this great naval program put forth to reach an outside limit when the world is in a state of unrest. All the Kellogg peace treaties and reduction of naval conferences are idle words if this program is begun.

On the same day at London, Great Britain's representative on the Preparatory Disarmament Commission, Viscount Cecil, declared, "Unless the conference results in a treaty which will end competition in all forms of armament, the whole edifice of international peace will be shaken to its foundations." To this we give answer, the United States intends to spend a billion and a quarter dollars for an increase in its Navy. What will be the result?

CONGRESS ALONE IS NOW RESPONSIBLE

It is a sad commentary on our boasted Kellogg peace pact, now signed by 53 nations to outlaw war, that immediately following that declaration of "peace on earth, good will toward men," the London reduction of arms conference ended its sessions with an astounding announcement of a larger naval increase.

Two great powers, Great Britain in response to the peace spirit, both yielded substantial naval reductions by promising that 140,000 tons of warships would be scrapped by England and 12,000 tons by the "inscrutable" Japanese. Supposed threats against us by the latter in the Philippines, Hawaiian Islands, and with attempted Mexican naval bases have been constantly heralded by the sensational American press.

Contradicting all such unsupported reports, the followers of Buddha have joined the chorus for world peace and good will while a professed leader of civilization, the Christian Nation that first opened Japan's door to that civilization, now sounds a discordant note.

Singing lustily for peace, we first demand a reduction of arms from Great Britain, Japan, France, and Italy, and then inconsistently announce a speedy large warship building program of 100,000 new tons to reach the London war limit. That action speaks louder than words.

The Kellogg peace treaty the United States first proposed—now signed and delivered—is welcomed back with a mailed fist. Nations that have looked on past proposals with suspicion will not be reassured on discovering our dove of peace is surrounded by 100,000 more tons of new cruising warships.

For the development of this alleged billion dollar and a quarter big naval "parity" program, Congress and Congress alone will be responsible.

SPENDING MORE FOR OUR NAVY THAN ANY OTHER COUNTRY IN THE WORLD

In a discussion of comparative expenses for any of the different departments of Government, it is necessary to have something definite and certain to consider apart from propaganda arguments. The growth of American naval expenditures have an important bearing in this particular. Due to constant pressure by propaganda from all directions for increased appropriations, our naval costs increased from

$22,006,206 in 1890 to $55,953,077 in 1900, $122,247,364 in 1910, and $336,443,933 in 1929. These expenditures, all in times of peace, show that the annual increase runs from 1,600 per cent 40 years ago to over 600 per cent since 1900, and 300 per cent since 1910. This does not take into account war naval expenditures, which reached a total of $4,208,000,000 in 1918, 1919, and 1920. Wars and rumors of wars give a great impetus to such expenditures, but this constantly rapid growth in annual costs that last year reached $3 for every man, woman, and child in the country, in addition to $416,901,546 for Army expenses, or over $6.40 per capita for our Army and Navy, reach about $30 annual naval and military costs for an average family of five in times of peace. With war pensions and war debts, the annual charge is estimated at $150 per family if based on per capita.

This big naval "parity" program is now urged because of alleged necessity due to our international relations. In this connection the recent effort of foreign nations to restrict our own war expenditures to a comparative budget standard is interesting because American negotiators rejected that procedure. We are one of the objectors to whom Cecil speaks when declaring "the whole edifice of peace will be shaken to its foundations."

Comparative annual naval "appropriations or expenditures" for the five countries represented at the 1930 London Conference are set forth on page 239 of the World's 1930 Almanac as:

United States, $378,879,000; Great Britain, $272,462,000; France, $101,600,000; Italy, $60,022,000; Japan, $131,222,000.

Reports for the United States and Great Britain are for 1929. Those for France, Italy, and Japan are for 1928, the last then obtainable. Our military expenditures in 1929 or annually of $416,901,000, are in addition to the foregoing naval costs.

From this comparison it will be noted American taxpayers are sustaining a naval burden in times of peace, unrelated to scenes of war, of about 40 per cent more than Great Britain, 200 per cent more than Japan, 270 per cent more than France, and 600 per cent more than Italy. The recent London conference agreed to increase or reduce as follows—United States, 102,000 tons increase; Great Britain 140,000 tons decrease; Japan, 12,000 tons decrease.

These comparisons are well to keep in mind when studying a billion and a quarter of dollars additional expenditures, compared with those nations in Europe that are engaged in maintaining the integrity of the Versailles treaty, and jealously watching across each others borders.

Incidentally, if we spend one-half of the amount already annually expended for genuine peace efforts, but now wasted over preparedness for the next European war to end wars, it will be a better investment financially and return far greater assets in its effect on world relations.

NO "REDUCTION IN ARMAMENT" FOR US

In his message of transmission to the Senate sent on July 7, President Hoover stated, regarding the reduction of armament conference agreement at London, that under that treaty the United States has built or is actually building on January 1, 1930, 809,000 tons for "important categories." Under the London treaty the United States will on January 1, 1937, possess, if completed, 911,000 tons, or more than 10 per cent increase during the next seven years. In addition, the United States will have one 10,000-ton, 8-inch gun cruiser, two-thirds completed. This is apart from $364,561,000 annual Navy expenditures in 1929 and for replacements every year of obsolete $40,000,000 battleships. He says:

> In other words, the United States in the important categories may increase its Navy by 102,000 tons, while Great Britain decreases its navy by 140,000 tons and Japan decreases hers by 12,000 tons. On January, 1937, the treaty comes to an end, except for such arrangements as may be made for its continuance.

If through French and Italian rivalries England decides to withhold scrapping her 140,000 tons, then we must build unceasingly to reach the propaganda demand for a "parity" that has no limit. England's agreement depends upon the French and Italian situation. That is the effect of the last Reduction of Armament Conference, and our naval officials read "may increase" to mean "must increase" our Navy to the limit.

The President is not a big navy man. His statement answers erroneous conclusions sought to be drawn by admirals and other advocates. He says that the American Navy under the proposed Geneva agreement in 1928 would have been 680,000 tons greater in these categories than under this 1930 London treaty, although under the latter our new Navy may be increased by 102,000 tons. Had the Geneva conference been successful this Government with 809,000 naval tons built or building, by January 1 of this year, in addition to 102,000 more tons permitted by the recent London treaty would have been increased 680,000 tons additional as asked for by our naval experts at Geneva. War madness beyond belief at Geneva demanded a navy nearly double the size of our present great warship fleet.

In 1937 we will be ready to talk more demands if Great Britain has scrapped 140,000 tons of her navy pursuant to our demand for naval parity. If not, we will continue the race for "parity." All in times of peace from our Nation that professes peaceful intentions internationally.

To a layman, not an expert—and thousands of the former exist to every one of the latter—it appears that our Navy would have been doubled in size under the Geneva agreement by January 1, 1937, but under our peaceful professions so frequently expressed we are now to build only 102,000 tons in addition to the greatest navy we ever had in all our history, while demanding a reduction of 140,000 tons by England.

This new additional 100,000 naval tons program alone, translated into money, means around one thousand million dollars burden to the taxpayers; translated into human relief it would mean $1,000 to be expended for every one of a million people now unemployed; invested in useless warships it means a billion dollars and over spent for iron hulks that within a score of years will be obsolete and fit only for targets. Every navy yard, every private shipbuilding concern and munitions company, together with "billions for preparedness," may favor the great additional navy program, but every advocate of peace the world over must look with alarm on this new threat that invites another war to end wars.

I will discuss this matter more fully in my extension of remarks. [Applause.]

WHY PARITY WITH ENGLAND?

What is the real reason for this propaganda by naval experts and officials to build at once 100,000 tons of warships to reach "parity" with England? To the layman it looks like a flimsy excuse for warship building and no end of future enormous naval demands.

England is not going to war with us or anyone else. She can only conduct a war for defense against any nation. India, Australia, and other colonies are demanding independence or are lukewarm to the mother country. France and Italy are so warlike that England refuses to reduce her navy because of their activities; Canada has a 4,000-mile border unprotected next to ours. No one believes England will ever challenge this country. Even a junker knows that.

But if England decides to go to war with her neighbors in Europe she will demand our help again as in 1917. That is certain, and that is a good reason why England agreed to reduce 140,000 tons, which she does not expect to scrap because of France and Italy, while at the same time we will increase our warship building 100,000 tons—to aid England if necessary—not parity because of fear.

To a layman who does not enjoy the scientific war preparation of an expert this seems to be the only explanation for the "parity" demand—England expects our aid, if necessary, and our "experts" would build unlimited tonnage if Congress appropriates the money for them to do so.

ACTS, NOT WORDS, PORTEND WAR

I listened last Armistice Day to the strong address of President Hoover, and with profound respect for his judgment and every wish that his hope of a lasting peace will

come true, I submit that from all indications the prophecy will result like that of "the war to end wars."

Twelve years after the armistice the world is getting ready for another war. Human nature, human hatred, fears and jealousies, and human suspicions are all opposed to peace so profoundly hoped for by the civilized world. The outlook for peace is discouraging, for it is not words that bring peace but acts, and it is an old adage that acts speak louder than words. They do now.

While holding out the hand of peace with peace pronouncements, all the world sees us now engaged in building a great Navy on the pretense we need "parity" with Great Britain, a Government which we profess to cherish like a reunited brother.

Remembering the last war, the world may well believe our public is so fickle that powerful propaganda again, within a few days' time, if well organized like in 1917, would cause a people to see red, even if their last war President was reelected six months before because he kept them out of war. History repeats. Acts, not words, are needed to assure the world of our peaceful intentions.

No one can say the peace efforts at reduction of armament conferences were entirely futile. For these efforts our Presidents have striven unceasingly. Nor will anyone contend successfully that all the war vessels our international colleagues were forced to concede to us were secured by any gospel of peace. The world is not misled by words. Our own duty would seem plain, and if not carried away by propaganda we will pause in our great Navy-building program wrested from England and will act like we speak, for world peace.

President Washington knew more than our modern warlike statesmen when nearly a century and a half ago he warned us against foreign entanglements. Without presumption I offer these few observations from the layman's standpoint, and remind that war seemed impossible to occur in 1916, but in 1917 we had a vast army drafted to fight in France. It is a subject well worth serious consideration when confronted by this new naval program that can not sound to the world at large like a message of peace. I desire to offer a few personal observations and opinions of expert writers that seem to challenge study. In this I am acting without suggestion or aid from any source, but from a sense of responsibility, no greater, however, in fact than that of every other Member.

UNRESTRICTED PROPAGANDA FOR WAR

One further suggestion in relation to arguments for a "big navy" and similar "preparedness" propaganda.

If unrestricted propaganda in the future is to be measured by that of the past and as evidenced by competent testimony that may be quoted, the logical result of a "big navy" will bring added menace to our peaceful relations internationally. With a naval force that would meet the present demands of admirals, experts, and shipbuilding interests, "that day would be lost" in which warnings would fail to arrive from our guardians of the press that Japan is seeking another naval base in Mexico or is secretly concentrating naval forces against the Philippines or Hawaiian Islands.

The familiar Soviet Russian red flag would become a present danger to our national safety, particularly to those Americans whose property was confiscated during the World War. Italy's dictatorship and that of Spain would be likened to dangers of the Barbary pirates of old as affecting American interests and tourists in the Mediterranean, while under the Monroe doctrine it would be found imperative that we keep moving our Navy from Mexico to Patagonia, with a fleet of battleships at the canal, in order to intervene in South American revolutions. To use the words of Bent, in Broken Windows:

> Comfortably reassuring news does not sell papers. Harmony seldom makes a headline. The practices of our press militate against merely informational, unexciting news * * *. The insecurity heroisms and horrors of armed conflict are the best-selling story. The economic thrust of the daily press is toward militarism. The editor always has his ear to the ground for the alarms of war.

Let me remind you of some recent pronouncements that were made to the people and that nowhere intimate the present vast "preparedness" program.

POLITICAL PLATFORMS PROMISE PEACE

On this subject of peace, not naval parity, I quote from the national Republican platform for 1928:

> We approve the foreign policies of the administration of President Coolidge. We believe they express the will of the American people in working actively to build up cordial international understanding that will make world peace a permanent reality. We indorse the proposal of the Secretary of State for a multilateral treaty proposed to the principal powers of the world, and open to the signatures of all nations, to renounce war as an instrument of national policy and declaring in favor of pacific settlement of international disputes, the first step in outlawing war. The idea has stirred the conscience of mankind and gained widespread approval, both of governments and of the people, and the conclusion of the treaty will be acclaimed as the greatest single step in history toward the conservation of peace.
>
> We shall continue to demand the same respect and protection for the persons and property of American citizens in foreign countries that we cheerfully accord in this country to the persons and property of aliens.
>
> The object and the aim of the United States is to further the cause of peace, of strict justice between nations, with due regard for the rights of others in all international dealings. Out of justice grows peace.
>
> The Republican Party maintains the traditional American policy of noninterference in the political affairs of other nations. This Government has definitely refused membership in the League of Nations and to assume any obligations under the covenant of the league.

On this we stand.

There is no junkerism or bluster in this concise statement of our Government's policy, if controlled by a Republican administration. On that platform President Hoover was elected by a phenomenal majority. What justification exists now that did not exist then for this new $750,000,000 or $1,000,000,000 new naval program?

BOTH PARTIES PROMISE PEACE

On the promise of peace our Democratic friends were equally forceful as to their policy. I quote from the national Democratic platform, 1928:

> We declare for a constructive foreign policy based on these principles:
>
> (a) Outlawry of war and abhorrence of militarism, conquest, and imperialism.
>
> (b) Freedom from entangling political alliances with foreign nations.
>
> (c) Protection of American lives and rights.
>
> (f) International agreements for reduction of all armaments and the end of competitive war preparations and in the meantime the maintenance of an Army and Navy adequate for national defense.
>
> (k) We condemn the Republican administration for lack of statesmanship and efficiency in negotiating in 1921 treaty for the limitation of armaments, which limited only the construction of battleships and ships of over 10,000 tons. Merely a gesture toward peace, it accomplished no limitations of armament, because it simply substituted one weapon of destruction for another. While it resulted in the destruction of our battleships and the blue prints of battleships of other nations, it placed no limitation upon construction of aircraft, submarines, cruisers, warships under 10,000 tons, poisonous gases, or other weapons of destruction. No agreement was ratified with regard to submarines and poisonous gases.
>
> The race between nations in the building of unlimited weapons of destruction still goes on, and the peoples of the world are still threatened with war and burdened with taxation for additional armament.

Did that peace plank mean anything? In the present American naval program this Government is building 102,000 additional tons and Great Britain is asked to scrap 140,000 tons of war vessels. The argument is plain.

To speak correctly, the figures I have quoted are the maximum figures of limitation, but big navy men, including a small battalion of admirals and "experts," ask for continual building to the limit, whereas the President, pursuant to his peace proposals, is not believed to be in sympathy with any junker program. He knows, as does the rest of the world, that the greatest navy in the world and the greatest armies in the world have not insured peace to the countries possessing them—they invited war then, they will do so now.

THE PRESIDENT IS FOR PEACE

I quote his views found in Hoover's address of acceptance, August 11, 1928.

He said:

I think I may say that I have witnessed as much of the horror and suffering of war as any other American. From it I have derived a deep passion for peace. Our foreign policy has one primary object, and that is peace. We have no hates; we wish no further possessions; we harbor no military threats. The unspeakable experience of the Great War, the narrow margins by which civilization survived from its exhaustion, is still vivid in men's minds. There is no nation in the world to-day that does not earnestly wish for peace—that is not striving for peace.

Our offer of treaties open to the signature of all, renouncing war as an instrument of national policy, proves that we have every desire to cooperate with other nations for peace. But our people have determined that we can give the greatest real help—both in times of tranquillity and in times of strain—if we maintain our independence from the political exigencies of the Old World. In pursuance of this, our country has refused membership in the League of Nations, but we are glad to cooperate with the league in its endeavors to further scientific, economic, and social welfare and to secure limitation of armament.

We believe that the foundation of peace can be strengthened by the creation of methods and agencies by which a multitude of incidents may be transferred from the realm of prejudice and force to arbitration and the determination of right and wrong based upon international law.

We have been and we are particularly desirous of furthering the limitation of armaments. But in the meantime we know that in an armed world there is only one certain guaranty of freedom—and that is preparedness for defense. It is solely to defend ourselves, for the protection of our citizens, that we maintain armament. No clearer evidence of this can exist than the unique fact that we have fewer men in Army uniform to-day than we have in police uniforms, and that we maintain a standing invitation to the world that we are always ready to limit our naval armament in proportion as the other naval nations will do likewise. We earnestly wish that the burdens and dangers of armament upon every home in the world might be lessened. But we must and shall maintain our naval defense and our merchant marine in the strength and efficiency which will yield to us at all times the primary assurance of liberty; that is, of national safety.

That assurance failed Britain in the hour of need. A great armament invited war. No one doubts President Hoover means what he says, that he has a "passion for peace." This new naval program should greatly increase that passion.

THE RESULT OF THE LONDON CONFERENCE

Hoover's message to the Senate asking confirmation of his reduction of armament treaty.

[CONGRESSIONAL RECORD, Senate, July 7, 1930]

To the Senate:

In requesting the Senate to convene in session for the special purpose of dealing with the treaty for the limitation and reduction of naval armament signed at London, April 22, 1930, it is desirable that I should present my views upon it. This is especially necessary because of misinformation and misrepresentation which has been widespread by those who in reality are opposed to all limitation and reduction in naval arms. We must naturally expect opposition from those groups who believe in unrestricted military strength as an objective of the American Nation. Indeed, we find the same type of minds in Great Britain and Japan in parallel opposition to this treaty. * * * Our people believe that military strength should be held in conformity with the sole purpose of national defense, they earnestly desire real progress in limitation and reduction of naval arms of the world, and their aspiration is for abolition of competition in the building of arms as a step toward world peace. * * *

The only alternative to this treaty is the competitive building of navies with all its flow of suspicion, hate, ill will, and ultimate disaster. * * *

It is folly to think that because we are the richest nation in the world we can outbuild all other countries. Other nations will make any sacrifice to maintain their instruments of defense against us, and we shall eventually reap in their hostility and ill will the full measure of the additional burden which we may thus impose upon them. The very entry of the United States into such courses as this would invite the consolidation of the rest of the world against us and bring our peace and independence into jeopardy. We have only to look at the state of Europe in 1914 to find ample evidence of the futility and danger of competition in arms. * * *

The relative improvement in the position of the United States under this treaty is even better than this statement would indicate. In the more important categories battleships, aircraft carriers, 8-inch and 6-inch cruisers—that is, omitting the secondary arms of destroyers and submarines—the fleet built and actually building on January 1 of this year was 809,000 tons in the United States, 1,088,000 tons in Great Britain, and 568,000 tons in Japan, or upon the basis of 100 for the United States it was 134 for Great Britain and 70 for Japan. Under this treaty the United States will on January 1, 1927, possess completed 911,000 tons of these major units, Great Britain 948,000 tons, and Japan 556,000 tons. In addition, the United States will have one 10,000-ton 8-inch cruiser two-thirds completed. This will give a ratio in these categories of 100 for the United States to 102.9 for Great Britain and 60.5 for Japan. The reason for the excess British tonnage is again as mentioned above. In other words, the United States, in these categories, increased by 102,000 tons, Great Britain decreases by 140,000 tons, and Japan decreases by 12,000 tons. These readjustments of units are to take place during the next six years. The treaty then comes to an end except for such arrangements as may be made then for its continuance. * * *

WE INCREASE, OTHERS DECREASE THEIR NAVIES

To those who seek earnestly and properly for reduction in warships I would point out that as compared with January 1 of this year the total aggregate navies of the three powers under this treaty will have been reduced by nearly 300,000 tons. Had a settlement been made at Geneva in 1927 upon the only proposal possible at that time, the fleets of the three powers would have been approximately 680,000 tons greater than under the treaty now in consideration. * * *

The more selfish-minded will give little credence to the argument that savings by other parties to the agreement in the limitation of naval construction are of interest to the American people, yet the fundamental economic fact is that if the resources of these other nations are freed for devotion to the welfare of their people and to pacific purposes of reproductive commerce, they will result in blessings to the world, including ourselves. If we were to accept the Geneva conference base as the end of naval strength under competitive building for the three governments, the savings in construction and operation by the treaty is literally billions of dollars * * *

This treaty does mark an important step in disarmament and in world peace. It is important for many reasons that it should be dealt with at once. The subject has been under discussion since the Geneva conference three years ago. The lines of this treaty have been known and under discussion since last summer. The actual document has been before the American people and before the Senate for nearly three months. It has been favorably reported by the Senate Foreign Relations Committee. Every solitary fact which affects judgment upon the treaty is known, and the document itself comprises the sole obligations of the United States. If we fail now, the world will be again plunged backward from its progress toward peace.

HERBERT HOOVER.

The foregoing is a clear and concise statement of the effect of the agreement made at London in 1930 and also of the attempted agreement at Geneva in 1928. Against the London agreement not to build more than 102,000 additional tons of warships while Great Britain was scrapping 140,000 tons of her own navy, our small army of admirals objected. Their proposal, like that of the shipbuilding concerns, was to go the limit. It is an issue that invites discussion not alone by admirals but by laymen responsible for taxes and man power for battles.

PARITY BETWEEN FRIENDS—"NEITHER TO MAKE WAR ON THE OTHER"

Frank H. Simonds, author of a History of the World War, says in the Reader's Digest for July, 1930:

Twenty years after the European world laughed at the gallant but feeble military forces of the United States engaged at San Juan Hill, more than a million American soldiers were fighting in Lorraine and Champagne. And now, less than a dozen years after the armistice, the greatest naval power on this planet has deliberately recognized the American claim to parity on the blue water.

What Europe recognizes in this treaty is that Britain has decided not to fight the United States to retain the position she has held for the last two centuries and a half. Europe perceives that the British people have declined to back any government in a race for naval supremacy with America; that not the London conference, not even the Rapidan conversations but the last general election in Britain decided the issue; that the naval conference merely embodied in a treaty the momentous decision already reached.

Needless to say, this British decision has taken the European mind by surprise. In theory an Anglo-American war was as inevitable as the Anglo-German. Our demand for equality was a far more serious challenge than that of the German Emperor in 1900. Anglo-American prattling about the "unthinkable" war seemed to Europeans as absurd as the European forecasts of the inevitable collision seemed to Americans.

Now, instead of war we have the treaty of London, which amounts to the formal and final acceptance by the British people of an American fleet possessing proportions which automatically terminate British dominion over the seven seas.

If the Briton had regarded American naval expansion as he visibly did French and Italian, I am sure he would have tightened his belt and shouldered all the odds a race with America must have involved. That he did nothing of the sort must be taken as the most interesting detail of the London conference.

After our support, given in 1917 to Great Britain, it may be surmised that Great Britain willingly conceded "parity" with the belief that a repetition of 1917 would occur when our aid was again needed. That is the "interesting detail" to which Simonds refers.

DOES THE LONDON CONFERENCE INSURE PHILIPPINE INDEPENDENCE?

He continues:

Parity between Britain and ourselves means that neither can cross the Atlantic to make war upon the other. The 70 per cent which Japan has achieved as her new ratio provides her with the power to bolt and bar the open door in the Far East. Her naval experts have figured that any American or British fleet coming to her sphere could be reduced by 30 per cent in passage and could then be fought on equal terms in Japanese waters. True, we hold Manila and the British hold Hongkong, but in resigning at Washington the right to fortify, and in allotting to Japan at London a new accession in relative strength, we occupy only subject to Japanese assent.

If there were no other naval powers in the world, the standard could be absolute. But since there are France and Italy, Germany and Spain, to be thought of—all of which concern Britain—permission must go to the British to increase their naval strength whenever their supremacy in their own area is menaced. But that this permission may not disturb the state of balance between the three great powers, automatically each acquires permission to duplicate British construction to the extent of preserving the standard of relativity as agreed upon.

Of Simonds it may be said: Probably no man is better able to discuss the effect of the parity demands or the claim that parity is needed because of any possible fear of Great Britain. It was a convenient argument for big navy shipbuilding concerns, ambitious admirals, and others to employ in seeking larger naval appropriations from Congress. Presidents Harding, Coolidge, and Hoover sought to prevent such results by promoting reduction of armament conferences. At every conference our American experts professed to be alarmed over any comparisons that did not give us equal parity with Great Britain.

It is an excuse worn threadbare, for no one believes Great Britain ever will seek war or permit a war with us excepting in self-defense.

As stated, it is rather a suggestion that the effect of "parity" with Great Britain means that hereafter we will be urged by the same interests prominent in our entry into the World War to bring us regularly in line whenever England needs our help. Of the propaganda in 1916, I may speak later.

Text of Hoover, MacDonald, Hamaguchi addresses on naval limitations pact Tuesday, October 28, 1930.

The indorsement of the London pact agreement was an occasion for congratulation.

President Hoover's address in yesterday's international radio broadcast, celebrating the depositing of instrument of ratification of the London naval treaty, follows:

"To-day the Governments of Great Britain, Japan, and the United States have deposited the instruments of ratification to the London naval treaty. Prime Minister MacDonald and Premier Hamaguchi are joining with me in speaking to you to mark the significance of this realization of further advancement in the world's hopes of a practical limitation of naval armament.

TASK COMES TO CLOSE

"The task begun 18 months ago for the limitation of all types of naval vessels thus draws to a close. The naval powers have bridged obstacles and achieved an understanding to relieve their peoples of excessive naval burdens. Three of these powers, commanding the great part of the world's naval forces, have turned away from rivalry in armaments, and disproportionate growth of their navies is now prevented by an arrangement founded in common sense.

"This relinquishment of competitive building among the three great naval powers, with its consequent contribution to the security of the world, is the greatest significance of this treaty. If the limitations now established can be maintained, we may look forward with assurance to the fact that future conferences will find it easier to bring about further steps in reduction. It is the fervent prayer of right-thinking men and women of this generation that the international confidence which has been so patiently and single-mindedly achieved may endure so that the agreements which have been reached may live and be extended. Never again must a race in naval armaments be allowed to develop.

NOT YET FULL PARTNERS

"France and Italy are not as yet full partners in the London treaty. They have been making active efforts within the last few months to arrive at a complete understanding. The people of Great Britain, Japan, and the United States, and indeed the peoples of the whole world, have watched those efforts and confidently hope that patience and good will may yet lead to a solution.

"The sessions of the five powers at London have served to strengthen mutual trust and confidence among them and they give me assurance that the hopes of the world will not be disappointed. It is a pleasure to felicitate the peoples of Great Britain and Japan and the people of this country upon the conclusion of a sound and reasonable agreement between them, fair to all and dangerous to none, which has been accepted by each nation as affording adequate protection and which substitutes for suspicion and competition mutual trust, good will, and confidence. Let this day fill us with thanks and inspire us to go forward with the courage of hope."

That then is the opinion of the contracting parties, but does not include representatives from France and Italy who refused to join for reasons given.

If no agreement is had between the latter, Great Britain reserves the right to withdraw from the London agreement if found necessary to do so in order to protect herself against those at her own doors—thereafter the sky is the limit in the race for parity. For what purpose are we joining in the race?

[Washington Post, Tuesday, October 28, 1930]

ADAMS, IN SPEECH OF SAME DAY, URGES BIGGEST FLEET POSSIBLE UNDER SEA PACT

The Press says:

Climaxing a Navy Day program that drew 101,183 persons to the Washington Navy Yard, Secretary Adams last night joined other speakers in urging that the Navy be built up to the highest standard allowed by the London limitation treaty.

The recognition of the Navy as a potential force available in the service of the executive Government as a means of peaceful protection and for the furtherance of peace—

Mr. Adams said—

is a sufficient reason why America should maintain a naval establishment limited in size by the existing treaties but of the highest quality that can be attained by wise governmental direction and the best thought and effort of the Navy personnel.

That effect of junker exhibitions from a responsible governmental official indicates just how far the influence of admirals and other big Navy interests control that department. The pronouncement is of far more serious moment to those who know that the building of more cruisers and warships does not "further peace." Admirals have been giving their unprejudiced views in the city of Washington to the same effect.

That is propaganda encountered by Congress, where it is always assembled, in peace times and in war, by a small army of admirals engaged in holding to her course the ship of state.

Nothing in the London conference limiting the tonnage of American warships required us to build up to the extreme limit. England and Japan are required to reduce their tonnage by the agreement; but our war propagandists demand that instead of conforming to the spirit of the conference for a reduction in arms we must build an additional 100,000 tons, all in addition to the $360,000,000 annual naval expenditures now met by Congress.

The many years of industrious efforts put forth by ex-Secretaries Kellogg and Root and Ambassador Hugh Gibson, with a host of able assistants, in order to promote better peace relations internationally, now confronted with this great war-preparedness program, must excite distrust and astonishment among the nations of the world that study acts as well as words.

THE NAVAL BUILDING PROGRAM

From a "big navy" paper is the following in relation to naval prospects and from Chairman BRITTEN, of Chicago, who last winter wanted a half billion dollars for ships.

PLANS TO SPEED WARSHIP WORK TO AID JOBLESS

WASHINGTON, D. C., October 23.—A compromise naval-building program embodying the views of all conflicting elements in the Navy Department will be whipped into shape by Secretary of the Navy Charles Francis Adams for submission to Congress in December it was announced to-day. The bill will be based on the construction program submitted to Secretary Adams by the Navy General Board last Tuesday.

Indications now are that efforts will be made in Congress to push the naval bill through as rapidly as possible so that funds for some of the new ships can be appropriated this year and the vessels begun. A movement to obtain quick action on legislation

calling for the modernization of the battleships *Idaho*, *Mississippi*, and *New Mexico* already is gathering momentum among Congressmen interested in alleviating the unemployment situation at the Government navy yards.

It appears that the program when finally turned out by the Navy Department after consultation with Budget officials and the President will be considerably smaller than the half billion dollar bill introduced in Congress last winter by Chairman FRED A. BRITTEN [Rep. Ill.] of the House Naval Affairs Committee. The best information available is that the Hoover administration will recommend authorization at this time of only the first two or three years of the General Board's 10-year construction program which contemplated expansion of the American Navy to the London treaty tonnage levels not later than 1942.

The plan is to cut the General Board's program into two or three sections and ask for new authorizations when the ships included in the bill sent to Congress this year finally are laid down. This plan would not necessarily cause any delay and would avert the necessity of introducing a bill in Congress which could be referred to as a billion dollar bill.

The press and "interested Congressmen" are primarily concerned in relieving the unemployment situation and aid to jobless. The half-billion appropriation for warships is, however, uncertain according to the above information.

With relief we learn that American taxpayers may not have to raise at once $500,000,000 with which to meet Chairman BRITTEN's naval construction bill which he introduced last session.

Of course, if Great Britain is again reported to be elevating guns on her battleships, so graphically discussed by our naval experts of the House, to which I may later refer, and if parity is not assured by the recent treaty, we can be called into extra session at any time to meet an emergency constantly pressed upon us by our naval experts. But it is reassuring that Mr. Shearer is not at the helm as he was at Geneva in 1928 to frighten our admirals with his tales of bogy men, for which he was so highly paid. His suit for $250,000 against the shipbuilding concerns while drawing $2,000 per month from the Hearst publications is an evidence of methods to force Congress to build warships without limit of expenditures.

From Labor editorial, I quote the opinion of a former colleague of Chairman BRITTEN, now engaged in voicing public opinion.

LONERGAN'S COMMENT—BRITTEN PREDICTS WAR

Congressman FRED A. BRITTEN, of Illinois, chairman of the House Committee on Naval Affairs, returns from Europe and warns his countrymen that a "big explosion is only a matter of time."

He urges that we be "prepared to enforce peace, so far as we are concerned, when the ill-fated hour arrives."

Probably things are not quite as bad as the Congressman imagines. Mr. BRITTEN has always been a "big navy" man and a good scare might make Congress more responsive to the demands of the militarists.

We can all agree that we should be "prepared" to defend our own shores but when it comes to sending American boys to foreign lands to "enforce peace"—that's another story.

We fought one war to end war and make the world safe for democracy and the result has left a decidedly bad taste in the mouths of the American people.

The foregoing editorial from a former Congressman, Hon. Ed. Keating, expresses doubts as to necessity for a big new Navy, and it is quoted to show that the country has not yet discovered just why a great navy need be built, even if a "big explosion" is pending, in the mind of other Members.

Explosions are likely to happen but a big Navy would not keep us out of war. Its existence and the desirability for real target practice might be a provoking cause for inclining some of our rear admirals to war. These are the unprejudiced naval experts who opposed President Hoover's London conference agreement and disclosed that admirals at least were agreed they wanted more ships and without limitation.

I again quote a program running into large figures of what the Navy board wants in new ships and replacements:

NAVY BOARD HAS NEW BUILDING PROGRAM READY—COSTS ONE HUNDRED MILLION A YEAR AS SUBMITTED

WASHINGTON, D. C., October 21.—A new naval construction program calling for the building of sufficient warships to bring the United States up to maximum tonnage levels set by the London naval treaty has been completed by the Navy General Board and transmitted to Secretary of the Navy Adams, it was learned to-day.

While secrecy surrounds the exact figures prepared by the board during three months of study of American naval needs, it was learned that the program, if adopted, would necessitate an annual expenditure of $100,000,000 on new warship construction so long as the London pact remains the guiding factor of this country's naval policy. The expenditure for new warship construction during the last three years has averaged under $50,000,000 annually.

COVERS 14 YEARS

As prepared, the revised construction program includes all new construction and all new replacements necessary during the next 14 years, to the end of 1945, in event the Navy is to be built up to the treaty tonnage limits and maintained at that level in up-to-date ships. Statistics disclose that during that period all American ships, with the exception of two aircraft carriers, the *Lexington* and *Saratoga*, 13,000 tons of submarines, and the 8-inch-gun cruiser tonnage, built, building, and authorized, will have to be replaced for age.

The board, however, it is understood, does not recommend that this entire program should be included in the new naval authorization bill this fall. It does recommend that at least the first year of such a program should be authorized at once and appropriations provided so that the United States Fleet can be started on the road to a treaty navy.

SCOPE OF FULL PROGRAM

In event the full 14-year program were adopted by the President and Congress, it would contemplate the passage of an authorization bill carrying approximately 850,000 tons of ships, which would cost in the neighborhood of $1,250,000,000. This would be in addition to thirteen 8-inch-gun cruisers, 1 aircraft carrier, and 2 submarines now authorized, which will cost about $170,000,000 to complete.

As no limitations are placed on battleship replacement under the Washington treaty after 1936, when the London treaty expires, the 14-year board program arranges for laying down replacements for the 15 American battleships, all of which will have reached the age of obsolescence by 1945.

Here the country learns that in building up our navy to the size of Great Britain's to insure parity it will cost around $1,250,000,000. That is for a 14-year policy to include replacements but is aside from about $5,000,000,000 required in 14 annual appropriations which we now make for naval upkeep.

In other words, like a new 8-cylinder car, we are about to discard our nice 1920 model battleships for the latest model adopted by naval experts. It is the fashion and looks good on parade but with an average annual bill of $360,000,000 for naval maintenance rapidly growing to enormous proportions, taxpayers may be disposed to question some of these placements and replacements recommended by our Navy program committee. Soon it will weed out 15 battleships originally costing around $500,000,000 to be used for sinking by our expert gunners. That is a ghastly result of the naval preparedness program from a taxpayer's standpoint.

As if to sweep in a few afterthoughts for taxpayers to enjoy, Admiral Pratt again revises his figures—always increasing—and now estimates he will need the billion and a quarter dollars for new building alone, with replacements of the 14 battleships to be added. The nonchalance with which these admirals, once midshipmen, now call for millions and billions for new naval needs, must not be overlooked.

BLIND, USELESS NAVAL BUILDING

It is worth considering in advance that this Navy Board is asking for all this vast Navy program at a time when European naval experts term such vessels "useless" because of later inventions of instruments of destruction. If the following regarding the new German "pocket ships" and more modern French and Italian warships is half true, what is the purpose of laying keels and building one-cylinder battleships?

NEW UNITED STATES CRUISERS ARE HELD USELESS—BRITISH WRITER SAYS GERMAN "POCKET BATTLESHIP" MAKES THEM FUTILE

LONDON, ENGLAND, August 6.—British naval officers believe that 10,000-ton cruisers of the type being built by the United States are useless against the "pocket battleships" of the *Ersatz Preussen* type, which Germany will launch at Kiel within a few weeks.

Hector Bywater, prominent British naval writer, reports that and other interesting British opinions in the London Daily Telegraph yesterday, discussing modifications of the world's navies likely to grow out of innovations like the Italian "black-hand" light cruisers and the French "underwater cruiser," the submarine *Surcouf*, which was launched last November.

Despite the secrecy surrounding the construction of the *Ersatz Preussen*, Bywater's informants are sufficiently advised to conclude: "She introduces an entirely new factor in naval warfare. It is much too powerful to be tackled by any cruiser and much too fast to be overhauled by any battleship.

FEW BATTLE CRUISERS

"Once at large on the trade routes it is able to defy anything save a battle cruiser, and since the supply of such craft is strictly limited a squadron of pocket battleships would probably have everything its own way."

The London naval treaty precludes Great Britain's building more 10,000-ton cruisers, which are termed "useless" after the advent of the pocket type, but the United States, France, and Italy are still constructing them. Bywater, however, claims that France is fully aware of this fact and is planning to build a 23,000-ton battle cruiser as a counterweight when Germany starts the second cruiser of the *Ersatz* series.

France's *Surcouf* is termed "a virtual cruiser with the power of submerging and also of covering great distances at sea without relying on port facilities. She can remain under water 60 hours and is invulnerable to ordinary antisubmarine measures. Her guns have greater weight and power than those of any other submarines and are also capable of firing 14 torpedoes simultaneously. The *Surcouf* carries a seaplane."

ITALIAN SHIPS FORMIDABLE

These combined innovations are likely to revolutionize navies as much as will the features of the *Ersatz*," says the Britisher.

A study of the Italian light cruisers, capable of the speed of the fastest destroyer and equipped with armament adequate for fighting heavier cruisers, convinces Bywater that these vessels will be extremely formidable in oceanic warfare, as well as in the Mediterranean, for which they are specially designed.

France is alleged to be evolving a countertype, as these Italian ships have largely canceled the value of the big flotilla leaders hitherto relied upon by the French. While all three types are admittedly experimental, the British think that they are sufficiently successful to necessitate revision of the prevailing principles of naval defense.

The report is important, if true, and we should make haste slowly with our preparedness program, but shipbuilding companies that press for money and contracts are not concerned over effectiveness in warships. All they want is what they are sure to get—more contracts. That is what Shearer sued for in his demand for $250,000 for his services at Geneva.

AN ADMIRAL SAYS USELESS CRUISERS ARE TO BE BUILT

From a press dispatch of December 18 I quote:

Ranking admirals of the Navy who opposed the London pact treaty because of its provisions for 6-inch-gun cruisers instead of 8-inch are standing by their guns.

This was evident from testimony by Admiral Bristol, member of the Navy General Board, before the House Naval Affairs Committee yesterday, when it considered the administration and warship-building program. Admiral Bristol told the committee that were it not for the treaty he would not recommend building any 6-inch-gun cruisers, but since the United States has been tied to that pact, he recommended construction of two 6 inchers called for in the program. * * * If it had not been for the London treaty this country would not build any more 6-inch-gun cruisers, he said.

One of our ablest admirals, a member of the Naval General Board, says 6-inch-gun cruisers should not be built, with the inference they are useless in the presence of larger gun cruisers. Yet we are rushing our warship building toward the 100,000 ton additional limitation and Congress is called upon to build war boats that are condemned by admirals as useless in the warship game and that are declared by foreign experts to be obsolete compared with recent types. If that is not a waste of both preparedness funds and energy, none has ever occurred in all American history.

Here is a picture of 12 years ago brought about by "preparedness" rivals in Europe.

[From Liberty Magazine, September 6]

DID THE WAR TO END WARS END WAR?

It seems fantastic to think that 12 years ago this September an American army was assembling quietly in France preparing for the first offensive on St. Mihiel.

A million of our young men were learning to live in holes in the ground or dugouts or caverns, surrounded by rusty barbed wire, shell holes, and dead horses—and living there seemed a natural thing, a normal phase of existence.

There were no comforts, no women, almost you might say, no civilization. They lived lives of actual torture and misery far worse than that of the hobo who bellyaches about his lot in "red" literature. They faced the danger of death for a very small sum of money, and most of them were there presumably not of their own free will, since most of them were drafted.

And all this because of a European quarrel—one of a long succession in which the protagonists had always been France and Germany.

Of course our part in it was not as prolonged and painful as that of the others, but it was prolonged and painful enough. * * *

The occasion which brought on the war in which we fought was the assassination of a not until then very distinguished grand duke by political opponents, some Serbian students. Even had Austria been victorious in the war which she did so much to precipitate in vengeance, she could not have restored his royal highness to life. But that didn't occur to anyone. Now, looking back, it seems inconceivable that this could have led to our quarreling so with Germany as to pay the price we did to make her bend her will. Yet in 1918 anyone who questioned what we did was a traitor and an outcast.

We can't see how it could happen again—but it will happen again, just as the never-to-be-repeated quarrel happens to man and wife.

That is from Liberty, quoted because of its wide influence on public opinion.

We are now discussing some plan of insuring against war, and every experience in the past of other nations proves that preparedness is a hopeless policy. It invites war and encourages warship-building races. Without evading the likelihood of future European wars that are certain to occur, why are we not protesting against joining these foreign wars? A few observations on that subject may be proper, even if not offered by a war expert or an admiral, but by an average layman.

I quote another article on war, "Lest we forget!"

[Chicago Liberty editorial, August 30]

THE WAR TO END WARS

The last war decided nothing for the future. Its success for our arms only reached failure, because the same hatreds, animosities, and fears that inspire war between nations continues throughout Europe. The Versailles treaty, that took territory from Germany, Austria, Turkey, and Russia, that violated every promise of self-determination, has intensified bitterness many fold that caused war to result in 1914 over the Alsace-Lorraine grab by Germany in the Franco-Russian War, less than a half century before. European war is not alone a possibility, it is a certainty, as any European traveler knows—a certainty unless the peace pact and the Kellogg treaty of 53 nations outlawing war means more than an idle gesture. If war comes will we be in or can we keep out? The junkers in England, Japan, France, Italy, and loudest of all in the United States demanded great preparedness. Germany and Russia had it in 1914, with England, France, Austria, and Italy close seconds. What was the result and what will be the next harvest?

Liberty, truthfully says "the junkers in the United States were loudest of all others in the world to demand great preparedness." As this is from Chicago, the home of the chairman and is a publication that speaks plainly, what answer will our naval board and preparedness junkers make to Liberty's statement, that Germany, Russia, England, France, Austria, and Italy were in a great preparedness race in 1914. What was the result then, and what will be the next harvest?

We entered that war to end wars and in an effort to guarantee to the people of the world the right of self-determination. That right was never more dishonored than by the treaty of Versailles.

Much preparedness propaganda reaches our desks every day, including repeated reminders from the local press, but I am quoting these brief editorials because they give an original argument for the naval program.

IS IT FOR "JUNKERS" OR "QUAKERS" TO DETERMINE?

I submit an extract from another number of Chicago's popular magazine, written editorially as late as December 6, 1930. After stating that in its judgment the Navy should soon be built up to treaty strength, it says:

The treaty allows us to build about 100,000 tons more of cruisers than we now have and about 60,000 tons more of airplane carriers—that is to say, a third more in cruisers and nearly twice our present tonnage in airplane carriers. We may, if we like, spend about $750,000,000 on new ships.

This vast expenditure it is asserted would largely go to labor. Contemplating President Hoover's reluctance in immediately urging this 160,000,000 additional tons of naval construction cost above the $360,000,000 annual maintenance cost of the Navy, the editorial continues:

We don't understand the President's attitude on American naval affairs. Even with all due allowance for his Quaker upbringing and the other influences which have shaped his character, Mr. Hoover is still an enigma to us in this regard.

In what light does he view the Navy? And is all this treaty making just a gesture? Why should we sign a treaty if we have no idea of taking advantage of what is given us?

The thing don't seem to make sense. * * *

Whether you like it or not things look bad in Europe. There is muttering and restlessness and suspicious dislike of the United States of America. We need a Navy, not to cause trouble but to keep out of it.

No Member would venture into a controversy with a publication that has reached its high circulation place so rapidly, but it is reasonably certain that we will not remove Europe's suspicious dislike for the United States of America by building 160,000 more tons of warships, or 20 per cent additional to our present naval tonnage, when at the same time we are apparently insisting that Great Britain reduce her own strength 140,000 tons in the interest of peace.

To those who look upon this naval increase as an additional temptation to war because of importunities of foreign countries, like England and France in 1916, to join their cause, it is hard for us to disagree with the President's judgment in not going the limit.

EMPLOYMENT GIVEN BY BUILDING WARSHIPS?

A brilliant proposal is that the unemployment situation would be relieved by a huge replacement battleship-building program. Like the used cars we now junk and scrap, these ships are listed for the scrap heap. We are asked to build without delay several new warships for the Shearer shipbuilding companies. It is urged that will help the temporary unemployment situation, but why not use one of the $40,000,000 battleship-building funds for enlistments in the Regular Army of 40,000 unemployed men for a year or 80,000 men during six months' winter emergency? Waiving physical requirements, we could thus give immediate employment to twenty times a battleship-construction crew, and it would be genuine preparedness against any invasion of our Canadian or Mexican frontiers, now so unprotected.

About 60 days or so ago I stood on Randolph Street, Chicago, watching a line of people nearly a block long waiting to crash into a movie theater when the doors opened. The unemployment brigade was not there. Fifteen minutes later I stood down below the street level of Michigan Avenue near the river, close by the Tribune Building, and there saw a crouching army of unemployed. My informant said they were there every day, and as they huddled around little fires, cooking food claimed to come from garbage cans, sleeping in dark corners, I compared the down-and-outers with that movie crowd and marveled that when a great city confronted its responsibility in completing its sewage-disposal plant under the United States Supreme Court decision to do so without further delay or temporizing, it might find some means of connecting its unemployed human beings with a constructive job pursuant to court order. Possibly Federal funds can not be so diverted, but it is a suggestion that may not have occurred to those who are beset with racketeers, gangsters, and down-and-outers in that great second city of the country, but it is better to build up 40,000 men with warship funds instead of furnishing another warship soon to be converted into a floating target for the rest of our fleet.

THE PEOPLE HAVE NO VOICE IN DECLARING WAR

Another phase of war declarations is suggested.

Under our form of government, political and economic issues are generally fought out during campaigns before the electorate. It may be assumed that the framers of the Constitution believed Congress would declare war only as a mandate from the people. Yet, to-day, an electorate fights the battles and pays the bills but has no voice in a decision that may be forced from Congress by a well-timed irresistable deluge of war propaganda.

Propaganda forced Congress, over the alleged opposition of President McKinley and the country to declare war against Spain. No tangible evidence of that Government's responsibility for the Maine disaster was asked for or furnished prior to the declaration of war. The press hysterically demanded war and Congress yielded. Six months after President Wilson was chosen by the American electorate because he kept us out of the World War, we were in war. Again terrific press propaganda was used to overcome the expressed will of the people.

Cries of "pacifist" and "pro-Boer" over in England were used there like similar cries in this country to force war upon that people and the scourging of MacDonald with his supporters by the junkers back in 1914 was repudiated when the electorate recently placed the fortunes of Great Britain in the hands of those previously repudiated to repair the frightful war damage.

The power of propaganda to inflame passions whether honest or due to self-interest is not alone with us. It is a frequent cause for war. The merits or demerits of these wars can not be described or determined here but sufficient to say wars have been forced on England and on our own country primarily by press propaganda. It illustrates the danger of unrestricted propaganda, often based on gross misstatements and sensational reports published to force the hand of other countries as well as our own into war. A further reference to propaganda may be made hereafter to show that the iniquitous power propaganda among the press and schools of the country exposed by the Federal Trade Commission is of slight importance compared with organized war propaganda that intimidates Congress and responsible administrations into jeopardizing the lives and property on its voiceless citizens under a mistaken belief it is their country's voice they hear.

Before discussing some of the influences that are likely to plunge our people into another European war, I wish to recall a few facts with remembrances of the last war "lest we forget." Only by experience are individuals from childhood days taught how to avoid danger. That should not be necessary after 12 short years and yet the enthusiasm of preparedness and warship advocates is as great as in 1917 when we sent 4,000,000 boys on short notice to join 60,000,000 other soldiers in Europe's war.

That enthusiasm should not be permitted now to increase the danger of war entanglements through an unwise big navy building program.

Possibly by recalling a few incidents more or less occurring in the experience of the average Member we may weigh the effects of a "war to end war" that has passed from the stage temporarily but is invited by any formidable military and naval preparations as now proposed.

Not alone by the threat that warlike preparations may occasion elsewhere but by a spirit of junkerism encouraged at home. With that spirit of boastfulness and superiority strongly voiced by the press in every emergency it becomes a provocation for war. Those who fight and those who pay are also entitled to consideration and this does not mean alone admirals, none of whom were among the killed or missing during the last war.

MANY PEOPLE FORGET THE WAR HORRORS OF 12 YEARS AGO

I have a direct reason for remembering some of the losses incurred in the World War.

LEST WE FORGET

In an official history of the Thirty-second Division, composed of Michigan and Wisconsin troops actively engaged during that war, I note on page 296 a consolidated casualty report which discloses 13,936 casualties including 2,660 killed in action or died of wounds and 10,813 wounded—all in that one division. This does not include hundreds and presumably thousands of that same Red Arrow Division, known as "Les terribles," who died in hospitals during the war or soon after the war due to exposure and disease. From pages 217 to 297 of the report are given the names of thousands of the famous Red Arrow Division who during the war were either "killed in action," "died of wounds," "missing in action," "died of diseases," "accidently killed," or were "drowned."

This long roll of the flower of this one division of Michigan and Wisconsin troops is printed under the title of "Roll of Honor," for what were termed "shock troops," or troops used for that purpose. A thoughtful preface recites that: "Months after the tragic days of 1918, when the men whose names appear on the Thirty-second Division's roll of honor gave their lives for their country on the battlefields of France, sorrowing parents, relatives, and friends are still longing for details of the last days of their loved ones. * * * There are many mothers and fathers who

do not yet know from authentic sources of the manner in which their sons paid the supreme sacrifice." The comfort held out in this long roll of losses is that these boys gave their lives "for their country." A cold statement of losses first quoted gives other net results.

The last war has not been a popular subject to discuss during or since the war. It has been tabooed in the halls of Congress and elsewhere. American ex-service men who saw actual service are loath to refer to their war experience. Those who never saw real army service have been more in evidence, but remembrances of service at the front were not confined to battles.

In the official record made up by the Thirty-second Division commission, page 70, it says of the Thirty-second Division men—"They learned that in seven days' fighting—around Bellevue Farm and Hill 230 in one week—that it means shooting, rushing, digging, sweating, bleeding, enduring hunger, thirst, exhaustion, cooties, and all manner of hardships." They fought against barbed wire and poisoned gas, they captured several villages and some machine guns and heavier artillery.

It was a famous victory according to official reports, resembling, however, the surgeon's successful operation that did not save his patient. It was not celebrated by 4,187 men carried in the "losses" column of the Thirty-second Division's engagements around Bellevue Farm and Hill 230. Nor did the 13,936 "casualties" in that division report for duty. They were disabled "shock troops."

ONE DIVISION LOST 4,187 MEN IN ONE WEEK

The official record, page 71, records these losses of Michigan and Wisconsin boys in one week as follows:

Killed and died of wounds, 777; severely wounded, 1,153; slightly wounded, 2,009; missing, 12; captured, 8. Total losses, 4,187.

Further quoting:

This total does not include the reduction of fighting strength during that week suffered by every regiment through the evacuation of men who were taken ill on the field of battle and could not keep up.

The official report continues:

Pitiful, indeed, were some of the handfuls which company commanders mustered as their units on August 7.

This brings me to a local and special interest in one small company—C, of the old Third Wisconsin, that was merged into the Thirty-second, or Red Arrow, Division.

It may be proper to say in advance that the official record of votes in the House shows that I was among 50 Members who voted against the recommendation of President Wilson for war, about six months after his election on the issue that "he kept us out of war." I am not here discussing that vote or the justification for that war. History will record its verdict, and I will only add that after war was declared all votes to carry on the war were invariably supported on the principle that once in war there can be no turning back and there should be no division in seeking to win a war. The war vote was suddenly demanded and as suddenly granted by Congress.

"HOW IT FEELS TO BE SHOT"

Shortly after the World War I stood with Colonel Campbell, in charge of the American cemetery, close by a stone hunter's lodge in Belleau Woods. As we kicked aside the low piles of machine-gun shells that surrounded the lodge, in which many Germans were killed, Campbell said to me, "I still keep finding bodies here in the woods, usually covered up with soil; sometimes a shoe appears on the surface, and when we dig down we get the body." These were carried over to the cemetery, and he showed me a stack of wooden cases in the warehouse which were to be shipped with the bodies of American soldiers. Under Campbell's direction I went on to Chateau-Thierry, and a few miles beyond to a small group of stone buildings where, with the aid of my guide, I identified a house from which my son and other young officers were driven by German shell fire to the adjacent woods.

In a recent magazine number is pictured the same hunter's lodge near which Floyd Gibbons was shot while lying in a grain field. Possibly no other man in all history has so graphically described the sensation of three separate bullet wounds—two in one arm and a third destroying the left eye. Without suspicion of sensationalism or heroism, Gibbons described the shots and how, though badly wounded, he lay in the field for several hours, when nightfall enabled him to crawl out and thence to the hospital. I could admire the splendid courage of this renowned reporter who so simply yet graphically carries his readers along through Mexican and French battlefields. His courage and endurance challenge admiration, but as I gazed at the pictured patch over the sightless hole where his left eye formerly existed, I could not but recall the bright, energetic, keen-eyed man whom I had once met in my office before the war. Gibbons expressed no sorrow or regret for his injury; but I call to mind that in the list of casualties suffered by the Thirty-second Division, 13,396 men were killed or wounded, many of them as severely as Gibbons, and over 2,600 men were left in France along with the poppies. Frankly, I honor Gibbons for his great nerve, but after a dozen years of reflection I do not yet know what it was all about, unless as we were then told the war was to end all wars and save civilization.

PROPAGANDA FOR WAR WITH CONGRESS

Men who immediately before the war vote had been pronounced in their opposition to war became among the most extreme war enthusiasts when that vote was taken. Whether they fell into line because of the stacks of telegrams from banks and business men laid on our desks the morning the vote was taken will never be known. These telegrams, some of a threatening character from men who knew nothing of actual warfare, demanded that the program of the Army staff must be followed. It is a singular historical fact that many of these telegrams were couched in almost identical language, and when a query was sent asking definitely what was desired, the reply generally demanded of us that we follow the request of the Army staff, an inference that inspiration for the propaganda was from that source.

I have never believed in the infallibility of the Army staff or of any other human agency which influenced our war vote. A fairly close knowledge of men in past years had convinced me that no superintellect or judgment attaches to a man in uniform above that found in the same man when in civilian dress. True, they could better plan battles, but they were not half as well prepared to decide between war and peace, because war is their profession. They are, I submit, unconsciously prejudiced and that prejudice will ever affect their judgment as to fighting.

A SLIGHT MILITARY EXPERIENCE MAY AID UNDERSTANDING

When a youth of 17 years I enlisted at Fort Myer, Va., in the Signal Corps of the Regular Army. A service of five years under different West Pointers did not enhance my first opinion that they were neither superhuman nor infallible. Many of them, I discovered, were hard-boiled and believed themselves to be of different clay from the soldiers they were commanding.

Discipline possibly explains why, after five years' Army service and return to my home city in Wisconsin, I helped to organize a military company. From the date of its organization, throughout the Spanish-American War, and later the World War, Company C, Third Regiment, gave a good account of itself. My own connection with the service, including 11 years in the fine Wisconsin National Guard following five years' Regular Army service, was at times separate from my old company and lasted until resignation as colonel and judge advocate of the State, during which time I met many Regular Army officials. If 16 years' military service does not give one a fair understanding of that service, then I will only add that my father, once commander of the District of Columbia Grand Army of the Republic, served nearly three and one-half years in the Civil War, a portion of his Second Wisconsin Cavalry being at the siege and fall of Vicksburg; two uncles on the Union side were wounded in the Battle of Gettysburg on that same day, and a colonial ancestor was killed leading his company during the Revolution. This is not offered as a certificate of patriotic ances-

try or of military knowledge, but to explain an interest in my old Company C that had an experience which brought close home the realities of war.

MY HOME COMPANY LOST 86 MEN IN FRANCE

That company was with the Thirty-second Division during the engagement described around Hill 230. Within a few minutes Company C was nearly wiped out in that advance due to a nest of German machine guns. Recently one of the survivors of that "battle" read the list of casualties of this company to his comrades gathered in my home city. Thirty-three boys of Company C were killed in the first shock with the enemy and 68 were wounded. That was the first engagement of these so-called shock troops. The captain and both lieutenants from my home city were left on the field, the former killed, both the latter seriously wounded. My own son, an officer from a near-by outfit, hurrying over to Company C that same day, found only a handful of our home boys hunting for those who were left, for the missing far outnumbered actual losses due to general confusion and broken regimental units.

With replacements this one company that marched out of the little home city followed by heavy hearts of many anxious mothers lost 88 in killed or deaths from disease in France during a war that did not end wars or affect future wars as predicted.

Its record is not cited because in any way exceptional. Other companies in my district and State suffered heavy losses. It is also the history of countless companies in the French, Italian, Russian, English, and German armies. Anxious parents were found in every country, and that the frightfulness of war was general is borne out by experiences of the German soldier who found "quiet on the western front" after his entire company was practically wiped out. To the same end was the English soldier in the Journey's End, and history records every other country joined in that same song of sorrow. No sane man now believes that the World War to end war has ended war, but, on the contrary, left many new causes for war. After a dozen years of armed peace, due primarily to exhaustion of resources, an accounting of stock is interesting to learn what a modern war means.

HERE'S A GRAND PARADE

The World Almanac gives the grand total engaged in the World War as 65,038,810 men. Killed and died were 8,543,515 out of 37,499,386 total casualties, or an average of 57.6 per cent of the total were killed or suffered casualties.

Allies, total engaged	42, 188, 810
Central Powers	22, 850, 000

	Forces	Total casualties	Per cent loss
Russia	12, 000, 000	9, 150, 000	76.3
France	8, 410, 000	6, 160, 800	73.3
Great Britain	8, 904, 467	3, 190, 235	35.8
Italy	5, 615, 000	2, 197, 000	39.1
United States	4, 355, 000	350, 300	8.0

NOTE.—Remainder of the Allies suffered proportionately from 71.4 losses in Rumania to 48.8 for Serbia, 34.9 for Belgium, and 20 per cent for Japan.

The Central Powers had heavy losses, as follows:

	Forces	Total casualties	Per cent
Germany	11, 000, 000	7, 142, 558	64.9
Austria-Hungary	7, 800, 000	7, 020, 000	90
Turkey	2, 850, 000	975, 000	34.2
Bulgaria	1, 200, 000	296, 919	57.6

Due to errors these figures may be only substantially exact, but they disclose that the total armies engaged were more than one-half the entire population of our own country and the casualties reached over twelve times the entire population of my own State. That is modern warfare.

WASTE AND WORSE IN WAR

The loss in man power included five years nonproductive war employment for a majority of the combatants. Possibly statistics have been gathered showing property losses. These can only be approximate for direct war losses suffered by our own country were beyond comprehension, reaching a total of $36,000,000,000. This is an estimate alone of our expenditures, reaching $300 per capita for every man, woman, and child in the country, or $1,500 war loss for the average family of five with a balance due and still outstanding of $16,000,000,000.

Those who profited from war stayed home, while those within the draft fought and faced death or died while receiving the munificent pay of $1 per day and "found." The character of the "found" depended on many conditions, but every Member of Congress then serving will recall that while we were buying several pairs of spurs for every horse and mule in the service and building railways for airplane wing beams at a cost of $140,000 per mile that ran to summer resorts in Oregon and at $110,000 per mile through tunnels in Washington State connecting with the Milwaukee railway, one of whose directors was head of aircraft, that during all this time appeals were received to send more needed airplane supplies and clothing to our soldier boys in camp who were suffering from plain necessities of life. That failure can never be forgotten.

Let me quote a brief page from the countless chapters of waste, fraudulent contracts, and vicious profits that marked that war. This is the testimony of the Secretary of War before my committee of results in the air after 19 months of World War "production" and an expenditure of over $500,000,000 for aircraft by our Government during that war. It is a most ghastly chapter of failure.

FROM AIRCRAFT INVESTIGATION HEARINGS

Mr. FREAR. In this connection I have a letter from which I wish to read very briefly. It comes to me from one who is very close to me and was over there, but I never thought of referring to it until a day or so ago when it was called to my attention by the boy's mother, who brought it out of the family files. It describes a condition that was generally felt by most of the soldiers who were over there at that time. It is dated August 11, 1918, and says:

"Your past experiences bring you unusually close to the service, and you can appreciate better than nine out of ten persons the soldiers' welfare. You can rest assured they are doing their part to the very last and best that is in them. I was never more proud of my country than I have been since I came up to this location. Even the French admit that their greatest efforts do not surpass those of the Americans in the present struggle. I have seen them going in and afterwards at the hospital. Their spirit is the most wonderful thing you ever saw in your life. They say the casualties in our division (the Thirty-second) are quite large, but their efforts and their driving capacity can not be surpassed. Just keep on lending them all the assistance possible—no one deserves it more. I wouldn't have missed this war for anything. I guess I have gone through all the sensations possible for me to have.

"If you will only send us more airplanes, and then more and more, it will hasten the finale. The men are coming through fine, but the airplanes have disappointed us. We depend upon these so much more than you can appreciate."

Secretary BAKER. That is a very feeling and beautiful letter, and undoubtedly every word of it is so.

Mr. FREAR. That was the sentiment of the soldiers over there, their anxiety to get airplanes, was it not?

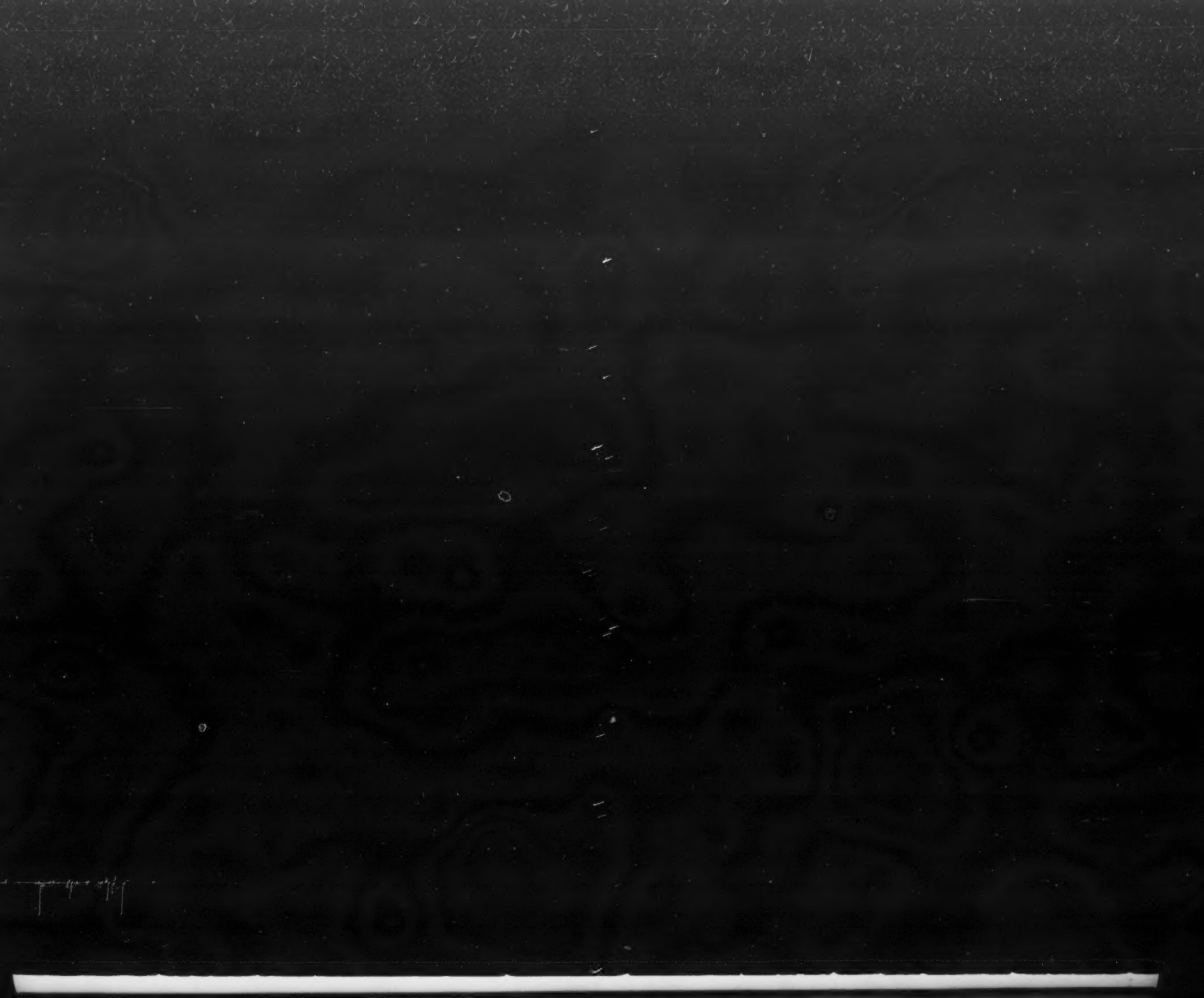
Secretary BAKER. Yes; in as great numbers as possible.

Mr. FREAR. In as great numbers and as rapidly as possible. And we did not during the whole period of the war get a single fighting machine or bombing plane to the front.

Secretary BAKER. Not a fighting machine or a bomb of American manufacture. (Aviation investigation hearings, vol. 1, p. 46.)

The letter quoted to Secretary Baker was from my son, then at the front.

After first refusing to serve because of other duties but taking the appointment after the insistence of others, I was a member of the committee of 15 that investigated our war needs and a waste that ran into billions of dollars and in 1921 was also appointed by Speaker GILLETT chairman of the aircraft investigation, where Congress appropriated over a billion dollars for aircraft, of which vast amount responsible officers spent over $500,000,000 during 19 months of war without getting a single American battle plane to the front. Rickenbacker, Meisner, Mitchell, and some of the greatest aviators at the front were Americans, but none of these, according to the testimony before my committee, would use what Rickenbacker termed "flying coffins," of which about 200 De Haviland "observation" planes were sent to the front. If ever the mountain labored to bring forth a mouse it was developed by a part of our war pro-





gram for which the same Army staff could not have been guiltless and those placed in responsible positions were often found incompetent. Incompetence led to needless heavy loss of life in the Air Service as well as with Company C, to which I have referred.

Those who sought to excuse the great waste because of unpreparedness were confronted with the record of other countries that accomplished results. War is waste, but with us it became criminal waste, as the reports disclosed.

France, England, and Italy among the Allies fought the great junker planes of Germany, but our own country's pitiful record of failures of planes was only offset by the splendid men who under American colors flew French Spads and English Sopwiths that could be had only in small numbers from our Allies.

SOME RESULTS OF A WAR TO END WARS

For these reasons and others I have not quibbled over pensions and never will. It is not my purpose to dwell on mistakes of the last war that swelled the casualties, but by our past experience we may well judge the truth or falsity of the "Liberty" editorial extract first noted and decide what is our duty in the premises instead of allowing ourselves to be driven headlong into another war when the time comes, for we now know that war did not end war, and like Creel's pictures of 10,000 American planes in France, it was not true, for not one fighting plane ever reached the front.

Does any doubt exist over the probability of war in the future among European nations? One should visit countries engaged in the last war to test the effect of the Versailles treaty settlement. It is no mere gesture that causes France and Italy to strengthen fortifications between their countries at a cost of hundreds of millions of dollars to these prospective belligerents. Nor is it a difference among leaders alone, because hatred and fear, I have found from personal contact, extends to the people themselves, and once the war spark is ignited it may again engulf all Europe. Russia refuses to reduce her army through fear of French military plans which Minister Chicherin said to us several years ago included financial support of both the Polish and Czechoslovak armies.

An armed truce between Bulgaria and Rumania is understood to be only temporary, and the bitter fruits of war that left helpless many hundreds of thousands of Greek refugees have given no security to the Turks who were held by the Greeks to be responsible for the Smyrna riots. Yugoslavia looked like an armed dress parade when I was there three years ago. With the Adriatic alone separating it from Italy, no one can predict what may occur. Austria-Hungary lost 90 per cent of their forces in casualties last time, and almost an equal amount of her territory was also taken. That emphasizes their hatred for the Versailles treaty, and has caused pamphlets to be published for foreigners to read stating that Hungary wants its land back.

Does anyone believe this situation is not more pregnant with war than the loss to France in 1870 of Alsace-Lorraine? I do not venture to discuss the desire of Germany to recover lands taken from her by the Versailles treaty, but Europe to-day is not even a fool's paradise. Hatreds of centuries' standing are certain to crop out when these countries have recovered their resources sufficiently to again measure arms one with another. Every month military writers give renewed predictions of European wars that can not be ignored, and I am only submitting the views of a layman that are based on recent visits to these countries and with their people.

If the assassination of a prince down in Serbia could precipitate a world war, or the sinking of ships with the American flag in the war zone could draw our own country into the maelstrom of war, what will be the excuse when so many countries of Europe have scores to settle with their neighbors?

Responsible writers constantly picture conditions that disclose these conditions, and, however we may seek to disguise the truth, it is better for us to face the situation and seek so far as we can to prevent or avoid future wars.

Past experience discloses that through propaganda financial interests of Americans in foreign countries and business rivalries, open and secret, will always be available to involve us in foreign wars. Patriotism and loyalty to ideals will be pressed upon us for such action, but greater than ever before looms up the wise injunction of Washington to avoid foreign entanglements. It is inconceivable that any combination of nations could conquer or permanently injure our own country or destroy our form of government or be brought about by any world war with Germany, Austria, Russia, Turkey, and other countries where monarchies were permanently deposed or followed by dictatorships. The countries of Europe with their suspicions and rivalries of centuries' standing are not seeking war with our own, however curious of America's comparative prosperity.

A WAR FOR DEFENSE WOULD WIN AGAINST THE WORLD

No opposition to drafting American young manhood for fighting would occur if any or all foreign governments should combine against ours. Based on fighting strength placed in the field by France and Germany during the last war in proportion to population, our defensive Army could muster approximately 20,000,000 men, or twice the entire population of Canada, at our doors, without a gun on the long 4,000-mile Canadian border to oppose that army's passage.

A war for defense would find practically every able-bodied man ready and eager to do his bit, whereas a foreign war arouses no enthusiasm among the masses of our people, who have learned to discount war-propaganda methods.

This illustration of armed strength is not to suggest any purpose now or in future years to enter Canadian soil, even though certain to follow in case of war with Great Britain, with which naval parity is demanded.

Talks of parity of naval strength with Great Britain have caused naval experts here and abroad to figure feverously in seeking to reach an apparent comparison in which their own country may have an advantage. To what purpose are all the technical opinions, including round robins by admirals who object to any agreement to reduce naval rivalry on which naval officials and private shipbuilding interests thrive? Why this apparent lack of sanity in seeking to reach an agreement with foreign governments to reduce naval constructions and land fortifications in an effort to reduce causes of war?

CONSTRUCTIVE WORK BETTER THAN DESTRUCTIVE

We have been so accustomed to talking in terms of guns and ships and man power when discussing foreign wars that it may seem presumptuous for a layman to venture any suggestion of a better study during the next European war. Apart from a war of defense only to be fought in this hemisphere no one has advanced any plausible reason for throwing this country into another European conflict, yet the same propaganda, the same influences, the same venturesome Americans on ships, the same munitions manufacturers, and the same sensational press will ever be ready to involve us in another war to end wars.

That last experience cost this Government approximately $36,000,000,000 in money and probably as much again in financial loss apart from the moral injury. Those who win and those who lose wars gain little compared with that injury.

The greatest rôle this Government could take in the next conflict would be as a helper to those in distress following the war. Their quarrels are not ours to settle, but one-tenth part of our last direct World War expenditures would go far toward saving the families of the different combatants from starvation and their governments from anarchy.

Instead of hatred from a conquered foe and ingratitude from those aided, we could serve humanity better than ever before by assisting in rehabilitation of the countries involved. Students of wars predict that whereas Russia stands alone in her theories of government to-day, another war may bring her much company to be drawn from both the defeated and the victors. Surely it is better to have a hand in steering safely world affairs than in joining in a war game that only destroys.

This friendly attitude is not a spectacular service. It does not offer an accompaniment of flags and drums, so dear to the hearts of those who send others to do their fighting, nor would it be welcomed by the vast army of potential profiteers ever on hand, but the fruits of real aid are had in the stabilizing of rocking governments and rescuing of helpless mortals who far outnumber troops engaged.

This vast field of endeavor offers service to all without need of any "selective draft" and is of far more permanent benefit to the human race than all war victories of the past century piled high.

OUR ARMY AND NAVY EXPENSES

I am wondering if the country or even Congress realizes that since the war to end wars and during these peace times our country has been spending double the amount for war and war preparation that was expended before the war, when the average cost reached about $30 annually for our Army and Navy borne by the average family of five persons. If that is not a fair amount of preparedness, then add to this amount over $100 annually to the same family average for pensions for wars these soldiers have fought in our behalf while we stayed home. Together with war debts, we now pay a total of about $2,800,000,000 annually for wars past and future out of a total of about $4,000,000,000, or more than 70 per cent of the Government's annual expenditures is spent for war purposes. This is believed to be an understatement. For illustration of our "preparedness" expenditures in maintaining the Army and Navy in times of peace with 12-year intervals.

Examine these figures when reading preparedness propaganda editorials.

	Army	Navy	Total
1914 [1]	$173,522,804	$139,682,186	$313,204,990
1915	172,973,092	141,835,654	314,808,746
1916	164,635,577	155,029,426	319,665,003
1926	355,072,226	312,743,410	667,815,636
1927	360,808,777	318,909,096	679,717,873
1928	390,540,803	331,335,492	721,876,295
1929	416,901,556	364,561,544	781,463,080

[1] World Almanac.
Reports for 1930, 1931, and 1932 have heretofore been quoted.

Thus far Congress has tried to brush aside a portion of the smoke screen used by private business interests, political preparedness adventurers, and others who profit by enormous war expenditures demanded in increasing volume from American taxpayers. Congress has not yet advanced all demanded amounts. What is their purpose? Presidents have sought to reduce the mounting war expenditures. Notwithstanding the changing methods of warfare that are rendering obsolete and useless battleships, private shipyards and munition makers are engaged in propaganda without limit, when one man, Shearer, demands $250,000 for his own part in preventing any limitation in shipbuilding at the Geneva conference in 1928. Remember, this new billion-dollar naval program is in addition to $781,000,000 spent for war purposes last year and every year in rapidly mounting figures.

In the United States, England, and Japan the vast army of junkers who thrive and profit from wars and war preparations are ever on the job working the year round to advance their own fortunes. Even a budding army of commodores, captains, and admirals can not secure good naval assignments if new ships are not built for dress parade. Naturally these interested parties with personal and financial interests at stake are little concerned over the taxpayers' viewpoint. Nor is the danger on sea or land seriously disturbing to Army and naval officers who no longer follow John Paul Jones, or Lawrence, or Generals Custer or Kearney in active personal combat. That feature no longer endangers the lives of high officials, and yet the medal factories were kept running overnight after the war to furnish decorations for men some of whom were never within 5,000 miles of the fields of combat.

DECORATIONS FOR EVERYBODY

The bravery of a Sergeant York or Rickenbacker, or men of that type, will never be forgotten; but decorations given for valor were cheapened by trainloads of medals and promotions given to men who never saw active service but "did their bit" running sawmills 6,000 miles from the French front or by selling Liberty or Victory bonds, bond terms selected to distinguished such bonds raised for a "war to end wars" and for "self-determination of the peoples of Europe."

The most vigorous criticisms against the distinguished medal absurdity in after-war decorations came from boys at the front who refused to be parties to tinsel gifts handed out by wholesale, irrespective of service. No one seeks to minimize the necessity for maintenance of a police force on land or sea necessary to care for our commercial and governmental interests with a skeleton Army able, if need be, to repel any force that might be gathered against us, but every thinking man realizes that enormous navies which challenge the supremacy of all the countries of the world on sea or vast armies on land will only instill fear and hate among other nations. The easiest way to provoke trouble is by carrying guns and other weapons that invite fears and questioning among individuals. Like emotions disturb nations that after all are governed by human judgment of those responsible for their security.

That reasoning will not arouse any enthusiasm among naval officers who signed a round-robin protest to President Hoover against the naval-reduction pact, but it will meet with the approval of a vast majority of thinking people who approve the President's action, although it did not reduce our own Navy.

A brief survey has been attempted of the purposes and results of our effort to join in a war to end wars, and of the futility of sending American troops again to Europe to settle quarrels certain to occur from the Versailles treaty and other irritating causes.

Let those who believe in such military and naval interference by our country give reasons that will be acceptable to a people whose citizenship is made up from every country in the world.

WHY NOT DISCUSS WARS AND THEIR PREVENTION NOW?

Those who would wait until the country is lulled into a false sense of security may again be rudely awakened by propaganda that European nations are again coming over to capture us; of inhuman practices by warring nations; by movies that depict rulers engaged in ravaging helpless women, and by all the cheap methods that were used to arouse our manhood to hate the nation and people so misrepresented. Many millions of dollars will again be available to purchase influential newspapers that help influence public opinion, while those who will again profit from war through other propaganda in these times of peace, intensified many fold, for war will demand that we enter the distant war because, forsooth, some vessel carrying an American citizen has been sunk in the war zone.

Many thousands of American boys were sacrificed in the last war to bring about the end of wars. The same junker forces that exist in every country in the world will unite upon embarking this country in another war and will pursue the same course of raising an army by a "selective draft" that will excuse from active participation in fighting men whose presence is "needed at home."

The selective draft was a better method in theory than the volunteer system but it was open to favoritism and injustice that could not be avoided under our system of government and yet made easy the raising of an army to send to the four corners of the earth if need be to wage war against the Chinese, Japanese, Russians, or any European, South or Central American country that "insults" our Nation or threatens its right to do or not to do some act that may be open to controversy.

If magazine writers give us a fairly correct picture of foreign affairs after our unsuccessful effort to end wars in 1917 and 1918; if we have gained any knowledge of future

sacrifices certain to follow like provocation based on past experience, it is well for us to present the situation now that is sure to occur to a people who will be called upon to furnish men and money for the next war.

"PREPAREDNESS" IS NOT PREVENTION

It is folly unthinkable to say that such sacrifices are unlikely again to occur. Men of splendid character but unacquainted with war sufferings find much to admire in the youth who dies for his country irrespective of the causes of war in which he is compelled to serve. Few men, I apprehend, among those who fought in the trenches, midst poison gas and conditions depicted by the Journey's End and other war pictures, will desire to go or send their boys into another European war, even though again declared to be a war to end wars.

Yet that is a situation which seemed as far away from us when the Austrian was assassinated in Serbia as a war against South America or Mexico or Canada, which various American junkers in times past have advised us to take.

If the people were permitted to vote on our participation in these foreign wars such action would not be favored, but that right does not exist and its exercise has difficulties in administration, but if public discussion is had, then we may avoid becoming embroiled in future wars except those waged in self-defense. Would that not be far better than to have the threat of again entering war brought to us by demands for parity of armies or navies? Reduction of armaments is preferable from every humanitarian standpoint, but it is only a slight effort permitted over junker opposition in every country and, as shown by the London treaty, is followed by a large increase in our Navy.

After several centuries of gradually improved civilization, it is a singular fact that wars and threats of wars more disastrous than any of past years seem to be invited by pressure difficult if not impossible to resist. Any effort to discuss the proposition sanely invites from the opposition and war profiteers the charge of pacifist.

To that charge I have offered a record of military service not had by the average war propagandist. Nor am I concerned if it is deemed a crime or offense to urge avoidance against such wars as the recent war that was fought without success in a war to end wars.

WAR OR PEACE MOST IMPORTANT QUESTIONS

The question is larger than any economic or political issue likely to confront us during the next quarter of a century. If it is understood that the United States will not again become involved in future European wars, that fact in itself may help discourage such wars and foreign governments that need our aid. For us to drift along without squarely facing a world-wide situation, with full understanding of probable consequences, is unforgivable when the responsibility for such consequences will be ours and ours alone to meet and decide when the situation is suddenly presented. The House is usually silent on such matters, but when war is declared both the House and Senate must act.

Thus far I have only referred to the alleged purpose of the last war to end wars; the efforts of President Wilson to bring about a fair treaty; his failure to do so with net results that have left Europe in worse conditions in some respects than before that war and the net results to the United States from that war.

Europe is suffering from an attack of delirium tremens. Many nations were intoxicated with their own strength before the World War. The drug that numbed their reason and strengthened their purpose to accept war rather than seek peace was administered by the junkers, shipbuilding concerns, and last but not least the profiteers who always thrive on war. For a brief time all the contestants suffered a severe headache, but that has worn off so that now the several countries engaged in the war are experiencing delusions, not as to their own strength as formerly but fear over the purposes of their neighbors. Some of this fear is well grounded. Only the blind fail to read signs that will call for some policy not by leaders but by the people whom the leaders represent.

WHAT ARE THE FRUITS OF WAR AND WILL WE KEEP OUT?

If a European war occurs can and will the United States be kept out? If so, how? President Wilson was reelected because he kept us out of war through three years of pressure from the allied countries from 1914 to 1917. Within six months thereafter that pressure had increased with local demands so that he asked Congress to declare war. Under the Constitution Congress alone declares war, but the President, by his own course, controlled and forced that declaration in 1917. Presidents hereafter will have that same power. A like stiuation may again arise if war occurs in Europe. With the tremendous influence of propaganda developed during the last war the answer seems certain.

During that war over 4,000,000 American soldiers were drafted into service. Will that same draft be invoked for the next European war? Drafted in another war to end wars?

Congress passed a measure last session seeking to authorize the Federal Government to draft private wealth in case of war. That measure was generally supported because it is certainly as just to draft property as man power. Societies opposed to drafting our youth for European wars vigorously opposed the private-wealth draft measure, claiming it was introduced solely to justify the seizure of men for war in Europe or elsewhere; that no practical method of administration of any private-property draft had ever been devised; and that, if so, any measure drafting property would be subject to political and other influences so as to be valueless because it could be set aside during war as unworkable.

These reasons so advanced have been urged with force by those who believe the drafting of private property during war is an empty gesture. The record of the last war, with attempts to do so that were submerged in cost-plus contracts and war profiteering, are not easily forgotten either in this country or in others when practiced.

It is a commentary on our cultivation of prejudice—often baseless—that, while the highly civilized world does not question the authority or duty of governments to draft their man power for service at home or abroad, with notable exceptions like Canada, that any effort to seize private property for war purposes savors of soviet methods, and the affected interests usually escape such seizure unless the Government gives overgenerously for the property used. Men having an income of a hundred dollars a week can be drafted to risk their lives in the trenches at $1 a day, whereas property owners always expect to profit by Government use. That is one influence for war.

WHEN IS PROVOCATION AVOIDABLE?

Heavy casualties suffered by troops during the World War, including those by the Thirty-second Division, composed of boys from Michigan and Wisconsin, were caused by being thrown into hard fighting with slight war experience. Their commanding officers called their shock troops "Les terribles" and like distinguished names, which, however well bestowed, was slight compensation to those who were suddenly wiped out.

When discussing these losses with a man of splendid character he asked, What could be a better cause to die for than for one's country? In defense of one's country from a threatening foe there is no room for controversy; but if another European war comes as easily as in 1917, then it insures our participation in every important world-wide disturbance on the claim that our maritime rights are involved, or the lives of some adventurous Americans are imperiled, or a hundred other reasons always invoked by those seeking to have war declared. When the war would be concluded, in like manner we would be removed from responsibility for any treaty provisions because of nonparticipation in its consideration. That seems a lame conclusion beyond argument.

If wars are sure to occur within one or two decades as predicted by military observers and other experts whose judgment is based on past history and on a knowledge of present international conditions and human nature, then it is proper to anticipate our future action even as we seek to

prevent recurrence of future internal catastrophes, like floods, fires, and other calamities. I submit these views for the purpose of calling attention to the subject rather than assuming any proposal to govern our future action. The reason for doing so is a constant demand for a large war-preparedness program.

WAR FRUITS, "BAGGING" THE BOYS

Recently I was interested in the record of Bishop, an air ace in the Canadian service during the World War. Bishop had something like 72 official killings of Boche aviators to his credit where the plane of his opponent dropped in a blaze. His skill and courage were depicted by another aviator whose admiration was also strong for Richthofen, the knight of Germany, with 80 killings of aviators among the Allied forces, which makes almost insignificant the 26 or 27 killings of airmen by our own Rickenbacker. Many other aviators were named with long records of killings and destruction of blazing planes to their credit, including with Bishop three other Canadians who are recorded as having "bagged" 230 enemy machines with dead aviators in every plane.

After explaining that Bishop usually picked off some helpless amateurish aviator on the outside of the enemy's scouts, although never avoiding a fight with the best of them, it is recorded of him that now he "breeds chow dogs," "rides the hounds," and "is a solid British citizen of better class." The fate of his victims should inspire an editorial writer in the Washington Star who sees glory only where blood and gore exists.

Possibly my viewpoint is unimportant, but others may be similarly impressed with the record of these professional aviators and their "bags" of human beings killed like helpless ducks by professional sportsmen and breeders of dogs. No one will seek to detract from the skill and courage of these human hawks with unusual skill and eyesight, and it is probable that theirs is the only branch of the service where individual acts can now be distinguished. Possibly a few years hence they, too, will be superseded by new air weapons and more deadly methods of warfare. It is significant that these professional air men by practice as well as instinct picked off amateur foemen who did not realize the tremendous odds against them.

In such cases it was easy slaughter to "bag" a youth whose endeavors to handle a plane and a machine gun made him an easy mark for the old-timer. Yet the novice counted for 1 in the 72 bagged or for 1 of the 80 bagged by Richthofen from among the Allies. Possibly Quentin Roosevelt so fell because individual daring that fascinates the average youth has no chance in the face of an enemy whose every movement from flying to shooting becomes mechanical. We arrest the professional gambler for taking an unfair advantage, yet we applaud the killer for so doing. Young Roosevelt stood no more chance for life than a boy in a dugout who tries to escape the direct fire of an enemy by his wall of mud and dirt yet is helpless before enemy bombs whether dropped from airplanes or distant batteries. That is the new game of war that so often commands the admiration of nonparticipants.

Battleships were protected during the World War by nets of steel to prevent their destruction by torpedoes, but submarines will continue to sink helpless transports and lone war ships caught unawares, although, to use a sportsman's phrase, the submarine dives may be bagged like rats in a trap when sunk by depth bombs.

MODERN WARFARE NOT CONDUCTED BY MUZZLE-LOADERS

Standards and methods of modern warfare may arouse the enthusiasm of an inventor or a staff officer who plans battles pursuant to military or naval strategy, but there can be no question as to the utter helplessness of human beings thrown in mass formation at a well-protected enemy. In song or story nothing can be found from the famous battles of the Greeks to the charge of the Light Brigade that will overshadow the wiping out of Company C, a Hudson company from my home city, without chance to strike a blow in return. If this be war, then let those who plan such unskilled strategy be placed in the battle front in order better to understand what modern war means.

Our country is invulnerable against all foes that can be combined against it, but of the 5,000 Americans now living in the Philippines, with those they represent in this country, seek to control 11,000,000 Filipinos, a war weakness in the opinion of President Roosevelt and naval officers, then it is hazardous for us to send a battle fleet to these distant isles to protect the interests of 5,000 by the expenditure of more lives and money than we can determine. Let them come back to the homeland and cease exploiting a people who continually ask for independence.

The advent of an English, Japanese, or other fleet on our shores would not meet with success because of distance from its base of supplies that decreases its efficiency, but while we are now engaged in spending annually nearly $3,000,000,000 for wars past and future why not study some plan to prevent war to us.

I have not pretended to discuss the justification for our entry into the last war. That is of no more value to discuss at this late day than Lincoln's denunciation in this House of our country's participation in the Mexican War. His outspoken protest before and during that war did not prevent our participation, although any protest against our entry into the European war 3,000 miles away brought ugly and untrue criticism that could not be met in time of war. My purpose here is to disclose what liabilities were placed on the country's ledger by our entry into a war to end wars. This should aid our judgment when similar powerful propaganda from foreign governments again seek to force us into wars.

STILL OTHER WAR RESULTS

I have not suggested the selfish aftermath of such wars that brought demands for cancellation of our foreign debts, so as to make private foreign debts more marketable, or of the well-remembered efforts of agencies to place on the American people a consumptive war or sales tax in order to relieve the instigators and beneficiaries of our war entry from their just share of war costs through income, excess-profits, and estate tax laws still found on our statute books. Such efforts may arise again.

These few remarks, I repeat, are to invite thinking irrespective of agreement or differences of opinion of our entry into the last or next European war. A convenient excuse from treating the subject seriously will be found by those who profit by wars through their reply that we will meet the question when it is reached, but it is remembered that within six months after the country elected a man because he kept us out of war we were in a war pretended to end all wars.

Lincoln's oft-repeated maxim that you can not fool all the people all the time met with a severe test when the irresponsible National Security League gravely and seriously declared in its propaganda to the country that 50 per cent and more of the Membership of Congress was disloyal because its Members gave little consideration to "acid tests" of preparedness and war votes determined by a couple of claimed supermen.

Although invested with large means on the plea of patriotism, they were exposed and discredited before the country after a probe disclosed their true character; yet Shearer, a representative of the powerful Hearst publications at Geneva, claims to have prevented the Coolidge international conference from reaching any agreement by creating public sentiment like the so-called security league. When his employment by the Hearst news agency and by the profiting shipbuilding companies was exposed through his $250,000 suit against the latter, it was discovered that Shearer claimed to have secret knowledge of international conditions based on forged British documents. Exposure of such dangerous and irresponsible agencies is of little value after war has been declared and the die is cast. It is only by calling attention to their activities, a thousand times more harmful than all of Chicago's gangsters combined, that we can act intelligently when another foreign-war move is

made by these superpatriots and war profiteers. Will we profit by experience?

Presidents Harding, Coolidge, and Hoover have sought to act on behalf of the country in the various conferences and attempts to limit naval armament thus far held. A President is as helpless to decree peace among foreign nations or affect their armament plans as any citizen, and yet his action in seeking such agreements is of untold service to the world.

WHAT PRESIDENTS CONTEND WITH

President Harding's effort to restrict the building of battleships was enthusiastically attended by agents from many countries, including men from far-away India, who sought by their presence to give assent to a reduction of war dangers through armament limitation, yet India is to-day a breeding ground for a vast movement against the English Government, and such attendance on the Harding conference had little significance as a peace proposal, for India has no navy to reduce.

It was, however, more than a gesture to secure an agreement to limit battleship construction, although the actual gain has been subject to dispute for it stimulated the governments concerned to active preparation with other forms of war vessels.

The Geneva conference called by President Coolidge to consider other categories failed. According to his own modest contention this was due to the efforts of Shearer, who hypnotized not only the American admirals but others who looked to him for guidance.

That proposal to place a limit of 1,400,000 tons on our own Navy has been disclosed by President Hoover in his message to the Senate at the special session to have been about 277,000 tons more than the London conference agreement, or, according to some estimates, a reduction of a $4,000,000,000 naval-building program to one nearer $1,000,000,000. With recollection that this agreement is only for six years' duration, its effect on the future will be understood. It is also to be remembered that this cost is in addition to about $360,000,000 annually for the upkeep of the Navy.

True, President Hoover managed to hold down our own bloodthirsty admirals who signed the round robin against any limitation; but it will keep the private shipyards reasonably busy in building these additional vessels, the greatest urge for their existence has been met. If we could pass a law requiring all war vessels to be built in Government yards, the preparedness propaganda would be lessened. Congress can not pass any such legislation.

President Hoover, in his efforts to aid Ramsay MacDonald to a limitation in the present mad naval-building race, has given more hope to war postponement than any other single factor in international affairs. More important by far than the tariff bill that has helped to stir up international resentment. More important a hundredfold than all his efforts to meet the demands of waterway lobbyists whose prime effort is to secure funds from the Public Treasury. President Hoover may believe differently—that could be easily tested—but with his efforts to limit temptations for war he deserves the grateful acknowledgments of his country and of the world at large.

WILL REDUCTION OF ARMAMENTS BY OTHERS PREVENT WAR?

It may not get far to make a tentative agreement with England and Japan, for France and Italy stand out like bad children and England is permitted to extend her building program if need be, but it should be a lesson to us of the hopelessness of settling these European jealousies and depth of their hatreds that are certain to end in future wars. Reduction of armaments will not alone prevent war. That we all know.

I have visited practically every country in Europe with one or two minor exceptions. When abroad it has been a privilege to talk with men in Russia, Poland, France, Germany, England, Austria, and other governments who have an assured place in those countries to-day. Even in Greece, Turkey, Yugoslavia, and Hungary the bitterness of long enmities is apparent to the casual visitor. In this discussion I have some knowledge of conditions; but again I assert that not one recognized military or naval authority or writer of note, to my knowledge, holds out any hope of a long peace to the world following the Versailles treaty. The bone of contention will provoke war as soon as the governments interested have recovered so as again to try conclusions.

Wars are not between peoples generally but between leaders who direct the affairs of their different governments, and it is doubtful if 1 per cent of the 65,000,000 men engaged in the last war could have given a clear, intelligent reason why they were fighting in that war.

On a free vote for war or peace it is probable not one out of a thousand of the 14,000,000 soldiers of Russia, one of the provokers of hostilities, would have been for war if given any voice in the matter.

Again I suggest that those who are charged with responsibility for the prosperity and stability of this Government of ours give attention to the question on what provocation our Government will be justified in sending 4,000,000 or more boys to Europe again. Will we be classed as pacifists by the admirals, shipbuilding companies, or fake security leagues for so inquiring, and if so, what is their answer to the people who will do the actual fighting? The memory of Washington's last injunction to beware of foreign entanglements has been amply justified by results of the last war that brought us few friends and many enemies for meddling in the European family of nations.

However altruistic our purpose may have been we can now measure net results and with the prospect of another cloud of propaganda from European sources can determine what our course should be.

PRESIDENT WILSON VIEWS THE GREAT GAME OF GRABBING SPOILS

At the conclusion of the war to end wars it became necessary to ascertain what had been obtained by the victors.

The Versailles treaty was a fitting climax for a professed war to end wars. The then White House social secretary, who claimed to have inside knowledge of negotiations, gives some remarkable sidelights of the war poker game played by Clemenceau, Lloyd George, Orlando, and President Wilson, the latter styled by his colleagues as a model Presbyterian minister. This close observer says in the October Cosmopolitan:

MAY 4, 1919.—He [Mr. Wilson] feared the Italians, Japanese, Russians, and Germans would make an alliance. Then where would we be? He felt he would rather sacrifice himself than have that happen—and let the people criticize him.

Again she writes:

MAY 10, 1919.—He fears things seem to be dark on the Italian front. Mrs. Wilson tells me the Italian fleet is mobilizing, and the French, English, and Americans are doing the same secretly.

Secret meetings by different representatives of the belligerents are mentioned constantly in this historical poker game with the President of the United States hustled from one to the other seeking to find their terms of agreement. The undignified spectacle of this Government's Chief Executive in the rôle of messenger boy to these bluffing diplomatic gamesters was a sad climax to our own sacrifice in the war to end wars.

Continuing, she says:

After luncheon the President told us of an amusing quarrel between Clemenceau and Lloyd George. The question of mandatories for Asia Minor was being discussed, and as Italy had shown bad faith they did not want her to have any part therein. The French want northern Anatolia, the British southern, and they want the United States to take Armenia. The French felt they were not being treated fairly.

Again, we learn:

Yesterday he [the President] sat on a chair while Lloyd George and Clemenceau renewed again * * * their fight of the day before. The President [of the United States] was constituted umpire, and he said it was fun to watch the two pointing out plans on the map and to hear one saying to the other, "You promised us this or that in Asia Minor for this thing or the other," and he said he sat there quite out of sympathy or understanding of the bargaining away of peoples.

We are told by this writer it sounded "funny" to one who had pledged the world that those peoples should have the right of self-determination after the war to end wars.

Free and fair "covenants openly arrived at" receive a distinct jar when the writer says—

Last night Clemenceau attempted a curious thing. The treaty was being printed and word came to the President that he (Clemenceau) had had inserted a whole paragraph saying that the Americans and English bound themselves to come to the assistance of France if she was attacked.

This treaty had been prepared and drafted by the representatives of all the powers, 27 in all, and no one had a right to change a word without the consent of the whole session.

The paragraph was stricken out but it was again put in. After much difficulty the President kept out this determination to keep us in future wars. That is the inglorious ending of a treaty that instead of leaving us some little remaining national respect for our participation in the war presents us in the rôle of simple-minded novices used by past masters in the game to divide up the spoils we helped them secure.

That treaty signed at Versailles was so unjust in its refusal to recognize the rights of a conquered people with its ruthless carving up of European territory and division of islands and colonies to satisfy the greed of victors that it insures another war as soon as these former enemies can gather enough funds together to wage a second chapter of the war to end wars. Fortunately we have no part of that territory to govern or protect. We asked nothing, we got nothing. Will we fight to preserve the unholy divisions described by the writer quoted?

A NOVICE AMONG INTERNATIONAL GAMESTERS

This picture surrounding the treaty principals at Versailles is not recited to discredit the efforts of President Wilson to get a treaty settlement. Although of opposite political faith and opposed to some policies of his administration, all war measures were supported by Congress after we were embarked in the war to end wars.

For centuries representatives of these European contending parties had sat around treaty boards following their wars. Their training was to get all that could be had at treaties for their own governments and they were past masters in the game as results proved. The published statement in the Cosmopolitan made by this private secretary is unquestionably true and gives a fairly correct picture of proceedings for it conforms to statements made at the time of treaty making. If untrue or exaggerated in statement of what occurred it would meet with immediate rebuke from Mrs. Wilson, whose influence at the time of the treaty preliminaries was known to be potent. Neither Lloyd George, so often quoted in the press, or others who are constantly in print would permit their own attitude to be misstated.

In fact, it is probable that statements made in the presence of President Wilson, according to the secretary, on occasions quoted were mild and commonplace compared with scenes enacted when he was not present. Daniel in the lion's den was no figure of speech except that the modern Daniel had no protective mantle amidst the lions and tigers who sat at his table. Fortunately Wilson asked for nothing for himself or country. Our sacrifice of $36,000,000,000 and services of 4,000,000 selected American boys were not weighed at the treaty table. These were forgotten in the anxiety of victors to get their full share of the loot. That they did without delay or apology. In fact, they fought hard for the spoils after the armistice.

President Wilson went into the conference hopeful of success, but retired with shattered illusions. Secret treaties, careful weighing of results by the contestants, and fighting for definite returns were beyond his understanding.

That is the situation to-day so far as our participation in these "wars to end wars" is concerned. Are we to repeat by participation in another Versailles treaty fiasco to be preceded by a war in which the contestants will possibly be differently allied and issues of overcrowded Europe, including commercial rivalries and foreign colonization, are reasonably certain to be involved? The game is the same by those who play it in Europe. Idealists receive little consideration in wars or in treaty making from those who for centuries have fought wars to secure victories. Yet we are in the midst of a rush for preparedness growing out of a reduction of armament conference inconsistent with every international peace profession offered by Kellogg and 50 nations that signed a treaty to outlaw war.

COLD DECKS IN THE CARD GAME

When Wilson demanded we enter the World War he was not aware of secret agreements or secret treaties, nor when he sat down to the table where the rights of peoples were gambled away by diplomatic gamesters did he see all the cards on the table.

In Current History, September 20, page 1104, correspondence dated January, 1912, occurs in which it is recited England would land 150,000 men in France to meet Germany. This correspondence discloses that whatever responsibility is fixed for the actual beginning of war whether based on Russian mobilization or events in Serbia that France in 1912 was prepared to act, England was to give aid and Russia under her secret treaty was ready to strike from the eastern front.

I quote briefly from another secret treaty evidenced by memoranda of French-Russian agreement. These nations did not then realize that before the World War was finished the forces there promised would not make much more than an advanced guard for the sixty millions who were to follow.

[From speech in the House of Representatives, Saturday, December 7, 1929]

* * * Back in 1893, Russia and France were so alarmed over the attitude of Germany, Austria, and Italy that a secret treaty was drawn, providing, among other terms, that if France is attacked by Germany or by Italy, supported by Germany, Russia will employ all her forces to attack Germany. If Russia is attacked by Germany or by Austria, supported by Germany, France will employ all her forces to combat Germany. * * * The forces to be employed against Germany will be, on the part of France, 1,300,000 men; on the part of Russia, 700,000 to 800,000. These forces will engage with all their might so that Germany has to fight on the east and west. * * * All the clauses will be kept rigorously secret. (Gooch, p. 183, History of Modern Europe.)

The above secret agreement, like many others, is evidence of the ease with which our great Government was thrust into a war, long ago considered inevitable by foreign nations and a war we are now informed was precipitated by Russian as well as German military leaders. Free passage of the Dardanelles was an alluring prize for Russia in 1893. Again all this is water over the wheel but our feverish efforts to build a navy equal to anything in the world and to lay another billion dollars for new war vessels in addition to replacing a dozen or more "obsolescent" battleships, invites inquiry on the effect at home and abroad of our big naval program. The result of the London conference in limiting naval construction in itself is not the issue now but whether we shall at once begin construction of warships to reach the extreme limit.

I have only offered some reasons why we ought not to increase our Navy beyond present naval-building contracts until some justification can be had. This is certainly true after our recent efforts to secure a reduction of all naval armaments at London, and after Great Britain with Japan agreed to reduce their navies. The proposition we face is a great naval increase in order to secure parity with a government that is sure to urge our help when the next European war to end wars occurs. It would thus be an added force without expense to those we aid in another war to end wars.

Junkers and war propagandists together with private shipbuilding companies and others are knocking at the doors of Congress for enormous appropriations to build more war vessels. To what purpose?

A large field for discussion occurs in the flood of war propaganda and right of the people to pass upon their own entry into war with European contests. Under existing conditions if any American in the war zone is lost through his own recklessness, it may become a cause for war, whereas in a country of 122,000,000 people, that people have no right to decide between peace or war. In a matter where they are vitally concerned they have no voice excepting through Congress. An early European war and a repetition of our

former war experience are not only possible but probable, as I will later submit, so it is proper to meet these problems when a great naval program is before us for consideration.

If Congress is not now concerned, it alone is responsible, but if it feels as much interest in the drafting of men to fight as in the resolution with teeth extracted asking for information how property can be drafted for war, then the time is opportune for discussion.

When a bomb at the *Maine* or a bullet in Serbia can suddenly precipitate war, it is a wise man who knows the future.

IS WAR IMMINENT?

Every one familiar with conditions abroad believes wars in Europe are certain to come and soon unless all signs fail. The reduction of armament conferences may have more peaceful influences than are generally believed, but jealousy, hatred, and suspicion are too deep-seated through centuries of controversy and recent injustices of the Versailles treaty to be removed by any treaty. I quote several authorities briefly.

They include well-known news writers on the subject. In some cases they offer only a summary of the situation, but I have sought to give impressions from those who should best know. Many pages of cumulative opinions could be offered, yet few, if any, express contrary opinions on the prospects of an early war in Europe. It will presumably occur as soon as the contestants believe they are able to win, but ambitious leaders are often willing to begin without waiting. Like propaganda in our own country, it is more easy to fan the flames of discord and suspicion than to get any attention for peace pleas.

A great American Navy would have no peaceful influence, but would be more likely to throw us into any conflict, as it did in 1917.

Reasons for war need not exist. They can be produced by propagandists who charge others with every fiendish crime in order to arouse prejudices and hatred, however unrelated to facts. To them, as always in the past, the end justifies the means, but the people who do the fighting are voiceless under existing constitutional provisions.

[October, 1930, Review of Reviews]

THE COMING BATTLE

Frank H. Simonds, war correspondent, writes under title "The Roadway from War Has Ended. What Next? On Europe's Answer to That Question Hangs the Future":

The League of Nations has had its hands tied by the inevitable fact that for it peace and the maintenance of the territorial decisions of the Paris peace conference have been inseparable.

No state of peace does now exist or ever has in modern history existed upon the European Continent.

To-day all over Europe war, or rather wars, are certainly going on. These wars are not being fought by armies or guns. But they are being carried on by every known means other than that of military conflict, and far more significant than the circumstances of the immediate struggle are the systematic preparations going forward for the eventual realization of aspirations which can be fulfilled only by battle.

Simonds takes up the controversy between Germany and Poland on their border rights, of France, the Poles, and all the Little Entente states that support the 1919 Versailles settlements. Next, Poland and Lithuania's controversy about Velica and Austro-Germans' purpose to recover lost Provinces "north, south, east, and west." The dispute between the Serbs and Bulgarians over Macedonia. Again he declares the Albanians and the Serbs, one backed by Italy and the other by France, are on a war footing. Summed up, he says:

More than 250,000,000 people divided into fairly equal camps, the one resolved to upset the existing territorial situation, the other not less determined to defend what exists.

Simonds's article is based on close knowledge of conditions, seemingly unanswerable in its arguments and as reliable in its predictions in all probability as World War predictions made in 1913 and 1914 before World War hostilities occurred.

CHIPS ON SHOULDERS (NOVEMBER, 1930)

A rather humorous but none the less clean-cut explanation of reasons that lead up to the next war is found in Vanity Fair for November.

The writer (Jay Franklin) says:

The starting point of the next war is conveniently indicated by the "peace" treaties. * * * The result was a lopsided arrangement by which the self-determined peoples were all convenient to the foreign policy of the victors. In consequence the entire European Continent seethes with explosive unsettled controversies, dangerous racial and national animosities, and crawls with a host of secret treaties, while it supports armies greater than those of 1914.

Austria and Italy are at odds over the Italianization of the Austrian Tyrol. * * * Germany hates the Polish corridor, which cuts her off from East Prussia. * * * Even Alsace-Lorraine is restive under Gallic rule. Italy, bilked at Versailles, now casts covetous eyes at Nice and Savoy, at Corsica and Tunis, under the tricolor, and at Malta, under the Union Jack. * * * As matters stand, war might break out to-morrow. * * * If Austria should unite with Germany, both Italy and France would fight the arrangement. * * * If Germany scuttles the Polish corridor (leading to Danzig), France and possibly England would fight to prevent the wholesale revision of the allied victory. * * *

France has a unique system of military and political alliances with Belgium, Poland, Czechoslovakia, Rumania, and Yugoslavia thus encircle the defeated powers with a ring of bayonets. The British * * * have spheres of political interest in the Baltic region and in Greece, Turkey, and Persia to forestall the Russian menace. Italy has befriended Bulgaria and Hungary, has been helpful to the Turks, cordial to the Russians, has wooed Germany by advocating a revision of the treaties. * * * Every year the ring of bayonets grows weaker, Soviet Russia grows stronger, Germany freer of reparations and armies of occupation. * * * France looks across the Rhine and sees the swarming Germans arising from defeat. She looks to the south and sees Mussolini's black-shirted hordes. So France pushes her fortifications. * * *

The continent is simmering with discontent at the war debts, at the balance of trade, at our political and moral buffoonery, at our tariff and our prosperity. * * * The victory of 1918 proved to be an old gray mare's nest, as the victors realize that military supremacy ain't what it used to be.

This picture, with slight variation, is agreed to be the general situation by other writers. A large American Navy will be again in demand by European powers, and whichever is the most insistent—England and France in 1917—an American Army will follow the Navy. "Preparedness" invites participation in European quarrels from which we will get no greater assets than from the Versailles treaty or the last "war to end wars."

[Literary Digest, September 6, 1930, p. 12]

FRENCH RESPONSIBILITY BLAMED

The Rome press notes protest about boundary decisions resulting from the treaty of Versailles and says:

"We do not claim that the French point of view is always wrong when affairs of Germany or Europe or even beyond its confines do not follow a course satisfactory to French newspapers. * * * We do say, however, that it is time France began to realize why affairs take such course. It is because Germany, although far from being of a warlike spirit, shows in every way its intention not to submit to the fetters of the treaties until such time as it requires full parity. It is because England * * * does not feel duty bound to second France's policy of political demonstrations. * * * It is because Italy * * * has refused, and still refuses, to accept a secondary rôle of any kind in a policy which France imagines she is able to pursue for the sake of objections which objections relegate Italian interests to a subordinate position, whether these objections are friendship with England or with Germany or guardianship of Central Europe or an alliance with Yugoslavia."

And this is an echo, not only of the war but of the effect of the Kellogg treaty that we so fondly hoped and believed would outlaw war. Not for Europe that is certain.

In the Review of Reviews of July 30, page 12, is a note of Mussolini's fiery demands against France and of his statement that the welfare of Italy "makes it necessary that Italians should be prepared to defend their country against such potential enemies as exist to east and south."

When King Alexander made himself dictator of Yugoslavia he abolished parliament and suppressed political parties. When the late General Rivera made himself dictator of Spain he did the same thing, and within a few weeks past Pilsudsky in Poland has followed the example of the others.

It was declared that Italy would have gone "red" but for Mussolini, and in Russia the soviet officials claimed that great country would have gone revolution but for their action. Dictatorships, distrust, and fear are found on every hand in the Europe formerly ruled by autocrats through inheritance, but even now all is in a state of unrest from the

Baltic to the Mediterranean and from Poland, Russia, and surrounding countries to France, Italy, and even Spain.

[Review of Reviews, p. 15]

A SEQUEL OF THE WAR TO END WARS

In June 14, 1930, Review of Reviews it is stated the danger of conflict between Russia and Poland gives grave concern.

Poland's frontiers, traced in 1921 by the Riga peace pact between Moscow and Warsaw, are not bound upon any principle of nationality. * * * Poland, in fact, took in certain alien regions peopled by white Russians and Ukrainians. * * * In the relations between Soviet Russia and Poland we have tremendous issues that might readily precipitate over. Now both nations are dictatorially ruled and the dictatorship rests on militarism. Public opinion as a peace factor does not count. Between peace and war the decision lies with small groups of men in whose minds the element of domestic and foreign prestige counts for much more than the consideration of the real welfare of the country.

This sounds much like electing Wilson in our own country by popular vote because he kept us out of war, and six months thereafter Congress, due to small groups of men, decided to send our American youth to Europe in a "war to end wars." Both Russia and Poland are ruled by dictators and that avoids any referendum against war propagandists. In fact after many centuries of warfare between peoples, none have yet been permitted to determine whether or not they will fight. That is not any step forward in civilization to the man who fights.

In July 12, 1930, of the same journal, is the following from Wickham Stead, editor, London Review of Reviews.

As a country and as an empire or rather as a commonwealth of nations, he says, we are up against it more thoroughly and comprehensively than at any time I can remember since the war; and before the war the only moment in my recollection when we were as hard put to it as we are now was the black week in the autumn of 1899—the Boer War period. This is not a prediction of war but of industrial conditions that have no certain result.

Here is a clean-cut news clipping from Capital Times of my own State.

AN AFTERMATH OF WAR

William Philip Simms, an experienced writer on foreign affairs, recently undertook to tabulate the revolts, insurrections, and armed struggles that are engaging the attention of the world this fall.

He found, when he got through, that nearly three-fourths of the population of the globe is involved in actual or potential uprisings.

Unrest stirs practically all of South America. Peru and Argentina are putting their houses in order after sudden revolutions. Brazil is in the midst of a desperate civil war. Communists are ready to march on the capital of Bolivia. Venezuela is ready for a revolt. Chile barely nipped a revolutionary plot in the bud.

In Europe the situation is little better. Spain and Portugal are smouldering with insurrectionary fires. In Poland, Pilsudski is striving to stamp out new flames of discontent. Hungary prepares to proclaim youthful Prince Otto as its king, and Yugoslavia, Rumania, and Czechoslovakia are ready to invade her if she does. The Balkans are full of dire rumors and portents. Germany, swept by a Fascist wave, debates the repudiation of the Versailles treaty, while France makes ready to fight if such a thing does indeed happen.

In India the revolt gets more widespread instead of less. Civil war continues to ravage China. Egypt is still unsettled. Palestine is full of disorder. Persia and Turkey are snarling at one another across the border, while the Kurds raid both lands impartially.

Thus Mr. Simms sums it up. It is nearly a dozen years since the end of the war that was to end war, but the peace of the world was never more insecure.

When we talk about the World War we usually consider it simply as the most destructive explosion in human history. What we often fail to realize is that it marked the end of an epoch. It is still too early to appraise its effects. It is still working.

It may be that the turmoil, the change, the unrest that were born of the war will still be operating 30 years from now. And as we watch them we shall get a new idea of the expensive consequences of the world's folly in 1914.

From a Minneapolis paper of October 20 I quote:

GIBBONS PREDICTS WAR BETWEEN FRANCE AND ITALY

NEW YORK, October 20.—Herbert Adams Gibbons, writer on international relations, predicted to-day that unless something occurs to lessen friction between France and Italy it will not be long before they are engaged in open war. Mr. Gibbons returned to-day after a 15 months' trip through Europe and the Far East. The trouble between France and Italy, he said, involves certain promises France made after the war in relation to Italy's expansion program in Africa. The Italians say France failed to make good her promises.

The Chicago Tribune of the day before gives the opinion of Wells on the same subject.

H. G. WELLS TELLS PEACE WORKERS WAR NOT FAR OFF

LONDON, October 19.—Probable outbreak of a war within a very short time was prophesied yesterday by H. G. Wells, the novelist, speaking at a conference of the National Council for the Prevention of War.

"Some sort of accident might happen next year or the year after," he said. "It is as close as that."

He criticized peace movements for failing to prepare an effective plan of operation.

"You are going to be entirely ineffective when the time comes," he said. "The war office is ready, but your movement merely meets and talks."

WAR OPINIONS IN DECEMBER, 1930

Stalin, ruler of 150,000,000 people, whom I met in Tiflis, Georgia, seven years ago, made a pertinent statement to Walter Duranty, of the New York Times, last December when he said:

You know the situation in Europe to-day—like an armed camp with more money for armaments wrung each year from nations now half bankrupt, some of them as a result of the economic crisis. Things can't go on like that; the breaking point must come somewhere. * * * I don't think the Versailles settlement can last long. It can not last.

Duranty was considered the most reliable American news writer we met in Russia. Of Chicherin, Krassin, Lunachasky, Stalin, and others it may also be said they knew as much about our own country and far more about European affairs than members of our own party. Stalin knows whereof he speaks.

From the same December 20 issue of the Review of Reviews I quote from the Saturday Review (London):

The German Government seems set upon the construction of a fleet of pocket battleships and it is becoming increasingly obvious that if her neighbors refuse to disarm on land, Germany will ere long demand to be freed from the shackles imposed by the treaty of Versailles in respect to her military forces. The same tendency is to be observed in the smaller states.

Spain is clearly determined to strengthen at all costs her position as the fourth naval power in Europe; Yugoslavia has arranged for the purchase of munitions on a large scale; while even Portugal has recently decided to spend 12,000,000 sterling in the modernization of her fleet.

Such incidents might be multiplied almost indefinitely * * * and no reason to question that although Germany is disarmed and the Austro-Hungarian Empire has ceased to exist, there are more armed men in Europe to-day than on the eve of the late war.

This is an English view from one close to the scene of war preparations. The Fortnightly Review, another English publication, in the same December issue, gives a fairly long survey of European war prospects "which have been growing steadily worse." Like the Saturday Review, the Fortnightly Review gives a fairly comprehensive review of the critical status of France and Italy, bearing particularly on the African colonization rivalry, where it is alleged "Tunis has been described as an Italian colony governed by the French."

In this same article it is argued that war can be carried on by other than military weapons, and it says of our own country: "The United States has shown that for purposes of conquest big bank balances are even more effective than big battalions, while ingeminating peace, have entrenched themselves behind enormous tariff walls, which, so far, have shown no signs of being cast down by the trumpet blasts of 38 protesting nations."

To save reference to dictionaries I note that "ingeminate" in English means "repeated," "redoubled." Diagrammed it may be inferred that redoubled protestations of peace purposes by us accompanied by demands that England scrap 140,000 tons of her war-vessel tonnage while we are building 100,000 more tons to reach a parity war limit must be frequently repeated to carry redoubled peace convictions because backed by big bank balances. The only consistent part of the last proposition is its unintentional alliteration.

ANOTHER REPUTABLE WRITER WHO PREDICTS WAR

A former war correspondent and man of standing here and abroad, George Adam by name, wrote for the Century Quarterly a striking review of European conditions in 1930, under the title, The Bristling Parapet of Peace. Only several extracts can be quoted that give the basis of his conclusions. He says:

[Readers' Digest, July 30, page 196]

War has been outlawed as an instrument of national policy, yet there is a much greater feeling of insecurity in Europe to-day than there was even so late as the summer of 1914. * * *

Vast works have already been begun which will make of the whole area comprising Metz, Nancy, and Toul an intensely fortified district. Each one of these towns, which before the war was considered to be a great fortress, now becomes but a portion of a country bristling with guns, secured by trenches, honeycombed by gas-proof underground roads, each being, as it were, a bastion in the largest fortress yet conceived.

That is in no man's land between France and Germany in 1930. Again, he says of the Italian-French relations:

For some years past the Italians have been building and improving their roads toward the French frontier and they have also modernized and increased their fortresses in the Alps. * * * Around Nice France is about to build the second of her great fortified areas. * * * The money for these works amounting to 3,000,000,000 francs has been voted by the French Parliament, and it is stipulated that everything must be finished by 1935 at the latest.

Adam concludes his article with a prediction of war that, if verified, will again shake the world and involve untold millions of people within the next decade. He says:

It is an irony of human procedure that at a time when throughout the world people are talking peace they are preparing all over continental Europe to cope with a possible outbreak of war within the next 10 years.

Practically every writer familiar with the facts has expressed like judgment of the nearness of fire to the European powder magazine.

TWELVE YEARS AFTER

A November article that gives the writer's summing up this same situation is entitled "Twelve Years After," by Montgomery Mulford. He says:

What are the trends discernable in the various happenings of these past dozen years? Are the nationalistic rivalries destined to again change the face of the European map?

Europe to-day is a continent of jealous states, regardless of the Locarno treaty, the League of Nations, the Kellogg-Briand peace pact. The intertwining network of alliances reveal this. We have the Little Entente of Danubian countries; we have the Italian alliances with countries like Hungary; we have the French alliances with Poland and other countries; and we find strong political sentiments as of Germany with Austria.

Political leagues, alliances, and sentiments often go further than this to more complicate the already complicated situation. Led by Rumania, the Little Entente Union may become a closer bond and a more powerful unit in that the entente will not merely be a political bond, but, as Rumania desires, a customs union likewise! Into this, Austria and Hungary will be permitted to apply for membership. In such a case we would find Hungary the friend of Italy and Austria its enemy in so far as Italy is unfriendly toward a German-Austro unification, grouped together in one union. This Danubian scheme allies the Czechs with Rumania and Yugoslavia. Italy is utterly opposed to this scheme of a Danubian entente, but Yugoslavia, Italy's enemy, will contest strongly for its ultimate conclusion.

In event of another general European war, if such is possible (and it has been predicted to come between 1933 and 1945), there would be many treaties scrapped again as a few were so ruthlessly torn to threads in 1914. * * *

The European countries—such as France, England, and Italy—have large stakes to guard. If another European conflict should come, it may not even arise as a result of a European conflict or disagreement. The larger European countries possess vast holdings outside of Europe which are a constant source of trouble.

There is France and Italy in northern Africa; there is France and England in Asia Minor, to name but two instances. Not one of the new nations evolved as a result of the World War—Poland, the Czechs, Yugoslavia, Finland, Latvia, Estonia, Hungary, or the Austrian Republic—have any territorial holdings outside of Europe; and Germany lost all hers to France, England, Italy, and Japan. Spain, Belgium, Portugal, and Denmark, of the lesser important countries, alone possess foreign territory, and hold these probably by the grace of God.

NOT A HAPPY PICTURE

This picture is not a happy one, and yet it is so like other opinions that its truth can hardly be questioned.

Congress and the administration is asked feverishly to hurry up our warship building to reach "parity" with Great Britain. At the outset it will be admitted by any reasonable person that the United States will have no war with England, whatever takes place in Europe. Then, unless it is desired to increase our Navy so as to help Great Britain in time of war, why this outcry for naval preparedness? If England and the United States agreed on "parity" in order to give our support to that country, as we did in the last war, then "parity" will be understood; but that is a proposition to involve us in another European war, not far distant.

It may also be conceded that our Navy will not be called upon to measure tonnage with either the Swiss, Czechs, or Poles. Probably we need not fear either Turkey or the Little Entente Union. There are those who believe that Norway, Sweden, and Denmark have no designs on us that would require calling out of the police or Navy.

We destroyed Spain's half-century-old antiquated navy just to make Cuba peaceful and prove that Isabella ought never to have pawned her jewels to help grow this warlike infant. And so we can go through all the countries of Europe from free Ireland to Armenia without finding a foe seeking to pick a fight. With a nice new navy it is conceded we would be a friend in time of war worth having for any country, but those who raised $36,000,000,000 and 4,000,000 men with which to fight the last war may feel that the preparedness cry is overdone when it means a vast expenditure for new warships, of ships soon to be discarded as obsolete—all in addition to an annual expenditure for naval maintenance grown more than double that of 13 years ago.

A CHALLENGE NOT TO BE ACCEPTED

A recent speech by Lindley Gordon in Washington is in line with the general statement that war is not remote when the nations of the world are spending $4,300,000,000 annually for war preparation and are maintaining 30,000,000 soldiers to keep the peace of the world. His statement, reported by the press, follows, together with an extract from speech of Chester Rowell, of California, on the necessity of public leadership by the press. Writers like Bent, Sinclair, Villard, and others seem to lay much responsibility for international differences to our press and in this connection find common cause against a leading California publisher, with whom Rowell might do some missionary work. The report is brief and a contribution to the whole subject, especially interesting because of its discussion of the responsibility of newspapers.

[From the Washington Star, November 8, 1930]

PRESS CHALLENGED TO LEAD TO PEACE—INTERNATIONAL RELATIONS DISCUSSED PREPARATORY TO WORLD ALLIANCE CONGRESS

America's part in the world peace movement and the responsibility of its newspapers for development of public sentiment on international relations were discussed by speakers at two meetings yesterday at the Willard Hotel in connection with the Good Will Congress of World Alliance for International Friendship to be staged here next week.

Speaking at the American University, Lindley V. Gordon, World Alliance leader, declared it is a questionable commentary on the present civilization to say that under the Kellogg pact the nations are living legally and morally in a warless world.

"We see in this world that has renounced war," he said, "30,000,000 men under arms and $4,300,000,000 spent annually on land, sea, and air armament."

The United States, he declared, is still paying 72 per cent of its Federal tax on wars, past, present, and future.

URGES HIGHER STANDARDS

Declaring that in the past the United States had been a great power of influence in the peace movement, Mr. Gordon said there are reasons to-day why it should lift its standard even higher. Now is the time, he said, when all influences for good among all nations should make their contributions in behalf of peace, "to the end that we might live in a warless world, not only in name but in reality."

Chester H. Rowell, publicist, of California, spoke at a luncheon meeting in the Willard Hotel on the responsibilities of newspaper men in developing public sentiment on international relations.

CHALLENGES NEWSPAPER MEN

"Unless democracy can be made competent to conduct these relations, something else must," he added. "The capacity of democracy will depend on the enlightened sense of its leaders. That means, first of all, its newspaper men. Unless they guide

the ship, it will drift. And the drift, quite automatically, will be over Niagara. Nothing less than this the newspapers of America will determine for America."

The last paragraphs contain a special message to the press, but not one word of favorable comment was noted editorially or otherwise by the papers that are described by Bent, Sinclair, Villard, and other writers.

THE WAR GAME AT GENEVA

Several weeks ago Geneva was stirred during a disarmament meeting of the League of Nations when Litvinoff, of Russia, demanded that the league work for disarmament instead of a pretended reduction of armament. I quote from an Associated Press report:

LITVINOFF ASSAILS LEAGUE COMMISSION; SPEECH IS BARRED

GENEVA.—Attacking the League of Nation's disarmament commission at its opening session to-day, Maxim Litvinoff, Russian delegate, declared that the world was now faced with grave menaces of war.

The Soviet spokesman especially assailed France and those who demand security before disarmament as dangerous enemies of peace.

"It is no wonder," Litvinoff asserted, "that among the countries which were loudest in their demands for 'security' guarantees, were some in which the chiefs of the military staffs were, as is now common knowledge, at the same time devising and carrying out plans for the provocation of war with their neighbors."

SPEECH IS BARRED

The Russian delegate declared himself hopeless of success for the Soviet's former proposals for absolute disarmament, and later for proportionate disarmament. He demanded, however, that the commission substitute the word "disarmament" for the terms "limitation and reduction of armaments."

Although ruled out of order by Chairman Loudon, who forbade the translation of Litvinoff's speech, the Russian delegate had copies prepared, which were distributed to the press.

The present policy of reduction of armament is to provide a ratio that must govern all and then by scientific shaving down with first one nation and then another, like cutting off the dog's tail by inches, thus reach a proper "parity"; which, however, in the United States cruiser program means a large building increase in warship tonnage. I am not quoting the remarks of Litvinoff with approval. The speech was imperfectly reported, but that part which speaks of the "world now faced with grave menaces of war" is sustained by witnesses generally. When in Russia in 1923 Chicherin answered my inquiry why Russia maintained an army of 650,000 men by saying Russia wants to disarm, but how can she do so when France has 750,000 soldiers under arms and Poland with 270,000 and Czechoslovakia with 150,000 more all financed by France "now threatening our border"? I have tried to give the exact words of the Commissar of Foreign Affairs as nearly as can be remembered without any effort to speak for its accuracy of statement.

Whatever fault may exist with their economic ideas and with communism generally, Russian leaders unhesitatingly denounce a hypocrisy that pretends to further peace by vastly increasing war preparations.

NO NATION PROFITS BY WAR

The opinion of ex-President Coolidge is of value in its inventory given on Armistice Day, November 11, this year, of the profits and future gained by the nations of the world from the last war. He says:

CALVIN COOLIDGE SAYS

We are celebrating the twelfth anniversary of Armistice Day. As the war recedes into the past the material loss becomes more apparent. The destruction of life, the maimed and the orphaned reaching many millions, the loss of scores of billions of property, the crushing debts and taxation, and the human misery of the time which will be projected into the distant future, reveal what a crime it was to permit such a catastrophe to envelop the world. No nation profited by it.

If there was any gain it must be sought for in spiritual values. Even those appear to be diminishing. The unselfish patriotic fervor of that day has suffered a relapse. Instead of a willingness to give all for one's country there is too much disposition in the world to avoid meeting all the different kinds of national obligations here and abroad imposed by the war. People should realize that they can not be avoided. In some way they will have to be discharged. The nations can only recover from the war by a continuous exhibition of the spirit of sacrifice which those terrible times produced. Unless the increased moral power then created is preserved the war will be a total loss.

Ex-President Coolidge says unless increased "moral power" created by the war is preserved that war will be a total loss and that human misery will reveal what a crime it was to permit such a catastrophe to envelop the world. "No nation profited by it." Such expressions uttered in 1917 and 1918 would have caused the security leagues and defense societies to draft impeachment articles and in justification therefore would have quoted the fourteen sacred articles to which we were committed, including the self-determination of peoples and a final "war to end wars." These societies that save the country in times of stress are usually among propagandists for all war preparations in times of peace.

PREPAREDNESS TENDS TO "BEING DRAGGED IN"

On the same day of Mr. Coolidge's message a local paper speaks editorially on that same subject, as follows:

ARMISTICE DAY

The nations would do well to search their hearts on Armistice Day. Almost universal unrest prevails, and Europe as a whole presents a melancholy picture. There is less confidence among and between European nations than there was when war hate was still burning. The conviction that intrigues and secret combinations are the safeguard of nations, and that war to make these combinations effective is both proper and necessary, still prevails in Europe. The League of Nations has for its central idea the employment of war as an instrument of international policy. Abandonment of war as an instrument of national policy is the Kellogg treaty plan. Hence, there is no reconcilement between the league covenant and the Kellogg pact. * * *

The best that the United States can do is to befriend nations that suffer natural calamities, to avoid foreign political entanglements, to treat all nations alike, to restrain the ambition to be world peacemaker, and to maintain its strength so that when foreign nations become embroiled in war they will not dare again to drag the United States in.

This editorial expresses contempt for any world-peace efforts through reduction of armament conferences, and concludes with a proposition that all the pacifism in the United States will not help matters and that this country must "maintain its strength" so other countries "will not dare again to drag the United States in." "Maintenance of strength" with this writer means expending over a billion dollars now proposed for new cruisers to reach "parity" with England. Those opposed to this program will find themselves among "pacifists" whose country will again be dragged into war because it does not at once build the world's greatest navy. Propagandists and not other countries were responsible for dragging the United States into recent wars.

The size of our Navy or Army had no more to do with propaganda forcing us into the World War than did the people of far-distant Mars. A large navy will not keep us out of war but will tend to get us in. The power and support of the United States without any large navy was continually sought to decide the last war's issue. Every intelligent person knows that to be so. A great navy will intensify war propaganda in this country whenever Europe again seeks our aid. We ought not again to be deceived by specious promises for peace through "preparedness" with "parity."

PEACE ADVOCATES PREDICT PEACE?

If a diplomat or one whose words might be accepted as authority, I would hesitate to express any personal opinion on the possibility or probability of an early European war, but as a layman interested in the subject I conceive it to be a duty to offer the opinion of those better informed than Members generally, and all these authorities agree that a European war is anticipated for reasons given by each writer.

If, notwithstanding past experience, we refuse or neglect to assume by law any control of sensational press efforts to promote war and continue to draft men to fight in Europe while exempting profiteers from draft or service by any practical enforcible legislation and prevent those who fight from determining by referendum the Nation's course and otherwise neglect legitimate efforts to avoid war that may later be discussed, then it is for Congress to accept responsibility, as in past years. If the subject is not tabooed, I sub-

mit facts that should challenge consideration before war comes.

Needless to say, no individual or organization has suggested any views I may advance, nor do I seek to act for others. All men possibly can not speak so frankly as the writers I have quoted. Diplomatic officials, on whom we rely for advice, like Kellogg, Root, Hughes, and others, of whom the country is justly proud for their peace efforts, would have their judgment as to the probability of war quoted throughout the world. Whatever may be their views or those of other leaders of international peace efforts in this or other lands, it is reasonably certain that for well-understood reasons none will voice their fear of any immediate war. To do so would hopelessly discount all efforts heretofore made to secure international disarmament.

HOPES OF A GREAT FRENCH PEACE ADVOCATE

This reason, in part, may explain why a great Frenchman, whose voice many of us heard in this city, when eloquently pleading for France and our aid in securing peace now is quoted as unalarmed over existing war threats.

While his Government refuses to join our own or Great Britain and Japan in any program for naval limitation of armament and is now financing in whole or part the greatest armies of modern times in France, Poland, Czechoslovakia, and Yugoslavia, he hopefully looks for peace.

It was Clemenceau, not Briand, who drove a hard bargain at Versailles that voiced the demands of France. That bargain is loaded with more future world disturbance than all prior treaties put together, if the words of expert writers are to be accepted.

Briand's words in the New York Times of December 7 are quoted in part because he discloses some of the difficulties in the way of European peace he hopes may be surmounted.

His interview was with Valentine Thompson, Briand's biographer and friend, and is preceded by the statement, "With Europe in a state of tension over talk of new wars, what has the man known as Europe's peacemaker to say?"

Thompson writes:

No contagion is more difficult to escape than the fever of nerves. * * * This obsession makes no headway in the neighborhood of Aristide Briand. Around him no one heeds yellow journalism (France has it also) or wastes time on irresponsible words or stories about fantastic weapons forged in the dark. * * * He (Briand) admits that the nervous tension of the country and certain newspapers add to the heavy load—but no matter. "We know the fight for peace will be hard," Briand said. "I know that we can not attain real peace without surmounting all sorts of difficulties conjured up by those who are secretly trying to create trouble. * * * I know things are not easy, but you must admit that if the many problems we have met and solved during the past war period had confronted us many years ago any one of them would have caused war."

Thompson in the rôle of interviewer says:

I mentioned the tenseness and the talk of a new war.

Briand replied:

In spite of the serious reasons for anxiety, which, of course, one can not deny, what gives us reasons for hoping war will be avoided are the obstacles now put in the way of the aggressor. The international situation is not what it used to be. Nations are now in continual contact. On all questions they deliberate. The terrible surprises that in the past would suddenly drag a nation into war before it had time to reflect can not exist to-day. As long as the people have time to think things over, even the most irritating problems can be solved * * *; the idea of arbitrations has penetrated not only the minds of the leaders but also that of the masses * * *; the people never want war. * * *

WHAT IS THE ACTUAL PROSPECT?

Briand's hopes and opinions will be highly respected, but recent history is all to the contrary with Hague arbitrations, scraps of treaty papers superseded by secret treaties and continual preparedness easily ignited by a Serbian assassination. Has this changed materially?

Everyone respects the splendid man who pleads with us for international peace. He has been a great promoter of peace, but France does not seem to regard peace idols to-day so much as those of the jingo type. With France all writers quoted seem to believe actions speak louder than words, and though that people, like all people of the world, hate war, the "yellow press" seeks to provoke war, for it is significant that France, with the greatest army, equal to the Kaiser's once unbeatable machine, does not spell "peace." Nor does an unlimited naval machine that rejects offers of the London conference inspire especial hopes of peace when it is a matter of general knowledge that scores of millions of dollars are now being expended by France on the Italian front, not in the interests of peace—but war.

Briand with all of his brave words, like Kellogg, is a lonesome figure, because neither they nor the people who hate war and for whom they attempt to speak will have any direct voice in the determination of peace or war. That is the weakness of the problem.

The war to end wars has left in its trail ineffective and extremely doubtful efforts to reduce naval armaments that, like our own, are in some cases growing like Jack's beanstalk, whereas no return to the people most concerned in the war decision has occurred in France or in any other country.

The same agencies as in the past will decide war for Europe and for us unless the issue of war responsibility is faced in advance of war by permitting those most concerned, the people for whom Briand speaks, the right to determine.

It may be asked why a layman, with no particular information beyond the average man, ventures to offer any observations when this field is usually reserved for military and naval experts. The reason is to encourage a discussion in which the entire country is concerned but which seems to be tabooed in this great legislative body excepting by big-navy propagandists. The way to keep out of war is more important to know than the way to get in.

[From the Chicago Tribune of October 23, 1930]

PERSHING WARNS OF WAR DANGER

WARS KEEP COMING

NEW YORK, October 23.— * * * "Now we are at peace with all the world," he says. "I do not like to talk about another war. I pray fervently that there will be no more war. But what right have I to be so sure that there will be no more war? The great war was called the war which would end war. Yet in these few years how many disastrous wars have been fought and how many others seem to be in process of making.

"We know that we will not provoke a war. But is there in history that which authorizes us to conclude that some one else will not provoke one some of these days?"

Pointing out that in the event of the outbreak of another conflict the United States may well be drawn in, as we were drawn into the European war, in face of all natural expectations, General Pershing declares that when the United States is called upon to fight again it will not be at the demand of her military leaders but upon the probable insistence of the American people themselves and their political spokesmen.

HATING WAR DOESN'T STOP IT

"With all my soul I hate it," General Pershing declares in speaking of what war means. "I have seen it in all its horrors. There are many well-meaning people who think war can be abolished by disbanding armies. They can say no more than I say—that they hate war. We are all on common ground there. Every true soldier feels the same way about it. Unfortunately, wars do come and sometimes when we are thinking least about them. Who dreamed back in 1914 that this Nation was on the verge of the greatest war in history?"

The charge that soldiers hunger for war "falls down in the presence of history and facts," General Pershing maintains, asserting that "the American Army has never fostered a single one of the wars in which the United States has been engaged."

THE PEOPLE AND SOLDIERS HAVE NO VOICE

The country has much to be grateful for in General Pershing's statement. Particularly is he right in saying that the charge that soldiers hunger for war "falls down in the presence of history and of facts." Soldiers in the ranks do not want war, but officers who never reach within 100 miles the zone of danger and profit by raise in rank and pay are not adverse to such promotions as a rule. Not one admiral or general has been lost in any zone of danger for over half a century, whereas 88 lives were lost in my home company during the last war.

But I submit General Pershing is not correct in his statement that—

When the United States is called upon to fight * * * it will be upon the probable insistence of the American people themselves and their political spokesmen.

The history of wars disproves that prediction. Excepting in a war for defense, it is likely not 10 per cent of the American people would favor entering into another Euro-

pean war, which Pershing apprehends we must fight. A vote of the people would be overwhelmingly against it. The same propaganda fostered and financed by European countries that seek our support will again be all powerful. Secret then as in the past, it will pretend to reflect public opinion. The same shipbuilding interest, munition makers, and all who expect to profit by war will be voicing our intervention, and patriotic persons influenced by propaganda will believe they are called upon to voice war; but the American people do not want war. Congress may fear the threats of the propagandists and yield to what appears to be popular acclaim, but a vote or referendum on war would be defeated overwhelmingly excepting it be a war for defense.

Pershing is quoted as predicting, "In the event of another conflict the United States may well be drawn in as we were drawn into the European war." No intelligent citizen can doubt his prediction and that startling fact confronts the country to-day; that, without any voice in the matter or any means of prevention, the youth of the land will again be thrown into foreign trenches to fight foreign wars and by the same preparedness and national-pride propaganda as in the past war.

That situation, I submit, is more important to-day than any of the many issues now before Congress. I also submit we have not advanced one foot in giving consideration to our own attitude when war comes to Europe—and Pershing says it will come.

If my colleagues are sufficiently concerned over the opinions of these expert observers over the prospects of an early European war, primarily because of the Versailles treaty and its attending evils of territory carvings and harsh terms, then I invite you to get a slight glimpse of what is again in store for the next generation that must make up the next 4,000,000 or 6,000,000 men we will be asked to send to Europe in this endless waging of wars to end wars.

FROM ANOTHER CLOSE OBSERVER

"I don't believe the American people have any understanding of the early likelihood of war in Europe or of the probability of our becoming involved." This was in substance a remark made to me since the holidays by Don Lavine, a brilliant writer who was with our committee during its 8,000-mile trip through and around Russia after the war. Lavine is in Europe every year, not as a visitor but in his capacity of writer and student, and he is a student of governmental affairs.

"Russia is preparing for the inevitable," he added, "and France, unable to increase her birth rate, is hoarding gold, with greater per capita gold holdings now than are held in our own country." Bankrupt France now controls the gold of Europe!

This corroborates every frank-speaking authority I have met and confirmed my own belief, based on repeated visits to different countries. Statesmen and diplomats may not talk frankly, but others can and do.

Lavine finally remarked that America must keep out of that war because of the world-wide disaster it will invite.

He was afraid that from present indications nothing will prevent our entry into a war if England goes in. Our increased Navy, with its slogan of "parity," appears to be a reserve force for England's aid; but the most serious part of the situation appears to be that while all these preparations are plain to everybody, that the purpose is not apparent to many well-thinking persons who scout at danger.

In fact, without any assured deliberate attempt to involve us in a European war, experience has shown that when the time to strike is necessary every method of propaganda led by the press as in past years will be unleashed, and it is a brave man who faces the storm of abuse by voting against war. We will again be injected or projected into war "to save civilization" and to prevent Russia or Germany or some other country "from coming across the sea to destroy us." Americans will be shown to be buried alive by those who pictured the killing by Germans of their enemies "for purposes of fertilizer" about a dozen years ago. A hundred Creels, if need be, can be found to frighten our people into war and they will be eligible to Munchausen's mantle when they get fairly started in the game of deceiving the public by arousing unwarranted hate.

That public is now lulled to sleep by "parity" talk "to insure peace" for fear an inquisitive section may inquire why the people who are to be drafted to fight and pay are not to have a right to vote on war. The American soldier again drawn from the factory and farm will be regaled with rosy accounts of travel abroad and the great principle at stake in another "war to end wars and save civilization."

If we can now be bamboozled into believing that an increase of approximately a billion dollars for a new navy is what London calls a "reduction of armament," and if we stand idly by while the draft boards are ready, if need be, to grab double the number of prospective soldiers we sent to war last time, and if we stare stupidly at figures demanded for new enormous appropriations again to feather the nests of a hoard of profiteers, how can we question our own credulity and eventual responsibility for results. Like any conscription of wealth, these questions are best determined by past experience.

The last war reduced this world's population about 20,000,000, possibly far more counting noncombatants. With new instruments of destruction, poisoned gases, bombs, and other forms of scientific murder of women and children and destruction of cities, the number of fatalities in the next war will vastly exceed the last.

This is no dream of an alarmist, but based on past and recent history it is the logical result of conditions that make for war. While Mussolini and Stalin and Briand shout from the housetops their peaceful intentions as they prepare for war, so, too, did Franz-Josef and Kaiser Wilhelm, the Czar, and other war leaders a score of years ago.

History repeats, that is all.

REFRESHING FRANKNESS

Let me conclude this thought with an editorial extract from Liberty magazine of January 10, 1931. It expresses the thought I have endeavored to set forth so much better and more forcibly and concisely that I quote it at some length. "Every man in his inmost soul," to use a trite saying, well knows that Liberty tells the truth about "sanctimonious nonsense." Others might profit by example.

"THE ROUGH ROAD"

In announcing the Navy's new air policy, Admiral William V. Pratt the other day unburdened himself of the following observation:

"The Navy thoroughly understands that, under the guaranty of the Kellogg pact and in keeping with the Government's long-pursued policy, this country will never start an aggressive war."

Liberty continues:

If the admiral believes what he says, he is talking himself out of a job. Or, at least, apologizing for the one he has.

We rather suspect, however, that this bit of sanctimonious nonsense was designed primarily to please the gentleman in the White House. Way down in our heart we don't honestly think the admiral, who has been a fighting man for 40 years, believes it is a "long-pursued" American policy never to start an aggressive war.

Our very existence on the American continent rests on the fact that by force and chicane we chased the Indians out and occupied their land. And when you come right down to it, most of our wars have been offensive wars.

We took some colonies away from Great Britain in the Revolution, and our War with Mexico netted us about 700,000 square miles of new territory. In the Civil War there must have been an offensive side somewhere. You could hardly call the War with Spain a defensive war, and as for our declaration of war on Germany—well, Berlin had its own idea about that. We did fight a defensive War in 1812, and we got licked. * * *

All this about offensive wars may sound as if we were trying to be rough and tough, but we're not. We are not advocating offensive wars. We are not being hard-boiled, nor are we saying anything new. We are just stating history.

Even H. G. Wells and Herbert Hoover would admit that these things have been so, and that it is well for the cause of human progress that they have.

There have been defensive wars no doubt in which the smaller nation or the one on the defensive has been right, but very often it has been true that it was better for the offense to succeed. It was much better, we maintain, that we stole, seized, and pirated our Southwestern States from Mexico than if they had remained under the rule of the Diazes and the Villas.

That involves no new and radical doctrine. It is just applying to the affairs of nations the old principle of the survival of the fittest.

Few will agree that we have the right to steal, seize and pirate weak countries as suggested. Some old files of Liberty, if I remember correctly, advocated taking Mexico because we could give Mexicans a better government, or some like reasoning expressed in the editorial. Our purpose may have been to seize and steal in the days of this country's infancy, but with Cuba, Porto Rico, the Philippines, and World War settlements we asked for nothing and took nothing, unless we eventually break faith and steal the Philippines. It may be that the big Navy is expected to pirate Mexico, Nicaragua, Haiti, and South American countries generally, but though our military and naval forces have reflected Liberty's reasoning at times, our statesmen like Wilson, Root, Kellogg, and others have sought altruism near the bottom of war wrecks. Now we are in for bigger game. As the boss policeman of the world or universe, we are to follow our naval advisers by holding a convincing blackjack to aid England's use of a billy whenever called into the fray. If we could dig up $36,000,000,000 without any substantial return during the last war we can continue to practice the gospel of peace with a shotgun just to disclose our surplus power and energy.

PEACE, "PATRIOTISM," AND "PACIFISM"

Frequent reference has been made by big-navy propagandists to a high official in our governmental affairs with expressions of regret for his apparent "pacifist" views alleged to be due to Quaker affiliations. It is no purpose of mine to discuss such charges or innuendoes because many Quakers in the past have been outstanding war figures and probably none in all history ever attained a more useful place with the human race than Herbert Hoover during the World War. "Patriotism" is a much misused term by which crimes innumerable have been committed, but no general admiral, or other official among all those engaged in the last war exhibited greater courage, nerve, and accomplishment than Mr. Hoover, whose personal efforts more than any other single factor enabled him to give needed aid to the starving women and children of France, Germany, Russia, and other countries during that war. This opinion is found in statements made to me without suggestion by Chicherin of Russia, Michael Heimsch, president of Austria, and others whom I met in Europe. If that record is not akin to a patriotic effort to aid the human race and rightly represent his own government, then patriotism has ceased to be a virtue.

Terms of contempt during war or by war advocates in time of peace are frequently summed up in the word "pacifism." Men under fire and men of undoubted courage are not necessarily those who talk loudest of their own bravery, or who ridicule that of others.

Few men or women would hesitate to kill an enemy seeking to destroy members of their family. To a large degree that same spirit is true in the defense of one's country. It is not true and never will be true of foreign wars precipitated by reckless junkers and unrestricted, sensational press propaganda.

Venturesome youths may want war's excitement, but it is unlikely that one-tenth of 1 per cent of our population joined the ranks of combatants abroad during 30 months of the last war prior to our own entry. That, of course, excludes all called home to the colors by countries involved in the war.

Less than 100,000, or one out of every thousand of our population would probably be an outside figure, and possibly not one-half of that number of adventurous spirits, excited by the Lusitania disaster or other cause, ever crossed to Canada or drifted into foreign armies during the many months from August, 1914, to April, 1917.

Certainty that a volunteer army could not be raised in 1917 caused Congress to enact a draft law which prevented any individual judgment on enlistments for the first time in all our history, excepting a half-hearted, unsuccessful effort during the Civil War, when the Union was at stake. It was evident in 1917 that only an insignificant number of our people would enlist to fight in a European war through the fictitious promise that it was to be a war to end wars. Deep sympathy existed among millions of Americans for different combatants, but that sympathy did not extend to any purpose to fight their battles, although buttressed by powerful press propaganda.

That was the state of mind when Congress succumbed to great pressure and declared war.

Based on the experience of the World War, it is a safe prediction that not one-half of 1 per cent of our population and not 5 per cent of our defense force of 20,000,000 men could be mustered to fight abroad unless again drafted. Is it to be assumed that 90 per cent or more of the people who would be noncombatants from choice are pacifists because they do not favor injecting our country into another foreign war or because some real or fancied national affront affords a chance to try out our new battleships and cruisers?

A referendum in which mothers and sisters of men eligible to draft could participate would overwhelmingly defeat the small but noisy proportion of junkers who want war, but who are not ready to support those bereft of support due to war casualties. Some of the most enthusiastic war movers who did not fight were opposed to every substantial relief bill that involved the payment of taxes after the war. War burdens are never equitably adjusted.

PEOPLE WHO PAY THE BILLS SHOULD VOTE ON WAR

If 90 per cent or even 60 per cent of our people are opposed to any foreign war, and the proportion is certain to be much nearer the former than latter figure, then why should not that same people who pay the bills and furnish the fighters have right to determine their country's refusal or entrance into a foreign war?

It may be contended that the proportions quoted are not correct. If not, then draft laws are unnecessary because armies could be raised by volunteers, among which, however, would be absent many of war's active proponents. Boys and men entering the Regular Army or their State's National Guard do so with an understanding of its possibilities in case of war. Often lured by enticing pictures of ease and luxury they join the service and accept its responsibilities and consequences, but that does not apply to the 98 out of every 100 of draft age who do not care for dress parades or the possibilities of future trench fighting.

These latter may weigh the injustice that war works when men are suddenly thrust into Army service without their own volition, to serve at a dollar a day and found, compared with possibly ten times their earning power as civilians. There they often find men of no larger abilities but some slight training as officers who receive ten times their own service payments. That is military service, where all in this great democracy are said to be on a level with life, liberty, and the pursuit of happiness—because born equal. In war it does not work out so.

Profiteers or stay-at-homes, based on past experience, fare as well as generals or admirals, who are rarely if ever lost in actual combat, whereas the little home company I once organized came out of the World War with 88 killed or died in France. That is a war liability not measured by dollars or cents.

In a war for defense—not for aggression—there can be no pacifism or refusal to serve. In a foreign war the people who pay the bills, weigh burdensome tax liabilities and war hazards against no material assets, should decide the war issue. This they could do as intelligently as in the determination of the relative merits of two political candidates, be they running for President or coroner.

Patriotism is not measured by public professions, but he who loves his country best will seek to keep it out of needless wars, even though it requires greater courage to face a noisy army of junkers and war advocates than to drift with the tide. Back home the vast, silent army of war mothers and wives may believe that the presence at home of the breadwinner is more to be desired than gold stars, however valued that evidence of human sacrifice may be. Patriotism does not mean to vote for big-navy proposals that invite wars, but by all honorable means to keep our country out of needless wars.

This is such a graphic picture of the "war to end wars" I am calling it to your attention.

[From Current Reading, October, 1930]

MAN'S SOUL IN WAR (AN ENGLISH VIEW)

Extract from the Quarterly Review (July, 1930), Ian F. D. Morrow:

"Before the storm of 1914 burst with elemental fury upon the world, uprooting the ancient trees of custom and convention in thought and manners, and sweeping away in its destructive wake a whole generation, mankind had been accustomed to look upon war with eyes from which the beams and motes of romanticism and superior idealism had not yet been removed. A century had passed away since the last European war had ended on the blood-stained fields of Leipzig and Waterloo in the overthrow of Napoleon and his empire. The many wars that enlivened the tedium, and indirectly promoted the prosperity, of the Victorian Age were also for the most part an affair of professional armies whose exploits barely sufficed to arouse patriotism in newspaper readers.

"Then came August 4, 1914. The face of the world was changed overnight; the falsity inherent in all existent conceptions of war was ruthlessly exposed in the light of the fiery glare proceding from the dreadful reality; and, after four long years of physical and spiritual agony, a new conception slowly rose phœnixlike from the dying embers of a conflagration that had laid waste a continent and cost the lives of tens of millions of men. * * *

"Patriotism and self-forgetfulness and the fine flush of youthful idealism doomed from the first—so it seemed in retrospect—to end miserably in a mass of bleeding, quivering, mutilated human flesh only recognizable as having once been a man by the numbered disk borne as a steer bears a branding mark to distinguish it from the other animals in the herd. The lot of the survivors was little better—escaping death only to live on in a mental and spiritual agony of bitter disillusionment and cynicism. This feeling of disillusionment and bitterness permeates every line of the writings that have flowed white hot from the pens of the survivors of the greatest and cruelest of all wars. * * *

"Are the high hopes and the noble ideals of 1914 so forgotten? Were they so disappointed by fulfillment? Was Belgium not 'righted' and France 'saved'? If the recruit in the autumn of 1914 did not know (in C. E. Montague's bitter words) that 'he was the prey of 77 separate breeds of profiteers' any more than that he would presently 'be overrun by less figurative lice,' was he any the worse patriot for his ignorance? The causes of the war could no more be held responsible for the mistakes and deceptions committed during the war than the man in the street could be held accountable for the occurrence of the war. And did the fact of the subsequent disillusionment and bitterness really alter the fundamental issues over which the war was fought; and if the war had not been fought, what then? What would have been the alternative to a refusal to meet our obligations and keep our pledged word?

"Anger and bitterness and disappointment are easily to be understood and readily to be excused in men who survived the horrors of the war only to be unnerved by the aftermath of the peace."

That is from England, but it may well be used as an expression of all those who were responsible in any way, however slight, for the days of 1914 to 1918. "Wars that enlivened the tedium and promoted prosperity" hardly aroused the patriotism of newspaper readers, but "the face of the world was changed overnight," and those who suffered most were the governments armed to the teeth with powerful navies and great armies. It is a vivid picture of what has occurred and is likely to occur again based on the eminent authorities I have quoted.

The following is from the conservative Washington Star of September 30 last. It is the viewpoint of one who lamely seeks to teach a lesson in patriotism through iron tanks, all in these days of Kellogg peace pacts.

THE LOVE FOR "BLOOD AND GORE" THROUGH "SERMONS" AGAINST WAR

If one chose to regard the Army relief exhibition at Washington Barracks last week as anything but a downright good show, it would be immensely comforting to see in it an eloquent demonstration in behalf of peace, and therefore to urge that it be put on wheels and transported from city to city in order to bring it before the citizens of the land. For after listening to descriptions of the deadliness of .50-caliber machine guns and water-cooled machine guns that fire 500 rounds per minute; watching the roaring dives of squadrons of planes at 200 miles per hour that hail bullets and bombs; witnessing the devastating charge of armored cars with their fire-spitting batteries or the ponderous march of heavy tanks belching 1-pounder shells, not to mention the rattle of rifle fire or the thunderous charge of cavalry—after seeing all these things the natural reaction on the part of the civilian spectator ought to be a shiver and a sigh and a shake of the head denoting a firm resolve not to raise his boy to be a soldier and to live and die in the blissful security of peace on earth and good will among men.

But alas! Is it? It is not. The flags get him dizzy. The music sends cold chills up and down his patriotic spine. The thought of blood and gore is not unpleasant. If he is heir to human flesh and blood he becomes the man in the tank, wishing in the secret recesses of his heart that he did not have to fire a blank cartridge. He pictures himself as the aviator, suppressing unholy desires as he swoops down out of the sky, merely simulating machine-gun fire at the lovely target made by a battalion of infantry sprawled upon the ground. He thinks of himself as the chauffeur of one of the Army's new armored cars, willing to give a month's pay really to try it out on a galloping troop of cavalry, and he looks, with his mind's eye, at least, along the shimmering barrel of a Springfield and gets a low-flying airplane between the sights, longing to insert a real cartridge and try his luck at bagging a pilot.

IS YOUTH ANXIOUS FOR "BLOOD AND GORE"?

This editorial of September 30 on "Sermons Against War" brings into the open an unexpected fire-eating spirit which brooks no curbing. After describing the deadlines of .50-caliber machine guns, that fire 500 rounds a minute, and watching the dives of squadrons of planes that flooded the earth with a hail of bullets and bombs together with "devastating charges of armored cars" and other instruments of destruction, I am puzzled to find an editorial conclusion that notwithstanding all these opportunities to die easily, both often and young, that the youth of the land is stimulated to suffer the loss of an arm or leg or the major part of his anatomy if he can have a hand in war. The editorial says, "The flags get him dizzy." "The music sends cold chills up and down his patriotic spine." "The thought of blood and gore is not unpleasant." "If he is heir to human flesh and blood"—and he probably is—"he becomes the man in the tank"—armored car—"wishing in the secret recesses of his heart that he did not have to fire a blank cartridge." "He pictures himself as an aviator, suppressing unholy desires as he swoops down out of the sky merely simulating machine-gun fire at the lovely target made by a battalion of infantry sprawled upon the ground." In other words, the sight of a headman's ax looks inviting to youth craving death. Remember this is not from a "penny dreadful" but from the conservative Washington Star.

Much more of that kind of riotous enthusiasm is contained in the Star article seeking to believe that flags and sure death are captivating to wild youth. The reports of thousands of boards that passed on constant requests for exemptions in 1917 are not in harmony with this lover of gore and destruction who typed the above sentiments in the quiet 10-story editorial rooms of the Star office far away from any disturbing confusion of the street. Nothing can be more insipid or unbelievable than a desire for gore and blood simply because of a few noisy diving planes and clumsy rattling, iron tanks. Not one in a hundred are so deceived but it sounds like 1917 war propaganda revamped for future use.

An experience of 16 years' military service that began when a youth of 17 years in the Regular Army at Fort Myer was beneficial in its training but among the many hundreds of comrades and associates in military life during that period I never found anyone who breathed the sentiment for "blood and gore" found in the editorial columns of our usually peaceful and altogether benevolent Star. It is more likely to be classed by actual soldiers as pure unadulterated bunk. The record of Bishop, Rickenbacker, and Richthofen in "bagging" amateur aviators should be read again to get the reaction of those who are supposed to be captivated by this "blood and gore" reasoning. Few private soldiers are hypnotized by such reasoning.

ANOTHER VIEW OF BLOOD AND GORE BY ONE WHO SAW IT

From a score of ex-soldiers who saw fighting, including my own son, has ever come a response as to their experience at the front, that it is something they want to forget and not talk about. A staff writer on Labor, McKillips by name, thus reviews All Quiet, the screen version of Erich Remarque's war story. McKillips says:

Because I happened to be one of the 2,000,000 soldiers who served with the American Expeditionary Force in France the editor picked me for the job of reviewing All Quiet on the Western Front, from the viewpoint of a former soldier. * * * I've gone to see other war pictures. The Big Parade, What Price Glory, Wings, and invariably have come away feeling that something was missing. They all seemed to say, "Yes, yes; wars are tough all right, but the fellows manage to have a pretty good time after all." * * *

"All Quiet," I believe, comes closer to telling the true story of the war than any previous effort of film producers. * * *

"It is the story of German army life during the World War, but by simply changing the uniforms it could be the story of the war soldiers of any nation. * * * While the Berlin "100 per

centers" sat around café tables and bravely resolved that the war must not stop "until we march into Paris," there were "100 per centers" grouped around tables in America loudly branding as "pro-German" anyone who suggested making peace before "we reach Berlin." It was only incidental that no one in either group would be called on to have his head blown off outside the gates of Paris or die with a saw-toothed bayonet through his stomach on the streets of Berlin.

The same comparison can be made with every scene in All Quiet. The eager-faced boys marching off to war while bands play and women cheer. The unnecessary brutality of the training camps. The former friends whose heads swelled to bursting points when they were clothed with authority. The terror of the first time under fire. The breaking of nerves and minds. Hunger. Blood. The sweeping away of all decent impulses and the shattering of illusions. Horribly mutilated bodies. The pitiful misunderstanding of why they were fighting.

All Quiet on the Western Front is not a pleasant picture. * * * But if one wants the truth—that war is 90 per cent dreary drudgery and bloody butchery instead of glorious leaves of absence in Paris, and that for every soldier shot through the hand there are a dozen who are horribly disemboweled, and that above all young men want to live and not gasp out their lives in the gory shell holes—then All Quiet is a picture worth seeing.

WHICH WILL YOU BELIEVE?

Which tells the truth, the soldier who writes from what he has seen and knows or the "Star editor" who never saw or knew "blood and gore" excepting in delirious dreams of glory—for others.

McKillips's opinion reflects the views of the average boy who was at the front and saw real fighting. These boys were trained in our local camps to charge sawdust sacks and stab bags with their bayonets, yelling like Comanche Indians on the theory that the more they were reduced to savagery the better they were fitted to "fight the Hun." I was impressed with McKillips's statement that war meant the "sweeping away of all decent impulses." To the hardened veteran or the young officer seeking promotion and glory this may be challenged, but without detracting from the labors of chaplains, who in the various armies all prayed to the same God of Hosts for victory and inspired the boys of each country to believe that his cause and his alone was just, little could be found in camp or trenches to promote exalted or even "decent impulses."

Fathers and mothers had earnestly surrounded their offspring with good influences. In athletic pursuits these boys learned to profit from defeat as well as victory, but if profit came to any boy in any army that saw active duty in scenes along the western front, it was rarely found and of doubtful value. Even Coolidge says, significantly, "No nation profited by it."

Such boys, men now, do not care to express their views of war. They have been taught repression, that it is unmanly to complain; but if it is necessary to have frequent wars to train men to fight, then all who never fought will ever be without this needed experience. If we measure up to Pinckney's challenge of millions for defense but not one cent for tribute, we will have reached our limit of military duty, and that policy avoids foreign entanglements.

WAR-GLORY PICTURES

A magazine article recently gave several purported opinions from veterans of the last war who are quoted with ecstatic recollections of their war experiences. The article was written by a major, and what was needed to make war perfect in its surroundings came naturally to the gifted pen of a commissioned officer when writing of rookie surroundings. Assuming that the soldiers quoted were engaged in trench warfare, which only affected a minority of those sent across, it is true that occasional adventurous spirits found something worth remembering if they returned undisabled, but for every man so reporting an enjoyable experience a dozen returned who suffered no illusions, and those who never came back were more numerous by far than those who found it a worthwhile war experience. Letters received by every Representative from veterans seeking pension relief are all to the contrary.

When the soldiers' adjusted compensation bill was before our committee we were mystified at receiving a number of protests from New York and Pittsburgh from ex-service men protesting against the bill and declaring they did not want it to pass or to get the relief. As soldiers received only a dollar a day in service this was surprising, particularly because the objections came alone from those two cities. Before hearings were concluded it developed that private letters not to be used were received by us asserting that the protests came from officers and from employers of concerns that demanded such letters be written or signed, and that they were under compulsion. I personally read to our committee the contributions of money made to the same opposition from a number of Pittsburgh business interests voicing opposition to the bill like that presented by Secretary Mellon. The bill was passed overwhelmingly and all benefits accepted as we knew would be the case with men who had served in the war at $1 per day, whereas the opposition came from a man whose wealth is rated at from three to five hundred million dollars. Mellon, Harding, and Coolidge all opposed the adjusted compensation law. They believed that a spirit of patriotism, coming through the draft to fight in Europe, was a sufficient reward.

MODERN WARFARE

For nearly a century the average schoolboy has been thrilled by Tennyson's Light Brigade. That thrill did not cause him to forget that into the "valley of death and mouth of hell rode the 600," but it was a picture of the true soldier, without any volition, who, in the face of sure death, is "not to reason why—theirs but to do and die."

The glory of that fatal charge where some one blundered is written in history. Possibly some descendant of one of the Light Brigade heroes may have found distinction in the fate of his ancestor, as depicted by Tennyson. In some degree, borrowed glory in my own family has been reflected in the untimely death of a captain killed leading his company during the Revolution. Direct connection was claimed either as great-grandfather or possibly one step farther removed by a second "great," and that is important to those who believe it is important. That cause was deemed just, according to history, and he died a hero's death, honored by posterity; but when we were sailing up the Dardanelles and I saw the Turkish redoubts, before which fell a Minneapolis boy in a bayonet attack with English troops, I wondered if his mother, a close friend, could find comfort in the general opinion that some one had blundered in that campaign.

Modern warfare makes an insignificant cog of a soldier in the war machine. If he survives trench life and has been able to dodge bombs from above and all around, he is one day called upon to break through a network of barbed-wire defenses and, hooded by a gas mask to prevent poisoned air, he arrives at the scene of actual conflict—if he arrives.

Officers who blundered in their orders at Balaklava nearly a century ago had imitators among the officers that ordered Company C, of the Thirty-second Division, into a German machine-gun nest with every commissioned officer left lying on the field and only a handful of enlisted men to represent that fine body of young men who marched out of the little home city. True, "that is war," but with no means of meeting the enemy on common ground, rushed into a veritable "mouth-of-hell" ambush, unknown and unsung, the only heritage left to their families and friends is a knowledge that they did their duty as soldiers and fell in the "war to end wars."

Modern methods have robbed war of its former glory. We now send the cavalryman in an iron tank. Their fight is against poisoned gas, concealed machine guns, and shells hurled from many miles onto the field of battle. Often their lives are endangered by fire from their own comrades, and when they remember that they have been taken from peaceful avocations by a country that does not ask "by your permission," the boy soon wonders what it is all about and why a country that indulges in peace professions is not practicing what is preached.

Sword waving, band playing, and flags flying may stir the nerves when on parade, but none of these is in evidence in actual war. Even actual war surroundings are kept from

the home folks, whose habits of cleanliness, health, and general comfort may be on a permanent vacation with their offspring when war comes.

OPINIONS OF MEN THAT SHOULD COUNT

Long ago Charles Sumner expressed the cost of war when he said:

Give me the money that has been spent in war, and I will clothe every man, woman, and child in an attire of which kings and queens would be proud. I will build a schoolhouse in every valley over the whole earth. I will crown every hillside with a place of worship consecrated to the gospel of peace.

Robert G. Ingersoll, explaining the effect of war on men's conduct, says:

As long as nations meet on the fields of war, as long as they sustain the relation of savages to each other, as long as they put the laurel and the oak on the brows of those who kill, just so long will citizens resort to violence and the quarrels be settled by dagger and revolver.

So, too, the reign of gangsters, racketeers, hold-ups, and murders will expand and encompass the country that practices arts of war and glorifies violence.

Fame and glory as exemplified in the life of Napoleon is fitly described by Ingersoll when he declared:

I thought of the orphans and widows he had made, of the tears that had been shed for his glory, and I said I would rather have been a French peasant and worn wooden shoes * * * than to have been that imperial impersonation of force and murder known as Napoleon the Great.

Richard Cobden gave a line of equal significance when he said:

Let it never be forgotten that it is not by means of war that states are rendered fit for the enjoyment of constitutional freedom; on the contrary, whilst terror and bloodshed reign in the land, involving men's minds in the extremities of hopes and fears, there can be no process of thought by which alone a people can be prepared for the enjoyment of national liberty.

These comments, taken at random, are unanswerable and uncontradicted by the countless pages of history that condemn war by simply reciting its consequences.

After reading vapid editorials by old men in their dotage or those safely beyond the draft ages who profess to see in the rattling of machine guns some semblance of war glory, it is a relief to turn to sane surveys of its disastrous, deadly, blighting effect on humanity.

Any contrary statements made by advocates of preparedness that on their face seem incomprehensible or unreasonable should not be accepted without verification, particularly when the personal experience of the average person is entirely opposite. Ten times the number of men in one little company from my home town were killed or died in service compared with all the high officers quoted as having a good time in the Army.

A recent dispatch discloses the league refuses to act on our proposal to "outlaw" war. While the Kellogg pact is in no sense enforceable, it does seek to express in unmistakable language that the United States and over 50 other nations are against war. The Associated Press article is as follows:

LEAGUE REFUSES TO OUTLAW WARS—AMENDMENT TO HARMONIZE WITH KELLOGG TREATY IS TURNED DOWN

GENEVA, October 2.—Efforts to amend the League of Nations covenant in a form that would outlaw all war, thus making it harmonize with the Kellogg-Briand antiwar pact, failed to-night in the league assembly's judicial subcommittee by a vote of 10 to 2.

Heated discussion preceded the balloting, with the final tally showing only Lord Cecil, of Great Britain and Dr. Chao Chu-Wu, of China, in favor of accepting immediately amendments to that end.

Now, the question likely will be held over for another year, since a resolution adopted by the subcommittee earlier in the day provides that the amendments be referred to the member governments in view of further discussion by the assembly in 1931. The resolution will go to full committee to-morrow and probably will be taken before the assembly Saturday.

Debate in the subcommittee earlier in the day provides that the amendments be referred to the member governments in view of further discussion by the assembly in 1931.

Debate in the subcommittee appears to have been of warm character at times. The Norwegian delegate raised a question whether existing treaties such as the Locarno pact would not fall to the ground if the league covenant were amended, since it and others like it are based on the possibility of war occurring.

Several jurists on the subcommittee, including Limburg, of Holland, said that if war were ruled out such treaties would be useless. While Rene Cassin, of France, and Henri Rollin, of Belgium, also protested.

Lord Cecil argued heatedly, asserting he considered the other treaties military conventions, and even against the spirit of the covenant and the Kellogg-Briand pact. He insisted the amendments should be adopted at once.

This question has been troublesome since the assembly opened, delaying its adjournment. The body hopes to close its sessions Saturday.

THE KELLOGG PACT AND LEAGUE OF NATIONS

If we could stand alone while the world formed a league to prevent another war, certainly it is proper for the league to reject any amendment of possibly empty meaning such as the Kellogg pact coming from our Government. Both the league and our own Government maintained their rights and well understood course of action.

That being true, and having rejected our effort to outlaw war, to a layman it appears the league and the league alone should assume responsibility for European affairs and it is for us to keep clear of European or other foreign entanglements. This is not said with any pretense of throwing light on a controversy long ago grown threadbare but to suggest a self-evident truth that apart from friendly advice we should keep from meddling with league affairs.

It is quite certain that some one at the other end of the Capitol may wonder why any House Member is thinking of matters that concern a treaty-making branch of the Government. When treaties become scraps of paper it sometimes results in war. Then the House also acts under the Constitution, but if any able Senator takes up the cudgel against this big-navy propaganda that invites war, I am sure he will do far better than I have attempted to do with these rambling suggestions. If they arouse any interest in an intensely interesting and important subject, this modest effort will be repaid.

Let me suggest some of the influences that have been and may again be responsible for another war to end wars.

SOME OF THE PERILS THAT MAY BRING ON WARS—A PRESS REPORT REVEALS CRISIS WITH ENGLAND BACK IN 1916—SECRET PAPERS TELL OF FREE SEAS STRESS

WASHINGTON, D. C., October 20.—Diplomatic correspondence revealing for the first time the grave character of the disputes between the United States and Great Britain over freedom of the seas before the entry of this country into the war came to light to-day when the State Department made public the supplement of papers relating to foreign relations for the year 1916. * * *

Early in 1916 the Secretary of State, Lansing, criticizing British indifference to American protests at what the country considered undue interference with its shipping, wrote the following note:

"The action of the British Government in thus treating with indifference the contentions of the United States by the issuance of an additional order in council making still more rigorous the practice under those to which the United States is objecting can not be regarded otherwise than as an act which appears to be intentionally discourteous." * * *

American representations against British policies on the seas covered orders in council, blacklists, search and seizure of vessels, contraband lists, detention of cargoes, the manner in which blockades were carried on, and the prevention of German dyestuffs and other materials from reaching the United States.

These and other acts were termed by Secretary Lansing to be "violations of fundamental principles of international rights." He rejected one British suggestion that when the United States objected to British treatment of contraband this country might resort to British courts for satisfaction. * * *

The proximity of this country to war with Germany in 1916 was indicated in correspondence following the failure of the United States to obtain satisfaction from Germany in connection with the torpedoing of the French channel steamer *Sussex* on March 24 of that year. Several Americans were on board. The United States at that time was representing British diplomatic interests in Germany. Ambassador Page on April 25 received the following telegram from Secretary Lansing:

"You may orally and confidentially inquire of Foreign Office the wishes of British Government in regard to British representation in Berlin in event of a severance of relations between the United States and Germany."

LANSING WARNS OF BREAK

Three days later Mr. Lansing advised Ambassador Gerard that he was contemplating asking the Spanish Government to represent the United States in Germany. Among Mr. Lansing's instructions on that occasion was a statement that the department feels it is desirable to avoid the difficulties incident to the selection of a diplomatic representa-





tive from American republics, and has decided, in the event of the severance of relations, to ask the Spanish Government to care for American diplomatic and consular interests.

Popular sentiment and sympathy may have been with Lansing when he once complained he had been snubbed in the Versailles treaty negotiations. The blustering of Lansing is now disclosed by state papers in which he alternately threatens England and Germany with dire consequences if his, Lansing's, orders are not obeyed. Remembering that these warring nations were then at death grips, the full effect of Lansing's demands, speaking for the United States, will be understood. I quote from his orders as contained in press reports so that the scope of his utterances affecting American peace can be understood. If a Secretary of State, a mere clerical officer, however high, can precipitate war, what is the remedy? Lansing was so long a cobwebbed fixture in his department that peril to American interests and our future happiness can be predicted again if another Lansing is promoted to a position of responsibility in time of war.

What voice had Congress under the Constitution in declaring war against England on the one hand or Germany on the other when Lansing, an underofficial of the Government, without advice from Congress or apparent advice from the President warns England that its acts during the World War are "internationally discourteous" and in the same breath tells Germany to get off the earth because several Americans were on a French steamer that was sunk. Fortunately for the American people Lansing did not usurp Congressional power and declare war or sever relations with both England and Germany at the same time. Lansing diplomacy never reached that stage in the World War but it was dangerously near involving us with both nations as shown by the official record, and what occurred in 1916 may again occur in 1936 unless such rampant war promoters are limited in their powers to involve this country in war.

Our highest American official, the President, has it within his hands to bring about a situation that means war and that forces Congress to so declare, but it is novel and exceedingly dangerous to have a fire eater in the position of Secretary of State as evidenced by Lansing's ultimatum.

POWER AND BLUSTERING

Is it presumptuous to say that we should not become a bluffing, blustering nation simply because of our great wealth and power? Or is it improper to strive against that which will unnecessarily provoke hostility among other nations? It is easy to see that the blustering of a Lansing, the vicious misstatements of a sensational press, the pressing of a great threatening military or naval program are all calculated to arouse suspicion, fear, and hostility among nations that have for centuries learned that force is a menace.

Others may express this thought more clearly, and in all his utterances I have learned to appreciate the calm restrained advice given by the President on this general subject. Without any reflection, I have wondered whether some one or the other of the ambitious rivals for his position might not surrender to the thunder of press and jingo propaganda if in his place and involve us in war if any provocation occurred.

Sun Yet Sen and another great representative of China both declared in Shanghai gatherings where I was present that the United States is the hope of the world. That our action in not following the practice of other countries in demanding exclusive jurisdiction for our own courts in China or in forcing concessions from a helpless people had endeared us to them. The Spanish-American War and the World War we insisted were fought in the name of humanity. We asked no recompense or reward in either case, although the European world set us down as a set of dreamers and dubs and since the Spanish-American War we have constantly been urged to intervene again.

We are a part of their world, but if it is known that we will not interfere in their controversies nor permit our munition makers or war powers to interfere in their quarrels by supplying arms or ammunition; if we give our own people to understand that their presence on ships of belligerents during war is at their own risk; if, in fact, we convince people that we are not carrying the proverbial chip to be knocked off, but are in fact neutrals, excepting in defense of our own country when all are subject to the call to arms, we may be reasonably certain there will be no call, nor is it at all likely that wars will be easily entered into by other countries when it is known our aid will be withheld.

This brief suggestion is not offered in diplomatic language, but we have much of Old World diplomacy to unlearn and of common sense to embrace if we are sincere in our peace proposals found in the Kellogg treaty.

The effort to tie us into European affairs that failed in the League of Nations and was attempted by the World Court is much stronger when parties to the London conference agree with England that instead of reducing our armament, as proposed for the others, we are to build a much larger Navy—equal to any in the world. It is a warning that our new Navy will be sought by all contestants as a factor in the next war.

MUNITION SHIPMENTS AND TRAVELING AMERICANS

International usage permits neutrals to contribute alike to all belligerents. So our munition factories are kept going the full 24 hours to provide countries involved in war with quick methods of wiping out the opposition. The reasoning is familiar, but if we mean what we say, why not in time of such wars place an embargo on and prevent all such shipments. Interests now engaged in supplying powder and shot or other material will object, but the peace of our country is more important than the temporary prosperity of war-material manufacturers. Such notice in advance would lessen our responsibility for results.

The last war involved not only munition shipments by American interests, as shown by manifests, but Americans were permitted to travel as passengers on vessels carrying such munitions. Any careful creature who avoids a moving automobile or railway train ought to refrain from traveling on belligerent ships when in the war zone. Usage and custom may permit such travel among the rights of neutrals, but they are doubtful rights, because if disturbed, they challenge the far greater right of the masses of people who choose to remain in peace. By warning Americans that they travel the war zone at their peril instead of challenging belligerents to discriminate when engaged in the pastime of killing each other would be a wholesome thing. If reckless ones insist on such travel or attempt to stop a fast-moving car with their heads, let the law of cause and effect alone determine their case and not threats of a Secretary Lansing or of a Lansing successor.

I do not assume that any layman will receive much consideration at the hands of musty diplomats or fire eaters who sustain such practices, but if we mean peace and peaceful practices instead of waving red flags before combatants, it is as important to remove such provocation to war as it is to reduce armaments while holding sticks of dynamite concealed in hip pockets.

PROTECTING OUR FOREIGN INTERESTS

It is contended American interests must be protected in Haiti, Costa Rica, and all over Europe. That has been a principle urged by our foreign ministers and international bankers. The latter finance and dispose of enormous foreign loans in this country. Assured of their generous commissions, they leave their customers to hold the bonds, whether South American, pre-war Russian, German, French, or Italian, but no guaranty or security goes with the bond.

The American bond buyer invests in the foreign security because it returns a higher rate of profit than does the domestic bond. To collect this higher rate of return we are frequently asked to send our Army and Navy out on a collecting tour among debtors to seize customs or collect by other means. It does not occur to these investors that the larger return is because of the greater risk, and that they should be ready to march ahead of our line of troops in any move to protect their bonds or other properties. No troops protect the farmers or other industries from loss at

home. What preferential rights have these speculators to offer for such demand?

Again, as previously contended, is the person of an American entitled to be protected whenever found? That is an oft-quoted claim and was recently emphasized by an American news publisher who received his walking papers from France. He complained that Roosevelt or Cleveland would have resented such action of French authorities and would have called that Government to account. There are Presidents and Presidents, and there are news publishers and other publishers.

It is not unusual for an American publisher to charge United States Senators with instigating troubles in Mexico, and also to employ news correspondents to prevent American authorities from reaching an agreement at European disarmament conferences under the cloak of liberty of the press, so it may be difficult to understand why other governments are not as liberal with American publishers when they presume to settle French matters in like manner. Possibly when concentration of great wealth and enormous power becomes so great in a country as to threaten the peace of that country it might be well for us first to determine if our boasted press liberty has not developed into a dangerous license with those who use this great country and their wealth and power in this way. Sensational press charges against public men and against other governments are charges that effect the confidence of the public with their sworn officials and lead to a belief that the press standards complained of are those employed by men in general. If France or England, with their different methods of handling news agencies, refuse to accept our loose methods of noncontrol as a standard, are we expected to question their right or power to do so?

In case of war because of such attempted control of French policies are we to look for leadership from publishers who denounce reputable officials whenever the spirit moves, or are we to expect that a President of the United States will tell other countries they must accept our publishers, however objectionable to such countries?

PRESIDENTS EXPECTED TO WIELD BIG STICKS

According to these proposed new standards, we must choose for our Presidents those who branish a big stick and not a banner of international peace which this publisher undermined at the Geneva conference through Shearer. His political influence in this country is not to be lightly disregarded nor his opposition needlessly invited. He has many admirers and many severe critics, but I am not of either class and only interested in our Government's future. Roosevelt was not his champion, however, in past years, if memory serves me right.

Hoover does not sway a big stick like Roosevelt, so he is unacceptable to the publisher. Smith, on the contrary, represents New York City and would be satisfactory except for the fact that Smith gave the same news owner a political blow in the past, so there you are. ROBINSON, from Arkansas, is untried, and so is BORAH, while Grundy, who has temporarily stepped out of the picture, is of doubtful timber.

Cleveland would have resented an insult to our flag or to the news publisher, we are told, but Cleveland is gone, and so is Wilson, who seemingly would not stand the test of passing on the actions of French ousters because he is not one of the two big-stick champions named.

Danger of war may come from wild, irresponsible charges and by propaganda that would never have been possible a half century ago. This recent French ouster incidentally calls to mind the different viewpoint of a foreign government that is neither afraid to control its own press or foreign publishers from becoming a public menace. When such agencies cease to be a controlling political factor by reason of such license, we may be ready to adopt restrictive measures like those employed by France and other European countries.

A LAYMAN'S VIEWS

In this brief effort, suggesting that war is soon to involve Europe, according to expert observers, and to give a few examples of the fruits of war, I have, as stated, only assumed to give the viewpoint of a layman. Expert military and naval officials are not entirely unprejudiced and, while they are equal to those of any other country, they believe the reward that came to the kaiser, the czar, and other militarists through excessive preparedness will not come to us. That is possible, but it has come to every other people with rare exceptions, and while England has a great navy with which to try and protect her multitudinous interests in her colonies where the sun never sets, England's predicament is equal to that of the old lady who lived in a shoe and deserves the sympathy of every other country.

That sympathy, however, should not influence our own people again to join in any European war even to aid England, if actuated by a situation like our last militaristic experience to end wars.

The great naval program has its enthusiasts, but so had the preparedness programs of European and other world powers which have involved them in war. Guns are for use, but it is better to keep them for defense when needed than for dress parade or use in needless quarrels.

The subject of propaganda that brings about wars and is connected with press experiences and other influences in the past invites further remarks, but if important or of value they will find a place in the future.

I offer these suggestions without assumption of superior knowledge to that of my colleagues but with a firm belief that it is proper to express convictions when the matter is one affecting my country's peace and welfare.

A substitute for needless war vessels to involve us in another war to end wars may well be given by using a portion of American taxpayers' money following the next European war to bind up the wounds of combatants, thereby insuring their friendship and support for our own country.

To this end we would set another example of humanitarianism more needful to civilization than reckless war gestures during these days of threatening foreign wars.

Mr. WRIGHT. Mr. Chairman, I yield five minutes to the gentleman from Oklahoma [Mr. HASTINGS].

Mr. HASTINGS. Mr. Chairman, this bill makes appropriations not only for the military, but for the nonmilitary activities of the War Department, and under the nonmilitary activities are included an appropriation of $60,000,000 for rivers and harbors and $35,000,000 for flood control of the Mississippi River and its tributaries. In addition there is an emergency fund of $400,000 provided for rescue work and repair and maintenance of flood-control work on any tributary of the Mississippi River threatened or destroyed by floods in accordance with section 7 of the flood control act approved May 15, 1928.

The entire country is deeply interested in the development of our inland waterways. This is particularly true of the South and West. Each link forged in the chain of inland waterways expands the use of our inland streams and makes more of them available for commerce. The Southwest, and particularly my State of Oklahoma, as well as the State of Arkansas, is vitally interested in the improvement of the Arkansas River from the standpoint of navigation and from that of flood control as well.

On numerous occasions I have attempted to emphasize the fact that the Arkansas River has been considered navigable for a period of 100 years, from its mouth to the confluence of the Grand and Verdigris Rivers, 2 miles from Fort Gibson, Okla., and opposite Muskogee.

Appropriations have been made for the improvement of this river since 1832. In all there have been expended up to and including June 30, 1914, sums aggregating $3,243,650.91 on this river. I do not have the figures showing expenditures under the act approved May 15, 1928.

The Arkansas River is approximately 1,460 miles in length. It was recognized as navigable and was so used until the transcontinental railroads were built throughout the West in the early seventies.

Maj. A. B. Putnam, Corps of Engineers, of the War Department, in a report dated March 24, 1915, reviews the history

of the river and urges that the improvement of the river be not abandoned. He says:

The improvement of the river from its mouth to the mouth of Grand River (461 miles) by snagging operation, by revetting of banks, and by dredging operations, with a view to producing, at ordinary low water, channel depths of 3½ feet to Little Rock, 3 feet from there to Ozark, 2½ feet from there to the mouth of the Canadian River, and 2 feet from there to the mouth of the Neosho River.

The last annual report of the Chief of Engineers of the War Department, page 1076, states that:

It is navigable to Neosho (Grand River), 465 miles from the mouth.

The committee's report on the bill under consideration (H. R. 11781, 71st Cong., 2d sess., Rept. No. 1265) contains the following statement:

"The Red and Arkansas Rivers. These two great rivers are not included in the bill because the survey of them, although they have progressed very far, has not as yet been completed, and so it was not possible for the engineers to report upon them. The surveys have progressed far enough, however, so that we can see with reasonable certainty that they are capable of usefulness in navigation and probably also in the development of power and other uses for the great volumes of water carried by them. They served a large and exceedingly productive area. Certainly every effort should be made, and at as early a day as possible, to put them into condition to afford the great districts through which they run the benefits of cheap water transportation, in order that the progress which has been made on the surveys may be seen and that the people living in their territory may be given the hoped-for early aid to develop navigation on them. The work so far done on the surveys is described below as follows, viz:

"'The navigability of the Arkansas River in Arkansas and Oklahoma, to the confluence of the Grand and Verdigris Rivers, is recognized and reaffirmed, and appropriations for its improvement may be made in conformity with projects when reported and approved by the Board of Engineers in such amount as may be authorized by Congress.'"

This recognizes the navigability of the Arkansas River in Arkansas and in Oklahoma to a confluence of the Grand and Verdigris Rivers and indicates a willingness to make adequate appropriations when projects are reported and approved.

Under the act of May 15, 1928, surveys are being made of the Arkansas River and its major tributaries, as directed by that act.

These surveys have not as yet been completed by the War Department, but we are promised by Maj. Gen. Lytle Brown, Chief of Engineers of the United States Army, that all of these reports will be completed and submitted to the War Department prior to the convening of the next session of Congress in December, 1931.

I am submitting herewith the letter of Major General Brown, under date of December 10, 1930, outlining the progress of the work:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, December 10, 1930.

Hon. WILLIAM W. HASTINGS,
House of Representatives, Washington, D. C.

MY DEAR MR. HASTINGS: 1. In response to your request I have collected the following information concerning the pending survey of the Arkansas River and tributaries, with particular reference to the Deep Fork River.

2. This survey is being made under the authority of section 1 of the river and harbor act of January 21, 1927, and section 10 of the flood control act of May 15, 1928, and in accordance with the general plans laid down in House Document No. 308, Sixty-ninth Congress, first session. The magnitude of the field work required may be visualized by considering that the Arkansas River is about 1,500 miles long and that the drainage area to be studied comprises 160,000 square miles. Survey work has been prosecuted intensively since the spring of 1928. As many as 10 survey parties have been in the field at one time, and more than 130 reservoir sites have been surveyed in addition to stream-gaging work, topographic surveys of river banks and bottom lands, and intensive investigations of flood conditions, prospective irrigation and water-power developments, and possible improvements for navigation. More than $300,000 has already been spent on this work, and sufficient funds are available for its completion. It is estimated that at least 12 months' additional work will be required to complete the report.

3. Field work on the Deep Fork River has been completed and a preliminary draft of the section of the report relating to this tributary is in this office, and I shall be glad to permit you to read it, if you so desire.

4. The general result of the work on the Deep Fork River may be summarized as follows: This stream is not navigable and not susceptible of improvement for navigation. It lies in a region where irrigation is unnecessary. A limited amount of water power could be developed on it, but the cost of the power thus produced would be more than three times as great as the present cost of producing steam power in this vicinity.

About 63,000 acres of land are flooded almost every year, frequently several times in a year, and in the greatest floods the area covered amounts to about 90,000 acres. The district engineer estimates the average losses from floods amount to about $150,000 annually.

5 He has studied the various methods by which these floods could be controlled. He finds that a substantial reduction in flood damage has already been secured by the construction of certain ditches. He has worked out several plans by which further effective flood control could be obtained. A reservoir at Okmulgee would furnish complete flood protection for the portion of the valley lying below that point. The estimated cost of this reservoir is $5,830,000, which amounts to $136 per acre protected. The greater part of the flooded lands could be protected by the construction of levees. The estimated cost for the upper portion of the valley averages about $245 per acre and for the lower part $145 per acre. By extending the existing system of drainage ditches further protection could be given to a limited area at a cost of $180 per acre. In his opinion the investment of sums of this magnitude to prevent flood losses which average less than $3 per acre annually is not justified.

6. The full value of storage in the Okmulgee Reservoir as a possible source of flood control or navigation improvement on the Arkansas and Mississippi Rivers has not yet been determined, but a discussion of this point will be included in the final report on the Arkansas River and its tributaries.

Very truly yours,

LYTLE BROWN,
Major General, Chief of Engineers.

We are interested, first, from the standpoint of navigation, which would mean a lowering of freight rates and the consequent development of the Arkansas River Valley.

Second, we are interested from a flood-control standpoint. Great damage is experienced on all of the major tributaries of the Arkansas River every year. In 1927 the damages estimated in Oklahoma to crops, homes, livestock, railroads, highways, and through erosion of the soil itself, amounted to from twenty-five to forty million dollars.

Flood control of the Mississippi River must be solved in one of three ways:

First. By raising the levees.

Second. By providing spillways.

Third. Or by providing reservoirs on the upper reaches of the main tributaries of the river.

Many eminent engineers have recommended the reservoir plan.

I trust the surveys now in process of being made will justify the feasibility of the reservoir plan. If the water is impounded in reservoirs during times of floods, it can be released gradually and the amount of the flow in the Mississippi will be reasonably lessened and at the same time the valleys of the several tributaries protected from damage by disastrous floods.

If reservoirs are constructed, cheap power will be generated which will attract factories to that section of the country, which will consume the raw materials and create potential tonnage for the boats which ply up and down the Arkansas River and the entire inland waterways system.

Here we have a canal already dug, with sufficient water flowing down it for navigation purposes, provided it is conserved and the channel improved, so as to restore it to the condition it was in when used for navigation purposes some 75 years ago.

I want to evidence my interest in this part of the bill and invite the attention of the House and the country to the great possibilities that would come from the improvement of the Arkansas River.

I repeat what I have often said before, that in my judgment it is an economic crime to permit this great river to flow in its channel, unused, to the sea.

The rivers in Europe are improved and used for commerce. The Arkansas River and all of the other major tributaries of the Mississippi River should be canalized, the waters on the upper branches impounded, the banks protected from erosion, and adequate appropriations made for their continued improvement.

We should have the vision to foresee the beneficial results and the courage to legislate and appropriate adequate sums for a comprehensive inland waterways system. With navigation restored, assuring competitive freight rates, and with cheap power generated, factories would be attracted to the Arkansas Valley, the population greatly increased, valuable farm lands reclaimed, and a tonnage created which would

justify the Government in the large initial expenditures made. All farm lands and town property would be greatly enhanced in value and the added financial burden, because of these expenditures, would be more than offset by the saving from flood damages.

We expend now approximately $5,000,000,000 annually for all purposes in running our Government and an adequate amount expended on inland waterways improvements would add to the general prosperity of the country and justify any reasonable expenditure. [Applause.]

Mr. CLAGUE. Mr. Chairman, I yield 20 minutes to the gentleman from Idaho [Mr. SMITH].

Mr. SMITH of Idaho. Mr. Chairman, probably at no time in our history has Congress been more alert to the need of legislation to afford financial relief to those engaged in agricultural pursuits than during the last 10 years. Numerous laws have been passed during that time intended to insure increased prices to the producers, but these enactments have not brought about the relief which was expected.

Because of the constantly falling prices of farm products, the farmers in many sections of the country are in dire financial distress, especially those who have encumbered their holdings to provide improvements in the way of drainage and flood control. Many of the farmers in organized drainage, levee, and other districts are unable to meet their interest charges, assessments for improvements, State and county taxes, and as a result lands embraced in these districts are being taken over by the bondholders, and the occupants of the land find it necessary, in order to make a living for themselves and families, to seek employment in the surrounding towns and cities, thus swelling the army of unemployed.

During the last three years organized districts in 34 of the States of the Union have been urging legislation which would stabilize the finances of these districts; and nearly a dozen bills have been introduced in the previous and present Congresses and referred to the Committee on Irrigation and Reclamation, of which I am chairman. Extended hearings have been held upon these measures; and a bill (H. R. 11718) was introduced by the chairman to provide for the aiding of farmers in any State by the making of loans to drainage districts, levee districts, levee and drainage districts, counties, boards of supervisors, and/or other political subdivisions and legal entities, and for other purposes; and was reported to the House of Representatives on June 13, 1930.

A similar bill was introduced in the Senate by Mr. GLENN, of Illinois (S. 4123), which passed the Senate on June 17, 1930. This bill was given consideration by the House Committee on Irrigation and Reclamation, and was reported favorably in amended form on the 20th of December, 1930, and is now on the calendar awaiting consideration.

The bill passed the Senate providing for noninterest-bearing bonds. The proposed amendment requires the districts to pay a 3 per cent annual interest charge on the money advanced.

This bill does not call for a gift of money, but does provide for an extension of credit. The relief proposed under this bill is to be in the form of loans—loans adequately secured by first liens on the benefited farms, the repayment of which is further guaranteed by the fact that each loan is to have behind it the taxing power of the State. In a word, it is an extension of credit—a plan for refinancing distressed districts on a long-term basis.

NOT AID FOR INDIVIDUALS BUT FOR COMMUNITIES

It is not a plan to extend aid directly to individual farmers in their individual capacities, but it is a plan to aid farmers in their collective capacities where they have organized districts to install and maintain public works. It is the public works, the collective or community works authorized by and operated under authority of the law that are to be relieved by this bill.

NO OPPORTUNITY FOR SPECULATION

There is no provision in this bill that would afford an opportunity for speculation either in the bonds of any district or in the lands covered by the bonds.

PRACTICAL RELIEF FOR UNEMPLOYMENT

When a farmer loses title to his land, one of two courses is left open to him. He can go to work as a hired hand for some other farmer, if he can find one who will employ him, or he can go to the city to look for a job. In this connection, Secretary Hyde, of the United States Department of Agriculture, writing in the Saturday Evening Post of April 12 of this year, has supplied some official figures concerning the drift of population from the farms to the city. He gives the Government estimates on the net loss in farming population, through the drift to the cities, as follows: For the year 1922, 1,120,000 persons; for 1924, 679,000; for 1925, 901,000; for 1926, 1,020,000; for 1927, 604,000; for 1928, 598,000. No estimate was made for 1923. Thus we see that for a period of six years the average drift from the farms to the city has exceeded 800,000 a year, or a total of 4,912,000. Statistics collected and compiled from official sources within the present year show that several thousands of farmers have been sold out for drainage taxes, while other thousands are facing the same fate. Dispossessed, these farmers are and will be forced into the ranks of the unemployed. To enact this bill into law not only would be to give much-needed and substantial relief to worthy farmers engaged in the fundamental industry of agriculture, but also would be to prevent in a considerable measure further increase in the number of unemployed.

REDUCTION OF FARM TAXES

It is a plan to save highly productive lands that already are under successful cultivation

It is a plan to prevent the utter ruin of farmers owning and operating lands, who are losing their homesteads because of their inability to pay heavy annual taxes levied on their farms for the public works which have been installed by authority of law, by refinancing the public works on a long-term basis and thereby reducing the annual tax levied against the individual farmer.

The extent of relief which each individual farmer can obtain under this bill can be definitely and exactly computed from his tax receipt.

MAKING IT POSSIBLE FOR A FARMER TO PAY

In order to readjust and more effectively distribute the burden of debt, districts created by authority of State law and having a definite status as political subdivisions, either as counties or special tax districts, may refinance their public works—the public ditches, so to speak, that are supposed to be open and accessible to any farmer in the district who seeks an outlet for his own private ditches.

Under this plan districts which are unable to meet either the interest or the principal of their outstanding bonds, may refinance their undertakings by the issuance of refunding bonds, such refunding bonds to be accepted by the United States Government as security for loans sufficient to retire as they mature outstanding bonds and the accumulated interest thereon.

ADVANTAGES TO FARMERS EXPLAINED

The advantage of this plan become evident when it is considered that the residents of these districts are pioneers who in response to the call of the Government in the first years of the World War undertook to do in a short period of time what heretofore had required a hundred years to accomplish. In a word, they issued drainage bonds to run 20 years to pay for permanent improvements, the benefits of which were to be enjoyed by all succeeding generations, when in the very nature of the case the expense of constructing these public works should have been spread over at least 50 or 75 years. The refunding of the debts will constitute an extension of time and will thereby reduce the annual tax for works to an amount so small as to be surely within the farmers' ability to pay.

IMPROVEMENT TAXES CONSTITUTE THE LARGER BURDEN

At present the improvement tax in many districts is more than half of all the taxes the farmer has to pay, more than school district, road and bridge, county, and State taxes combined. In a considerable number of districts this tax constitutes two-thirds of all taxes levied, and runs in many instances to an amount per acre equal to more than half the

gross per acre earning of the land. From this it becomes apparent that the refunding of debts by means of long-term bonds will provide substantial and immediate relief to deserving farmers who are suffering sorely but through no fault of their own.

IMPROVEMENT COSTS IN ADDITION TO TAXES

This form of relief becomes the more appropriate when it is borne in mind that the expense of providing public ditches or drainage works is only a part of the burden which the individual farmer must bear, but that in addition to this there is the cost of providing and maintaining tile and surface drainage on his own farm to enable him to make use of the public works. There is ample precedent for affording this form of relief to be found in the reclamation act of 1902 and in each of its several subsequent amendments.

FARM RELIEF THROUGH TAX RELIEF

This bill would extend relief to several millions of farmers who are overburdened by taxes by putting into operation a plan for refunding certain bonded indebtedness, which plan would automatically suspend for a period of five years the collection of taxes levied on farm property to meet the interest and principal on this bonded indebtedness.

The plan does not apply to all bonded indebtedness of farm communities, but it does apply to drainage and other districts where the districts have been unable to meet the interest or principal owing to the inability of the farmers resident in the district to pay their taxes. The suspension of taxes, which, of course, are local taxes, is brought about automatically by reason of deferred interest payments and extended time of payments on principal. In other words, under the provisions of this bill drainage and other districts in distress may refund their operations, may suspend the collection of taxes for a period of five years, and may extend the period for which the bonded indebtedness is to run to not exceeding 40 years, thereby making it possible to greatly lighten the burden on the farmers resident in the distressed district.

The plan is simple. Under section 1 the Secretary of the Interior is authorized to lend, out of a revolving fund which this bill creates, to any such district or legal entity an amount sufficient to redeem bonds and meet accrued interest under restrictions imposed by this bill and under regulations administered by the Secretary of the Interior.

It will be noted that under section 3 loans are not made to individual farmers but that loans can be made only to districts which are political subdivisions and legal entities existing under and by virtue of the laws of the State where located. It will be noted that the same section also provides that no loan shall be made by the Secretary until, by examination of the engineering works of the district, he has satisfied himself that the drainage works are operating with reasonable success and are giving the lands designed to be benefited a reasonable degree of relief.

The Secretary is further required to make an appraisal of the value of the taxable property of each district applying for a loan, and he is to make no loan until he is satisfied that it can be and will be paid at maturity.

Section 3 also carries a safeguard against any speculation in outstanding bonds by restricting the loan which may be made to any district to an amount which could be and would be paid at maturity, even though the amount may be much less than the face value of the outstanding bond which it is proposed to refund. In a word, the Secretary is not to lend an amount in excess of the actual value of the outstanding bonds.

Section 3 further carries the necessary provisions for safeguarding the loan, such as the requirements for the setting up of the annual tax to provide an adequate sinking fund, and that said sinking fund must be deposited in the Treasury of the United States.

Section 5 provides that these loans shall be made for a period of not exceeding 40 years, the exact period in each case to be determined by the Secretary of the Interior.

This same section provides that these loans shall bear interest at a rate of 3 per cent, payable annually.

Section 5 also provides—and this is one of the most important provisions as a relief measure—that during the first five years of the loan the interest shall accrue and be payable during the succeeding years of the loan in equal annual installments.

This section further provides that these loans shall be secured to the Government by the issuance and delivery to the Secretary of the Treasury by the applying district refunding bonds payable to the United States in the amount of the loan, and it shall appear on the face of each bond that it is a lien on the taxable property within the district securing the loan.

It is further provided, as a safeguard, that no district may issue additional bonds for any purpose without having first obtained the written consent of the Secretary of the Interior, so long as this indebtedness remains unpaid.

Section 7 limits the extent of this relief by creating a revolving fund and limiting the annual appropriations thereunder to $19,000,000, the total amount of the revolving fund so created being $95,000,000, to be appropriated at the rate of $19,000,000 a year for five years.

The appropriateness of this form of relief is found in the fact that local taxes are the greatest source of distress throughout the farming areas of every State in the Union, and in the further fact that the tax levied in these drainage and other similar districts is greater than all other local taxes. In many cases, it has been shown by testimony before your committee, the taxes for drainage and similar bonded indebtedness is greater than all State and local taxes combined. Therefore to permit a refunding of these operations on a plan that would give the residents of these distressed districts a practical moratorium for five years on all taxes for drainage and similar purposes and thereafter to provide for a low rate of interest and to provide further for a long-term extension of credit would be to provide a very sane and effective relief.

Mr. BRIGGS. Will the gentleman yield?

Mr. SMITH of Idaho. Yes.

Mr. BRIGGS. I understand the provisions of this measure are applicable to all of the States in the Union.

Mr. SMITH of Idaho. Yes; where they have organized districts.

Mr. BRIGGS. There has not been any effort made to fix this amount in the beginning and then apportion it to certain districts or areas within the United States, so that if the measure should finally become law one would be confronted with the statement from the department administering it that the disposition of this fund had been practically arranged for in advance? There is nothing of that kind in this legislation, is there?

Mr. SMITH of Idaho. No; and there could not be.

Mr. BRIGGS. There is nothing like that, which I understand is contended exists in the drought-relief legislation, where hearings have been held as to certain areas affected and administrators seek to confine the relief to them; and where some other areas equally as much affected, but not having quite so much publicity, are left out of consideration; the suggestion, wholly untenable, I think, being that it was intended that the areas mentioned in the hearings held are the only areas contemplated to receive relief? This proposed drainage and irrigation, and so forth, relief legislation applies, as I understand it, to the whole United States.

Mr. SMITH of Idaho. Yes. To the whole United States. The Secretary of the Interior will receive these applications, investigate each of them, and then determine which are the most meritorious and urgent.

Mr. BRIGGS. Will this fund be sufficient to serve the whole of the United States?

Mr. SMITH of Idaho. That is problematical.

Mr. BRIGGS. The gentleman's suggestion that this matter would be left to the determination of the Secretary of the Interior might result in leaving out quite a number of worthy projects and the suggestion might be made that such projects would have to be cared for in further appropriations and authorizations of this character.

Mr. SMITH of Idaho. Of course, we are entering on an uncharted sea and we can not determine what will be required, but if the plan works successfully and meets the approval of Congress the probabilities are that Congress will appropriate additional funds.

Mr. BRIGGS. How was the amount of $95,000,000 arrived at?

Mr. SMITH of Idaho. It was fixed in an arbitrary manner, as we are not in possession of all the information that would enable us to determine how much would be required with any degree of accuracy.

Mr. BRIGGS. What I am interested in is this: Why should it be $95,000,000 and not the round figures of $100,000,000? Why was not the amount made $125,000,000, $150,000,000, or $75,000,000 instead of making it $95,000,000?

Mr. SMITH of Idaho. One hundred million dollars is more than $95,000,000.

Mr. BRIGGS. I am wondering how you came to make it $95,000,000.

Mr. SMITH of Idaho. Probably for psychological reasons.

Mr. STAFFORD. It looks smaller than $100,000,000.

Mr. BRIGGS. In the administration of this act, if it should pass, it is not intended to deprive any section of the country of getting this relief, the statement being made that as to certain areas of the United States it has been practically arranged to refund their indebtedness on those lands, and that in order to get relief in other sections of the country it will be necessary to get an additional authorization and appropriation. There is nothing of that kind in this legislation?

Mr. SMITH of Idaho. Nothing of that kind is contemplated.

Mr. BRIGGS. It is planned and contemplated to include all of the States of the Union.

Mr. SMITH of Idaho. Yes.

Mr. BRIGGS. Texas as well as the other States?

Mr. SMITH of Idaho. All the States that have organized districts come under the proposed legislation.

Mr. BRIGGS. Is it the gentleman's thought that there is any chance for the passage of this legislation at this session of Congress?

Mr. SMITH of Idaho. We are very much impressed with the importance and urgency of this legislation. We have had it under consideration in our committee for three sessions of Congress and we have had hearings from persons who are supposed to be well informed regarding legislation of this character and the need for it.

Mr. BRIGGS. I believe this legislation is very important legislation and I was wondering if the gentleman's committee is going to ask for a special rule to obtain its consideration.

Mr. SMITH of Idaho. I have already introduced a resolution asking for a rule, and we hope to have an opportunity to explain to the Committee on Rules the provisions of the bill and secure their judgment as to whether or not it should be brought up at this time.

Mr. BRIGGS. I would like to ask the gentleman one other question. This does not contemplate bringing into the agricultural field the reclamation of any additional land?

Mr. SMITH of Idaho. No. Not at all.

Mr. BRIGGS. It only applies to projects that have been adopted, and to the refunding of loans on such projects.

Mr. SMITH of Idaho. Absolutely so. It applies to projects that have been operating and where the people have their schools, their roads, their homes, and other property improvements, which, if the land is turned over to the bondholders, might go back to waste land.

Mr. BRIGGS. In other words, it is to relieve those projects and those irrigation, drainage, and other districts from the jeopardy they are now in by reason of the difficulties they have in meeting the obligations which they have assumed.

Mr. SMITH of Idaho. It was brought out in the hearings before our committee that in several districts where the occupants have defaulted, the bondholders have taken over the land and are planning to farm it en masse, like they are doing in Russia in four or five or ten thousand acre farms, and the men who are there now would become the hired men of those who are to get control of the land.

Mr. BRIGGS. As I understand it, the chief purpose of this measure is to preserve to the people who own or owned these lands originally continued ownership of the land, so the lands will not drift into the hands of the bondholders or the holders of mortgages, and thus deprive the people who have lived in these communities all their lives and whose ancestors before them have lived there of the lands that they have prized and which are intrinsically very valuable properties.

Mr. SMITH of Idaho. That is the real purpose of the bill—to save property values already created and to save the homes of the people who are already on the land.

That there is very great need for this relief has been shown to your committee by the testimony of scores of witnesses from some 25 or 30 States throughout the Union. The testimony shows that the farmers residing in these districts are in a sense victims of civilization. They have had forced upon them by circumstances over which they had no control, or at least little control, expensive improvements which, all combined, have made a burden they could not bear—a burden so large that to-day, the testimony before your committee shows, hundreds of thousands of deserving farmers are losing their homes and having their lands sold out from under them to pay their drainage taxes. They have to meet taxes for roads, which in many instances have been voted upon them by the residents of cities. Those who have agitated the rapid building of roads—and this includes the farmer himself—seldom have considered how much of a road tax the farmer could in comfort pay. The agitation for good roads, beginning with the part that the Federal Government has taken in it, the further part taken by State governments, and also the part that is taken by the chambers of commerce of cities, has constituted an irresistible propaganda that has given us the roads but also a great burden of taxes.

The same is true in the matter of schools. The agitation for larger and better country schools—the movement for the consolidated school district—has emanated, to a large extent, from the residents of the large cities, who have given little thought to and who have had little knowledge of the burden that a consolidated school district puts upon the struggling farmer.

Roads and schools are a part of civilization. So is drainage. So is irrigation. But drainage is necessary in order to get the land to yield a living to its occupants. The same is true of irrigation. The living must precede everything else. The farmer could not escape drainage and irrigation. He might have taken his roads and his schools in smaller doses. If left to his own judgment, doubtless he would have done so; but both roads and schools were urged upon him by his neighbors and his fellow citizens, and forced upon him by the collective action of all the citizens of his State. Drainage and irrigation were forced upon him by nature itself.

It has seemed to your committee that the relief of conditions like these is fundamental and would constitute an important step in practical farm relief.

Of course, not all farm taxes can be relieved, but under the plan provided in this bill the largest single item of local taxes can be so reduced as to make the burden light enough to be borne without distress.

The demand for relief for drainage districts comes from a farm population of approximately 5,000,000 which, according to the Census of 1920, lives within these drainage districts.

These 5,000,000 are, for the most part, small farmers. The average size of their holdings is about 65 acres. They have their all invested in their farms. In some districts, it has been shown to your committee, thousands of farmers have lost everything because of their inability to meet their drainage taxes. In some areas 60 per cent of the farm population has been dispossessed, their land having been taken for taxes.

The relief provided in this bill would be readily available to and would help the conditions known to exist in considerable areas of 34 different States of the Union.

A reasoned legal opinion was submitted to your committee, covering the question as to what section or clause of the Constitution would permit such appropriations as this bill authorizes. The opinion submitted maintains that the so-called general welfare clause (Art. I, sec. 8, clause 1) constitutes ample authority for such an appropriation.

A portion of this legal opinion follows:

CONSTITUTIONAL AUTHORITY

The preamble of the Constitution states:

"We, the people of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America."

It is, of course, well settled legally that the preamble constitutes no grant of power to Congress. However, it is expressive of the larger purposes for which the Constitution was established, among which we find that of promoting the general welfare.

Article I, section 8, clause 1, of the Constitution provides:

"The Congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts, and provide for the common defense and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States."

As bearing upon this clause, the following principles have been established by decisions of the United States Supreme Court:

"The Constitution must be given a reasonable interpretation, according to the import of its terms, and not differently from its obvious or necessarily implied sense. Gibbons *v.* Ogden (N. Y. 1824), 9 Wheat. 188; Cohen *v.* Virginia, 6 Wheat. 380.)

"Upon the examination of every question of construction, the great leading interest of the Constitution must be kept constantly in view, and it must be interpreted according to its true interest and meaning. (U. S. *v.* Wong Kim Ark (Cal., 1898), 169 U. S. 699; McCulloch *v.* Maryland (Md., 1819), 4 Wheat. 419.)

"When investigating the nature and extent of the powers conferred by the Constitution upon the General Government, it is indispensable to keep in view the objects for which these powers were granted. If the general purpose of the instrument is ascertained, the language of its provisions must be construed with reference to that purpose and so as to subserve it. (Maxwell *v.* Dow, 176 U. S. 601; Legal Tender Cases, 12 Wall. 531.)

"The Constitution, establishing a frame of government, declaring fundamental principles, and creating a national sovereignty, is not to be interpreted with the strictness of a code of laws or of a private contract. (Fairbanks *v.* U. S., 181 U. S. 287; Legal Tender Cases, 12 Wall. 531.)

"That which is reasonably appropriate and relevant to the exercise of a granted power is to be considered as accompanying the grant. (Marshall *v.* Gordon (N. Y., 1917), 243 U. S. 521; McCulloch *v.* Maryland (Md., 1819), 4 Wheat. 316.)

"The powers confided to the General Government are to be taken as broadly granted and as carrying with them authority to exercise those powers and to pass those acts which may be reasonably necessary to carry them into full execution, and are not to be nullified by astute verbal criticisms with regard to the grand aim and object of the instrument. (Fairbanks *v.* U. S., 181 U. S. 288; Williams *v.* The Lizzie Henderson, 29 Fed. Cases 17, 126 A.)

"The presumption is in favor of the validity of an act of Congress, and it is only when the question is free from any reasonable doubt that the court should hold an act of the lawmaking power of the Nation to be in violation of the fundamental instrument upon which all power of the Government rests. (Nicol *v.* Ames, 173 U. S. 515.)"

There has been some question as to the interpretation of the so-called welfare clause (Art. I, sec. 8, clause 1). Do the words "to lay and collect taxes, duties, imposts, and excises to pay the debts and provide for the common defense and general welfare" constitute another distinct and substantial power, or are the latter words connected with the former so as to constitute a qualification upon them? It is now generally established that the latter is the correct interpretation giving this sense: The Congress shall have the power to lay and collect taxes, duties, imposts, excises, in order to pay the debts, and to provide for the common defense and general welfare of the United States. (U. S. *v.* Boyer, 85 F. 425, 432; also Mr. Justice Story on the Constitution, secs. 907, 908.)

Inasmuch as Congress has the power to lay and collect taxes in order to provide for the general welfare, it must logically follow that Congress has also the coincident and lesser authority to effect the appropriation of such taxes collected, for the general welfare. It is a maxim of law that the lesser power is always included in the greater; this being true, the right must exist to disburse that which has been collected. In other words, the right to appropriate what is collected is included in the right to collect. What an inconsistent situation we would have in our governmental operations if Congress were not empowered to spend or appropriate what it collected. The one power necessarily is incidental to and inseparable from the other.

In a message to Congress in 1822, President Monroe said concerning the right to appropriation under this very constitutional provision:

"The right of appropriation is from its nature secondary to the right of raising money, and it was proper to place it in the same grant and same clause with that right. * * * It is contended on the one side that as the National Government is a Government of limited power it has no right to expend money except in the performance of acts authorized by other specific grants according to a strict construction of their powers; that this grant in neither of its branches gives to Congress discretionary power of any kind, but it is a mere instrument in its hands to carry into effect the powers contained in the other grants. The grant consists as heretofore observed, of a twofold power—the first to raise, the second to appropriate the public money, and the terms in both instances are general and unqualified. Each branch was obviously drawn with a view to the other, and the import of each tends to illustrate that of the other. The grant to raise money gives the power over every subject from which revenue may be drawn. In the discharge of the powers contained in any of these grants there is no other check than that which is found in the great principles of our system, namely, the responsibility of the representative to his constituents. * * * If we look to the second branch of the power, that which authorizes the appropriation of money thus raised, we find that it is not less general and unqualified than the power to raise it. More comprehensive terms than "to pay the debts and provide for the common defense and general welfare" could not have been used. So intimately connected with and dependent on each other are these two branches of power that had either been limited the limitation would have had like effect upon the other. Had the power to raise money been conditioned or restricted to special purpose, the appropriation must have corresponded with it, for none but the money raised could be appropriated, nor could it be appropriated to other purposes than those which were permitted.

"On the other hand, if the right of appropriation had been restricted to certain purposes, it would have been useless and improper to raise more than would be adequate to those purposes. It may fairly be inferred that those restraints and checks have been carefully and intentionally avoided. The power in each branch is alike broad and unqualified, and each is drawn with peculiar fitness to the other, the latter requiring terms of great extent and force to accommodate the former which have been adopted and both placed in the same clause and sentence. Had it been intended that Congress should be restricted in the appropriation of public money to such expenditures as were authorized by a rigid construction of the other specific grant, how easy would it have been to have provided for it by declaration to that effect? The omission of such declaration is, therefore, an additional proof that it was not intended that the grant should be so construed. * * * Have Congress a right to raise and appropriate money to any purpose according to their own will and pleasure? They certainly have not. The Government of the United States is a limited government instituted for great national purposes, and for those only. Good roads and canals will promote many very important national purposes. They will by being properly directed to these objects enhance the value of our vacant lands, a treasure of vast resource to this Nation. To the appropriation of the public money to improvements having these objects in view and carried to a certain extent I do not see any well-founded constitutional objection. The right of appropriation is nothing more than a right to apply the public money to this or that purpose. The substance of what has been urged on this subject may be expressed in a few words. My idea is that Congress have an unlimited power to raise money, and that in its appropriation they have the discretionary power, restricted only by the duty to appropriate it to purposes of common defense and of general, not local, national, not State, benefit." (Willoughby on the Constitution, vol. 1, 592–598.)

It is incontestable that the assistance to the drainage organizations contemplated by Senate bill 4123, now under discussion, concerns the general welfare of the people, and is within the purview of the general-welfare clause.

"Even in arid and semiarid States, drainage is an essential part of reclamation. If water is permitted on land without any system of drainage, large areas become useless. Reclamation in the West means applying water to land. It also means taking water off lands after it has served its purpose. Reclamation in other parts of the country means taking the water off the lands so that they can be utilized for cultivation."

As a matter of public welfare, there is every reason under the Constitution for extending the policy of reclamation to other sections of the country, as there was for inaugurating it for the benefit of the arid States. Congress has recognized that reclamation should be national, and in 1919 appropriated $100,000 for investigation of lands outside the then existing reclamation projects in other sections of the country. In 1924 Congress authorized an appropriation of $100,000 to obtain information as to how swamp lands might be best developed, and valuable information concerning every State in the Union has been accumulated. The movement throughout the South for the conservation of the soil, and the reclamation of swamp lands, is very strong.

It is submitted that drainage is as strongly entitled to Federal aid as reclamation; as a matter of fact it would be more economical to aid existing drainage districts to provide for their indebtedness than to encourage and assist in the development of other lands.

"Congress legislates for the general welfare. It promotes the general health and good education. Drainage eliminates malaria in many cases. It promotes the general welfare. It aids agriculture. If the end be legitimate, if it be within the scope of the Constitution, all means that are appropriate and that are plainly adapted to that end that are not prohibited are constitutional. Congress has provided for the preservation of battle fields; it has built railroads; it has aided transcontinental railroads. During the war it took over the entire transportation system of the country. Constitutional powers have kept pace with the new agencies brought into use by the increasing demands of commerce, wealth, and population. Reclamation, which is synonymous with drainage, is a part of the internal-improvement policy of the United States. It distributes production; it creates national wealth; it provides for transportation; it makes business for railroads; and it contributes to the health and wealth of the community and the Nation. Agriculture is the basic industry of the country; and the Nation, for its own well-being, must promote agriculture as a part of general policy for the public welfare. The Government of the United States must protect country life. The West is entitled to reclamation, but the North, East, and South are entitled to drainage." (From the testimony of Representative WHITTINGTON before House Committee on Irrigation and Reclamation, January 29, 1929.)

In general connection with this subject reference might briefly be made to the statements of the United States Supreme Court in its decision in 1923 in Massachusetts *v.* Mellon (262 U. S. 447). In this case the constitutionality of the maternity act, so called, was challenged. This act provided for an initial appropriation and thereafter annual appropriations for a period of five years, to be apportioned among such of the several States as should accept and comply with its provisions for the purpose of cooperating with them to reduce maternal and infant mortality and protect the health of mothers and infants. It was asserted that these appropriations were for purposes not national and that therefore the act was a usurpation of power not granted to Congress by the Constitution. The United States Supreme Court said:

"The powers of the State are not invaded since the statute imposes no obligation but simply extends an obligation which the State is free to accept or reject. The statute does not require the States to yield anything. If Congress enacted it with the ulterior purpose of tempting them to yield, that purpose may be effectively frustrated by the simple expedient of not yielding. In the last analysis the complaint of the plaintiff State is brought to the naked contention that Congress has usurped the reserved powers of the several States by the mere enactment of the statute, though nothing has been done and nothing is to be done without their consent; and it is plain that this question, as it is thus presented, is political and not judicial in character and therefore is not a matter which admits of the exercise of the judicial power. The administration of any statute likely to produce additional taxation to be imposed upon a vast number of taxpayers, the extent of whose several liability is indefinitely and constantly changing, is essentially a matter of public and not of individual concern. If one taxpayer may champion and litigate such a cause, then every other taxpayer may do the same, not only in respect to the statute here under review but also in respect of every other appropriation act and statute whose administration requires the outlay of public money and whose validity may be questioned. The bare suggestion of such a result goes far to sustain the conclusion that a suit of this character can not be maintained. It is of much significance that no precedent sustaining the right to maintain suits like this has been called to our attention, although since the formation of the Government a large number of statutes appropriating or involving the expenditure of moneys for non-Federal purposes have been enacted and carried into effect. The party who invokes the power must be able to show not only that the statute is invalid but that he has sustained or is immediately in danger of sustaining some direct injury as the result of its enforcement, and not merely that he suffers in some indefinite way in common with other people generally."

From the above review it is clear that the proposed drainage act (S. 4123) is not violative of the Constitution, and that its provisions are authorized by and within the purview of Article I, section 8, clause 1, of the Constitution, as follows:

"The Congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States."

Mr. WRIGHT. Mr. Chairman, I yield 30 minutes to the gentleman from South Carolina [Mr. McSWAIN].

Mr. McSWAIN. Mr. Chairman and members of the committee, on December 4 last I made some remarks here in connection with the Muscle Shoals problem. I stated that the Guggenheim interests and the Du Pont interests have large holdings in mineral rights and in processing machinery in Chile, and that therefore these interests in America have been hostile to a settlement of the Muscle Shoals question for the reason that it would operate injuriously to their monopoly of Chilean nitrate of soda.

After this statement appeared in the CONGRESSIONAL RECORD some representative of the Du Pont interests having seen it, wrote me and denied that the Du Pont interests now have any such interests or investment, and I replied, expressing regret at having made an error, giving my authority, a witness who had appeared before our committee two or three years ago. Then the Du Pont interests replied to that letter saying that they had held such holdings, but that they had been disposed of.

I then asked, by way of rejoinder, to whom they had disposed of these holdings, and they replied to certain interests in Chile.

Since this information was furnished me by the Du Pont people I have learned from an address delivered by Mr. Charles J. Brand, who is secretary of the National Fertilizer Association, and who sent me a copy of the address which he delivered to the National Fertilizer Association in Chicago, Ill., on December 2, 1930, that there is in Chile a Chilian Nitrate Trust, organized under authority of the law of Chile, and that the Government of that country owns 50 per cent of the stock. So the Chilean Government turns over to this trust, 50 per cent of whose stock is held by the Government and the other 50 per cent distributed among all the nitrate producers and processers, the total amount of the annual receipts from the export duty of $12.54 per ton collected by the Chilean Government, and the Chilean Government receives in lieu of this export duty, 50 per cent of the dividends made by this corporation or this trust in which it is a 50 per cent stockholder.

So the result of the deal that has been made is virtually to double the export duty by holding up the price. Why? Because the dividend collected by the Chilean Government from its 50 per cent stock in this trust, amounts now to about $22,000,000 a year, which is approximately the amount that the Government was due to collect by reason of its export duty. Now, if 50 per cent of the profits amounts to what the export duty would amount to, then the result of the trust is to pay an increased price of $12.50 a ton on Chilean nitrate, that goes into the pockets of the processors themselves.

My friends, the Chilean Government collects 25 per cent of its national revenue from the export duty it collects from Chilean nitrate exports; and for the last 50 years since that export duty was first applied the farmers and people of the United States by reason thereof have paid into the treasury of Chile nearly $300,000,000, which has gone into the building of Chilean roads, paying salaries of Chilean officers, and maintaining schools and colleges for the Chilean people.

Now, gentlemen, having made this preliminary statement I desire to discuss briefly the situation with reference to the solution of this problem now so long before this Congress.

When John Wanamaker was Postmaster General of the United States and there was great agitation about the establishment in the United States of a parcel-post system, a system that was then in operation in conservative England and in conservative Germany, and when the opposition to its establishment characterized it as socialistic and communistic—and if the word "soviet" had been in use at that time it would surely have been applied to it—John Wanamaker said that there are two reasons why the United States does not inaugurate the parcel post. The first was the Adams Express Co. and the second was the American Express Co.

But the United States went ahead and in the face of charges of communism and socialism inaugurated the parcel post and inaugurated the postal-savings bank.

Now, for the same reason these charges in some of our papers that are virtually devoted to propaganda in opposition to the settlement of the Muscle Shoals problem, claim that it, too, is communistic and socialistic. Why? Every annual appropriation for rivers and harbors is, in the eyes of the railroad people, communistic, because the Government is in business in competition with the railroads.

My district is an inland district. I live in an inland city, and when our competing neighboring cities, at the expense of the public Treasury, receive funds to build up harbors, dredge rivers, so they can get better rates to take business away from my city, I get a little hot under the collar and think it would be just as fair for the United States Government to help build a railroad across the Appalachian Mountains so that my home city might get cheap coal from the

mines of Kentucky and Tennessee, and thus enjoy cheaper power.

What else does the United States Government do? It subsidizes shipping lines to the tune of millions of dollars and is lending money to ship corporations at low rates of interest and selling them ships on liberal terms.

What else does the Government do? It subsidized transcontinental railroads. Not only that, but the Government Printing Office is another great business. I know that in the United States, some printers are carrying on an agitation against the United States engaging in printing—having it print envelopes with returns thereon and putting them out with the postage stamps on them. They say that is socialism. Well, we have stood for it a long time.

Mr. MICHENER. Does the gentleman believe in it?

Mr. McSWAIN. I approve of the United States doing its own printing, and incidentally to sell the stamp for the convenience of the people—to sell the envelope with the postage stamp printed on it for public convenience. But that is merely incidental; I would not approve of our going into the printing business or the stationery business for the public generally. I shall show, as I have often shown, that the business of the Government conducted at Muscle Shoals is incidental to the national defense. All of the cruisers, all of the battleships, all of the airplanes, the Army and the Navy, would be powerless and worthless without the supplies for explosives which nitrogen alone can supply. There are some people who say that it is a wrong principle for the United States Government to maintain and operate its hospitals for its veterans.

Some say that the maintenance of the Government arsenals to make arms and munitions is contrary to good policy in the Government. Some say that irrigation projects whereby the United States has spent hundreds of millions of dollars to build up lands to produce crops in competition with the privately owned lands that have already an abundant supply of water, are unfair and unjust and discriminatory. We have seen the issue with regard to the ownership of municipal utilities fought out, time and time again. I know some people—a very few—who oppose seriously State colleges and such State institutions on the ground that if my boy or your boy wants higher education, the cost of it should come out of my pocket or your pocket, and should not come out of the pockets of all of the taxpayers. I know some people who maintain that, and I know one man or knew him, for he is dead now, who stood upon the street corner year in and year out and propagandized against the common primary public schools, as a great communistic and socialistic project.

We have been told by the distinguished and able majority leader who now presides, that the crux of this whole Muscle Shoals problem, as it appears in the morning papers, and I must assume that the report is correct, turns upon the matter of the authority to establish a transmission line from the generating plant at the Wilson Dam out to any point where there may be a demand for power in wholesale quantities. The issue has been fought out all along the line. First, there was serious opposition to the Government even having an engineer and an oiler there at the power house to turn on and off the current at the switchboard. Finally, it was agreed, I think, by all parties, that the Government would be justified in holding an engineer officer and oiler there, so that the engineer could register the readings of the switchboard, and from the switchboard at the power house the current would go out over transmission lines of some private company to be sold at the other end to the ultimate consumer. But they say that if you authorize the Government to establish that transmission line, then you have crossed the dividing line between private ownership or justifiable operation by the Government, and "sovietism, communism, and socialism," and all of the other "isms" whose epithets damn and destroy any proposition. Does it make any difference at which end of the transmission line the switchboard is located?

Mr. MICHENER. I can see this distinction, that you might be damming up a stream for a specific national purpose, and that as an incident thereto there would be surplus power. That would be incidental entirely; whereas, if you extend the transmission line wherever it is necessary to extend it throughout the country for the purpose of furnishing power, then you go beyond the incident and make it the primary purpose.

Mr. McSWAIN. Very good. That is my friend's position. I have just looked up the record, because I wanted to see if his position to-day is the same as it was on May 25, 1928, and it is. He is consistent, as he usually is. I congratulate him. However, there were 65 Republicans who on May 25, 1928, voted for the very proposition that is soon to be in the report of conference on this bill now. Sixty-five of them voted for that conference report. Of course the bill had passed the House without a record vote two or three weeks prior to that time. I congratulate the gentleman upon his consistency. I think it will be well if some of our friends on the Republican side, before they vote on the conference report, should look at the record as it stood on May 25, 1928.

Is it fair to say that the transmission line is the mark, the crux, the dividing line between justifiable Government operation and unjustifiable sovietism? What difference in principle does it make as to how long the transmission line is? There is a little transmission line from the generator down here by the turbine two or three hundred feet long up to the switchboard on the top of the hill. Suppose the transmission line instead of being two or three hundred feet long is 100 miles or so long as to reach to Memphis or up to Nashville or down to Birmingham. The principle is the same. The power is to be sold "wholesale" by the Government at the switchboard, whether the switchboard be a quarter of a mile from the generating plant or 100 miles is irrelevant. Why is the transmission line necessary?

Those of us who have been on the committee and have had this matter under consideration for many years have known all of the time why a transmission line is necessary, but the public has been told in the last few days by Maj. Gen. Lytle Brown why it is necessary. He, as Chief of Engineers, is the one who is empowered to make the contract for the sale of this power under existing conditions. He said that two or three years ago they noticed that the Tennessee Power Co. was building a transmission line down to Muscle Shoals. They never said a word about buying power from the Government. They got permission to build the line partly over the Government reservation. General Brown thought to himself, "Now we are going to have competition. The Alabama Power Co. has been getting power at 2 mills per kilowatt-hour, while on the market it is worth 6 mills. The Alabama Power Co. had been having it on its own terms at one-third of its market value, but now they are going to have competition." Did they? Oh, no. What did the Tennessee Power Co. do? It built its line right on down across the reservation behind the power house and cut into the transmission line of the Alabama Power Co. after its power had been metered at the switchboard at the generating plant. So that the Tennessee Power Co. is not a rival, but is a subsidiary consumer of the Alabama Power Co. There is no competition between these concerns. It may not be a formal trust or cartel or syndicate, but it is a very efficient "gentlemen's agreement." The authority to construct such transmission lines without all the delays of a congressional appropriation will compel these folks to "talk turkey" and make the Government millions of dollars the first year from increased prices for power.

Ladies and gentlemen, why hesitate to authorize the inauguration of this transmission line? It will probably never be necessary to construct such line. I venture to predict that the transmission line will never be built by the board of directors. Why? It is merely the gun behind the door. When a thief knows you have got a loaded gun he does not enter the house. When the Alabama Power Co. and the Tennessee Power Co. know that the authority exists and the

board has got the money to build a transmission line out to consumers at wholesale prices, out to Nashville, to Memphis, to Jackson, Miss., and to Birmingham, Ala., then the Alabama Power Co. and the Tennessee Power Co. will be good, and they will be mighty good, just like a child before Christmas who does not want to displease Santa Claus. They will say "O Mr. Government, I used to say that power was not worth but 2 mills per kilowatt hour, but, please do not inaugurate another transmission line. Please let us now trade and treat and traffic, and I will give you what it is worth on the market, 6 mills per kilowatt-hour, laid down at the dam at Muscle Shoals."

That is the trouble. It is the power companies seeking through millions of money, propaganda agencies, paid attorneys, paid agents, and professional propagandists, seeking to damn and destroy a perfectly feasible and reasonable project by using such epithets as communism and socialism that have a very unsavory flavor in the public mind, and to my mind also.

Then, there is another agency that is opposing it, and that is the world's nitrogen trust. It will be said "Surely there is no such thing as a world's nitrogen trust." Well, I have the word of the Wall Street Journal of both June, 1929, and December, 1930.

I have the word of Mr. Brand, who was speaking to the manufacturers of fertilizer on December 2, 1930, and he quotes from Mr. Brodie, of London, in connection with that very trust. Says Mr. Brodie:

> The Chilean nitrate industry is on the verge of an upheaval that will shake its foundations and compel reconstruction. A good many people appear to be under the impression that irretrievable ruin is staring it in the face, but, as a matter of fact, it is merely the victim of its own misdeeds and the retribution that is coming should prove a blessing in disguise. The Association of Nitrate Producers has long been laboring under the illusion that it was in possession of a monopoly from which excessive profits could be extracted ad infinitum. Blind to the progress that was being made by competitive articles, and forgetful of the needs of an impoverished world, the discovery that would-be consumers of an admittedly good article will no longer pay a prohibitive price for it has come as a shock and a rude awakening to everybody responsible for the present parlous condition of affairs.
>
> Combinations formed for the purpose of raising prices, or even maintaining them, are prone to defeat their own ends, if only because they encourage the entry of inefficient and useless units that could never withstand the strain of healthy competition. The primary objective of an industrial alliance should be the lowering of production cost with a view to reducing price and increasing demand, failing which there can be no justification for its creation.

When Mr. Brand was before our committee last year I called his attention to this fact. He is a very amiable and able gentleman. He said he was a farm boy, raised in the country; that after getting some education he was brought here to work in the Department of Agriculture. Here his training has made him a very desirable man, and that the fertilizer association employed him, and while he does not say this, I say it for him, employed him because of his acumen, his ability, and his plausibility.

When Mr. Brand was before us I was examining him, and I asked Mr. Brand if he did not think it would help the price of fertilizer and of Chilean nitrates generally if the Chilean Government could be compelled by competition in America to take off its export duty of $12.54 a ton. His answer was "They are becoming cheaper every day." I said: "And if we can choke the life out of the Chilean trust so that the farmers of the United States will not have to pay twelve or thirteen million dollars a year of the taxes of the Chilean people, and thus free us from this monopoly of the Chilean nitrate producers, would it not be a godsend to the people of this country?" I asked Mr. Brand that question. I will tell you why he did not answer frankly. He said, "Mr. McSWAIN, I could not go that far." Why could not he? Because the Guggenheim interests and the Allied Chemical & Dye interests are contributors to his office, and he admitted it a year or two before. They are, in a certain degree, his employers, and he eats their bread. "Whose bread I eat, his song I sing."

Anyway I said this: "Go half that far, please, Mr. Brand." He said: "I could not go that far. The Chileans have had a natural monopoly over a period of many years. They first started to export in 1830, and they developed their country largely on the basis of the income from those exports."

Said McSWAIN: "They have exploited this country too?"

Mr. Brand said, "It is their country and their nitrates to use, and I do not think we should be too hard on them."

Here is my answer: "I do not care about their country. I am caring about the United States." [Applause.]

Further, I said, "My interest is in hastening the fight and bringing about a victory for the American farmer."

Now, if we authorize that transmission line to be built it not only never will be built, but if it should be built it will pay for itself in less than a year. We are now receiving revenues of about $550,000 a year for that power, total primary power, and if that could be sold at its fair market value it would yield eleven or twelve million dollars a year.

The difference between $500,000 and $11,000,000 or $12,000,000 would more than pay the cost of the transmission line as far as Memphis, even if it had to be built.

Mr. McREYNOLDS. Will the gentleman yield?

Mr. McSWAIN. Yes.

Mr. McREYNOLDS. Has the gentleman any estimate as to how much power will be used if the nitrogen plants are leased, how much will be used by those small towns which can build their own transmission lines, and how much excess there will be for sale?

Mr. McSWAIN. I will say this: That if the nitrogen plants are operated at full capacity, they will take every horsepower of primary hydraulic power that is now being developed at Muscle Shoals.

Mr. McREYNOLDS. Therefore there will be little excess power for transmission.

Mr. McSWAIN. If we build the Cove Creek Dam, as is authorized by the bill, it will, by reason of being a retaining reservoir, double the primary power at Muscle Shoals, so you will have, instead of 160,000 horsepower, 240,000 horsepower, including the steam plant of 80,000 horsepower. Then there may be some surplus power to be sold to the home cities of our dearly beloved colleague, Mr. ALMON, who is always on hand, not only when Muscle Shoals is being discussed but, by reason of some peculiar sense, he knows when it is going to be discussed, and he is there in advance.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. WRIGHT. Mr. Chairman, I yield the gentleman two additional minutes.

Mr. McREYNOLDS. Has the gentleman had any evidence before the committee as to where the Government is getting the power it is using, whether or not the light furnished the Government across the river from the power plant is being furnished by the Alabama Power Co.?

Mr. McSWAIN. No; that fact never occurred to me.

Mr. McREYNOLDS. Has the gentleman any information as to whether the lights which are furnished to the Government building across from the power plant are being furnished to the Government by the Alabama Power Co. at the rate of 5 cents per kilowatt?

Mr. McSWAIN. Does the gentleman know that to be a fact?

Mr. McREYNOLDS. I do not; but I heard it when I was down there.

Mr. McSWAIN. That never crossed my mind. It never occurred to me that the Government was going to sell power at 2 mills per kilowatt-hour and then before it had gotten cold and out of sight turn around and buy some of that same power back at two and a half times that. I do not know about that and there may be some reason for it, but I can not tell. It never crossed my mind before.

Mr. BRIGGS. Will the gentleman yield?

Mr. McSWAIN. Yes.

Mr. BRIGGS. How much of this power is now being consumed and how much is going to waste?

Mr. McSWAIN. As I say, only about 10 per cent of the total annual possible generation. Of course, if they are not using it they do not actually generate it; but I mean they use only about 10 per cent of 88,000 primary horsepower,

for which they get $550,000, when they ought to be getting for the total output something like $11,000,000 or $12,000,000.

Mr. BRIGGS. And that has been the situation for the last 10 years.

Mr. McSWAIN. We have lost in revenue $100,000,000 in 10 years.

The CHAIRMAN. The time of the gentleman from South Carolina has again expired.

Mr. WRIGHT. Mr. Chairman, I yield the gentleman one additional minute.

Mr. ALMON. The gentleman has given the Muscle Shoals question many years of study, and it is his deliberate judgment that fertilizer can be made for the farmers at Muscle Shoals at about one-half what they are paying for fertilizer to-day.

Mr. McSWAIN. Mr. Brand himself, in the address he delivered in Chicago, on page 11, said that those who know have estimated that nitrogen may be fixed in the United States at from $25 to $27.50 a ton. That is the statement made by Mr. Brand.

Mr. ALMON. And that is one of his objections to the operation of the plant, that it would cheapen fertilizer.

Mr. McSWAIN. Mr. Brand is naturally safe and conservative in his estimate. I believe a lessee can produce and sell nitrogen in form available as plant food for about half of what the farmers now pay for Chilean nitrate of soda.

So, to paraphrase the expression of John Wanamaker, there are two very pregnant reasons why the Government and the people should not have the benefit of cheaper nitrogen for agriculture and of cheaper power for domestic and agricultural uses and for industry. Those two reasons are, first, the world Nitrogen Trust, and, second, a nation-wide "gentleman's agreement" concerning power and power rates and the allocation of different power groups in different sections of the country, which "gentleman's agreement" constitutes a virtual and effective power trust.

NO CAUSE FOR OPPOSITION BY AMERICAN FERTILIZER MANUFACTURERS

The manufacturers of fertilizers in such cities as Baltimore, Richmond, and Charleston do not object to cheaper nitrogen. They do not manufacture nitrogen and generally have no interest in either Chilean nitrate deposits or in the Allied Chemical & Dye Corporation. They must purchase nitrogen products from independent sources, just as they must purchase potash from the mines of Europe and a small quantity from processers in America. American manufacturers of fertilizers, as a matter of fact, manufacture only phosphoric acid. They treat phosphate rock with sulphuric acid and thus produce phosphoric acid. This phosphoric acid they combine with nitrogen in various forms and with potash so as to constitute a complete fertilizer. Therefore the ordinary manufacturer of fertilizer is, in fact, 66⅔ per cent a mixer of fertilizers. Therefore operating a mere assembling plant, the American fertilizer manufacturer is profoundly interested in cheaper nitrogen and in cheaper potash, just as the shoe manufacturer is interested in cheaper leather and the clothing manufacturer is interested in cheaper cloth and just as the furniture manufacturer is interested in cheaper lumber and the cotton manufacturer is ordinarily interested in cheaper cotton.

Therefore when the Government proposes to produce sodium nitrate at Muscle Shoals it is not stepping on the toes of any fertilizer manufacturers in Baltimore, or Richmond, or Charleston, or elsewhere in the United States, except as they may be collaterally and financially interested as stockholders in the Hopewell, Va., plant of the Allied Chemical & Dye Works, or in the Guggenheim investments in Chilean nitrate deposits. If both potash and nitrates could be purchased more cheaply by the American manufacturers of fertilizers, then they could sell their finished products more cheaply and consequently would be able to sell larger quantities of the complete fertilizer and consequently would sell larger quantities of their own products of phosphoric acid. Assuming that they could make the same profit per ton on phosphoric acid they are now making, and the same profit per ton for handling nitrate of soda and potash, then such increased volume of business done by them, due to the encouragement of cheaper prices to the farmers, would result in greatly enlarged profits to the American fertilizer manufacturer. Therefore if the operation of the Government properties at Muscle Shoals, either by a private lessee or by a Government corporation, shall result in cheaper nitrogen, both by the increase in the volume thereof and by the demonstration as to the actual cost of such manufacture, then it is sure to prove a blessing to both the American manufacturer of fertilizers and to the American farmer.

But opposition is coming good and strong from the Guggenheim interests who have sympathetic friends in various financial and commercial circles. Also a storm of propaganda in opposition to the early settlement of the Muscle Shoals problem is coming from all interests in sympathy with the Power Trust. The Power Trust, being backed by a great banking trust, can touch 10,000 influences and set millions of telegrams to flying. Already I am receiving scores of telegrams from insurance agents, attorneys for public-utilities corporations, agents for fertilizer companies, bankers, physicians for power corporations, newspaper men in sympathy with the Power Trust, civil engineers working for the Power Trust, officials of the Power Trust in its various forms, and no doubt these will multiply in great number with the passage of the days.

REASON FOR OBJECTIONS BY POWER TRUST

Now, why should the Power Trust be so greatly exercised? If a lessee takes the fertilizer plants at Muscle Shoals and operates them to capacity, there will be practically no surplus power for sale. What power is sold will be sold wholesale to neighboring municipalities, such as Florence, Ala., Sheffield, Ala., Tuscumbia, Ala., and Muscle Shoals City, Ala. Of course, after Cove Creek Dam shall have been built—and it may never be built—the primary hydraulic horsepower at Muscle Shoals will be approximately doubled. But even then the employment of the steam plant may be discontinued, so that there will be still practically no surplus power for sale. If this be so—and nobody knows it better than the engineers and economic advisers for the Power Trust—then why this tremendous agitation? Why the expenditure of all these perhaps hundreds of thousands of dollars in expensive propaganda against a settlement of this Muscle Shoals problem in the interest of the people and of national defense? It is not the present actual competition in rates that is feared. It is the potential prospective revelation in the future. It is feared that the statistics to be gathered from this publicly owned power-generating plant will be so persuasive and convincing by way of comparison with existing rates charged as to have an injurious effect upon prospective revenues to private power plants. Under existing conditions it is practically impossible for public-utility commissions to obtain a candid and clear statement of the cost item in such power generation. I have participated at hearings before utility commissions on several occasions, and I know what fogs of obscurity and what clouds of confusion expert auditors and accountants can produce.

NITROGEN TRUST V. POWER TRUST

But the influences of these two opposition forces sometimes cross each other. For instance, Mr. Charles J. Brand, in speaking to the National Fertilizer Association on December 2, 1930, used this language:

> There are three assets at the shoals. Two of them are of questionable value and one is of great value. The latter is the Wilson Dam which was built at a cost of approximately $47,000,000. It is a magnificent structure with a power-house installation of 470,000 horsepower. This is the real asset at Muscle Shoals which various interests from time to time have been trying to get possession of under the guise of manufacturing cheap fertilizer for the farmer.
>
> Except through the uneconomic disturbance of economic conditions in the nitrogen industry of the United States where free competition now prevails, the production of an additional 40,000 tons would not be unduly unsettling. Nitrogen production at Muscle Shoals is needed only for political application—to mislead the farmer into thinking that agricultural benefits can come to him therefrom over and above what he now enjoys; that somehow Muscle Shoals will cut his fertilizer bill 33 per cent or even 50 per cent, as one of the witnesses for an interest that was really trying to acquire the water power for a song testified before the House Committee on Military Affairs. Such statements are more than

mischievous—they are dishonest. If some one gave the farmer outright the 3½ per cent average nitrogen content of his fertilizer, it would not reduce the price of complete fertilizer 33 per cent.

Now, I think it may be admitted that Mr. Brand is at least a voice of and for the Nitrogen Trust. I think also the witness to whom he refers must have been Mr. W. B. Bell, president of the American Cyanamide Plant.

BRAND *v.* BELL

If Mr. Bell was trying to get possession of this vast water power under the guise of cheaper manufactured fertilizer, then he must have been the tool and voice of the Power Trust. So we have the Nitrogen Trust telling us what weapons of deception the Power Trust can resort to. It would be interesting to hear the Power Trust describe the hypocrisy and fallacy of the propaganda used by the Nitrogen Trust. If we could get these two trusts to tell the truth about each other and to fight against each other with the weapons they now employ, then the world would know the truth and the truth would set us free from the hailstorm propaganda.

INTERESTING HISTORY

A brief review of the history, in part at least, of the efforts of Congress to dispose of the Muscle Shoals problem may be very informing. It certainly is interesting to note that on November 3, 1919, Senator Wadsworth, of New York, introduced into the Senate Senate bill 3390, which was referred to the Committee on Agriculture and Forestry and was reported favorably with an amendment by Senator SMITH, of South Carolina, on May 24, 1920:

[Calendar No. 505. Sixty-sixth Congress, second session. S. 3390. In the Senate of the United States. November 3 (calendar day, November 7), 1919. Mr. Wadsworth introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry. May 24 (calendar day, June 1), 1920. Reported by Mr. SMITH of South Carolina, with an amendment. (The part printed in small capitals shows new language agreed to; the part inclosed in brackets shows matter to be omitted; committee amendment in capitals)]

A bill to provide further for the national defense; to establish a self-sustaining Federal agency for the manufacture, production, and development of the products of atmospheric nitrogen for military, experimental, and other purposes; to provide research laboratories and experimental plants for the development of fixed-nitrogen production; and for other purposes

Be it enacted, etc., That the Secretary of War is hereby authorized and empowered to designate any five persons to act as an organization committee for the purpose of organizing a corporation under authority of and for the purposes enumerated in this act.

ORGANIZATION

The persons so designated shall, under their seals, make an organization certificate, which shall specifically state the name of the corporation to be organized, the place in which its principal office is to be located, the amount of capital stock, and the number of shares into which the same is divided, and the fact that the certificate is made to enable the corporation formed to avail itself of the advantages of this act. The name of such corporation shall be United States Fixed-Nitrogen Corporation.

The said organization certificate shall be acknowledged before a judge of some court of record or notary public, and shall be, together with acknowledgment thereof, authenticated by the seal of such notary or court, transmitted to the Secretary of War, who shall file, record, and carefully preserve the same in his office. Upon the filing of such certificate with the Secretary of War as aforesaid, the said corporation shall become a body corporate and as such, and in the name United States Fixed-Nitrogen Corporation, shall have power—

First, to adopt and use a corporate seal;

Second, to have succession for a period of 20 years from its organization, unless it is sooner dissolved by an act of Congress, or unless its franchise becomes forfeited by some violation of law;

Third, to make contracts, AND NO SUCH CONTRACT SHALL EXTEND BEYOND THE PERIOD OF THE LIFE OF THE CORPORATION.

Fourth, to sue and be sued, complain, and defend in any court of law or equity;

Fifth, to appoint by its board of directors such officers and employees as are not otherwise provided for in this act; to define their duties, to fix their salaries, in its discretion to require bonds of any of them, and to fix the penalty thereof, and to dismiss at pleasure any of such officers or employees;

Sixth, to prescribe by its board of directors by-laws not inconsistent with law regulating the manner in which its general business may be conducted and the privileges granted to it by law may be exercised and enjoyed.

Seventh, to exercise by its board of directors or duly authorized officers or agents all powers specifically granted by the provisions of this act and such incidental powers as shall be necessary to carry on the business for which it is incorporated within the limitations prescribed by this act, but such corporation shall transact no business except such as is incidental and necessary preliminary to its organization until it has been authorized by the Secretary of War to commence business under the provisions of this act.

The corporation shall be conducted under the supervision and control of a board of directors, consisting of not less than three nor more than 11 members, to be appointed by the Secretary of War. The directors so appointed shall hold office at the pleasure of the Secretary of War. The Secretary of War shall be ex officio chairman of the board and shall have power to designate one of the directors as vice chairman. The vice chairman shall perform the duties of chairman in the absence of the Secretary of War. NOT MORE THAN TWO OF SUCH DIRECTORS SHALL BE APPOINTED FROM OFFICERS IN THE WAR DEPARTMENT.

The board of directors shall perform the duties usually appertaining to the office of directors of private corporations and such other duties as are prescribed by law.

POWERS OF THE CORPORATION

The corporation shall have power—

(a) To purchase, acquire, operate, and develop in the manner prescribed by this act and subject to the limitations and restrictions thereof the following properties owned by the United States:

1. United States nitrate fixation plants Nos. 1 and 2, located, respectively, at Sheffield, Ala., and Muscle Shoals, Ala., together with (a) all real estate used in connection therewith; (b) all tools, machinery, equipment, accessories, and materials thereunto belonging; (c) all laboratories and plants used as auxiliaries thereto, including the fixed-nitrogen research laboratory at Washington, the Waco limestone quarry in Alabama, the electric power unit at the Warrior River station of the Alabama Power Co., and transmission lines, and any others used as auxiliaries of the United States fixed nitrogen plants Nos. 1 and 2.

2. Any other plants or parts of plant, equipment, accessories, or other properties belonging to the United States, which are under the direct control of the President or of the War Department, and which the President or the Secretary of War may deem it advisable to transfer, convey, or deliver to said corporation for use in connection with any of the purposes of this act, or for any purpose incidental thereto.

(b) To acquire, establish, maintain, and operate such other laboratories and experimental plants as may be deemed necessary or advisable to assist it in furnishing to the United States Government and others, at all times, nitrogen products for military or other purposes in the most economical manner and of the highest standard of efficiency.

(c) To sell to the United States such nitrogen products as may be manufactured by said corporation for military or other purposes.

(d) To sell any or all of its products not required by the United States to producers or users of fertilizers or to others: PROVIDED, THAT IN THE SALE OF SUCH PRODUCTS NOT REQUIRED BY THE UNITED STATES GOVERNMENT PREFERENCE SHALL BE GIVEN TO THOSE PERSONS ENGAGED IN AGRICULTURE: PROVIDED FURTHER, THAT IF SUCH PRODUCTS ARE SOLD TO OTHERS THAN USERS OF FERTILIZERS, THE CORPORATION SHALL REQUIRE AS A CONDITION OF SUCH SALE THE CONSENT OF THE PURCHASER TO THE REGULATION BY THE CORPORATION OF THE PRICES TO BE CHARGED USERS FOR THE PRODUCTS SO PURCHASED OR ANY PRODUCT OF WHICH THE PRODUCTS PURCHASED FROM THE CORPORATION SHALL FORM AN INGREDIENT.

(e) By direction of the President, to act as his agent in carrying out and performing any or all of the duties imposed upon him by section 124 of the act of June 3, 1916, known as the national defense act, including after its completion, the operation of the hydroelectric power plant now being constructed at Muscle Shoals, and the use and sale of the hydroelectric power to be developed under authority of the act of June 3, 1916, aforesaid, and the President is authorized, in his discretion, to delegate to the corporation any and all powers and duties conferred or imposed upon him by said act which relate to the production, development, or manufacture of atmospheric nitrogen products, or which are incidental thereto, and to pay into the treasury of said company any unexpended balance out of the appropriation made by section 124 of the act of June 3, 1916, such funds to be used by the corporation for the purpose of said act as amended by this act.

[(f) To enter into such agreements and reciprocal relations with others as may be deemed necessary or desirable to facilitate the production and sale of nitrogen products on the most scientific and economical basis.]

(g) To purchase, lease, or otherwise acquire United States or foreign patents and processes or the right to use such patents and processes.

(h) To obtain from the United States or from foreign governments patents for discoveries or inventions of its officers and employees, and, in the discretion of its board of directors, to require any and all of its officers and employees as a condition of their employment to enter into agreements with the company that the patents for all such discoveries or inventions shall be and become in whole or in part the property of the corporation.

(i) To assume any or all obligations of the United States entered into in connection with the construction, maintenance, and operation of the plants to be transferred to the corporation under the provisions of this act.

(j) To deposit its funds in any Federal reserve bank or with any member bank of the Federal reserve system.

(k) To sell and export any of its surplus products not purchased by the United States or by persons, firms, or corporations within the United States.

(l) To invest any surplus of available funds not immediately used for the operation, construction, or maintenance of its plants or properties in United States bonds or other securities issued by the United States.

(m) To lease or purchase such buildings or properties as may be deemed necessary or advisable for the administration of the affairs of the corporation or for carrying out the purposes of this act; and with the approval of the Secretary of War to lease to other persons, firms, or corporations any of its properties not used or needed by the corporation, or to enter into agreements with others for the operation of such properties NOT USED OR NEEDED FOR THE PURPOSES NAMED HEREIN. [In the operation, maintenance, and development of the plants purchased or acquired under this act the corporation shall be free from the limitations or restrictions imposed by the act of June 3, 1916, and shall be subject only to the limitations and restrictions of this act.]

[CAPITAL STOCK

[The capital stock of the corporation shall be divided into two classes, to be known as common and preferred. The common stock shall be without par value. The company shall have no power to issue stock except that issued to the United States under authority of this act.

[In exchange for the properties purchased or acquired from the United States and from time to time transferred, conveyed, or delivered to the corporation by the President or by the Secretary of War, as provided by this act, the corporation shall cause to be executed and delivered to the Secretary of War a certificate for all of the common stock of the corporation, which certificate shall be evidence of the ownership of the United States of all such common stock.]

CAPITAL STOCK AND BONDS

THE CAPITAL STOCK OF THE CORPORATION SHALL CONSIST OF ONE HUNDRED AND TWENTY-FIVE THOUSAND SHARES OF COMMON STOCK OF THE PAR VALUE OF $100. THE CORPORATION SHALL ALSO ISSUE AN AMOUNT OF TWENTY-YEAR BONDS BEARING INTEREST AT THE RATE OF 5 PER CENTUM PER ANNUM EQUIVALENT TO ONE-HALF OF THE TOTAL EXPENDITURE OF THE GOVERNMENT IN CONSTRUCTING AND ACQUIRING THE PROPERTIES TO BE TRANSFERRED TO THE CORPORATION UNDER THIS ACT, AND IN ADDITION BONDS OF LIKE CHARACTER OF A PAR VALUE EQUAL TO THE FULL COST OF THE COMPLETED HYDROELECTRIC INSTALLATION AT MUSCLE SHOALS IF AND WHEN TRANSFERRED TO THIS CORPORATION. IF AT THE END OF ANY FISCAL YEAR THE CORPORATION SHALL NOT HAVE EARNED NET SUMS SUFFICIENT TO MEET THE INTEREST ON SAID BONDS AS EVIDENCED BY AUDIT OF THE ACCOUNTS OF SAID CORPORATION BY THE SECRETARY OF THE TREASURY, THE CORPORATION SHALL FORTHWITH CEASE OPERATIONS AND SHALL NOT RESUME UNTIL AUTHORIZED SO TO DO BY THE CONGRESS.

IN EXCHANGE FOR THE PROPERTIES PURCHASED OR ACQUIRED FROM THE UNITED STATES AND FROM TIME TO TIME TRANSFERRED, CONVEYED, OR DELIVERED TO THE CORPORATION BY THE PRESIDENT OR THE SECRETARY OF WAR, FOR THE PROCEEDS OF THE SALE OF NITRATE OF SODA HEREIN MADE AVAILABLE TO THE CORPORATION, AND FOR ALL UNEXPENDED BALANCES NOW UNDER THE CONTROL OF THE SECRETARY OF WAR AND APPLICABLE TO THE NITRATE PLANTS AT SHEFFIELD, ALABAMA, THE CORPORATION SHALL CAUSE TO BE EXECUTED AND DELIVERED TO THE SECRETARY OF THE TREASURY A CERTIFICATE FOR ALL OF THE COMMON STOCK OF THE CORPORATION AND ALL BONDS PROVIDED FOR BY THIS ACT. THE CERTIFICATE SHALL BE EVIDENCE OF THE OWNERSHIP BY THE UNITED STATES OF ALL STOCKS OF THE CORPORATION. THE BONDS SHALL BE A LIEN IN FAVOR OF THE UNITED STATES OF ALL PROPERTY OF THE CORPORATION, AND THE INTEREST ON THE BONDS SHALL BE PAID BY THE CORPORATION INTO THE TREASURY OF THE UNITED STATES AS MISCELLANEOUS RECEIPTS.

In consideration of the issuance of such common stock to the Secretary of War, the President and the Secretary of War are authorized and empowered to transfer, convey, and deliver to the corporation all of the real estate, buildings, tools, equipment, supplies, and other properties belonging to, used by, or appertaining to the plants and properties to be acquired by the corporation under the terms of this act, and to transfer, convey, and deliver as and when they may deem it advisable any other equipment, accessories, plants, or parts of plants or other property referred to in this act and which the corporation is authorized to acquire or purchase from the United States under its provisions.

The President or the Secretary of War, as a condition of the transfer, conveyance, or delivery to the corporation of any property herein referred to, may require the corporation to assume any and all agreements and obligations entered into by the United States in connection with the construction, maintenance, or operation of such plants or other property.

[The corporation shall have the power to issue and sell preferred stock in any amount not to exceed $12,500,000, of a par value of $100 per share, such stock to be entitled to 5 per centum dividends.] THE CORPORATION SHALL HAVE THE POWER TO ISSUE AND SELL COMMON STOCK IN ANY AMOUNT NOT TO EXCEED $12,500,000, OF A PAR VALUE OF $100 PER SHARE, REPRESENTING THE MONEYS APPROPRIATED IN THIS ACT. All such stock shall be subscribed by the United States of America, and such subscription shall be subject to call upon the vote of the board of directors of the corporation with the approval of the Secretary of War at such time or times as may be deemed advisable, AND THERE IS HEREBY APPROPRIATED OUT OF ANY MONEY IN THE TREASURY NOT OTHERWISE APPROPRIATED, THE SUM OF $12,500,000, OR SO MUCH THEREOF AS MAY BE NECESSARY, FOR THE PURPOSE OF MAKING PAYMENT UPON SUCH SUBSCRIPTION WHEN AND AS CALLED. *In order to pay such subscription as and when called, the Secretary of War is hereby authorized to sell so much as may be necessary of the supply of nitrate of soda owned by the United States and held as a reserve by the War Department at such prices and under such regulations as may be prescribed by the Secretary of War. All sums realized from such sale are hereby appropriated to the use of the Secretary of War for the purchase of the preferred stock of the corporation:* PROVIDED, THAT NOT MORE THAN ONE HUNDRED AND FIFTY THOUSAND TONS OF THE PRESENT SUPPLY OF SUCH NITRATE OF SODA SHALL BE SOLD.

Receipts or certificates for payment by the United States of America for or on account of such stock shall be issued by the corporation to the Secretary of War and shall be evidence of the stock ownership of the United States. The Secretary of War, ON RECEIPT OF AN EQUIVALENT OF COMMON STOCK, is authorized to use any funds now available for the completion of the construction and equipment of such United States nitrate plants, Nos. 1 and 2, and accessories, either after or before the conveyance and delivery of such properties to the corporation in accordance with the terms of this act.

DISTRIBUTION OF EARNINGS

All net earnings of the corporation not required for its organization, operation, and development shall be used—

(a) To pay [dividends on outstanding preferred stock, such dividends to be paid] INTEREST ON THE BONDS into the Treasury of the United States as miscellaneous receipts;

(b) To develop and improve its plants and equipment;

(c) To create a reserve or surplus fund until such fund amounts to $2,500,000;

(d) The remainder to be paid AS DIVIDENDS ON THE COMMON STOCK into the Treasury of the United States as miscellaneous receipts.

MISCELLANEOUS

The Federal reserve banks shall be authorized to receive deposits of the corporation. The corporation shall not have power to mortgage or pledge its assets, or to issue bonds secured by any of its properties.

The United States shall not be liable [beyond its stock subscription] for any debts, obligations, or other liabilities of the corporation.

The corporation and all of its assets shall be deemed and held to be instrumentalities of the United States and as such they and the income derived therefrom shall be exempt from Federal, State, and local taxation. The directors, officers, attorneys, experts, assistants, clerks, agents, and other employees of the corporation shall not be officers or employees of the United States within the meaning of any statutes of the United States, and the property and moneys belonging to said corporation, acquired from the United States, or from others, shall not be deemed to be the property and moneys of the United States, within the meaning of any statutes of the United States.

The accounts of the corporation shall be audited under the regulations to be prescribed by the Secretary of War, who shall include in his annual report to Congress a detailed statement of the fiscal operations of said corporation.

The Secretary of War may appoint any officer of the War Department or any other person as a director of the corporation, and under regulations to be prescribed by the Secretary of War any officer of the War Department may serve as an officer or employee of the corporation, and may receive such compensation for services rendered to the corporation as the board of directors, with the approval of the Secretary of War, may prescribe: PROVIDED, THAT NO OFFICER SO APPOINTED SHALL RECEIVE TWO SALARIES.

If any clause, sentence, paragraph, or part of this act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

The right to amend, alter, or repeal this act is hereby expressly reserved.

Referring to the above bill of Senator Wadsworth, who would certainly not be charged in any way as a communist, or socialist, or in favor of anything smacking of sovietism, we respectfully call your attention to some of the features to the effect that a Government-owned corporation was to be organized and to sell any of the products manufactured by it at Muscle Shoals not needed by the United States is giving preference to persons engaged in agriculture and giving the Government-owned corporation the power to fix the price of such fertilizers to the ultimate consumers. Furthermore, all surplus funds not immediately used for the operation, construction, or maintenance of the plants was to be invested in bonds or securities of the United States.

Later, on April 10, 1922, Senator NORRIS introduced S. 3420, and attention is respectfully called to the provision of that bill.

[Sixty-seventh Congress, second session. S. 3420. In the Senate of the United States. April 10, 1922. Mr. NORRIS introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry]

A bill to provide for the manufacture of explosives for the use of the Army and Navy, to provide for the manufacture of fertilizer for agricultural purposes, to incorporate the Federal Chemical Corporation, and for other purposes

Be it enacted, etc., That the Secretary of War is hereby authorized and directed to complete the construction of Dams Nos. 2 and 3 in the Tennessee River, at Muscle Shoals, Ala., in accordance with the terms of such project as adopted by the letter of the President dated February 23, 1918, under authority of section 124 of an act entitled "An act for making further and more effectual provisions for the national defense, and for other purposes," approved June 3, 1916; and in order to provide for a larger amount of primary power to be developed at said dams, the Secretary of War is authorized and directed to cause surveys to be made above said dams on the Tennessee River and its tributaries for the purpose of locating storage reservoirs, and if a suitable site or sites can be found upon such investigation, where practical storage reservoirs can be obtained at reasonable cost, the Secretary is directed to take the necessary steps to secure such sites and to build the necessary dams for the impounding of water therein. If the Secretary of War, under authority of this act, constructs one or more dams for the purpose of impounding the waters of said river he shall give due consideration in the construction of such dams to the possibilities of the development of hydroelectric power and to the necessities of navigation.

SEC. 2. That in the construction of said Dam No. 3, or in the construction of other dams or other works provided for in this act, the Secretary of War is hereby authorized to use and to remove any of the temporary buildings now owned by the Government of the United States and erected anywhere in the vicinity of Muscle Shoals or nitrate plants No. 1 or 4, providing the removal of such buildings will not interfere with the operations of the Federal Chemical Corporation as hereinafter set forth.

SEC. 3. That if the Secretary of War should find it advisable and practical to construct storage reservoirs on the Tennessee River or any of its tributaries as hereinbefore provided, and that by virtue thereof the flow of the Tennessee River is equalized and a larger amount of primary power thereby developed, he shall require of any private person, partnership, or corporation maintaining a dam on said river for the development of power, to contribute his or its proportionate share for the construction of said reservoirs, and he is hereby authorized to take the necessary action or actions in court for the purpose of compelling contribution to such development by any person, partnership, or corporation receiving the benefits therefrom; and if the right to dam said river for the purpose of developing hydroelectric power is hereafter given by virtue of any law of the United States, to any person, partnership, or corporation, one of the requirements of said grant shall be that the person, partnership, or corporation, given the privilege to build any such dam, shall pay his or its proportionate share of the expenses of the construction of any such reservoir or reservoirs, either then constructed or thereafter constructed by virtue of this act.

SEC. 4. That there is hereby incorporated and created a corporation by the name, style, and title of "The Federal Chemical Corporation" (hereafter referred to as the corporation). Said corporation shall have perpetual succession and shall have power—

(1) To adopt, use, and alter a corporate seal;

(2) To sue and be sued and to complain and to defend in any court of law and equity within the United States;

(3) To make and enforce such contracts as may be necessary to carry out the provisions of this act;

(4) To appoint and fix the compensation of such employees, attorneys, and agents as are necessary for the transaction of the business of the corporation, to define their duties, require bonds of them, and fix the penalties thereof; but in no case shall any such employee receive a salary in excess of $12,000 per annum;

(5) To prescribe, amend, and repeal by-laws not inconsistent with this act for the conduct of its business; and

(6) To exercise all the rights, powers, and privileges conferred upon it by this act and such additional powers as may be necessary to carry out the provisions of this act.

SEC. 5. That the business of said corporation shall be transacted by a board of directors (hereinafter called the board), consisting of three persons, to be appointed by the President of the United States, by and with the advice and consent of the Senate. Members of said board shall hold their offices during good behavior and shall receive a salary of $7,500 per year, payable monthly: *Provided*, That any member of said board may be removed from office at any time by a concurrent resolution of the House of Representatives and the Senate. No member of said board shall, during his continuance in office, be engaged in any other business but shall give his entire time to the business of said corporation. Said board shall select one of its members as president. It shall select a treasurer and as many assistant treasurers as it deems proper, and such treasurer and assistant treasurers may be corporations or banking institutions and shall give such security for the safekeeping of the moneys of said corporation as the board may require. In the appointment of officials and the selection of employees for said corporation and in the promotion of any such employees or officials no political test or qualifications shall be permitted or given consideration, but all such appointments and promotions shall be given and made on the basis of merit and efficiency. The board shall give publicity to any request, coming from any source, asking for any favor in behalf of any person or the promotion of any employee. Any member of said board who permits the use of political or partisan influence in the selection of any employee, or in the promotion of any such employee of said corporation, or who gives any consideration to political considerations in the official action of said board, or who, knowing that such political influence has been or is attempted, does not give publicity to the same, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not exceeding $1,000 or be imprisoned not to exceed six months, or both such fine and imprisonment, and the conviction of any member of said board of the offense herein defined shall have the effect of removing such member from office.

SEC. 6. That upon the completion of the organization of said corporation the President and the Secretary of War shall turn over to said corporation United States nitrate plants Nos. 1 and 2, erected at Muscle Shoals, Ala., together with all real estate used in connection therewith; all machinery, tools, equipment, accessories, and materials thereunto belonging; all laboratories and plants used as auxiliaries thereto, including the fixed-nitrogen research laboratory at Washington, the Waco quarry in Franklin County, Ala., the Warrior steam plant at Gorgas, Ala., together with the transmission line from Gorgas to Muscle Shoals; the railroad, together with the engines, cars, tools, materials, machine shops, and all accessories used in the operation of said railroad at or near Muscle Shoals, Ala.; and all other power units and transmission lines of the United States used as auxiliaries of the United States nitrate plants Nos. 1 and 2: *Provided, however*, That the transfer of any of the property above described to said corporation shall be subject to such use of said property by the Secretary of War as he may elect in the construction and development of the dams hereinbefore provided for.

As soon as any of the dams herein provided to be constructed by the Secretary of War have been completed the President and the Secretary of War shall turn the same over to said corporation, and thereafter said property shall be in the control and under the management of said corporation. Said corporation shall also have the power and authority to acquire, establish, maintain, and operate such other laboratories and experimental plants as may be deemed necessary or advisable by said corporation to carry out the provisions of this act. It shall have power to establish agencies anywhere in the United States for the sale of its products, and in order to prevent a monopoly of the fertilizer business or the undue and unreasonable advance in the price of fertilizer, it shall have power to manufacture a completed fertilizer ready for use, and, if necessary, to sell the same direct to farmers or to organizations of farmers; and in the sale of chemical parts of fertilizer to manufacturers thereof it shall have power to prescribe the price at which such manufacturer so purchasing any of the corporation's products shall sell the fertilizer to the farmer. It is hereby declared that one of the objects of this act is to regulate the sale of fertilizer to persons engaged in agriculture with a view to preventing the control of the price of such fertilizer by a monopoly or the sale thereof at unreasonable prices.

Said corporation is authorized to negotiate with the Alabama Power Co. for the purpose of settling the difficulties existing between the Government of the United States and the said power company by virtue of the joint ownership of the power plant at Gorgas, Ala.; and it is authorized to sell the interest of the Government of the United States in said plant to the said Alabama Power Co. and to use the money received therefor in the operation of its business as hereinbefore described: *Provided, however*, That no such sale and no such agreement shall be valid or binding until approved by the President of the United States.

SEC. 7. That said corporation shall proceed to remodel nitrate plant No. 1, at Muscle Shoals, Ala., so that the same may be used for the manufacture of explosives and for the manufacture of fertilizer, and proceed to erect the necessary buildings and install the necessary machinery so that nitrate plant No. 2 may be used for the manufacture of fertilizer. It shall be the duty of said board, through the operation of its laboratories and experimental plants, to devise and install improvements in nitrate plants Nos. 1 and 2 as such experiments and developments may, in the judgment of the said board, be deemed advisable.

SEC. 8. That in case all of the power developed at Dams Nos. 2 and 3, and at any other dam or dams constructed by the Secretary of War under the provisions of this act and turned over to the corporation, can not be used to practical advantage and is not necessary for the manufacture of fertilizer or for explosives as herein provided, the board may in its discretion sell any such surplus power so developed to any State, municipality, district, corporation, partnership, or person upon such terms and under such conditions as the board may deem just; and if there is a demand for the purchase of such surplus power from both private and public interests, the board shall give precedence in the sale thereof to States, counties, and municipalities, and if the sale of any such surplus power is made to private individuals, partnerships, or corporations, the board may as one of the conditions of such sale provide in the contract of such sale for the regulation of the price at which any such individual, partnership, or corporation shall charge the consumer in a resale of such power.

SEC. 9. That from time to time the Secretary of War shall notify said board of the approximate amount of explosives that in his judgment will be needed by the Army and Navy, and it shall be the duty of the board to supply the Army and Navy with the amount of explosives so required; and in time of war or at any

other time when in the opinion of the President of the United States war is imminent, the President may take full possession of all of the property herein described and use the same for the manufacture of explosives to be used by the Army and Navy; or, in such case the President may, if he so elects, direct the board to cease either in part or wholly the manufacture of fertilizer and to utilize said property to such extent as he may direct in the operation of explosives. Until such war is ended or in the opinion of the President the danger thereof has passed the said board shall operate said property in accordance with the direction and under the instruction of the President of the United States.

SEC. 10. That the board shall make a full, complete, and detailed report of its operation as soon after the close of each calendar year as possible to the Congress of the United States. In addition to the report so made the Secretary of War shall, at least once each year, make a complete audit of all the accounts and all the financial operations of said corporation, and shall include in his annual report to Congress a detailed statement thereof.

The principal place of business of said corporation shall be established by the board at or near Muscle Shoals, Ala.

Later, on February 1, 1926, Senator SMITH, of South Carolina, introduced a bill in the Senate known as S. 2956, and attention is respectfully called to the provision of that bill.

[Sixty-ninth Congress, first session. S. 2956. In the Senate of the United States, February 1, 1926, Mr. SMITH introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry]

A bill to create a commission for Muscle Shoals, and for other purposes

Be it enacted, etc.,

DECLARATION OF POLICY

SECTION 1. It is hereby declared to be the intention of the Government of the United States to maintain and improve the plants and facilities specified in section 3 of this act and to operate them to the fullest extent in order to further provide for the national defense by insuring an adequate supply of nitrates for use in time of war and to promote agriculture through the development of cheaper commercial fertilizers.

MUSCLE SHOALS COMMISSION

SEC. 2. (a) There is hereby established a commission to be known as the Muscle Shoals commission (hereinafter in this act referred to as the commission) to be composed of the Secretary of War and the Secretary of Agriculture.

(b) The commission shall continue in existence for a period of 10 years unless sooner terminated by act of Congress.

TRANSFER OF PLANTS AND FACILITIES

SEC. 3. The United States nitrate plants Nos. 1 and 2, located, respectively, at Sheffield, Ala., and Muscle Shoals, Ala., together with all real estate and buildings used in connection therewith, all tools, machinery, equipment, accessories, and materials thereunto belonging, and all laboratories and plants used as auxiliaries thereto; the Fixed Nitrogen Research Laboratory, the Waco limestone quarry in Alabama; and Dam No. 2 located in the Tennessee River at Muscle Shoals, its power house, and all of its hydroelectric and operating appurtenances (except the locks), and all machinery, lands, and buildings in connection therewith, are hereby transferred to the commission for use by it in executing the functions vested in it by this act.

FUNCTIONS OF COMMISSION

SEC. 4. In carrying out the provisions of this act all functions vested in the President by the first two paragraphs of section 124 of the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916 (including such of those functions as are now being exercised by the Secretary of War and the Secretary of Agriculture, respectively), shall, subject to the approval of the President, be exercised by the commission.

DEVELOPMENT OF POWER

SEC. 5. (a) The commission is authorized and directed to utilize to the fullest extent the plants and facilities made available to it under section 3, and to construct, maintain, and operate such additional plants and facilities as it considers necessary, for the development of power by steam or water for the purposes specified in section 6. Any excess power developed may be disposed of, under such terms and conditions as the commission may prescribe, to any State or political subdivision thereof, or to any individual, partnership, association, or corporation.

(b) The commission shall give preference, in the disposition of such excess power, to the power requirements of States, political subdivisions of States, and public-service companies.

(c) In order to dispose of such power in the manner which the commission considers most advantageous to the United States and to the public interest, the commission may enter into leases for terms of years, may make contracts, may construct and/or operate either singly or with any State or political subdivision thereof, or any individual, partnership, association, or corporation, transmission lines, or other power project, and do all other acts which it considers necessary to effectuate the purposes of this act.

PRODUCTION OF FERTILIZER

SEC. 6. (a) In order to further develop the art of nitrogen fixation, experiments shall be undertaken to produce mixed fertilizers on a commercial scale, so that the actual cost of such fertilizers may be determined. Fertilizers produced as a result of such experiments shall be offered to farmers, farm organizations, and to dealers at such prices as will cover the cost of production; or in the event that the cost of production of such fertilizers is excessive, they shall be offered at prices which the commission finds fair in order to meet commercial competition. In order that definite results may be obtained in such experiments, the facilities and equipment for each such experiment shall be utilized until it is satisfactorily shown that it is or is not commercially feasible to produce fertilizers by the method or process used in such experiment. The result of each such experiment and a statement of cost and sale prices of the fertilizers so produced shall be reported to Congress in the annual report provided for in section 10.

(b) Whenever the commission determines that it is commercially feasible to produce any such fertilizer, it shall be produced in the largest quantities practicable, and shall be disposed of at the lowest prices practicable, to meet the agricultural demands therefor and to effectuate the purposes of this act.

(c) The commission is authorized to make alterations, modifications, or improvements in existing plants and facilities, to dispose of any part of such facilities, and to construct and operate new plants and facilities in order to properly effectuate the provisions of this section.

MUSCLE SHOALS FUND

SEC. 7. There is hereby established in the Treasury a fund to be known as the "Muscle Shoals fund," and all amounts received by the commission in executing the functions vested in it by this act, together with all amounts appropriated or made available by section 8, shall be covered into such fund, and are reserved, set aside, and appropriated to be available for use by the commission in accordance with the provisions of this act. If at any time the commission determines that there is accumulated in such fund an amount in excess of that necessary to carry out the provisions of this act, such amount shall be covered into the Treasury as miscellaneous receipts.

APPROPRIATIONS

SEC. 8. (a) All unexpended balances of the amount appropriated under section 124 of the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, and all unexpended balances of appropriations made for Muscle Shoals under any act making appropriations for the military and nonmilitary activities of the War Department are hereby transferred to the Muscle Shoals fund and made available for expenditure as are other amounts in such fund.

(b) There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $5,000,000, to be available until expended for the purpose of this act.

PERSONNEL

SEC. 9. (a) The commission may (1) appoint and fix the salaries of such advisers and experts, and, in accordance with the civil-service laws appoint, and, in accordance with the classification act of 1923, fix the compensation of such other officers and employees, and (2) make such expenditures (including expenditures for rent and personal services at the seat of government and elsewhere, for law books, periodicals, and books of reference, and for printing and binding), as may be necessary for the execution of the functions vested in the commission and as may be provided for by the Congress from time to time.

(b) The commission shall, to the extent deemed advisable by it, exercise its functions by and through the Department of War and the Department of Agriculture, and the engineering, technical, clerical, and other personnel of such departments. The Secretary of War and the Secretary of Agriculture shall detail for service with the commission such of the personnel of their respective departments as the commission deems necessary in carrying out the provisions of this act.

ANNUAL REPORT AND REGULATIONS

SEC. 10. (a) The commission shall submit to Congress at the beginning of each regular session a detailed report of its operations for the preceding fiscal year.

(b) The commission is authorized to make such regulations as may be necessary to effectuate the functions vested in it by this act.

PROVISION FOR NATIONAL DEFENSE

SEC. 11. The commission shall utilize the plants and facilities under its jurisdiction and shall dispose of the power developed under authority of section 5 in such manner and subject to the limitation that in the event of a national emergency such plants and facilities and such power shall be immediately available for use by the United States for the national defense.

SHORT TITLE

SEC. 12. This act may be cited as the "Muscle Shoals act of 1926."

Then on April 19, 1926, Senator DENEEN, of Illinois, introduced a bill into the Senate known as S. 4106. Senator DENEEN was chairman of the joint committee of the two Houses of Congress created by joint resolution to try to work out some solution of the leasing problem.

[Sixty-ninth Congress, first session. S. 4106 (Rept. No. 672). In the Senate of the United States, April 19 (calendar day, April 26), 1926. Mr. DENEEN, from the Joint Committee on Muscle Shoals, reported the following bill, which was read the first time April 19 (calendar day, April 26), 1926. Ordered to be printed]

A bill to authorize and direct the Secretary of War to execute a lease with the Muscle Shoals Fertilizer Co. and the Muscle Shoals Power Distributing Co., and for other purposes

Be it enacted, etc., That the Secretary of War is hereby authorized and directed, for and on behalf of the United States of America, to enter into which the Muscle Shoals Fertilizer Co., a corporation organized and existing under the laws of the State of Florida, and the Muscle Shoals Power Distributing Co., a corporation organized and existing under the laws of the State of Florida, a lease in accordance with the terms of the proposal submitted by such corporations to the Joint Committee on Muscle Shoals on April 26, 1926, which proposal reads as follows:

"1. Tennessee Electric Power Co., Chattanooga, Tenn.; Memphis Power & Light Co., Memphis, Tenn.; Mississippi Power Co., Gulfport, Miss.; Mississippi Power & Light Co., Jackson, Miss.; Mississippi Delta Power & Light Co., Greenville, Miss.; Alabama Power Co., Birmingham, Ala.; Gulf Power Co., Pensacola, Fla.; Kentucky Utilities Co., Louisville, Ky.; Gulf Electric Co., Mobile, Ala.; Georgia Railway & Power Co., Atlanta, Ga.; Louisiana Power & Light Co., Monroe, La.; Arkansas Light & Power Co., Pine Bluff, Ark.; and New Orleans Public Service (Inc.), New Orleans, La., have caused to be organized Muscle Shoals Fertilizer Co., hereinafter called the fertilizer company, and Muscle Shoals Power Distributing Co., hereinafter called the power company, for the purpose of making this proposal to lease the nitrate properties of the United States at Muscle Shoals, Ala., and to operate thereon plants for the production of nitrogen and other fertilizer ingredients; and to lease and operate the electric power generating plants of the United States at Muscle Shoals, to provide power at Muscle Shoals for such use as the Government may from time to time require for national defense and as may be required for the production of fertilizer, and to sell surplus power from said power plants to the public through power-distributing companies under regulation of duly constituted public authorities in such a manner that the surplus power shall be equitably distributed between the communities and States to which it may be properly transported.

"The power company will provide $20,000,000 as needed for the construction and operation of the fertilizer plants and facilities, and, in addition, such amount as may be necessary for the development and extension of the leased power plants, which we now estimate will be $40,000,000, or an approximate total of $60,000,000. The entire common stock of the fertilizer company is owned by the power company, and the common stock of the power company will be subscribed by or on behalf of the power companies above named, engaged in public service, and the power company agrees that it will not, unless Congress shall otherwise direct, dispose of the said shares of stock of the fertilizer company, except for the purpose of legally qualifying directors and officers.

"2. The fertilizer company will lease for $1 per year and the considerations hereinafter named, for a period of 50 years, nitrate plant No. 1 and nitrate plant No. 2 at Muscle Shoals, Ala., including all lands, buildings, machinery, fixtures, and equipment, tools and supplies belonging thereto, and the Waco Quarry, the railroad belonging thereto, its buildings and equipment, with the right to make alterations and construct and install plants and equipment thereon; the lease also to include the right, license, and privilege to operate the leased premises and to dispose of the product and to use any and all patents, processes, methods, formulæ, and designs relating to the production of fertilizer or fertilizer materials, the royalties to be paid by the fertilizer company, but the use of which the United States has the legal right to authorize.

"3. In the plants covered by said lease, or in such plant or plants as it may construct on the leased premises or elsewhere, as the Secretary of War and Secretary of Agriculture shall approve, within the radius of the economic transmission of the electric power of Muscle Shoals, the fertilizer company agrees to construct and have ready for operation synthetic ammonia plants to a capacity of 20,000 tons of fixed nitrogen, together with the necessary phosphoric acid plants to be operated in the manufacture of fixed nitrogen, ammonium phosphate, other fertilizer ingredients, and concentrated and/or commercial fertilizers, mixed or unmixed and with or without filler, as the farmer board directs, within six years from the date of the lease, and will operate the same to full capacity as hereinafter provided In case the synthetic process should not produce economic fertilizer as determined by the farmer board and the Secretary of Agriculture after a reasonable trial determined as aforesaid, lessee shall adopt as soon as practicable some other commercially demonstrated, economic, available process that will produce for sale the quantities set out in this section under the terms of this agreement

"The first 10,000-ton unit of fixed nitrogen will be put in operation within three years and the second 10,000-ton unit within three years thereafter. After the above plants of 20,000 tons capacity for the fixation of nitrogen shall have been operated to full capacity for two successive years, then the company will, in response to market demands as determined by the farmer board, construct an additional unit of 10,000 tons and will operate the same to full capacity as hereinafter provided; likewise when the plants of 30,000 tons capacity above provided for have operated to full capacity for two consecutive years, then the company will, in response to market demand, construct an additional unit of 10,000 tons, and will operate the same to full capacity as hereinafter provided, making in total plants capable of fixing annually 40,000 tons of nitrogen in the form of a suitable concentrated fertilizer. The lessee agrees to use all power necessary to accomplish said purpose. These plants will be operated in the manufacture of such fertilizer to meet market demands, as determined by the farmer board, except that whenever fertilizer suitable for agricultural use containing in excess of 5,000 tons of nitrogen remains unsold in storage, the obligation for further manufacture to be suspended until such stock is reduced to below an amount of fertilizer containing 5,000 tons of nitrogen. Such suspension, to be effective, shall be approved by the farmer board and the Secretary of Agriculture.

"With the view of extending the usefulness of the nitrate plants, nitrogen-plant capacity in excess of 40,000 tons will be constructed from time to time after request of the farmer board, when in the judgment of the board of directors of the fertilizer company it is reasonably necessary to meet market demands, having in view the power available from the leased plants and other pertinent conditions.

"Authority shall be granted to the Secretary of War and the Secretary of Agriculture jointly to grant to the power company a discount of 5 per cent or more, as in their judgment shall be appropriate, of the total annual rentals payable under its lease in return for the construction and operation of the plants for the manufacture of nitrogen to be used in fertilizer over and above the 40,000 tons of nitrogen hereinbefore provided for.

"4. The fertilizer company shall have the preferred use of all power from the leased power plants of the Government at Muscle Shoals for the production of nitrogen and other fertilizer ingredients; and all surplus power shall be sold with such reservations as will allow its gradual withdrawal and application to fertilizer manufacture.

"5. The fertilizer company will offer for sale the fertilizer so produced to farmers, cooperative purchasing organizations of farmers, or associations of farmers, and to others. The fertilizer company agrees that it will manufacture and sell fertilizer at cost plus 8 per cent profit; cost to include all costs entering into the operation and maintenance of the leased premises and fertilizer plants, the manufacture, storage, sale, and distribution of fertilizer and including power at cost to the power company, 6 per cent on capital invested by the fertilizer company, less depreciation, and 7½ per cent depreciation annually on the plants erected by the fertilizer company. Cost will be ascertained annually by competent auditors and selling prices approved for the following year based on the cost of the previous year.

"6. The Secretary of Agriculture from time to time shall appoint and remove members of a board of five, to be known as the farmers' Muscle Shoals fertilizer board, to be composed of three representatives of farmers' organizations or associations, such representatives to be persons actually engaged in farming, a representative of the United States Department of Agriculture, and a nominee of the fertilizer company, whose duty will be to prescribe regulations, to be approved by the Secretary of Agriculture, for the sale and territorial distribution of fertilizer products; to provide for an audit and verification of the statements and the books of the fertilizer company of the cost of fertilizer hereunder; to advise with the company as to the price to be charged for fertilizer so as to limit the profit as herein provided and with respect to the production necessary to meet the market demands for fertilizer and such other duties as the lease provides. For such purpose said board shall have access to the books and records of the company. The fertilizer company shall offer for sale such amounts of fertilizer produced to cooperative purchasing organizations or associations of farmers and other agencies and farmers as the board may direct.

"7. The fertilizer company will agree to operate or maintain nitrate plant No. 2 during the term of the lease in its present state of readiness, or its equivalent in respect of capacity for the manufacture of materials necessary in time of war for the production of explosives, reasonable wear and tear, accidents, explosions, and acts of God excepted; such obligation as to operation or maintenance to cease when, in the judgment of the Congress, other plants are erected which have equivalent nitrogen capacity and which render the further maintenance of said plant unnecessary. Any change, alteration, or modification of plant No. 2 shall be subject to the approval of the Secretary of War.

"All property, material, or supplies (other than real estate or permanent buildings) shall be stated by items in a joint inventory at the time the property is transferred under the lease. Any such property which the lessee may designate at any time as not usable or useful for its purposes may, in the discretion of the Secretary of War, be disposed of as the Secretary shall direct, the cash proceeds, if sold, to be paid to the United States.

"8. The United States shall have the right, on five days' written notice to the fertilizer company, to take over and operate in whole or in part all the plants, properties, facilities, and rights of the fertilizer company under this lease, together with the personnel and operating organization of the fertilizer company, on just terms, such terms to be within the spirit of this entire contract, to be fixed by the Secretary of War, subject to review by the courts, for the manufacture of materials necessary for the production of explosives if and whenever the safety of the United States demands. During such period the obligations of the fertilizer company under this lease shall be suspended or modified





proportionately, and at the termination thereof the leased premises shall be returned to the fertilizer company in like condition as when surrendered, ordinary wear and tear excepted.

"9. The power company will lease for a period of 50 years the power project at Dam No. 2, including the hydroelectric and operating equipment and appurtenances thereunto belonging, the spillway gates, transformers, and substations (now installed or to be installed under existing appropriations), the power transmission lines connecting the hydroelectric and steam power plant at nitrate plant No. 2 with the lines of the Alabama Power Co., the steam power plant at nitrate plant No. 2, and the lands and buildings owned by the United States in connection with the hydro and steam plant, except the locks and other navigation facilities and the highway over said dam and the approaches thereto; the lease period to begin when possession of the above-mentioned properties is given to the power company, ready for service capable of delivering 100,000 horsepower from the hydroelectric plant.

"10. The power company, at its own expense, during the lease period will make all necessary renewals and repairs incident to efficient maintenance of the steam plant and of Dam No. 2 and Dam No. 3 if constructed by the United States under the terms of the lease, the spillway gates and transformers and substations, substructures, superstructures, machinery, and equipment appurtenant to the power houses at Dam No. 2 and Dam No. 3, and shall maintain the same in efficient operating condition as required of licensees of the Federal Power Commission, except that repairs and maintenance of the locks and other navigation facilities and the highway over the dams shall be made by and at the expense of the United States.

"The power company will insure and keep the said hydroelectric and steam plants insured to their full insurable value in the manner and to the extent it is customary to insure such plants of like kind, as may be approved by the Secretary of War, all remuneration for loss or damage to be payable to the United States and the power company as their interests may appear and applied to restoring the property injured; and upon the termination of the lease to surrender the properties included in said lease in as good condition as when received, reasonable wear and tear from use, loss, or damage resulting from inherent defects of design or construction, earth or rock movements, and acts of God or the public enemy excepted. All insurance policies shall be subject to the approval of the Secretary of War. The cost of such insurance shall be borne by the company.

"In the event said plants should become inoperative for 30 days or more through no fault of the power company, the rental payment for such period shall be reduced in direct proportion to the reduction in generating capacity resulting from such interruption.

"11. In the interest of national defense, the production of nitrates and other materials essential in time of war and to provide power for the production of fertilizer, the power company will operate or cause to be operated the power plants leased in a manner to secure the greatest efficiency and maximum power output through interconnection with auxiliary storage, steam reserve, and other power plants operated by interconnected power companies; will deliver to the fertilizer company or to the United States in the event such power is required for national defense, at Dam No. 2, or at the steam plant, from the power plants leased hereunder, 3-phase, alternating-current, 60-cycle power required for the production of nitrogen and other fertilizer ingredients by it for such periods, at such reasonable voltage and in such amounts as may be desired, the quantity of power to be delivered not to exceed the total output of the leased plants; and all contracts or agreements between the power company and others for the sale of power from the leased plants shall contain a proviso that said power may be withdrawn on reasonable notice at any time during the lease period if and when said power is needed for the manufacture of fertilizer.

"12. The power company will pay to the United States annually for the existing power properties leased as follows: $600,000 per year for the first 6 years; $1,200,000 per year for the next 6 years; $1,500,000 per year for the next 6 years; $2,000,000 per year for the remaining 32 years.

"And at the option of the United States, to be determined by the Secretary of War and Secretary of Agriculture acting jointly the foregoing annual rentals shall be reduced by 5 per cent in each year following any year in which the fertilizer company sells fertilizer to the capacity of the nitrate plants, which under section 3 it agrees to construct and operate. Said reduction in rentals to be effective for a 5-year period, renewable by the Secretary of War and Secretary of Agriculture acting jointly for 5-year periods.

"In addition to the above payments, the power company will pay $20 per horsepower-year for each additional horsepower of primary power in excess of the present 80,000 horsepower created at Dam No. 2 by headwater storage, such payments to be paid annually as the benefits accrue, not to exceed $1,200,000 per year.

"13. If the United States constructs Dam No. 3 and its hydroelectric plant, the power company shall on its completion lease for a period to terminate with the lease of Dam No. 2, the hydroelectric and operating equipment and appurtenances thereunto belonging, including the spillway gates, transformers, and power-transmission lines, together with the lands and buildings owned or acquired by the United States in connection with said Dam No. 3 and its hydroelectric plant, except the locks and other navigation facilities. The period of the lease of said Dam No. 3 shall begin when possession is given to the power company of the above-mentioned properties, ready for service, capable of delivering 80,000 horsepower.

"14. The power company will pay, as rental for the lease of Dam No. 3, 4 per cent annually of the total cost thereof, the rental not to exceed $1,200,000 per annum, payable at the end of each year, except that for the first three years of operation payments shall be made as follows: For the first year during which 80,000 horsepower is installed and made ready for service, $500,000, or the proper proportion thereof if 80,000 horsepower is not ready for the whole of the first year; $750,000 at the end of each of the two succeeding years; and thereafter increasing to the maximum rental.

"15. In addition to the above payments the power company will pay $20 per horsepower-year for each additional horsepower of primary power in excess of 40,000 horsepower, created at Dam No. 3 by headwater storage, such payments to be paid annually as the benefits accrue, not to exceed $600,000 per year.

"16. The United States may install additional generating, transformer, and switching equipment in the power plants at Dams Nos. 2 and 3 and the steam plant at nitrate plant No. 2, and such additions shall be included under this lease and annual payments to the United States shall be increased by an amount equal to 4 per centum on the cost of the additions: *Provided*, That if the United States does not make such additions the power company may do so at any time at its expense in accordance with plans and specifications to be prepared by the power company and approved by the Secretary of War; and in case such additional units are installed by the power company at Dam No. 2 and at its expense it will pay to the United States $10,000 per year on each unit installed by it in Dam No. 2; and similarly in case additional units are installed by the company at Dam No. 3 at its expense, it will pay to the United States $10,000 per year on each unit so installed of like capacity to those installed in Dam No. 2, or in the event the units installed in Dam No. 3 are of different capacity than those installed in Dam No. 2, then the payment shall be adjusted proportionately. The power company shall also have the right to erect, operate, and maintain additional power lines, substations, and other facilities on lands of the United States necessary for the efficient operation of the power plants and for the transmission of power therefrom.

"17. Operation of the power plants at Dam No. 2 and Dam No. 3, in so far as they affect navigation, and of the locks and other navigation facilities, to be at all times controlled by such reasonable rules and regulations in the interest of navigation and the production of power, including the control of the level of the pool caused by said dam, as may be made from time to time by the Secretary of War.

"The power company shall furnish free of charge necessary power and light for operation of the locks and other navigation facilities at Dam No. 2 and Dam No. 3 and for such lighting facilities as the United States may maintain for the highways over the dams and approaches thereto.

"18. At the end of the lease period, the additional power generating units and other improvements or additions made by the power company shall be taken over by the United States under the terms provided for the recapture of similar facilities under the Federal water power act; all fertilizer plants and buildings and additions to buildings erected on the lands of the United States to revert to the United States on the termination of the lease without compensation.

"19. The power company shall agree that during the period of the lease the officers and directors of the company shall, at all times, be citizens of the United States, and that it will not be owned or controlled by persons who are not citizens of the United States of America.

"20. Whenever the safety of the United States demands, the United States shall have the right, in accordance with the Federal water power act, to take over and operate the projects covered by the lease for any purpose involving the safety of the United States, for such length of time as may appear to the President necessary for such purposes.

"21. The fertilizer company will establish a research and laboratory bureau in connection with its fertilizer operations for the study of methods and processes of producing fertilizer materials and cooperate in such work with State and Federal agencies; from time to time reasonably employ improved methods and processes in its operations; and will agree to take out patents and dedicate to public use such methods, processes, and patents as it may develop in the production of nitrogen or other fertilizer ingredients or compounds without compensation.

"22. The power company will abide by such reasonable regulation of the service to be rendered to customers or consumers of power, and of the rates and charges in payment therefor, as may from time to time be prescribed by any duly constituted agency of the State in which the service is rendered or the rate charged and in case of development, transmission, distribution, sale, or use of power in public service by the power company or its customers engaged in public service within a State which has not authorized and empowered a commission or other agency or agencies within said State to regulate and control the service to be rendered by the power company, or by its customers engaged in public service, or the rates of payment therefor, or the amount or character of securities to be issued by any of said parties, the power company agrees that as a condition of this lease, jurisdiction be conferred upon the Federal Power Commission, upon complaint of any person aggrieved or upon its own initiative, to exer-

cise such regulation and control until such time as the State shall have provided a commission or other authority for such regulation and control, provided that the jurisdiction of the Federal Power Commission shall cease and determine as to each specific matter of regulation and control prescribed in this section as soon as the State shall have provided a commission or other authority for the regulation and control of that specific matter.

"23. The power company to also agree that when said power or any part thereof shall enter into interstate or foreign commerce the rates charged and the service rendered by the power company or by any subsidiary corporation, the stock of which is owned or controlled directly or indirectly by the power company, or by any person, corporation, or association purchasing power from the power company for sale and distribution or use in public service, shall be reasonable, nondiscriminatory, and just to the customer; and whenever any of the States directly concerned have not provided a commission or other authority to enforce the requirements of this section within such State or to regulate and control the amount and character of securities to be issued by any of such parties, or such States are unable to agree through their properly constituted authorities on the services to be rendered or on the rates or charges of payment therefor, or on the amount or character of securities to be issued by any of said parties, that jurisdiction be conferred upon the Federal Power Commission, upon complaint of any person aggrieved, upon the request of any State concerned, or upon its own initiative, to enforce the provisions of this section, to regulate and control so much of the services rendered, and of the rates and charges of payment therefor as constitute interstate or foreign commerce, and to regulate the issuance of securities by the parties included within this section, and securities issued by the lessee subject to such regulations shall be allowed only for the bona fide purpose of financing and conducting the business of the lessees.

"24. In addition to any other remedies that may be possessed by the United States, the power company and the fertilizer company agree that the respective leases shall contain provisions to the effect that the Attorney General may on request of the Secretary of War or of the Secretary of Agriculture institute proceedings as provided in the Federal water power act for the purpose of remedying or correcting by injunction, mandamus, or other process any act of commission or omission in violation of any of the terms of the lease or any provisions of the Federal water power act applicable thereto or of any lawful regulation or order promulgated thereunder, and that in case of the failure of the lessee to comply with any final decree entered in any such proceeding the Attorney General may on request of the Secretary of War or of the Secretary of Agriculture institute proceedings as provided in said Federal water power act for the purpose of revoking the lease. Any decision or determination by said farmer board may be reviewed in an action in equity in the District Court of the United States for the Northern District of Alabama.

"25. Whenever the farmer board and Secretary of Agriculture are of the opinion that the fertilizer company is in default in the matter of producing fertilizer they shall communicate their opinion to the fertilizer company, and if the fertilizer company, in the opinion of the farmer board and Secretary of Agriculture, has not remedied such default upon the expiration of a reasonable period thereafter the farmer board and Secretary of Agriculture may communicate such opinion to the Attorney General. Upon the receipt of such communication the Attorney General shall institute proceedings for the purpose of remedying or correcting such default. If the fertilizer company has not complied with any decree entered in any such proceeding within six months after the date on which such decree has become final, the power company shall at the option of the United States, as declared by the Secretary of War, be held to have defaulted under its lease. In the event of the termination of the power company's lease for any default under its lease, or under the provisions of this section, the United States shall reimburse the power company for the net investment of the power company on the leased property, not exceeding the fair value of its properties.

"26. The power company shall in the interest of public health comply with such reasonable rules and regulations as the State Board of Health of Alabama may from time to time prescribe governing impounded waters.

"27. Housing facilities suitable for the operators of locks, and navigation facilities excluded from this lease, shall be selected by the Secretary of War at the beginning of this lease and such housing facilities shall also be excluded from this lease.

"28. The lease shall be made in favor of the fertilizer company and power company, their successors and assigns, any assignment or transfer of the lease, or of the leased premises, to be subject to such approval as the Congress may by legislation provide.

"MUSCLE SHOALS POWER DISTRIBUTING CO.,
"By THOMAS W. MARTIN, *President*.
"MUSCLE SHOALS FERTILIZER CO.,
"By LOUIS C. JONES, *Vice President*."

SEC. 2. (a) Any proceeding instituted under the provisions of the lease which incorporate the terms of sections 24 and 25 of the proposal, set forth in section 1 of this act, may be brought in the United States District Court for the Northern District of Alabama.

(b) The Federal Power Commission is hereby authorized to exercise such jurisdiction and power and to perform such functions as may be necessary to carry out the provisions of such lease.

(c) The Secretary of War, the Secretary of Agriculture, and the Attorney General are hereby authorized and directed to perform such functions as may be necessary to carry out the provisions of such lease.

SEC. 3. Before executing the lease described in section 1 the Secretary of War shall be satisfied that the power company and/or the fertilizer company have made due financial provisions for the performance of the obligations of said lease.

SEC. 4. This act may be cited as the "Muscle Shoals act of 1926."

On May 3, 1928, Representative SNELL, of New York, introduced House Joint Resolution 2941, which was referred to the Committee on Military Affairs. The attention of all concerned is respectfully invited to all the provisions of that bill and especially that provision in section 5 thereof which grants authority to the President in order to enable him to consider all bids for the sale of power to construction, or to lease transmission lines in any direction from said dam and steam plant either from appropriations made by Congress or from funds secured from the sale of power. The distinguished gentleman from New York has always manifested a liberal and progressive attitude toward the wise, sane, and businesslike solution of the long-standing Muscle Shoals problem. In section 10 of Mr. SNELL's bill authority is conferred upon the Secretary of War, under instruction from the President, to commence the manufacture of cyanamide at nitrate plant No. 2 to ascertain if the nitrogen might be fixed by that method at a cost favorably comparable to other processes, and if successful to continue the manufacture as the market may demand. Section 11 authorizes the Secretary of Agriculture to sell the fertilizer or fertilizer products manufactured by him at a cost to include all operating expenses and 4 per cent on the fair value of the plant employed.

[Seventieth Congress, first session. H. J. Res. 294. In the House of Representatives May 3, 1928. Mr. SNELL introduced the following joint resolution; which was referred to the Committee on Military Affairs and ordered to be printed]

Joint resolution providing for the completion of Dam No. 2 and the steam plant at nitrate plant No. 2 in the vicinity of Muscle Shoals, Ala., for the manufacture and distribution of fertilizers, for the sale of surplus power, and for other purposes

Resolved, etc., That it is hereby declared to be the policy of the Congress in regard to the properties at Muscle Shoals, Ala.—

(1) To utilize the power facilities of such properties so as to produce the highest practicable annual revenue to the United States.

(2) To use said annual revenues, or such part thereof as may be considered desirable, for the development of methods of nitrogen fixation in the interest of national defense and for the production and distribution of concentrated fertilizers and the promotion of their use.

SEC. 2. The President, acting through the Secretary of War and the Chief of Engineers, is hereby authorized to enter into a contract or contracts for the sale of power from Dam No. 2 and from the steam plant at nitrate plant No. 2 in the vicinity of Muscle Shoals, Ala., in accordance with the policies outlined above and under the conditions set forth in the following sections for a period not exceeding five years.

SEC. 3. The facilities and equipment used for the generation and delivery of such power shall be operated and maintained under the direction of the Secretary of War and the supervision of the Chief of Engineers, the cost of such operation and maintenance to be paid from revenues derived from the sale of power.

SEC. 4. Contract or contracts may be entered into for the sale of firm primary power to the prime capacity of the two plants above mentioned except for a continuous output of 15,000 kilowatts which shall be reserved for the Secretary of Agriculture for the manufacture of fertilizer under the conditions set forth hereafter. If at any time the Secretary of Agriculture determines that all or part of the primary power so reserved is no longer required, such power may be sold under the same conditions as those applying to the sale of other primary power. Contracts may be entered into for the sale of secondary power in such amounts as may be available including the power reserved for the Secretary of Agriculture but not used.

SEC. 5. Power shall be metered at the generated voltage and shall be delivered at that voltage or at 110,000 or 154,000 volts at the option of the contractor. Delivery shall be made at the switch yard of one of the generating plants. Right of way over Government-owned property for the construction of lines for the transmission of power purchased under contract shall be granted free of charge during the term of such contract. The location of such transmission lines shall be designated by the Secretary of War, upon the recommendation of the Chief of Engineers. In order that the President may be in a position to consider all bids for the sale of power, authority is hereby expressly granted for the construction or lease of transmission lines in any direction from said dam and steam plant either from appropriations made by Congress or from funds secured from the sale of power.

SEC. 6. The rates to be charged for power shall be such as to produce the largest reasonable net return on the money invested in the power properties which shall be considered as $49,000,000 for the plants with their existing capacities, to wit, $37,000,000 of Dam No. 2 and $12,000,000 for the steam plant. For the purpose of computing the net return the power reserved for use by the Secretary of Agriculture shall be considered to have a value equal to the average contract price for other primary power.

SEC. 7. Contractors purchasing power under this act shall guarantee to the satisfaction of the Secretary of War to pay each year for the entire amount of primary power contracted for whether used or not, and the daily, weekly, monthly, and yearly load factors as agreed upon and set forth in the contracts shall be maintained so that the power during the low-flow periods may be equitably distributed among the various contractors.

SEC. 8. If the President shall deem it advisable and profitable, he is authorized at his discretion to direct the Secretary of War to complete or enlarge the steam plant at nitrate plant No. 2 by adding other power units and to install at Dam No. 2 any or all of the additional generating units contemplated by the original design. Any funds heretofore or hereafter appropriated for work in connection with the purposes of this act, or funds derived from the sale of power, may be applied to such additional installation.

SEC. 9. The President, through the Secretary of Agriculture, is hereby authorized, within the limits of appropriations made by Congress, to construct, maintain, and operate, on the site of nitrate plant No. 1, an experimental and/or production plant or plants for the development of methods of nitrogen fixation and for the manufacture of fertilizer or fertilizer products in such quantities as he may deem advisable. For this purpose nitrate plant No. 1, including the steam power plant and all buildings, equipment, and dwellings in connection therewith, which he may desire, shall be transferred to the Secretary of Agriculture who is hereby authorized to make such alterations, repairs, and additions as may be necessary to carry out the provisions of this act, subject to the proviso contained in section 12.

SEC. 10. Subject to the instructions of the President, the Secretary of Agriculture is hereby authorized and directed to commence the manufacture of cyanamide by the use of one unit of nitrate plant No. 2 as soon as practicable and to construct and operate such facilities as may be necessary to demonstrate the adaptability of this method of nitrogen fixation for fertilizer purposes. This plant shall be operated at the capacity of one unit for a period sufficient to determine whether or not fertilizer can be manufactured by this process at a cost favorably comparable with other processes and whether a market can be established for its use. If the cyanamide process proves to be successful and production costs are no higher than those for other forms of fertilizers, the President, at his discretion and as the market demands, may direct the Secretary of Agriculture to increase the production from nitrate plant No. 2 to the full capacity of such plant or any suitable fraction thereof.

SEC. 11. The Secretary of Agriculture is hereby authorized to dispose of the fertilizer or fertilizer products manufactured at any of the plants hereinbefore mentioned. During the term of experimental operation, the price of such products shall, if practicable, be so regulated so as to afford a return covering the cost of production including a reasonable rate of interest on the investment in plant and equipment, but in any event such as to insure their prompt disposal and use. Accurate records shall be kept so that the actual cost of producing fertilizer commercially under the methods followed may be determined at the conclusion of experimental operation. If production be continued as provided for in this act, the product shall be sold at rates sufficient to cover the entire cost of production, including interest at 4 per cent on the fair value to the facilities used.

SEC. 12. Facilities and equipment at nitrate plant No. 1 or nitrate plant No. 2 not required by the Secretary of Agriculture in carrying out the provisions of this act may be disposed of by the Secretary of War with the approval of the President, by sale or lease or both: *Provided*, That the plants for producing nitric acid from ammonia and for combining nitric acid and ammonia for the production of ammonium nitrate shall, in the interests of national defense, be kept intact and shall be maintained in efficient operating condition by the Secretary of Agriculture until such time as the Secretary of War shall certify that they are no longer needed for the production of munitions of war.

SEC. 13. Revenue received from the sale of power and from the sale of fertilizer under this act, over and above the cost of operation, maintenance, and new construction herein authorized and funds derived from the disposal of facilities as provided for in section 12, shall be deposited in the Treasury of the United States.

SEC. 14. All contracts or other agreements made under the provisions of this act shall be made subject to termination in the event of emergency, when in the opinion of the President national welfare or safety requires.

Senator NORRIS introduced into the Senate Senate Joint Resolution 46, to which attention is respectfully called.

[Senate Joint Resolution 46, Seventieth Congress, first session]

Joint resolution providing for the completion of Dam No. 2 and the steam plant at nitrate plant No. 2 in the vicinity of Muscle Shoals for the manufacture and distribution of fertilizer, and for other purposes

Resolved, etc., That the Secretary of War is hereby empowered and directed to complete Dam No. 2 at Muscle Shoals, Ala., and the steam plant at nitrate plant No. 2, in the vicinity of Muscle Shoals, by installing in Dam No. 2 the additional power units according to the plans and specifications of said dam, and the additional power unit in the steam plant at nitrate plant No. 2: *Provided*, That the Secretary of War shall not install the additional power unit in said steam plant until after investigation he shall be satisfied that the foundation of said steam plant is sufficiently stable or has been made sufficiently stable to sustain the additional weight made necessary by such installation.

SEC. 2. The Secretary of Agriculture is hereby authorized and directed, within the limits of appropriations made by Congress from the fund hereinafter provided for or from the Treasury of the United States

(a) To construct, maintain, and operate experimental or production plants anywhere in the United States for the manufacture and distribution of fertilizer or any of the ingredients comprising fertilizer;

(b) To contract with commercial producers for the production of such fertilizers or fertilizer materials as may be needed in the Government's program of development and introduction in excess of that produced by Government plants. Such contracts may provide either for outright purchase by the Government or only for the payment of carrying charges on special materials manufactured at the Government's request for its program;

(c) To arrange with farmers and farm organizations for large-scale practical use of the new forms of fertilizers under conditions permitting an accurate measure of the economic return they produce;

(d) To contract with said farmers and farm organizations to pay the special costs and losses, if any, sustained by them as a direct result of such large-scale use of the new fertilizer or fertilizer practices during the initial or experimental period of their introduction;

(e) Whenever the secretary determines that it is commercially feasible to produce any such fertilizer, it shall be produced in the largest quantities practicable, and shall be disposed of at the lowest prices practicable, to meet the agricultural demands therefor, and to effectuate the purposes of this act;

(f) The secretary is authorized to make alterations, modifications, or improvements in existing plants and facilities and to construct and operate new plants and facilities in order to effectuate properly the provisions of this section.

SEC. 3. The Secretary of Agriculture in carrying out the purposes of this act shall locate a fertilizer plant in the vicinity of Muscle Shoals in Alabama and there shall be turned over to him the nitrate plants together with the steam plant at nitrate plant No. 1 connected therewith and such other buildings, houses, and shops there located as shall be necessary for the secretary and his employees in the construction and maintenance and operation of such plants; and, when such fertilizer plant is thus located and established in the vicinity of Muscle Shoals, all the power necessary for the requirements of said plant shall be supplied from said steam plant located at nitrate plant No. 2 or from Dam No. 2.

SEC. 4. The Secretary of Agriculture is authorized and directed to utilize nitrate plant No. 2 for experiments in the production of fertilizers by the use of the cyanimide process, to determine whether it is or is not commercially feasible to produce fertilizers by such process. If the Secretary of Agriculture determines that it is commercially feasible to produce fertilizers by the cyanimide process, then such plant shall be used for the production of fertilizers by such process in the largest quantities practicable and the fertilizers so produced shall be disposed of at the lowest prices practicable, to meet the agricultural demands therefor and effectuate the purposes of this resolution. In the utilization of nitrate plant No. 2 the Secretary of Agriculture shall avail himself of power in the same manner as provided in section 8.

SEC. 5. Revenue obtained from the sale of fertilizer or fertilizer materials shall be paid into the Treasury of the United States and shall become a part of the special fund hereinafter provided.

SEC. 6. The Secretary of War is hereby empowered and authorized to sell the surplus current not used in fertilizer operations and for operation of locks and other works generated at said steam plant and said dam to States, counties, municipalities, corporations, partnerships, or individuals, according to the policies hereinafter set forth, and to carry out said authority the Secretary of War is authorized to enter into contracts for such sale for a term not exceeding 10 years and in the sale of such current by the Secretary of War he shall give preference to States, counties, or municipalities purchasing said current for distribution to citizens and customers.

SEC. 7. It is hereby declared to be the policy of the Government to distribute the surplus current generated at Muscle Shoals equitably among the States within transmission distance of Muscle Shoals.

SEC. 8. In order to place the Secretary of War upon a fair basis for making such contracts and for receiving bids for the sale of such current, he is hereby expressly authorized, either from appropriations made by Congress or from funds secured from the sale of such current, to construct, lease, or authorize the construction of transmission lines within transmission distance in any direction from said dam No. 2 and said steam plant: *Provided*, That if any State, county, municipality, or other public or cooperative organization of citizens or farmers, not organized or doing business for profit, but for the purpose of supplying electricity to its own citizens or members, or any two or more of such municipalities or organizations, shall construct or agree to construct a transmission line to Muscle Shoals, the Secretary of War is hereby authorized and directed to contract with such State, county, municipality, or

other organization, or two or more of them, for the sale of electricity for a term not exceeding 15 years, and in any such case the Secretary of War shall give to such State, county, municipality, or other organization ample time to fully comply with any local law now in existence or hereafter enacted providing for the necessary legal authority for such State, county, municipality, or other organization to contract with the Secretary of War for such electricity: *And provided further*, That any surplus power not so sold as above provided to States, counties, municipalities, or other said organizations, before the Secretary of War shall sell the same to any person or corporation engaged in the distribution and resale of electricity for profit, he shall require said person or corporation to agree that any resale of such electric power by said person or corporation shall be sold to the ultimate consumer of such electric power at a price that shall not exceed an amount fixed as reasonable, just, and fair by the Federal Power Commission; and in case of any such sale if an amount is charged the ultimate consumer which is in excess of the price so deemed to be just, reasonable, and fair by the Federal Power Commission, the contract for such sale between the Secretary of War and such distributor of electricity shall be declared null and void and the same shall be canceled by the Secretary of War.

SEC. 9. The money received by the Secretary of War for the sale of such current, after deducting the cost of operation, maintenance, depreciation, and the cost of constructing transmission lines, if any, shall be paid into the Treasury of the United States, and the same shall be segregated and set aside as a special fund for developing, manufacturing, and introducing improved fertilizers and fertilizer practices for the purpose of reducing the cost and increasing the efficiency and use of fertilizers on American soils.

SEC. 10. Both the Secretary of War and the Secretary of Agriculture shall report in detail to Congress, on the first Monday in December of each year, their operations under this joint resolution.

SEC. 11. In order that the Secretary of Agriculture may not be delayed in carrying out the program authorized herein the sum of $10,000,000 is hereby authorized to be appropriated for that purpose from the Treasury of the United States.

SEC. 12. The Government of the United States hereby reserves the right, in case of war, to take possession of all or any part of the property described or referred to in this act for the purpose of manufacturing explosives or for other war purposes; but, if this option is exercised by the Government, it shall pay the reasonable and fair damages that may be suffered by any party whose contract for the purchase of current is thereby violated.

That resolution passed the Senate and came to the House of Representatives and was by the Speaker referred to the Committee on Military Affairs. Both Senator NORRIS and Senator MCKELLAR appeared before the House committee in support of that joint resolution. While the committee had under consideration Senate Joint Resolution 46 I offered to the committee an amendment by way of substitute, and that amendment appears in the form of a committee print and was in the following language:

[Seventieth Congress, first session. S. J. Res. 46. Amendment offered by Mr. MCSWAIN]

ORGANIZATION OF CORPORATION

For the purpose of providing for the common defense, and promoting the general welfare, and to regulate interstate commerce, and to aid in the control of destructive flood waters in the Tennessee River and Mississippi River Basins, and for agricultural and industrial development, and for the purpose of maintaining and operating the properties now owned and to be acquired by the United States in the vicinity of Muscle Shoals, Ala., or elsewhere, for use in connection therewith, there is hereby created a body corporate by the name of the "Muscle Shoals Corporation" (hereinafter referred to as the corporation). The board of directors first appointed shall be deemed the incorporators and the incorporation shall be held effected from the date of the first meeting of the board. This act may be cited as the "Muscle Shoals act of 1928."

BOARD OF DIRECTORS AND OFFICERS

SEC. 2. (a) The board of directors of the corporation (hereinafter referred to as the board) shall be composed of five individuals to be appointed by the President, by and with the advice and consent of the Senate, and when at least three directors shall have been confirmed, any one of such three or more shall call the first meeting of said board, and at such meeting the board shall organize by electing a chairman, vice chairman, and other officers, agents, and employees, and shall proceed to carry out the provisions of this act.

(b) The terms of office of the members first taking office after the approval of this act shall expire as designated by the President at the time of nomination, one at the end of the second year, one at the end of the fourth year, one at the end of the sixth year, one at the end of the eighth year, and one at the end of the tenth year after date of the approval of this act. A successor to a member of the board shall be appointed in the same manner as the original members and shall have a term of office expiring 10 years from the date of the expiration of the term for which his predecessor was appointed, and any member may be removed from office on a concurrent resolution of Congress.

(c) Any member appointed to fill a vacancy in the board occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term.

(d) Any member of the board in office at the expiration of the term for which he was appointed may continue in office until his successor takes office.

(e) Vacancies in the board shall not impair the powers of the remaining members to execute the functions of the board, and a majority of the members in office shall constitute a quorum for the transaction of the business of the board.

(f) Each of the members of the board shall be a citizen of the United States, and shall receive compensation at the rate of $25 per day for each day, not to exceed 100 days for the first year after the date of the approval of this act, and not exceeding 50 days for each year thereafter only for days actually engaged in the performance of the functions vested in the board. Members of the board shall be reimbursed from the corporation for actual expenses (including traveling and subsistence expenses) incurred by them while in the performance of the functions vested in the board by this act.

(g) The board shall direct the exercise of all the powers of the corporation.

(h) At least three members of the board of directors shall be farmers, and all members of the board shall be persons that profess a belief in the feasibility and wisdom, having in view the national defense and the continuity of interstate and foreign commerce, of producing fertilizers under this act of such kinds and at such prices as to induce the reasonable expectation that the farmers will buy said fertilizers, and that by reason thereof the corporation may be a going and continuing success.

SEC. 3. (a) The chief executive officer of the corporation shall be a general manager, who shall be responsible to the board for the efficient conduct of the business of the corporation. The board shall appoint the general manager, and shall select a man for such appointment who has demonstrated his capacity as an executive in the industrial world. The general manager shall be appointed to hold office for 10 years, but he may be removed by the board for good cause. Should the office of general manager become vacant for any reason, the directors shall appoint his successor as herein first provided.

(b) The general manager shall appoint with the advice and consent of the board, two assistant managers who shall be responsible to him, and through him to the board. One of the assistant managers shall be a man possessed of knowledge, training, and experience to render him competent and expert in the field of nitrogen fixation. The other assistant manager shall be a man trained and experienced in the field of production and distribution of hydroelectric power. The general manager may at any time, for good cause, remove any assistant superintendent, and appoint his successor as above provided. He shall immediately thereafter make a report of such action to the board, giving in detail the reason therefor. He shall employ, with the approval of the board, all other agents, clerks, attorneys, employees, and laborers.

(c) The combined salaries of the superintendent and the assistant superintendents shall not exceed the sum of $50,000 per annum.

(d) A director, officer, or employee of the corporation, while acting as such, shall not be held to be an officer, employee, or agent of the United States.

CAPITAL STOCK

SEC. 4. (a) The capital stock of the corporation shall be $100,000,000, of which $75,000,000 shall be deemed to be in consideration of the existing properties hereby vested in the corporation under this act. The remaining $25,000,000 is hereby subscribed by the United States, to be paid in cash. The amount of such subscription shall be subject to call by the board, in amounts of $100,000 or multiples thereof as made available by appropriation. Upon such call the Secretary of the Treasury is authorized to pay to the corporation the amount so called. There is hereby authorized to be appropriated to carry out the provisions of this act, the sum of $25,000,000 for the payment of such subscription. A certificate representing the ownership of $75,000,000 of the capital stock of the corporation shall be issued by the corporation to the United States and delivered to the Secretary of the Treasury, and, upon payment of any part of the amount subscribed by the United States, certificates of $100,000 or multiples thereof representing the ownership of capital stock in the amount of such payment shall be issued by the corporation to the United States and delivered to the Secretary of the Treasury.

(b) Dividends may be paid upon the capital stock, but only in cash from net profits, and then only when the board deems such profits unnecessary to the efficient conduct of the business of the corporation and impossible of practical use in the carrying out of the provisions of this act. In this connection special consideration shall be given to the use of any profits toward greater and cheaper production of fertilizers by any means which seems feasible. Such dividends, if and when paid, shall be covered into the Treasury as a segregated and special fund for promoting agriculture, providing for the common defense and general welfare.

GENERAL POWERS

SEC. 5. Except as otherwise specifically provided in this act, the corporation—

(a) Shall have succession in its corporate name.

(b) May sue and be sued in its corporate name.

(c) May adopt and use a corporate seal, which shall be judicially noticed.

(d) May make contracts, but only as herein provided.

(e) May adopt, amend, and repeal by-laws.

(f) May purchase or lease and hold such personal property as it deems necessary or convenient in the transaction of its business, and may dispose of any such personal property held by it.

(g) May purchase or lease such real property as it deems necessary or convenient in the transaction of its business and may dispose of such leases, but shall not convey real estate except by consent of Congress.

(h) May fix the compensation of such officers, employees, attorneys, and agents as are necessary for the transaction of its business, define generally their duties, require bonds of them and fix the penalties thereof, and dismiss at pleasure any such officer, employee, attorney, or agent, and provide a system of organization to fix responsibility and promote efficiency.

(i) The board of directors shall require that the general manager and the two assistant managers, the secretary and the treasurer, the bookkeeper or bookkeepers, and such other administrative and executive officers as the board may see fit to include, shall execute and file before entering upon their several offices good and sufficient surety bonds, in such amount and with such surety as the board shall approve.

(j) Shall have all necessary or proper power to carry out the purposes of the corporation herein provided, and shall have all such powers as may be necessary or appropriate for the exercise of the powers specifically conferred upon the corporation.

SPECIAL POWERS

SEC. 6. The corporation is authorized and directed—

(a) To hold, maintain, operate, and develop to the fullest extent all the properties hereby transferred to it for the purpose of producing and selling nitrogen and nitrogen products for agricultural and military uses, and for the purpose of supplying electric power to available markets, and to construct, maintain, and operate such additional plants and facilities upon such properties as it considers necessary for such production and sale.

(b) To manufacture, distribute, and sell fertilizers, and/or any essential ingredient thereof.

(c) Upon the requisition of the Secretary of War or the Secretary of the Navy to manufacture for and sell at cost to the United States explosives and/or their nitrogenous content.

(d) To produce, distribute, and sell electric power.

(e) To establish, maintain, and operate laboratories and experimental plants, in electric furnaces, eletrochemistry and chemistry generally, and to undertake experiments for the purpose of enabling the corporation to furnish nitrogen products for military and agricultural purposes in the most economical manner and at the highest standard of efficiency.

SELLING METHODS AND PRICES

SEC. 7. (a) Surplus electric power sold by the corporation to the consuming public shall be sold to States, counties, municipalities, corporations, partnerships, or individuals in such manner and at such price as the board may deem expedient, giving preference in the order named. The corporation shall have the authority to acquire, by construction or otherwise, transmission lines for the distribution of its power, or may sell power at the plant to those who have or will provide facilities for its distribution. Preference shall be given to States, counties, and municipalities who will distribute power to their citizens.

(b) The selling price of nitrogen products produced and sold by the corporation shall be fixed from time to time by the board. This price shall be the price to the ultimate consumer. Sales through intermediaries shall be under contracts through which the fixed price to the ultimate consumer shall be preserved. The basis for the determination of the price shall be all charged properly attributable to the production, marketing, and distribution of the particular product, both direct and indirect, including such items as are necessary to render and maintain the business of the corporation permanently self-supporting. There shall be considered a reasonable margin of safety in the operation of the business.

(c) It shall be the purpose of the corporation to provide plant food in abundance for American agriculturists at as reasonably low cost as possible, and net profits derived from the sale of surplus electric power as provided by this act shall be used toward that end. No nitrogen products of the corporation shall be sold for use outside of the United States and her Territories, except to the United States Government for the use of its Army and Navy or to its allies in case of war.

(d) The board shall sell the fertilizer, or the fertilizer ingredients, produced under the authority of this act for the first five years of operation at actual cost, and all sales shall be for cash in advance free on board the cars at Muscle Shoals or at any other point of shipment where there is a concentration or distribution plant, warehouse, or agency, and preference shall be given in sales, distribution, and shipments to the purchases by farmers and farm organizations for the use of members, then to States and State agencies for resale to farmers, and the demands of these two groups having been satisfied, to private manufacturers, mixers, and merchants of fertilizers.

After the first five years of operation under this act, then the board shall manufacture and sell fertilizers at cost, plus 8 per cent additional, and all profits arising by reason of said addition shall be paid into the Treasury of the United States and covered into the general funds, but the same shall be earmarked and segregated and accounted for as a special fund for the amortizing of the investments of the Government in the entire Muscle Shoals project.

(e) The board shall commence the manufacture of concentrated fertilizers at Muscle Shoals by the employment of existing facilities using the cyanamide process, but shall have power to employ also any other process or processes that in its judgment shall appear wise and profitable for the fixation of atmospheric nitrogen and shall have power to construct and operate plants either at or near Muscle Shoals or at such other convenient and suitable place or places in the United States as to the board may seem wise for the production of phosphoric acid and of potash to be combined with nitrates and nitrogenous products in the manufacture of a complete fertilizer, but it shall be at the discretion of the board as to just how and when these powers shall be exercised as to plants elsewhere than Muscle Shoals.

(f) For the first five years of the operation the authority of this act, the board, shall donate not exceeding 5 per cent of the total product of the plant or plants operated by it to the extension service of the Department of Agriculture to be fairly and equitably distributed as the said board of directors may direct for experimentation, education, and introduction of the use of said fertilizers in cooperation with practical farmers so as to obtain information as to the value, effect, and best methods of use of said fertilizers. If at the end of any fiscal year there shall be on hand, unsold, more than 25 per cent of the product of the plant or plants operating by authority of this act, then the board shall have power, if unanimously approved by all of the members of the board in writing, to donate to said extension service of the Department of Agriculture for distribution as herein directed of an additional 10 per cent of the total annual product of said plant or plants from such unsold surplus; but the cost of all fertilizers donated under and by authority of this section shall be carried on the books and at the commencement of the second 5-year period of operation under this act shall be distributed equally between the five years constituting the second 5-year period as one of the cost factors to determine the price of such fertilizers.

(g) The board shall require a careful and scrutinizing audit and accounting by a reputable firm of certified public accountants during each fiscal year of operation under this act, and said audit shall be open to inspection to the public at all times and copies thereof shall be filed in the principal office of the Muscle Shoals corporation and in its branch office at Muscle Shoals in the State of Alabama and in the office of the Secretary of Agriculture. But the President of the United States shall have power, and it shall be his duty, at all times upon the written request of at least two members of the board of directors of the corporation, or upon the request of the Secretary of Agriculture, the Secretary of War, and the Secretary of Commerce combining in a written request, to appoint a firm of certified public accountants of his own choice and selection which shall have free and open access to all books, accounts, plants, warehouses, offices, and all other purpose, places, and records, belonging to or under the control of or used by the corporation in connection with the business authorized by this act. And the expenses of such audit so directed by the President shall be paid by the board of directors and charged as part of the operating expenses of the corporation.

(h) The board of directors shall have power to request the assistance and advice of the War Department and of the Department of Agriculture and of the Department of Commerce and of any officer, agent, or employee of any of said departments or of any other department, to enable the corporation the better to carry on its power successfully, and the President shall, if in his opinion the public interest, service, and economy so require, direct that such assistance, advice, and service be rendered to the corporation, and that any individual that may be by the President directed to render such assistance, advice, and service, shall be thereafter subject to the orders, rules, and regulations of the board of directors and of the general manager.

(i) The board shall have power and authority to consider the advisability and feasibility of manufacturing by-products in connection with the manufacture of fertilizers so as to bring about the greatest economies. The board of directors shall further have the power and authority to buy one or more ingredients of commercial fertilizers and to mix the same with any other ingredient or ingredients manufactured by the corporation at any mixing plant or plants, or factory or warehouse or concentration place or places that may be purchased or leased or constructed by the board for the use of the corporation at any place in the United States.

(j) The board shall operate the steam plant as the same now is and are and as the same shall be when additional units shall be added to the steam plant, so that power derived from said steam plant or any other steam plant, leased or constructed, may be used in connection with hydroelectric power produced at any dam or dams belonging to the corporation, so that the secondary power from the variable and fluctuating volume of water in the river may be converted into prime or first power.

The board of directors may, in their discretion, purchase, construct, or lease, at not exceeding five concentration points in the United States, mixing plants so as to reduce ultimate costs of commercial fertilizer to the farmers by eliminating unnecessary transportation charges, and to instruct and inform farmers in the use of concentrated fertilizers by publishing appropriate literature and by appointing agents to instruct the Extension Service of the Department of Agriculture in the use of concentrated fertilizers, who, in turn, shall instruct the farmers.

PROPERTY

SEC. 8. In order to permit the corporation to exercise the powers vested in it by this act—

(a) All the right, title, and interest of the United States in and to the United States nitrate plants Nos. 1 and 2, located, respectively, at Sheffield, Ala., and Muscle Shoals, Ala., together with all real estate and buildings connected therewith, all tools and machinery, equipment, accessories, and materials belonging thereto, and all laboratories and plants used as auxiliaries thereto; the fixed-nitrogen research laboratory, the Waco limestone quarry, in Alabama, and Dam No. 2, located in the Tennessee River at Muscle Shoals, its power house, and all hydroelectric and operating appurtenances (except the locks), and all machinery, lands, and buildings in connection therewith, is hereby transferred to the corporation and all appurtenances thereof.

(b) The President of the United States is authorized to provide for the transfer to the corporation of such other real and/or personal property of the United States as he may from time to time deem necessary and proper for the purposes of the corporation as herein stated.

SEC. 9. (a) The corporation shall maintain its principal office in the District of Columbia, and a branch office in the immediate vicinity of Muscle Shoals, Ala., and may establish such agencies or branch offices at such other places as it deems advisable. The corporation shall be held to be an inhabitant and resident of the District of Columbia, and of the northern judicial district of Alabama within the meaning of the laws of the United States relating to venue of civil suits.

(b) The corporation shall at all times maintain complete and accurate books of accounts.

(c) The Comptroller General of the United States shall, once during each year, and without expense to the corporation, make a complete audit of its books, and publish as soon as practicable after each audit a statement of the financial condition of the corporation in one daily paper in each Federal reserve district. Such audits shall be solely for the purpose of obtaining information for such statements.

REPORTS

SEC. 10. The board shall file with the President and with the Congress, in December of each year, a financial statement and a complete report as to the business of the corporation covering the year immediately preceding.

PENALTIES

SEC. 11. (a) All general penal statutes relating to the embezzlement, conversion, or to the improper handling, retention, use, or disposal of public moneys of the United States shall apply to moneys of the corporation while in the custody of any officer, employee, or agent of the corporation or of the United States.

(b) Any person who, with intent to defraud the corporation, or to deceive any director or officer of the corporation or any officer or employee of the United States (1) makes any false entry in any book of the corporation, or (2) makes any false report or statement for the corporation, shall, upon conviction thereof, be fined not more than $10,000 or imprisoned not more than five years, or both.

(c) Any person who shall receive any compensation, rebate, or reward, or shall enter into any conspiracy, collusion, or agreement, express or implied, with intent to defraud the corporation or to defeat its purposes, shall, on conviction thereof, be fined not more than $100,000 or imprisoned not more than 15 years, or both.

SEC. 12. No director shall have any financial interest in any public-utility corporation engaged in the business of distributing and selling power to the public nor in any corporation engaged in the manufacture, mixing, selling, or distribution of commercial fertilizers, or any ingredients thereof, nor shall any member have any interest in any business that may be unjustly and adversely affected by the success of the Muscle Shoals project as a producer of concentrated fertilizers, but the members of the board of directors are not expected to devote their entire time to the business of the corporation but shall attend the meetings called by the chairman of the board, or at the regular request of any two members of the board, and shall devote to promoting the success of the corporation their best judgment as derived from their several business experiences.

SEC. 13. The Government of the United States hereby reserves the right, in case of war, or national emergency declared by Congress, to take possession of all or any part of the property described or referred to in this act for the purpose of manufacturing explosives or for other war purposes; but, if this right is exercised by the Government, it shall pay the reasonable and fair damages that may be suffered by any party whose contract, for the purchase of current or fertilizers or fertilizer ingredients, is thereby violated.

SEC. 14. The board is hereby empowered and authorized to sell the surplus current not used in fertilizer operations and for operation of any locks at the dams or any hydraulic lift and other works generated at said steam plant and said dam to States, counties, municipalities, corporations, partnerships, or individuals, giving preference in the order named according to the policies hereinafter set forth, and to carry out said authority the Secretary of War is authorized to enter into contracts for such sale for a term not exceeding 10 years and in the sale of such current by the Secretary of War he shall give preference to States, counties, or municipalities purchasing said current for distribution to citizens and customers.

SEC. 15. It is hereby declared to be the policy of the Government to distribute the surplus current generated at Muscle Shoals equitably among the States within transmission distance of Muscle Shoals.

SEC. 16. In order to place the corporation upon a fair basis for making such contracts and for receiving bids for the sale of such current, he is hereby expressly authorized, either from appropriations made by Congress or from funds secured from the sale of such current, to construct, lease, or authorize the construction of transmission lines within transmission distance in any direction from said Dam No. 2 and said steam plant: *Provided*, That if any State, county, municipality, or other public or cooperative organization of citizens or farmers, not organized or doing business for profit but for the purpose of supplying electricity to its own citizens or members, or any two or more of such municipalities or organizations, shall construct or agree to construct a transmission line to Muscle Shoals, the corporation is hereby authorized and directed to contract with such State, county, municipality, or other organization, or two or more of them, for the sale of electricity for a term not exceeding 15 years; and in any such case the Secretary of War shall give to such State, county, municipality, or other organization ample time to fully comply with any local law now in existence or hereafter enacted providing for the necessary legal authority for such State, county, municipality, or other organization to contract with the Secretary of War for such electricity.

SEC. 17. The money received by the Secretary of War for the sale of such current, after deducting the cost of operation, maintenance, depreciation, and the cost of constructing transmission lines, if any, shall be paid into the Treasury of the United States, and the same shall be segregated and set aside as a special fund for developing, manufacturing, and introducing improved fertilizers and fertilizer practices for the purpose of reducing the cost and increasing the efficiency and use of fertilizers on American soils.

SEC. 18. When the board shall deem it advisable and profitable, it shall, from funds that may be appropriated for carrying out such purpose, complete the steam-power plant at nitrate plant No. 2 by adding other power units according to the original plans and specifications of the dam and install in Dam No. 2 the additional generating machinery so that the operation of the steam plant when the water in the river is low may be combined with the power generated in Dam No. 2 when the water is high so as to produce the maximum of primary power.

SEC. 19. The Secretary of War is hereby authorized with appropriations that may be made available hereafter by Congress, to construct in and across the Tennessee River a dam which by long common usage has become known as Dam No. 3, according to the latest and most approved designs and plans of the Chief of Engineers of the United States Army, and when completed the title thereto and the possession and control thereof shall be transferred to the corporation for use and operation in connection with the general Muscle Shoals project.

SEC. 20. The Secretary of War is hereby authorized, with appropriations hereafter to be made available by the Congress, to construct a dam in and across Clinch River in the State of Tennessee, which has by long usage become known and designated as the Cove Creek Dam, according to the latest and most approved designs of the Chief of Engineers, in order that the waters of the said Cove Creek may be impounded and stored above said dam for the purpose of equalizing and regulating the flow of the Clinch River and the Tennessee River below, so that an increased amount of primary power may be developed at Dams No. 2 and No. 3 and at any and all other dams below the said Cove Creek Dam, and the discharge of water from Cove Creek Dam shall be so regulated and controlled that at no time shall the volume of water in the said Cove Creek below said dam be less than would normally and naturally be without the presence of said dam, at the given time and low-water season in said Clinch River, and the Federal Power Commission is hereby authorized, directed, and required to compel contribution by any person, firm, or corporation that it may hereafter permit, authorize, and empower to build a dam or dams in the said Cove Creek and in the Tennessee River below the said reservoir and impounding dam herein called Cove Creek Dam to the end that any such person, firm, or corporation receiving benefits from the equalizing of the volume of water in the said Cove Creek and in the said Tennessee River below the said Cove Creek Dam shall pay a fair and proportionate share of the expenses of the construction of said reservoir, and all such sums of money so received by way of contribution shall be covered into the General Treasury of the United States for the purpose of amortizing and offsetting the cost and expenses of the construction of said dam.

SEC. 21. In order to enable and impower the Secretary of War to carry out the authority hereby conferred in the most economical and efficient manner, he is hereby authorized and empowered in the exercise of the powers of national defense, interstate commerce, and in the control of the flood waters of the Tennessee and Mississippi Rivers, constituting channels of interstate commerce, to exercise the right of eminent domain and to condemn all lands, easements, rights of way, and other area necessary in order to obtain sites for said Dam No. 3 and said Cove Creek Dam, and the flowage rights for the reservoir of water above said dams and to negotiate and conclude contracts with States, counties, municipalities, and all State agencies and with railroads, railroad corporations, common carriers, and all public-utility commissions and any other person, firm, or corporation for the reloca-

tion of railroad tracks, highways, highway bridges, mills, ferries, electric-light plants, and any and all other properties, enterprises, and projects whose removal may be necessary in order to carry out the provisions of this act. When said Cove Creek Dam and transportation facilities and power house shall have been completed, the title thereto and the possession and control thereof shall be transferred to the corporation for use and operation in connection with the general Muscle Shoals project and to promote flood control and navigation in the Tennessee River and in the Clinch River.

SEC. 22. That all appropriations necessary to carry out the provisions of said lease are hereby authorized.

SEC. 23. That all acts or parts of acts in conflict herewith are hereby repealed.

SEC. 24. That this act may be cited as the "Muscle Shoals act of 1928."

SEC. 25. That this act shall take effect immediately.

SEC. 26. The right to alter, amend, or repeal this act is hereby expressly declared and reserved.

I would not be fair with myself if I did not confess my obligations to the various Senators and Representatives who had offered bills for the purpose of trying to solve this long-standing, complicated, and vexing problem. But I must especially acknowledge my debt to Representative B. G. Lowrey, of Mississippi, who had on December 16, 1927, introduced H. R. 7744, and a comparison between the set-up of his bill and of the amendment offered by me will be very instructive. For the purpose of such comparison I am here submitting for printing in connection with these remarks said H. R. 7744:

[Seventieth Congress, first session. H. R. 7744. In the House of Representatives, December 16, 1927. Mr. Lowrey introduced the following bill; which was referred to the Committee on Military Affairs and ordered to be printed]

A bill to provide for the national defense and to aid agricultural and industrial development by creating the United States Muscle Shoals Corporation, and for other purposes

Be it enacted, etc., That this act may be cited as the "Muscle Shoals act of 1928."

ORGANIZATION OF CORPORATION

SEC. 2. For the purpose of providing for the national defense in time of war, and for agricultural and industrial development in time of peace, and for the purpose of maintaining and operating the properties owned by the United States in the vicinity of Muscle Shoals, Ala., the Secretary of Agriculture, the Secretary of War, and the Secretary of Commerce are hereby incorporated as a Federal corporation and declared a body corporate under the name of the "United States Muscle Shoals Corporation" (referred to in this act as the "corporation").

BOARD OF DIRECTORS AND OFFICERS

SEC. 3. (a) The board of directors of the corporation (referred to in this act as the "board") shall consist of the Secretary of Agriculture, the Secretary of War, and the Secretary of Commerce.

(b) All powers of the corporation are hereby vested in the board. The board shall be responsible for the performance of all duties imposed upon the corporation.

(c) The Secretary of Agriculture shall be chairman of the board. Vacancies in the board shall not impair the powers of the remaining members to execute the functions of the board, and any two members shall constitute a quorum for the transaction of the business of the board. A director of the corporation shall receive no compensation for his services.

(d) The chief executive officer of the corporation shall be a superintendent, who shall be responsible to the board for the efficient conduct of the business of the corporation. The board shall appoint the superintendent and shall select a man for such appointment who has distinguished himself as an executive in the industrial world. The superintendent shall be appointed to hold office until July 1, 1926, but he may be removed by the board for good cause, which cause shall as soon as practicable thereafter be stated in detail to the President and to the Congress. Should the office of superintendent become vacant for any reason, the directors shall fill it as herein first provided.

(e) The superintendent shall appoint two assistant superintendents who shall be responsible to him, and through him to the board. One of the assistant superintendents shall be a man possessed of knowledge, training, and experience to render him competent and expert in the field of nitrogen fixation, and familiar with the process used by the plant at Muscle Shoals. The other assistant superintendent shall be a man trained and experienced in the field of production and distribution of hydro-electric power. The superintendent may at any time, for good cause, remove any assistant superintendent and appoint his successor. He shall immediately thereafter make a report of such action to the board, giving in detail the reason therefor.

(f) The combined salaries of the superintendent and the assistant superintendents shall not exceed the sum of $100,000 per annum.

(g) A director, officer, or employee of the corporation, while acting as such, shall not be held to be an officer, employee, or agent of the United States.

CAPITAL STOCK

SEC. 4. (a) The capital stock of the corporation shall be $75,000,000, of which $50,000,000 shall be deemed to be in consideration of the properties vested in the corporation under section 8. The remaining $25,000,000 is hereby subscribed by the United States, to be paid in cash. The amount of such subscription shall be subject to call by the board, in amounts of $100,000 or multiples thereof. Upon such call the Secretary of the Treasury is authorized to pay to the corporation the amount so called. There is hereby authorized to be appropriated the sum of $25,000,000 for the payment of such subscription. A certificate representing the ownership of $50,000,000 of the capital stock of the corporation shall be issued by the corporation to the United States and delivered to the Secretary of the Treasury, and, upon payment of any part of the amount subscribed by the United States, certificates representing the ownership of capital stock in the amount of such payment shall be issued by the corporation to the United States and delivered to the Secretary of the Treasury.

(b) Dividends may be paid upon the capital stock, but only in cash from net profits, and then only when the board deems such profits unnecessary to the efficient conduct of the business of the corporation and impossible of practical use in the carrying out of the provisions of this act. In this connection special consideration shall be given to the use of profits toward greater and cheaper production of fertilizer as provided under section 7 by development, improvement, or expansion of the plant, or by any means which seems feasible. Such dividends, if and when paid, shall be covered into the Treasury as a segregated and special fund for the improvement of the soil on American farms.

GENERAL POWERS

SEC. 5. Except as otherwise specifically provided in this act, the corporation—

(a) Shall have succession in its corporate name for a term beginning on the date of approval of this act and expiring July 1, 1936.

(b) May sue and be sued in its corporate name.

(c) May adopt and use a corporate seal, which shall be judicially noticed, and may alter it at pleasure.

(d) May make contracts, but no such contract shall extend beyond the period of the life of the corporation.

(e) May adopt, amend, and repeal by-laws.

(f) May purchase or lease and hold such personal property as it deems necessary or convenient in the transaction of its business, and may dispose of any such property held by it.

(g) May lease such real property as it deems necessary or convenient in the transaction of its business and may dispose of such leases.

(h) May incur obligations, borrow money for temporary purposes, and issue notes or other evidences of indebtedness therefor, but the aggregate amount of the indebtedness at any time shall not exceed 25 per cent of its unimpaired capital.

(i) May appoint and fix the compensation of such officers, employees, attorneys, and agents as are necessary for the transaction of its business, define their duties, require bonds of them and fix the penalties thereof, and dismiss at pleasure any such officer, employee, attorney, or agent.

(j) Shall have power to carry on the business of the corporation herein provided, and shall have all such powers as may be necessary or appropriate for the exercise of the powers specifically conferred upon the corporation.

SPECIAL POWERS

SEC. 6. The corporation is authorized and directed—

(a) To hold, maintain, operate, and develop to the fullest extent the properties transferred to it under section 8, for the purpose of producing nitrogen and nitrogen products for agricultural and military uses, and for the purpose of supplying electric power to available markets, and to construct, maintain, and operate such additional plants and facilities upon such properties as it considers necessary for such production.

(b) To manufacture, distribute, and sell fertilizers.

(c) Upon the requisition of the Secretary of War or the Secretary of the Navy to manufacture for and sell to the United States explosives and/or their nitrogenous content.

(d) To produce, distribute, and sell electric power.

(e) To establish, maintain, and operate laboratories and experimental plants, and to undertake experiments for the purpose of enabling the corporation to furnish nitrogen products for military and agricultural purposes in the most economical manner and at the highest standard of efficiency.

SELLING METHODS AND PRICES

SEC. 7. (a) Electric power sold by the corporation to the consuming public shall be sold to States, counties, municipalities, corporations, partnerships, or individuals in such manner and at such price as the board may deem expedient and/or as may be required by State commissions under whose control the distribution and sale of such power may come. The corporation shall have the authority to acquire, by construction or otherwise, transmission lines for the distribution of its power, or may sell power at the plant to those who have or will provide facilities for its distribution. Preference shall be given to States, counties, and municipalities who will distribute power to their citizens.

(b) The selling price of nitrogen products produced and sold by the corporation shall be fixed from time to time by the board. This price shall be the price to the ultimate consumer. Sales

through intermediaries shall be under contracts through which the fixed price to the ultimate consumer shall be preserved. The basis for the determination of the price shall be all charges properly attributable to the production, marketing, and distribution of the particular product, both direct and indirect, including such items as are necessary to render and maintain the business of the corporation permanently self-supporting. There shall be considered a margin of safety in the operation of the business, but no margin of profit.

(c) It shall be the purpose of the corporation to provide plant food in abundance for American agriculturists at as reasonable a cost as possible, and net profits derived from the sale of electric power as provided by this act shall be used toward that end. No nitrogen products of the corporation shall be sold for use outside of the United States and her territories, except to the United States Government for the use of its Army and Navy or to its allies in case of war.

PROPERTY

SEC. 8. In order to permit the corporation to exercise the powers vested in it by this act—

(a) All the right, title, and interest of the United States in and to the United States nitrate plants Nos. 1 and 2, located, respectively, at Sheffield, Ala., and Muscle Shoals, Ala., together with all real estate and buildings connected therewith, all tools and machinery, equipment, accessories, and materials belonging thereto, and all laboratories and plants used as auxiliaries thereto; the fixed-nitrogen research laboratory, the Waco limestone quarry in Alabama, and Dam No. 2, located in the Tennessee River at Muscle Shoals, its power house, and all hydroelectric and operating appurtenances (except the locks), and all machinery, lands, and buildings in connection therewith, is hereby transferred to the corporation.

(b) The President of the United States is authorized to provide for the transfer to the corporation of such other real and personal property of the United States as he may from time to time deem necessary and proper for the purposes of the corporation as herein stated.

SEC. 9. (a) The corporation shall maintain offices in the District of Columbia and in the immediate vicinity of Muscle Shoals, Ala., and may establish such agencies or branch offices at such places as it deems advisable. The corporation shall be held to be an inhabitant and resident of the District of Columbia and of the northern judicial district of Alabama within the meaning of the laws of the United States relating to venue of civil suits.

(b) The corporation shall at all times maintain complete and accurate books of accounts.

(c) The Comptroller General of the United States shall, once during January and once during July of each year, and without expense to the corporation, make a complete audit of its books, and publish as soon as practicable after each audit a statement of the financial condition of the corporation in one daily paper in each Federal reserve district. Such audits shall be solely for the purpose of obtaining information for such statements.

REPORTS

SEC. 10. The board shall file with the President and with the Congress, in December of each year, a financial statement and a complete report as to the business of the corporation covering the year immediately preceding.

PENALTIES

SEC. 11. (a) All general penal statutes relating to the embezzlement, conversion, or to the improper handling, retention, use, or disposal of public moneys of the United States shall apply to moneys of the corporation while in the custody of any officer, employee, or agent of the corporation or of the United States.

(b) Any person who, with intent to defraud the corporation, or to deceive any director or officer of the corporation, or any officer or employee of the United States (1) makes any false entry in any book of the corporation, or (2) makes any false report or statement for the corporation, shall, upon conviction thereof, be fined not more than $10,000 or imprisoned not more than five years, or both.

(c) Any person who shall receive any compensation, rebate, or reward, or shall enter into any conspiracy, collusion, or agreement, express or implied, with intent to defraud the corporation or to defeat its purposes, shall, on conviction thereof, be fined not more than $100,000 or imprisoned not more than 15 years, or both.

SUCCESSION

SEC. 12. Unless otherwise provided by law, the United States shall, on July 1, 1938, succeed to all the property rights and liabilities of the corporation.

The subcommittee that was appointed by the chairman of the full committee to consider House Joint Resolution 46 consisted of the chairman of the committee, Representative Morin, of Pennsylvania; the present chairman of the committee, Representative JAMES of Michigan; Representative Hughes, of West Virginia; Representative W. C. WRIGHT, of Georgia; and Representative MCSWAIN, of South Carolina. That sub committee reported a bill which was adopted with slight modifications by the full committee, and the report of the full committee containing the amendment offered by the Committee on Military Affairs to Senate Joint Resolution 46 is herewith submitted for information and purposes of comparison together with the report in full.

[House of Representatives, Report No. 1095, Seventieth Congress, first session]

MUSCLE SHOALS

March 30, 1928.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed

Mr. Morin, from the Committee on Military Affairs, submitted the following report (to accompany S. J. Res. 46):

The Committee on Military Affairs, to whom was referred the joint resolution (S. J. Res. 46) providing for the utilization of the properties at Muscle Shoals, having considered the same, report thereon with the recommendation that it do pass with the following amendment:

Strike out everything after the enacting clause and substitute the following therefor:

"ORGANIZATION OF CORPORATION

"That for the purpose of maintaining and operating the properties now owned by the United States in the vicinity of Muscle Shoals, Ala., in the interest of the national defense and for agricultural and industrial development, and to aid navigation and the control of destructive flood waters in the Tennessee River and Mississippi River Basins, there is hereby created a body corporate by the name of the 'Muscle Shoals Corporation of the United States' (hereinafter referred to as the corporation). The board of directors first appointed shall be deemed the incorporators and the incorporation shall be held to have been effected from the date of the first meeting of the board. This act may be cited as the 'Muscle Shoals act of 1928.'

"BOARD OF DIRECTORS AND OFFICERS

"SEC. 2. (a) The board of directors of the corporation (hereinafter referred to as the board) shall be composed of five members, not more than three of whom shall be members of the same political party, to be appointed by the President, by and with the advice and consent of the Senate, and when at least three directors shall have been confirmed, any one of such three or more shall call the first meeting of said board, and at such meeting the board shall organize by electing a chairman, vice chairman, and other officers, agents, and employees, and shall proceed to carry out the provisions of this act.

"(b) The terms of office of the members first taking office after the approval of this act shall expire as designated by the President at the time of nomination, one at the end of the first year, one at the end of the second year, one at the end of the third year, one at the end of the fourth year, and one at the end of the fifth year, after the date of approval of this act. A successor to a member of the board shall be appointed in the same manner as the original members and shall have a term of office expiring five years from the date of the expiration of the term for which his predecessor was appointed.

"(c) Any member appointed to fill a vacancy in the board occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term.

"(d) Vacancies in the board so long as there shall be three members in office shall not impair the powers of the board to execute the functions of the corporation, and a majority of the members in office shall constitute a quorum for the transaction of the business of the board.

"(e) Each of the members of the board shall be a citizen of the United States, and shall receive compensation at the rate of $50 per day for each day that he shall be actually engaged in the performance of the duties vested in the board, to be paid by the corporation as current expenses, not to exceed, however, 150 days for the first year after the date of the approval of this act, and not to exceed 100 days in any year thereafter. Members of the board shall be reimbursed by the corporation for actual expenses (including traveling and subsistence expenses) incurred by them while in the performance of the duties vested in the board by this act.

"(f) No director shall have any financial interest in any public utility corporation engaged in the business of distributing and selling power to the public nor in any corporation engaged in the manufacture, mixing, selling, or distribution of commercial fertilizers, or any ingredients thereof, nor shall any member have any interest in any business that may be adversely affected by the success of the Muscle Shoals project as a producer of concentrated fertilizers.

"(g) The board shall direct the exercise of all the powers of the corporation.

"(h) All members of the board shall be persons that profess a belief in the feasibility and wisdom, having in view the national defense and the encouragement of interstate commerce, of producing fertilizers under this act of such kinds and at such prices as to induce the reasonable expectation that the farmers will buy said fertilizers, and that by reason thereof the corporation may be a self-sustaining and continuing success.

"ADMINISTRATION

"SEC. 3. (a) The chief executive officer of the corporation shall be a general manager, who shall be responsible to the board for the efficient conduct of the business of the corporation. The board shall appoint the general manager and shall select a man

for such appointment who has demonstrated his capacity as a business executive. The general manager shall be appointed to hold office for 10 years, but he may be removed by the board for cause, and his term of office shall end upon repeal of this act or by amendment thereof expressly providing for the termination of his office. Should the office of general manager become vacant for any reason, the board shall appoint his successor as herein provided.

"(b) The general manager shall appoint, with the advice and consent of the board, two assistant managers who shall be responsible to him, and through him, to the board. One of the assistant managers shall be a man possessed of knowledge, training, and experience to render him competent and expert in the production of fertilizer. The other assistant manager shall be a man trained and experienced in the field of production and distribution of hydroelectric power. The general manager may at any time, for cause, remove any assistant manager and appoint his successor as above provided. He shall immediately thereafter make a report of such action to the board, giving in detail the reason therefor. He shall employ, with the approval of the board, all other agents, clerks, attorneys, employees, and laborers.

"(c) The combined salaries of the general manager and the assistant managers shall not exceed the sum of $50,000 per annum, to be apportioned and fixed by the board.

"CAPITAL STOCK

"SEC. 4. The authorized capital stock of the corporation shall be $10,000,000, which is hereby subscribed by the United States and shall be paid in as the same shall be made available by law, upon the draft of the corporation upon the Secretary of the Treasury in amounts of $100,000 or multiples thereof, and as the same shall be paid in shall be charged upon the books of the corporation as paid-in capital stock.

"GENERAL POWERS

"SEC. 5. Except as otherwise specifically provided in this act, the corporation—

"(a) Shall have succession in its corporate name.

"(b) May sue and be sued in its corporate name.

"(c) May adopt and use a corporate seal, which shall be judicially noticed.

"(d) May make contracts, but only as herein authorized.

"(e) May adopt, amend, and repeal by-laws.

"(f) May purchase or lease and hold such personal property as it deems necessary or convenient in the transaction of its business, and may dispose of any such personal property held by it.

"(g) May fix the compensation of such officers, employees, attorneys, and agents as are necessary for the transaction of its business, define generally their duties, require bonds of them and fix the penalties thereof, and dismiss at pleasure any such officer, employee, attorney, or agent, and provide a system of organization to fix responsibility and promote efficiency.

"(h) The board shall require that the general manager and the two assistant managers, the secretary and the treasurer, the bookkeeper or bookkeepers, and such other administrative and executive officers as the board may see fit to include, shall execute and file before entering upon their several offices good and sufficient surety bonds, in such amount and with such surety as the board shall approve.

"(i) Shall have all such powers as may be necessary or appropriate for the exercise of the powers herein specifically conferred upon the corporation, including the right to exercise the power of eminent domain.

"SPECIAL POWERS

"SEC. 6. The corporation is authorized and directed—

"(a) To hold, maintain, operate, and develop to the fullest extent all the properties hereby transferred to it for the purpose of producing and selling nitrogen and nitrogen products for agricultural and military uses, and for the purpose of selling any surplus electric power, as hereinafter specified, and to construct, maintain, and operate such additional plants and facilities upon such properties now owned by the United States at or near Muscle Shoals, Ala., as it considers necessary for such production and sale.

"(b) To manufacture, distribute, and sell fertilizers, and/or any essential ingredient thereof, and/or any by-products of such manufacture.

"(c) Upon the requisition of the Secretary of War or the Secretary of the Navy to manufacture for and sell at cost to the United States explosives and/or their nitrogenous content.

"(d) Upon the requisition of the Secretary of War the corporation shall allot and deliver without charge to the War Department so much power as shall be necessary in the judgment of said department for use in operation of all locks, lifts, and/or other facilities in aid of navigation.

"(e) To produce, distribute, and sell electric power, as herein particularly specified.

"(f) To establish, maintain, and operate laboratories and experimental plants, and to undertake experiments for the purpose of enabling the corporation to furnish nitrogen products for military and agricultural purposes in the most economical manner and at the highest standard of efficiency.

"(g) The board shall have power to request the assistance and advice of any officer, agent, or employee of any executive department or of any independent office of the United States, to enable the corporation the better to carry out its powers successfully, and the President shall, if in his opinon the public interest, service, and economy so require, direct that such assistance, advice, and service be rendered to the corporation, and any individual that may be by the President directed to render such assistance, advice, and service shall be thereafter subject to the orders, rules, and regulations of the board and of the general manager.

"POLICY AS TO DISTRIBUTION AND SALE OF SURPLUS POWER

"SEC. 7. (a) It is hereby declared to be the policy of the Government to utilize the Muscle Shoals properties for fertilizer purposes in time of peace, and no electric power shall be considered surplus so long as it can be profitably used in the manufacture of fertilizer.

"(b) Surplus electric power sold by the corporation to the consuming public shall be sold to States, counties, municipalities, corporations, partnerships, or individuals at the best prices obtainable, having in view the fair and equitable distribution of the power. The corporation shall have the authority to acquire by construction or otherwise transmission lines for the distribution of its power, or may sell power at the plant to those who have or will provide facilities for its distribution.

"(c) The board shall operate the steam plants so that power derived from said steam plants may be used in connection with hydroelectric power produced at any dam or dams under the possession and control of the corporation, so that the secondary power from the variable and fluctuating volume of water in the river may be converted into prime or firm power.

POLICY AS TO FERTILIZER

"SEC. 8. (a) It is hereby declared to be the policy of the Government to distribute the fertilizer manufactured at Muscle Shoals equitably among the States, Territories, and possessions of the United States.

"(b) The selling price of fertilizers and nitrogen products produced and sold by the corporation shall be fixed from time to time by the board. Sales through intermediaries shall be under contracts through which the maximum prices to the ultimate consumer shall be stipulated. The basis for the determination of the prices to be charged by the corporation shall be all charges properly attributable to the production, marketing, and distribution of the particular product, including interest at the rate of 4 per cent per annum, but only on money hereafter paid in as capital stock and then interest only after the first 5-year period.

"(c) It shall be the purpose of the corporation to provide plant food in abundance for agriculture and to users of commercial fertilizer at as reasonably low cost as possible, and net profits derived from the sale of surplus electric power as provided by this act shall be used toward that end for the first five years of the life of the corporation. No nitrogen products of the corporation shall be sold for use outside of the United States, her Territories and possessions, except to the United States Government for the use of its Army and Navy or to its allies in case of war.

"(d) The board shall sell the fertilizers, or the fertilizer ingredients, produced under the authority of this act for the first five years of operation at actual cost, and all sales shall be for cash in advance free on board the cars at Muscle Shoals. Preference shall be given in sales, distribution, and shipments to the purchases by farmers, groups of farmers, and farm organizations for the use of members, then to States and State agencies for resale to farmers, and the demands of these two groups having been satisfied, to private manufacturers, mixers, and merchants of fertilizers.

"After the first five years of operation under this act, then the board shall manufacture and sell fertilizers at cost plus 4 per cent additional, and all profits arising by reason of said addition and, for the second 5-year period of operation under this act, one-half of the net profits from the sale of electric power may be paid into the Treasury of the United States and covered into the general funds, but the same shall be earmarked as Muscle Shoals receipts. After the expiration of the first 10 years of operation under this act all of the net profits from the sale of electric power shall be paid into the Treasury of the United States and covered into the general funds, but the same shall be earmarked as Muscle Shoals receipts.

"(e) The board shall commence the manufacture of concentrated fertilizers at Muscle Shoals by the employment of existing facilities, using the cyanamide process by modernizing the existing plant, but shall have power to employ also any other process or processes that in its judgment shall appear wise and profitable for the fixation of atmospheric nitrogen, and shall construct and operate a plant or plants at Muscle Shoals for the production of phosphoric acid and/or of potash to be combined with nitrates and nitrogenous products in the manufacture of a complete fertilizer.

"(f) For the first 5-year period of the operation under the authority of this act the board may donate not exceeding 5 per cent of the total product of the plant or plants operated by it to be fairly and equitably distributed through the agency of county demonstration agents, agricultural colleges, or otherwise as the board may direct for experimentation, education, and introduction of the use of said fertilizers in cooperation with practical farmers so as to obtain information as to the value, effect, and best methods of use of said fertilizers. If at the end of any fiscal year during the first 5-year period there shall be on hand, unsold, more than 25 per cent of the product of the plant or plants operating by authority of this act, then the board shall have power, if unanimously approved by all of the members of the board in writing, to donate an additional 10 per cent of the total annual product of said plant or plants from such unsold surplus to be fairly and equitably distributed through the agency of county

demonstration agents, agricultural colleges, or otherwise as the board may direct.

"(g) The board shall have the power and authority to buy one or more ingredients of commercial fertilizers and to mix the same with any other ingredient or ingredients manufactured by the corporation.

"PROPERTY

"SEC. 9. In order to enable the corporation to exercise the powers vested in it by this act—

"(a) The exclusive use, possession, and control of the United States nitrate plants Nos. 1 and 2, located, respectively, at Sheffield Ala., and Muscle Shoals, Ala., together with all real estate and buildings connected therewith, all tools and machinery, equipment, accessories, and materials belonging thereto, and all laboratories and plants used as auxiliaries thereto; the fixed-nitrogen research laboratory, the Waco limestone quarry, in Alabama, and Dam No. 2, located at Muscle Shoals, its power house, and all hydroelectric and operating appurtenances (except the locks), and all machinery, lands, and buildings in connection therewith, and all appurtenances thereof are hereby intrusted to the corporation for the purposes of this act.

"(b) The President of the United States is authorized to provide for the transfer to the corporation of the use, possession, and control of such other real and/or personal property of the United States as he may from time to time deem necessary and proper for the purposes of the corporation as herein stated.

"PRINCIPAL OFFICE AND VENUE

"SEC. 10. (a) The corporation shall maintain its principal office in the immediate vicinity of Muscle Shoals, Ala. The corporation shall be held to be an inhabitant and resident of the northern judicial district of Alabama within the meaning of the laws of the United States relating to venue of civil suits.

"(b) The corporation shall at all times maintain complete and accurate books of accounts.

"REPORTS AND AUDITS

"SEC. 11. (a) The board shall file with the President and with the Congress, in December of each year, a financial statement and a complete report as to the business of the corporation covering the preceding fiscal year. This report shall include the total number of employees and the names, salaries, and duties of those receiving compensation at the rate of more than $2,500 a year.

"(b) The board shall require a careful and scrutinizing audit and accounting by a reputable firm of certified public accountants during each governmental fiscal year of operation under this act, and said audit shall be open to inspection to the public at all times and copies thereof shall be filed in the principal office of the Muscle Shoals corporation at Muscle Shoals in the State of Alabama. Once during each fiscal year the President of the United States shall have power, and it shall be his duty, upon the written request of at least two members of the board, to appoint a firm of certified public accountants of his own choice and selection which shall have free and open access to all books, accounts, plants, warehouses, offices, and all other places, and records, belonging to or under the control of or used by the corporation in connection with the business authorized by this act. And the expenses of such audit so directed by the President shall be paid by the board and charged as part of the operating expenses of the corporation.

"USE OF PROPERTY DURING WAR

"SEC. 12. The Government of the United States hereby reserves the right, in case of war, or national emergency declared by Congress, to take possession of all or any part of the property described or referred to in this act for the purpose of manufacturing explosives or for other war purposes; but, if this right is exercised by the Government, it shall pay the reasonable and fair damages that may be suffered by any party whose contract, for the purchase of electric power or fertilizers or fertilizer ingredients, is thereby violated.

"EQUITABLE DISTRIBUTION OF POWER

"SEC. 13. The board is hereby empowered and authorized to sell the surplus electric power not used in fertilizer or munitions operations and not used for operation of any locks at the dams or any hydraulic lift and other navigation works to States, counties, municipalities, corporations, partnerships, or individuals, and to carry out said authority the board is authorized to enter into contracts for such sale for a term not exceeding 10 years.

"SEC. 14. It is hereby declared to be the policy of the Government to distribute the surplus electric power generated at Muscle Shoals equitably among the States within transmission distance of Muscle Shoals.

"SEC. 15. In order to place the corporation upon a fair basis for making such contracts and for receiving bids for the sale of such electric power, it is hereby expressly authorized, from appropriations made by Congress to construct, lease, or authorize the construction of transmission lines within transmission distance in any direction from said Dam No. 2 and said steam plant: *Provided*, That if any State, county, municipality, or other public or cooperative organizations, whether incorporated or unincorporated, not organized or doing business for profit but for the purpose of supplying electricity to its own citizens or members, or any two or more of such municipalities or organizations, shall construct or agree to construct a transmission line to Muscle Shoals, the corporation is hereby authorized to contract with such State, county, municipality, or other organization, or two or more of them, for the sale of electricity for a term not exceeding 15 years; and in any such case the board shall give to such State, county, municipality, or other organization ample time to fully comply with any local law now in existence or hereafter enacted providing for the necessary legal authority for such State, county, municipality, or other organizations to contract with the board for such electric power.

"ADDITIONAL UNITS TO STEAM PLANT AND DAM

"SEC. 16. When the board shall deem it advisable and profitable, it shall, from funds that may be appropriated for carrying out such purpose, complete the steam-power plant at nitrate plant No. 2 by adding other power units, and install in Dam No. 2 the additional generating machinery so that the operation of the steam plant when the water in the river is low may be combined with the power generated at Dam No. 2 when the water is high so as to produce the maximum of primary power.

"COVE CREEK DAM

"SEC. 17. The Secretary of War is hereby authorized, with appropriations hereafter to be made available by the Congress, to construct, either directly or by contract to the lowest responsible bidder, after due advertisement, a dam in and across Clinch River in the State of Tennessee, which has by long usage become known and designated as the Cove Creek Dam, according to the latest and most approved designs of the Chief of Engineers, including its power house and hydroelectric installations and equipment for the generation of at least two hundred thousand horsepower, in order that the waters of the said Clinch River may be impounded and stored above said dam for the purpose of equalizing and regulating the flow of the Clinch River and the Tennessee River below, so that an increased amount of primary power may be developed at Dam No. 2 and at any and all other dams below the said Cove Creek Dam. The Federal Power Commission is hereby authorized, directed, and required to compel contribution by any person, firm, or corporation that it may hereafter permit, authorize, and empower to build a dam or dams in the said Clinch River and in the Tennessee River below the said reservoir and impounding dam herein called Cove Creek Dam, in accordance with the provisions of the Federal water power act [(June 10, 1920. Ch. 285, sec. 41, Stat. 1077) and U. S. Code, title 16, ch. 12].

"SEC. 18. In order to enable and empower the Secretary of War to carry out the authority hereby conferred, in the most economical and efficient manner, he is hereby authorized and empowered in the exercise of the powers of national defense, in aid of navigation, and in the control of the flood waters of the Tennessee and Mississippi Rivers, constituting channels of interstate commerce, to exercise the right of eminent domain, and to condemn all lands, easements, rights of way, and other area necessary in order to obtain a site for said Cove Creek Dam, and the flowage rights for the reservoir of water above said dam and to negotiate and conclude contracts with States, counties, municipalities, and all State agencies and with railroads, railroad corporations, common carriers, and all public utility commissions and any other person, firm, or corporation for the relocation of railroad tracks, highways, highway bridges, mills, ferries, electric light plants, and any and all other properties, enterprises, and projects whose removal may be necessary in order to carry out the provisions of this act. When said Cove Creek Dam and transportation facilities and power house shall have been completed, the possession, use, and control thereof shall be intrusted to the corporation for use and operation in connection with the general Muscle Shoals project and to promote flood control and navigation in the Tennessee River, and in the Clinch River.

"PATENT RIGHTS

"SEC. 19. The corporation as an instrumentality and agency of the Government of the United States for the purpose of executing its constitutional powers, shall have access to the Patent Office of the United States for the purpose of studying, ascertaining, and copying all methods, formulæ, and scientific information (not including access to pending applications for patents) necessary to enable the corporation to use and employ the most efficacious and economical process for the production of commercial fertilizers, or any essential ingredient thereof, and any patentee whose patent rights may have been thus in any way copied, used, or employed, by the exercise of this authority by the corporation, shall have as the exclusive remedy a cause of action for any damages claimed to be instituted and prosecuted against the United States in the Court of Claims for the recovery of reasonable compensation, in accordance with the provisions of the act of June 25, 1910, as amended by the act of July 1, 1918 (title 35, sec. 68, U. S. C.), recoverable on a royalty basis in proportion to the entire volume of commercial fertilizers or essential ingredients manufactured by the corporation by the use and employment of such patent rights, and if said patent rights shall have contributed in a fractional part to the production of the entire volume, said compensation shall be proportionally allowed, and it shall be competent for the corporation to contract with any patentee in advance upon said basis, or to settle for any claim for such amount as to said corporation shall appear to be reasonable, fair, and just. The Commissioner of Patents shall furnish to the corporation, at its request and without payment of fees, copies of documents on file in his office.

"PENALTIES

"SEC. 20. (a) All general penal statutes relating to the larceny, embezzlement, conversion, or to the improper handling, retention, use, or disposal of public moneys or property of the United States, shall apply to the moneys and property of the corporation and to moneys and properties of the United States intrusted to the corporation.

"(b) Any person who, with intent to defraud the corporation, or to deceive any director or officer of the corporation, or any officer or employee of the United States (1) makes any false entry in any book of the corporation, or (2) makes any false report or statement for the corporation, shall, upon conviction thereof, be fined not more than $10,000 or imprisoned not more than five years, or both.

"(c) Any person who shall receive any compensation, rebate, or reward, or shall enter into any conspiracy, collusion, or agreement, express or implied, with intent to defraud the corporation or to defeat its purposes, shall, on conviction thereof, be fined not more than $25,000 or imprisoned not more than 15 years, or both.

"MISCELLANEOUS PROVISIONS

"SEC. 21. That all appropriations necessary to carry out the provisions of this act are hereby authorized.

"SEC. 22. That all acts or parts of acts in conflict herewith are hereby repealed.

"SEC. 23. That this act shall take effect immediately.

"SEC. 24. The right to alter, amend, or repeal this act is hereby expressly declared and reserved.

"SEC. 25. That the title of this joint resolution is hereby amended to read as follows: 'To provide for the national defense by the creation of a corporation for the operation of the Government properties at and near Muscle Shoals in the State of Alabama, and for other purposes.'"

In considering the Muscle Shoals project your committee has not been unmindful of the provision contained in section 124 of the national defense act of June 3, 1916:

"SEC. 124. Nitrate supply: The President of the United States is hereby authorized and empowered to make, or cause to be made, such investigation as in his judgment is necessary to determine the best, cheapest, and most available means for the production of nitrates and other products for munitions of war and useful in the manufacture of fertilizers and other useful products by water power or any other power as in his judgment is the best and cheapest to use; and is also hereby authorized and empowered to designate for the exclusive use of the United States, if in his judgment such means is best and cheapest, such site or sites, upon any navigable or nonnavigable river or rivers or upon the public lands, as in his opinion will be necessary for carrying out the purposes of this act; and is further authorized to construct, maintain, and operate, at or on any site or sites so designated, dams, locks, improvements to navigation, power houses, and other plants and equipment or other means than water power as in his judgment is the best and cheapest, necessary, or convenient for the generation of electrical or other power and for the production of nitrates or other products needed for munitions of war and useful in the manufacture of fertilizers and other useful products.

"The President is authorized to lease, purchase, or acquire, by condemnation, gift, grant, or devise, such lands and rights of way as may be necessary for the construction and operation of such plants, and to take from any lands of the United States, or to purchase or acquire by condemnation materials, minerals, and processes, patented or otherwise, necessary for the construction and operation of such plants and for the manufacture of such products.

"The products of such plants shall be used by the President for military and naval purposes to the extent that he may deem necessary, and any surplus which he shall determine is not required shall be sold and disposed of by him under such regulations as he may prescribe.

"The President is hereby authorized and empowered to employ such officers, agents, or agencies as may in his discretion be necessary to enable him to carry out the purposes herein specified, and to authorize and require such officers, agents, or agencies to perform any and all of the duties imposed upon him by the provisions hereof.

"The sum of $20,000,000 is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, available until expended, to enable the President of the United States to carry out the purposes herein provided for.

"The plant or plants provided for under this act shall be constructed and operated solely by the Government and not in conjunction with any other industry or enterprise carried on by private capital.

"In order to raise the money appropriated by this act and necessary to carry its provisions into effect, the Secretary of the Treasury, upon the request of the President of the United States, may issue and sell, or use for such purpose or construction hereinabove authorized, any of the bonds of the United States now available in the Treasury of the United States under the act of August 5, 1909, the act of February 4, 1910, and the act of March 2, 1911, relating to the issue of bonds for the construction of the Panama Canal, to a total amount not to exceed $20,000,000: *Provided*, That any Panama Canal bonds issued and sold or used under the provisions of this section may be made payable at such time after issue as the Secretary of the Treasury, in his discretion, may deem advisable, and fix, instead of 50 years after date of issue, as in said act of August 5, 1909, not exceeding 50 years."

POLICY OF COMMITTEE IN 1922

Your committee early in its consideration of this matter unanimously adopted a resolution which not only sets forth the attitude of the committee at that time but represents without change the unanimous attitude of the committee until this resolution was amplified during the second session of the Sixty-ninth Congress. This first resolution is as follows:

MUSCLE SHOALS

COMMITTEE ON MILITARY AFFAIRS,
HOUSE OF REPRESENTATIVES,
April 24, 1922.

It is the judgment of this subcommittee that any proposition for the purchase, lease, or use of the Muscle Shoals property of the Government of the United States shall be based upon the following as fundamentals and essentials:

1. That the property shall at all times be subject to the absolute right and control of the Government for the production of nitrates or other ammunition components of munitions of war, and that nitrate plant No. 2 must be kept available therefor by the purchasers, lessees, or users of the property.

2. That the purchasers, lessees, or users of the property shall be obligated in the strictest terms to the manufacture and sale to the public of fertilizers in time of peace.

3. That any proposal for the purchase, lease, or use of the Muscle Shoals property of the United States Government must be for the entire property except the so-called Gorgas Plant and the transmission line therefrom.

FRANK L. GREENE.
JOHN F. MILLER.
RICHARD WAYNE PARKER.
(So far as it goes.)
PERCY E. QUIN.
WILLIAM C. WRIGHT.

POLICY OF COMMITTEE IN 1927

On March 3, 1927, after many weeks of hearings on sundry bills relating to Muscle Shoals, your committee adopted unanimously the report of the subcommittee which had conducted the major portion of the hearings. This report is as follows (H. Rept. 2303, 69th Cong., 2d sess.):

MUSCLE SHOALS

REPORT OF THE COMMITTEE

[House Report No. 2303, Sixty-ninth Congress, second session]

The Committee on Military Affairs, to which was referred sundry bills relating to Muscle Shoals, Ala., submit to the House a report containing the report of the subcommittee, which report was adopted by the full committee on March 3, 1927.

The chairman and members of the Military Affairs Committee of the House:

Your subcommittee appointed February 2, 1927, to consider H. R. 16396 and H. R. 16614, known, respectively, as the Reece bill and the Madden bill, both having reference to the disposition of Muscle Shoals, organized and proceeded to the discharge of its duties immediately after being appointed.

In considering the subject your subcommittee felt that the principal purpose of the Congress regarding Muscle Shoals is to safeguard the national defense, promote fertilizer production of substantial benefit to agriculture, and to secure the most beneficial public use of the power-generating facilities after the national defense and fertilizer manufacture purposes have been fully served. This purpose has been stressed in reports made on the subject by various committees of Congress, the joint commission, and the President of the United States.

Having in mind this fundamental purpose in its consideration of the two offers, your subcommittee also felt bound by the following limitations placed upon it by the full committee:

"1. That the property shall at all times be subject to the absolute right and control of the Government for the production of nitrates or other ammunition components of munitions of war and that nitrate plant No. 2 must be kept available therefor by the purchasers, lessees, or users of the property.

"2. That the purchasers, lessees, or users of the property shall be obligated in the strictest terms to the manufacture and sale to the public of fertilizers in time of peace.

"3. That any proposal for the purchase, lease, or use of the Muscle Shoals property of the United States Government must be for the entire property except the so-called Gorgas plan and the transmission line therefrom.

"4. In the consideration of any offers for Muscle Shoals that it be a prerequisite that such offer contain a stipulation that the lessee, operating agency, or owner, as the case may be, be required to return to, or account for to, the Government either in cash or by way of reduction in the price of the fertilizer manufactured, the profits from the sale of power which would have been used in the manufacture of fertilizer in case there had been no discontinuance in the manufacture thereof; that the manufacture of fertilizer may be discontinued only when there shall be such excess accumulation of fertilizer stocks as shall be in excess of the reasonable or prospective demands for such fertilizer, and such manufacture shall be resumed upon reduction to a reasonable degree of such accumulated stock of fertilizer.

"5. That any bid must contain a provision for the forfeiture of the power rights and fertilizer provisions if there is any failure to produce nitrates in the amount of at least 40,000 tons per year, provided that such forfeiture as may not be due to the neglect, misconduct, or fault of the lessee, shall not include the loss of the reasonable value of the property at the time of the forfeiture, but the lessee shall be reimbursed by the Government for the reasonable value of such property then and there belonging to the lessee and essential to the operation of the plants."

After full and careful consideration, including discussions on both propositions with representatives of the respective bidders, your subcommittee has reached the unanimous decision that

neither of the offers as embodied in the two bids considered, either as originally introduced or as amended by representatives of the respective bidders following discussion in the subcommittee, meet all the fundamental principles hereinbefore enumerated and in their present forms neither sufficiently safeguards all the public interests involved.

Your subcommittee has agreed unanimously that the principle and limitations noted in this report should be held as fundamental and any proposed legislation submitted to Congress for consideration at the next session should contain provisions based on these fundamentals.

Your subcommittee is also of the opinion and submits to the committee that unless by the time Congress convenes for the Seventieth Congress a bid is received which more fully and satisfactorily meets the conditions and limitations set forth in this report, an effort should be made to secure an operating contract for the production of fertilizer at Muscle Shoals, and in default thereof this committee should give the matter of operation at Muscle Shoals by a Government corporation full and careful consideration.

The subcommittee unanimously agreed that the committee be advised that it is the sense of the subcommittee that no preliminary permit be granted by the Federal Power Commission at Cove Creek, or any other point which might affect the Muscle Shoals project, until after the expiration of the next session of Congress.

It was also unanimously agreed that the Secretary of War be requested to allot a sufficient amount from available funds for the Government engineers to make a preliminary investigation and survey of the Cove Creek Dam proposition, including borings, and that such work be actively prosecuted so that a report to Congress can be made thereon at the beginning of the next session. It is also the sense of your subcommittee that any money expended by the Government in this preliminary work, including borings at Cove Creek, should be repaid to the Government by any licensee to whom a license might hereafter be granted by the Federal Power Commission, in case the Government should not build the dam at Cove Creek.

It is recommended that the stenographic report of the hearing and discussions held by the subcommittee, together with data pertinent to the subject filed with the subcommittee, be printed with a proper index for the information of the committee and the Members of Congress.

For the information of the members of the committee there is made a part of this report the proposed legislation with original language eliminated or changed indicated by stricken-through type and new language inserted indicated by italics. Proposed amendments not agreed to by the representatives of the bidders will be found in the printed headings.

W. FRANK JAMES.
HARRY WURZBACH.
J. MAYHEW WAINWRIGHT.
NOBLE J. JOHNSON.
HUBERT F. FISHER.
W. C. WRIGHT.
J. J. MCSWAIN.

JOINT CONGRESSIONAL COMMITTEE OF 1926

A recent statement of the policy of Congress in this matter is found in House Concurrent Resolution No. 4, Sixty-ninth Congress, first session, which is as follows:

[House Concurrent Resolution 4, Sixty-ninth Congress, first session]

"*Resolved by the House of Representatives (the Senate concurring)*, That a joint committee, to be known as the Joint Committee on Muscle Shoals, is hereby established to be composed of three members to be appointed by the President of the Senate from the Committee on Agriculture and Forestry and three members to be appointed by the Speaker of the House of Representatives from the Committee on Military Affairs.

"The committee is authorized and directed to conduct negotiations for a lease or leases (but no lease or leases shall be recommended which do not guarantee and safeguard the production of nitrates and other fertilizer ingredients mixed or unmixed primarily as hereinafter provided) of the nitrate and power properties of the United States at Muscle Shoals, Ala., including the quarry properties at Waco, Ala., for the production of nitrates primarily and incidentally for power purposes, such power to be equitably distributed between the communities and States to which it may be properly transported, in order to serve national defense, agriculture, and industrial purposes, and upon terms which so far as possible shall provide benefits to the Government and to agriculture equal to or greater than those set forth in H. R. 518, Sixty-eighth Congress, first session, except that the lease or leases shall be for a period not to exceed 50 years.

"Said committee shall have leave to report its findings and recommendations, together with a bill or joint resolution for the purpose of carrying them into effect, which bill or joint resolution shall, in the House, have the status that is provided for measures enumerated in clause 56 or Rule XI: *Provided*, That the committee shall report to Congress not later than April 26, 1926: *And provided further*, That the committee in making its report shall file for the information of the Senate and the House of Representatives, a true copy of all proposals submitted to it in the conduct of such negotiations."

PRESIDENT'S COMMISSION OF 1925

On March 26, 1925, the President of the United States appointed a commission to investigate this subject. This commission came to the same conclusion that your committee has now reached. The report of this commission is as follows:

"MAJORITY REPORT OF THE MUSCLE SHOALS INQUIRY

"Section 1.—Origin of inquiry

"The Muscle Shoals inquiry was appointed by the President of the United States on March 26, 1925, to 'aid in assembling reliable information as to the best, cheapest, and most available means for the production of nitrates and other products for munitions of war, and useful in the manufacture of fertilizers and other useful products by water power or such other power as may be best and cheapest to use,' and to 'report from time to time, and finally not later than November 15, 1925, upon the most practical method or methods of utilizing to the best advantage and for the specific purposes mentioned in section 124 of the act of Congress approved June 3, 1916 (39 Stat. 215), the facilities comprising the nitrate plant owned by the United States and located at Muscle Shoals, Ala.'

"A majority of the members of the inquiry are fully persuaded that the plain mandate of section 124 of the national defense act of 1916, safeguarding the national defense and further providing for the use of the plants and power for the benefit of agriculture in time of peace, can not be ignored. Muscle Shoals plant was built for the purpose of providing nitrogen compounds fixed from the air, to be used for explosives in time of war, and the manufacture of fertilizers in time of peace, not as a hydroelectric power-generating station for distribution purposes. The members of the inquiry, having this in mind, are convinced that nitrogen fixation plants No. 1 and No. 2, located, respectively, at Sheffield, Ala., and Muscle Shoals, Ala., together with all Government property and equipment belonging thereto, and the Waco limestone quarry in Alabama, together with Dam No. 2, and Dam No. 3 if and when constructed, and all their hydroelectric and operating appurtenances and accessories, should be dedicated for use in the national defense in time of war and for the production of fertilizers and other useful products in time of peace.

"Soon after entering upon our duties we sent out a communication to all parties whom we thought might be interested in the disposition of the Government properties at Muscle Shoals, Ala. In response to this communication we received numerous replies, many of which contained helpful suggestions, and in this connection we deem it proper to say that communications were submitted to the inquiry by Mr. E. F. Price, president of the Union Carbide Co., and Mr. Thomas W. Martin, president of the Alabama Power Co., expressing a desire to enter into negotiations on the entire property whenever authority is given to anyone representing the Government with power to make a contract. We also received a communication from C. E. Graff, president of the American Nitrogen Products Co., expressing a desire to lease a portion of the property, and Mr. E. H. Hooker, of New York City, submitted a proposition for the joint operation of the project by his company and the Government.

"We wish further to say, in this connection, that a definite proposal from Mr. Frederick T. Hepburn, of New York City, was received by the inquiry; all of which emphasizes the necessity for early legislation.

"Section 2.—Investigation made

"In view of the long-standing controversy as to the value to agriculture of a large-scale production of fertilizers or fertilizer materials at Muscle Shoals, it was the judgment of the inquiry that, before making recommendations, it was of the utmost importance to determine beyond reasonable doubt whether or not improved fertilizers can be produced by Muscle Shoals and delivered throughout the fertilizer-using States at prices representing a substantial saving to agriculture.

"The inquiry has had a very careful investigation made to determine conservatively the probable cost to the consumer of fertilizers manufactured at Muscle Shoals with a limit upon profits and sold directly to farmers through their cooperative organizations. The investigation which was carried out by the technologist to the inquiry, under the direction of the inquiry itself and which is included in the appendix hereto attached, was carried on in 23 States which use about 92.3 per cent of the total tonnage of commercial fertilizers used throughout the country.

"The present cost of mixed fertilizers in these 23 States was determined by sending questionnaires to the 1,151 county agents employed under the Smith-Lever Act in these States. The returns from these questionnaires were averaged, by States, and a general average taken. The results in every State studied show that agriculture may very reasonably expect to secure concentrated fertilizers from Muscle Shoals at a material reduction below prices of the same plant foods as now furnished, if the policy which we recommend be adopted. The specific conclusions to be drawn from our investigation are summarized for convenience in the appendix. (See p. 9 for summary of appendix.)

"We are convinced that efficient and competent operation of the Muscle Shoals nitrate plants, together with the accessory plants which must be built and operated in connection with them, will soon lead to the general use of improved fertilizers at lower cost and that such operation will increase rather than destroy the value of these plants for national defense.

"Section 3.—Private operation sought

"We are of the opinion, therefore, that private operation of Muscle Shoals property for the production of nitrates, suitable for use in the manufacture of explosives in time of war and of fertilizers in time of peace, all under specific conditions which will safeguard the interest of the Government and insure the faithful

performance of the contract, will be the most advantageous course possible both for the Government and for the public.

"We appreciate individual effort, commend private initiative, and respect vested rights. With this conviction in mind the inquiry has sought diligently to secure a basis for a mutual understanding and willingness to cooperate that would enable us to obtain a comprehensive private offer which we could recommend for acceptance. We have not, however, received a definite proposal in which a private concern of recognized accomplishment and financial standing definitely proposes to operate these plants in accordance with the purposes for which they were built, at its own expense and financial risk. We believe, however, that further effort should be made to secure a satisfactory private proposal before abandoning the effort.

"*Section 4.—Policy of Congress confirmed*

"In our judgment the results of our studies indicate clearly the wisdom of the policy laid down by Congress in section 124 of the national defense act and reiterated by the President in his letter of March 26, 1925, above quoted. We are convinced that the Government should pursue this policy if the Nation's investment at Muscle Shoals is to contribute to the national defense and to the welfare of agriculture as Congress intended.

"*Section 5.—Private lease preferred*

"We recommend the maintenance in operating condition of a large dependable nitrogen-fixation plant for national defense and a large production of improved and concentrated fertilizers by the continuous operation of present or improved plants at Muscle Shoals in active production by private enterprise under reasonable conditions that will encourage and promote the ends to be served and that at the same time will safeguard the public interest. If this can not be done through a private lease, then plans for Government operation should become effective within 90 days.

"*Section 6.—Recommendations*

"In accordance with this policy, therefore, we recommend as the sense of this inquiry that:

"1. There should be definite limitations placed upon the power to be distributed from Muscle Shoals in order to protect the power supply for fertilizer manufacture, which is the primary purpose of the enterprise. We do not believe, however, that the hydroelectric properties at Muscle Shoals should be operated as isolated plants. This plan would not be economic, because the water supply, and therefore the power supply, of the Tennessee River is very variable, and a larger supply of power for all purposes would be made available by interconnecting these plants with the general distribution system of the Southeastern States. Power transmission, to be most effective, should take place in both directions, and the resulting exchange in power would have great economic value to the entire section. It is pertinent in this connection to state that only 8 of the 18 units provided for have been purchased, and more could be installed and used from time to time as the demand justifies.

"2. Since, in our judgment, the operation of the nitrate plants can best be accomplished and their benefits for the national defense and to agriculture can best be assured by considering and dealing with the properties so dedicated above as a unit, they should be leased as a unit and not as separate entities.

"3. That in order to safeguard the interests of the Government and insure the faithful performance of the contract any legislation authorizing or providing for the leasing of the property should specify distinctly that any such lease must contain the following specific covenants and conditions:

"(a) That no lease shall extend over a period of more than 50 years.

"(b) That the lessee shall maintain the property or its equivalent covered by the lease in good repair and working condition for the term of the contract, but shall not be required to guarantee the stability of leased dams or assume responsibility in case of loss due to acts of Providence or of enemies of the Government.

"(c) That the lease shall require the lessee to provide a sum determined reasonable by the Chief of Engineers, United States Army, to cover the ordinary maintenance of leased dams, and the lessee shall be required to supply sufficient electrical power to operate all navigation locks at leased dams free of cost to the United States.

"(d) That the lessee shall be required to pay an annual rental for the use of leased property which shall not be less in the aggregate than 4 per cent of the actual cost of the dam, flowage rights, power-house facilities, and such an amount of rental on the steam power plant as may be fair and reasonable, for the period of the lease, less an amount properly chargeable to navigation improvement.

"(e) That the lessee shall be required to set up adequate sinking funds to return to the United States its entire investment in the leased power properties within the period of the lease, except that in the case of permanent concrete structures the life of the sinking fund shall be extended with due regard to the long life of such properties.

"(f) That the hydroelectric property shall be interconnected with the general distribution system of the Southeastern States and that the lessee shall provide for the distribution to the public under existing law of a reasonable amount of power not needed for the manufacture of commercial fertilizers or fertilizer ingredients.

"(g) That the lessee shall be required to manufacture nitrogen and other commercial fertilizers or concentrated ingredients for commercial fertilizers or both, either mixed or unmixed, and with or without filler, on the property covered by the lease or at such other plant or plants as the lessee may construct, using the most economical source of power available. The annual tonnage of these fertilizers or fertilizer ingredients supplied shall contain nitrogen, phosphoric acid, and potash, amounting in the aggregate to at least 18,000 tons after the third year, of which at least one-third shall be nitrogen, and said aggregate after the fourth year shall be progressively increased up to a maximum of 70,000 tons in the tenth year of the leased period, of which at least one-third shall be nitrogen, but the lessee shall be required to meet the commercial demand for his fertilizer products up to a nitrogen capacity equal to the full capacity of nitrate plant No. 2 as rapidly as he reasonably may be able to do in conformity with the commercial demand.

"(h) That there should be a limitation placed on the amount of profit to the manufacturer, which should not exceed 8 per cent on the fair annual cost of production.

"(i) That the lessee shall agree to determine by research whether or not, by means of electric-furnace methods and industrial chemistry, there may be produced on a commercial scale fertilizer compounds of higher grade and at lower prices than farmers and other users of commercial fertilizers have in the past been able to obtain, and if a process or processes are found which, in the reasonable judgment of the lessee, will reduce the cost of the fertilizer delivered to the farmer the lessee shall reasonably employ such improved methods.

"(j) That the lease should in all cases be made only to American citizens.

"(k) The legislation should provide for the proper guarantees for the performance of all the provisions of the lease by the lessee and also provide the way for declaring a forfeiture thereunder by some proper judicial proceeding.

"(l) That the lessee shall agree to suitable provisions for the creation of a board representing agriculture, whose duty shall be to cause an audit to be made annually of the cost of production of fertilizer and to report upon such audit annually and determine the territorial distribution of the fertilizers produced.

"(m) That the legislation should provide for the immediate operation of the properties by a Government corporation, in the event that a private lease is not obtained by the President after reasonable effort. A suggested form of bill providing for Government operation is submitted at the end of this report.

"4. In order to stabilize the power supply at Dam No. 2 and enhance the value of the present Government investment and to provide facilities making possible greater production at Muscle Shoals, we recommend the authorization for the construction of Dam No. 3, provided that said dam can be leased under the same general terms and conditions as Dam No. 2.

"CONCLUDING STATEMENT

"It is the mature judgment of the undersigned members of the inquiry that the Muscle Shoals property is primarily a part of our national defense and we are convinced that this view is generally shared by the people of the United States. It is obvious that when these plants are needed for the production of munitions in time of war they will be needed quickly. The Government should, therefore, hold the title to the plants and prevent their being so changed as to make impracticable their immediate conversion for the manufacture of munitions, and arrangements should be made that will assure the maintenance of a trained operating force. These needs can best be served, in our judgment, by operating the plants. Fortunately, the plants are of such a character that they can render an important peace-time service to agriculture, and this vast expenditure of the Government need not remain idle or unproductive.

"We therefore unhesitatingly recommend legislation be enacted by Congress to lease this property on such terms as have been herein enumerated, and in event of failure to obtain a lease the President should have authority to cause these plants to be immediately operated as a Government enterprise.

"*It is with great reluctance that we turn toward Government operation, being well advised of all of the infirmities inherent in such an undertaking. The great investment of the Government at Muscle Shoals, however, the importance of its continued maintenance as a part of our national defense, the crying need of agriculture for more and cheaper fertilizer, and the favorable opportunity for meeting that need, all compel us to disregard our prejudices, for we are convinced that to longer permit this great investment to stand idle when it can be of such great service to our people would be little less than a public calamity.*

"*Delay in this case is expensive. Legislative action is imperative.*

"Dated this 14th day of November, 1925.

"JOHN C. MCKENZIE.
"NATHANIEL B. DIAL.
"R. F. BOWER."

NATIONAL DEFENSE REQUIREMENTS—VIEWS OF GENERAL PERSHING

General Pershing in his final report to the Secretary of War on the operations of the American Expeditionary Forces in Europe made the following statement:

"GENERAL HEADQUARTERS,
"AMERICAN EXPEDITIONARY FORCES,
"*March 29, 1920.*

[Extract from General Pershing's report of March 23 to the Secretary of War]

* * * * * * *

"Muscle Shoals nitrate plant: In the Muscle Shoals nitrate plant the Government has a permanent installation which is of

the greatest importance. In another war a plant assuring a domestic supply of nitrogen might well be a decisive factor in maintaining our security. It is understood that this plant can be utilized in peace for the commercial manufacture of nitrogen products and that such use would return a reasonable profit on the investment represented by the plant while maintaining it constantly available for military purposes."

POLICY OF COMMITTEE IN 1928

Shortly after the convening of the present session of Congress your Committee on Military Affairs adopted the following resolution at the meeting Friday, January 13, 1928, to govern the action of the committee in the consideration of any proposed legislation embodying propositions for the purchase, lease, or operation of the Muscle Shoals nitrate plants:

"1. That the property shall at all times be subject to the absolute right and control of the Government for the production of nitrates or other ammunition components of munitions of war, and that nitrate plant No. 2, or its equivalent or such other nitrogen fixation plant or plants adjacent or near thereto as may be constructed, must be kept available therefor by the purchasers, lessees, or users of the property.

"2. That the purchasers, lessees, or users of the property shall be obligated in the strictest terms to the manufacture and offer for sale to the American public of fertilizers in time of peace, of a volume of not less than 40,000 tons annually within 15 years of the commencement of the term of the lease, and at prices and of kinds calculated to be attractive to the American farmer.

"3. That any proposal for the purchase, lease, or use of the Muscle Shoals property of the United States Government must be for the entire property.

"4. In the consideration of any offers for Muscle Shoals that it be a prerequisite that such offer contain a stipulation that the lessee, operating agency or owner, as the case may be, be required to return to, or account for, to the Government either in cash or by way of reduction in the price of the fertilizer manufactured, the profits from the sale of power which would have been used in the manufacture of fertilizer in case there had been no discontinuance in the manufacture thereof; that the manufacture of fertilizer may be discontinued only when there shall be such excess accumulation of fertilizer stocks as shall be in excess of and such manufacture shall be resumed upon reduction to a reasonable degree of such accumulated stock of fertilizer.

"5. That any bid must contain such forfeiture or penalty provision as will protect and safeguard the interests and rights of the Government on account of any failure of the lessee, operating agency or owner, as the case may be, to fully keep and perform its obligations and undertakings under the contract."

FINAL CONCLUSIONS OF THE COMMITTEE

Having these principles in view and pursuant to the following statement contained in the report of the committee above referred to (No. 2303)—

"Your subcommittee is also of the opinion and submits to the committee that unless by the time Congress convenes for the Seventieth Congress a bid is received which more fully and more satisfactorily meets the conditions and limitations set forth in this report, an effort should be made to secure an operating contract for the production of fertilizer at Muscle Shoals and in default thereof, this committee should give the matter of operation at Muscle Shoals by a Government corporation full and careful consideration—"

your committee has spent the past several weeks in a further and very careful consideration of the various proposals submitted to it since the convening of Congress.

The only private bid before the committee during the present session of Congress was that of the American Cyanamid Co. On this bid your committee could not come to a satisfactory agreement with Mr. Bell, the president of the company, on his offer.

Your committee has, therefore, proceeded to the preparation of a bill which will continue Government operation at Muscle Shoals on a basis which conforms to the above principles. In doing this the impressive statement which concludes the report of the Muscle Shoals inquiry above referred to was in mind and it is again quoted:

"It is with great reluctance that we turn toward Government operation, being well advised of all of the infirmities inherent in such an undertaking. The great investment of the Government at Muscle Shoals, however, the importance of its continued maintenance as a part of the national defense, the crying need of agriculture for more and cheaper fertilizer, and the favorable opportunity for meeting that need, all compel us to disregard our prejudices, for we are convinced that to longer permit this great investment to stand idle when it can be of such great service to our people would be little less than a public calamity. Delay in this case is expensive. Legislative action is imperative."

While strongly indorsing this sentiment and urging the early enactment of this legislation, your committee appreciates the fact that this will in no way prevent the subsequent leasing by the Congress of the Muscle Shoals property to any private person or corporation. We have carefully safeguarded the committing of any power to the proposed corporation that might be in conflict with a transfer of the possession and control and operation of the property at any time in the future however near or however remote. The bill expressly provides that it is subject to repeal in whole or in part.

The plan proposed here will not prove expensive to the Government and the success of this plan will be of vast benefit to agriculture and will make certain the use of this plant for the manufacture of munitions in time of a national emergency.

OUTLINE ANALYSIS OF THE BILL

There are certain general fundamental underlying principles and considerations running through the whole bill, and an analysis of the bill will reveal that these principles are consistently observed.

1. The corporation organized is a mere operating agency, does not hold the title to the property, but holds the property in trust to carry out the national and constitutional purposes of military defense and interstate commerce. Navigation and flood control are incidental to interstate commerce. A constant and abundant domestic supply of nitrogen is essential to the national defense.

2. The bill does not commit the Government to this mode of operation for any fixed length of time, but is expressly subject to repeal at any time without any embarrassment to the Government on account of existing contracts with any person, firm, or corporation. Consequently a lease with any private operating agency could be negotiated and executed and the private lessee take over the property and assume control and thus enter into possession without ever stopping a wheel or delaying one minute the manufacture of fertilizers or munitions, or the distribution of power. That could be done one year from now, or at any time that a satisfactory contract could be obtained from a private operating agency.

3. The purpose of the bill is to give the manufacture of fertilizers a fair test by seeking to put the management of the property in the hands of persons friendly to the fertilizer project. Consequently the bill stipulates that directors must profess a belief in the feasibility of the fertilizer proposition and must not have any adverse financial interests. Furthermore, the directors are subject to confirmation by the Senate and the Senate can ascertain the slant of mind of each member of the board before confirming him. In the next place, one member of the board goes out of office each year, and the matter of confirming his successor brings up annually the question of the friendly attitude, or the hostile attitude, of the members of the board toward the fertilizer proposition.

4. Business methods and business efficiency are insured by the fact that the board of directors will only make general rules and regulations and then will elect one business manager and will centralize authority in him and fix responsibility upon him and give him very great powers in the entire management of the business. Upon the recommendation of the general manager the board will elect two assistant managers but they can be discharged at any time by the general manager. All other employees, agents, officers, attorneys, and laborers will be employed and discharged by the general manager. This will enable the general manager to set up a system and organization with graduated powers and responsibilities centralizing in various chiefs and subchiefs that will insure accountability and responsibility from the lowest laborer up to the general manager himself. No political influence will control the general manager in the selection of his help. The general manager is selected for 10 years subject to removal by the board, and consequently the general manager is made free and independent of political influences.

5. The price of fertilizer is put upon an actual cost basis for the first five years. All the net proceeds from the sale of surplus power are to be employed in manufacturing fertilizers. No interest is to be charged for the money used nor for the use of the plant for such first five years. This ought to insure ammonium phosphate for sale f. o. b. the cars at Muscle Shoals at relatively low prices. That being so, the farmers will buy every pound that is available. It will be cutting the cost of plant food and will reduce the present freight charges. That ought greatly to reduce the cost of fertilizers to the ultimate farmer consumers.

6. Every means of introducing this new kind of fertilizers is to be employed. Five per cent of the total annual output may be donated absolutely free and to be distributed under the regulations of the board through agricultural colleges and county demonstration agents. If, for any reason whatever, there should be on hand at the end of any fiscal year 25 per cent of the annual production, then the board by unanimous action may donate an additional 10 per cent. This will be used to show the farmers the value of concentrated fertilizers.

7. At the end of the first five-year period there will be a "step-up" in the fertilizer business toward a completely self-sustaining basis. The capital stock of the corporation must be credited with 4 per cent dividends and one-half of the net profits from the sale of power may be employed in the manufacture of fertilizers, and the other half must go into the Treasury of the United States.

8. At the expiration of the first 10 years of operation under this bill, the fertilizer business must not only be self-sustaining, but must pay a 4 per cent profit not only on the capital stock of the corporation but also 4 per cent upon the turnover, and all the net proceeds from the sale of surplus power must be covered into the Treasury. Thus after the first 10 years, the fertilizer business is not only self-sustaining but it is profit-making to the Government. The profits from the sale of fertilizers and from the sale of power combined should finally reimburse the Government for all of its expenditures at Muscle Shoals.

9. The Government retains the absolute title to the property and the right to use it to make munitions in time of war at cost

so that this essential and fundamental factor in the national-defense problem is preserved and kept up to date. Thus, national defense is obtained in this respect at the minimum of expense and at the same time accomplishes a very vital and useful function in the Nation's economic life, to wit, the restoration of our depleted soils and the aid of agriculture by increasing the yield per acre, and thus increasing the net return for the labor of the farmer.

10. The bill very clearly and definitely defines the policy of the Government so as to insure the distribution of surplus electric power equitably among the States within transmission distance of Muscle Shoals and the distribution of fertilizer equitably among the States, Territories, and possessions of the United States.

11. The bill also makes it clear that the fertilizer to be manufactured at Muscle Shoals is concentrated fertilizer. One great advantage that will accrue to the farmer will be the saving in freight because of the shipment of these concentrated fertilizers. As is now well known, a very high percentage of commercial fertilizers consists of inert matter used as a filler, or vehicle for the carrying of the plant food. To eliminate freight upon this filler will be an enormous saving to the American farmers.

12. It will be observed that all any piece of legislation can accomplish is to set up machinery and to outline the aims and purposes to be accomplished and define the powers. But discretion must be lodged somewhere for the exercise of these powers and the responsibility for the accomplishment of these purposes. Whatever suggestions may occur to the minds of students of this bill as to details of operation, must be solved by reposing confidence in the judgment and practical business sense of the members constituting the board of directors and the general manager chosen by the board.

Broad powers are conferred upon the corporation but their exercise is so guarded as to protect the Government and the people.

The bill itself is clear. It is couched in plain language. Further analysis and explanation seem, therefore, unnecessary.

That proposed amendment was considered in the House and was amended by the so-called McMillan amendments by striking out all sentences, phrases, and words indicating an intention to manufacture a complete fertilizer, so as to restrict the scope of the powers of the board of directors to the manufacture and preparation of nitrogen only so as to make the same suitable as an ingredient of a complete fertilizer.

M'MILLAN AMENDMENTS VICTORY FOR FERTILIZER MANUFACTURERS

This amendment as amended by the McMillan amendments passed the House, and when messaged to the Senate a disagreement was resolved upon and messaged to the House of Representatives, requesting a conference. The conference requested was agreed to and conferees appointed on the part of both Houses. After being in conference for some time the conferees agreed and reported to their respective Houses such agreement, and the report of the conferees of the House is hereby inserted for the information of all parties concerned.

[House Report No. 1844, Seventieth Congress, first session]

COMPLETION OF DAM NO. 2, ETC., MUSCLE SHOALS

May 28, 1928.—Ordered to be printed

Mr. Morin, from the committee of conference, submitted the following conference report (to accompany S. J. Res. 46):

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the joint resolution (S. J. Res. 46) providing for the completion of Dam No. 2 and the steam plant at nitrate plant No. 2 in the vicinity of Muscle Shoals for the manufacture and distribution of fertilizer, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the title of the joint resolution and agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the text of the joint resolution and agree to the same with an amendment as follows:

In lieu of the language put in by the House, insert the following:

"That for the purpose of maintaining and operating the properties now owned by the United States in the vicinity of Muscle Shoals, Ala., in the interest of the national defense and for agricultural and industrial development, and to aid navigation and the control of destructive flood waters in the Tennessee River and Mississippi River Basins, there is hereby created a body corporate by the name of the 'Muscle Shoals Corporation of the United States' (hereinafter referred to as the corporation). The board of directors first appointed shall be deemed the incorporators and the incorporation shall be held to have been effected from the date of the first meeting of the board. This act may be cited as the 'Muscle Shoals act of 1928.'

"SEC. 2. (a) The board of directors of the corporation (hereinafter referred to as the board) shall be composed of three members, not more than two of whom shall be members of the same political party, to be appointed by the President, by and with the advice and consent of the Senate. The board shall organize by electing a chairman, vice chairman, and other officers, agents, and employees, and shall proceed to carry out the provisions of this act.

"(b) The terms of office of the members first taking office after the approval of this act shall expire as designated by the President at the time of nomination, one at the end of the second year, one at the end of the fourth year, and one at the end of the sixth year, after the date of approval of this act. A successor to a member of the board shall be appointed in the same manner as the original members and shall have a term of office expiring six years from the date of the expiration of the term for which his predecessor was appointed.

"(c) Any member appointed to fill a vacancy in the board occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term.

"(d) Vacancies in the board so long as there shall be two members in office shall not impair the powers of the board to execute the functions of the corporation, and two of the members in office shall constitute a quorum for the transaction of the business of the board.

"(e) Each of the members of the board shall be a citizen of the United States and shall receive compensation at the rate of $50 per day for each day that he shall be actually engaged in the performance of the duties vested in the board, to be paid by the corporation as current expenses, not to exceed, however, 150 days for the first year after the date of the approval of this act, and not to exceed 100 days in any year thereafter. Members of the board shall be reimbursed by the corporation for actual expenses (including traveling and subsistence expenses) incurred by them while in the performance of the duties vested in the board by this act.

"(f) No director shall have any financial interest in any public-utility corporation engaged in the business of distributing and selling power to the public nor in any corporation engaged in the manufacture, selling, or distribution of fixed nitrogen, or any ingredients thereof, nor shall any member have any interest in any business that may be adversely affected by the success of the Muscle Shoals project as a producer of concentrated fertilizers.

"(g) The board shall direct the exercise of all the powers of the corporation.

"(h) All members of the board shall be persons that profess a belief in the feasibility and wisdom, having in view the national defense and the encouragement of interstate commerce, of producing fixed nitrogen under this act of such kinds and at such prices as to induce the reasonable expectation that the farmers will buy said products, and that by reason thereof the corporation may be a self-sustaining and continuing success.

"SEC. 3. (a) The chief executive officer of the corporation shall be a general manager, who shall be responsible to the board for the efficient conduct of the business of the corporation. The board shall appoint the general manager, and shall select a man for such appointment who has demonstrated his capacity as a business executive. The general manager shall be appointed to hold office for 10 years, but he may be removed by the board for cause, and his term of office shall end upon repeal of this act, or by amendment thereof expressly providing for the termination of his office. Should the office of general manager become vacant for any reason, the board shall appoint his successor as herein provided.

"(b) The general manager shall appoint, with the advice and consent of the board, two assistant managers who shall be responsible to him, and through him, to the board. One of the assistant managers shall be a man possessed of knowledge, training, and experience to render him competent and expert in the production of fixed nitrogen. The other assistant manager shall be a man trained and experienced in the field of production and distribution of hydroelectric power. The general manager may at any time, for cause, remove any assistant manager, and appoint his successor as above provided. He shall immediately thereafter make a report of such action to the board, giving in detail the reason therefor. He shall employ, with the approval of the board, all other agents, clerks, attorneys, employees, and laborers.

"(c) The combined salaries of the general manager and the assistant managers shall not exceed the sum of $50,000 per annum, to be apportioned and fixed by the board.

"SEC. 4. Except as otherwise specifically provided in this act, the corporation—

"(a) Shall have succession in its corporate name.

"(b) May sue and be sued in its corporate name, but only for the enforcement of contracts and the defense of property.

"(c) May adopt and use a corporate seal, which shall be judicially noticed.

"(d) May make contracts, but only as herein authorized.

"(e) May adopt, amend, and repeal by-laws.

"(f) May purchase or lease and hold such personal property as it deems necessary or convenient in the transaction of its business, and may dispose of any such personal property held by it.

"(g) May appoint such officers, employees, attorneys, and agents as are necessary for the transaction of its business, fix their compensation, define generally their duties, require bonds of them and fix the penalties thereof, and dismiss at pleasure any such officer, employee, attorney, or agent, and provide a system of organization to fix responsibility and promote efficiency.

"(h) The board shall require that the general manager and the two assistant managers, the secretary and the treasurer, the bookkeeper or bookkeepers, and such other administrative and executive officers as the board may see fit to include, shall execute and file before entering upon their several offices good and sufficient surety bonds, in such amount and with such surety as the board shall approve.

"(i) Shall have all such powers as may be necessary or appropriate for the exercise of the powers herein specifically conferred upon the corporation, including the right to exercise the power of eminent domain.

"SEC. 5. The board is hereby authorized and directed—

"(a) To operate existing plants for experimental purposes, to construct, maintain, and operate experimental plants at or near Muscle Shoals for the manufacture of fertilizer or any of the ingredients comprising fertilizer for experimental purposes;

"(b) To contract with commercial producers for the production of such fertilizers or fertilizer materials as may be needed in the Government's program of development and introduction in excess of that produced by Government plants. Such contracts may provide either for outright purchase by the Government or only for the payment of carrying charges on special materials manufactured at the Government's request for its program;

"(c) To arrange with farmers and farm organizations for large-scale practical use of the new forms of fertilizers under conditions permitting an accurate measure of the economic return they produce;

"(d) To cooperate with national, State, district, or county experimental stations or demonstration farms for the use of new forms of fertilizer or fertilizer practices during the initial or experimental period of their introduction;

"(e) The board shall manufacture fixed nitrogen at Muscle Shoals by the employment of existing facilities (by modernizing existing plants), or by any other process or processes that in its judgment shall appear wise and profitable for the fixation of atmospheric nitrogen. The fixed nitrogen provided for in this act shall be in such form and in combination with such other ingredients as shall make such nitrogen immediately available and practical for use by farmers in application to soil and crops.

"(f) Under the authority of this act the board may donate not exceeding 1 per cent of the total product of the plant or plants operated by it to be fairly and equitably distributed through the agency of county demonstration agents, agricultural colleges, or otherwise as the board may direct for experimentation, education, and introduction of the use of such products in cooperation with practical farmers so as to obtain information as to the value, effect, and best methods of use of same.

"(g) The board is authorized to make alterations, modifications, or improvements in existing plants and facilities.

"(h) To establish, maintain, and operate laboratories and experimental plants and to undertake experiments for the purpose of enabling the corporation to furnish nitrogen products for military and agricultural purposes in the most economical manner and at the highest standard of efficiency.

"(i) The board shall have power to request the assistance and advice of any officer, agent, or employee of any executive department or of any independent office of the United States, to enable the corporation the better to carry out its powers successfully, and the President shall, if in his opinion the public interest, service and economy so require, direct that such assistance, advice, and service be rendered to the corporation and any individual that may be by the President directed to render such assistance, advice, and service shall be thereafter subject to the orders, rules, and regulations of the board and of the general manager.

"(j) Upon the requisition of the Secretary of War or the Secretary of the Navy to manufacture for and sell at cost to the United States explosives or their nitrogenous content.

"(k) Upon the requisition of the Secretary of War the corporation shall allot and deliver without charge to the War Department so much power as shall be necessary in the judgment of said department for use in operation of all locks, lifts, or other facilities in aid of navigation.

"(l) To produce, distribute, and sell electric power, as herein particularly specified.

"(m) No products of the corporation shall be sold for use outside of the United States, her Territories and possessions, except to the United States Government for the use of its Army and Navy or to its allies in case of war.

"SEC. 6. In order to enable the corporation to exercise the powers vested in it by this act—

"(a) The exclusive use, possession, and control of the United States nitrate plants Nos. 1 and 2, located respectively, at Sheffield, Ala., and Muscle Shoals, Ala., together with all real estate and buildings connected therewith, all tools and machinery, equipment, accessories, and materials belonging thereto, and all laboratories and plants used as auxiliaries thereto; the fixed-nitrogen research laboratory, the Waco limestone quarry, in Alabama, and Dam No. 2, located at Muscle Shoals, its power house, and all hydroelectric and operating appurtenances (except the locks), and all machinery, lands, and buildings in connection therewith, and all appurtenances thereof are hereby entrusted to the corporation for the purposes of this act.

"(b) The President of the United States is authorized to provide for the transfer to the corporation of the use, possession, and control of such other real or personal property of the United States as he may from time to time deem necessary and proper for the purposes of the corporation as herein stated.

"SEC. 7. (a) The corporation shall maintain its principal office in the immediate vicinity of Muscle Shoals, Ala. The corporation shall be held to be an inhabitant and resident of the northern judicial district of Alabama within the meaning of the laws of the United States relating to venue of civil suits.

"(b) The corporation shall at all times maintain complete and accurate books of accounts.

"SEC. 8. (a) The board shall file with the President and with the Congress, in December of each year, a financial statement and a complete report as to the business of the corporation covering the preceding fiscal year. This report shall include the total number of employees and the names, salaries, and duties of those receiving compensation at the rate of more than $2,500 a year.

"(b) The board shall require a careful and scrutinizing audit and accounting by the General Accounting Office during each governmental fiscal year of operation under this act, and said audit shall be open to inspection to the public at all times and copies thereof shall be filed in the principal office of the Muscle Shoals Corporation at Muscle Shoals in the State of Alabama. Once during each fiscal year the President of the United States shall have power, and it shall be his duty, upon the written request of at least two members of the board, to appoint a firm of certified public accountants of his own choice and selection which shall have free and open access to all books, accounts, plants, warehouses, offices, and all other places, and records, belonging to or under the control of or used by the corporation in connection with the business authorized by this act. And the expenses of such audit so directed by the President shall be paid by the board and charged as part of the operating expenses of the corporation.

"SEC. 9. The board is hereby empowered and authorized to sell the surplus power not used in its operations and for operation of locks and other works generated at said steam plant and said dam to States, counties, municipalities, corporations, partnerships, or individuals, according to the policies hereinafter set forth, and to carry out said authority the board is authorized to enter into contracts for such sale for a term not exceeding 10 years and in the sale of such current by the board it shall give preference to States, counties, or municipalities purchasing said current for distribution to citizens and customers.

"SEC. 10. It is hereby declared to be the policy of the Government to distribute the surplus power generated at Muscle Shoals equitably among the States within transmission distance of Muscle Shoals.

"SEC. 11. In order to place the board upon a fair basis for making such contracts and for receiving bids for the sale of such power it is hereby expressly authorized, either from appropriations made by Congress or from funds secured from the sale of such power, to construct, lease, or authorize the construction of transmission lines within transmission distance in any direction from said Dam No. 2 and said steam plant: *Provided*, That if any State, county, municipality, or other public or cooperative organization of citizens or farmers, not organized or doing business for profit, but for the purpose of supplying electricity to its own citizens or members, or any two or more of such municipalities or organizations, shall construct or agree to construct a transmission line to Muscle Shoals, the board is hereby authorized and directed to contract with such State, county, municipality, or other organization, or two or more of them, for the sale of electricity for a term not exceeding 15 years, and in any such case the board shall give to such State, county, municipality, or other organization ample time to fully comply with any local law now in existence or hereafter enacted providing for the necessary legal authority for such State, county, municipality, or other organization to contract with the board for such power: *And provided further*, That any surplus power not so sold as above provided to States, counties, municipalities, or other said organizations, before the board shall sell the same to any person or corporation engaged in the distribution and resale of electricity for profit, it shall require said person or corporation to agree that any resale of such electric power by said person or corporation shall be sold to the ultimate consumer of such electric power at a price that shall not exceed an amount fixed as reasonable, just, and fair by the Federal Power Commission; and in case of any such sale if an amount is charged the ultimate consumer which is in excess of the price so deemed to be just, reasonable, and fair by the Federal Power Commission, the contract for such sale between the board and such distributor of electricity shall be declared null and void and the same shall be canceled by the board.

"SEC. 12. The net proceeds derived by the board from the sale of power and any of the products manufactured by the corporation, after deducting the cost of operation, maintenance, depreciation, and an amount deemed by the board as necessary to withhold as operating capital, shall be paid into the Treasury of the United States at the end of each calendar year.

"SEC. 13. The Secretary of War is hereby empowered and directed to complete Dam No. 2 at Muscle Shoals, Ala., and the steam plant at nitrate plant No. 2, in the vicinity of Muscle Shoals, by installing in Dam No. 2 the additional power units according to the plans and specifications of said dam, and the additional power unit in the steam plant at nitrate plant No. 2: *Provided*, That the Secretary of War shall not install the additional power unit in said steam plant until, after investigation, he shall be satisfied that the foundation of said steam plant is sufficiently stable or has been made sufficiently stable to sustain the additional weight made necessary by such installation.





"SEC. 14. It is hereby declared to be the policy of the Government to utilize the Muscle Shoals properties for the fixation of nitrogen for agricultural purposes in time of peace.

"SEC. 15. The Secretary of War is hereby authorized, with appropriations hereafter to be made available by the Congress, to construct, either directly or by contract to the lowest responsible bidder, after due advertisement, a dam in and across Clinch River in the State of Tennessee, which has by long usage become known and designated as the Cove Creek Dam, according to the latest and most approved designs of the Chief of Engineers, including its power house and hydroelectric installations and equipment for the generation of at least 200,000 horsepower, in order that the waters of the said Clinch River may be impounded and stored above said dam for the purpose of increasing and regulating the flow of the Clinch River and the Tennessee River below, so that the maximum amount of primary power may be developed at Dam No. 2 and at any and all other dams below the said Cove Creek Dam.

"SEC. 16. In order to enable and empower the Secretary of War to carry out the authority hereby conferred, in the most economical and efficient manner, he is hereby authorized and empowered in the exercise of the powers of national defense, in aid of navigation, and in the control of the flood waters of the Tennessee and Mississippi Rivers, constituting channels of interstate commerce, to exercise the right of eminent domain and to condemn all lands, easements, rights of way, and other area necessary in order to obtain a site for said Cove Creek Dam, and the flowage rights for the reservoir of water above said dam and to negotiate and conclude contracts with States, counties, municipalities, and all State agencies and with railroads, railroad corporations, common carriers, and all public-utility commissions and any other person, firm, or corporation, for the relocation of railroad tracks, highways, highway bridges, mills, ferries, electric-light plants, and any and all other properties, enterprises, and projects whose removal may be necessary in order to carry out the provisions of this act. When said Cove Creek Dam and transportation facilities and power house shall have been completed, the possession, use, and control thereof shall be entrusted to the corporation for use and operation in connection with the general Muscle Shoals project and to promote flood control and navigation in the Tennessee River, and in the Clinch River.

"SEC. 17. The corporation as an instrumentality and agency of the Government of the United States for the purpose of executing its constitutional powers, shall have access to the Patent Office of the United States for the purpose of studying, ascertaining, and copying all methods, formulæ, and scientific information (not including access to pending applications for patents) necessary to enable the corporation to use and employ the most efficacious and economical process for the production of fixed nitrogen, or any essential ingredient thereof, and any patentee whose patent rights may have been thus in any way copied, used, or employed, by the exercise of this authority by the corporation, shall have as the exclusive remedy a cause of action to be instituted and prosecuted on the equity side of the appropriate district court of the United States for the recovery of reasonable compensation.

"The Commissioner of Patents shall furnish to the corporation, at its request and without payment of fees, copies of documents on file in his office.

"SEC. 18. The Government of the United States hereby reserves the right, in case of war, or national emergency declared by Congress, to take possession of all or any part of the property described or referred to in this act for the purpose of manufacturing explosives or for other war purposes; but, if this right is exercised by the Government, it shall pay the reasonable and fair damages that may be suffered by any party whose contract, for the purchase of electric power or fixed nitrogen or its ingredients, is thereby violated after the amount of the damages have been fixed by the United States Court of Claims in proceedings instituted and conducted for that purpose under rules prescribed by the court.

"SEC. 19. (a) All general penal statutes relating to the larceny, embezzlement, conversion, or to the improper handling, retention, use, or disposal of public moneys or property of the United States, shall apply to the moneys and property of the corporation and to moneys and properties of the United States intrusted to the corporation.

"(b) Any person who, with intent to defraud the corporation, or to deceive any director or officer of the corporation or any officer or employee of the United States (1) makes any false entry in any book of the corporation, or (2) makes any false report or statement for the corporation, shall, upon conviction thereof, be fined not more than $10,000 or imprisoned not more than five years, or both.

"(c) Any person who shall receive any compensation, rebate, or reward, or shall enter into any conspiracy, collusion, or agreement, express or implied, with intent to defraud the corporation or wrongfully and unlawfully to defeat its purposes, shall, on conviction thereof, be fined not more than $5,000 or imprisoned not more than five years, or both.

"SEC. 20. In order that the board may not be delayed in carrying out the program authorized herein the sum of $10,000,000 is hereby authorized to be appropriated for that purpose from the Treasury of the United States, of which not to exceed $2,000,000 shall be made available with which to begin construction of Cove Creek Dam during the calendar year 1929.

"SEC. 21. That all appropriations necessary to carry out the provisions of this act are hereby authorized.

"SEC. 22. That all acts or parts of acts in conflict herewith are hereby repealed.

"SEC. 23. That this act shall take effect immediately.

"SEC 24. The right to alter, amend, or repeal this act is hereby expressly declared and reserved."

And the House agree to the same.

JOHN M. MORIN,
W. FRANK JAMES,
B. CARROLL REECE,
PERCY E. QUIN,
WILLIAM C. WRIGHT,
Managers on the part of the House.

CHAS. L. MCNARY,
G. W. NORRIS,
E. D. SMITH,
Managers on the part of the Senate.

STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the joint resolution (S. J. Res. 46) providing for the completion of Dam No. 2 in the vicinity of Muscle Shoals for the manufacture and distribution of fertilizer, and for other purposes, submit the following detailed statement in explanation of the effect of the action agreed upon and recommended in the conference report:

As amended by the House there were three major differences in the provisions of the resolution as it was passed by the Senate and as it was passed by the House. These were, first, whether the Government property at Muscle Shoals should be operated by the Secretary of War and Secretary of Agriculture or whether it should be operated by a Government corporation; second, whether Cove Creek Dam should be constructed; and third, what should be the character of the products to be manufactured. On the first two differences the Senate conferees receded, accepting the House language, with such amendments as necessary to provide for a board of directors with a membership of three instead of five, while on the third difference the House conferees reached an agreement by a compromise that brings into conformity with the resolution as it passed the House the Senate provisions for the construction, operation, and maintenance of experimental plants at Muscle Shoals, the manufacture of nitrogen in such form as shall make it immediately available and practical for use by farmers in application to soil and crops, and to arrange with farmers and farm organizations for the practical use of the products of the plants at Muscle Shoals, as well as to cooperate with all existing agricultural experiment stations.

An amendment to the section concerning patent rights designed to speed up any possible court action was also agreed to.

In short, the joint resolution as agreed to by your conferees provides for a Government corporation authorized and directed to conduct experiments in the production and use of nitrogenous products, to sell surplus electric power, and the Secretary of War is authorized to construct Cove Creek Dam for the benefit of navigation, flood control, and the generation of electric power.

An authorization for an appropriation of $10,000,000 is carried in the resolution, with a provision that not to exceed $2,000,000 of this amount is to be used to begin work at Cove Creek during the year 1929.

JOHN M. MORIN,
W. FRANK JAMES,
B. CARROLL REECE,
PERCY E. QUIN,
WILLIAM C. WRIGHT,
Managers on the part of the House.

When the conference report came up in the House of Representatives for consideration, a record vote was had on May 25, 1928, and that vote will be found at page 9957 of volume 69, part 9, of the Seventieth Congress. Attention is most earnestly called to that record vote, because it will be found that 65 members of the Republican Party voted to accept the report of the conferees and an overwhelming majority of both parties did so vote as did the Senate, and the bill as agreed to in conference by both Houses and approved was sent to President Coolidge within 10 days prior to the adjournment of Congress. The President did not return the bill with either his approval or disapproval but administered to it what is popularly called a "pocket veto." Only by this negative course, only by inaction, may we draw any inference that former President Coolidge was opposed to that bill. If he had any serious and substantial opposition to any of the provisions of the bill, he certainly would have exercised his usual great courage and aggressiveness by voicing such opposition in a vigorous veto message. It is more likely that the President was exceedingly busy with many matters at a hot season of the year, and, as there was great conflict of opinion between two groups in his own party concerning the wise thing to do, and as a general presidential election was coming on in the fall, and as it is

ordinarily considered to be sound philosophy in politics to follow the slogan "When in doubt, don't," President Coolidge let the matter rest. His personal views on the question still rest in his own bosom. Probably he thought that, as the matter had been hanging fire about 10 years, it could well stand to be postponed 2 or 3 years longer.

It is our most earnest hope that action will be taken on the report of the conferees in the present Congress in time to put it in the hands of the President more than 10 days prior to the adjournment of Congress. If we can succeed in that, then President Hoover must either approve the bill or give some special reasons why he does not approve it. If he refuses to approve it on some of the grounds that its opponents place their principal objections, then it will be necessary for President Hoover to explain why practically the same provision of Government operation by a board of directors and a manufacture of nitrogenous products for sale to farmers and the construction of transmission lines out of the proceeds of the sale of the power were advocated several years ago by such conservative and sound statesmen and business men as former Senator Wadsworth, of New York, Representative SNELL, of New York, Senator SMITH, of South Carolina, Senator DENEEN, of Illinois, and Representative LOWREY, of Mississippi.

CONSERVATIVE CLOTHES WORN BY PROGRESSIVES

The legislative effort of the Seventieth Congress, having proven abortive because of the inaction of former President Coolidge, when the Seventy-first Congress convened, the old problem confronted the new Congress. Accordingly Senator NORRIS on April 8, 1930, introduced Senate Joint Resolution 49, which was referred to the Committee on Agriculture, reported favorably, and passed the Senate, I believe without a record vote and perhaps unanimously.

[Union Calendar No. 365, Seventy-first Congress, second session, S. J. Res. 49 (Rept. No. 1430). In the House of Representatives, April 8, 1930. Referred to the Committee on Military Affairs, May 12, 1930. Reported with an amendment, committed to the Committee of the Whole House on the state of the Union, and ordered to be printed]

Joint resolution to provide for the national defense by the creation of a corporation for the operation of the Government properties at and near Muscle Shoals in the State of Alabama, and for other purposes

Resolved, etc., That for the purpose of maintaining and operating the properties now owned by the United States in the vicinity of Muscle Shoals, Ala., in the interest of the national defense and for agricultural and industrial development, and to aid navigation and the control of destructive flood waters in the Tennessee River and Mississippi River Basins, there is hereby created a body corporate by the name of the "Muscle Shoals Corporation of the United States" (hereinafter referred to as the corporation). The board of directors first appointed shall be deemed the incorporators and the incorporation shall be held to have been effected from the date of the first meeting of the board. This act may be cited as the "Muscle Shoals act of 1929."

SEC. 2. (a) The board of directors of the corporation (hereinafter referred to as the board) shall be composed of three members, not more than two of whom shall be members of the same political party, to be appointed by the President, by and with the advice and consent of the Senate. The board shall organize by electing a chairman, vice chairman, and other officers, agents, and employees, and shall proceed to carry out the provisions of this act.

(b) The terms of office of the members first taking office after the approval of this act shall expire as designated by the President at the time of nomination, one at the end of the second year, one at the end of the fourth year, and one at the end of the sixth year, after the date of approval of this act. A successor to a member of the board shall be appointed in the same manner as the original members and shall have a term of office expiring six years from the date of the expiration of the term for which his predecessor was appointed.

(c) Any member appointed to fill a vacancy in the board occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term.

(d) Vacancies in the board so long as there shall be two members in office shall not impair the powers of the board to execute the functions of the corporation, and two of the members in office shall constitute a quorum for the transaction of the business of the board.

(e) Each of the members of the board shall be a citizen of the United States and shall receive compensation at the rate of $50 per day for each day that he shall be actually engaged in the performance of the duties vested in the board, to be paid by the corporation as current expenses, not to exceed, however, 150 days for the first year after the date of the approval of this act, and not to exceed 100 days in any year thereafter. Members of the board shall be reimbursed by the corporation for actual expenses (including traveling and subsistence expenses) incurred by them while in the performance of the duties vested in the board by this act.

(f) No director shall have any financial interest in any public-utility corporation engaged in the business of distributing and selling power to the public nor in any corporation engaged in the manufacture, selling, or distribution of fixed nitrogen, or any ingredients thereof, nor shall any member have any interest in any business that may be adversely affected by the success of the Muscle Shoals project as a producer of concentrated fertilizers.

(g) The board shall direct the exercise of all the powers of the corporation.

(h) All members of the board shall be persons that profess a belief in the feasibility and wisdom, having in view the national defense and the encouragement of interstate commerce, of producing fixed nitrogen under this act of such kinds and at such prices as to induce the reasonable expectation that the farmers will buy said products, and that by reason thereof the corporation may be a self-sustaining and continuing success.

SEC. 3. (a) The chief executive officer of the corporation shall be a general manager, who shall be responsible to the board for the efficient conduct of the business of the corporation. The board shall appoint the general manager, and shall select a man for such appointment who has demonstrated his capacity as a business executive. The general manager shall be appointed to hold office for 10 years, but he may be removed by the board for cause, and his term of office shall end upon repeal of this act, or by amendment thereof expressly providing for the termination of his office. Should the office of general manager become vacant for any reason, the board shall appoint his successor as herein provided.

(b) The general manager shall appoint, with the advice and consent of the board, two assistant managers who shall be responsible to him, and through him, to the board. One of the assistant managers shall be a man possessed of knowledge, training, and experience to render him competent and expert in the production of fixed nitrogen. The other assistant manager shall be a man trained and experienced in the field of production and distribution of hydroelectric power. The general manager may at any time, for cause, remove any assistant manager, and appoint his successor as above provided. He shall immediately thereafter make a report of such action to the board, giving in detail the reason therefor. He shall employ, with the approval of the board, all other agents, clerks, attorneys, employees, and laborers.

(c) The combined salaries of the general manager and the assistant managers shall not exceed the sum of $50,000 per annum, to be apportioned and fixed by the board.

SEC. 4. Except as otherwise specifically provided in this act, the corporation—

(a) Shall have succession in its corporate name.

(b) May sue and be sued in its corporate name, but only for the enforcement of contracts and the defense of property.

(c) May adopt and use a corporate seal, which shall be judicially noticed.

(d) May make contracts, but only as herein authorized.

(e) May adopt, amend, and repeal by-laws.

(f) May purchase or lease and hold such personal property as it deems necessary or convenient in the transaction of its business, and may dispose of any such personal property held by it.

(g) May appoint such officers, employees, attorneys, and agents as are necessary for the transaction of its business, fix their compensation, define generally their duties, require bonds of them and fix the penalties thereof, and dismiss at pleasure any such officer, employee, attorney, or agent, and provide a system of organization to fix responsibility and promote efficiency.

(h) The board shall require that the general manager and the two assistant managers, the secretary and the treasurer, the bookkeeper or bookkeepers, and such other administrative and executive officers as the board amy see fit to include, shall execute and file before entering upon their several offices good and sufficient surety bonds, in such amount and with such surety as the board shall approve.

(i) Shall have all such powers as may be necessary or appropriate for the exercise of the powers herein specifically conferred upon the corporation, including the right to exercise the power of eminent domain.

SEC. 5. The board is hereby authorized and directed—

(a) To operate existing plants for experimental purposes, to construct, maintain, and operate experimental plants at or near Muscle Shoals for the manufacture of fertilizer or any of the ingredients comprising fertilizer for experimental purposes;

(b) To contract with commercial producers for the production of such fertilizers or fertilizer materials as may be needed in the Government's program of development and introduction in excess of that produced by Government plants. Such contracts may provide either for outright purchase by the Government or only for the payment of carrying charges on special materials manufactured at the Government's request for its program;

(c) To arrange with farmers and farm organizations for large-scale practical use of the new forms of fertilizers under conditions permitting an accurate measure of the economic return they produce;

(d) To cooperate with National, State, district, or county experimental stations or demonstration farms, for the use of new forms of fertilizer or fertilizer practices during the initial or experimental period of their introduction;

(e) The board shall manufacture fixed nitrogen at Muscle Shoals by the employment of existing facilities (by modernizing existing plants), or by any other process or processes that in its

judgment shall appear wise and profitable for the fixation of atmospheric nitrogen. The fixed nitrogen provided for in this act shall be in such form and in combination with such other ingredients as shall make such nitrogen immediately available and practical for use by farmers in application to soil and crops.

(f) Under the authority of this act the board may donate not exceeding 1 per cent of the total product of the plant or plants operated by it to be fairly and equitably distributed through the agency of county demonstration agents, agricultural colleges, or otherwise as the board may direct for experimentation, education, and introduction of the use of such products in cooperation with practical farmers so as to obtain information as to the value, effect, and best methods of use of same.

(g) The board is authorized to make alterations, modifications, or improvements in existing plants and facilities.

(h) To establish, maintain, and operate laboratories and experimental plants, and to undertake experiments for the purpose of enabling the corporation to furnish nitrogen products for military and agricultural purposes in the most economical manner and at the highest standard of efficiency.

(i) The board shall have power to request the assistance and advice of any officer, agent, or employee of any executive department or of any independent office of the United States, to enable the corporation the better to carry out its powers successfully, and the President shall, if in his opinion the public interest, service, and economy so require, direct that such assistance, advice, and service be rendered to the corporation, and any individual that may be by the President directed to render such assistance, advice, and service shall be thereafter subject to the orders, rules, and regulations of the board and of the general manager.

(j) Upon the requisition of the Secretary of War or the Secretary of the Navy to manufacture for and sell at cost to the United States explosives or their nitrogenous content.

(k) Upon the requisition of the Secretary of War the corporation shall allot and deliver without charge to the War Department so much power as shall be necessary in the judgment of said department for use in operation of all locks, lifts, or other facilities in aid of navigation.

(l) To produce, distribute, and sell electric power, as herein particularly specified.

(m) No products of the corporation shall be sold for use outside of the United States, her Territories, and possessions, except to the United States Government for the use of its Army and Navy or to its allies in case of war.

SEC. 6. In order to enable the corporation to exercise the powers vested in it by this act.

(a) The exclusive use, possession, and control of the United States nitrate plants Nos. 1 and 2, located, respectively, at Sheffield, Ala., and Muscle Shoals, Ala., together with all real estate and buildings connected therewith, all tools and machinery, equipment, accessories, and materials belonging thereto, and all laboratories and plants used as auxiliaries thereto; the fixed nitrogen research laboratory, the Waco limestone quarry, in Alabama, and Dam No. 2, located at Muscle Shoals, its power house, and all hydroelectric and operating appurtenances (except the locks), and all machinery, lands, and buildings in connection therewith, and all appurtenances thereof are hereby entrusted to the corporation for the purposes of this act.

(b) The President of the United States is authorized to provide for the transfer to the corporation of the use, possession, and control of such other real or personal property of the United States as he may from time to time deem necessary and proper for the purposes of the corporation as herein stated.

SEC. 7. (a) The corporation shall maintain its principal office in the immediate vicinity of Muscle Shoals, Ala. The corporation shall be held to be an inhabitant and resident of the northern judicial district of Alabama within the meaning of the laws of the United States relating to venue of civil suits.

(b) The corporation shall at all times maintain complete and accurate books of accounts.

SEC. 8. (a) The board shall file with the President and with the Congress, in December of each year, a financial statement and a complete report as to the business of the corporation covering the preceding fiscal year. This report shall include the total number of employees and the names, salaries, and duties of those receiving compensation at the rate of more than $2,500 a year.

(b) The board shall require a careful and scrutinizing audit and accounting by the General Accounting Office during each governmental fiscal year of operation under this act, and said audit shall be open to inspection to the public at all times and copies thereof shall be filed in the principal office of the Muscle Shoals Corporation at Muscle Shoals in the State of Alabama. Once during each fiscal year the President of the United States shall have power, and it shall be his duty, upon the written request of at least two members of the board, to appoint a firm of certified public accountants of his own choice and selection which shall have free and open access to all books, accounts, plants, warehouses, offices, and all other places, and records, belonging to or under the control of or used by the corporation in connection with the business authorized by this act. And the expenses of such audit so directed by the President shall be paid by the board and charged as part of the operating expenses of the corporation.

SEC. 9. The board is hereby empowered and authorized to sell the surplus power not used in its operations and for operation of locks and other works generated at said steam plant and said dam to States, counties, municipalities, corporations, partnerships, or individuals, according to the policies hereinafter set forth, and to carry out said authority the board is authorized to enter into contracts for such sale for a term not exceeding 10 years and in the sale of such current by the board it shall give preference to States, counties, or municipalities purchasing said current for distribution to citizens and customers: *Provided further*, That all contracts made with private companies or individuals for the sale of power, which power is to be resold for a profit, shall contain a provision authorizing the board to cancel said contract upon two years' notice in writing, if the board needs said power to supply the demands of States, counties, or municipalities.

SEC. 10. It is hereby declared to be the policy of the Government to distribute the surplus power generated at Muscle Shoals equitably among the States, counties, and municipalities within transmission distance of Muscle Shoals.

SEC. 11. In order to place the board upon a fair basis for making such contracts and for receiving bids for the sale of such power it is hereby expressly authorized, either from appropriations made by Congress or from funds secured from the sale of such power to construct, lease, or authorize the construction of transmission lines within transmission distance in any direction from said Dam No. 2 and said steam plant: *Provided*, That if any State, county, municipality, or other public or cooperative organization of citizens or farmers, not organized or doing business for profit, but for the purpose of supplying electricity to its own citizens or members, or any two or more of such municipalities or organizations, shall construct or agree to construct a transmission line to Muscle Shoals, the board is hereby authorized and directed to contract with such State, county, municipality, or other organization, or two or more of them, for the sale of electricity for a term not exceeding 30 years, and in any such case the board shall give to such State, county, municipality, or other organization ample time to fully comply with any local law now in existence or hereafter enacted providing for the necessary legal authority for such State, county, municipality, or other organization to contract with the board for such power: *Provided further*, That all contracts entered into between the corporation and any municipality or other political subdivision shall provide that the electric power shall be sold and distributed to the ultimate consumer without discrimination as between consumers of the same class, and such contract shall be void if a discriminatory rate, rebate, or other special concession is made or given to any consumer or user by the municipality or other political subdivision: *And provided further*, That any surplus power not so sold as above provided to States, counties, municipalities, or other said organizations, before the board shall sell the same to any person or corporation engaged in the distribution and resale of electricity for profit, it shall require said person or corporation to agree that any resale of such electric power by said person or corporation shall be sold to the ultimate consumer of such electric power at a price that shall not exceed an amount fixed as reasonable, just, and fair by the Federal Power Commission; and in case of any such sale if an amount is charged the ultimate consumer which is in excess of the price so deemed to be just, reasonable, and fair by the Federal Power Commission, the contract for such sale between the board and such distributor of electricity shall be declared null and void and the same shall be canceled by the board.

SEC. 12. Five per cent of the gross proceeds received by the board for the sale of power generated at Dam No. 2, or from the steam plant located in that vicinity, or from any other steam plant hereafter constructed in the State of Alabama, shall be paid to the State of Alabama; and 5 per cent of the gross proceeds from the sale of power generated at Cove Creek Dam, hereinafter provided for, shall be paid to the State of Tennessee. Upon the completion of said Cove Creek Dam the board shall ascertain how much excess power is thereby generated at Dam No. 2, and from the gross proceeds of the sale of such excess power 2½ per cent shall be paid to the State of Alabama and 2½ per cent to the State of Tennessee. In ascertaining the gross proceeds from the sale of such power upon which a percentage is paid to the States of Alabama and Tennessee the board shall not take into consideration the proceeds of any power sold to the Government of the United States, or any department of the Government of the United States used in the operation of any locks on the Tennessee River, or for any experimental purpose, or for the manufacture of fertilizer or any of the ingredients thereof, or for any other governmental purpose. The net proceeds derived by the board from the sale of power and any of the products manufactured by the corporation, after deducting the cost of operation, maintenance, depreciation, and an amount deemed by the board as necessary to withhold as operating capital, shall be paid into the Treasury of the United States at the end of each calendar year.

SEC. 13. The Secretary of War is hereby empowered and directed to complete Dam No. 2 at Muscle Shoals, Ala., and the steam plant at nitrate plant No. 2, in the vicinity of Muscle Shoals, by installing in Dam No. 2 the additional power units according to the plans and specifications of said dam, and the additional power unit in the steam plant at nitrate plant No. 2: *Provided*, That the Secretary of War shall not install the additional power unit in said steam plant until, after investigation, he shall be satisfied that the foundation of said steam plant is sufficiently stable or has been made sufficiently stable to sustain the additional weight made necessary by such installation.

SEC. 14. It is hereby declared to be the policy of the Government to utilize the Muscle Shoals properties for the fixation of nitrogen for agricultural purposes in time of peace.

SEC. 15. The Secretary of War is hereby authorized, with appropriations hereafter to be made available by the Congress, to con-

struct, either directly or by contract to the lowest responsible bidder, after due advertisement, a dam in and across Clinch River in the State of Tennessee, which has by long usage become known and designated as the Cove Creek Dam, according to the latest and most approved designs of the Chief of Engineers, including its power house and hydroelectric installations and equipment for the generation of at least 200,000 horsepower, in order that the waters of the said Clinch River may be impounded and stored above said dam for the purpose of increasing and regulating the flow of the Clinch River and the Tennessee River below, so that the maximum amount of primary power may be developed at Dam No. 2 and at any and all other dams below the said Cove Creek Dam.

SEC. 16. In order to enable and empower the Secretary of War to carry out the authority hereby conferred, in the most economical and efficient manner, he is hereby authorized and empowered in the exercise of the powers of national defense in aid of navigation, and in the control of the flood waters of the Tennessee and Mississippi Rivers, constituting channels of interstate commerce, to exercise the right of eminent domain and to condemn all lands, easements, rights of way, and other area necessary in order to obtain a site for said Cove Creek Dam, and the flowage rights for the reservoir of water above said dam and to negotiate and conclude contracts with States, counties, municipalities, and all States agencies and with railroads, railroad corporations, common carriers, and all public utility commissions and any other person, firm, or corporation, for the relocation of railroad tracks, highways, highway bridges, mills, ferries, electric light plants, and any and all other properties, enterprises, and projects whose removal may be necessary in order to carry out the provisions of this act. When said Cove Creek Dam and transportation facilities and power house shall have been completed, the possession, use, and control thereof shall be intrusted to the corporation for use and operation in connection with the general Muscle Shoals project and to promote flood control and navigation in the Tennessee River, and in the Clinch River.

SEC. 17. The corporation, as an instrumentality and agency of the Government of the United States for the purpose of executing its constitutional powers, shall have access to the Patent Office of the United States for the purpose of studying, ascertaining, and copying all methods, formulæ, and scientific information (not including access to pending applications for patents) necessary to enable the corporation to use and employ the most efficacious and economical process for the production of fixed nitrogen, or any essential ingredient of fertilizer, and any patentee whose patent rights may have been thus in any way copied, used, or employed by the exercise of this authority by the corporation shall have as the exclusive remedy a cause of action to be instituted and prosecuted on the equity side of the appropriate district court of the United States for the recovery of reasonable compensation. The Commissioner of Patents shall furnish to the corporation, at its request and without payment of fees, copies of documents on file in his office.

SEC. 18. The Government of the United States hereby reserves the right, in case of war or national emergency declared by Congress, to take possession of all or any part of the property described or referred to in this act for the purpose of manufacturing explosives or for other war purposes; but, if this right is exercised by the Government, it shall pay the reasonable and fair damages that may be suffered by any party whose contract for the purchase of electric power or fixed nitrogen or fertilizer ingredients is hereby violated, after the amount of the damages have been fixed by the United States Court of Claims in proceedings instituted and conducted for that purpose under rules prescribed by the court.

SEC. 19. (a) All general penal statutes relating to the larceny, embezzlement, conversion, or to the improper handling, retention, use, or disposal of public moneys or property of the United States, shall apply to the moneys and property of the corporation and to moneys and properties of the United States intrusted to the corporation.

(b) Any person who, with intent to defraud the corporation, or to deceive any director or officer of the corporation or any officer or employee of the United States (1) makes entry in any book of the corporation, or (2) makes any false report or statement for the corporation, shall, upon conviction thereof, be fined not more than $10,000 or imprisoned not more than five years, or both.

(c) Any person who shall receive any compensation, rebate, or reward, or shall enter into any conspiracy, collusion or agreement, express or implied, with intent to defraud the corporation or wrongfully and unlawfully to defeat its purposes, shall, on conviction thereof, be fined not more than $5,000 or imprisoned not more than five years, or both.

SEC. 20. In order that the board may not be delayed in carrying out the program authorized herein the sum of $10,000,000 is hereby authorized to be appropriated for that purpose from the Treasury of the United States, of which not to exceed $2,000,000 shall be made available with which to begin construction of Cove Creek Dam during the calendar year 1930.

SEC. 21. That all appropriations necessary to carry out the provisions of this act are hereby authorized.

SEC. 22. That all acts or parts of acts in conflict herewith are hereby repealed.

SEC. 23. That this act shall take effect immediately.

SEC. 24. The right to alter, amend, or repeal this act is hereby expressly declared and reserved.

Having passed the Senate, this bill came to the House and was referred to the House Committee on Military Affairs, and thereupon a subcommittee was appointed to consider the same, which subcommittee consisted of Representative REECE, of Tennessee; Representative WURZBACH, of Texas; Representative STAFFORD, of Wisconsin; Representative MCSWAIN, of South Carolina; and Representative DOUGLAS, of Arizona. While that Senate Joint Resolution 49 was pending before the House Committee on Military Affairs Representatives GARRETT, of Texas, and MCSWAIN, of South Carolina, offered a draft of a proposed bill as a suggestion to the subcommittee for the information of the House and the country. A copy of that confidential committee print is hereby set forth:

[Committee print, April 19, 1930, Seventy-first Congress, second session. H. R. ———. In the House of Representatives April 21, 1930. Mr. GARRETT and Mr. MCSWAIN introduced the following bill; which was referred to the Committee on Military Affairs and ordered to be printed]

A bill to authorize the leasing of the Muscle Shoals property, upon certain terms and conditions, and to provide for the national defense and for the regulation of interstate commerce, and for other purposes

Be it enacted, etc., That the board of directors hereinafter authorized to be appointed, and hereinafter described merely as the board, shall, upon appointment and confirmation, proceed to organize as hereinafter directed, and shall first of all cause to be made a true and correct inventory of all the property now known as the Muscle Shoals project, including the Wilson Dam, described generally as Dam No. 2, nitrate plant No. 1, and nitrate plant No. 2, together with all real estate and all other property belonging to the United States in said vicinity, used or intended to be used in connection with said properties and generally understood and considered as part and parcel thereof; and shall appraise the value thereof, and said appraisal shall be made upon the basis of the actual present commercial and economic value of said property, and said appraisal shall not include a reasonable allowance as a contribution for navigation, and furthermore, nor shall appraisal include such part of nitrate plant No. 2 as is used after the fixation of nitrogen for the oxidation of such nitrogen in converting the same into nitric acid, for the reason that such part of said nitrate plant No. 2 is useful only in producing a component part of explosives for ammunition.

That after all said property shall have been appraised the board is hereby authorized and empowered for and during the period of six months after said appraisal shall have been completed and shall have been approved by them to enter into negotiations with any such person or persons, firm or corporation, that shall indicate a desire to lease said property for a period not exceeding 50 years; and the terms, conditions, and restrictions that shall be included in said lease, together with such other terms, conditions, and restrictions as shall appear to the board to be desirable and proper for the protection of the interests of the public and of the Government and consistent herewith and in furtherance of the provisions and purposes of this act, shall be as follows:

(a) That the property shall at all times be subject to the absolute right and control of the Government for the production of nitrates or other ammunition components of munitions of war, and that nitrate plant No. 2 and/or its capacity equivalent and any other nitrogen-fixation plant or plants, using any method or process of fixation whatsoever that may be installed by the lessee, together with any additions, alterations, and improvements that may be made upon nitrate plants Nos. 1 and 2, shall at all times during the period of said lease be kept available and in stand-by condition, ready and capable at all such times to be employed by the Government, or for the Government, in the production of nitrates or other explosive ammunition components.

(b) That the lessee or lessees of said property shall be obligated in the strictest terms to the manufacture and sale to the public of a nitrogenous fertilizer complete and ready for use by the farmer by direct application to the soil and crops in concentrated form.

(c) That any lease of the said Muscle Shoals property shall be for the entire plant as the same now exists, but not to include the navigation locks, canal, and appurtenances thereof, and shall not include Dam No. 3 if and when the same shall be constructed, and shall not include the Cove Creek Dam if and when constructed, but the lessee shall be bound in the strictest terms to make additional compensation for increased primary power made available by the construction of Dam No. 3 and/or of Cove Creek Dam, either or both, as shall be hereinafter more specifically set forth, but the board shall operate Dam No. 3 and Cove Creek Dam and their corresponding power houses and plants, as hereinafter directed.

(d) That any such lease as may be entered into shall contain a clause of clauses providing and requiring that the lessee shall return to the Government in cash or account for the same by the reduction in the price of fertilizer or in fertilizer component part or parts, as the board shall decide and declare, for such profits from the sale of power which may result from the temporary and unavoidable discontinuance in the manufacture of fertilizer or fertilizer component part or parts, and that such manu-

facture of fertilizer or fertilizer parts may be discontinued only when there is an excess accumulation of fertilizer stocks unsold, in excess of the reasonable and probable demands for such fertilizer, and thereafter when such accumulated stocks shall have been reduced to a reasonable degree the lessee shall be bound to resume the manufacture of such fertilizers.

(e) That any such lease shall provide absolutely and unequivocally for the forfeiture of all rights of the lessee in the event of the failure to keep in good faith its obligations under the terms of the lease, and the lessee shall be bound by the lease to the production and manufacture of fixed nitrogen of a kind and quality and in a form available as plant food and capable of being applied directly to the soil in connection with the growth of crops, of 10,000 tons of fixed nitrogen per year for the first 2 years of said lease period, and 20,000 tons of fixed nitrogen for the third and fourth years of the lease period, 30,000 tons per year for the fifth and sixth years of the lease period, 40,000 tons per year of fixed nitrogen for the seventh and eighth years of the lease period, and thereafter at least 40,000 tons of fixed nitrogen for each and every year; and no diminution nor reduction of the amount of manufacture and fixation of such nitrogen shall be permitted or allowable under any circumstances, act of God, public enemy, and vis majeur strikes, lockouts, and like unavoidable forces only excepted, except and unless the board shall find as a matter of fact that there is an excess amount of such fixed nitrogen on hand and in storage in excess of the reasonable and probable demands for same, and in such event the board shall have the power to permit by written order and authority the reduction in the volume of such nitrogen to be fixed and manufactured for any one year, subject to the condition herein stated that due credit and allowance shall be made for the use of such power otherwise, or the sale of such power, as shall be released by reason of such temporary discontinuance of the manufacture and fixation of nitrogen for agricultural use.

(f) The board shall lease such properties only to such persons, firm, or corporation as shall be, in its judgment, best qualified and prepared to carry out the purposes of this act by the manufacture and sale at reasonable prices of fertilizer and/or fertilizer ingredients in concentrated form, available as plant food and capable of being applied directly to the soil in the production of crops, the manufacture of electrochemicals and ferro-alloys, and for the use, sale, transmission, and equitable distribution of such surplus power as may be developed at said plant, among the several States, counties, and municipalities within transmission distance. Said fertilizer and/or fertilizer ingredients in concentrated form to contain nitrogen of the gross aggregate volume and weight as are hereinbefore stipulated, shall be produced and sold by the lessee at a profit not exceeding 8 per cent above the actual cost of production, which shall include 6 per cent interest on any fertilizer-plant equipment installed by lessee at its expense, and such profit shall be based upon the cost of the turnover in production, and such cost shall be ascertained annually by a careful and thorough audit of the items of cost entering into the production of such fertilizer and/or fertilizer ingredients in concentrated form as above defined, and such audit shall be made annually by a reputable firm of certified accountants selected by the lessee and by another reputable firm of certified public accountants selected by the board, and these two shall work in cooperation and in conjunction at the same time and place in the audit of such costs of producing such fertilizer and/or fertilizer ingredients in concentrated form; and in the event of any dispute, or differences of opinion as to any item or items entering into such cost or correct method of accounting by the said two firms of certified public accountants employed in the auditing of such costs, a third firm of certified public accountants shall be appointed by the President of the United States upon certificate of such disagreement and difference of opinion, and the facts and figures relating to such dispute or disputes and differences of opinion shall be laid before such third firm of certified public accountants so appointed by the President, at a public hearing at which any person or persons having information of facts relating to such cost of manufacturing such finished fertilizer and/or fertilizer ingredients in concentrated form, shall be heard, and after full hearing and oral argument or discussion by both sides the firm of certified public accountants so appointed by the President shall then and there render its decision and such decision shall be final as to the costs for such manufacture of fertilizer, and by adding 8 per cent thereto the price for the sale of such fertilizer shall be ascertained and fixed and publicly declared, and the actual expenses shall be paid by the lessee.

(g) No lease shall be made to any person, firm, or corporation unless such person, firm, or corporation shall demonstrate by the deposit, subject to agreement of the board, of the sum of $10,000,000 in such place and of such form and in such securities as shall satisfy the board of the absolute and undisputed solvency of the lessee and of the financial ability of the lessee to carry out the terms of its lease; and if the lessee shall fail or neglect to carry out in good faith any of the terms and provisions of such lease, all such money and all such securities representing money as shall have been deposited as herein directed shall be forfeited by the board for the use and benefit of the United States and shall be applied in satisfaction of damages for such breach of contract, which are hereby declared to be liquidated damages, and if said $10,000,000 or any part thereof shall have been invested by the lessee in any buildings, machinery, equipment, or other property used in connection with the property hereby leased, then all such property shall be forfeited to the United States for the purposes herein stated.

(h) If and when Dam No. 3 on the Tennessee River located about 15 miles up said river from Dam No. 2, known as the Wilson Dam, shall be constructed by the United States Government in aid of navigation and of flood relief and for the purpose of increasing the primary power of the property now belonging to the United States at Muscle Shoals, then the lessee and the board shall, respectively, appoint competent engineers to ascertain the extent to which the existence of said Dam No. 3 shall increase the primary power at said Dam No. 2, and the lessee shall be bound by the lease to pay to the United States Government the reasonable value of such increase of power as said engineers shall ascertain; and if said two engineers appointed by the board and the lessee, respectively, shall disagree either as to the amount whereby said power shall be increased or as to the value thereof, then the President of the United States, upon certificate of such disagreement, shall appoint a third engineer, who shall hear the facts that shall be presented by both sides, and such facts as shall be presented by any other person having knowledge of the facts, at a public hearing, of which due notice shall be given, and after such hearing and after a full discussion by both sides, such engineer so appointed by the President of the United States shall make decision and shall make public announcement of such decision, and such decision shall be final and binding on both parties, and the actual expenses shall be paid by lessee.

(i) If and when the United States shall build a dam in and across Clinch River in the State of Tennessee, commonly designated as Cove Creek Dam, for the purpose of regulating commerce by promoting navigation in the Tennessee River and its tributaries, and by flood control, and for the purpose of increasing the value of its property now at Muscle Shoals, then the lessee shall be bound by the terms of said lease to pay to the United States Government the reasonable value of such increase of primary power at Wilson Dam as shall result from the construction and operation by the Government of said dam in Cove Creek; and in order to ascertain the extent of such increase of primary power and the reasonable value thereof, the lessee and the board shall, respectively, appoint engineers to study the facts and to ascertain the extent of such increase of primary power, and the value thereof, and in the event of any disagreement by the said engineers so appointed, and upon certificate of such disagreement, the President of the United States is hereby authorized and directed to appoint a third engineer, who shall study the facts and shall at a public hearing hear the facts as the same shall be presented by both sides, including said engineers and any other person that may have knowledge of any facts relating to the question, and at such public hearing said engineer so appointed by the President of the United States shall make and render his decision and make public announcement thereof, and such decision shall be final and binding upon both parties, and the actual expenses shall be paid by lessee.

(j) The lessee shall be bound by the terms of said lease to pay to the United States as rent for the use of said property a sum of money that shall represent 4 per cent per annum upon the present ascertained and appraised value of said property so leased as herein required to be appraised, said payment to be made semiannually, and the lessee shall further be bound to keep the property in good condition and in a good state of repair, reasonable wear and tear and inevitable depreciation by time excepted, and any failure by the lessee to make any of said payments or to pay semiannually for the value of the increase of power by reason of the construction of either Dam No. 3 or the Cove Creek Dam, as herein specified, or for the failure and neglect of the lessee to keep, observe, and perform any of the other conditions and stipulations of the lease, shall operate as a forfeiture of all rights of the lessee under the lease, and upon such forfeiture the United States shall have the right upon the request of the board to institute by the Attorney General of the United States suit in any district court of the United States to declare the rights of the lessee forfeited and to eject the lessee from the premises and to put the United States, by its agent, the board, in possession thereof.

(k) All power used by the lessee for the manufacture of fertilizer and/or fertilizer ingredients in concentrated form shall be charged at the actual cost of production of such power, without including any profit to the lessee but including rental herein required to be paid, and such cost, including the auxiliary steam power employed to increase the volume of primary power, shall be ascertained annually and computed in the manner prescribed for ascertaining the costs of fertilizer and shall constitute one of the elements of such ascertainment of costs. All that portion of the property that shall be used by the lessee for the fixation of atmospheric nitrogen and for the conversion of same into plant food suitable for agricultural use by direct application to the soil and to the crops, shall be separately appraised in the manner herein prescribed for such appraisement, and in computing the costs of fertilizers, only the rental herein required to be paid to the Government for such part of the entire plant as shall be used for such purpose, shall be included and computed as one of the elements of the cost of such fertilizer and/or fertilizer ingredients in concentrated form, and the same shall not include any profit to lessee on account of the power so employed. The lessee shall employ in its fertilizer-manufacture processes, or in such part of them as may be feasible and practicable, secondary power wherever and whenever available, because of its cheapness, when the board shall find that the use of such cheap secondary power shall reasonably enable the lessee to produce such fertilizer and/or fertilizer ingredients in concentrated form at a cost below what would be the cost if primary power exclusively were employed in

producing and manufacturing the same. Primary power is hereby defined to be such power as shall be available from the combined and cooperating sources of water and the steam plant for 95 per cent of the time during any one year.

(l) The lessee shall be authorized and permitted to construct new buildings and to enlarge the steam plant and install other hydrogenerating units upon the land belonging to the Government at Muscle Shoals for use in connection with the fixation of nitrogen and the conversion thereof into fertilizer and/or fertilizer ingredients in concentrated form, and for the manufacture of electrochemicals and for the manufacture of ferro-alloys, and upon the expiration of the period of the lease, if lessee shall have performed all of its covenants and agreements, the lessee shall be permitted to remove the machinery in said buildings installed and used by it for the purposes aforesaid, or to sell said machinery to the succeeding lessee or to the Government, but the lessee shall not remove the steam plant or generating units installed by it, nor the buildings nor any outside fixtures, equipment, appliances, such as power-transmission lines, railroad tracks, water and gas pipes, and other such property, including warehouses, storage tanks, and storage bins, nor shall the lessee remove any house or machinery installed therein and used for any purpose other than the purposes above stipulated, but all such property belonging to the lessee and constructed upon the land of the Government, and all machinery, equipment, fixtures, and appliances installed and used in connection herewith, shall belong absolutely and in fee simple to the Government as a part of its property, but this shall not include stock in process, nor manufactured products, nor its tools, implements, and instruments, nor its office furniture and fixtures, which lessee may remove.

(m) The board shall have the right and it shall be its duty to advise the lessee from time to time, as it shall see fit, as to the nature, kind, and quality and composition of the fertilizer and/or fertilizer ingredients in concentrated form to be manufactured by lessee, so that same shall be reasonably acceptable to the consuming public, either as a fertilizer or in concentrated form, as the board may require and the trade demand; and if the lessee shall refuse to comply with such advice, and if in consequence of such refusal the fertilizer product or products of the lessee shall not be sold in sufficient volume to justify the continuance of its manufacture in the volume herein required, and if the manufacture of such fertilizer and/or fertilizer ingredients in concentrated form shall thereafter be discontinued by the lessee, the board shall thereupon have the right to request the United States Attorney General on behalf of the Government to institute proceedings in any district court of the United States to declare the lease to be null and void on account of the failure of the principal and paramount purpose of the lease, and in considering such facts as shall be alleged by the Government in the suit, the court may consider the refusal of the lessee to follow the advise of the board in the matters herein mentioned, as some evidence upon the issue of good faith or bad faith of the lessee.

(n) The lessee shall be bound by the terms of the lease to recondition nitrate plant No. 1 so that the same may be effective and useful in the fixation of nitrogen by direct synthesis and to operate the same to capacity for that purpose so as to increase the volume of nitrogen available for agricultural purposes and the demands of agriculture being supplied for industrial purposes. The lessee shall be bound by the terms of the lease to use all of the primary hydraulic power now available at Dam No. 2 for the fixation of atmospheric nitrogen, and steam power shall be employed also for said purpose when and after all of the primary hydraulic power shall have been so employed; but if the demands first of agriculture and second of industry for nitrogen and nitrogen products shall be sufficient to justify the same, the lessee shall also employ the available steam power in connection with secondary hydraulic power to enable the lessee to increase the quantity of such nitrogen and nitrogen products.

(o) The lessee shall be bound to determine by research whether by means of the electric-furnace methods and industrial chemistry, or otherwise, there may be produced on a commercial scale fertilizer compounds of higher grade and at lower prices than farmers and other users of commercial fertilizers have in the past been able to obtain, and to determine whether in a broad way the application of electricity and industrial chemistry may accomplish for the agricultural industry of the Nation what these forces and sciences have accomplished in an economical way for other industries; and the lessee shall be bound to conduct experimental researches to ascertain whether or not by a compound and mutually reacting process or method of manufacturing it is practical and economical to employ as raw materials phosphate rock, and coal, limestone, and potash shale in producing a concentrated fertilizer containing three elements of plant food, to wit, nitrogen, phosphorus, and potash, in useful proportion and in available form, and at reasonable cost.

(p) No lease shall be made to any person, firm, or corporation except to American citizens and to a corporation owned and controlled by American citizens, and the lease shall provide that if at any time the lessee or the lessee corporation shall cease to be under the direct, free, and legal control of American citizens, then all rights under the lease shall immediately cease, and the United States by order of the President shall have the right of reentry and recapture without any compensation whatever to the lessee on any account whatsoever.

(q) The Muscle Shoals property hereby and herein authorized to be leased shall not include the navigation facilities, including the canal, the locks, the lifts, and any other appliances and equipment now existing or hereafter to be installed in aid of navigation on the Tennessee River and/or its tributaries.

(r) The sale and distribution of fertilizer and/or fertilizer ingredients shall be subject to and in accordance with general regulations to be formulated and promulgated by the board. In said regulations formulated by the board preference shall be given in the way of sales and deliveries, first to farmers or groups of farmers, or cooperative farm associations, and next to States and State agencies engaged in buying, mixing, selling, and distributing fertilizers for farmers; and any surplus left over after these priority claims are supplied may be sold to fertilizer manufacturers, mixers, and dealers, but all sales shall be in carload lots, for cash, f. o. b. Muscle Shoals, Ala.

(s) The lessee shall be bound upon the requisition of the Secretary of War, or the Secretary of the Navy, to manufacture for and to sell to the United States in peace nitrogeneous contents of explosives at a cost not exceeding 4 per cent, based upon the same methods of accounting and calculation as are applied for the ascertaining of the costs and the fixing of the prices of fertilizer and/or fertilizer ingredients. There shall be reserved to the Government of the United States, in case of war or national emergency declared by Congress, the right to take possession of all or any part of the property described and leased by authority of this act for the purpose of manufacturing explosives or the nitrogeneous contents of explosives or for other war purposes; but if the Government shall exercise this right it shall pay to the lessee fair and reasonable actual damages that it may suffer by reason of such taking by not including profits or speculative damages, and the amount of such actual damages shall be fixed in proceedings instituted in the United States Court of Claims by the lessee, or its assigns, in accordance with the rules and regulations prescribed by that court for such proceedings.

(t) The lessee shall not charge in the cost of the manufacture of fertilizer and/or fertilizer ingredients any sum of money whatsoever for the use of any patents or patent process belonging to or controlled by it or belonging to or controlled by any officer or agent of it, or belonging to or controlled by any affiliated or subsidiary corporation, or belonging to or controlled by any agent of any subsidiary or affiliated corporation, and the lessee shall not purchase any patent right or process or contract to pay any royalty for the use of any such patent right or patent process without the previous authority and consent of the board as to the amount to be paid for such patent right or patented process or for the right to employ any such patent right or patented process.

(u) The lessee shall be bound by the terms of its lease to submit annually to the board a list of all of the officers, agents, and employees, and charged as a part of the costs of manufacturing fertilizer and/or fertilizer ingredients, and the board shall have the right to criticise and protest against any salary or salaries that may be paid for said purpose; and if the lessee shall fail to meet the reasonable criticisms of the board and shall fail to satisfy the board as to the reasonableness of any salary or salaries finally fixed, and if the fertilizer and/or fertilizer ingredients manufactured and offered for sale by the lessee are not purchased by the consuming public in sufficiently large volume to take the capacity production of the lessee, and if in consequence thereof a discontinuance of the manufacture of such fertilizer and/or fertilizer ingredients shall result, and if the United States Government by its Attorney General shall at the request of the board institute proceedings to declare the lease null and void for these reasons, along with any other reasons, then such failure of the lessee to reduce the salaries paid to its said officers, agents, and employees, in accordance with the protest of the board, shall be considered by the court as a circumstance bearing upon the good faith or bad faith of the lessee.

(v) The lessee shall have the right to install an addition to the steam plant built along and in connection with nitrate plant No. 2, and to use the power produced by such addition, estimated to be 40,000 horsepower, in connection with secondary power developed at Wilson Dam No. 2, and in such event the lessee shall be bound to pay to the United States the reasonable value of such secondary power thus made available for use as primary power; and if the lessee and the board shall be unable to agree upon the reasonable value of such secondary hydraulic power, they shall each appoint a competent and disinterested engineer, and if these two engineers fail to agree, then the President of the United States shall appoint a third engineer who shall consider the facts and hear arguments presented by both sides and after such hearing, shall, within a reasonable time, render his decision in writing and the same shall be binding, final, and conclusive upon all parties. In like manner if the lessee shall build at its own expense any other steam plant for use in connection with secondary power so as to increase the total volume of primary power, then in such case the lessee shall be bound to pay to the board the reasonable value of such secondary hydraulic power, and in the event of dispute the amount shall be ascertained and fixed in the manner above prescribed.

(w) In general, the parties to the lease, the Attorney General, and the courts shall at all times construe the lease in the light of the powers and duties hereinafter conferred upon the board for the purposes of accomplishing the aims and objects of this act, and it shall be the general purpose and intent of the lease to effectuate and carry out the purposes and reasons for this act as a whole, and of section 124 of national defense act of June 3, 1916.

(x) If and when the board shall have negotiated the terms of a lease with any person, firm, or corporation the parties shall prepare a draft of said lease in conformity with the provisions of

this act and of the powers herein contained and of the purposes herein expressed, but before signing, executing, and delivering the same such draft shall be submitted by letter of the board and of the lessee to the Attorney General of the United States, who shall permit inspection of the same and furnish copies thereof to public press or any citizen of the United States who shall apply for same, and if written objections to any portion or portions of said lease shall be filed with the Attorney General within 20 days after the lease shall have been submitted to him, he shall thereupon fix a time, not more than 10 days deferred, and place for a hearing of any and all such objections as may be made and shall within 10 days after such hearing render his conclusions and opinion in writing, and the same shall be binding on all parties, except the proposed lessee, who shall be privileged to refuse to conclude the lease. If negotiations are thereupon renewed, and if a new draft shall be agreed upon between the parties, then like proceedings shall be had before the Attorney General with the like result.

(y) If the board shall fail to negotiate, execute, and conclude a lease for the Muscle Shoals property within six months after its appraisement of said property shall have been completed, then the board shall proceed to operate the plant pursuant to the powers and directions of this act. Nevertheless, if at any time after such operation of said property by the board shall have been commenced, any person, firm, or corporation shall offer to negotiate with the board for the lease of the property subject to all the provisions and limitations herein contained, the board shall consider the offer, and if the board shall be able to agree with the prospective lessee as to the terms and conditions of a lease, then a draft thereof shall be submitted to the Attorney General of the United States and the like proceedings follow as set forth in the preceding section. If the board shall fail to negotiate a lease and shall refuse to accept the offer of any proposed lessee, the board shall nevertheless report the offer as a part of its annual report and shall state in writing its reasons for refusing the same. If the board shall negotiate, conclude, and execute a lease at any time after the board shall have commenced the operation of the property pursuant to the powers herein contained and subject to all the provisions and limitations herein contained, then the board shall as a part of said lease include an agreement on the part of the lessee to pay for the appraised value of any additions or alterations that shall have been made to and upon the property by the board, and to pay for the appraised value of all raw material on hand, of all stock in process and of all manufactured products, and the lessee shall thereupon be put in possession of the property without any interruption whatever to the operation of same as a going concern.

SEC. 2. There is hereby created a body corporate by the name of the "Muscle Shoals Corporation of the United States" (hereinafter referred to as the corporation). The board of directors first appointed shall be deemed the incorporators and the incorporation shall be held to have been effected from the date of the first meeting of the board. This act may be cited as the "Muscle Shoals act of 1930."

SEC. 3. (a) The board of directors of the corporation (herein referred to as the board) shall be composed of three members, not more than two of whom shall be members of the same political party, to be appointed by the President, by and with the advice and consent of the Senate. The board shall organize by electing a chairman, vice chairman, and other officers, agents, and employees, and shall proceed to carry out the provisions of this act.

(b) The terms of office of the members first taking office after the approval of this act shall expire as designated by the President at the time of nomination, one at the end of the second year, one at the end of the fourth year, and one at the end of the sixth year, after the date of approval of this act. A successor to a member of the board shall be appointed in the same manner as the original members and shall have a term of office expiring six years from the date of the expiration of the term for which his predecessor was appointed.

(c) Any member appointed to fill a vacancy in the board occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term.

(d) Vacancies in the board so long as there shall be two members in office shall not impair the powers of the board to execute the functions of the corporation, and two of the members in office shall constitute a quorum for the transaction of the business of the board.

(e) Each of the members of the board shall be a citizen of the United States and shall receive compensation at the rate of $50 per day for each day that he shall be actually engaged in the performance of the duties vested in the board, to be paid by the corporation as current expenses, not to exceed, however, 150 days for the first year after the date of the approval of this act, and not to exceed 100 days in any year thereafter. Members of the board shall be reimbursed by the corporation for actual expenses (including traveling and subsistence expenses) incurred by them while in the performance of the duties vested in the board by this act.

(f) No director shall have any financial interest in any public-utility corporation engaged in the business of distributing and selling power to the public nor in any corporation engaged in the manufacture, selling, or distribution of fixed nitrogen, or any ingredients thereof, nor shall any member have any interest in any business that may be adversely affected by the success of the Muscle Shoals project as a producer of concentrated nitrogenous fertilizers.

(g) The board shall direct the exercise of all the powers of the corporation.

(h) All members of the board shall be persons that profess a belief in the feasibility and wisdom, having in view the national defense and the encouragement of interstate commerce on the Tennessee River and its tributaries, of producing fixed nitrogen under this act of such kinds and at such prices as to induce the reasonable expectation that the farmers will buy said products, and that by reason thereof the corporation may be a self-sustaining and continuing success.

SEC. 4. (a) If the board shall have not executed and delivered a lease within the time herein specified, and subject to the terms herein set forth, then in that event only shall the following provision with reference to the operation of the Muscle Shoals property by the board become effective, but in such event the board shall proceed to execute the powers and directions hereinafter conferred.

(b) The chief executive officer of the corporation shall be a general manager, who shall be responsible to the board for the efficient conduct of the business of the corporation. The board shall appoint the general manager, and shall select a man for such appointment who has demonstrated his capacity as a business executive. The general manager shall be appointed to hold office for 10 years, but he may be removed by the board for cause, and his term of office shall end upon repeal of this act, or by amendment thereof expressly providing for the termination of his office. Should the office of general manager become vacant for any reason, the board shall appoint his successor as herein provided

(c) The general manager shall appoint, with the advice and consent of the board, two assistant managers who shall be responsible to him, and through him to the board. One of the assistant managers shall be a man possessed of knowledge, training, and experience to render him competent and expert in the production of fixed nitrogen. The other assistant manager shall be a man trained and experienced in the field of production and distribution of hydroelectric power. The general manager may at any time, for cause, remove any assistant manager, and appoint his successor as above provided. He shall immediately thereafter make a report of such action to the board, giving in detail the reason therefor. He shall employ, with the approval of the board, all other agents, clerks, attorneys, employees, and laborers.

(d) The combined salaries of the general manager and the assistant managers shall not exceed the sum of $50,000 per annum, to be apportioned and fixed by the board.

SEC. 5. Except as otherwise specifically provided in this act, the corporation—

(a) Shall have succession in its corporate name.

(b) May sue and be sued in its corporate name, but only for the enforcement of contracts and the defense of property.

(c) May adopt and use a corporate seal, which shall be judicially noticed.

(d) May make contracts, but only as herein authorized.

(e) May adopt, amend, and repeal by-laws.

(f) May purchase or lease and hold such personal property as it deems necessary or convenient in the transaction of its business, and may dispose of any such personal property held by it.

(g) May appoint such officers, employees, attorneys, and agents as are necessary for the transaction of its business, fix their compensation, define generally their duties, require bonds of them and fix the penalties thereof, and dismiss at pleasure any such officer, employee, attorney, or agent, and provide a system of organization to fix responsibility and promote efficiency.

(h) The board shall require that the general manager and the two assistant managers, the secretary and the treasurer, the bookkeeper or bookkeepers, and such other administrative and executive officers as the board may see fit to include, shall execute and file before entering upon their several offices good and sufficient surety bonds, in such amount and with such surety as the board shall approve.

(i) Shall have all such powers as may be necessary or appropriate for the exercise of the powers herein specifically conferred upon the corporation, including the right to exercise the power of eminent domain.

SEC. 6. The board is hereby authorized and directed—

(a) To operate existing plants for fixation of nitrogen in quantity available as plant food by direct application to the soil; to construct, maintain, and operate experimental plants at or near Muscle Shoals for the manufacture of fertilizer or any of the ingredients comprising fertilizer for experimental purposes;

(b) To arrange with farmers and farm organizations for large-scale practical use of the new forms of fertilizers under conditions permitting an accurate measure of the economic return they produce;

(c) To cooperate with National, State, district, or county experimental stations or demonstration farms for the use of new forms of fertilizer or fertilizer practices during the initial or experimental period of their introduction;

(d) The board shall manufacture and sell fixed nitrogen at Muscle Shoals by the employment of existing facilities (by modernizing existing plants) or by any other process or processes that, in its judgment, shall appear wise and profitable for the fixation of atmospheric nitrogen. The fixed nitrogen provided for in this act shall be in such form and in combination with such other useful ingredients as shall make such nitrogen immediately available and practical for use by farmers in application to soil and crops.

(e) The selling price of fertilizer ingredients and nitrogen products shall be fixed in advance from time to time by the board, and all sales shall be through such intermediaries as will contract

fixing the maximum prices to be charged the ultimate consumer; and such prices shall be so fixed as to include all the expenses of producing, marketing, and distributing such commodity, including 4 per cent on the appraised value of that part of the plant used and 4 per cent on the cost of any additions, alterations, and improvements employed for such purpose, and such 4 per cent shall be paid by the board into the Treasury of the United States, and including the expenses of the board and its clerical and technical force.

(f) The board is authorized to make alterations, modifications, or improvements in existing plants and facilities.

(g) To establish, maintain, and operate laboratories and experimental plants, and to undertake experiments for the purpose of enabling the corporation to furnish nitrogen products for military and agricultural purposes in the most economical manner and at the highest standard of efficiency.

(h) The board shall have power to request the assistance and advice of any officer, agent, or employee of any executive department or of any independent office of the United States, to enable the corporation the better to carry out its powers successfully, and the President shall, if in his opinion the public interest, service, and economy so require, direct that such assistance, advice, and service be rendered to the corporation, and any individual that may be by the President directed to render such assistance, advice, and service shall be thereafter subject to the orders, rules, and regulations of the board and of the general manager.

(i) Upon the requisition of the Secretary of War or the Secretary of the Navy to manufacture for and sell at cost to the United States explosives or their nitrogenous content.

(j) Upon the requisition of the Secretary of War the corporation shall allot and deliver without charge to the War Department so much power as shall be necessary in the judgment of said department for use in operation of all locks, lifts, or other facilities in aid of navigation.

(k) To produce, distribute, and sell electric power, as herein particularly specified.

(l) No products of the corporation shall be sold for use outside of the United States, her Territories and possessions, except to the United States Government for the use of its Army and Navy or to its allies in case of war.

SEC. 7. In order to enable the corporation to exercise the powers vested in it by this act—

(a) The exclusive use, possession, and control of the United States nitrate plants Nos. 1 and 2, located, respectively at Sheffield, Ala., and Muscle Shoals, Ala., together with all real estate and buildings connected therewith, all tools and machinery, equipment, accessories, and materials belonging thereto, and all laboratories and plants used as auxiliaries thereto; the fixed-nitrogen research laboratory, the Waco limestone quarry, in Alabama, and Dam No. 2, located at Muscle Shoals, its power house, and all hydroelectric and operating appurtenances (except the locks), and all machinery, lands, and buildings in connection therewith, and all appurtenances thereof shall be intrusted to the corporation for the purposes of this act, under the provisions of section 4 (a) of this act.

(b) The President of the United States is authorized to provide for the transfer to the corporation of the use, possession, and control of such other real or personal property of the United States as he may from time to time deem necessary and proper for the purposes of the corporation as herein stated.

SEC. 8. (a) The corporation shall maintain its principal office in the immediate vicinity of Muscle Shoals, Ala. The corporation shall be held to be an inhabitant and resident of the northern judicial district of Alabama within the meaning of the laws of the United States relating to venue of civil suits.

(b) The corporation shall at all times maintain complete and accurate books of accounts.

SEC. 9. (a) The board shall file with the President and with the Congress, in December of each year, a financial statement and a complete report as to the business of the corporation covering the preceding fiscal year. This report shall include the total number of employees and the names, salaries, and duties of those receiving compensation at the rate of more than $2,500 a year.

(b) The board shall require a careful and scrutinizing audit and accounting by the General Accounting Office during each governmental fiscal year of operation under this act, and said audit shall be open to inspection to the public at all times and copies thereof shall be filed in the principal office of the Muscle Shoals Corporation at Muscle Shoals in the State of Alabama. Once during each fiscal year the President of the United States shall have power, and it shall be his duty, upon the written request of at least two members of the board, to appoint a firm of certified public accountants of his own choice and selection which shall have free and open access to all books, accounts, plants, warehouses, offices, and all other places, and records, belonging to or under the control of or used by the corporation in connection with the business authorized by this act. And the expenses of such audit so directed by the President shall be paid by the board and charged as part of the operating expenses of the corporation.

SEC. 10. The board is hereby empowered and authorized to sell the surplus power not used in its operations and for operation of locks and other works generated at said steam plant and said dam to States, counties, municipalities, corporations, partnerships, or individuals, according to the policies hereinafter set forth, and to carry out said authority the board is authorized to enter into contracts for such sale for a term not exceeding 10 years and in the sale of such current by the board it shall give preference to States, counties, or municipalities purchasing said current for distribution to citizens and customers: *Provided further*, That all contracts made with private companies or individuals for the sale of power, which power is to be resold for a profit, shall contain a provision authorizing the board to cancel said contract upon two years' notice in writing, if the board needs said power to supply the demands of States, counties, or municipalities.

SEC. 11. It is hereby declared to be the policy of the Government to distribute the surplus power generated at Muscle Shoals equitably among the States, counties, and municipalities within transmission distance of Muscle Shoals.

SEC. 12. In order to place the board upon a fair basis for making such contracts and for receiving bids for the sale of such power, it is hereby expressly authorized, either from appropriations made by Congress or from funds secured from the sale of such power, to construct, lease, or authorize the construction of transmission lines within transmission distance in any direction from said Dam No. 2 and said steam plant: *Provided*, That if any State, county, municipality, or other public or cooperative organization of citizens or farmers not organized or doing business for profit but for the purpose of supplying electricity to its own citizens or members, or any two or more of such municipalities or organizations, shall construct or agree to construct a transmission line to Muscle Shoals, the board is hereby authorized and directed to contract with such State, county, municipality, or other organization, or two or more of them, for the sale of electricity for a term not exceeding 30 years, and in any such case the board shall give to such State, county, municipality, or other organization ample time to fully comply with any local law now in existence or hereafter enacted providing for the necessary legal authority for such State, county, municipality, or other organization to contract with the board for such power: *Provided further*, That all contracts entered into between the corporation and any municipality or other political subdivision shall provide that the electric power shall be sold and distributed to the ultimate consumer without discrimination as between consumers of the same class, and such contract shall be void if a discriminatory rate, rebate, or other special concession is made or given to any consumer or user by the municipality or other political subdivision: *And provided further*, That any surplus power not so sold as above provided to States, counties, municipalities, or other said organizations, before the board shall sell the same to any person or corporation engaged in the distribution and resale of electricity for profit, it shall require said person or corporation to agree that any resale of such electric power by said person or corporation shall be sold to the ultimate consumer of such electric power at a price that shall not exceed an amount fixed as reasonable, just, and fair by the Federal Power Commission; and in case of any such sale if an amount is charged the ultimate consumer which is in excess of the price so deemed to be just, reasonable, and fair by the Federal Power Commission the contract for such sale between the board and such distributor of electricity shall be declared null and void and the same shall be canceled by the board.

SEC. 13. Five per cent of the gross proceeds received by the board for the sale of power generated at Dam No. 2, or from the steam plant located in that vicinity, or from any other steam plant hereafter constructed in the State of Alabama, shall be paid to the State of Alabama; and 5 per cent of the gross proceeds from the sale of power generated at Cove Creek Dam, hereinafter provided for, shall be paid to the State of Tennessee. Upon the completion of said Cove Creek Dam the board shall ascertain how much excess power is thereby generated at Dam No. 2, and from the gross proceeds of the sale of such excess power 2½ per cent shall be paid to the State of Alabama and 2½ per cent to the State of Tennessee. In ascertaining the gross proceeds from the sale of such power upon which a percentage is paid to the States of Alabama and Tennessee the board shall not take into consideration the proceeds of any power sold to the Government of the United States, or any department of the Government of the United States used in the operation of any locks on the Tennessee River, or for any experimental purpose, or for the manufacture of fertilizer or any of the ingredients thereof, or for any other governmental purpose. The net proceeds derived by the board from the sale of power and any of the products manufactured by the corporation, after deducting the cost of operation, maintenance, depreciation, and an amount deemed by the board as necessary to withhold as operating capital, shall be paid into the Treasury of the United States at the end of each calendar year.

SEC. 14. The Secretary of War is hereby empowered and directed to complete Dam No. 2 at Muscle Shoals, Ala., and the steam plant at nitrate plant No. 2, in the vicinity of Muscle Shoals, by installing in Dam No. 2 the additional power units according to the plans and specifications of said dam, and the additional power unit in the steam plant at nitrate plant No. 2: *Provided*, That the Secretary of War shall not install the additional power unit in said steam plant until, after investigation, he shall be satisfied that the foundation of said steam plant is sufficiently stable or has been made sufficiently stable to sustain the additional weight made necessary by such installation.

SEC. 15. It is hereby declared to be the policy of the Government to utilize the Muscle Shoals properties for the fixation of nitrogen for agricultural purposes in time of peace.

SEC. 16. The Secretary of War is hereby authorized, with appropriations hereafter to be made available by the Congress, to construct, either directly or by contract to the lowest responsible

bidder, after due advertisement, a dam in and across Clinch River in the State of Tennessee, which has by long usage become known and designated as the Cove Creek Dam, according to the latest and most approved designs of the Chief of Engineers, including its power house and hydroelectric installations and equipment for the generation of at least 200,000 horsepower, in order that the waters of the said Clinch River may be impounded and stored above said dam for the purpose of increasing and regulating the flow of the Clinch River and the Tennessee River below, so that the maximum amount of primary power may be developed at Dam No. 2 and at any and all other dams below the said Cove Creek Dam.

SEC. 17. In order to enable and empower the Secretary of War to carry out the authority hereby conferred, in the most economical and efficient manner, he is hereby authorized and empowered in the exercise of the powers of national defense, in aid of navigation, and in the control of the flood waters of the Tennessee and Mississippi Rivers, constituting channels of interstate commerce, to exercise the right of eminent domain and to condemn all lands, easements, rights of way, and other area necessary in order to obtain a site for said Cove Creek Dam, and the flowage rights for the reservoir of water above said dam and to negotiate and conclude contracts with States, counties, municipalities, and all State agencies and with railroads, railroad corporations, common carriers, and all public-utility commissions and any other person, firm, or corporation, for the relocation of railroad tracks, highways, highway bridges, mills, ferries, electric-light plants, and any and all other properties, enterprises, and projects whose removal may be necessary in order to carry out the provisions of this act. When said Cove Creek Dam and transportation facilities and power house shall have been completed, the possession, use, and control thereof shall be intrusted to the corporation for use and operation in connection with the general Muscle Shoals project and to promote flood control and navigation in the Tennessee River and in the Clinch River.

SEC. 18. The Secretary of War is hereby authorized, with appropriation hereafter to be made available by the Congress, to construct either directly or by contract to the lowest responsible bidder, after due advertisement, a dam in and across the Tennessee River at the site designated by the Chief of Engineers of the United States Army, as Dam No. 3, in aid of navigation and for increasing the value of the power to be developed at Wilson Dam No. 2, and to install a power house and such hydroelectric generating machinery therein as may be justified, all according to the latest and most approved plans of the Chief of Engineers of the United States Army, and the disposal of the power so developed shall be subject to the board; and in order to enable the Secretary of War to carry out this authority in the most economical and efficient manner he is hereby authorized and empowered to exercise in the interest of national defense and in aid of navigation as an incident to interstate commerce the right of eminent domain and to condemn all such lands, rights of way, and other area as may be reasonably necessary in order to obtain a site for said dam and for the ponded water above said dam and to conclude contracts with States, counties, municipalities, and all State agencies, and with railroads, railroad corporations, common carriers, and all public-utilities commissions, and all other persons, firms, or corporations in any way interested in said dam site and pondage area.

SEC. 19. The corporation, as an instrumentality and agency of the Government of the United States for the purpose of executing its constitutional powers, shall have access to the Patent Office of the United States for the purpose of studying, ascertaining, and copying all methods, formulas, and scientific information (not including access to pending applications for patents) necessary to enable the corporation to use and employ the most efficacious and economical process for the production of fixed nitrogen, or any essential ingredient of fertilizer, and any patentee whose patent rights may have been thus in any way copied, used, or employed by the exercise of this authority by the corporation shall have as the exclusive remedy of a cause of action to be instituted and prosecuted on the equity side of the appropriate district court of the United States for the recovery of reasonable compensation. The Commissioner of Patents shall furnish to the corporation, at its request and without payment of fees, copies of documents on file in his office.

SEC. 20. The Government of the United States hereby reserves the right, in case of war or national emergency declared by Congress, to take possession of all or any part of the property described or referred to in this act for the purpose of manufacturing explosives or for other war purposes but, if this right is exercised by the Government, it shall pay the reasonable and fair damages that may be suffered by any party whose contract for the purchase of electric power or fixed nitrogen or fertilizer ingredients is hereby violated, after the amount of the damages have been fixed by the United States Court of Claims in proceedings instituted and conducted for that purpose under rules prescribed by the court.

SEC. 21. (a) All general penal statutes relating to the larceny, embezzlement, conversion, or to the improper handling, retention, use, or disposal of public moneys or property of the United States, shall apply to the moneys and property of the corporation and to moneys and properties of the United States intrusted to the corporation.

(b) Any person who, with intent to defraud the corporation, or to deceive any director or officer of the corporation or any officer or employee of the United States (1) makes any false entry in any book of the corporation, or (2) makes any false report or statement for the corporation, shall, upon conviction thereof, be fined not more than $10,000 or imprisoned not more than five years, or both.

(c) Any person who shall receive any compensation, rebate, or reward, or shall enter into any conspiracy, collusion, or agreement, express or implied, with intent to defraud the corporation or wrongfully and unlawfully to defeat its purposes, shall, on conviction thereof, be fined not more than $5,000 or imprisoned not more than five years, or both.

SEC. 22. In order that the board may not be delayed in carrying out the program authorized herein the sum of $10,000,000 is hereby authorized to be appropriated for that purpose from the Treasury of the United States, of which not to exceed $2,000,000 shall be made available with which to begin construction of Cove Creek Dam during the calendar year 1931.

SEC. 23. That all appropriations necessary to carry out the provisions of this act are hereby authorized.

SEC. 24. That all acts or parts of acts in conflict herewith are hereby repealed.

SEC. 25. That this act shall take effect immediately.

SEC. 26. The right to alter, amend, or repeal this act is hereby expressly declared and reserved.

The subcommittee made its report to the full committee, and the full committee, with minor alterations, adopted the same and ordered a bill as a substitute amendment to Senate Joint Resolution 49 to be reported to the House of Representatives, and the same was done by a report in the name of Representative REECE, of Tennessee. That bill as reported by the Committee on Military Affairs has passed the House with slight amendments.

That the President of the United States (hereinafter referred to as the President) be, and is hereby, authorized and empowered to appoint three eminent citizens of the United States, one of whom shall be identified with agriculture, and these three shall constitute a leasing board (hereinafter designated as the leasing board) for the purpose of negotiating the contract or contracts hereinafter authorized, and the term of office of all members of the leasing board shall expire December 1, 1931. The members of said leasing board shall upon receiving notification of their appointment take an oath faithfully to perform the duties imposed by the provisions of this act, and upon the filing of said oath with the President, commissions shall be issued to them, and thereupon the President shall set a time and place for their meeting, when the leasing board shall organize.

The leasing board is hereby directed to appoint appraisers to appraise the United States properties constituting the Muscle Shoals development, separating the same into such parts as the leasing board may direct, and the value of each and all, as determined by such appraisers, shall represent the present fair value of United States properties involved, and shall, after approval by the leasing board, be final for all the purposes of this act: *Provided*, That if two or more leases shall be under consideration the leasing board may direct a rearrangement of the parts and a consequent reappraisal thereof.

The leasing board shall give notice, for a reasonable time and in such manner as to them shall seem most likely to insure the widest circulation, that they are ready to entertain proposals for the leasing of the Muscle Shoals property hereinafter described, and the leasing board shall furnish to any person on demand full information as to the appraised value of said properties or any part thereof. The concurrence of at least two members of the leasing board shall be necessary for any action, except in the case of the execution of a lease or leases which shall require the concurrence of all members of the leasing board. If any member of the leasing board die, resign, or be dismissed by the President for any cause whatsoever, the President shall fill the place thus made vacant.

When the leasing board shall have negotiated a lease or leases for the Muscle Shoals properties as hereinafter authorized they shall require an adequate performance bond effective for the first five years of the lease or leases and shall then execute the said lease or leases by signing their names thereto, and the lessee or lessees shall affix their signatures thereto, and thereupon the draft of such lease or leases shall be submitted to the President, who shall consider the same, and who, in not less than 30 days nor more than 60 days after he shall receive the same, may approve of the same in writing, and if the President shall so approve they shall forthwith become effective and binding upon the Government of the United States and upon the lessee or lessees. But if the President withhold his approval thereof, the leasing board shall have the right to reopen negotiations, and if another draft of such lease or leases be agreed upon and executed, then the same shall be submitted to the President, and the like proceedings be had with reference thereto.

LEASE AUTHORIZATION—PRINCIPLES AND LIMITATIONS

SEC. 2. The said leasing board, subject to the approval of the President as herein provided, is hereby authorized and empowered to enter into a contract or contracts on behalf of the United States for the demise and letting for a tenure or tenures not in any case to exceed 50 years of all or any of the properties of the United States generally known and designated as the "Muscle Shoals development," including Dam No. 2 (known also as Wilson Dam), and its electrical generating units, Waco quarry, nitrate plant No. 2, nitrate plant No. 1, except that portion of the reservation west of Spring Creek, steam-power generating plants, and all structures,

plants, buildings, machinery, tools and equipment, franchises, rights, powers, and privileges, including authority to exercise the right of eminent domain, for the construction, maintenance, use, and operation thereof, as well as all lands, tenements, easements, servitudes, rights of way, riparian rights, and the appliances, fixtures, and appurtenances thereunto belonging, trackage, transmission lines, telephone and telegraph lines, supplies and accessories, exclusive of locks for navigation purposes, such contract or contracts to be based on the principles and limitations hereinafter set forth:

NITROGEN FERTILIZER BASES AND FERTILIZERS

(a) The use of the United States properties adapted to the fixation of nitrogen in the manufacture of fertilizer bases or fertilizers in time of peace for sale for use in agriculture, and of explosives or the essential ingredients thereof in time of war: *Provided*, That any and all contracts for the demise of any such properties for the production of fertilizer bases or fertilizers shall contain a stipulation that there must be manufactured annually at least a prescribed amount of nitrogenous plant food of a kind and quality and in a form available as plant food and capable of being applied directly to the soil in connection with the growth of crops: *And provided further*, That any and all such contracts shall contain a stipulation requiring the lessee or lessees to produce within three year and six months from the date such lease or leases shall become effective, such fertilizer bases or fertilizers containing not less than 10,000 tons of fixed nitrogen, and shall require periodic increases in quantity of fixed nitrogen from time to time as the market demands may reasonably require, and such lease or leases shall provide that such increases shall finally reach the maximum production capacity of such plant or plants as the leasing board may find to be economically adapted or susceptible of being made economically adapted to the fixation of nitrogen, if the reasonable demands of the market shall justify the same, except when the nitrogen produced is required for national defense, or when the market demands for same are satisfied by the maintenance in storage and unsold of such fertilizer bases or fertilizers containing at least 2,500 tons of fixed nitrogen, but whenever said stock in storage shall fall below the quantity containing 2,500 tons of fixed nitrogen, the production of such nitrogen and the manufacture of such fertilizer bases or fertilizers shall thereupon be resumed.

(b) The sale of such fertilizer bases or fertilizers shall be at a price to include the cost of production and not exceeding 8 per cent profit on the turnover produced, and the costs shall include whatever may be paid to the Government for the use of that part of Government property employed by the lessee or lessees in manufacturing such fertilizer bases or fertilizers and also not exceeding 6 per cent on any capital invested by the lessee or lessees in improvements to existing plants or in additional plants employed for such manufacturing purposes: *Provided*, That there shall not be included as a part of the cost of producing such fertilizer bases or fertilizers any royalty for the use by such lessee or lessees of any patent, patent right, or patented process belonging to the lessee or lessees, or in which the lessee or lessees have any interest, or belonging to any subsidiary or allied corporation, or belonging to or controlled by any officer or agent of the lessee or of the lessees or of any such allied or subsidiary corporation, and if the lessee or lessees should buy any patent, patent right, or patented process with the hope and expectation of thereby reducing the cost of manufacturing such fertilizer bases or fertilizers and/or of processing the same for agricultural purposes as aforesaid, then such sum of money as shall be so paid by the lessee or lessees shall be considered and treated in the accounting of the costs of such fertilizer bases or fertilizers as investment in the nature of plant account, and not as current expenses, and such costs shall be written off on the expiration of any junior patent or license so acquired. For the annual determination of the cost of such fertilizer bases and fertilizers there shall be appointed by the administrative board a production engineer, and by the lessee or lessees another production engineer and by these a firm of certified public accountants and these three shall proceed to ascertain and compute the cost of producing such fertilizer bases and fertilizers; and in the event of any disagreement the two said engineers shall select a third production engineer who shall hear and consider the contentions and decide the issues, and such decisions shall be binding upon all parties for the year for which the determination shall have been made. A copy of such audit and decision shall be filed each year with the administrative board and by it preserved. The expenses incident to this provision shall be paid by the lessee or lessees, respectively, and shall be charged as an item in the cost of producing such fertilizer bases and fertilizers. If such annual cost determination discloses that any purchasers have paid a price for fertilizer bases or fertilizers in excess of that allowable under this act, then the lessee or lessees affected shall refund such excess to the respective purchasers.

(c) Credit shall be allowed against the cost of producing such fertilizer bases or fertilizers in the amount of any profit on account of the sale of electric energy during the period of any temporary suspension of the operation of the nitrogen fixation or fertilizer plants, and in the amount of not to exceed 50 per cent of any profit on account of the sale of electric energy made available for such sale by reason of decreased electric energy requirements for the production of each ton unit of fertilizer bases or fertilizers.

(d) Such sale of fertilizer bases or fertilizers shall regard the widest practicable distribution, consistent with demand, and preference shall be given in such sales first to farmers and cooperative organizations of farmers, second to States or State agencies engaged in processing and mixing fertilizers for resale to farmers, and these demands being supplied, such sale may then be made to fertilizer manufacturers, mixers, or merchants.

(e) The lessee or lessees shall be required to carry on reasonably continuous laboratory research to determine whether by means of electric-furnace methods and industrial chemistry, or otherwise, there may be produced on a commercial scale fertilizer compounds of higher grade and at lower prices than farmers and other users of commercial fertilizers have in the past been able to obtain, and to determine whether in a broad way the application of electricity and industrial chemistry may accomplish for the agricultural industry of the Nation what these forces and sciences have accomplished in an economic way for other industries.

USE OF ELECTRIC ENERGY BY LESSEE

(f) The development of electrochemical, and/or ferro-alloy, and/or other industries in addition to the fertilizer industry.

(g) The use of the primary and secondary electric energy produced by the properties so leased, enlarged and constructed in the production of fertilizer bases, and/or fertilizers, and/or chemicals, and/or ferro-alloys, and/or other products: *Provided*, That no contract shall be made by any lessee with any person, firm, or corporation for the sale of any surplus electric energy for use by the purchaser in the fixation of nitrogen or manufacture of fertilizer bases or fertilizers, when such person, firm, or corporation is a member of any group, or a party to any contract or to any agreement, express or implied, or to any understanding, arrangement, or device of any kind whatsoever, which shall have as its purpose or effect the fixing and maintaining of noncompetitive prices for nitrogen and/or nitrogen products.

ALLOCATION AND SALE OF ELECTRIC ENERGY

(h) The equitable allocation of surplus electric energy generated at Muscle Shoals among the States within economic transmission distance.

(i) The sale and equitable allocation of primary surplus electric energy and/or secondary surplus electric energy generated by the properties herein authorized to be let, to such States, counties, municipalities, and political subdivisions as may make demand and agree to pay a reasonable price therefor, and in case of dispute as to allocation, price, or length of term of contract, the Federal Water Power Commission is hereby authorized to determine the same. But except as herein provided no part of the dam or dams now constructed or to be constructed in connection with the Muscle Shoals project or any apparatus, either hydro or steam, for the generation of electric energy shall be contracted to or operated by any private power distributing company, subsidiary, or allied corporation or creation thereof, or any corporation subject to the same control, nor shall any lease be assignable, without the consent of the President, and then not to such companies, and in case of any sale in bankruptcy or insolvency proceedings of the assets of any lessee or lessees no sale shall be made to any private power distributing company, its subsidiary or allied corporation or creation thereof, or any corporation subject to the same ownership or control in whole or in part: *Provided, however*, That the sale of primary surplus electric energy or secondary electric energy by contract or otherwise to any such power distributing company shall be permitted for periods of not to exceed 10 years: *Provided further*, That at no time shall primary surplus electric energy or secondary electric energy be so sold to such distributing companies until the first demands of States, counties, municipalities, and political subdivisions; and second, demand of manufacturing industries, have been satisfied, and then only for periods of not to exceed 10 years: *And provided further*, That at any time prior to two years before the expiration of such contracts any State, county, political subdivision, or manufacturing industries shall have prior right to contract for such electric energy when it shall become available.

COVE CREEK DAM AND DAM NO. 3

(j) The construction, through the medium of a holding corporation or otherwise, of a dam in and across Clinch River in the State of Tennessee upon the dam site known as Cove Creek shall be required by the terms of any lease or leases, and the construction, through the medium of such holding corporation or otherwise, of Dam No. 3 in and across the Tennessee River upon a site approximately 15 miles upstream from Dam No. 2 may be authorized by the terms of any lease or leases, so as to produce the maximum primary power at Dam No. 2, and to improve navigation on the Tennessee River, and to increase the facilities of flood control, and the President shall have the authority to issue a license or licenses for the construction and operation of the said dam or dams subject in all other respects to the provisions of the Federal water power act of 1920 as amended: *Provided*, That if the leasing board shall find upon investigation that the cost of construction of the Cove Creek Dam, or Dam No. 3, and of its or their operation for the improvement of navigation and flood control on the Tennessee River will be in excess of what will be a reasonable cost of same for power purposes, the President may then issue a license or licenses on condition to be expressed in the license or licenses that the United States will reimburse the licensee or licensees in an amount deemed by the leasing board as a necessary contribution to the cost of said project for navigation improvement and flood control by applying annually until paid against such amount the proceeds obtained from the lease or leases of the hydropower plant at Dam

No. 3, and application of the proceeds accruing from the lease or leases of the said hydropower plant for such purposes is hereby authorized.

FORFEITURE AND RECAPTURE

(k) The right of temporary recapture by the United States by order of the President in the event of war for the purpose of producing explosives or ingredients thereof, but if the Government shall exercise this right it shall pay to the lessee or lessees such fair and reasonable actual damages as it or they may suffer by reason of such taking, but not including profits or speculative damages, and the amount of such actual damages shall be fixed in proceedings instituted in the United States Court of Claims by the lessee or lessees in accordance with the rules and regulations prescribed by that court for such proceedings, and said court is authorized to consider such proceedings as though instituted by departmental reference and may render final judgment.

(l) Permanent recapture by the United States of any or all existing properties so leased, and all rights and interests connected therewith, together with any additions or improvements thereon, in the event of failure by any lessee or lessees to comply with and to carry out the terms of said lease or leases, except that neither the said Cove Creek Dam when constructed, nor Dam No. 3 if and when constructed, nor any or all interests therein shall be subject to recapture under the provisions of this subsection. Suit for permanent recapture may be instituted at the direction of the administrative board hereinafter authorized by the Attorney General in the name of the United States, in any district court of the United States having jurisdiction of the lessee, or of any one of two or more lessees affected by such suit.

(m) No lease shall be made to any person or firm except to American citizens nor to any corporation unless the majority stock of same be owned and controlled by American citizens, and any lease shall provide that if at any time the majority stock of the lessee or the lessee corporation shall cease to be under the ownership and control of American citizens, then all rights under such lease shall immediately cease, and the United States by order of the President shall have the right of reentry and recapture without any compensation whatever to the lessee on any account whatsoever.

MAINTENANCE FOR NATIONAL DEFENSE

(n) To maintain in United States nitrate plants Nos. 1 and 2, located at Sheffield, Ala., and Muscle Shoals, Ala., respectively, the buildings and equipment therein installed for the production of nitric acid by the oxidation of ammonia and for the production of ammonium nitrate from ammonia and nitric acid, said buildings and equipment to be maintained in an up-to-date condition so that they will be at all times ready for immediate operation in the event of a national emergency, and further such lease or leases shall provide that the administrative board, or its representative or representatives, shall at all times have access to the operations of the plants, laboratories, and the records thereof, in order that they may be kept fully informed as to the status of the fixation of nitrogen and the manufacture of nitrogenous products in their bearing on national defense and agriculture, but such information shall be confidential to the administrative board and shall not be made public.

SETTLEMENT OF DISAGREEMENTS

(o) In the event that the leasing board, with the approval of the President, shall execute lease contracts with two or more lessees, there shall be included in each of said leases identical provisions binding each such lessee to cooperate with the other lessee or lessees in setting up a joint board of control, or authorizing such lessees to organize a holding corporation, the voting stock of which shall be exclusively owned by such lessees, with power and authority to decide upon and to control the allocation among themselves of the electric energy generated and all other matters in connection therewith: *Provided*, That such lessee or lessees, board of control, or holding corporation shall deliver free of charge to the United States at any point on the grounds to be designated by the Secretary of War such electric energy as may be necessary for the operation of locks, navigation facilities, and lighting at and in the vicinity of the several dams involved in such leases.

(p) In any or all lease contracts there shall be incorporated identical provisions for the adjustment of all kinds of disagreements, either among the several lessees or between the several lessees or any one of them and the United States, and any adjustment made thereunder shall be subject to review in any United States district court as then constituted, subject to the law then applicable to change of venue, except that the right of temporary recapture by the President in the event of war shall be summary and not subject to the provisions of this section nor to any process of any court.

RENTAL AND AMORTIZATION PAYMENTS

(q) The payment annually to the United States for the term of the lease or leases of a sum which at 4 per cent per annum compounded over a period of 50 years will insure repayment to the United States of the appraised valuation of the properties leased, except that the lessee or lessees of nitrate plant No. 1 and nitrate plant No. 2 shall not be required to make payments to amortize the appraised valuation of said plants as long as they or either of them may be employed by the lessee or lessees for the fixation of nitrogen for agricultural purposes.

(r) A fair rental for the use of the properties leased to be paid by the lessee or lessees at such times and in such amounts as the leasing board shall determine to be fair and reasonable and in such determination consideration shall be given to such secondary hydraulic power as may be rendered primary power by the use of the auxiliary steam plant or plants, and such other secondary hydraulic power as shall be ascertained to be available.

SEC. 2. If prior to December 1, 1931, the leasing board, with the approval of the President, shall have executed a contract or contracts for the letting of the properties based on the principles, directions, and limitations enumerated herein, then with respect to the dam to be constructed by the lessee or lessees or by a joint board of control or a holding corporation or otherwise, at the site on the Clinch River, known as Cove Creek, by way of amplifying and amending the provisions of the Federal water power act of 1920, as amended, under the terms of which the lessee is or the lessees are to construct the said dam, the following provisions shall apply:

(a) The cost of said dam to the licensee and to the United States shall be amortized, at least in part, by the collection of a reasonable royalty from all hydroelectric power projects now existing or to be constructed on the Tennessee or Clinch Rivers downstream from the Cove Creek Dam: *Provided*, That the amount of said royalty shall be in proportion to the advantages accruing to such downstream hydroelectric projects from the construction and operation of said Cove Creek Dam and shall be determined by the Federal Power Commission in cooperation with the appropriate agency of the State in which said dam may be situated, and in event of disagreement between these agencies the President shall appoint a competent engineer who shall act as arbiter and whose decision shall then be final.

(b) At the expiration of the license for the construction and operation of said dam at the Cove Creek site the State of Tennessee shall have the right to recapture the interests of the lessee or lessees and licensee or licensees in said dam and appurtenant structures, including hydroelectric generating equipment, but exclusive of any barge lift or navigation appliances, by paying the lessee or lessees or licensee or licensees therefor an amount equal to the net investment, as defined in said Federal water power act of 1920, as amended, made by said lessee or lessees and licensee or licensees in said dam and appurtenant structures: *Provided*, That in the event the State of Tennessee shall exercise the right hereby conferred, the State of Tennessee and its agents shall hold and operate the same in the interest of the development of the maximum primary power at Dam No. 2 and of navigation, and subject to the provisions of the Federal water power act of 1920, as amended, to the same extent as if the same were held and operated by the United States or a licensee thereof.

SEC. 4. In order to enable and empower the lessee or lessees, the licensee or licensees, through a holding corporation or otherwise, to carry out the authority hereby conferred in the most economical and efficient manner, said lessee or lessees, licensee or licensees, holding corporation, or other agency is or are hereby authorized and empowered, in aid of national defense and of navigation, and in the control of the flood waters of the Tennessee and Mississippi Rivers, constituting channels of interstate commerce, to exercise the right of eminent domain in the State or States where the properties affected thereby are situated, and to condemn all lands, easements, rights of way, and other area necessary in order to obtain a site for said Cove Creek Dam and/or Dam No. 3, and the flowage rights for the reservoir of waters above said dam or dams, and to negotiate and conclude contracts with States, counties, municipalities, and all State and county agencies, and with railroads, railroad corporations, common carriers, and all public utilities, and any other person, firm, or corporation, for the relocation of railroad tracks, highways, highway bridges, mills, ferries, electric-light plants, and any and all other properties, enterprises, and projects, whose removal may be necessary in order to carry out the provisions of this act, and the United States District Court for the Eastern District of Tennessee shall have and exercise exclusive jurisdiction of all suits and proceedings in condemnation for the purpose of acquiring all lands, properties, and rights necessary and/or proper to carry out the provisions of this act, and the proceedings in such suits or proceedings shall conform as nearly as may be practicable to suits at law in such court.

SEC. 5. All plants, buildings, machinery, and equipment installed by and at the expense of the lessee or lessees, situated upon the property owned by the United States, except such machines and equipment as may be installed for the purpose of completing, modernizing, or replacing worn out or defective parts of the dam, electrogenerating equipment, or nitrate plants, shall be subject to all of the laws of the State in which they may be situated, and the State and political subdivisions in which they may be situated shall have the power to levy and collect taxes in accordance with the normal procedure for the levying and collecting of taxes on such classes of property.

SEC. 6. The leasing board shall keep an accurate record of all its proceedings and shall report from time to time either orally or in writing to the President, as he shall require, and the leasing board shall file a final report in writing which shall be transmitted by the President to the Congress. The members of the leasing board shall be entitled to the actual expenses of travel and subsistence and to a per diem compensation for their services at the rate of $50 a day while actually engaged in the performance of the duties herein imposed, to be paid upon vouchers signed by a member of the leasing board designated for that purpose.

SEC. 7. The President and/or the leasing board hereby is authorized to employ such consultants and secretarial and clerical help as he and/or they may deem necessary and desirable to assist him and/or them in the execution of the powers herein conferred, and

the President is authorized to detail to the leasing board from the executive departments such personnel as he may deem advisable.

SEC. 8. In the event that the properties embraced in any lease shall be recaptured by the United States or any lessee shall apply to the President for a change in any stipulation of any lease on the ground that compliance with any such stipulation has become impracticable because of changed economic conditions and/or the development of new scientific and industrial process or processes, the President may appoint a board of three eminent citizens, one of whom shall be identified with agriculture, who, after public notice and full hearing, may negotiate and execute new leases on such properties recaptured or may change the stipulation of any existing lease, subject to the approval of the President within not less than 30 days and not more than 60 days after the draft of such lease or the recommendations of the board as to such change in the stipuations of existing leases shall have been submitted to him: *Provided*, That in negotiating such lease or leases or in making such change in an existing lease the board shall consider the principles herein enumerated and shall be bound by the limitations herein set forth, but shall have no authority to alter the requirements as to quantity and quality production of fertilizer bases or fertilizers.

SEC. 9. If prior to December 1, 1931, or if under the provisions of section 8 hereof, the leasing board, subject to the approval of the President, shall have negotiated and executed a lease or leases under the provisions of this act, then for the purpose of administering such lease or leases and of securing full performance by the lessee or lessees of all obligations imposed upon him or them by the terms thereof, the Secretary of War, the Secretary of Agriculture, and the Secretary of Commerce shall constitute a board, which shall be charged with such administrative duties and shall be known as the Muscle Shoals administrative board (herein referred to as the administrative board). The administrative board shall meet at least once each year, and oftener as they may determine, or upon call of the President or of any two members thereof, and shall keep records of all proceedings and shall make an annual report to the President, who shall transmit said report to the Congress.

SEC. 10. All appropriations necessary for carrying out the provisions of this act are hereby authorized.

SEC. 11. The several provisions of this act are hereby declared to be separable, and in the event that any provision of this act shall be held to be invalid it shall not invalidate the remainder of the act; and in such event the President, as he deems best for all parties concerned, may revise the terms of such lease or leases as may be affected by the holding of invalidity.

SEC. 12. No lease or leases shall be made under this act for any part of the Government power generating properties herein set out unless at the same time there be or previously has been or have been executed and approved a lease or leases requiring the manufacture of fertilizer bases or fertilizers as provided in subsection (a) of section 2 and if by December 1, 1931, the leasing board, with the approval of the President, shall have been unable to negotiate and execute a lease or leases he shall notify Congress and thereafter all authority under this act shall cease.

On May 12, 1930, in order to make my position in the matter perfectly plain, I introduced H. R. 12097 as containing my personal views as to the wisest and best solution to be made of Muscle Shoals.

[Seventy-first Congress, second session. H. R. 12097. In the House of Representatives, May 2, 1930. Mr. MCSWAIN introduced the following bill; which was referred to the Committee on Military Affairs and ordered to be printed]

A bill to authorize the leasing of the Muscle Shoals property, upon certain terms and conditions, to provide for the national defense and for the regulation of interstate comerce, and for other purposes.

Be it enacted, etc.,

TITLE I—LEASING PROVISIONS

SECTION 1. That the board of directors hereinafter authorized to be appointed, and hereinafter described merely as the board, shall upon appointment and confirmation, proceed to organize as hereinafter directed, and shall first of all cause to be made a true and correct inventory of all the property now known as the Muscle Shoals project, including the Wilson Dam, described generally as Dam No. 2, nitrate plant No. 1, nitrate plant No. 2, Waco Quarry together with all real estate and all other property belonging to the United States, in said vicinity, used or intended to be used in connection with said properties and generally understood and considered as part and parcel thereof; and shall appraise the value thereof, and said appraisal shall be made upon the basis of actual present commercial and economic value of said property, and said appraisal shall not include a reasonable allowance in the valuation of Dam No. 2 as a contribution for navigation, nor shall such appraisal include such part of nitrate plants Nos. 1 and 2 as is used, after the fixation of nitrogen, for the oxidation of such nitrogen in converting the same into nitric acid and nitrates for the reason that such parts of said nitrate plants Nos. 1 and 2 are useful only in producing a component part of explosives for ammunition.

That after all said property shall have been appraised, the board is hereby authorized and empowered for and during the period of six months after said appraisal shall have been completed and shall have been approved by them, to enter into negotiations with any such person or persons, firm, or corporation that shall indicate a desire to lease said property for a period not exceeding 50 years; and the terms, conditions, and restrictions that shall be included in said lease, together with such other terms, conditions, and restrictions as shall appear to the board to be desirable and proper for the protection of the interests of the public and of the Government and consistent herewith and in furtherance of the provisions and purposes of this act, shall be as follows:

(a) That the property shall at all times be subject to the absolute right and control of the Government for the production of nitrates as ammunition components, and that nitrate plants Nos. 1 and 2 and/or their capacity equivalent and any other nitrogen-fixation plant or plants, using any method or process of fixation whatsoever that may be installed by the lessee, together with any additions, alterations, and improvements that may be made upon nitrate plants Nos. 1 and 2, shall at all times during the period of said lease be kept available and in stand-by condition, ready and capable at all such times to be employed by the Government, or for the Government, in the production of nitrates or other explosive ammunition components.

(b) That the lessee or lessees of said property shall be obligated in the strictest terms to the manufacture and sale to the public of a nitrogenous fertilizer complete and ready for use by the farmer by direct application to the soil and crops in concentrated form.

(c) That any lease of the said Muscle Shoals property shall be for the entire plant as the same now exists, but not to include the navigation locks, canal, and appurtenances thereof, and shall not include Dam No. 3 if and when the same shall be constructed, and shall not include the Cove Creek Dam if and when constructed, but the lessee shall be bound in the strictest terms to make additional compensation for increased primary power made available by the construction of Dam No. 3 and/or of Cove Creek Dam, either or both, as shall be hereinafter more specifically set forth, but the board shall operate Dam No. 3 and Cove Creek Dam and their corresponding power houses and plants, as hereinafter directed.

(d) That any such lease as may be entered into shall contain a clause or clauses providing and requiring that the lessee shall return to the Government in cash or account for the same by the reduction in the price of fertilizer or in fertilizer components part or parts, as the board shall decide and declare, for such profits from the sale of power which may result from the temporary and unavoidable discontinuance of the manufacture of fertilizer and/or fertilizer component part or parts, and that such manufacture of fertilizer or fertilizer parts may be discontinued only when there is an excess accumulation of fertilizer stocks unsold, in excess of the reasonable and probable demands for such fertilizer, as found and declared by the board, and thereafter when such accumulated stocks shall have been reduced to a reasonable degree the lessee shall be bound to resume the manufacture of such fertilizers.

(e) That any such lease shall provide absolutely and unequivocally for the forfeiture of all rights of the lessee in the event of the failure to keep in good faith its obligations under the terms of the lease, and the lessee shall be bound by the lease to the production and manufacture of fixed nitrogen of a kind and quality and in form available as plant food and capable of being applied directly to the soil in connection with the growth of crops, of 10,000 tons of fixed nitrogen per year for the first two years of said lease period, and 20,000 tons of fixed nitrogen for the third and fourth years of the lease period, 30,000 tons per year for the fifth and sixth years of the lease period, 40,000 tons per year of fixed nitrogen for the seventh and eighth years of the lease period, and thereafter at least 48,000 tons of fixed nitrogen for each and every year; and no diminution nor reduction of the amount of manufacture and fixation of such nitrogen shall be permitted or allowable under any circumstances, act of God, public enemy, and vis majeur strikes, lockouts, and like unavoidable forces only excepted, except and unless the board shall find as a matter of fact that there is an excess amount of such fixed nitrogen on hand and in storage in excess of the reasonable and probable demands for same, and in such event the board shall have the power to permit by written order and authority the reduction in the volume of such nitrogen to be fixed and manufactured for any one year, subject to the condition herein stated that due credit and allowance shall be made for the use of such power otherwise, or the sale of such power, as shall be released by reason of such temporary discontinuance of the manufacture and fixation of nitrogen for agricultural use.

(f) The board shall lease such properties only to such persons, firm, or corporation as shall be, in its judgment, best qualified and prepared to carry out the purposes of this act by the manufacture and sale at reasonable prices of fertilizer and/or fertilizer ingredients in concentrated form, available as plant food and capable of being applied directly to the soil in the production of crops, the manufacture of electrochemicals and ferro-alloys, and for the sale, transmission, and equitable distribution of such surplus power as may be developed at said plant, among the several States, counties, and municipalities within transmission distance. Said fertilizer and/or fertilizer ingredients in concentrated form to contain nitrogen of the gross aggregate volume and weight as are hereinbefore stipulated, shall be produced and sold by the lessee at a profit not exceeding 8 per cent above the actual cost of production, which shall include 6 per cent interest on any fertilizer-plant equipment installed by lessee at its expense, and such profit shall be based upon the cost of the

turnover in production, and such cost shall be ascertained annually by a careful and thorough audit of the items of cost entering into the production of such fertilizer and/or fertilizer ingredients in concentrated form as above defined, and such audit shall be made annually by one reputable firm of certified accountants selected by the lessee and by another reputable firm of certified public accountants selected by the board, and these two shall work in cooperation and in conjunction at the same time and place, in the auditing of such costs of producing such fertilizer and/or fertilizer ingredients in concentrated form; and in the event of any dispute or differences of opinion as to any item or items entering into such cost or correct method of accounting by the said two firms of certified public accountants employed in the auditing of such costs, a third firm of certified public accountants shall be appointed by the President of the United States upon certificate of such disagreement and difference of opinion, and the facts and figures relating to such dispute or disputes and differences of opinion shall be laid before such third firm of certified public accountants so appoined by the President, at a public hearing at which any person or persons having information of facts relating to such cost of manufacturing such finished fertilizer and/or fertilizer ingredients in concentrated form, shall be heard, and after full hearing and oral argument or discussion by both sides the firm of certified public accountants so appointed by the President shall then and there render its decision and such decision shall be final as to the costs for such manufacture of fertilizer, and by adding 8 per cent thereto the price for the sale of such fertilizer shall be ascertained and fixed and publicly declared, and the actual expenses shall be paid by the lessee.

(g) No lease shall be made to any person, firm, or corporation unless such person, firm, or corporation shall demonstrate by the deposit, subject to the order of the board, of the sum of $10,000,000 in such place and of such forms of securities as shall satisfy the board of the absolute and undisputed solvency and good faith of the lessee, and of the financial ability of the lessee to carry out the terms of its lease; and if the lessee shall fail or neglect to carry out in good faith any of the terms and provisions of such lease, all such money and all such securities representing money as shall have been deposited as herein directed shall be declared forfeited by the board for the use and benefit of the United States, and shall be applied in satisfaction of damages for such breach of contract, which are hereby declared to be liquidated damages, and if said $10,000,000 or any part thereof shall have been invested by the lessee in any buildings, machinery, equipment, or other property used in connection with the property hereby leased, then all such property shall be forfeited to the United States for the purposes herein stated.

(h) If and when Dam No. 3 on the Tennessee River located about 15 miles up said river from Dam No. 2, known as the Wilson Dam, shall be constructed by the United States Government in aid of navigation and of flood relief and for the purpose of increasing the primary power of the power-generating plant now belonging to the United States at Muscle Shoals, then the lessee and the board shall, respectively, appoint competent engineers to ascertain the extent to which the existence of said Dam No. 3 shall increase the primary power at said Dam No. 2, and the lessee shall be bound by the lease to pay to the United States Government the reasonable value of such increase of power as said engineers shall ascertain; and if said two engineers appointed by the board and the lessee, respectively, shall disagree either as to the amount whereby said power shall be increased or as to the value thereof, then the President of the United States upon certificate of such disagreement shall appoint a third engineer who shall hear the facts that shall be presented by both sides, and such facts as shall be presented by any other person having knowledge of the facts, at a public hearing, of which due notice shall be given, and after such hearing and after a full discussion by both sides, such engineer so appointed by the President of the United States shall make decision and shall make public announcement of such decision, and such decision shall be final and binding on both parties, and the actual expenses shall be paid by lessee.

(i) If and when the United States shall build a dam in and across Clinch River in the State of Tennessee, commonly designated as Cove Creek Dam, for the purpose of regulating commerce by promoting navigation in the Tennessee River and its tributaries, and of flood control, and for the purpose of increasing the value of its property now at Muscle Shoals, then the lessee shall be bound by the terms of said lease to pay to the United States Government the reasonable value of such increase of primary power at Wilson Dam as shall result from the construction and operation by the Government of said dam in Cove Creek; and in order to ascertain the extent of such increase of primary power and the reasonable value thereof, the lessee and the board shall, respectively, appoint engineers to study the facts and to ascertain the extent of such increase of primary power, and the value thereof, and in the event of any disagreement by the said engineers so appointed, and upon certificate of such disagreement, the President of the United States is hereby authorized and directed to appoint a third engineer, who shall study the facts and shall at a public hearing hear the facts as the same shall be presented by both sides, including said engineers and any other person that may have knowledge of any facts relating to the question, and at such public hearing said engineer so appointed by the President of the United States shall make and render his decision and make public announcement thereof, and such decision shall be final and binding upon both parties, and the actual expenses shall be paid by lessee.

(j) The lessee shall be bound by the terms of said lease to pay to the United States as rent for the use of said property a sum of money that shall represent 4 per cent per annum upon the present ascertained and appraised value of said property so leased as herein required to be appraised, said payment to be made semiannually, and the lessee shall further be bound to keep the property in good condition and a good state of repair, reasonable wear and tear and inevitable depreciation by time excepted and loss by fire, flood, storm, earthquake, or other natural disturbance excepted, and any failure by the lessee to make any of said payments or to pay semiannually for the value of the increase of power by reason of the construction of either Dam No. 3 or the Cove Creek Dam, as herein specified, or for the failure and neglect of the lessee to keep, observe, and perform any of the other conditions and stipulations of the lease, shall operate as a forfeiture of all rights of the lessee under the lease, and upon such forfeiture the United States shall have the right upon the request of the board to institute by the Attorney General of the United States suit in any district court of the United States to declare the rights of the lessee forfeited and to eject the lessee from the premises and to put the United States, by its agent, the board, in possession thereof.

(k) All power used by the lessee for the manufacture of fertilizer and/or fertilizer ingredients in concentrated form shall be charged at the actual cost of production of such power, without including any profit to the lessee but including rental herein required to be paid, and such cost, including the auxiliary steam power employed to increase the volume of primary power, shall be ascertained annually and computed in the manner prescribed for ascertaining the costs of fertilizer and shall constitute one of the elements of such ascertainments of costs. All that portion of the property that shall be used by the lessee for the fixation of atmospheric nitrogen and for the conversion of same into plant food suitable for agricultural use by direct application to the soil and to the crops, shall be separately appraised in the manner herein prescribed for such appraisement, and in computing the costs of fertilizers, only the rental herein required to be paid to the Government for such part of the entire plant as shall be used for such purpose, shall be included and computed as one of the elements of the cost of such fertilizer and/or fertilizer ingredients in concentrated form, and the same shall not include any profit to lessee on account of the power so employed but including rental on the dam and steam-power plant. The lessee shall employ in its fertilizer-manufacture processes, or in such part of them as may be feasible and practicable, secondary power wherever and whenever available, because of its cheapness, when the board shall find that the use of such cheap secondary power shall reasonably enable the lessee to produce such fertilizer and/or fertilizer ingredients in concentrated form at a cost below what would be the cost if primary power exclusively were employed in producing and manufacturing the same. Primary power is hereby defined to be such power as shall be available from the combined and cooperating sources of water and the steam plant for 95 per cent of the time during any one year.

(l) The lessee shall be authorized and permitted to construct new buildings and to enlarge the steam plant and install other hydrogenerating units upon the land belonging to the Government at Muscle Shoals for use in connection with the fixation of nitrogen and the conversion thereof into fertilizer and/or fertilizer ingredients in concentrated form, and for the manufacture of electrochemicals, and for the manufacture of ferroalloys, and upon the expiration of the period of the lease, if lessee shall have performed all of its covenants and agreements, the lessee shall be permitted to remove the machinery in said buildings installed and used by it for the purposes aforesaid, or to sell said machinery to the succeeding lessee or to the Government, but the lessee shall not remove the steam plant or generating units installed by it, nor the buildings nor any outside fixtures, equipment, appliances, such as power-transmission lines, railroad tracks, water and gas pipes, and other such property, including warehouses, storage tanks, and storage bins, nor shall the lessee remove any house or machinery installed therein and used for any purpose other than the purposes above stipulated, but all such property belonging to the lessee and constructed upon the land of the Government, and all machinery, equipment, fixtures, and appliances installed and used in connection herewith, shall belong absolutely and in fee simple to the Government as a part of its property, but this shall not include stock in process, nor manufactured products, nor its tools, implements, and instruments, nor its office furniture and fixtures, which lessee may remove.

(m) The board shall have the right and it shall be its duty to advise the lessee from time to time, as it shall see fit, as to the nature, kind, and quality and composition of the fertilizer and/or fertilizer ingredients in concentrated form to be manufactured by lessee, so that same shall be reasonably acceptable to the consuming public, either as a dilute fertilizer or in concentrated form, as the board may require and the trade demand; and if the lessee shall refuse to comply with such advice, and if in consequence of such refusal the fertilizer product or products of the lessee shall not be sold in sufficient volume to justify the continuance of its manufacture in the volume herein required, and if the manufacture of such fertilizer and/or fertilizer ingredients shall thereafter be discontinued by the lessee, the board shall thereupon have the right to request the United States Attorney General on behalf of the Government to institute proceedings in any district court of the United States to declare the

lease to be null and void on account of the failure of the principal and paramount purpose of the lease, and in considering such facts as shall be alleged by the Government in the suit, the court may consider the refusal of the lessee to follow the advice of the board in the matters herein mentioned, as some evidence upon the issue of good faith or bad faith of the lessee.

(n) The lessee shall be bound by the terms of the lease to recondition nitrate plant No. 1 so that the same may be effective and useful in the fixation of nitrogen by direct synthesis and to operate the same to capacity for that purpose so as to increase the volume of nitrogen available for agricultural purposes, and the demands of agriculture being supplied, then for industrial purposes. The lessee shall be bound by the terms of the lease to use all of the primary hydraulic power now available at Dam No. 2 for the fixation of atmospheric nitrogen; and if the demands first of agriculture and second of industry for nitrogen and nitrogen products shall be sufficient to justify the same, the lessee shall also employ the available steam power in connection with secondary hydraulic power to enable the lessee to increase the quantity of such nitrogen and nitrogen products.

(o) The lessee shall be bound to determine by research whether by means of the electric-furnace methods and industrial chemistry, or otherwise, there may be produced on a commercial scale fertilizer compounds of higher grade and at lower prices than farmers and other users of commercial fertilizers have in the past been able to obtain, and to determine whether in a broad way the application of electricity and industrial chemistry may accomplish for the agricultural industry of the Nation what these forces and sciences have accomplished in an economical way for other industries; and the lessee shall be bound to conduct experimental researches to ascertain whether or not by a compound and mutually reacting process or method of manufacturing it is practical and economical to employ as raw materials phosphate rock, and coal, limestone, and potash shale in producing a concentrated fertilizer containing three elements of plant food, to wit, nitrogen, phosphorus, and potash, in useful proportion and in available form, and at reasonable cost.

(p) No lease shall be made to any person, firm, or corporation except to American citizens and to a corporation owned and controlled by American citizens, and the lease shall provide that if at any time the lessee or the lessee corporation shall cease to be under the direct, free, and legal control of American citizens, then all rights under the lease shall immediately cease, and the United States by order of the President shall have the right of reentry and recapture without any compensation whatever to the lessee on any account whatsoever.

(q) The Muscle Shoals property hereby and herein authorized to be leased shall not include the navigation facilities, including the canal, the locks, the lifts, and any other appliances and equipment now existing or hereafter to be installed in aid of navigation, on the Tennessee River and/or its tributaries.

(r) The sale and distribution of fertilizer and/or fertilizer ingredients shall be subject to and in accordance with general regulations to be formulated and promulgated by the board. In said regulations formulated by the board preference shall be given in the way of sales and deliveries first to farmers or groups of farmers or cooperative farm associations, and next to States and State agencies engaged in buying, mixing, selling, and distributing fertilizers for farmers; and any surplus left over after these priority claims are supplied may be sold to fertilizer manufacturers, mixers, and dealers.

(s) The lessee shall be bound upon the requisition of the Secretary of War or the Secretary of the Navy to manufacture for and sell to the United States in peace nitrogeneous contents of explosives at a cost not exceeding 4 per cent, based upon the same methods of accounting and calculation as are applied for the ascertaining of the costs and the fixing of the prices of fertilizer and/or fertilizer ingredients. There shall be reserved to the Government of the United States, in case of war or national emergency declared by Congress, the right to take possession of all or any part of the property described and leased by authority of this act for the purpose of manufacturing explosives or the nitrogeneous contents of explosives or for other war purposes; but if the Government shall exercise this right it shall pay to the lessee fair and reasonable actual damages that it may suffer by reason of such taking by not including profits or speculative damages, and the amount of such actual damages shall be fixed in proceedings instituted in the United States Court of Claims by the lessee or its assigns in accordance with the rules and regulations prescribed by that court for such proceedings.

(t) The lessee shall not charge in the cost of the manufacture of fertilizer and/or fertilizer ingredients any sum of money whatsoever for the use of any patents or patent process belonging to or controlled by it or belonging to or controlled by any officer or agent of it, or belonging to or controlled by any affiliated or subsidiary corporation, or belonging to or controlled by any agent of any subsidiary or affiliated corporation, and the lessee shall not purchase any patent right or process or contract to pay any royalty for the use of any such patent right or patent process without the previous authority and consent of the board as to the amount to be paid for such patent right or patented process or for the right to employ any such patent right or patented process.

(u) The lessee shall be bound by the terms of its lease to submit annually to the board a list of all of the officers, agents, and employees, and charged as a part of the costs of manufacturing fertilizer and/or fertilizer ingredients, and the board shall have the right to criticise and protest against any salary or salaries that may be paid for said purpose; and if the lessee shall fail to meet the reasonable criticisms of the board and shall fail to satisfy the board as to the reasonableness of any salary or salaries finally fixed, and if the fertilizer and/or fertilizer ingredients manufactured and offered for sale by the lessee are not purchased by the consuming public in sufficiently large volume to take the capacity production of the lessee, and if in consequence thereof a discontinuance of the manufacture of such fertilizer and/or fertilizer ingredients shall result, and if the United States Government by its Attorney General shall at the request of the board institute proceedings to declare the lease null and void for these reasons, along with any other reasons, then such failure of the lessee to reduce the salaries paid to its said officers, agents, and employees, in accordance with the protest of the board, shall be considered by the court as a circumstance bearing upon the good faith or bad faith of the lessee.

(v) The lessee shall have the right to install an addition to the steam plant built along and in connection with nitrate plant No. 2, and to use the power produced by such addition, estimated to be 40,000 horsepower, in connection with secondary power developed at Wilson Dam No. 2, and in such event the lessee shall be bound to pay to the United States the reasonable value of such secondary power thus made available for use as primary power; and if the lessee and the board shall be unable to agree upon the reasonable value of such secondary hydraulic power, they shall each appoint a competent and disinterested engineer, and if these two engineers fail to agree, then the President of the United States shall appoint a third engineer who shall consider the facts and hear arguments presented by both sides and after such hearing, shall, within a reasonable time, render his decision in writing and the same shall be binding, final, and conclusive upon all parties. In like manner if the lessee shall build at its own expense any other steam plant for use in connection with secondary power so as to increase the total volume of primary power, then in such case the lessee shall be bound to pay to the board the reasonable value of such secondary hydraulic power, and in the event of dispute the amount shall be ascertained and fixed in the manner above prescribed.

(w) In general, the parties to the lease, the Attorney General, and the courts shall at all times construe the lease in the light of the powers and duties hereinafter conferred upon the board for the purposes of accomplishing the aims and objects of this act, and it shall be the general purpose and intent of the lease to effectuate and carry out the purposes and reasons for this act as a whole, and of section 124 of national defense act of June 3, 1916.

(x) If and when the board shall have negotiated the terms of a lease with any person, firm, or corporation the parties shall prepare a draft of said lease in conformity with the provisions of this act and of the powers herein contained and of the purposes herein expressed, but before signing, executing, and delivering the same, such draft shall be submitted by letter of the board and of the lessee to the Attorney General of the United States, who shall permit inspection of the same and furnish copies thereof to public press or any citizen of the United States who shall apply for same, and if written objections to any portion or portions of said lease shall be filed with the Attorney General within 20 days after the lease shall have been submitted to him, he shall thereupon fix a time, not more than 10 days deferred, and place for a hearing of any and all such objections as may be made and shall within 10 days after such hearing render his conclusions and opinion in writing, and the same shall be binding on all parties, except the proposed lessee, who shall be privileged to refuse to conclude the lease. If negotiations are thereupon renewed, and if a new draft shall be agreed upon between the parties, then like proceedings shall be had before the Attorney General with the like result.

(y) If the board shall fail to negotiate, execute, and conclude a lease for the Muscle Shoals property within six months after its appraisement of said property shall have been completed, then the board shall proceed to operate the plant pursuant to the powers and directions of this act. Nevertheless, if at any time after the expiration of said six months' period and after such operation of said property by the board shall have been commenced, any person, firm, or corporation shall offer to negotiate with the board for the lease of the property subject to all the provisions and limitations herein contained, the board shall consider the offer, and if the board shall be able to agree with the prospective lessee as to the terms and conditions of a lease, then a draft thereof shall be submitted to the Attorney General of the United States and the like proceedings be followed as set forth in the preceding section. If the board shall fail to negotiate a lease and shall refuse to accept the offer of any proposed lessee, the board shall nevertheless report the offer as a part of its annual report and shall state in writing its reasons for refusing the same. If the board shall negotiate, conclude, and execute a lease at any time after the board shall have commenced the operation of the property pursuant to the powers herein contained and subject to all the provisions and limitations herein contained, then the board shall as a part of said lease include an agreement on the part of the lessee to pay for the appraised value of any additions or alterations that shall have been made to and upon the property by the board, and to pay for the appraised value of all raw material on hand, of all stock in process, and of all manufactured products, and the lessee shall thereupon be put in possession of the property without any interruption whatever to the operation of same as a going concern.

SEC. 2. Organization of the board: There is hereby created a body corporate by the name of the "Muscle Shoals Corporation

of the United States" (hereinafter referred to as the corporation). The board of directors first appointed shall be deemed the incorporators and the incorporation shall be held to have been effected from the date of the first meeting of the board.

SEC. 3. (a) The board of directors of the corporation (herein referred to as the board) shall be composed of three members, not more than two of whom shall be members of the same political party, to be appointed by the President, by and with the advice and consent of the Senate. The board shall organize by electing a chairman, vice chairman, and other officers, agents, and employees, and shall proceed to carry out the provisions of this act.

(b) The terms of office of the members first taking office after the approval of this act shall expire as designated by the President at the time of nomination, one at the end of the second year, one at the end of the fourth year, and one at the end of the sixth year, after the date of approval of this act. A successor to a member of the board shall be appointed in the same manner as the original members and shall have a term of office expiring six years from the date of the expiration of the term for which his predecessor was appointed.

(c) Any member appointed to fill a vacancy in the board occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term.

(d) Vacancies in the board so long as there shall be two members in office shall not impair the powers of the board to execute the functions of the corporation, and two of the members in office shall constitute a quorum for the transaction of the business of the board.

(e) Each of the members of the board shall be a citizen of the United States and shall receive compensation at the rate of $50 per day for each day that he shall be actually engaged in the performance of the duties vested in the board, to be paid by the corporation as current expenses, not to exceed, however, 150 days for the first year after the date of the approval of this act, and not to exceed 100 days in any year thereafter. Members of the board shall be reimbursed by the corporation for actual expenses (including traveling and subsistence expenses) incurred by them while in the performance of the duties vested in the board by this act.

(f) No director shall have any financial interest in any public-utility corporation engaged in the business of distributing and selling power to the public nor in any corporation engaged in the manufacture, selling, or distribution of fixed nitrogen, or any ingredients thereof, nor shall any member have any interest in any business that may be adversely affected by the success of the Muscle Shoals project as a producer of concentrated nitrogenous fertilizers.

(g) The board shall direct the exercise of all the powers of the corporation.

TITLE II—OPERATION BY THE BOARD

SECTION 1. (a) If the board shall have not executed and delivered a lease within the time herein specified, and subject to the terms herein set forth, then in that event only shall the following provision with reference to the operation of the Muscle Shoals property by the board become effective, but in such event the board shall proceed to execute the powers and directions hereinafter conferred.

(b) The chief executive officer of the corporation shall be a general manager, who shall be responsible to the board for the efficient conduct of the business of the corporation. The board shall appoint the general manager, and shall select a man for such appointment who has demonstrated his capacity as a business executive. The general manager shall be appointed to hold office for 10 years, but he may be removed by the board for cause, and his term of office shall end upon repeal of this act, or by amendment thereof expressly providing for the termination of his office. Should the office of general manager become vacant for any reason, the board shall appoint his successor as herein provided.

(c) The general manager shall appoint, with the advice and consent of the board, two assistant managers who shall be responsible to him, and through him, to the board. One of the assistant managers shall be a man possessed of knowledge, training, and experience to render him competent and expert in the production of fixed nitrogen. The other assistant manager shall be a man trained and experienced in the field of production and distribution of hydroelectric power. The general manager may at any time, for cause, remove any assistant manager, and appoint his successor as above provided. He shall immediately thereafter make a report of such action to the board, giving in detail the reason therefor. He shall employ, with the approval of the board, all other agents, clerks, attorneys, employees, and laborers.

(d) The combined salaries of the general manager and the assistant managers shall not exceed the sum of $50,000 per annum, to be apportioned and fixed by the board.

SEC. 2. Except as otherwise specifically provided in this act, the corporation—

(a) Shall have succession in its corporate name.

(b) May sue and be sued in its corporate name, but only for the enforcement of contracts and the defense of property.

(c) May adopt and use a corporate seal, which shall be judicially noticed.

(d) May make contracts, but only as herein authorized.

(e) May adopt, amend, and repeal by-laws.

(f) May purchase or lease and hold such personal property as it deems necessary or convenient in the transaction of its business, and may dispose of any such personal property held by it.

(g) May appoint such officers, employees, attorneys, and agents as are necessary for the transaction of its business, fix their compensation, define generally their duties, require bonds of them and fix the penalties thereof, and dismiss at pleasure any such officer, employee, attorney, or agent, and provide a system of organization to fix responsibility and promote efficiency.

(h) The board shall require that the general manager and the two assistant managers, the secretary and the treasurer, the bookkeeper or bookkeepers, and such other administrative and executive officers as the board may see fit to include, shall execute and file before entering upon their several offices good and sufficient surety bonds, in such amount and with such surety as the board shall approve.

(i) Shall have all such powers as may be necessary or appropriate for the exercise of the powers herein specifically conferred upon the corporation, including the right to exercise the power of eminent domain.

SEC. 3. The board is hereby authorized and directed—

(a) To operate existing plants for fixation of nitrogen in quantity available as plant food by direct application to the soil; to construct, maintain, and operate experimental plants and/or laboratories at or near Muscle Shoals for the manufacture of fertilizer, and/or of any of the ingredients comprising fertilizer, and of any useful and profitable by-products of same.

(b) To arrange with farmers and farm organizations for large-scale practical use of the new forms of fertilizers under conditions permitting an accurate measure of the economic return they produce;

(c) To cooperate with national, State, district, or county experimental stations or demonstration farms, for the use of new forms of fertilizer or fertilizer practices during the initial or experimental period of their introduction;

(d) The board shall manufacture and sell fixed nitrogen at Muscle Shoals by the employment of existing facilities (by modernizing existing plants), or by any other process or processes that in its judgment shall appear wise and profitable for the fixation of atmospheric nitrogen. The fixed nitrogen provided for in this act shall be in such form and in combination with such other useful ingredients as shall make such nitrogen immediately available and practical for use by farmers in application to soil and crops.

(e) The selling price of fertilizer ingredients and nitrogen products shall be fixed in advance from time to time by the board, and all sales shall be direct or through such intermediaries as will contract fixing the maximum prices to be charged the ultimate consumer; and such prices shall be so fixed as to include all the expenses of the board and its clerical and technical force, and of producing, marketing, and distributing such commodities, including 4 per cent on the appraised value of that part of the plant used and 4 per cent on the cost of any additions, alterations, and improvements employed for such purpose, and such 4 per cent shall be paid by the board into the Treasury of the United States. Such sales shall be only in carload and for cash free on board Muscle Shoals, Ala.

(f) The board is authorized to make alterations, modifications, or improvements in existing plants and facilities.

(g) To establish, maintain, and operate laboratories and experimental plants, and to undertake experiments for the purpose of enabling the corporation and private manufacturers of nitrogen products to furnish nitrogen products and kinds of plant food for agricultural purposes in the most economical manner and at the highest standard of efficiency.

(h) The board shall have power to request the assistance and advice of any officer, agent, or employee of any executive department or of any independent office of the United States, to enable the corporation the better to carry out its powers successfully, and the President shall, if in his opinion the public interest, service, and economy so require, direct that such assistance, advice, and service be rendered to the corporation, and any individual that may be by the President directed to render such assistance, advice, and service shall be thereafter subject to the orders, rules, and regulations of the board and of the general manager.

(i) Upon the requisition of the Secretary of War or the Secretary of the Navy to manufacture for and sell at cost to the United States the nitrogenous content of explosives.

(j) Upon the requisition of the Secretary of War the corporation shall allot and deliver without charge to the War Department so much power as shall be necessary in the judgment of said department for use in operation of all locks, lifts, or other facilities in aid of navigation.

(k) To produce, distribute, and sell electric power, as herein particularly specified.

(l) No products of the corporation shall be sold for use outside of the United States, her Territories and possessions, except to the United States Government for the use of its Army and Navy or to its allies in case of war.

SEC. 4. In order to enable the corporation to exercise the powers vested in it by this act—

(a) The exclusive use, possession, and control of the United States nitrate plants Nos. 1 and 2, located, respectively, at Sheffield, Ala., and Muscle Shoals, Ala., together with all real estate and buildings connected therewith, all tools and machinery, equipment, accessories, and materials belonging thereto, and all laboratories and plants used as auxiliaries thereto; the fixed-nitrogen research laboratory, the Waco limestone quarry, in Alabama, and Dam No. 2, located at Muscle Shoals, its power house, and all hydroelectric and operating appurtenances (except the locks), and all machinery, lands, and buildings in connection therewith, and all appurtenances thereof and Dam No. 3 and Cove Creek Dam, if and when constructed, shall be intrusted to the corporation for

the purposes of this act, under the provisions of section 4 (a) of this act.

(b) The President of the United States is authorized to provide for the transfer to the corporation of the use, possession, and control of such other real or personal property of the United States as he may from time to time deem necessary and proper for the purposes of the corporation as herein stated.

SEC. 5. (a) The corporation shall maintain its principal office in the immediate vicinity of Muscle Shoals, Ala. The corporation shall be held to be an inhabitant and resident of the northern judicial district of Alabama within the meaning of the laws of the United States relating to venue of civil suit.

(b) The corporation shall at all times keep, maintain, and preserve complete and accurate books of accounts and all meetings and proceedings of the board.

SEC. 6. (a) The board shall file with the President and with the Congress, in December of each year, a financial statement and a complete report as to the business of the corporation covering the preceding fiscal year. This report shall include the total number of employees and the names, salaries, and duties of those receiving compensation at the rate of more than $2,500 a year. The plants and laboratories may be inspected at any time only on written permission of the board, or its specially authorized agent.

(b) The board shall require a careful and scrutinizing audit and accounting by the General Accounting Office during each governmental fiscal year of operation under this act, and said audit shall be open to inspection to the public at all times, and copies thereof shall be filed in the principal office of the Muscle Shoals Corporation at Muscle Shoals in the State of Alabama. Once during each fiscal year the President of the United States shall have power, and it shall be his duty, upon the written request of at least two members of the board, to appoint a firm of certified public accountants of his own choice and selection which shall have free and open access to all books, accounts, plants, warehouses, offices, and all other places, and records, belonging to or under the control of or used by the corporation in connection with the business authorized by this act; and the expenses of such audit so directed by the President shall be paid by the board and charged as part of the operating expenses of the corporation.

SEC. 7. The board is hereby empowered and authorized to sell the surplus power not used in its operations and for operation of locks and other works generated at said steam plant and said dam, to States, counties, municipalities, corporations, partnerships, or individuals, according to the policies hereinafter set forth, and to carry out said authority the board is authorized to enter into contracts for such sale for a term not exceeding 10 years and in the sale of such current by the board it shall give preference to States, counties, or municipalities purchasing said current for distribution to citizens and customers: *Provided further*, That all contracts made with private companies or individuals for the sale of power, which power is to be resold for a profit, shall contain a provision authorizing the board to cancel said contract upon two years' notice in writing, if the board needs said power in its own manufacturing operations or to supply the demands of States, counties, or municipalities.

SEC. 8. It is hereby declared to be the policy of the Government to distribute by sale at reasonable prices the surplus power generated at Muscle Shoals equitably among the States, counties, and municipalities within transmission distance of Muscle Shoals, and the net proceeds of such sale shall be paid into the Treasury of the United States.

SEC. 9. In order to place the board upon a fair basis for making such contracts and for receiving bids for the sale of such power, it is hereby expressly authorized, either from appropriations made by Congress or from funds secured from the sale of such power, to construct, lease, or authorize the construction of transmission lines within transmission distance in any direction from said Dam No. 2, the Cove Creek Dam, and Dam No. 3 and said steam plant: *Provided*, That if any State, county, municipality, or other public or cooperative organization of citizens or farmers, not organized or doing business for profit, but for the purpose of supplying electricity to its own citizens or members, or any two or more of such municipalities or organizations, shall construct or agree to construct a transmission line to Muscle Shoals, the board is hereby authorized and directed to contract with such State, county, municipality, or other organization, or two or more of them, for the sale of electricity for a term not exceeding 30 years, and in any case the board shall give to such State, county, municipality, or other organization ample time to fully comply with any local law now in existence or hereafter enacted providing for the necessary legal authority for such State, county, municipality, or other organization to contract with the board for such power: *Provided further*, That all contracts entered into between the corporation and any municipality or other political subdivision shall provide that the electric power shall be sold and distributed to the ultimate consumer without discrimination as between consumers of the same class, and such contract shall be void if a discriminatory rate, rebate, or other special concession is made or given to any consumer or user by the municipality or other political subdivision: *And provided further*, That any surplus power not so sold as above provided to States, counties, municipalities, or other said organizations, before the board shall sell the same to any person or corporation engaged in the distribution and resale of electricity for profit, it shall require said person or corporation to agree that any resale of such electric power by said person or corporation shall be sold to the ultimate consumer of such electric power at a price that shall not exceed an amount fixed as reasonable, just, and fair by the appropriate State utility commission; and in case of any such sale if an amount is charged the ultimate consumer which is in excess of the price so deemed to be just, reasonable, and fair by the appropriate State utility commission, the contract for such sale between the board and such distributor of electricity shall be declared null and void and the same shall be canceled by the board.

SEC. 10. Two per cent of the gross proceeds received by the board for the sale of power generated at Dam No. 2, or from the steam plant located in that vicinity, or from any other steam plant hereafter constructed in the State of Alabama, shall be paid to the State of Alabama; and 2 per cent of the gross proceeds from the sale of power generated at Cove Creek Dam, hereinafter provided for, shall be paid to the State of Tennessee. Upon the completion of said Cove Creek Dam the board shall ascertain how much excess power is thereby generated at Dam No. 2, and from the gross proceeds of the sale of such excess power 1 per cent shall be paid to the State of Alabama and 1 per cent to the State of Tennessee. In ascertaining the gross proceeds from the sale of such power upon which a percentage is paid to the States of Alabama and Tennessee the board shall not take into consideration the proceeds of any power sold or delivered to the Government of the United States, or any department of the Government of the United States or used in the operation of any navigation facilities or locks on the Tennessee River, or for any experimental purpose, or used for the manufacture of fertilizer or any of the ingredients thereof, or for any other governmental purpose. The net proceeds derived by the board from the sale of power and any of the products manufactured by the corporation, after deducting the cost of operation, maintenance, depreciation, and an amount deemed by the board as necessary to withhold as operating capital, shall be paid into the Treasury of the United States at the end of each calendar year

TITLE III—SUPPLEMENTAL PROVISIONS

SECTION 1. The Secretary of War is hereby empowered and directed to complete Dam No. 2 at Muscle Shoals, Ala., and the steam plant at nitrate plant No. 2, in the vicinity of Muscle Shoals, by installing in Dam No. 2 the additional power units according to the plans and specifications of said dam and the additional power unit in the steam plant at nitrate plant No. 2: *Provided*, That the Secretary of War shall not install the additional power unit in said steam plant until after investigation he shall be satisfied that the foundation of said steam plant is sufficiently stable or has been made sufficiently stable to sustain the additional weight made necessary by such installation.

SEC. 2. The Secretary of War is hereby authorized, with appropriations hereafter to be made available by the Congress, to construct, either directly or by contract to the lowest responsible bidder, after due advertisement, a dam in and across Clinch River in the State of Tennessee, which has by long usage become known and designated as the Cove Creek Dam, according to the latest and most approved designs of the Chief of Engineers, including its power house and hydroelectric installations and equipment for the generation of at least 200,000 horsepower, in order that the waters of the said Clinch River may be impounded and stored above said dam for the purpose of increasing and regulating the flow of the Clinch River and the Tennessee River below, so that the maximum amount of primary power may be developed at Dam No. 2 and at any and all other dams below the said Cove Creek Dam.

SEC. 3. In order to enable and empower the Secretary of War to carry out the authority hereby conferred, in the most economical and efficient manner, he is hereby authorized and empowered in the exercise of the powers of national defense in aid of navigation, and in the control of the flood waters of the Tennessee and Mississippi Rivers, constituting channels of interstate commerce, to exercise the right of eminent domain and to condemn all lands, easements, rights of way, and other area necessary in order to obtain a site for said Cove Creek Dam, and the flowage rights for the reservoir of water above said dam and to negotiate and conclude contracts with States, counties, municipalities, and all State agencies and with railroads, railroad corporations, common carriers, and all public-utility commissions and any other person, firm, or corporation, for the relocation of railroad tracks, highways, highway bridges, mills, ferries, electric-light plants, and any and all other properties, enterprises, and projects whose removal may be necessary in order to carry out the provisions of this Act. When said Cove Creek Dam and transportation facilities and power house shall have been completed, the possession, use, and control thereof shall be intrusted to the corporation for use and operation in connection with the general Muscle Shoals project and to promote flood control and navigation in the Tennessee River and in the Clinch River.

SEC. 4. The Secretary of War is hereby authorized, with appropriation hereafter to be made available by the Congress, to construct either directly or by contract to the lowest responsible bidder, after due advertisement, a dam in and across the Tennessee River at the site designated by the Chief of Engineers of the United States Army, as Dam No. 3, in aid of navigation and for increasing the value of the power to be developed at Wilson Dam No. 2 and to install a power house and such hydroelectric generating machinery therein as may be justified, all according to the latest and most approved plans of the Chief of Engineers of the United States Army, and the disposal of the power so developed shall be subject to the board; and in order to enable the Secretary of War to carry out this authority in the most economical and

efficient manner he is hereby authorized and empowered to exercise in the interest of national defense and in aid of navigation as an incident to interstate commerce the right of eminent domain and to condemn all such lands, rights of way, and other area as may be reasonably necessary in order to obtain a site for said dam and for the ponded water above said dam and to conclude contracts with States, counties, municipalities, and all State agencies, and with railroads, railroad corporations, common carriers, and all public-utilities commissions, and all other persons, firms, or corporations in any way interested in said dam site and pondage area.

SEC. 5. The corporation, as an instrumentality and agency of the Government of the United States for the purpose of executing its constitutional powers, shall have access to the Patent Office of the United States for the purpose of studying, ascertaining, and copying all methods, formulas, and scientific information (not including access to pending applications for patents) necessary to enable the corporation to use and employ the most efficacious and economical process for the production of fixed nitrogen, or any essential ingredient of fertilizer, and any patentee whose patent rights may have been thus in any way copied, used, or employed by the exercise of this authority by the corporation shall have as the exclusive remedy of a cause of action to be instituted and prosecuted on the equity side of the appropriate district court of the United States for the recovery of reasonable compensation. The Commissioner of Patents shall furnish to the corporation, at its request and without payment of fees, copies of documents on file in his office.

SEC. 6. (a) All general penal statutes relating to the larceny, embezzlement, conversion, or to the improper handling, retention, use, or disposal of public moneys or property of the United States shall apply to the moneys and property of the corporation and to moneys and properties of the United States intrusted to the corporation.

(b) Any person who, with intent to defraud the corporation, or to deceive any director or officer of the corporation or any officer or employee of the United States (1) makes any false entry in any book of the corporation, or (2) makes any false report or statement for the corporation shall, upon conviction thereof, be fined not more than $10,000 or imprisoned not more than five years, or both.

(c) Any person who shall receive any compensation, rebate, or reward, or shall enter into any conspiracy, collusion, or agreement, express or implied, with intent to defraud the corporation or wrongfully and unlawfully to defeat its purposes, shall, on conviction thereof, be fined not more than $5,000 or imprisoned not more than five years, or both.

SEC. 7. In order that the board may not be delayed in carrying out the program authorized herein the sum of $10,000,000 is hereby authorized to be appropriated for that purpose from the Treasury of the United States, of which not to exceed $2,000,000 shall be made available with which to begin construction of Cove Creek Dam during the calendar year 1931.

SEC. 8. That all appropriations necessary to carry out any of the provisions of this act are hereby authorized. This act may be cited as "The Muscle Shoals act of 1930."

SEC. 9. That all acts or parts of acts in conflict herewith are hereby repealed.

SEC. 10. That this act shall take effect immediately.

SEC. 11. The right to alter, amend, or repeal this act is hereby expressly declared and reserved, but not to impair the obligation of any contract that may have been entered into pursuant to the powers herein conferred upon the board.

When the Committee on Military Affairs, through Representative REECE, reported favorably a substitute to Senate Joint Resolution 49, I filed separate views, and I am here inserting same for the RECORD:

[Report 1430, part 2, Seventy-first Congress, second session]

MUSCLE SHOALS

May 12, 1930.—Ordered to be printed

Mr. MCSWAIN, from the Committee on Military Affairs, submitted the following report (to accompany S. J. Res. 49)

VIEWS OF REPRESENTATIVE M'SWAIN

I regret my inability to give my unqualified approval at this time to the bill which has been reported by the committee, being substantially the same bill which was formulated by the subcommittee of five of which I was a member. The other members of the subcommittee understand fully my attitude. Our difference is fundamental and relates to what should be the controlling principles underlying such a bill. These differences may be summarized generally as follows:

1. As to permitting the property to be subdivided and leased to two or more different lessees. In my opinion, the property is a unit and should be let to only one person, firm, or corporation.

2. As to the temporary nature of the board which is not confirmed by the Senate. In my judgment, the board should be a continuing body and be confirmed by the Senate, and even if the property should be leased, should exist for the purpose of supervising the performance of the lease, thus insuring that the interests of the public, and especially of agriculture, are protected and that the provisions of the lease are carried out by the lessee.

3. As to the absence of sufficient definiteness and certainty in the specifications and limitations governing the formulation of a lease and the performance of the provisions of the lease. The requirements as to the fixation of nitrogen and as to the processing of such fixed nitrogen into the form of fertilizer, such as can be directly applied to the soil and to crops, should not only be definite as to the amount to be prepared during the first period, which in the bill is three and one-half years, but the law should specify exactly the increases to be made in production and the successive periods of time in which such exact increases must be made, provided the market demand justifies, and for this reason among many other reasons the continuing presence of an official body such as the board is necessary.

4. The absence of an alternative provision of the same general nature as that which passed the Senate. It should be provided that unless a satisfactory lease with a responsible person, firm, or corporation should be made within one year after the act becomes law, then the same board which has been trying to negotiate a lease should proceed to put the plant to work in the fixation of nitrogen and in altering and adding to the plant so as to process such fixed nitrogen for use as a fertilizer. The bill should also provide that if the board should at any time after commencing the operation of the plant have an offer to lease the same, then it should consider such offer, and if the board should be able to agree upon a lease and should execute it, then the possession and control of the property should pass as a going concern to the lessee, with the minimum of interruption to the business.

REASONS FOR MY DISSENT

I do not believe that the property can be advantageously and wisely—having in view its purpose for national defense and for agriculture—leased to more than one person, firm, or corporation. The plant was built as a unit; its arrangement, its service systems, such as water and sewerage, railroad tracks, and lighting wires all contemplate one management, and to divide the same up into two or more parts will lead to confusion, collision, and consequent failure for at least some of the lessees. It is too much to expect of human nature that there should be cooperation and joint action among two or more lessees upon the same ground, dealing with the same property, and, especially, receiving power from the same source. Since inequality of control and management would lead to deadlocking, and since predominance of control in one would lead to despotism and oppression, it is too much to expect thoughtful business men to invest the necessary millions of capital under conditions so unpromising. One or more of the lessees will get the advantage over the others, and thus at least a part of the properties will be surrendered to the Government, and such part will almost certainly be nitrate plants No. 1 and No. 2. When these plants are no longer operated, then the power necessary for their operation is released to the other lessee, or to the board of control, or to the holding corporation which is dominated by such other lessee and thus the project is one-sided and incomplete.

THE BOARD SHOULD BE PERMANENT

Only by means of a permanent board, appointed by the President, but confirmed by the Senate, can the public interest be constantly watched after and protected. If the property be leased, then the maximum number of days per year for which the board can collect a per diem may be easily limited so as to not be burdensome. By having a continuing body we are assured of three persons kept constantly familiar with all the problems connected with the Muscle Shoals project, whether under lease or under Government operation, and this board will be in a position to say and decide whether or not the law is being observed, and the provisions of the contracts of letting lived up to by the lessee. There is need for the board as the representative of the public and especially of agriculture in connection with the cheapest possible production of nitrogenous plant food. The greatest problem in agriculture to-day is, aside from the marketing problem, that of artificial fertilizers at reasonable prices. In order to accomplish this end it is necessary to free the farmer from the strangle hold of Chilean monopoly over nitrate of soda. Likewise, it is necessary to demonstrate to the farmer and to the world the cost of producing synthetic nitrogen adapted as a plant food. Chilean nitrates, controlled by a natural monopoly, whose existence is guaranteed by the Chilean Government, which controls the production and marketing of sodium nitrate and imposes an export duty upon the same, is the standard by which the manufacturers of synthetic nitrogen throughout the world gage and fix their prices. It is admitted that there is a world-wide trust or agreement called a cartel, amounting to a monopoly in the production and sale of nitrogen products.

During the last 50 years the farmers of America have paid to the Chilean Government in the form of export duty about $265,000,000. In addition they paid for the charges of transport from the west coast of South America to the east coast of North America about $280,000,000. Thus, they have paid as charges, which should now be absolutely unnecessary, more than $500,000,000 for what represents no value whatever, but is tribute paid to a natural monopoly located several thousand miles from our farms and fields. Since science has discovered that over every acre of land there are many tons of nitrogen which by scientific process may be converted into plant food just as good and effective as the natural Chilean nitrate of soda, we should do everything in our power to shake off the grip of Chilean monopoly and to overthrow the power of the world trust. Strange as it might seem, there are some people who are glad for the Government to help industry by protective tariffs, and to help banks by governmental machinery, and to help railroads by guaranteeing returns

upon investment, and to do this the Government itself prevents cutthroat competition, and to spend hundreds of millions, aggregating throughout our history billions of dollars, in improving rivers and harbors as agencies of commerce, in order to make commerce more profitable for certain cities and certain classes of individuals. In many other ways that I might mention the power of law exerted by the Federal Government has been employed to help certain kinds of business. But stranger still, some of these very people that take governmental aid as above indicated to be a matter of course, in fact a practice so long standing that they regard it as a right on their part to demand such Government aid, and a duty on the part of the Government to give such aid, yet these very people are so afraid that the Government will do something for the American farmer that they seem utterly indifferent to what the Chilean Government has done and is doing to the American farmer.

INSUFFICIENT SPECIFICATIONS AND LIMITATIONS IN THE BILL

From the beginning of the Muscle Shoals project in 1916, when by the terms of the law the property was dedicated to national defense in time of war and to the production of nitrates or other products useful in the manufacture of fertilizers, there have been certain fundamental and prevailing principles governing the action of the committee, of the Congress, and controlling the public opinion of the country. The first formal expression of these ideas bears date of April 24, 1922, and is as follows:

MUSCLE SHOALS

COMMITTEE ON MILITARY AFFAIRS,
HOUSE OF REPRESENTATIVES,
April 24, 1922.

It is the judgment of this subcommittee that any proposition for the purchase, lease, or use of the Muscle Shoals property of the Government of the United States shall be based upon the following as fundamentals and essentials:

1. That the property shall at all times be subject to the absolute right and control of the Government for the production of nitrates or other ammunition components of munitions of war, and that nitrate plant No. 2 must be kept available therefor by the purchasers, lessees, or users of the property.

2. That the purchasers, lessees, or users of the property shall be obligated in the strictest terms to the manufacture and sale to the public of fertilizers in time of peace.

3. That any proposal for the purchase, lease, or use of the Muscle Shoals property of the United States Government must be for the entire property except the so-called Gorgas plant and the transmission line therefrom.

FRANK L. GREENE.
JOHN F. MILLER.
RICHARD WAYNE PARKER.
(So far as it goes.)
PERCY E. QUIN.
WILLIAM C. WRIGHT.

The next expression of these principles is found in the majority report of the commission appointed by President Coolidge on March 26, 1925. The concluding statement of the majority of that commission is as follows:

CONCLUDING STATEMENT

"It is the mature judgment of the undersigned members of the inquiry that the Muscle Shoals property is primarily a part of our national defense and we are convinced that this view is generally shared by the people of the United States. It is obvious that when these plants are needed for the production of munitions in time of war they will be needed quickly. The Government should, therefore, hold the title to the plants and prevent their being so changed as to make impracticable their immediate conversion for the manufacture of munitions, and arrangements should be made that will assure the maintenance of a trained operating force. These needs can best be served, in our judgment, by operating the plants. Fortunately, the plants are of such a character that they can render an important peacetime service to agriculture, and this vast expenditure of the Government need not remain idle or unproductive.

"We therefore unhesitatingly recommend legislation be enacted by Congress to lease this property on such terms as have been herein enumerated, and in event of failure to obtain a lease the President should have authority to cause these plants to be immediately operated as a Government enterprise.

"It is with great reluctance that we turn toward Government operation, being well advised of all of the infirmities inherent in such an undertaking. The great investment of the Government at Muscle Shoals, however, the importance of its continued maintenance as a part of our national defense, the crying need of agriculture for more and cheaper fertilizer, and the favorable opportunity for meeting that need, all compel us to disregard our prejudices, for we are convinced that to longer permit this great investment to stand idle when it can be of such great service to our people would be little less than a public calamity.

"Delay in this case is expensive. Legislative action is imperative.

"Dated this 14th day of November, 1925.

"JOHN C. MCKENZIE.
"NATHANIEL B. DIAL.
"R. F. BOWER."

The next expression of these same ideas is found in the House Concurrent Resolution No. 4, adopted by the Sixty-ninth Congress, first session, 1926, and is as follows:

"*Resolved by the House of Representatives (the Senate concurring)*, That a joint committee, to be known as the Joint Committee on Muscle Shoals, is hereby established to be composed of three members to be appointed by the President of the Senate from the Committee on Agriculture and Forestry and three members to be appointed by the Speaker of the House of Representatives from the Committee on Military Affairs.

"The committee is authorized and directed to conduct negotiations for a lease or leases (but no lease or leases shall be recommended which do not guarantee and safeguard the production of nitrates and other fertilizer ingredients mixed or unmixed primarily as hereinafter provided) of the nitrate and power properties of the United States at Muscle Shoals, Ala., including the quarry properties at Waco, Ala., for the production of nitrates primarily and incidentally for power purposes, such power to be equitably distributed between the communities and States to which it may be properly transported, in order to serve national defense, agriculture, and industrial purposes, and upon terms which so far as possible shall provide benefits to the Government and to agriculture equal to or greater than those set forth in H. R. 518, Sixty-eighth Congress, first session, except that the lease or leases shall be for a period not to exceed 50 years.

"Said committee shall have leave to report its findings and recommendations, together with a bill or joint resolution for the purpose of carrying them into effect, which bill or joint resolution shall, in the House, have the status that is provided for measures enumerated in clause 56 of Rule XI: *Provided*, That the committee shall report to Congress not later than April 26, 1926: *And provided further*, That the committee in making its report shall file for the information of the Senate and the House of Representatives, a true copy of all proposals submitted to it in the conduct of such negotiations."

The next expression of this same principle is found in the report of this committee to the Sixty-ninth Congress, second session, and dated March 3, 1927, and is as follows:

"The Committee on Military Affairs, to which was referred sundry bills relating to Muscle Shoals, Ala., submit to the House a report containing the report of the subcommittee, which report was adopted by the full committee on March 3, 1927:

"*The chairman and members of the Military Affairs Committee of the House:*

"Your subcommittee appointed February 2, 1927, to consider H. R. 16396 and H. R. 16614, known, respectively, as the Reece bill and the Madden bill, both having reference to the disposition of Muscle Shoals, organized and proceeded to the discharge of its duties immediately after being appointed.

"In considering the subject your subcommittee felt that the principal purpose of the Congress regarding Muscle Shoals is to safeguard the national defense, promote fertilizer production of substantial benefit to agriculture, and to secure the most beneficial public use of the power-generating facilities after the national defense and fertilizer manufacture purposes have been fully served. This purpose has been stressed in reports made on the subject by various committees of Congress, the joint commission, and the President of the United States.

"Having in mind this fundamental purpose in its consideration of the two offers, your subcommittee also felt bound by the following limitations placed upon it by the full committee:

"'1. That the property shall at all times be subject to the absolute right and control of the Government for the production of nitrates or other ammunition components of munitions of war and that nitrate plant No. 2 must be kept available therefor by the purchasers, lessees, or users of the property.

"'2. That the purchasers, lessees, or users of the property shall be obligated in the strictest terms to the manufacture and sale to the public of fertilizers in time of peace.

"'3. That any proposal for the purchase, lease, or use of the Muscle Shoals property of the United States Government must be for the entire property except the so-called Gorgas plan and the transmission line therefrom.

"'4. In the consideration of any offers for Muscle Shoals that it be a prerequisite that such offer contain a stipulation that the lessee, operating agency, or owner, as the case may be, be required to return to, or account for to, the Government either in cash or by way of reduction in the price of the fertilizer manufactured, the profits from the sale of power which would have been used in the manufacture of fertilizer in case there had been no discontinuance in the manufacture thereof; that the manufacture of fertilizer may be discontinued only when there shall be such excess accumulation of fertilizer stocks as shall be in excess of the reasonable or prospective demands for such fertilizer, and such manufacture shall be resumed upon reduction to a reasonable degree of such accumulated stock of fertilizer.

"'5. That any bid must contain a provision for the forfeiture of the power rights and fertilizer provisions if there is any failure to produce nitrates in the amount of at least 40,000 tons per year, provided that such forfeiture as may not be due to the neglect, misconduct, or fault of the lessee, shall not include the loss of the reasonable value of the property at the time of the forfeiture, but the lessee shall be reimbursed by the Government for the reasonable value of such property then and there belonging to the lessee and essential to the operation of the plants.'

"After full and careful consideration, including discussions on both propositions with representatives of the respective bidders, your subcommittee has reached the unanimous decision that neither of the offers as embodied in the two bids considered, either

as originally introduced or as amended by representatives of the respective bidders following discussion in the subcommittee, meet all the fundamental principles hereinbefore enumerated and in their present forms neither sufficiently safeguards all the public interests involved.

"Your subcommittee has agreed unanimously that the principle and limitations noted in this report should be held as fundamental and any proposed legislation submitted to Congress for consideration at the next session should contain provisions based on these fundamentals.

"Your subcommittee is also of the opinion and submits to the committee that unless by the time Congress convenes for the Seventieth Congress a bid is received which more fully and satisfactorily meets the conditions and limitations set forth in this report, an effort should be made to secure an operating contract for the production of fertilizer at Muscle Shoals, and in default thereof this committee should give the matter of operation at Muscle Shoals by a Government corporation full and careful consideration.

"The subcommittee unanimously agreed that the committee be advised that it is the sense of the subcommittee that no preliminary permit be granted by the Federal Power Commission at Cove Creek, or any other point which might affect the Muscle Shoals project, until after the expiration of the next session of Congress.

"It was also unanimously agreed that the Secretary of War be requested to allot a sufficient amount from available funds for the Government engineers to make a preliminary investigation and survey of the Cove Creek Dam proposition, including borings, and that such work be actively prosecuted so that a report to Congress can be made thereon at the beginning of the next session. It is also the sense of your subcommittee that any money expended by the Government in this preliminary work, including borings at Cove Creek, should be repaid to the Government by any licensee to whom a license might hereafter be granted by the Federal Power Commission, in case the Government should not build the dam at Cove Creek.

"It is recommended that the stenographic report of the hearings and discussions held by the subcommittee, together with data pertinent to the subject filed with the subcommittee, be printed with a proper index for the information of the committee and the Members of Congress.

"For the information of the members of the committee there is made a part of this report the proposed legislation with original language eliminated or changed indicated by stricken-through type and new language inserted indicated by italics. Proposed amendments not agreed to by the representatives of the bidders will be found in the printed hearings.

"W. FRANK JAMES.
"HARRY WURZBACH.
"J. MAYHEW WAINWRIGHT.
"NOBLE J. JOHNSON.
"HUBERT F. FISHER.
"W. C. WRIGHT.
"J. J. MCSWAIN."

These are the general principles that have become fundamental in my thinking on this subject, and I believe the country will be shocked by finding that some of them at least are now partially disregarded. I am not a blind worshiper of the past, and I recognize the full value of any ideas introduced and any suggestions coming from persons that have not been long habituated by a fixed manner of thinking on the subject. At the same time, in view of the peculiar nature of this project, in view of its essential unity, in view of its constituting an important, essential, indispensable part of our national defense program, I am still persuaded that the views of our predecessors on the committee and the views that have prevailed in the committee since I became a member thereof up to the present modification of these views are justified by reason, common sense, and business experience.

BOARD NECESSARY TO NEGOTIATE LEASE

I fully concur in that feature of the bill setting up a board to negotiate the terms of a lease, but, as above indicated, think that the board should be a permanent body and should therefore be confirmed by the Senate. Several years ago I became convinced that it would be impossible for the two Houses of Congress ever to negotiate the terms of a lease for this property. I therefore frequently announced this conclusion and expressed an intention of formulating a bill setting up a board to negotiate and execute the lease, subject to specifications and limitations so definite and clear that the original ideas of the Congress with reference to these properties could not be frustrated. I did prepare such a bill, and the same appears in the form of a committee print dated April 15, 1930.

Later I revised the same somewhat by way of clarifying and amplifying the same, and it now appears as H. R. 12097. That bill represents my individual views as to the limitations and requirements that should be imposed on the board. In the bill reported by the majority of the committee, I fear there is too wide a discretion vested in the board. The board has almost as much power to deal with these Government properties as the individual citizen has in dealing with his own property. It is contended by those directly responsible for the bill that these ample powers and this great latitude are necessary in order to enable the board to effectuate a lease. I know that these gentlemen are sincere in this contention, and I merely submit most respectfully that they are mistaken. There is no such urgent necessity for the swift and certain execution of a lease as to justify our taking the chances of making a serious mistake.

Having studied the problem very carefully for about eight years, having attended all the hearings within that time, having made an earnest effort to accomplish leases with proposed private operators, I am clearly of the opinion that the limitations and restrictions imposed upon the board under the terms of H. R. 12097 would not prevent the negotiation of a lease for the entire property, and that is especially true, if the alternative provision for operation of the properties by the board in the event of failure to execute such lease is coupled with the lease authorization in the same bill. I fully sympathize with the opposition to Government operation. I would turn to it most reluctantly. But I believe if we say in one and the same bill, unless private persons are willing to lease these properties upon the fair and reasonable terms that we set down, being such terms as we have all agreed upon for the last eight years or more, then the property shall be operated by the board. This will be a very persuasive and perhaps compelling consideration in the minds of both the board and prospective lessees, in hastening negotiations and in concluding a lease.

WHAT THE SPECIFICATIONS SHOULD BE

The law should insure the financial responsibility of any lessee by requiring the lessee to deposit at least $10,000,000 in such securities and with such trustee as would satisfy the board of the absolute and undisputed financial solvency and good faith of the lessee. In the next place, the law should require the lessee to fix nitrogen and to convert the same into nitrogenous plant food available as a fertilizer by direct application to the soil, in fixed quantities to be specified in the law and to be increased at fixed periods of time by fixed amounts until the maximum production capacity of both nitrate plants Nos. 1 and 2 has been reached. Of course, there should be ample authority granted to the lessee to change the process of fixing nitrogen in either or both of said plants, or to establish other plants on the same property for that purpose, but the amounts to be produced should not be left to the discretion of the board. Of course, the law should provide that if the nitrogenous fertilizer will not sell in sufficient volume to take practically the entire output of said plants, then the plants need not be operated so long as a stipulated minimum is kept in storage. Furthermore, the President should not be authorized upon the recommendation of the board to release the lessee from any of the requirements of the law or of the leases. If in the progress of science or under great economic changes the lessee can not succeed with any part of the project, for illustration, with the fertilizer feature, then Congress alone should exercise the discretion to release a lessee from the terms of his contract.

However, I have always favored a provision of law that if a lessee makes an honest effort in good faith to make a success of the fertilizer feature at Muscle Shoals, and if for any reason beyond his control the fertilizer feature fails, then the lessee should be released by Congress, and should also be reimbursed for the reasonable value of any property that the lessee might have placed upon the land of the Government for the purpose of carrying out the provisions of the lease. It would be more economical for the Government to thus have the lessee make the experiment and to fail, than it would be for the Government itself to make the experiment and fail. The Government would thus own whatever plant and machinery the lessee might have installed, and it would only be a fair and reasonable inducement for the execution of a lease. Such was the opinion of the committee in its report of March 3, 1927.

SOME FAVORABLE POINTS

Candor compels the admission that, if the exact quantity of nitrogenous fertilizer to be produced were unequivocally and absolutely stipulated, the bill has several favorable features as to fertilizer and has some features more favorable to agriculture than any bill that has been seriously considered since the Ford offer was before Congress.

(a) The limitation of 8 per cent profit on the turnover is such as to induce the lessee to turn out the greatest quantity of fertilizer consistent with the capacity of the plants and with the demands of the trade. For every dollar's worth of fertilizer he manufactures and sells, he gets 8 cents clear profit.

(b) Exceedingly important in the matter of the cost of fertilizer is the provision requiring a bilateral audit to be made each year of the cost of fertilizer for the purpose of fixing the price. It is my belief that under the set-up of this bill nitrogenous fertilizers can be produced and sold at somewhere between 25 and 40 per cent less than fertilizers containing the same kind and the same percentage of plant food are now being sold. To insure this reduction in the selling price of nitrogenous plant food the bill contemplates an impartial ascertainment and decision of the costs of production. This is insured by the appointment of one production engineer by the lessee and another production engineer by the President on behalf of the public, and these two shall work in connection with a certified public accountant to be chosen by them, and in the event of any dispute among them as to the elements and proper items of cost they shall select a third production engineer, and after hearing all the facts and arguments for both sides he shall render a decision. Each annual audit shall be filed with the Secretary of Agriculture and preserved for purposes of comparison and for checking in the future. This is a most valuable provision.

(c) According to the long-standing decision of the committee and of Congress, credit shall be allowed as against the cost of manufacturing fertilizer, for any profit arising from the sale of power during any period of temporary suspension in the manufac-

ture of fertilizer. It is also provided that if the lessee installs any new process or method of fixing nitrogen and of preparing the same for use as a fertilizer and if such new installation or method results in an economy of power, then such economy shall be divided equally between the lessee, to encourage him to make such change, and the fertilizer account, in order to give agriculture the benefit of such economy.

(d) An entirely new and highly valuable suggestion is contained in the direction that secondary power shall be employed wherever the same can be economically done, either by firming the same up by the use of supplementary steam power or by the periodic employment of secondary power. As the consumption of fertilizer is periodic, being used almost exclusively in the southern tier of States during the spring and summer, the production thereof can also be made periodic. If the period of production is made to fit the period of greatest volume of water in the Tennessee River, which usually extends from the late fall to the late spring, then there should be a still greater economy in the production of such fertilizer.

(e) The stipulation that no charge shall be made against the lessee for the ammonization of nitrate plants No. 1 and No. 2 so long as they are employed in the fixation of nitrogen for agricultural purposes, is highly advantageous to fertilizer. It is a perfectly fair proposition, because the bill requires that those parts of nitrate plants No. 1 and No. 2 which are employed for the oxidation of ammonia in the production of nitric acid and of ammonium nitrate shall be maintained in good condition by the lessee and ready at all times to be employed for such purpose, for the making of the ingredients of explosives for ammunition purposes. Thus the lessee is obligated to keep up, ready for use at all times, what is virtually an arsenal, and an essential feature of national defense. In fact, the whole project of fixing nitrogen is essential to national defense. Fortunately and happily, the more nitrogen we fix for agriculture the better prepared we are in that respect for war. There is no other situation analogous to it. This dual use of the plants at Muscle Shoals, this peace-time purpose and war-time mission, is similar to the supposed case of where a ship would be useful for peace time in carrying commerce and in war for fighting battles. It is also similar to what would be the case if an army were useful in peace times for producing crops, or for manufacturing products, or for carrying on useful and valuable education, and at the same time be thus better prepared for the conduct of war in that event. For these reasons, the Muscle Shoals project is unique and stands separate and apart from any other thing connected with our national-defense program. In view of the supreme importance of agriculture and of our absolute dependence upon agricultural products both in peace and in war, it is highly proper that every reasonable encouragement should be provided in the lease for the fixing of nitrogen during all the years of peace.

(f) The provision that the lessee shall not charge for any patent rights belonging to it, or to any of its officers, or to any of its subsidiary or allied corporations or to their officers, is a wise protection against abuse. Furthermore, such patent rights as may be purchased for the purpose of producing fertilizer ingredients more economically shall be charged as plant account and thus distribute the cost of such patent rights through a long period of time.

(g) It will also be noted that the lessee shall be bound to carry on laboratory experiments to ascertain what, if anything, can be done to produce fertilizers more economically and in general to establish agriculture on a scientific basis. In fact, the entire plant is one huge laboratory that will prove of vast value to agriculture, and especially in breaking the power of the world trust in nitrogen, and especially in casting off the yoke that the Chilean Government and the Chilean nitrate producers have fixed upon the necks of American farmers.

(h) The right of visitation at any time by representatives of the War Department and of the Department of Agriculture, in order to keep abreast of the progress being made in the Muscle Shoals properties in connection with the fixation and processing of nitrogen, must prove exceedingly valuable. While the information thus obtained is not to be published, it will become indirectly and eventually the property of the scientific and industrial world and will thus prove of great benefit to the whole people, producers, and consumers.

(i) The right of recapture, both temporary and permanent, is absolutely protected by the provisions of the bill. In the event of war the President may by order take over the property without interference by any court and the Government shall be liable only for the actual damages sustained by the lessee on account of such taking, not including any speculative damages, and the amount of such actual damages must be ascertained by proceedings in the Court of Claims. On the other hand, in the event of failure by the lessee to carry out the terms of the lease, the President may direct the Attorney General to institute suit in any United States district court having jurisdiction of the lessee, to declare the lease vacated and ended by reason of such failure and thus accomplish the permanent recapture of the property.

(j) The manifest and reasonable provision that the lessee must be either an American citizen or a corporation owned and controlled by an American citizen and in the event of a failure in this requirement the President is to have the absolute and immediate right of reentry (by force if necessary) for the purpose of repossessing the property, and in such event there shall be no compensation paid to the lessee.

(k) The provision in section 11 whereby the power to lease is limited to the prior or contemporaneous leasing of some part of the property whereby the lessee shall agree to the production of fertilizer bases or fertilizers as specified in subsection A of section 2. While this provision is made necessary by reason of the proposed cutting up of the property into two or more parts, and leasing the same to two or more lessees, and is a partial protection against the danger inherent in such plan, yet it is not a complete protection, and if the bill becomes law in its present form the board must watch these dangers and hedge against them, or otherwise all hope for agricultural relief against the world monopoly in nitrogen may be abandoned. The danger lies in the possibility of the nitrate plants being leased to one or more persons, firms, or corporations that do not possess ample assets, and whose financial solvency is not above question and who may not enter into the leases in good faith but merely as "straw men" or "decoys" in order to permit the leasing of the valuable power parts of the property. In such event the financially weak and morally faithless lessees of the nitrate plants might drop out of the picture very soon and the United States would be helpless. It is true there would be the performance bond on which the United States might after long litigation be able to collect some money, but the money would be utterly insignificant in value when compared with the losses to agriculture. Furthermore, the Government would be unable to lease these same properties to any other lessee in the face of the failure already made, and, second, in view of the fact that the power and its privileges and benefits has already passed to another lessee and that lessee would probably be unfriendly to the claims and admissions of agriculture. This way lies danger and for this reason the entire property should be tied together and if not leased to the same person, firm, or corporation, the two or more lessees should certainly be mutual guarantors. If there were one lessee only, then the failure of the provisions of the lease in any one important respect would justify the United States in recapturing the entire property. In like manner, if the lessees were mutual guarantors, no one lessee could drop out of the picture. Either all would succeed or all would fail. It will be practically impossible for all to fail in view of the magnitude of the power privileges.

SAFETY CLAUSE

Provision is made in the bill that the negotiations for leasing and the actual lease itself shall not be transacted in a dark chamber nor in a corner. The board is required to give the widest possible publicity, inviting proposals to lease. The board is also required to furnish any person on demand full information as to the appraised value of the property. It is further provided that at least 30 days shall elapse after the board and the lessee shall agree as to the terms of the lease before the same shall become effective by the written approval of the President. During this 30 days any citizen of the United States interested in the subject, and having ground to think that a mistake is about to be made, can either see the President, or address a memorial, or brief, or other communication to the President, stating the reasons for such belief and warning the President against confirming by his approval the action of the board.

SECOND ALTERNATIVE PROVISION

I think, however, that there should not only be coupled with the authority to lease a provision that the same board shall commence the operation of the property at a fixed time, in the event that no satisfactory lease for the entire property should have been negotiated, but I also think that the bill should contain what may be rightly termed a "second alternative," providing that the same board shall have authority, even after it may commence the operation of the properties, to consider any proposal made to it for leasing the property, and if a satisfactory proposal be made, and a lease be executed by the board, then that the lease should contain provisions for the lessee to take over the property as a going concern by paying for the stock in process and any stock on hand, so that there may be the minimum of interruption to the business. A transfer can be made from Government operation to private operation without the stopping of a single wheel or the reduction of the fertilizer product by a single pound.

FINAL DISPOSITION OF QUESTION DESIRABLE

If the bill contained adequately definite stipulations and requirements for any lease to be executed by a continuing board to be appointed by the President and confirmed by the Senate, and if in the same bill there were provisions for the board thus constituted to operate the property upon failure to execute a satisfactory lease within the time stipulated, and if in addition there was a provision, as above indicated, giving the board power and authority to execute a lease even after commencing Government operation, then every possible phase of this long-standing and many-sided problem would be settled legislatively. To provide now for the leasing only means that if a satisfactory lease is not made, the proposition must be before Congress again with all of its perplexing complications and undisputed difficulties, in about 18 months. The question will then be the same as it is now. We are just as well prepared now to settle the entire proposition as we will be to settle it piecemeal 18 months from now. Under such a threefold disposition of the problem, every aspect of the question is met and settled. Undoubtedly the clear majority opinion is that Government operation should be resorted to only as a last resort. But the power in the board to commence Government operation will give momentum to negotiations looking to a lease. Also, after Government operation commences, the power to make a lease will stimulate interest on the part of persons wishing to enter that

field of business and wishing at the same time to be free from Government competition. From every point of view this threefold treatment of the proposal should be satisfactory and should command a prompt and overwhelming majority in both Houses.

ECONOMIC AND INDUSTRIAL RESULTS

Let us take a glimpse into the future of what will probably be the result of wise and rational action by the leasing board. If the property is leased to a concern financially responsible which intends in good faith to carry out the purposes of the act, then I can envisage a marvelous development in the whole Tennessee River region and even in adjacent sections. The first and direct result will be the production of a cheap nitrogeneous plant food which will demonstrate to the farmers and the business people of the United States, the actual cost of fixing nitrogen and of processing the same for use as fertilizer. Judging by numerous estimates made by experts, the reduction will cut the present cost of nitrogen products from 25 to 40 per cent. This should break the power of the Chilean nitrate trust which has extracted tribute from the world and especially from the farmers of the United States, merely because Chile has a monopoly upon mineral nitrate of soda. Two hundred and sixty-five million dollars has been paid into the public treasury of Chile as the export duty upon nitrate of soda exported to the United States alone. When to this is added the exports of nitrate of soda to other countries, especially prior to the World War, the total receipts by the Government of Chile for such export tax must amount to more than a billion dollars. Thus the people of Chile have shifted a large part of their tax burden upon the shoulders of the people of other nations, merely because they possess a natural monopoly in an essential commodity vitally important in both peace and war.

In the next place, to ascertain the actual cost of producing such synthetic nitrogen for agricultural purposes will help to crush the world-wide Nitrogen Trust. At present the world price of nitrogen follows along and barely below the price of Chilean nitrate. Thus a monopoly on mineral nitrogen and a monopoly on synthetic nitrogen go hand in hand. If the United States Government can help break this trust team and set the farmers of this country free, it will be one of the greatest blessings that agriculture has ever received.

Commencing with 10,000 tons of pure nitrogen, in such form and combination as the leasing board may specify and as the lessee may subsequently decide to be most attractive to the farmer, the volume of fertilizers produced will increase and will probably increase very rapidly. With the advantages given to the protection of agricultural nitrogen, it is my belief that the lessee will find production profitable to himself, and therefore will be induced to increase the annual quantity. In order to dispose of such increased quantity, very naturally the lessee will resort to the reasonable and proper business method of combining nitrogen with phosphoric acid and perhaps with potash. Phosphate rock is found in great abundance in the Tennessee River Basin. This can be floated down the river and subjected to electric-furnace methods at the time of the year when cheap secondary power is available, and thus phosphoric acid produced more cheaply than it is being produced to-day by the wet process. Then probably the potash shales in that section of the country can be economically treated so as to extract the potash for agricultural purposes and leave valuable by-products of high commercial value.

It is entirely within the range of reasonable possibility that in 10 or 15 years the whole fertilizer practices in America will be revolutionized. The unit cost of plant food will be cut from 25 to 40 per cent. The present annual fertilizer expenditure is about $230,000,000 a year. Deduct 25 per cent of that and you have a saving of $56,000,000. Also the fertilizer will be more concentrated and there will be great saving in freight, in sacks, in hauling, and in handling, thus accomplishing another saving of at least $20,000,000 a year. We can thus reasonably hope to realize an annual saving of $76,000,000 for the users of commercial fertilizer.

INDUSTRIAL RESULTS

But in the field of industry the results will surely be more marvelous and astonishing. The lessee will certainly find it advantageous to set up large establishments for the production of electrochemicals and ferro-alloys. In that section of the country are all the raw materials for the manufacture of chemicals and all-steel products, at the same time numerous and valuable by-products will be manufactured. Furthermore, there are 11 valuable dam sites between the Cove Creek Dam and the Wilson Dam, and the construction of the Cove Creek Dam will double the power available at each one of these dam sites. Within the next generation perhaps all of the dams in that stretch of the river will be constructed and the power will be used not only at and near the dam, but will be sent in various directions to existing cities and towns and to new cities and towns within transmission distance.

Thus the 1,000,000 horsepower to be found along that 300-mile section of the Tennessee River from Cove Creek to Wilson Dam will become a great hive of industry. Perhaps millions of busy and industrious people will gather to use the electric energy there generated. New cities and towns will rise in places now unthought of. Many hundreds of millions of dollars will be invested in new plants and in new enterprises, and proportionate profits will arise from these investments. From the day that earth is broken for the construction of the Cove Creek Dam, which will impound 3,000,000 acre-feet of water stretching over practically 60,000 acres, the largest artificial lake in the world, the eyes of the whole country will be turned upon that section and the footsteps of millions will be directed toward the Tennessee Valley. Agriculture in that section will thrive as never before, producing diversified crops and vegetables to feed the busy millions engaged in construction and in the conduct of industry. While such a picture dazzles the imagination, it is backed up by reason and human probability, and based upon the commanding influence of cheap power. Power is the secret of modern industry. Modern industry is the impelling force of modern civilization. In this Tennessee River Valley, so rich in the quantity and variety of mineral deposits, will spring up some of the greatest industrial activities of the world. With a magnificent climate, with a productive soil, with a strong and virile population to draw from in the surrounding States, with a people devoted to the ideals of our Republic and to the principles of our Constitution, resolved to maintain and preserve order and justice, that section presents a promise of future development and prosperity comparable to what has taken place in a commercial and financial way on Manhattan Island.

IT ALL DEPENDS

But this bright picture will never be realized unless the leasing board uses great wisdom, profound business judgment, and unusual foresight in selecting the person or persons to whom the property may be leased and in prescribing the conditions under which the leases may be made. The financial responsibility of the lessees must be carefully scrutinized. If any newly organized concern, not now in business, offers to lease the property or any part thereof, the stock ownership and control of such new corporation must be thoroughly examined. I very much fear that hostile interests may organize some new corporation with the deliberate purpose of using it to help wreck the entire project, and especially to lease the nitrate plants and to operate them in such a way as to insure the defeat of the fertilizer project. Great caution must be exercised by the leasing board to prevent this result.

Having by further reflection determined upon certain additional provisions deemed by me necessary to a complete and rounded and final disposition of the entire question, I introduced on December 10, 1930, H. R. 14920, which I insert into the RECORD.

[Seventy-first Congress, third session. H. R. 14920. In the House of Representatives, December 10, 1930. Mr. McSWAIN introduced the following bill; which was referred to the Committee on Military Affairs and ordered to be printed]

A bill to authorize the leasing of the Muscle Shoals property, upon certain terms and conditions, to provide for the national defense and for the regulation of interstate commerce, and for other purposes

Be it enacted, etc.,

TITLE I.—LEASING PROVISIONS

SECTION 1. That the board of directors hereinafter authorized to be appointed, and hereinafter described merely as the board, shall, upon appointment and confirmation, proceed to organize as hereinafter directed, and shall first of all cause to be made a true and correct inventory of all the property now known as the Muscle Shoals project, including the Wilson Dam, described generally as Dam No. 2, nitrate plant No. 1, nitrate plant No. 2, Waco quarry, together with all real estate and all other property belonging to the United States, in said vicinity, used or intended to be used in connection with said properties and generally understood and considered as part and parcel thereof; and shall appraise the value thereof, and said appraisal shall be made upon the basis of the actual present commercial and economic value of said property, and said appraisal shall not include a reasonable allowance in the valuation of Dam No. 2 as a contribution for navigation, nor shall such appraisal include such part of nitrate plants Nos. 1 and 2 as is used, after the fixation of nitrogen, for the oxidation of such nitrogen in converting the same into nitric acid and nitrates for the reason that such parts of said nitrate plants Nos. 1 and 2 are useful only in producing a component part of explosives for ammunition.

That after all said property shall have been appraised, the board is hereby authorized and empowered for and during the period of six months after said appraisal shall have been completed and shall have been approved by them, to enter into negotiations with any such person or persons, firm or corporation that shall indicate a desire to lease said property for a period not exceeding 50 years; and the terms, conditions, and restrictions that shall be included in said lease, together with such other terms, conditions, and restrictions as shall appear to the board to be desirable and proper for the protection of the interests of the public and of the Government and consistent herewith and in furtherance of the provisions and purposes of this act, shall be as follows:

(a) That the property shall at all times be subject to the absolute right and control of the Government for the production of nitrates as ammunition components, and that nitrate plants Nos. 1 and 2 and/or their capacity equivalent and any other nitrogen-fixation plant or plants, using any method or process of fixation whatsoever that may be installed by the lessee, together with any additions, alterations, and improvements that may be made upon nitrate plants Nos. 1 and 2, shall at all times during the period of said lease be kept available and in stand-by condition, ready and capable at all such times to be employed by

the Government, or for the Government, in the production of nitrates or other explosive ammunition components.

(b) That the lessee or lessees of said property shall be obligated in the strictest terms to the manufacture and sale to the public of a nitrogenous fertilizer complete and ready for use by the farmer by direct application to the soil and crops in concentrated form.

(c) That any lease of the said Muscle Shoals property shall be for the entire plant as the same now exists, but not to include the navigation locks, canal, and appurtenances thereof, and shall not include Dam No. 3 if and when the same shall be constructed, and shall not include the Cove Creek Dam if and when constructed, but the lessee shall be bound in the strictest terms to make additional compensation for increased primary power made available by the construction of Dam No. 3 and/or of Cove Creek Dam, either or both, as shall be hereinafter more specifically set forth, but the board shall operate Dam No. 3 and Cove Creek Dam and their corresponding power houses and plants, as hereinafter directed.

(d) That any such lease as may be entered into shall contain a clause or clauses providing and requiring that the lessee shall return to the Government in cash or account for the same by the reduction in the price of fertilizer or in fertilizer component part or parts, as the board shall decide and declare, for such profits from the sale of power which may result from the temporary and unavoidable discontinuance of the manufacture of fertilizer and/or fertilizer component part or parts, and that such manufacture of fertilizer or fertilizer parts may be discontinued only when there is an excess accumulation of fertilizer stocks unsold, in excess of the reasonable and probable demands for such fertilizer, as found and declared by the board, and thereafter when such accumulated stocks shall have been reduced to a reasonable degree the lessee shall be bound to resume the manufacture of such fertilizers.

(e) That any such lease shall provide absolutely and unequivocally for the forfeiture of all rights of the lessee in the event of the failure to keep in good faith its obligations under the terms of the lease, and the lessee shall be bound by the lease to the production and manufacture of fixed nitrogen of a kind and quality and in a form available as plant food and capable of being applied directly to the soil in connection with the growth of crops, of 10,000 tons of fixed nitrogen per year for the first two years of said lease period, and 20,000 tons of fixed nitrogen for the third and fourth years of the lease period, 30,000 tons per year for the fifth and sixth years of the lease period, 40,000 tons per year of fixed nitrogen for the seventh and eighth years of the lease period, and thereafter at least 48,000 tons of fixed nitrogen for each and every year; and no diminution nor reduction of the amount of manufacture and fixation of such nitrogen shall be permitted or allowable under any circumstances, act of God, public enemy, and vis majeur strikes, lockouts and like unavoidable forces only excepted, except and unless the board shall find as a matter of fact that there is an excess amount of such fixed nitrogen on hand and in storage in excess of the reasonable and probable demands for same, and in such event the board shall have the power to permit by written order and authority the reduction in the volume of such nitrogen to be fixed and manufactured for any one year, subject to the condition herein stated that due credit and allowance shall be made for the use of such power otherwise, or the sale of such power, as shall be released by reason of such temporary discontinuance of the manufacture and fixation of nitrogen for agricultural use.

(f) The board shall lease such properties only to such persons, firm, or corporation as shall be, in its judgment, best qualified and prepared to carry out the purposes of this act by the manufacture and sale at reasonable prices of fertilizer and/or fertilizer ingredients in concentrated form, available as plant food and capable of being applied directly to the soil in the production of crops, the manufacture of electrochemicals and ferro-alloys, and for the sale, transmission, and equitable distribution of such surplus power as may be developed at said plant, among the several States, counties, and municipalities within transmission distance. Said fertilizer and/or fertilizer ingredients in concentrated form to contain nitrogen of the gross aggregate volume and weight as are hereinbefore stipulated, shall be produced and sold by the lessee at a profit not exceeding 8 per cent above the actual cost of production, which shall include 6 per cent interest on any fertilizer-plant equipment installed by lessee at its expense, and such profit shall be based upon the cost of the turnover in production, and such cost shall be ascertained annually by a careful and thorough audit of the items of cost entering into the production of such fertilizer and/or fertilizer ingredients in concentrated form as above defined, and such audit shall be made annually by one reputable firm of certified accountants selected by the lessee and by another reputable firm of certified public accountants selected by the board, and these two shall work in cooperation and in conjunction at the same time and place, in the auditing of such costs of producing such fertilizer and/or fertilizer ingredients in concentrated form; and in the event of any dispute or differences of opinion as to any item or items entering into such cost or correct method of accounting by the said two firms of certified public accountants employed in the auditing of such costs, a third firm of certified public accountants shall be appointed by the President of the United States upon certificate of such disagreement and difference of opinion, and the facts and figures relating to such dispute or disputes and differences of opinion shall be laid before such third firm of certified public accountants so appointed by the President, at a public hearing at which any person or persons having information of facts relating to such cost of manufacturing such finished fertilizer and/or fertilizer ingredients in concentrated form, shall be heard, and after full hearing and oral argument or discussion by both sides the firm of certified public accountants so appointed by the President shall then and there render its decision and such decision shall be final as to the costs for such manufacture of fertilizer, and by adding 8 per cent thereto the price for the sale of such fertilizer shall be ascertained and fixed and publicly declared, and the actual expenses shall be paid by the lessee.

(g) No lease shall be made to any person, firm, or corporation unless such person, firm, or corporation shall demonstrate by the deposit, subject to the order of the board, of the sum of $10,000,000 in such place and of such forms of securities as shall satisfy the board of the absolute and undisputed solvency and good faith of the lessee and of the financial ability of the lessee to carry out the terms of its lease; and if the lessee shall fail or neglect to carry out in good faith any of the terms and provisions of such lease all such money and all such securities representing money as shall have been deposited as herein directed shall be declared forfeited by the board for the use and benefit of the United States, and shall be applied in satisfaction of damages for such breach of contract, which are hereby declared to be liquidated damages; and if said $10,000,000 or any part thereof shall have been invested by the lessee in any buildings, machinery, equipment, or other property used in connection with the property hereby leased, then all such property shall be forfeited to the United States for the purposes herein stated.

(h) If and when Dam No. 3 on the Tennessee River, located about 15 miles up said river from Dam No. 2, known as the Wilson Dam, shall be constructed by the United States Government in aid of navigation and of flood relief and for the purpose of increasing the primary power of the power-generating plant now belonging to the United States at Muscle Shoals, then the lessee and the board shall, respectively, appoint competent engineers to ascertain the extent to which the existence of said Dam No. 3 shall increase the primary power at said Dam No. 2, and the lessee shall be bound by the lease to pay to the United States Government the reasonable value of such increase of power as said engineers shall ascertain; and if said two engineers appointed by the board and the lessee, respectively, shall disagree either as to the amount whereby said power shall be increased or as to the value thereof, then the President of the United States upon certificate of such disagreement shall appoint a third engineer who shall hear the facts that shall be presented by both sides, and such facts as shall be presented by any other person having knowledge of the facts, at a public hearing, of which due notice shall be given, and after such hearing and after a full discussion by both sides such engineer so appointed by the President of the United States shall make decision and shall make public announcement of such decision, and such decision shall be final and binding on both parties, and the actual expenses shall be paid by lessee.

(i) If and when the United States shall build a dam in and across Clinch River in the State of Tennessee, commonly designated as Cove Creek Dam, for the purpose of regulating commerce by promoting navigation in the Tennessee River and its tributaries, and of flood control, and for the purpose of increasing the value of its property now at Muscle Shoals, then the lessee shall be bound by the terms of said lease to pay to the United States Government the reasonable value of such increase of primary power at Wilson Dam as shall result from the construction and operation by the Government of said dam in Cove Creek; and in order to ascertain the extent of such increase of primary power and the reasonable value thereof, the lessee and the board shall, respectively, appoint engineers to study the facts and to ascertain the extent of such increase of primary power, and the value thereof, and in the event of any disagreement by the said engineers so appointed, and upon certificate of such disagreement, the President of the United States is hereby authorized and directed to appoint a third engineer, who shall study the facts and shall at a public hearing hear the facts as the same shall be presented by both sides, including said engineers and any other person that may have knowledge of any facts relating to the question, and at such public hearing said engineer so appointed by the President of the United States shall make and render his decision and make public announcement thereof, and such decision shall be final and binding upon both parties, and the actual expenses shall be paid by lessee.

(j) The lessee shall be bound by the terms of said lease to pay to the United States as rent for the use of said property a sum of money that shall represent 4 per cent per annum upon the present ascertained and appraised value of said property so leased as herein required to be appraised, said payment to be made semiannually, and the lessee shall further be bound to keep the property in good condition and in a good state of repair, reasonable wear and tear and inevitable depreciation by time excepted and loss by fire, flood, storm, earthquake, or other natural disturbance excepted, and any failure by the lessee to make any of said payments or to pay semiannually for the value of the increase of power by reason of the construction of either Dam No. 3 or the Cove Creek Dam, as herein specified, or for the failure and neglect of the lessee to keep, observe, and perform any of the other conditions and stipulations of the lease, shall operate as a forfeiture of all rights of the lessee under the lease, and upon such forfeiture the United States shall have the right upon the request of the board to institute by the Attorney General of the United States suit in any district court of the United States to declare

the rights of the lessee forfeited and to eject the lessee from the premises and to put the United States, by its agent, the board, in possession thereof.

(k) All power used by the lessee for the manufacture of fertilizer and/or fertilizer ingredients in concentrated form shall be charged at the actual cost of production of such power, without including any profit to the lessee but including rental herein required to be paid, and such cost, including the auxiliary steam power employed to increase the volume of primary power, shall be ascertained annually and computed in the manner prescribed for ascertaining the cost of fertilizer and shall constitute one of the elements of such ascertainment of costs. All that portion of the property that shall be used by the lessee for the fixation of atmospheric nitrogen and for the conversion of same into plant food suitable for agricultural use by direct application to the soil and to the crops, shall be separately appraised in the manner herein prescribed for such appraisement, and in computing the costs of fertilizers, only the rental herein required to be paid to the Government for such part of the entire plant as shall be used for such purpose, shall be included and computed as one of the elements of the cost of such fertilizer and/or fertilizer ingredients in concentrated form, and the same shall not include any profit to lessee on account of the power so employed but including rental on the dam and steam-power plant. The lessee shall employ in its fertilizer-manufacture processes, or in such part of them as may be feasible and practicable, secondary power wherever and whenever available, because of its cheapness, when the board shall find that the use of such cheap secondary power shall reasonably enable the lessee to produce such fertilizer and/or fertilizer ingredients in concentrated form at a cost below what would be the cost if primary power exclusively were employed in producing and manufacturing the same. Primary power is hereby defined to be such power as shall be available from the combined and cooperating sources of water and the steam plant for 95 per cent of the time during any one year.

(l) The lessee shall be authorized and permitted to construct new buildings and to enlarge the steam plant and install other hydrogenerating units upon the land belonging to the Government at Muscle Shoals for use in connection with the fixation of nitrogen and the conversion thereof into fertilizer and/or fertilizer ingredients in concentrated form, and for the manufacture of electrochemicals, and for the manufacture of ferro-alloys, and upon the expiration of the period of the lease, if lessee shall have performed all of its covenants and agreements, the lessee shall be permitted to remove the machinery in said buildings installed and used by it for the purposes aforesaid, or to sell said machinery to the succeeding lessee or to the Government, but the lessee shall not remove the steam plant or generating units installed by it, nor the buildings nor any outside fixtures, equipment, appliances, such as power-transmission lines, railroad tracks, water and gas pipes, and other such property, including warehouses, storage tanks, and storage bins, nor shall the lessee remove any house or machinery installed therein and used for any purpose other than the purposes above stipulated, but all such property belonging to the lessee and constructed upon the land of the Government, and all machinery, equipment, fixtures, and appliances installed and used in connection herewith, shall belong absolutely and in fee simple to the Government as a part of its property, but this shall not include stock in process, nor manufactured products, nor its tools, implements, and instruments, nor its office furniture and fixtures, which lessee may remove.

(m) The board shall have the right and it shall be its duty to advise the lessee from time to time, as it shall see fit, as to the nature, kind, and quality and composition of the fertilizer and/or fertilizer ingredients in concentrated form to be manufactured by lessee, so that same shall be reasonably acceptable to the consuming public, either as a dilute fertilizer or in concentrated form, as the board may require and the trade demand; and if the lessee shall refuse to comply with such advice, and if in consequence of such refusal the fertilizer product or products of the lessee shall not be sold in sufficient volume to justify the continuance of its manufacture in the volume herein required, and if the manufacture of such fertilizer and/or fertilizer ingredients shall thereafter be discontinued by the lessee, the board shall thereupon have the right to request the United States Attorney General on behalf of the Government to institute proceedings in any district court of the United States to declare the lease to be null and void on account of the failure of the principal and paramount purpose of the lease, and in considering such facts as shall be alleged by the Government in the suit, the court may consider the refusal of the lessee to follow the advice of the board in the matters herein mentioned, as some evidence upon the issue of good faith or bad faith of the lessee.

(n) The lessee shall be bound by the terms of the lease to recondition nitrate plant No. 1 so that the same may be effective and useful in the fixation of nitrogen by direct synthesis and to operate the same to capacity for that purpose so as to increase the volume of nitrogen available for agricultural purposes, and the demands of agriculture being supplied, then for industrial purposes. The lessee shall be bound by the terms of the lease to use all of the primary hydraulic power now available at Dam No. 2 for the fixation of atmospheric nitrogen; and if the demands first of agriculture and second of industry for nitrogen and nitrogen products shall be sufficient to justify the same, the lessee shall also employ the available steam power in connection with secondary hydraulic power to enable the lessee to increase the quantity of such nitrogen and nitrogen products.

(o) The lessee shall be bound to determine by research whether by means of the electric-furnace methods and industrial chemistry, or otherwise, there may be produced on a commercial scale fertilizer compounds of higher grade and at lower prices than farmers and other users of commercial fertilizers have in the past been able to obtain, and to determine whether in a broad way the application of electricity and industrial chemistry may accomplish for the agricultural industry of the Nation what these forces and sciences have accomplished in an economical way for other industries; and the lessee shall be bound to conduct experimental researches to ascertain whether or not by a compound and mutually reacting process or method of manufacturing it is practical and economical to employ as raw materials phosphate rock, and coal, limestone, and potash shale in producing a concentrated fertilizer containing three elements of plant food, to wit, nitrogen, phosphorus, and potash, in useful proportion and in available form, and at reasonable cost.

(p) No lease shall be made to any person, firm, or corporation except to American citizens and to a corporation owned and controlled by American citizens, and the lease shall provide that if at any time the lessee or the lessee corporation shall cease to be under the direct, free, and legal control of American citizens, then all rights under the lease shall immediately cease, and the United States by order of the President shall have the right of reentry and recapture without any compensation whatever to the lessee on any account whatsoever.

(q) The Muscle Shoals property hereby and herein authorized to be leased shall not include the navigation facilities, including the canal, the locks, the lifts, and any other appliances and equipment now existing or hereafter to be installed in aid of navigation, on the Tennessee River, and/or its tributaries.

(r) The sale and distribution of fertilizer and/or fertilizer ingredients shall be subject to and in accordance with general regulations to be formulated and promulgated by the board. In said regulations formulated by the board preference shall be given in the way of sales and deliveries, first to farmers or groups of farmers, or cooperative farm associations, and next to States and State agencies engaged in buying, mixing, selling, and distributing fertilizers for farmers; and any surplus left over after these priority claims are supplied may be sold to fertilizer manufacturers, mixers, and dealers.

(s) The lessee shall be bound upon the requisition of the Secretary of War, or the Secretary of the Navy, to manufacture for and to sell to the United States in peace nitrogeneous contents of explosives at a cost not exceeding 4 per cent, based upon the same methods of accounting and calculation as are applied for the ascertaining of the costs and the fixing of the prices of fertilizer and/or fertilizer ingredients. There shall be reserved to the Government of the United States, in case of war or national emergency declared by Congress, the right to take possession of all or any part of the property described and leased by authority of this act for the purpose of manufacturing explosives or the nitrogeneous contents of explosives or for other war purposes; but if the Government shall exercise this right it shall pay to the lessee fair and reasonable actual damages that it may suffer by reason of such taking by not including profits or speculative damages, and the amount of such actual damages shall be fixed in proceedings instituted in the United States Court of Claims by the lessee, or its assigns, in accordance with the rules and regulations prescribed by that court for such proceedings.

(t) The lessee shall not charge in the cost of the manufacture of fertilizer and/or fertilizer ingredients any sum of money whatsoever for the use of any patents or patent process belonging to or controlled by it or belonging to or controlled by any officer or agent of it, or belonging to or controlled by any affiliated or subsidiary corporation, or belonging to or controlled by any agent of any subsidiary or affiliated corporation, and the lessee shall not purchase any patent right or process or contract to pay any royalty for the use of any such patent right or patent process without the previous authority and consent of the board as to the amount to be paid for such patent right or patented process or for the right to employ any such patent right or patented process.

(u) The lessee shall be bound by the terms of its lease to submit annually to the board a list of all of the officers, agents, and employees, and charged as a part of the costs of manufacturing fertilizer and/or fertilizer ingredients, and the board shall have the right to criticize and protest against any salary or salaries that may be paid for said purpose, and if the lessee shall fail to meet the reasonable criticisms of the board and shall fail to satisfy the board as to the reasonableness of any salary or salaries finally fixed, and if the fertilizer and/or fertilizer ingredients manufactured and offered for sale by the lessee are not purchased by the consuming public in sufficiently large volume to take the capacity production of the lessee, and if in consequence thereof a discontinuance of the manufacture of such fertilizer and/or fertilizer ingredients shall result, and if the United States Government by its Attorney General shall at the request of the board institute proceedings to declare the lease null and void for these reasons, along with any other reasons, then such failure of the lessee to reduce the salaries paid to its said officers, agents, and employees, in accordance with the protest of the board, shall be considered by the court as a circumstance bearing upon the good faith or bad faith of the lessee.

(v) The lessee shall have the right to install an addition to the steam plant built along and in connection with nitrate plant No. 2, and to use the power produced by such addition, estimated to be 40,000 horsepower, in connection with secondary power de-

veloped at Wilson Dam No. 2, and in such event the lessee shall be bound to pay to the United States the reasonable value of such secondary power thus made available for use as primary power; and if the lessee and the board shall be unable to agree upon the reasonable value of such secondary hydraulic power, they shall each appoint a competent and disinterested engineer, and if these two engineers fail to agree, then the President of the United States shall appoint a third engineer who shall consider the facts and hear arguments presented by both sides and after such hearing, shall, within a reasonable time, render his decision in writing and the same shall be binding, final, and conclusive upon all parties. In like manner if the lessee shall build at its own expense any other steam plant for use in connection with secondary power so as to increase the total volume of primary power, then in such case the lessee shall be bound to pay to the board the reasonable value of such secondary hydraulic power, and in the event of dispute the amount shall be ascertained and fixed in the manner above prescribed.

(w) In general, the parties to the lease, the Attorney General, and the courts shall at all times construe the lease in the light of the powers and duties hereinafter conferred upon the board for the purposes of accomplishing the aims and objects of this act, and it shall be the general purpose and intent of the lease to effectuate and carry out the purposes and reasons for this act as a whole, and of section 124 of national defense act of June 3, 1916.

(x) If and when the board shall have negotiated the terms of a lease with any person, firm, or corporation, the parties shall prepare a draft of said lease in conformity with the provisions of this act and of the powers herein contained and of the purposes herein expressed, but before signing, executing, and delivering the same such draft shall be submitted by letter of the board and of the lessee to the Attorney General of the United States, who shall permit inspection of the same and furnish copies thereof to public press or any citizen of the United States who shall apply for same, and if written objections to any portion or portions of said lease shall be filed with the Attorney General within 20 days after the lease shall have been submitted to him, he shall thereupon fix a time, not more than 10 days deferred, and place for a hearing of any and all such objections as may be made and shall within 10 days after such hearing render his conclusions and opinion in writing, and the same shall be binding on all parties, except the proposed lessee, who shall be privileged to refuse to conclude the lease. If negotiations are thereupon renewed, and if a new draft shall be agreed upon between the parties, then like proceedings shall be had before the Attorney General with the like result.

(y) If the board shall fail to negotiate, execute, and conclude a lease for the Muscle Shoals property within six months after its appraisement of said property shall have been completed, then the board shall proceed to operate the plant pursuant to the powers and directions of this act. Nevertheless, if at any time after the expiration of said six months' period and after such operation of said property by the board shall have been commenced, any person, firm, or corporation shall offer to negotiate with the board for the lease of the property subject to all the provisions and limitations herein contained, the board shall consider the offer, and if the board shall be able to agree with the prospective lessee as to the terms and conditions of a lease, then a draft thereof shall be submitted to the Attorney General of the United States and the like proceedings be followed as set forth in the preceding section. If the board shall fail to negotiate a lease and shall refuse to accept the offer of any proposed lessee, the board shall nevertheless report the offer as a part of its annual report and shall state in writing its reasons for refusing the same. If the board shall negotiate, conclude, and execute a lease at any time after the board shall have commenced the operation of the property pursuant to the powers herein contained and subject to all the provisions and limitations herein contained, then the board shall as a part of said lease include an agreement on the part of the lessee to pay for the appraised value of any additions or alterations that shall have been made to and upon the property by the board, and to pay for the appraised value of all raw material on hand, of all stock in process and of all manufactured products, and the lessee shall thereupon be put in possession of the property without any interruption whatever to the operation of same as a going concern.

SEC. 2. Organization of the board: There is hereby created a body corporate by the name of the "Muscle Shoals Corporation of the United States" (hereinafter referred to as the corporation). The board of directors first appointed shall be deemed the incorporators and the incorporation shall be held to have been effected from the date of the first meeting of the board.

SEC. 3. (a) The board of directors of the corporation (herein referred to as the board) shall be composed of three members, not more than two of whom shall be members of the same political party, to be appointed by the President, by and with the advice and consent of the Senate. The board shall organize by electing a chairman, vice chairman, and other officers, agents, and employees, and shall proceed to carry out the provisions of this act.

(b) The terms of office of the members first taking office after the approval of this act shall expire as designated by the President at the time of nomination, one at the end of the second year, one at the end of the fourth year, and one at the end of the sixth year, after the date of approval of this act. A successor to a member of the board shall be appointed in the same manner as the original members and shall have a term of office expiring six years from the date of the expiration of the term for which his predecessor was appointed.

(c) Any member appointed to fill a vacancy in the board occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term.

(d) Vacancies in the board so long as there shall be two members in office shall not impair the powers of the board to execute the functions of the corporation, and two of the members in office shall constitute a quorum for the transaction of the business of the board.

(e) Each of the members of the board shall be a citizen of the United States and shall receive compensation at the rate of $50 per day for each day that he shall be actually engaged in the performance of the duties vested in the board, to be paid by the corporation as current expenses, not to exceed, however, 150 days for the first year after the date of the approval of this act, and not to exceed 100 days in any year thereafter. Members of the board shall be reimbursed by the corporation for actual expenses (including traveling and subsistence expenses) incurred by them while in the performance of the duties vested in the board by this act.

(f) No director shall have any financial interest in any public-utility corporation engaged in the business of distributing and selling power to the public nor in any corporation engaged in the manufacture, selling, or distribution of fixed nitrogen, or any ingredients thereof, nor shall any member have any interest in any business that may be adversely affected by the success of the Muscle Shoals project as a producer of concentrated nitrogenous fertilizers.

(g) The board shall direct the exercise of all the powers of the corporation.

TITLE II—OPERATION BY THE BOARD

SECTION 1. (a) If the board shall have not executed and delivered a lease within the time herein specified, and subject to the terms herein set forth, then in that event only shall the following provision with reference to the operation of the Muscle Shoals property by the board become effective, but in such event the board shall proceed to execute the powers and directions hereinafter conferred.

(b) The chief executive officer of the corporation shall be a general manager, who shall be responsible to the board for the efficient conduct of the business of the corporation. The board shall appoint the general manager and shall select a man for such appointment who has demonstrated his capacity as a business executive. The general manager shall be appointed to hold office for 10 years, but he may be removed by the board for cause, and his term of office shall end upon repeal of this act, or by amendment thereof expressly providing for the termination of his office. Should the office of general manager become vacant for any reason, the board shall appoint his successor as herein provided.

(c) The general manager shall appoint, with the advice and consent of the board, two assistant managers who shall be responsible to him, and through him, to the board. One of the assistant managers shall be a man possessed of knowledge, training, and experience to render him competent and expert in the production of fixed nitrogen. The other assistant manager shall be a man trained and experienced in the field of production and distribution of hydroelectric power. The general manager may at any time, for cause, remove any assistant manager, and appoint his successor as above provided. He shall immediately thereafter make a report of such action to the board, giving in detail the reason therefor. He shall employ, with the approval of the board, all other agents, clerks, attorneys, employees, and laborers.

(d) The combined salaries of the general manager and the assistant managers shall not exceed the sum of $50,000 per annum, to be apportioned and fixed by the board.

SEC. 2. Except as otherwise specifically provided in this act, the corporation—

(a) Shall have succession in its corporate name.

(b) May sue and be sued in its corporate name, but only for the enforcement of contracts and the defense of property.

(c) May adopt and use a corporate seal, which shall be judicially noticed.

(d) May make contracts, but only as herein authorized.

(e) May adopt, amend, and repeal by-laws.

(f) May purchase or lease and hold such personal property as it deems necessary or convenient in the transaction of its business, and may dispose of any such personal property held by it.

(g) May appoint such officers, employees, attorneys, and agents as are necessary for the transaction of its business, fix their compensation, define generally their duties, require bonds of them and fix the penalties thereof, and dismiss at pleasure any such officer, employee, attorney, or agent, and provide a system of organization to fix responsibility and promote efficiency.

(h) The board shall require that the general manager and the two assistant managers, the secretary and the treasurer, the bookkeeper or bookkeepers, and such other administrative and executive officers as the board may see fit to include, shall execute and file before entering upon their several offices good and sufficient surety bonds, in such amount and with such surety as the board shall approve.

(i) Shall have all such powers as may be necessary or appropriate for the exercise of the powers herein specifically conferred

upon the corporation, including the right to exercise the power of eminent domain.

SEC. 3. The board is hereby authorized and directed—

(a) To operate existing plants for fixation of nitrogen in quantity available as plant food by direct application to the soil; to construct, maintain, and operate experimental plants and/or laboratories at or near Muscle Shoals for the manufacture of fertilizer, and/or of any of the ingredients comprising fertilizer, and of any useful and profitable by-products of same.

(b) To arrange with farmers and farm organizations for large-scale practical use of the new forms of fertilizers under conditions permitting an accurate measure of the economic return they produce.

(c) To cooperate with National, State, district, or county experimental stations or demonstration farms, for the use of new forms of fertilizer or fertilizer practices during the initial or experimental period of their introduction.

(d) The board shall manufacture and sell fixed nitrogen at Muscle Shoals by the employment of existing facilities (by modernizing existing plants), and/or by any other process or processes that in its judgment shall appear wise and profitable for the fixation of atmospheric nitrogen. The fixed nitrogen provided for in this act shall be in such form and in combination with such other useful ingredients as shall make such nitrogen immediately available and practical for use by farmers in application to soil and crops.

(e) The selling price of fertilizer ingredients and nitrogen products shall be fixed in advance from time to time by the board, and all sales shall be direct or through such intermediaries as will contract fixing the maximum prices to be charged the ultimate consumer; and such prices shall be so fixed as to include all the expenses of the board and its clerical and technical force, and of producing, marketing, and distributing such commodities, including 4 per cent on the appraised value of that part of the plant used and 4 per cent on the cost of any additions, alterations, and improvements employed for such purpose, and such 4 per cent shall be paid by the board into the Treasury of the United States. Such sales shall be only in carload and for cash free on board Muscle Shoals, Ala.

(f) The board is authorized to make alterations, modifications, or improvements in existing plants and facilities.

(g) To establish, maintain, and operate laboratories and experimental plants, and to undertake experiments for the purpose of enabling the corporation and private manufacturers of nitrogen products to furnish nitrogen products and kinds of plant food for agricultural purposes in the most economical manner and at the highest standard of efficiency.

(h) The board shall have power to request the assistance and advice of any officer, agent, or employee of any executive department or of any independent office of the United States, to enable the corporation the better to carry out its powers successfully, and the President shall, if in his opinion the public interest, service, and economy so require, direct that such assistance, advice, and service be rendered to the corporation, and any individual that may be by the President directed to render such assistance, advice, and service shall be thereafter subject to the orders, rules, and regulations of the board and of the general manager.

(i) Upon the requisition of the Secretary of War or the Secretary of the Navy to manufacture for and sell at cost to the United States the nitrogenous content of explosives.

(j) Upon the requisition of the Secretary of War the corporation shall allot and deliver without charge to the War Department so much power as shall be necessary in the judgment of said department for use in operation of all locks, lifts, or other facilities in aid of navigation.

(k) To produce, distribute, and sell electric power as herein particularly specified.

(l) No products of the corporation shall be sold for use outside of the United States, her Territories and possessions, except to the United States Government for the use of its Army and Navy or to its allies in case of war.

SEC. 4. In order to enable the corporation to exercise the powers vested in it by this act—

(a) The exclusive use, possession, and control of the United States nitrate plants Nos. 1 and 2, located respectively at Sheffield, Ala., and Muscle Shoals, Ala., together with all real estate and buildings connected therewith, all tools and machinery, equipment, accessories, and materials belonging thereto, and all laboratories and plants used as auxiliaries thereto; the fixed-nitrogen research laboratory, the Waco limestone quarry in Alabama and Dam No. 2, located at Muscle Shoals, its power house and all hydroelectric and operating appurtenances (except the locks), and all machinery, lands, and buildings in connection therewith and all appurtenances thereof and Dam No. 3 and Cove Creek Dam, if and when constructed, shall be intrusted to the corporation for the purposes of this act under the provisions of section 4 (a) of this act.

(b) The President of the United States is authorized to provide for the transfer to the corporation of the use, possession, and control of such other real or personal property of the United States as he may from time to time deem necessary and proper for the purposes of the corporation as herein stated.

SEC. 5. (a) The corporation shall maintain its principal office in the immediate vicinity of Muscle Shoals, Ala. The corporation shall be held to be an inhabitant and resident of the northern judicial district of Alabama within the meaning of the laws of the United States relating to venue of civil suits.

(b) The corporation shall at all times keep, maintain, and preserve complete and accurate books of accounts and all meetings and proceedings of the board.

SEC. 6. (a) The board shall file with the President and with the Congress, in December of each year, a financial statement and a complete report as to the business of the corporation covering the preceding fiscal year. This report shall include the total number of employees and the names, salaries, and duties of those receiving compensation at the rate of more than $2,500 a year. The plants and laboratories may be inspected at any time only on written permission of the board, or its specially authorized agent.

(b) The board shall require a careful and scrutinizing audit and accounting by the General Accounting Office during each governmental fiscal year of operation under this act, and said audit shall be open to inspection to the public at all times, and copies thereof shall be filed in the principal office of the Muscle Shoals Corporation at Muscle Shoals in the State of Alabama. Once during each fiscal year the President of the United States shall have power, and it shall be his duty, upon the written request of at least two members of the board, to appoint a firm of certified public accountants of his own choice and selection which shall have free and open access to all books, accounts, plants, warehouses, offices, and all other places, and records, belonging to or under the control of or used by the corporation in connection with the business authorized by this act. And the expenses of such audit so directed by the President shall be paid by the board and charged as part of the operating expenses of the corporation.

SEC. 7. The board is hereby empowered and authorized to sell the surplus power not used in its operations and for operation of locks and other works generated at said steam plant and said dam, to States, counties, municipalities, corporations, partnerships, or individuals, according to the policies hereinafter set forth, and to carry out said authority the board is authorized to enter into contracts for such sale for a term not exceeding 10 years, and in the sale of such current by the board it shall give preference to States, counties, or municipalities purchasing said current for distribution to citizens and customers: *Provided further*, That all contracts made with private companies or individuals for the sale of power, which power is to be resold for a profit, shall contain a provision authorizing the board to cancel said contract upon two years' notice in writing, if the board needs said power in its own manufacturing operations or to supply the demands of States, counties, or municipalities.

SEC. 8. It is hereby declared to be the policy of the Government to distribute by sale at reasonable prices the surplus power generated at Muscle Shoals equitably among the States, counties, and municipalities within transmission distance of Muscle Shoals, and the net proceeds of such sale shall be paid into the Treasury of the United States.

SEC. 9. In order to place the board upon a fair basis for making such contracts and for receiving bids for the sale of such power, it is hereby expressly authorized, either from appropriations made by Congress or from funds secured from the sale of such power, to construct, lease, or authorize the construction of transmission lines within transmission distance in any direction from said Dam No. 2, the Cove Creek Dam, and Dam No. 3 and said steam plant: *Provided*, That if any State, county, municipality, or other public or cooperative organization of citizens or farmers, not organized or doing business for profit but for the purpose of supplying electricity to its own citizens or members, or any two or more of such municipalities or organizations, shall construct or agree to construct a transmission line to Muscle Shoals, the board is hereby authorized and directed to contract with such State, county, municipality, or other organization, or two or more of them, for the sale of electricity for a term not exceeding 30 years, and in any such case the board shall give to such State, county, municipality, or other organization ample time to fully comply with any local law now in existence or hereafter enacted providing for the necessary legal authority for such State, county, municipality, or other organization to contract with the board for such power: *Provided further*, That all contracts entered into between the corporation and any municipality or other political subdivision shall provide that the electric power shall be sold and distributed to the ultimate consumer without discrimination as between consumers of the same class, and such contract shall be void if a discriminatory rate, rebate, or other special concession is made or given to any consumer or user by the municipality or other political subdivision: *And provided further*, That any surplus power not so sold as above provided to States, counties, municipalities, or other said organizations, before the board shall sell the same to any person or corporation engaged in the distribution and resale of electricity for profit it shall require said person or corporation to agree that any resale of such electric power by said person or corporation shall be sold to the ultimate consumer of such electric power at a price that shall not exceed an amount fixed as reasonable, just, and fair by the appropriate State utility commission; and in case of any such sale if an amount is charged the ultimate consumer which is in excess of the price so deemed to be just, reasonable, and fair by the appropriate State utility commission, the contract for such sale between the board and such distributor of electricity shall be declared null and void and the same shall be canceled by the board.

SEC. 10. Two per cent of the gross proceeds received by the board for the sale of power generated at Dam No. 2, or from the steam plant located in that vicinity, or from any other steam

plant hereafter constructed in the State of Alabama, shall be paid to the State of Alabama; and 2 per cent of the gross proceeds from the sale of power generated at Cove Creek Dam, hereinafter provided for, shall be paid to the State of Tennessee. Upon the completion of said Cove Creek Dam the board shall ascertain how much excess power is thereby generated at Dam No. 2, and from the gross proceeds of the sale of such excess power 1 per cent shall be paid to the State of Alabama and 1 per cent to the State of Tennessee. In ascertaining the gross proceeds from the sale of such power upon which a percentage is paid to the States of Alabama and Tennessee the board shall not take into consideration the proceeds of any power sold or delivered to the Government of the United States, or any department of the Government of the United States or used in the operation of any navigation facilities or locks on the Tennessee River, or for any experimental purpose, or used for the manufacture of fertilizer or any of the ingredients thereof, or for any other governmental purpose. The net proceeds derived by the board from the sale of power and any of the products manufactured by the corporation, after deducting the cost of operation, maintenance, depreciation, and an amount deemed by the board as necessary to withhold as operating capital, shall be paid into the Treasury of the United States at the end of each calendar year.

TITLE III—CONTINUING LEASE AUTHORIZATION

SECTION 1. If pursuant to the provisions contained in Title I of this act, a contract or contracts shall be entered into for the letting and demise of the Muscle Shoals properties herein described, then and in such case the provisions of Title II with reference to the operation of the Muscle Shoals properties by the corporation as therein provided shall be automatically repealed and shall cease to have any legal force and effect.

SEC. 2. If a contract or contracts for the letting and demise of the Muscle Shoals properties be not executed pursuant to the powers and authority conferred in Title I of this act, and if the operation of said Muscle Shoals properties shall commence under the provisions of Title II of this Act, then at any time after such operation of said properties by the corporation therein provided shall have commenced, any person, firm, or corporation shall have the right to make a proposal to the President of the United States to negotiate a contract or contracts for the letting and demise of said properties, and the President shall consider any and all such proposals as may be made to him, and if in his judgment any one or more of said proposals shall be worthy of consideration by the board authorized to be appointed and commissioned by him as provided for in Title I of this act, then in such case the President is hereby authorized and empowered to appoint a board, as provided for in Title I of this act, and to refer said proposal or proposals to said board, and the like proceedings shall be had with reference to such proposal or proposals as apply to proposals made under the provisions of Title I of this act. If pursuant to the powers contained in this act said board shall conclude and execute a lease or leases for said Muscle Shoals properties at any time after the operation of said properties shall have commenced pursuant to the powers contained in Title II of this act, and if the President shall approve in writing such lease or leases, then operation pursuant to the provisions contained in Title II herein shall cease at such time as shall have been fixed in such lease or leases and operation under such lease or leases shall thereupon commence.

SEC. 3. The board is authorized in negotiating and executing a lease or leases for the said Muscle Shoals properties after operation thereof may have commenced under Title II of this act, to provide in any such lease or leases that the lessee or lessees shall pay for the appraised value of any additions or alterations that shall have been made to and upon any of said properties by the board pursuant to the powers contained in Title II of this act, and also to pay such sum for any raw material on hand and/or any stock in process and/or any manufactured products on hand as the lessee or lessees may agree to be the reasonable value thereof, to the end that the lessee or lessees shall be put into possession of the said properties with the minimum of interruption to the operations of said properties.

SEC. 4. In the event of the execution of any contract or contracts for the letting and demise of the said Muscle Shoals properties pursuant to the provisions of Title III of this act, any such contract or contracts shall provide for the execution and carrying out by the lessee or lessees of any contracts that may have been made and of any obligations that may have been assumed by the corporation while operating said properties pursuant to the provisions contained in Title II of this act.

TITLE IV—SUPPLEMENTAL PROVISIONS

SECTION 1. The Secretary of War is hereby empowered and directed to complete Dam No. 2 at Muscle Shoals, Ala., and the steam plant at nitrate plant No. 2, in the vicinity of Muscle Shoals, by installing in Dam No. 2 the additional power units according to the plans and specifications of said dam, and the additional power unit in the steam plant at nitrate plant No. 2: *Provided*, That the Secretary of War shall not install the additional power unit in said steam plant until, after investigation, he shall be satisfied that the foundation of said steam plant is sufficiently stable or has been made sufficiently stable to sustain the additional weight made necessary by such installation.

SEC. 2. The Secretary of War is hereby authorized, with appropriations hereafter to be made available by the Congress, to construct, either directly or by contract to the lowest responsible bidder, after due advertisement, a dam in and across Clinch River in the State of Tennessee, which has by long usage become known and designated as the Cove Creek Dam, according to the latest and most approved designs of the Chief of Engineers, including its power house and hydroelectric installations and equipment for the generation of at least 200,000 horsepower, in order that the waters of the said Clinch River may be impounded and stored above said dam for the purpose of increasing and regulating the flow of the Clinch River and the Tennessee River below, so that the maximum amount of primary power may be developed at Dam No. 2 and at any and all other dams below the said Cove Creek Dam.

SEC. 3. In order to enable and empower the Secretary of War to carry out the authority hereby conferred, in the most economical and efficient manner, he is hereby authorized and empowered in the exercise of the powers of national defense in aid of navigation, and in the control of the flood waters of the Tennessee and Mississippi Rivers, constituting channels of interstate commerce, to exercise the right of eminent domain and to condemn all lands, easements, rights of way, and other area necessary in order to obtain a site for said Cove Creek Dam, and the flowage rights for the reservoir of water above said dam and to negotiate and conclude contracts with States, counties, municipalities, and all State agencies and with railroads, railroad corporations, common carriers, and all public-utility commissions and any other person, firm, or corporation, for the relocation of railroad tracks, highways, highway bridges, mills, ferries, electric-light plants, and any and all other properties, enterprises, and projects whose removal may be necessary in order to carry out the provisions of this act. When said Cove Creek Dam and transportation facilities and power house shall have been completed, the possession, use, and control thereof shall be intrusted to the corporation for use and operation in connection with the general Muscle Shoals project and to promote flood control and navigation in the Tennessee River and in the Clinch River.

SEC. 4. The Secretary of War is hereby authorized, with appropriation hereafter to be made available by the Congress, to construct either directly or by contract to the lowest responsible bidder, after due advertisement, a dam in and across the Tennessee River at the site designated by the Chief of Engineers of the United States Army, as Dam No. 3, in aid of navigation and for increasing the value of the power to be developed at Wilson Dam No. 2 and to install a power house and such hydroelectric generating machinery therein as may be justified, all according to the latest and most approved plans of the Chief of Engineers of the United States Army, and the disposal of the power so developed shall be subject to the board; and in order to enable the Secretary of War to carry out this authority in the most economical and efficient manner he is hereby authorized and empowered to exercise in the interest of national defense and in aid of navigation as an incident to interstate commerce the right of eminent domain and to condemn all such lands, rights of way, and other area as may be reasonably necessary in order to obtain a site for said dam and for the ponded water above said dam and to conclude contracts with States, counties, municipalities, and all State agencies, and with railroads, railroad corporations, common carriers, and all public-utilities commissions, and all other persons, firms, or corporations in any way interested in said dam site and pondage area.

SEC. 5. The corporation, as an instrumentality and agency of the Government of the United States for the purpose of executing its constitutional powers, shall have access to the Patent Office of the United States for the purpose of studying, ascertaining, and copying all methods, formulas, and scientific information (not including access to pending applications for patents) necessary to enable the corporation to use and employ the most efficacious and economical process for the production of fixed nitrogen, or any essential ingredient of fertilizer, and any patentee whose patent rights may have been thus in any way copied, used, or employed by the exercise of this authority by the corporation shall have as the exclusive remedy of a cause of action to be instituted and prosecuted on the equity side of the appropriate district court of the United States for the recovery of reasonable compensation. The Commissioner of Patents shall furnish to the corporation, at its request and without payment of fees, copies of documents on file in his office.

SEC. 6. (a) All general penal statutes relating to the larceny, embezzlement, conversion, or to the improper handling, retention, use, or disposal of public moneys or property of the United States shall apply to the moneys and property of the corporation and to moneys and properties of the United States intrusted to the corporation.

(b) Any person who, with intent to defraud the corporation, or to deceive any director or officer of the corporation or any officer or employee of the United States (1) makes any false entry in any book of the corporation, or (2) makes any false report or statement for the corporation shall, upon conviction thereof, be fined not more than $10,000 or imprisoned not more than five years, or both.

(c) Any person who shall receive any compensation, rebate, or reward, or shall enter into any conspiracy, collusion, or agreement, express or implied, with intent to defraud the corporation or wrongfully and unlawfully to defeat its purposes, shall, on conviction thereof, be fined not more than $5,000 or imprisoned not more than five years, or both.

SEC. 7. In order that the board may not be delayed in carrying out the program authorized herein the sum of $10,000,000 is hereby authorized to be appropriated for that purpose from the

Treasury of the United States, of which not to exceed $2,000,000 shall be made available with which to begin construction of Cove Creek Dam during the calendar year 1931.

SEC. 8. That all appropriations necessary to carry out any of the provisions of this act are hereby authorized. This act may be cited as "The Muscle Shoals act of 1930."

SEC. 9. That all acts or parts of acts in conflict herewith are hereby repealed.

SEC. 10. That this act shall take effect immediately.

SEC. 11. The right to alter, amend, or repeal this act is hereby expressly declared and reserved, but not to impair the obligation of any contract that may have been entered into pursuant to the powers herein conferred upon the board.

I am informed that the conferees have substantially agreed to report a provision conferring upon the President of the United States the power to lease the nitrate plants for private operation, and that the President may exercise this power at any time within one year after the passage of the act. If that be true, then there is suggested a marked similarity between that provision and the set-up contained in the amendment offered by Representative GARRETT, of Texas, and myself before the Committee on Military Affairs of the House of Representatives, and, in like manner, the bills H. R. 12097 and H. R. 14920, subsequently introduced by me. If the President shall fail during said one year to find a satisfactory lessee upon satisfactory terms, then the board of directors, set up by the bill, shall commence the operation of the nitrate plants for the fixation of atmospheric nitrogen. I respectfully submit that this arrangement is identical with the suggestion made by Representative GARRETT and myself. I hope that the conferees will also report a provision, which is found in title 3 of H. R. 14920. That provision is that even after operation of the nitrate plants shall have been commenced by Government agencies, if a private lessee offers to lease the property under the terms stipulated in one of the bills and if such lessee is responsible, then the board and the President shall enter into such lease and shall transfer the possession and operation of the plant to such lessee and this transfer can be made without stopping a single wheel, or slowing up the process of manufacture by a single pound.

THAT NITROGEN TRUST

Does anyone doubt the existence of a world-wide trust in nitrogen? I apprehend that some Members of Congress and some sections of the American public will be disposed to think that a talk about a world-wide trust in any commodity is based on imagination and not on fact. But we must remember that the source of nitrogen has heretofore for a hundred years been practically confined to Chile. Hence its monopoly control was very easy. The very people who developed the Chilean industry are either directly or indirectly interested in the fixation of nitrogen from the air so that the way was easily prepared for the formulation of a universal cartel or syndicate or trust in nitrogen. To quote again the address of Mr. Brand on December 2, 1930, at Chicago to the National Fertilizer Association, we find in his address numerous implications and suggestions based upon the assumed fact that there is such world-wide understanding. But, to be specific, we find in the Wall Street Journal of June 29, 1929, express statement that an international agreement to control the production and the distribution, and, incidentally, the price of nitrates, had been reached at Berlin. Then, again, on September 16, 1930, the Wall Street Journal reported a dispatch from Paris to the effect that a world nitrate cartel had been formed whereby the nitrogen producers of each nation were to have a monopoly of the home markets and that prices of synthetic nitrogen and Chilean nitrates are to be preserved at about the same level as now existed.

We can hope to find nothing more definite. But in the New York Times of December 21, 1930, announcement was made that an agreement had about been reached for the consolidation of all the Chilean producers of nitrate of soda into one great company and it is stated that the Chilean Government is to receive from this trust certain sums of money commencing at about $22,000,000 a year and ranging downward in successive years to about $17,000,000. It is stated that the Chilean revenues from the export tax on nitrogen and iodine have averaged about $30,000,000 a year for the last three years. It is stated that a law has been passed eliminating the export duty on nitrates, but just what is to take the place of this duty is not stated. Evidently the export duty is to be concealed in the monopoly price. The export duty was on its face too raw and harsh a fact for the people of other nations. Evidently the Government has decided to render extortionate prices in nitrates more palatable by sugar coating the price. No longer will the export duty be a definite factor in the price, but the public will be told that the total price at which it must buy such nitrates represents the actual cost of production plus a reasonable profit on same. But it is conspicuous that out of these revenues the Government is to receive in round numbers $20,000,000 a year. The export duty is concealed, but the high price of nitrates is continued.

The CHAIRMAN. The time of the gentleman from South Carolina has again expired.

Mr. BARBOUR. Mr. Chairman, I yield 15 minutes to the gentleman from Indiana [Mr. WOOD].

Mr. WOOD. Mr. Chairman, ladies and gentlemen of the committee, many, many years ago, when I was considerably younger than I am now, there was an epidemic of hog cholera in our country and the hog family was very nearly exterminated. In consequence there was attracted to the prairies of Indiana, Illinois, Iowa, and all of that great section, where hogs were raised in great numbers, a myriad of buzzards and vultures that fed upon the carcasses of these dead animals. Now that another great disaster has overtaken this country and misery has been spread not only over the prairies of our section but over the entire land, there is another set of vultures in human form that are taking advantage of the situation. There is an enemy within our gates to-day which, if it is permitted to go on, is sooner or later going to destroy this Government we love so well. This insidious foe started a number of years ago; it started its propaganda unmolested, and throughout the rural sections of the country, in large part unnoticed, is now poison dropping throughout the agricultural sections of this country. They are in Arkansas; they are in Oklahoma; they are all over the agricultural regions and are preying faster on that section of the country which is worst hit by reason of this great drought.

I desire to call your attention to some of the things they are doing. They are trying to destroy the banking institution of this country, for one thing They have been responsible for more bank failures than you imagine.

It is known that they will go into a town and find out who the depositors in a bank are; they will then circulate stories which raise a doubt as to the solidity of the bank, and that extends until it gathers such force as to cause runs upon such bank. That has been done in many instances. They have been accused in the press of doing this thing, and the Daily Worker, which is the newspaper medium of these anarchists and communists in this country, said, amongst other things:

The banks are very important instruments in the machinery of exploiting the masses.

Through the banks the capitalists get use of the workers' savings. They use them to finance new methods of exploitation. They use them to get more machinery and thereby replace workers, throwing them into the army of unemployed. They use them to finance their efforts to defeat the workers in their struggles for shorter hours and higher wages. In other words, through the banks the workers' savings are turned into additional weapons against the workers.

Aside from these "legitimate financial transactions" carried on with the money of depositors, the board of directors of banking companies use the money of the depositors for gambling in order to enrich their own private pockets. Whenever a bank fails these transactions become publicly known. Such publicity is very undesirable for banks and for capitalism in general. Such publicity undermines the confidence of the masses in the system of capitalism.

In this same article may be found the following:

All this noise about a "red plot" is nothing but the time-honored method of the thief being loudest in shouting "catch thief."

The other day the capitalist press published the base upon which all of these accusations of red plots are built. What is this base?

The Novy Mir, a communist weekly, published in the Russian language, in its issue of July 26, 1930, answering the question of a reader as to reliable banks, answered as follows: "The extreme economic crisis in the United States has forced the crash of hundreds of banks and only in the Soviet Union are the savings of the toilers guaranteed by the untold riches and gigantic might of the toiling masses."

The New York World, in "disclosing" this horrible conspiracy, declares that it received the information from "a man who asked that his name be withheld because he fears reprisals." It seems that there is no bottom to the slime that a capitalist scribe is willing to wade in. Novy Mir is a newspaper published openly in New York City. Its issue of July 26 was printed in a New York print shop; it was sold on New York news stands; it was sent through the United States mail; copies of it can be found in public libraries. Yet some "honorable" capitalist scribe must insinuate that the man who called his attention to an article that appeared in this public newspaper has reasons to be afraid for his life. The contempt we feel for such brass-check ladies, called journalists, can only be exceeded by the contempt these "journalists" display for the intelligence of their readers.

But let us get back to the incriminating evidence: The Novy Mir stated that capitalist banks are unsafe, but that the Soviet Union banks are safe. If that is evidence of a conspiracy to undermine the sacred institution of capitalist banking, we admit membership in this conspiracy. There are certain facts that convince us that the soviet banks are safe and the capitalist banks are unsafe.

Mr. TUCKER. Where is that published?

Mr. WOOD. New York City.

Again it says:

The extreme economic crisis in the United States has forced the crash of hundreds of banks, and only in the Soviet Union are the savings of the toilers guaranteed by the untold riches and gigantic might of the toiling masses.

They are also sending their emissaries all through the southern country and all through the western country for the purpose of fomenting and taking advantage of the distressed situation that is existing in order to further their diabolical purposes.

I want to call your attention to another article that was published in the United Farmer, which is a communist organ, and this article was taken from the Worker, the paper I have just quoted from. I will not read the whole article, but it is entitled "Ruined Farmers Must Act," and here is how it says they must act:

To our view, the poor farmers in every township in the drought region should organize committees of action.

They are all the time talking about committees of action, and before I am through I will tell you the kind of action they are advocating.

Demanding immediate and outright contributions of family food and livestock feed from Federal Government funds, raising the demand for a permanent farmers' insurance and relief fund to be raised by taxation on the rich and administered by these township committees themselves. Mass demonstrations at every county seat should press this demand. If they do not get such aid (and Hoover's fake nine points of "relief" shows they will not) then they have our entire approval in getting food to their families by organizing and taking it, as they will have to, soon or late. Unite with the workers in establishing a workers' and farmers' government. They have been patient too long as it is.

This is the kind of doctrine that is being circulated and, if the facts are to be considered, there is no question but what this whole business that happened down at England, Ark., was a set-up arrangement, staged, if you please, and which had been contemplated for some considerable time to take place upon the very day that the Red Cross had given notice that upon that particular day they would supply food to those who were suffering in that community. When 500 people who came there to get the food that was promised by the Red Cross, 40 of these organizers, 40 of these fellows, many of whom were without any stability at all in the community and some of them not even living in the community, came there and raised all the clamor that was raised there that day, and then took advantage of the fact that there were 500 honest people there for an honest purpose, and spread the prearranged report throughout the country that there was an army of 500 people there crying for bread.

Mr. GLOVER. Will the gentleman yield there for just a question?

Mr. WOOD. No; I do not yield. I have only a very short time.

This communist organ in a former issue declares:

The United Farmers' League calls on them to organize by townships and counties, and to fight against taxes, interest on mortgages, foreclosures, and for cheaper supplies.

This is the doctrine that is being circulated in this country, and if this is permitted to go on unchecked, there can be but one result.

I was utterly amazed when I found out—and I suspect many of you were amazed when you found out—that these people can preach this doctrine of infernalism right off the steps of this Capitol. They can advocate, if you please, the destruction of this Capitol itself. They can advocate the destruction of all the property existing in this country, and there is no law to say them nay. There has to be some overt act, and I dare say this is the only country upon the face of the earth where such a license exists; and whenever there is a law introduced for the purpose of protecting the country against this character of talk, some one will rise up in one of the bodies of this Congress and inveigh against it, because it is interfering with free speech.

Here is another quotation from this same Worker:

The United Farmers' League supports a demand for Government compensation at full value of crops lost by small farmers from drought or other causes, funds to be raised by taxes on corporations and stock and farm produce exchange gamblers.

Think of this character of doctrine. They know no law except the law of force, and they advocate the taking of action. What kind of action? The action of force, if necessary, and there is cartoon after cartoon in these papers showing men disguised with bayonets in their hands charging upon banking institutions, charging upon groceries and upon other mercantile establishments.

Now, how long are we going to permit this kind of doctrine to go unchallenged? I felt it was time that somebody should say at least a word upon this subject, because in these days when there is suffering abroad in the land, and when this body is trying to provide some measure of relief, these creatures are capitalizing it. These are, indeed, feast days for those who would destroy this Government of ours.

Mr. TUCKER. Will the gentleman state where that paper is published?

Mr. WOOD. It is the Daily Worker, published in New York. It is sold on the street corners of Chicago and every other city, I dare say, in the United States without molestation.

Here is another item that I want to call attention to in this Worker. "The United States Farmers' League" is exposing all of the robbers of the farmer and a drive is being made in Oklahoma to organize the farmers' committee of action, and in many townships to distribute the United States Farmer all over this area. The workers of Oklahoma City are to assist the poor farmers in this effort.

It was the workers in Little Rock that got up to England in Arkansas, and it was the workers in Little Rock who sent out word, who sent out an Associated Press dispatch from Little Rock within less than an hour after these people began to assemble to receive their food.

There are many other quotations of a similar character in this Daily Worker that I would like to call attention to, but time forbids.

Notwithstanding all this, notwithstanding the distress that does actually exist in this country, the clouds seem to be lifting, and there is a promise at least of a brighter day as evidenced by the fact that more than 100,000 men were put to work in different parts of the country within the last week, and with a promise of many more being put to work within a few days.

An order for four steamships from the Panama Mail Co. assures two years of work for 3,000 men at Kearny, N. J.

The automobile plants in the Detroit area recalled 22,000 men after inventory, and the Chevrolet Co. there only recently employed 1,500 additional workers.

Clash of hammer and tongs in railroad shops accounted for another total of 18,500 idle returned to breadwinning.

Steel mills of Youngstown, Ohio, pressed from the auto industry, recalled 2,000 workers at the end of December; and varied Cleveland industries reinstated 1,347 on pay rolls in the last 10 days. The Fisher Body Co. there expected to add 500 men within a week. The National Acme Co. recalled 250.

Rail mills of the Tennessee Coal, Iron & Railway Co. at Birmingham, Ala., are expected to be opened January 12, with 1,500 employed directly or indirectly.

The Sanitary Manufacturing Co. rush orders for 800 carloads for the men who work, enabled it to add 2,000 men to its plants in Louisville, Baltimore, and Pittsburgh.

Ford and Chevrolet plants at Atlanta reemployed 1,050 between them, and the Ford plant at St. Paul, Minn., expected to have 1,400 men drawing pay at the height of the coming assembly season.

A newly opened mill of the Seaboard Paper Co. at Bucksport, Me., provided work for 250, and the Corn Production Refining Co. at Kansas City employed 400 additional men.

Rush order for 50,500 tons of steel and 1,500 gondola cars will keep 500 additional men busy at Pittsburgh up to May 1. Another 500 there will go back to work the middle of this month for the Arnold plant of the American Window Glass Co.

The Richmond Radiator Co., Uniontown, Pa., just added 350 men to its pay roll and resumed work at Brownsville, Pa., providing jobs for 275.

An order for 40 new locomotives for the New York Central Railroad assured an increase of employment in the Schenectady plant of the American Locomotive Co., giving employment to hundreds of men. More than a thousand skilled mechanics returned to the shops of the Central Railroad of New Jersey.

The textile mills are increasing their operations at Dalton, Atlanta, and Bremen, Ga.

The R. C. A. Victor Co., at Camden, N. J., resumed operations, giving employment to 4,000 workers, after more than a month's suspension.

To-day's press announces that the Ford Motor Co. will put on a large additional number of employees laid off on December 13. An official of that company estimates the number to be recalled between fifty and seventy thousand.

From every section of the country comes the glad news that business is reviving. What the country needs now is faith and courage, faith in our Government and courage to overcome the obstacles that beset us. It would be well for us all to profit by the advice of Will Rogers: "Don't get a farmer who is hollering for food mixed up with a Red who is hollering for devilment." [Applause.]

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. BARBOUR. Mr. Chairman, I yield 15 minutes to the gentleman from New York [Mr. LAGUARDIA].

Mr. LAGUARDIA. Mr. Chairman and gentlemen of the committee, the gentleman from Indiana [Mr. WOOD] has just stated that conditions are such that there is misery all over this country, and at the same time there are what he terms "human vultures" who are capitalizing this misery.

He suggests as a remedy the extermination of the vultures but the continuing of the misery. He waxes fervent in his fury against the active radicals but offers no relief or help to the patient, suffering, hungry people who are in need. He tells you about agitation on the part of radicals to create committees of action. Perhaps we could eliminate all this propaganda and agitation for committees of action if Congress would constitute itself into a committee of action itself and do something to alleviate the suffering. The gentleman from Indiana does not deny that a real crisis exists; he is disturbed over the exposure of these conditions. I am keen to improve conditions, aid the needy, and provide constructive remedy against a recurrence of such conditions.

Mr. WOOD. Will the gentleman yield?

Mr. LAGUARDIA. In a moment. The gentleman refers to and reads from communistic papers as to conditions in Arkansas. He would belittle the real condition there. He doubts the existence of hungry people there, desperate in their hopelessness, because some communistic paper refers in detail to these conditions. Permit me to call his attention to an article appearing in the Baltimore Sun, which is not a communistic paper. This paper sent out one of its staff correspondents, W. A. S. Douglas, to Arkansas, who states definitely, after making a survey and investigating conditions in Arkansas, that the conditions there are deplorable. Here is one short paragraph from Mr. Douglas's article:

PEOPLE ARE INDIGNANT

Wherever you meet two or three or more persons gathered together in hotels or on the street corner, there you find an indignant meeting. Nobody considers for a single moment that the senior Senator would stoop to such ballyhoo methods for the purpose of squeezing money for hungry Arkansans out of the Federal Government.

From all remarks passed by the horny-handed, wind-and-weather-burned men from every corner of the State, one realizes that Arkansas is in mighty bad shape; that "Old Joe" didn't have to stage any show; that troubles like that which occurred in England, when hungry men demanded food, have occurred in other parts of the State and have either been hushed up or have missed the supposedly wary eye of a local news service correspondent. The Red Cross, by actual check, is now feeding over 30,000 families and expects to have to care for 50,000 before better times come with the passing of winter.

This is no emotional communistic agitator talking. It is the statement of an experienced newspaper man writing for a conservative paper. And he further says that there are hungry men and women all over the State of Arkansas, and that the reports have in no way been exaggerated. I submit in all earnestness that when such conditions exist then, of course, the professional agitator can capitalize the conditions, but the way to prevent what the gentleman from Indiana [Mr. WOOD] complains of, is to take the argument right away from the agitator and do something constructive to bring about relief. Remove the cause. [Applause.] I was hoping when the gentleman from Indiana took the floor that he was going to come with a compromise proposition to send the drought-relief bill to conference, with an assurance that he would use every effort at his command to make the food provision applicable to the cities as well as to the farmers.

The reason I asked for time is to state the parliamentary situation as I see it, inasmuch as the gentleman from Alabama [Mr. BANKHEAD] did so this morning, in reference to the bill now on the Speaker's table, the request of the gentleman from Indiana to send it to conference. It is hardly fair to say that one Member of this House is obstinate and is perhaps abusing the rules of the House, when that one Member is simply seeking to do what he conscientiously believes to be his duty to bring relief to the people whom he represents, who happen to live in a city. What is the parliamentary situation? In order to have the bill sent to conference, the gentleman requires unanimous consent. In order that I may have my proposition considered I require unanimous consent. The other alternative, as stated by the gentleman from Alabama this morning, is for the gentleman from Indiana to obtain a rule and send the bill to conference, and by the same agency or same instrumentality I could have my proposition considered by a rule making it in order. But I shall go one step farther. I say now, as I said before, that if the gentleman from Indiana will give to this House his assurance that when he is in conference on the disagreeing votes of the two Houses on the food proposition, in the event there is a food provision for the farmers, he will make it general so as to make it apply to the people of the cities, I shall withdraw my objection. Surely that is a fair proposition.

Mr. WOOD. Mr. Chairman, will the gentleman yield?

Mr. LAGUARDIA. For a reply to that, certainly.

Mr. WOOD. And then another question with reference to the parliamentary situation. The gentleman has stated it correctly as far as he has gone, but in the event that a

rule is brought into this House, it would simply send this measure to conference. That is correct, is it not?

Mr. LaGUARDIA. Yes.

Mr. WOOD. And after it went to conference, if we should fail to agree, our disagreement would have to be reported back to the House. If the Senate conferees would not recede from the Senate amendments, then we would bring back a report in disagreement. The next motion would then be that the House further insist on its disagreement. Then if the Members of the House were not in accord with our wishes in that respect, they could easily do what they pleased with it.

Mr. LaGUARDIA. That is correct as far as it goes.

Mr. WOOD. Then what advantage would there be in having a rule? Why not let this measure go to conference?

Mr. LaGUARDIA. Because in every situation that the gentleman has described my proposition to apply the food provision to unemployed as well as farmers is not in order on that bill under the rules unless I get unanimous consent for its consideration.

Mr. WOOD. But the gentleman's proposition would be in order in this event: There is an amendment now proposed to the bill adding $15,000,000 for the purpose of making loans to buy food for the farmers. It would be perfectly germane for the gentleman to move to concur with an amendment adding an additional $15,000,000 to be given to the people in the cities.

Mr. LaGUARDIA. If such a provision had been inserted by the Senate and were in the bill now, it would. As an original proposition, it is not in order. If the gentleman can get the Speaker to say that my proposed amendment will be germane, I shall go along with him and withdraw my objection. I must have that assurance.

Mr. CRISP. Mr. Chairman, will the gentleman yield?

Mr. LaGUARDIA. Yes.

Mr. CRISP. I think there is a way of following up the suggestion of the gentleman from Indiana. Suppose this bill goes to conference, and the conferees disagree, and the bill is reported back to the House with the statement that the conferees have disagreed, then the matter would be called up, and the question would be as to whether the bill would be put back into conference. It would clearly be in order when it was called up for the gentleman to move to concur in the Senate amendment with an amendment broadening it and making the application for food apply to the cities as well as the country.

Mr. LaGUARDIA. I could move to concur. I could amend with a germane amendment, but I could not move to concur with an amendment not germane under the rules. I would then be left out entirely. I would be helpless. Food would be provided for farmers, but not for unemployed in the cities.

Mr. CRISP. No; the gentleman could move to concur with an amendment broadening the proposition.

Mr. LaGUARDIA. But it would not be germane.

Mr. CRISP. Making it applicable to the cities as well as the country.

Mr. LaGUARDIA. It would not be germane.

Mr. CRISP. It would have to be a very narrow construction to hold it not germane. If I were in the chair, I would hold it germane.

Mr. LaGUARDIA. If I can get that assurance stated on the floor I will withdraw my objection.

Mr. SABATH. If we could secure a ruling that it will be held in order and that it is germane, I would be willing to agree.

Mr. LaGUARDIA. Certainly; that is what I am suggesting. I know that if we coupled a proposition for food relief to the people in the cities as well as the farmers and it was presented to this House it would pass. I realize that I am fighting with my back against the wall for these people, and I want to rescue my people in the cities just the same as other gentlemen want to help the farmers in the country. I have to hold and use the only weapon that I have at this time. If I can get an understanding that such a motion would be in order, then I am ready to yield. It seems to me that that is a very fair proposition. All I want is a vote of this House. I am sure the country will look with interest whether the Representatives of the rural districts, who are repeatedly getting relief, in this instance will go along and help us, when we are in the same plight. As a matter of fact, the industrial worker, living in the city, living in a tenement, and paying monthly rent, suffers a great deal more and his condition is worse than that of any farmer, because, after all, the farmer has a home to live in.

Mr. CRISP. As far as I am concerned, coming from a rural district, I shall vote for such a proposition.

Mr. LaGUARDIA. I know the gentleman would. I realize that it is improper for me to ask what the ruling would be in advance of a concrete proposition being put to the Chair. I certainly would like to get some assurance on this proposition.

If we could get that assurance, gentlemen, that bill can go to conference. All I want is a fair chance to put the proposition to this House whether or not you will give some relief for the unemployed in the cities, now that you are providing for the farmers.

Mr. McSWAIN. Will the gentleman yield?

Mr. LaGUARDIA. I yield.

Mr. McSWAIN. Will the gentleman, when he offers that amendment, if he has that privilege, put it in the form of a loan so that it will not be an outright gift, or dole, in order to put it on a parity with loans to the farmers.

Mr. LaGUARDIA. I am willing to make all food distributions without loans.

Mr. McSWAIN. But, in order to put it on a parity so that we may consistently say we will loan to both classes, rather than to give to one class and loan to another——

Mr. LaGUARDIA. No. I would not want the farmers to pay for food relief if the unemployed do not. Leave the seed and the feed and fuel as loans; separate the food as direct relief to both farm and city. Of course, this country is big enough to do that. If the picture is one-tenth as bad as the gentleman from Indiana suggests, I say the thing to do is to bring in some constructive relief immediately and remove the cause for agitation which the gentleman from Indiana complains of.

Mr. McKEOWN. Will the gentleman yield?

Mr. LaGUARDIA. I yield.

Mr. McKEOWN. The reports coming from as prosperous a city as Tulsa, Okla., show that they have already expended for food in that city something like $150,000 and they only have something like $25,000 remaining and it will not last until the end of this month.

Mr. LaGUARDIA. So I have heard. Everyone knows that my city is contributing generously through private charities and agencies. Everyone knows that my city will pay a large proportion of the taxes involved in the appropriation which is now being considered. It would seem to me, gentlemen, that it is good policy, it is sound, wholesome economics, it is only American fair play, that when there is a condition of distress, when there is suffering universally all over the country, when there is unemployment in the cities just as there is distress on the farms, it is the duty of Congress to provide, and if Congress provides for the farmer, we must also provide for the unemployed in the city.

Mr. ALMON. Will the gentleman yield?

Mr. LaGUARDIA. I yield.

Mr. ALMON. Does not the gentleman think if it is to be a donation that Congress could well afford to make an appropriation of $15,000,000 or $30,000,000 to be expended by the National Red Cross in the purchase of food and clothing for those in distress?

Mr. LaGUARDIA. That is just my plan. I have such a bill in now. I am asking for a hearing, but it is manifestly unfair to say that while I am within my rights, I am obstinate in continuing my objection when it is the only weapon I have, and I think that under the stress of the circumstances I am justified in invoking that weapon.

Mr. GLOVER. Will the gentleman yield?

Mr. LaGUARDIA. I yield.

Mr. GLOVER. I was much surprised at the statement of our distinguished chairman of the Committee on Appropriations a moment ago when he made the statement or left the impression that this was a communistic move down in my State. I want to say that 92 per cent of those people were white people and practically every one of them was born and reared in the county where this occurred.

Mr. LAGUARDIA. And I will wager that not one of them has ever heard of bolshevism or can even spell the word.

Mr. GLOVER. They never heard of a red or of communism in their lives, and know nothing of it.

Mr. LAGUARDIA. Exactly. There is no reasoning with a hungry stomach, and a father of a family who has children crying, and who is willing to work and wants to work to feed those children, will go to any extreme to feed those children.

Mr. ALLGOOD. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. ALLGOOD. I saw an article in the morning paper where the communists in New York were trying to break into the bread lines and demoralize the people who were being fed, and cause them to join with them, and that those people refused to join with the communists; that they were being cared for and being taken care of.

Mr. LAGUARDIA. The communist will be blamed for everything. Why, this very condition is contagious, gentlemen. The minute you have a riot or a disorder or a demonstration in one place, it will spread, become contagious in general, unless we do something to alleviate conditions. People generally do not know the nicety of our dual form of Government, the limited jurisdiction of the Federal Government and the State government and the powers of the municipal government. They naturally look to their strong Federal Government in Washington for relief. You can not explain constitutional questions to a hungry man. You can not do it. We have had economic unification of the country. We are all one in times of prosperity and we must be one in times of stress. It seems to me, with all due deference to Judge TUCKER, our constitutional authority who is sitting here, that we are not in any way violating the spirit of the Constitution if we do the big thing and face the situation and provide some immediate relief to the people who are in need, whether on a farm or in a city.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. WRIGHT. Mr. Chairman, I yield 10 minutes to the gentleman from Missouri [Mr. COCHRAN].

Mr. COCHRAN of Missouri. Mr. Chairman and members of the committee, I have asked this time for the purpose of calling to the attention of the House the necessity of the Congress taking some action looking toward the reapportionment of Representatives in Congress among the several States immediately, or if no such legislation is to be advanced, then in some way it should be officially arranged to advise the executives of the several States of their representation under the Census of 1930 so that the State legislatures can proceed to redistrict their States to conform with the Constitution or law applying.

Under the act passed in the first session, if this Congress does not do its constitutional duty and reapportion, the Clerk of the House is selected to advise the several States of their representation. The Bureau of the Census, Department of Commerce, has complied with the provisions of section 22, paragraph (a), of the act of June 18, 1929, and has advised the Congress of the whole number of persons in each State, exclusive of Indians not taxed, and the number of Representatives to which each State would be entitled under an apportionment of the existing number of Representatives—435—by the method known as the method of major fractions, which was the method used in the last apportionment following the census of 1910, and also includes in its report the number of Representatives under what is known as the method of equal proportions. It develops the representation is the same under both methods.

Below will follow the table as submitted by the Bureau of the Census:

State	Population as enumerated Apr. 1, 1930	Indians not taxed	Population basis of apportionment	Apportionment of 435 Representatives by method of—	
				Major fractions used in last preceding apportionment	Equal proportions
Total	122,288,177	194,722	122,093,455	435	435
Alabama	2,646,248	6	2,646,242	9	9
Arizona	435,573	46,198	389,375	1	1
Arkansas	1,854,482	38	1,854,444	7	7
California	5,677,251	9,010	5,668,241	20	20
Colorado	1,035,791	942	1,034,849	4	4
Connecticut	1,606,903	6	1,606,897	6	6
Delaware	238,380		238,380	1	1
Florida	1,468,211	20	1,468,191	5	5
Georgia	2,908,506	60	2,908,446	10	10
Idaho	445,032	3,496	441,536	2	2
Illinois	7,630,654	266	7,630,388	27	27
Indiana	3,238,503	23	3,238,480	12	12
Iowa	2,470,939	519	2,470,420	9	9
Kansas	1,880,999	1,501	1,879,498	7	7
Kentucky	2,614,589	14	2,614,575	9	9
Louisiana	2,101,593		2,101,593	8	8
Maine	797,423	5	797,418	3	3
Maryland	1,631,526	4	1,631,522	6	6
Massachusetts	4,249,614	16	4,249,598	15	15
Michigan	4,842,325	273	4,842,052	17	17
Minnesota	2,563,953	12,370	2,551,583	9	9
Mississippi	2,009,821	1,667	2,008,154	7	7
Missouri	3,629,367	257	3,629,110	13	13
Montana	537,606	12,877	524,729	2	2
Nebraska	1,377,963	2,840	1,375,123	5	5
Nevada	91,058	4,668	86,390	1	1
New Hampshire	465,293	1	465,292	2	2
New Jersey	4,041,334	15	4,041,319	14	14
New Mexico	423,317	27,335	395,982	1	1
New York	12,588,066	99	12,587,967	45	45
North Carolina	3,170,276	3,002	3,167,274	11	11
North Dakota	680,845	7,505	673,340	2	2
Ohio	6,646,697	64	6,646,633	24	24
Oklahoma	2,396,040	13,818	2,382,222	9	9
Oregon	953,786	3,407	950,379	3	3
Pennsylvania	9,631,350	51	9,631,299	34	34
Rhode Island	687,497		687,497	2	2
South Carolina	1,738,765	5	1,738,760	6	6
South Dakota	692,849	19,844	673,005	2	2
Tennessee	2,616,556	59	2,616,497	9	9
Texas	5,824,715	114	5,824,601	21	21
Utah	507,847	2,106	505,741	2	2
Vermont	359,611		359,611	1	1
Virginia	2,421,851	22	2,421,829	9	9
Washington	1,563,396	10,973	1,552,423	6	6
West Virginia	1,729,205	6	1,729,199	6	6
Wisconsin	2,939,006	7,285	2,931,721	10	10
Wyoming	225,565	1,955	223,610	1	1

The necessity for taking the action I suggest is that 44 State legislatures meet this, the odd year, all being in session now—or will be next week—with the exception of Florida, which convenes in April, and Georgia, convening in June. Four States meet annually, namely, Massachusetts, New York, Rhode Island, and South Carolina, while four States meet in the even year, namely, Louisiana, Kentucky, Mississippi, and Virginia. The sessions in 18 States are unlimited, while with four exceptions—Connecticut, 5 months; Maryland, 90 days; Missouri, 70 days; and Tennessee, 75 days—the sessions of the various legislatures range from 40 to 60 days.

The Clerk of the House can not carry out the mandate in the act of June 18, 1929, until the present Congress adjourns March 4. You will therefore see that by that time some legislatures will have adjourned and others will be on the eve of adjournment. They will have no official notice of the Representatives allotted to the various States until that notice is received, unless by resolution or otherwise the Clerk is ordered to do so before Congress adjourns.

The necessity of redistricting the congressional districts of the country is apparent to anyone who will give the least study to the subject. Outrageous inequalities exist throughout the country.

Back in 1775 there occurred in Boston Harbor the Boston Tea Party, when a small number of men boarded a vessel and threw the cargo in the bay because they were taxed by Great Britain without representation. We now find where the citizens of our country, a very large portion, are taxed without proper representation. For the information of Members of the House I include in my remarks a table se-

cured from the Congressional Library giving the dates of convening and the length of the sessions of the various legislatures.

State	Years in which sessions are held	Days on which sessions convene	Time limit (in days)
Alabama	Odd[1]	Second Tuesday in January	50
Arizona	do	Monday after first Tuesday in January	60
Arkansas	do	Second Monday in January	60
California	do	do	None.
Colorado	do	First Wednesday in January	None.
Connecticut	do	Wednesday after first Tuesday in January.	[2]5
Delaware	do	First Tuesday in January	60
Florida	do	Tuesday after first Monday in April	60
Georgia	do	Fourth Wednesday in June	60
Idaho	do	First Monday after January first	60
Illinois	do	Wednesday after first Monday in January.	None.
Indiana	do	Thursday after first Monday in January	[3] None.
Iowa	do	First Monday in January	None.
Kansas	do	Second Tuesday in January	50
Kentucky	Even	First Tuesday in January	60
Louisiana	do	Second Monday in May	60
Maine	Odd	First Wednesday in January	None.
Maryland	do	do	90
Massachusetts	Annual	do	None.
Michigan	Odd	do	None.
Minnesota	do	Tuesday after first Monday in January	90
Mississippi	Even	do	None.
Missouri	Odd	Wednesday after first Monday in January.	70
Montana	do	First Monday in January	60
Nebraska	do	First Tuesday in January	None.
Nevada	do	Third Monday in January	60
New Hampshire	do	First Wednesday in January	None.
New Jersey	do	Second Tuesday in January	None.
New Mexico	do	do	60
New York	Annual	First Wednesday in January	None.
North Carolina	Odd	Wednesday after first Monday in January.	60
North Dakota	do	Tuesday after first Monday in January.	60
Ohio	do	First Monday in January	None.
Oklahoma	do	Tuesday after first Monday in January.	60
Oregon	do	Second Monday in January	40
Pennsylvania	do	First Tuesday in January	None.
Rhode Island	Annual	do	60
South Carolina	do	Second Tuesday in January	None.
South Dakota	Odd	First Tuesday after first Monday in January.	60
Tennessee	do	First Monday in January	75
Texas	do	Second Tuesday in January	60
Utah	do	Second Monday in January	
Vermont	do	Wednesday after first Monday in January.	None.
Virginia	Even	Second Wednesday in January	60
Washington	Odd	Second Monday in January	60
West Virginia	do	Second Wednesday in January	60
Wisconsin	do	do	None.
Wyoming	do	Second Tuesday in January	40

[1] Once every four years: 1931, 1935, etc.
[2] Months.
[3] In Indiana the legislators' per diem compensation is limited to 61 days; in South Carolina to 40 days.

I have stated outrageous inequalities prevail throughout the country. The census of 1930 discloses 56.2 per cent or 68,955,521 of the people of the country reside in the urban centers, leaving 43.8 per cent, or 53,819,525, for the rural sections. Despite this a table I have secured, compiled with great care by the Library of Congress shows there are in the present Congress 268 Representatives classed as representing rural populations, while the same table classes but 160 as being Representatives of urban districts. Under such conditions it is shown that the minority is in control of the lower branch of Congress which accounts for my reference to a large portion of the people being taxed without proper representation. At the conclusion of my remarks I will insert the data furnished me by the Library of Congress giving the names and districts of the Members of the present Congress showing those who represent the rural populations and those who represent the urban populations.

This condition exists because the Constitution does not make it mandatory for the several States to redistrict the State into congressional districts with the population equally divided.

I also have a table showing when the several States were last redistricted which I will insert at the close of my remarks. A reference to this table will show that Arkansas has not redistricted sinc 1901, Illinois 1901, Iowa 1886, Kansas 1905, Maryland 1902, Mississippi 1902, Missouri 1901, New Hampshire 1881, South Carolina 1902, Tennessee 1901, Vermont 1880, and West Virginia 1901. This accounts for some of the outrageous inequalities I referred to but in other instances it was due to the State legislatures for political purposes failing to properly redistrict. I propose also at the conclusion of my remarks to include the population of each congressional district at the present time as shown by the census of 1930, by States. In round numbers the population of a congressional district under the census of 1930—I do not include the States having but one Representative as the Constitution provides—should be about 280,000. Refer to the table and you will find the glaring inequalities. In my own State, Missouri, out of 16 congressional districts there are only 3 of the present districts with the required population.

While the condition which I will cite as an example prevails in my own State, I want to make it plain that the same condition exists in many other States, in some instances the inequalities are far more glaring than in Missouri.

Take the tenth congressional district of Missouri represented by my friend, Mr. NIEDRINGHAUS. It contains a population of 715,772. It adjoins the twelfth district represented by my colleague, Mr. DYER. A street is the dividing line in the city of St. Louis. Mr. DYER'S district has a population of 116,495. Thus you will see that a vote in Mr. DYER'S district on one side of the street offsets the vote of six of the residents of Mr. NIEDRINGHAUS'S district on the other side of the street. This same condition applies when comparing the congressional districts in rural Missouri with Mr. NIEDRINGHAUS'S district. In nine rural districts of Missouri 1 vote cast there is equal to 5 votes cast in Mr. NIEDRINGHAUS'S district in that the population in each of the nine districts is but one-fifth of the population in Mr. NIEDRINGHAUS'S district. You will find this situation in many places throughout the country.

Let us take the State of Illinois as an example of what happens when the State legislature fails to redistrict. By reason of an increase in population in Chicago in 1910 Illinois gained two Representatives. The legislature did not redistrict and ever since that time the two additional Representatives have been elected at large. Had Chicago not gained in population in the 1910 census Illinois would have lost representation. Despite the fact that the two additional Representatives are due to the growth of Chicago, the two serving in this body now come from other parts of the State. If the State of Illinois was redistricted on the basis of the 1930 census Chicago would gain five Representatives.

Other outstanding examples are California and Michigan. California gains 9 Representatives, and if the State is redistricted properly Los Angeles will have 8 rather than 2 Representatives. In Michigan although there is a gain of but 4 Representatives, Detroit is entitled to 8 Representatives rather than 3.

What concerns me and should concern the leaders of the House is whether the various State legislatures will have time to act on a redistricting bill before adjournment. Where the legislature and governor are of the same political party there is no cause for worry, but take Missouri, Massachusetts, New York, Ohio, Kentucky, and other States where the executive is of one political party and the legislature controlled by another there is extreme danger of a deadlock which would mean in the States losing representation that all the Representatives would necessarily be required to run at large. This would be unfair to say the least.

What I want to see throughout the country is a fair and equitable redistricting of congressional districts regardless of what political party or individual it affects. Give the people the congressional representation they are entitled to. [Applause.]

Mr. SNELL. Will the gentleman yield?

Mr. COCHRAN of Missouri. With pleasure.

Mr. SNELL. Is there not some provision by which the States are notified automatically?

Mr. COCHRAN of Missouri. None whatever. It is specifically stated in the law that if this session of Congress does not reapportion, then the Clerk is to notify the executives of the several States. That can not be done until March 4, and my survey convinces me beyond a doubt that we are not going to enact a reapportionment bill. Are you





going to wait until March 4, when the legislatures have adjourned or are about to adjourn, with no official notice, or do you propose to pass a bill such as I have introduced to-day, directing the Clerk of the House to immediately advise the executives of the several States of the representation which such States shall have in the Seventy-third Congress?

Mr. SNELL. The official apportionment has been given out by the Census Bureau, has it not?

Mr. COCHRAN of Missouri. Yes; to Congress. I want to state this: That all of the discussion over major fractions and equal proportions was unnecessary because it developed that the representation is the same under both methods.

Mr. SNELL. What would happen if we sent out a notice now and then later we passed legislation before the 4th of March?

Mr. COCHRAN of Missouri. I will agree that then a situation might arise which would cause some trouble. But would the committee report two bills? If some action is not taken immediately, the several States will be required to call special sessions of their legislatures in order to enact reapportionment measures.

Mr. CHIPERFIELD. May I call the gentleman's attention to the fact that the Governor of the State of Illinois, in his message to the legislature on Wednesday, asked the legislature to take some action looking toward reapportionment. Could not the same thing be done in other States by the voluntary action of the governors?

Mr. COCHRAN of Missouri. I think so; and I certainly hope the Legislature of Illinois does take that action because since 1910 the city of Chicago has been waiting for five additional Representatives to which it is entitled.

Mr. SNELL. Will the gentleman yield?

Mr. COCHRAN of Missouri. Yes.

Mr. SNELL. All of those inequalities can be rectified under this new apportionment bill if the States want to take care of them.

Mr. COCHRAN of Missouri. If the States will legislate.

Mr. SNELL. Then we are not to blame if the States do not do their work.

Mr. COCHRAN of Missouri. But I think it is the duty of this Congress to officially advise the legislatures while they are in session as to the representation to which they are entitled, because if we do not they will be in a position to say, "We have had no official notification as to our representation; therefore, why should we redistrict?"

Mr. MICHENER. Could they redistrict if they had such notice?

Mr. COCHRAN of Missouri. Certainly. In a great many States you are going to find the same situation that exists in the State of the gentleman from New York and in my own State, the governor and the legislature are not of the same political party.

Mr. MICHENER. But the question I am asking the gentleman is this. If we did what the gentleman has suggested, would not that be an idle thing? Would it not be necessary to change the fundamental law which we have passed dealing with this subject?

Mr. COCHRAN of Missouri. I do not think so.

Mr. MICHENER. Is the gentleman anxious or would the gentleman be willing that a bill should be reported out of the Census Committee to-morrow to in any way change the reapportionment law which this Congress has passed?

Mr. COCHRAN of Missouri. Further than directing the Clerk of the House of Representatives to notify the executives of the various States; no. I will stand on the existing law.

Mr. MICHENER. Yes; but if the gentleman wants to do that, will he be willing to sponsor a bill which will bring this whole subject again before the House for consideration, open to amendment, which would be necessary if the thing which the gentleman suggests ought to be done is done?

Mr. COCHRAN of Missouri. If necessary, yes. I have never shirked my duty in this House and I will not shirk it now. We have a constitutional duty to perform. The bill is in the basket, and I am willing to face any vote, no matter whether I am for it or against it. I am willing at any time to cast a record vote on any legislation no matter how controversial.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. COCHRAN of Missouri. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD and to include therein certain tables which I have here in reference to the subject I have just discussed.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD and to include therein certain tables. Is there objection?

There was no objection.

The tables referred to follow:

MEMBERS OF THE SEVENTY-FIRST CONGRESS WHO REPRESENT RURAL POPULATION

The number of States in which rural constituencies are cited is 44. The congressional districts in which large rural populations are represented number 263. Besides, there are in the Congress seven Representatives at large.

State	Name of Representative	Congressional district
Alabama (9 districts)	Hon. John McDuffie	First.
	Hon. Lister Hill	Second.
	Hon. H. B. Steagall	Third.
	Hon. Lamar Jeffers	Fourth.
	Hon. La Fayette Patterson	Fifth.
	Hon. W. B. Oliver	Sixth.
	Hon. M. C. Allgood	Seventh.
	Hon. E. B. Almon	Eighth.
	Hon. W. B. Bankhead	Tenth.
Arizona	Hon. L. W. Douglas	Representative at large.
Arkansas (7 districts)	Hon. W. J. Driver	First.
	Hon. Pearl Oldfield	Second.
	Hon. C. A. Fuller	Third.
	Hon. Effiegene Wingo	Fourth.
	Hon. H. Ragon	Fifth.
	Hon. D. D. Glover	Sixth.
	Hon. T. C. Sparks	Seventh.
California (6 districts)	Hon. C. F. Lea	First.
	Hon. H. L. Englebright	Second.
	Vacant	Third.
	Hon. H. E. Barbour	Seventh.
	Hon. A. M. Free	Eighth.
	Hon. P. D. Swing	Eleventh.
Colorado (3 districts)	Hon. C. B. Timberlake	Second.
	Hon. Guy U. Hardy	Third.
	Hon. E. T. Taylor	Fourth.
Connecticut	Hon. R. P. Freeman	Second.
Florida (3 districts)	Hon. H. J. Drane	First.
	Hon. R. A. Green	Second.
	Hon. Thomas A. Yon	Third.
Georgia (10 districts)	Hon. Eugene Cox	Second.
	Hon. Charles R. Crisp	Third.
	Hon. W. C. Wright	Fourth.
	Hon. Samuel Rutherford	Sixth.
	Hon. M. C. Tarver	Seventh.
	Hon. Charles H. Brand	Eighth.
	Hon. T. M. Bell	Ninth.
	Hon. Carl Vinson	Tenth.
	Hon. W. C. Lankford	Eleventh.
	Hon. W. W. Larsen	Twelfth.
Idaho (2 districts)	Hon. Burton French	First.
	Hon. Addison T. Smith	Second.
Illinois (15 districts)	Hon. Frank R. Reid	Eleventh.
	Hon. John T. Buckbee	Twelfth.
	Hon. W. R. Johnson	Thirteenth.
	Hon. John C. Allen	Fourteenth.
	Hon. B. M. Chiperfield	Fifteenth.
	Hon. W. E. Hull	Sixteenth.
	Hon. Homer W. Hall	Seventeenth.
	Hon. W. P. Holaday	Eighteenth.
	Hon. Charles Adkins	Nineteenth.
	Hon. H. T. Rainey	Twentieth.
	Hon. F. M. Ramey	Twenty-first.
	Hon. Ed. M. Irwin	Twenty-second.
	Hon. W. W. Arnold	Twenty-third.
	Hon C. V. Parsons	Twenty-fourth.
	Hon. E. E. Denison	Twenty-fifth.
Indiana (11 districts)	Hon. H. E. Rowbottom	First.
	Hon. A. H. Greenwood	Second.
	Hon. J. W. Dunbar	Third.
	Hon. H. C. Canfield	Fourth.
	Hon. N. J. Johnson	Fifth.
	Hon. R. N. Elliott	Sixth.
	Hon. A. H. Vestal	Eighth.
	Hon. F. S. Purnell	Ninth.
	Hon. A. R. Hall	Eleventh.
	Hon. David Hogg	Twelfth.
	Hon. A. J. Hickey	Thirteenth.
Iowa (10 districts)	Hon. W. F. Kopp	First.
	Hon. F. D. Letts	Second.
	Hon. T. J. B. Robinson	Third.
	Hon. G. N. Haugen	Fourth.
	Hon. Cyrenus Cole	Fifth.
	Hon. C. W. Ramseyer	Sixth.
	Hon. Lloyd Thurston	Eighth.
	Hon. C. E. Swanson	Ninth.
	Hon. L. J. Dickinson	Tenth.
	Hon. Ed. H. Campbell	Eleventh.

State	Name of Representative	Congressional district
Kansas (7 districts)	Hon. W. P. Lamberton	First.
	Hon. W. H. Sproul	Third.
	Hon. Homer Hoch	Fourth.
	Hon. J. G. Strong	Fifth.
	Hon. C. I. Sparks	Sixth.
	Hon. C. R. Hope	Seventh.
	Hon. W. A. Ayres	Eighth.
Kentucky (10 districts)	Hon. W. V. Gregory	First.
	Hon. John L. Dorsey	Second.
	Hon. J. W. Moore	Third.
	Hon. J. D. Craddock	Fourth.
	Hon. J. L. Newhall	Sixth.
	Hon. Robert Blackburn	Seventh.
	Hon. L. L. Walker	Eighth.
	Hon. E. R. Kendall	Ninth.
	Hon. Katherine Langley	Tenth.
	Hon. Charles Finley	Eleventh.
Louisiana (6 districts)	Hon. N. F. Montet	Third.
	Hon. John N. Sandlin	Fourth.
	Hon. R. J. Wilson	Fifth.
	Hon. B. E. Kemp	Sixth.
	Hon. R. L. DeRouen	Seventh.
Maine (2 districts)	Hon. J. B. Aswell	Eighth.
	Hon. W. H. White	Second.
Maryland (3 districts)	Hon. J. E. Nelson	Third.
	Hon. T. A. Goldsborough	First.
	Hon. S. W. Gambrill	Fifth.
Michigan (9 districts)	Hon. F. N. Zihlman	Sixth.
	Hon. J. L. Hooper	Third.
	Hon. J. C. Ketcham	Fourth.
	Hon. Carl E. Mapes	Fifth.
	Hon. Louis Cramton	Seventh.
	Hon. Bird J. Vincent	Eighth.
	Hon. J. C. McLaughlin	Ninth.
	Hon. R. O. Woodruff	Tenth.
	Hon. F. P. Bohn	Eleventh.
	Hon. W. Frank James	Twelfth.
Minnesota (7 districts)	Hon. Victor Christgau	First.
	Hon. Frank Clague	Second.
	Hon. A. H. Andresen	Third.
	Hon. H. Knutson	Sixth.
	Hon. Paul Kvale	Seventh.
	Hon. Conrad G. Selvig	Ninth.
	Hon. Godfrey G. Goodwin	Tenth.
Mississippi (8 districts)	Hon. J. E. Rankin	First.
	Hon. Wall Doxey	Second.
	Hon. W. M. Whittington	Third.
	Hon. Jeff Busby	Fourth.
	Hon. Ross A. Collins	Fifth.
	Hon. R. S. Hall	Sixth.
	Hon. P. E. Quin	Seventh.
	Hon. J. W. Collier	Eighth.
Missouri (12 districts)	Hon. Milton A. Romjue	First.
	Hon. R. F. Lozier	Second.
	Hon. J. L. Milligan	Third.
	Hon. David Hopkins	Fourth.
	Hon. T. J. Halsey	Sixth.
	Hon. J. W. Palmer	Seventh.
	Hon. W. L. Nelson	Eighth.
	Hon. Clarence Cannon	Ninth.
	Hon. C. E. Kiefner	Thirteenth.
	Hon. Dewey Short	Fourteenth.
	Hon. Joe J. Manlove	Fifteenth.
	Hon. R. L. Johnston	Sixteenth.
Montana	Hon. J. M. Evans	First.
Nebraska (5 districts)	Hon. J. H. Morehead	First.
	Hon. Edgar Howard	Third.
	Hon. C. H. Sloan	Fourth.
	Hon. F. G. Johnson	Fifth.
	Hon. R. G. Simmons	Sixth.
Nevada	Hon. S. S. Arentz	Representative at large.
New Jersey	Hon. Isaac Bacharach	Second.
New Mexico	Hon. A. G. Simms	Representative at large.
New York (8 districts)	Hon. Hamilton Fish	Twenty-sixth.
	Hon. H. J. Pratt	Twenty-seventh.
	Hon. B. H. Snell	Thirty-first.
	Hon. F. D. Culkin	Thirty-second.
	Hon. J. D. Clarke	Thirty-fourth.
	Hon. John Taber	Thirty-sixth.
	Hon. G. H. Stalker	Thirty-seventh.
	Hon. D. A. Reed	Forty-third.
North Carolina (10 districts).	Hon. L. C. Warren	First.
	Hon. J. H. Kerr	Second.
	Hon. C. L. Abernethy	Third.
	Hon. E. W. Pou	Fourth.
	Hon. Frank Hancock	Fifth.
	Hon. J. B. Clark	Sixth.
	Hon. Hinton James	Seventh.
	Hon. R. L. Doughton	Eighth.
	Hon. C. A. Jonas	Ninth.
	Hon. G. M. Pritchard	Tenth.
North Dakota (3 districts)	Hon. O. B. Burtness	First.
	Hon. Thomas Hall	Second.
	Hon. J. H. Sinclair	Third.
Ohio (13 districts)	Hon. John L. Cable	Fourth.
	Hon. Charles J. Thompson	Fifth.
	Hon. Charles C. Kearns	Sixth.
	Hon. Charles Brand	Seventh.
	Hon. G. E. Mouser	Eighth.
	Hon. T. A. Jenkins	Tenth.
	Hon. M. G. Underwood	Eleventh.
	Hon. Joe E. Baird	Thirteenth.
	Hon. Francis Seiberling	Fourteenth.
	Hon. C. Ellis Moore	Fifteenth.
	Hon. C. B. McClintock	Sixteenth.
	Hon. W. M. Morgan	Seventeenth.
	Hon. Frank Murphy	Eighteenth.
Oklahoma (8 districts)	Hon. Charles O'Connor	First.
	Hon. W. W. Hastings	Second.
	Hon. W. Cartwright	Third.
	Hon. T. D. McKeown	Fourth.
	Hon. U. S. Stone	Fifth.
Oklahoma (8 district)s	Hon. Jed Johnson	Sixth.
	Hon. James V. McClintic	Seventh.
	Hon. M. C. Garber	Eighth.
Oregon (2 districts)	Hon. W. C. Hawley	First.
	Hon. R. R. Butler	Second.
Pennsylvania (15 districts)	Hon. James Wolfenden	Eighth.
	Hon. Henry W. Watson	Ninth.
	Hon. J. R. Kinser	Tenth.
	Hon. L. T. McFadden	Fifteenth.
	Hon. Robert F. Rich	Sixteenth.
	Hon. F. W. Magrady	Seventeenth.
	Hon. E. M. Beers	Eighteenth.
	Hon. J. B. Kurtz	Twenty-first.
	Hon. Franklin Menges	Twenty-second.
	Hon. J. M. Chase	Twenty-third.
	Hon. S. A. Kendall	Twenty-fourth.
	Hon. H. W. Temple	Twenty-fifth.
	Hon. J. H. Swick	Twenty-sixth.
	Hon. N. L. Strong	Twenty-seventh.
	Hon. T. C. Cochran	Twenty-eighth.
South Carolina (6 districts)	Hon. Butler B. Hare	Second.
	Hon. F. H. Dominick	Third.
	Hon. J. J. McSwain	Fourth.
	Hon. W. F. Stevenson	Fifth.
	Hon. A. H. Gasque	Sixth.
	Hon. H. P. Fulmer	Seventh.
South Dakota (3 districts)	Hon. Charles A. Christopherson.	First.
	Hon. R. C. Johnson	Second.
	Hon. W. Williamson	Third.
Tennessee (8 districts)	Hon. Carroll Reece	First.
	Hon. J. W. Taylor	Second.
	Hon. S. D. McReynolds	Third.
	Hon. Cordell Hull	Fourth.
	Hon. E. L. Davis	Fifth.
	Hon. R. E. Eslick	Seventh.
	Hon. Gordon Browning	Eighth.
	Hon. Jere Cooper	Ninth.
Texas (15 districts)	Hon. Wright Patman	First.
	Hon. John C. Box	Second.
	Hon. M. G. Sanders	Third.
	Hon. Sam Rayburn	Fourth.
	Hon. L. A. Johnson	Sixth.
	Hon. C. S. Briggs	Seventh.
	Hon. J. J. Mansfield	Ninth.
	Hon. J. P. Buchanan	Tenth.
	Hon. O. H. Cross	Eleventh.
	Hon. Guinn Williams	Thirteenth.
	Hon. Harry M. Wurzbach	Fourteenth.
	Hon. J. H. Garner	Fifteenth.
	Hon. C. B. Hudspeth	Sixteenth.
	Hon. T. L. Blanton	Seventeenth.
	Hon. Marvin Jones	Eighteenth.
Utah	Hon. Don B. Colton	First.
Vermont (2 districts)	Hon. E. S. Brigham	First.
	Hon. E. W. Gibson	Second.
Virginia (8 districts)	Hon. S. O. Bland	First.
	Hon. P. H. Drewry	Fourth.
	Hon. Joseph Whitehead	Fifth.
	Hon. C. A. Woodrum	Sixth.
	Hon. J. A. Garber	Seventh.
	Hon. R. W. Moore	Eighth.
	Hon. J. C. Shaffer	Ninth.
	Hon. Henry St. George Tucker.	Tenth.
Washington (2 districts)	Hon. L. H. Hadley	Second.
	Hon. J. W. Summers	Fourth.
West Virginia (6 districts)	Hon. C. G. Bachmann	First.
	Hon. F. L. Bowman	Second.
	Hon. J. M. Wolverton	Third.
	Hon. R. L. Hogg	Fourth.
	Hon. H. I. Shott	Fifth.
	Hon. Joe L. Smith	Sixth.
Wisconsin (9 districts)	Hon. H. A. Cooper	First.
	Hon. C. A. Kading	Second.
	Hon. J. M. Nelson	Third.
	Hon. M. K. Reilly	Sixth.
	Hon. Merlin Hull	Seventh.
	Hon. E. E. Browne	Eighth.
	Hon. George Schneider	Ninth.
	Hon. James Frear	Tenth.
	Hon. H. H. Peavey	Eleventh.
Wyoming	Hon. Vincent Carter	Representative at large.

MEMBERS OF THE SEVENTY-FIRST CONGRESS WHO REPRESENT URBAN CENTERS OF POPULATION

The number of States in which urban centers of population are cited below is 35. The congressional districts in which urban population is represented number 160.

State	Name of Representative	Congressional district
Alabama	Hon. George Huddleston	Ninth.
California (5 districts)	Hon. Florence Kahn	Fourth.
	Hon. Richard J. Welch	Fifth.
	Hon. Albert E. Carter	Sixth.
	Hon. William E. Evans	Ninth.
	Hon. Joe Crail	Tenth.
Colorado	Hon. William R. Eaton	First.
Connecticut (4 districts)	Hon. E. Hart Fenn	First.
	Hon. J. Q. Tilson	Third.
	Hon. Schuyler Merritt	Fourth.
	Hon. E. W. Goss	Fifth.
Delaware	Hon. R. G. Houston	Representative at large.
Florida	Hon. Ruth Bryan Owen	Fourth.
Georgia (2 districts)	Hon. Charles G. Edwards	First.
	Hon. Robert Ramspeck	Fifth.

State	Name of Representative	Congressional district
Illinois (10 districts)	Hon. Oscar De Priest	First.
	Hon. Morton D. Hull	Second.
	Hon. E. W. Sproul	Third.
	Hon. Thomas A. Doyle	Fourth.
	Hon. A. J. Sabath	Fifth.
	Hon. James T. Igoe	Sixth.
	Hon. M. A. Michaelson	Seventh.
	Hon. S. H. Kunz	Eighth.
	Hon. Fred A. Britten	Ninth.
	Hon. C. R. Chindblom	Tenth.
Indiana (2 districts)	Hon. Louis Ludlow	Seventh.
	Hon. W. R. Wood	Tenth.
Iowa	Hon. C. C. Dowell	Seventh.
Kansas	Hon. U. S. Guyer	Second.
Kentucky	Hon. M. H. Thatcher	Fifth.
Louisiana (2 districts)	Hon. James O'Connor	First.
	Hon. J. Z. Spearing	Second.
Maine	Hon. C. L. Beedy	First.
Maryland (4 districts)	Hon. L. L. Clark	Second.
	Hon. V. L. Palmisano	Third.
	Hon. J. C. Linthicum	Fourth.
	Hon. S. W. Gambrill	Fifth.
Massachusetts (16 districts)	Hon. A. T. Treadway	First.
	Hon. W. K. Kaynor	Second.
	Hon. F. H. Foss	Third.
	Hon. C. R. Stobbs	Fourth.
	Hon. Edith N. Rogers	Fifth.
	Hon. A. P. Andrew	Sixth.
	Hon. W. P. Connery	Seventh.
	Hon. F. W. Dallinger	Eighth.
	Hon. C. L. Underhill	Ninth.
	Hon. John J. Douglass	Tenth.
	Hon. G. H. Tinkham	Eleventh.
	Hon. J. W. McCormack	Twelfth.
	Hon. Robert Luce	Thirteenth.
	Hon. R. B. Wigglesworth	Fourteenth.
	Hon. J. W. Martin	Fifteenth.
	Hon. C. L. Gifford	Sixteenth.
Michigan (4 districts)	Hon. R. H. Clancy	First.
	Hon. E. C. Michener	Second.
	Hon. Grant M. Hudson	Sixth.
	Hon. C. J. McLeod	Thirteenth.
Minnesota (3 districts)	Hon. M. J. Maas	Fourth.
	Hon. W. I. Nolan	Fifth.
	Hon. W. A. Pittenger	Eighth.
Missouri (4 districts)	Hon. Edgar C. Ellis	Fifth.
	Hon. Henry F. Niedringhaus.	Tenth.
	Hon. John J. Cochran	Eleventh.
	Hon. L. C. Dyer	Twelfth.
Montana	Hon. John M. Evans	First.
Nebraska	Hon. W. G. Sears	Second.
New Hampshire (2 districts).	Hon. Fletcher Hale	First.
	Hon. E. H. Wason	Second.
New Jersey (11 districts)	Hon. C. A. Wolverton	First.
	Hon. H. G. Hoffman	Third.
	Hon. C. A. Eaton	Fourth.
	Hon. E. R. Ackerman	Fifth.
	Hon. Randolph Perkins	Sixth.
	Hon. George N. Seger	Seventh.
	Hon. F. A. Hartley	Eighth.
	Hon. F. W. Fort	Ninth.
	Hon. F. R. Lehlbach	Tenth.
	Hon. O. L. Auf der Heide	Eleventh.
	Hon. Mary T. Norton	Twelfth.
New York (35 districts)	Hon. R. L. Bacon	First.
	Hon. W. F. Brunner	Second.
	Hon. G. W. Lindsay	Third.
	Hon. Thomas H. Cullen	Fourth.
	Hon. Loring M. Black	Fifth.
	Hon. A. L. Somers	Sixth.
	Vacant	Seventh.
	Hon. P. J. Carley	Eighth.
	Vacant	Ninth.
	Hon. Emanuel Celler	Tenth.
	Hon. A. S. Prall	Eleventh.
	Hon. Samuel Dickstein	Twelfth.
	Hon. C. D. Sullivan	Thirteenth.
	Hon. W. I. Sirovich	Fourteenth.
	Hon. J. J. Boylan	Fifteenth.
	Hon. J. J. O'Connor	Sixteenth.
	Hon. Ruth Pratt	Seventeenth.
	Hon. M. J. Kennedy	Eighteenth.
	Hon. Sol Bloom	Nineteenth.
	Hon. F. H. LaGuardia	Twentieth.
	Hon. J. A. Gavagan	Twenty-first.
	Hon. A. J. Griffin	Twenty-second.
	Hon. Frank Oliver	Twenty-third.
	Hon. J. M. Fitzpatrick	Twenty-fourth.
	Hon. J. M. Wainwright	Twenty-fifth.
	Hon. Parker Corning	Twenty-eighth.
	Hon. J. S. Parker	Twenty-ninth.
	Hon. Frank Crowther	Thirtieth.
	Hon. Frederick Davenport	Thirty-third.
	Hon. Clarence Hancock	Thirty-fifth.
	Hon. James L. Whitley	Thirty-eighth.
	Hon. Archie D. Sanders	Thirty-ninth.
	Hon. Stephen W. Dempsey	Fortieth.
	Hon. Edmund Cooke	Forty-first.
	Hon. J. M. Mead	Forty-second.
Ohio	Hon. Nicholas Longworth	First.
	Hon. W. E. Hess	Second.
	Hon. R. G. Fitzgerald	Third.
	Hon. W. W. Chalmers	Ninth.
	Hon. J. C. Speaks	Twelfth.
	Hon. John G. Cooper	Nineteenth.
	Hon. C. A. Mooney	Twentieth.
	Hon. Robert Crosser	Twenty-first.
	Hon. Chester C. Bolton	Twenty-second (9 districts).
Oregon	Hon. F. F. Korell	Third.
Pennsylvania (21 districts)	Hon. J. M. Beck	First.
	Hon. G. S. Graham	Second.
	Hon. H. C. Ransley	Third.
	Hon. B. M. Golder	Fourth.
	Hon. J. J. Connolly	Fifth.
	Hon. G. A. Welsh	Sixth.
	Hon. C. P. Darrow	Seventh.
	Hon. L. H. Watres	Eleventh.
	Hon. C. M. Turpin	Twelfth.
	Hon. G. F. Brumm	Thirteenth.
	Hon. C. J. Esterly	Fourteenth.
	Hon. I. H. Doutrich	Nineteenth.
	Hon. J. Russell Leech	Twentieth.
	Hon. M. W. Shreve	Twenty-ninth.
	Hon. W. R. Coyle	Thirtieth.
	Hon. A. M. Wyant	Thirty-first.
	Hon. Edmund F. Erk	Thirty-second.
	Hon. Clyde Kelly	Thirty-third.
	Hon. P. J. Sullivan	Thirty-fourth.
	Hon. H. A. Estep	Thirty-fifth.
	Hon. Guy Edgar Campbell	Thirty-sixth.
Rhode Island (3 districts)	Hon. Clark Burdick	First.
	Hon. R. S. Aldrich	Second.
	Hon. F. B. Condon	Third.
South Carolina	Hon. Thomas S. McMillan	First.
Tennessee (2 districts)	Hon. J. W. Byrns	Sixth.
	Hon. H. F. Fisher	Tenth.
Texas (3 districts)	Hon. Hatton W. Sumners	Fifth.
	Hon. Daniel E. Garrett	Eighth.
	Hon. F. C. Lanham	Twelfth.
Utah	Hon. Frederick C. Loofbourow.	Second.
Virginia (2 districts)	Hon. M. Lankford	Do.
	Hon. A. J. Montague	Third.
Washington (3 districts)	Hon. J. F. Miller	First.
	Hon. Albert Johnson	Third.
	Hon. S. B. Hill	Fifth.
Wisconsin (2 districts)	Hon. J. C. Schafer	Fourth.
	Hon. W. H. Stafford	Fifth.

Representatives from five States in the Union, i. e., Arizona, Delaware, Nevada, New Mexico, and Wyoming, are elected each by the State at large.

Population, by congressional districts, 1930 and 1920

[Districts as established for the Seventy-first Congress]

ALABAMA

Congressional district	Population 1930	Population 1920
Total	2,646,248	2,348,174
First	247,753	226,507
Second	332,679	302,002
Third	270,471	258,646
Fourth	220,978	206,751
Fifth	231,545	231,453
Sixth	184,257	170,188
Seventh	257,105	217,187
Eighth	282,241	254,520
Ninth	431,493	310,054
Tenth	187,726	170,857

ARKANSAS

Total	1,854,482	1,752,204
First	385,965	350,202
Second	218,596	220,544
Third	170,576	180,348
Fourth	230,259	258,085
Fifth	278,663	262,892
Sixth	289,250	273,550
Seventh	281,173	245,623

CALIFORNIA

Total	5,677,251	3,426,861
First	263,748	220,785
Second	157,680	129,357
Third	410,922	303,208
Fourth	289,354	235,456
Fifth	345,040	271,229
Sixth	474,883	344,177
Seventh	440,329	345,023
Eighth	474,728	292,415
Ninth	1,169,495	517,811
Tenth	1,038,997	418,644
Eleventh	612,075	348,765

COLORADO

Total	1,035,791	939,629
First	287,861	256,491
Second	302,949	289,436
Third	303,442	281,170
Fourth	141,542	140,532

Population, by congressional districts, 1930 and 1920—Contd.

CONNECTICUT

Congressional district	Population 1930	Population 1920
Total	1,606,903	1,380,631
First	421,097	330,027
Second	253,099	232,192
Third	304,736	267,050
Fourth	395,702	320,936
Fifth	241,269	224,426

FLORIDA

Total	1,468,211	968,470
First	433,169	248,034
Second	205,778	187,474
Third	240,978	217,670
Fourth	588,286	315,292

GEORGIA

Total	2,908,506	2,895,832
First	260,291	259,359
Second	242,276	245,545
Third	189,719	205,343
Fourth	230,708	221,183
Fifth	415,476	408,354
Sixth	221,050	243,174
Seventh	262,219	236,027
Eighth	198,927	262,446
Ninth	235,226	226,377
Tenth	272,934	221,792
Eleventh	248,290	258,015
Twelfth	211,390	228,202

IDAHO

Total	445,032	431,866
First	189,576	178,324
Second	255,455	253,542

ILLINOIS

Total	7,630,654	6,485,280
First	142,916	167,220
Second	577,908	491,585
Third	540,666	359,018
Fourth	237,139	240,970
Fifth	140,481	158,092
Sixth	632,834	458,175
Seventh	889,349	560,434
Eighth	138,216	183,031
Ninth	209,650	190,307
Tenth	577,261	408,470
Eleventh	363,136	267,694
Twelfth	292,023	356,169
Thirteenth	178,198	170,013
Fourteenth	199,104	197,952
Fifteenth	213,630	215,525
Sixteenth	253,713	224,030
Seventeenth	175,353	174,545
Eighteenth	225,604	225,735
Nineteenth	274,137	256,252
Twentieth	158,262	169,292
Twenty-first	233,252	237,397
Twenty-second	344,666	290,334
Twenty-third	213,567	222,960
Twenty-fourth	161,158	179,836
Twenty-fifth	258,341	266,344

INDIANA

Total	3,238,503	2,930,390
First	211,679	197,774
Second	206,111	210,005
Third	206,692	195,777
Fourth	175,072	179,737
Fifth	205,312	216,330
Sixth	195,237	183,220
Seventh	425,696	348,061
Eighth	224,231	216,342
Ninth	194,967	199,279
Tenth	391,779	256,387
Eleventh	193,671	203,725
Twelfth	237,155	205,402
Thirteenth	367,621	267,751

Population, by congressional districts, 1930 and 1920—Contd.

IOWA

Congressional district	Population 1930	Population 1920
Total	2,470,939	2,404,021
First	157,331	156,594
Second	217,183	211,358
Third	262,240	246,970
Fourth	202,610	201,881
Fifth	211,000	203,162
Sixth	163,255	168,990
Seventh	287,229	293,358
Eighth	175,157	184,477
Ninth	207,435	198,369
Tenth	278,701	273,407
Eleventh	308,798	295,449

KANSAS

Total	1,880,999	1,769,257
First	233,681	214,091
Second	307,466	279,793
Third	265,319	280,045
Fourth	154,434	152,378
Fifth	186,749	184,344
Sixth	203,394	197,604
Seventh	183,054	253,124
Eighth	246,902	207,878

KENTUCKY

Total	2,614,589	2,416,630
First	203,906	211,298
Second	196,612	196,007
Third	192,683	192,971
Fourth	190,098	207,721
Fifth	355,350	296,389
Sixth	215,212	186,068
Seventh	213,972	205,328
Eighth	165,981	168,067
Ninth	282,308	272,725
Tenth	263,288	199,710
Eleventh	335,179	289,706

LOUISIANA

Total	2,101,593	1,798,509
First	253,548	220,478
Second	302,893	245,176
Third	230,092	212,152
Fourth	285,684	223,777
Fifth	287,585	221,715
Sixth	294,138	255,372
Seventh	222,495	204,909
Eighth	225,158	214,930

MAINE

Total	797,423	768,014
First	207,579	195,072
Second	192,755	188,563
Third	198,635	194,413
Fourth	198,453	189,966

MARYLAND

Total	1,631,526	1,449,661
First	193,658	194,563
Second	461,419	311,413
Third	203,929	229,444
Fourth	250,467	251,748
Fifth	244,519	225,716
Sixth	268,534	236,772

MASSACHUSETTS

Total	4,249,614	3,852,356
First	250,921	244,959
Second	292,066	250,641
Third	243,190	232,696
Fourth	263,531	239,218
Fifth	256,241	240,535
Sixth	230,996	224,324
Seventh	237,951	235,661
Eighth	330,739	259,954
Ninth	289,164	249,779
Tenth	226,180	236,224
Eleventh	236,686	229,067
Twelfth	253,057	234,107
Thirteenth	334,489	256,676
Fourteenth	322,585	256,687
Fifteenth	224,448	217,307
Sixteenth	257,070	244,521

Population, by congressional districts, 1930 and 1920—Contd.

MINNESOTA

Congressional district	Population	
	1930	1920
Total	2,563,053	2,387,125
First	225,396	214,360
Second	272,408	225,702
Third	223,615	212,010
Fourth	286,721	244,558
Fifth	344,637	275,645
Sixth	240,212	234,785
Seventh	216,356	215,406
Eighth	276,633	273,270
Ninth	228,885	235,112
Tenth	286,850	256,191

MICHIGAN

Total	4,842,325	3,668,412
First	468,034	473,960
Second	376,724	262,905
Third	261,506	225,678
Fourth	225,111	199,504
Fifth	295,369	230,701
Sixth	1,398,901	533,748
Seventh	264,874	219,237
Eighth	277,224	256,762
Ninth	214,318	203,245
Tenth	186,738	198,679
Eleventh	204,710	216,310
Twelfth	204,608	218,916
Thirteenth	464,308	428,767

MISSISSIPPI

Total	2,009,821	1,790,618
First	223,674	200,158
Second	201,911	198,475
Third	420,909	349,692
Fourth	198,708	192,927
Fifth	244,904	220,661
Sixth	305,354	267,453
Seventh	199,987	195,087
Eighth	214,314	177,185

MISSOURI

Total	3,629,367	3,404,055
First	147,294	161,085
Second	152,726	165,266
Third	144,831	151,894
Fourth	178,433	176,591
Fifth	470,454	367,846
Sixth	124,563	138,931
Seventh	226,881	217,713
Eighth	142,838	138,807
Ninth	172,772	177,668
Tenth	715,713	521,567
Eleventh	201,345	210,393
Twelfth	116,495	141,664
Thirteenth	159,517	160,622
Fourteenth	328,586	312,540
Fifteenth	200,873	206,149
Sixteenth	145,916	155,249

MONTANA

Total	[1] 537,606	548,889
First	211,918	215,413
Second	325,638	333,476

[1] Includes population (32) of Yellowstone National Park (part) not included in any county.

NEBRASKA

Total	1,377,963	1,296,372
First	186,671	173,458
Second	265,479	226,074
Third	267,140	244,367
Fourth	179,667	182,181
Fifth	191,408	182,502
Sixth	305,598	288,090

NEW HAMPSHIRE

Total	465,293	443,083
First	226,493	224,812
Second	238,800	218,941

Population, by congressional districts, 1930 and 1920—Contd.

NEW JERSEY

Congressional district	Population	
	1930	1920
Total	4,041,334	3,155,900
First	350,948	275,304
Second	317,745	246,492
Third	392,486	289,414
Fourth	287,003	240,757
Fifth	415,654	283,851
Sixth	450,727	288,362
Seventh	293,328	251,277
Eighth	386,411	280,610
Ninth	269,419	289,157
Tenth	385,554	272,771
Eleventh	238,644	228,615
Twelfth	244,215	239,980

NEW YORK

Total	12,588,066	10,385,227
First	637,029	278,172
Second	776,425	357,378
Third	187,953	240,200
Fourth	211,826	247,873
Fifth	246,215	231,907
Sixth	452,275	258,770
Seventh	205,043	266,592
Eighth	799,407	298,998
Ninth	370,457	291,854
Tenth	217,015	252,092
Eleventh	218,545	208,243
Twelfth	90,671	151,935
Thirteenth	111,686	192,720
Fourteenth	119,794	172,790
Fifteenth	121,675	191,645
Sixteenth	142,496	200,072
Seventeenth	207,648	217,882
Eighteenth	144,945	205,677
Nineteenth	239,334	258,139
Twentieth	150,523	195,814
Twenty-first	381,212	317,803
Twenty-second	210,138	234,926
Twenty-third	688,454	391,620
Twenty-fourth	672,121	353,184
Twenty-fifth	352,210	232,515
Twenty-sixth	249,589	222,393
Twenty-seventh	202,519	194,171
Twenty-eighth	252,280	228,556
Twenty-ninth	223,424	207,369
Thirtieth	235,586	216,188
Thirty-first	217,300	207,431
Thirty-second	216,456	216,534
Thirty-third	262,769	247,795
Thirty-fourth	269,569	237,353
Thirty-fifth	323,315	271,080
Thirty-sixth	210,853	208,976
Thirty-seventh	237,230	219,694
Thirty-eighth	327,072	273,668
Thirty-ninth	236,396	212,105
Fortieth	405,109	287,050
Forty-first	298,163	233,401
Forty-second	248,465	226,942
Forty-third	256,880	223,515

NORTH CAROLINA

Total	3,170,276	2,559,123
First	224,768	206,137
Second	276,795	233,111
Third	226,465	202,760
Fourth	286,087	238,494
Fifth	557,296	408,139
Sixth	268,579	223,432
Seventh	352,873	295,317
Eighth	262,213	217,254
Ninth	414,808	297,996
Tenth	300,392	236,483

NORTH DAKOTA

Total	680,845	646,872
First	225,758	215,969
Second	228,974	220,709
Third	226,113	210,203

OHIO

Total	6,646,697	5,759,394
First	286,533	246,594
Second	272,823	247,084
Third	410,020	319,795
Fourth	235,783	241,884
Fifth	159,579	170,689
Sixth	190,528	177,925
Seventh	286,374	277,974

Population, by congressional districts, 1930 and 1920—Contd.

OHIO—continued

Congressional district	Population 1930	Population 1920
Eighth	182,329	180,670
Ninth	271,818	297,914
Tenth	171,054	178,887
Eleventh	168,281	167,217
Twelfth	361,055	283,951
Thirteenth	213,825	197,390
Fourteenth	525,096	439,013
Fifteenth	198,201	199,445
Sixteenth	353,727	299,107
Seventeenth	237,061	221,419
Eighteenth	304,411	289,471
Nineteenth	427,566	335,775
Twentieth	301,964	314,174
Twenty-first	322,901	302,243
Twenty-second	633,678	370,781

OKLAHOMA

Total	2,396,040	2,028,283
First	404,981	316,156
Second	238,281	244,315
Third	287,397	325,680
Fourth	360,468	286,298
Fifth	376,738	258,312
Sixth	263,164	207,648
Seventh	240,944	189,472
Eighth	224,067	200,402

OREGON

Total	953,786	783,389
First	432,572	346,989
Second	182,973	160,502
Third	338,241	275,898

PENNSYLVANIA

Total	9,631,350	8,720,017
First	318,680	328,336
Second	151,312	183,510
Third	171,698	214,869
Fourth	236,084	238,859
Fifth	325,715	257,361
Sixth	411,558	359,601
Seventh	335,914	241,243
Eighth	406,893	288,204
Ninth	362,331	281,786
Tenth	196,882	173,797
Eleventh	310,397	286,311
Twelfth	444,409	390,991
Thirteenth	235,505	217,754
Fourteenth	404,610	348,955
Fifteenth	134,265	136,283
Sixteenth	175,100	174,862
Seventeenth	199,323	194,628
Eighteenth	225,970	213,497
Nineteenth	300,570	274,846
Twentieth	203,146	197,839
Twenty-first	177,149	166,611
Twenty-second	204,263	179,104
Twenty-third	193,495	202,771
Twenty-fourth	279,306	270,216
Twenty-fifth	246,569	219,796
Twenty-sixth	326,800	274,438
Twenty-seventh	241,338	254,752
Twenty-eighth	242,536	235,454
Twenty-ninth	238,257	214,203
Thirtieth	260,970	240,366
Thirty-first	295,795	273,508
Thirty-second	265,235	238,080
Thirty-third	312,312	257,324
Thirty-fourth	213,060	215,794
Thirty-fifth	272,227	236,161
Thirty-sixth	311,476	238,449

RHODE ISLAND

Total	687,497	604,397
First	214,924	201,010
Second	228,383	193,186
Third	244,190	210,201

SOUTH CAROLINA

Total	1,738,765	1,683,724
First	198,099	215,242
Second	187,848	203,418
Third	253,579	249,721
Fourth	306,346	255,626
Fifth	235,093	228,649
Sixth	283,070	264,043
Seventh	274,730	266,956

Population, by congressional districts, 1930 and 1920—Contd.

TENNESSEE

Congressional district	Population 1930	Population 1920
Total	2,616,556	2,337,885
First	299,216	260,166
Second	338,703	286,947
Third	354,081	296,396
Fourth	208,094	208,828
Fifth	138,345	145,403
Sixth	304,230	250,404
Seventh	185,890	194,954
Eighth	240,422	235,103
Ninth	241,093	236,468
Tenth	306,482	223,216

SOUTH DAKOTA

Total	692,849	636,547
First	260,672	247,111
Second	264,097	251,405
Third	168,080	138,031

TEXAS

Total	5,824,715	4,663,228
First	255,452	271,472
Second	430,881	349,859
Third	251,668	245,791
Fourth	209,316	250,409
Fifth	387,385	274,842
Sixth	284,744	268,757
Seventh	228,658	211,032
Eighth	421,702	242,991
Ninth	287,775	243,455
Tenth	269,615	244,646
Eleventh	236,755	218,859
Twelfth	280,228	254,175
Thirteenth	260,364	250,584
Fourteenth	476,731	332,213
Fifteenth	370,877	222,082
Sixteenth	363,809	230,577
Seventeenth	327,317	314,314
Eighteenth	511,378	257,170

UTAH

Total	507,847	449,396
First	241,290	229,907
Second	266,557	219,489

VERMONT

Total	359,611	352,482
First	180,307	175,832
Second	179,314	176,596

VIRGINIA

Total	2,421,851	2,309,187
First	239,535	230,512
Second	302,715	312,458
Third	288,939	262,297
Fourth	212,952	209,791
Fifth	251,090	241,416
Sixth	234,662	197,029
Seventh	176,952	167,868
Eight	183,934	169,716
Ninth	325,024	296,230
Tenth	205,848	202,150

WASHINGTON

Total	1,563,396	1,356,621
First	306,359	348,474
Second	308,326	282,643
Third	309,214	318,313
Fourth	209,433	200,256
Fifth	250,064	206,933

WEST VIRGINIA

Total	1,729,205	1,463,701
First	273,185	229,457
Second	248,230	231,685
Third	225,634	219,987
Fourth	256,988	225,198
Fifth	293,826	237,296
Sixth	431,342	320,078

Population, by congressional districts, 1930 and 1920—Contd.

WISCONSIN

Congressional district	Population	
	1930	1920
Total	2,939,006	2,632,067
First	311,116	268,334
Second	234,560	217,193
Third	248,070	228,145
Fourth	345,426	262,946
Fifth	379,837	276,503
Sixth	235,328	214,206
Seventh	219,661	216,183
Eighth	223,777	218,438
Ninth	263,604	248,554
Tenth	232,955	228,875
Eleventh	244,672	252,690

Mr. BARBOUR. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TILSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 15593, the Army appropriation bill, had come to no resolution thereon.

U. S. CRUISER "LOUISVILLE"

Mr. THATCHER. Mr. Speaker, I ask unanimous consent that permission be granted me to extend in the RECORD my own remarks concerning the christening and launching of the U. S. cruiser *Louisville* at the Bremerton Navy Yard, on September 1, 1930, and to include as a part of my remarks the address delivered by me on that occasion.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. THATCHER. Mr. Speaker and Members of the House, on Labor Day, September 1, 1930, at the United States navy yard at Bremerton, in the State of Washington, there was formally launched and christened the new U. S. cruiser *Louisville*. This splendid new fighting unit of our Navy is of 10,000 tons displacement and has a speed capacity of more than 32 knots per hour. This is one of a number of cruisers which have been recently constructed and put into commission. The *Louisville* has herself recently been placed in commission. Capt. Edward J. Marquart, United States Navy, is in command. The vessel carries nine 8-inch guns and will be a flagship. Its engines are capable of developing more than 100,000 horsepower, and it is known as *Cruiser No. 28*. It has a length of 585½ feet and a beam of 65 feet.

It was my privilege to lead the effort which resulted in securing, in honor of my home city, the name for this cruiser. The mayor of the city of Louisville designated as sponsor for the christening Miss Jane Brown Kennedy, of the city of Louisville, with Misses Ruth Crockett Cole and Henrietta Henderson, also of Louisville, as maids of honor. In like manner I was designated as official representative and Mrs. Thatcher as official hostess, in behalf of the city of Louisville, to participate in the christening-launching ceremonies. The official party, thus made up, journeyed to Bremerton and there performed their respective and very pleasing tasks.

The commandant of the Bremerton yard was Admiral Henry J. Ziegemeier, and under his efficient supervision the cruiser *Louisville* was constructed. A splendid staff of naval officers designed and gave supervisory attention to the work of construction. A most loyal and capable organization of workers carried on the skilled and unskilled labors involved. The sum of these efforts is a fighting machine of unexcelled beauty and efficiency.

In this connection, I deem it appropriate to refer to the death of Admiral Ziegemeier, which occurred shortly after the christening-launching ceremonies. His administration of the affairs of the Bremerton yard was of the highest order. He was a man of rare charm and tact, and beloved by all. His passing constitutes a great and irreparable loss, not only to the Navy, but, as well, to the Nation.

Recently, Mrs. Thatcher and I had the very great pleasure to make the voyage from New York to Venezuela and return on the U. S. cruiser *Northampton*, a sister ship of the *Louisville*. The *Northampton* is one of the new cruisers, and has been in commission only a short time. The trip to Caracas was made in connection with the presentation of a statue of Henry Clay to the Republic of Venezuela, such presentation being made in accordance with an act of Congress. I had the honor to serve as a member of the commission appointed by President Hoover to make the indicated presentation, which took place at Caracas on the 9th of December last. It was doubly pleasing to make this trip on the *Northampton* because, in all its essential features, it is a duplicate of the *Louisville*.

Under leave granted, I herewith include as a part of these remarks the address delivered by me at Bremerton on the occasion referred to:

Admiral Ziegemeier, distinguished guests, fellow Americans, to me, as the official representative of the city of Louisville on this occasion, there has been accorded the high honor and courtesy of making this address.

At the outset, permit me to express the deep disappointment which all must feel because there is not here to-day to participate in these exercises the distinguished and capable young mayor of Louisville. We know, however, that he and his gracious wife, though not here in person, are nevertheless present in spirit, as are also the vast body of Louisvilleians, men, women, and children; especially the boys and girls of the schools of the city, who throughout have shown the deepest interest in and the most earnest appreciation of the very great compliment which is being paid to their city.

Next I wish to convey to Admiral Ziegemeier, the distinguished and able commandant of the Bremerton Navy Yard, and to his efficient staff the assurance of the deepest appreciation and gratitude of these lovely, typical Louisville girls, our dear little sponsor and her maids of honor, and their parents, and of Mrs. Thatcher and myself, for the very great courtesies which they have extended to us since our arrival at Seattle.

I desire, also, to indicate the like sentiments of gratefulness to the mayor of Seattle and his staff; to the Seattle Chamber of Commerce; the Seattle and Bremerton press; the officials of Bremerton; to my greatly esteemed and able colleague, John F. Miller, and the members of his family; to John Matthews, a former Kentuckian; and especially to our friend and former townsman, A. Scott Bullitt, of Seattle; for the many and ever-to-be cherished courtesies they have extended us since we came into your midst.

What you have done for us, Admiral Ziegemeier, Mr. Bullitt, and the rest of you in Seattle and Bremerton, you have also done for the city of Louisville. Your kindness can never be forgotten; and we trust that life may be long enough and opportunity great enough to permit those of our party, joined by friends at home, to repay, in a measurable degree at least, in our own city, some of these kindnesses you have shown us which have placed us and our city under a never-ending debt of obligation.

In addition, I must not fail to express, on this occasion, the most earnest gratitude of the city of Louisville, and of her citizens, to the former Secretary of the Navy, Hon. Curtis D. Wilbur, and his official advisors, for the fact that this splendid vessel of our Nation's fighting line—now to be formally christened and launched—will bear our city's name.

Touching these ceremonies, the uninitiated or uninformed may ask, "Wherefore Louisville? What reasons prompted the naval authorities to make bestowal of this name?"

Briefly, let me point out some of these reasons. They were presented to Secretary Wilbur and his associates, and I am sure that they influenced the decision involved.

It has been stated by eminent historians that most of the great cities of the world have had noteworthy beginnings, have had backgrounds of heroic deeds and high romance. Tried by this test, Kentucky's metropolis, for which I have the honor to speak to-day, was predestined to achieve the fame and worth which are hers.

The Ohio River—meaning in the Indian tongue "beautiful river"—flowing 1,000 miles from its formation by the Monongahela and Allegheny Rivers at Pittsburgh to its joinder with the Mississippi at Cairo, is a beautiful, lordly stream and constitutes one of the world's most valuable inland waterways. To-day, I may add, it traverses the most important industrial valley on the entire earth. At the present site of Louisville nature placed the great falls of the Ohio; and these falls, nearly 3 miles in length, a mile wide, with a 30-foot drop, constituted a bar to the uninterrupted navigation of the stream until about 100 years ago, when a lock canal on the Kentucky side was constructed. This canal permits the transiting of vessels around the falls. The vast obstruction occasioned by these rapids, several hundred miles from either the source or mouth, presented both to the savage and to the pioneer whites a problem of navigation—however rude that navigation might have been—well-nigh insuperable. Early settlements in nearly all lands have been upon streams and harbors wherever

conditions permitted. In the fullness of time, when the "pale faces" came upon the scene in sufficient strength to dominate it, the adjacent southern shore of the falls was selected by them as a vantage point for settlement and defense.

Without any desire to oppress you with dates and data, permit me to suggest a brief historical outline. It appears that La Salle, the great French explorer, was the first white man ever to visit the falls of the Ohio River. This was in the autumn of 1669. With a party, made up in eastern Canada, he attempted to follow the Ohio River from its source to the sea. He descended the stream to the falls. He was deserted by his men, and he thereupon made his way back to Canada alone, through incredible hardships. Indomitable and undaunted, however, he later explored the Great Lake region, and in 1682 followed the Mississippi from its source to the Gulf. This action laid the ground for the French claim of the Louisiana Territory, of which this great Pacific Northwest was a part.

So far as authentic records are concerned, no other white man visited the region of the Ohio River Falls for nearly 100 years after their discovery by La Salle. In 1766 it is known that white men from the Pittsburgh section visited the falls. Then others came from our eastern settlements. In 1773 Capt. Thomas Bullitt, an ancestor of A. Scott Bullitt, surveyed and laid out a town site on the Kentucky shore of the falls. This he did for claimants of lands there; but no actual settlement appears to have followed. Then the war of the American Revolution broke, and the foundations of the city of Louisville were laid in the most dramatic way. During the course of that great struggle, George Rogers Clark, a young Virginian, only 26 years of age, who had emigrated to Kentucky, conceived the idea of saving the Kentucky settlements and aiding the American cause by wresting from the British and their Indian allies the vast region known as the Northwest Territory lying immediately north and northwest of the Kentucky section.

Accordingly, in May, 1776, we find Clark, followed by 150 raw recruits from Virginia, ready to embark on the headwaters of the Ohio River and to float down stream to the Ohio River Falls, there to locate his headquarters and rendezvous for his mighty enterprise. Eleven families, made up of 50 men, women, and children, against his protest, joined him at the point of embarkation; and in the crude boats he had provided they made with him and his troops the downward voyage. Imbued with the pioneer spirit which led to the settlement of America they sought to make their homes in the Kentucky wilderness which had become a part of Virginia.

Clark reached the falls in May, 1778, and he selected Corn Island, at the head of the falls, as the place for his permanent camp. There he built of logs a rude fort and cabins. Thereupon the undesired colonists and settlers justified their presence by the work they performed and by giving protection to his remaining stores, while with his untrained soldiers from Virginia, aided by a handful of hardy frontiersmen from the Kentucky settlements, he entered upon his immortal Northwest campaign. In July, 1778, his efforts resulted in the capture of Kaskaskia, Cahokia, and Vincennes. He thus relieved the pressure on the Kentucky settlers, and ultimately brought into the American Union the great States of Ohio, Indiana, Illinois, Michigan, and Wisconsin and eastern Minnesota. Kentucky constituted the wedge of civilization, driven from the East into the western wilds. Clark's efforts also saved to the Nation the present-day States of Kentucky, Tennessee, Alabama, Mississippi, and eastern Georgia. Thus our boundaries were extended to the Louisiana Territory, and thereby there was rendered much the easier than would otherwise have been the case the acquisition of that vast domain.

General Clark has been called the "Washington of the West." Tested by their skill, daring, and far-reaching results, his military achievements have never been excelled in the world's history. He made his home in the vicinage of the Ohio River Falls from 1778 until his death, and to-day his sacred dust sleeps in beautiful Cave Hill Cemetery, in the city of Louisville, Ky. At Vincennes, Ind., there is now being erected by State and Nation a memorial in his honor at a cost of nearly $2,000,000.

Because of General Clark's brilliant victories these Corn Island settlers in the fall of 1778 felt secure and determined to remove to the adjacent Kentucky mainland. This they did, with the consent and aid of General Clark. Accordingly, on the south shore, opposite Corn Island, General Clark and others surveyed, laid out, and mapped a town site. There they built blockhouses and cabins, with the result that by Christmas in 1778 the settlers had moved from Corn Island into their new quarters. Thus the actual settlement of the city of Louisville began. The formal incorporation of the town was made in 1780 by act of the Virginia Legislature. It was named in honor of Louis XVI of France, whose troops had helped the American effort for independence. In 1792 the State of Kentucky was admitted into the Union, and the city was incorporated in 1828 by an act of the Kentucky Legislature. In passing I might suggest for the benefit of those who might not be advised that the citizens of Louisville pronounce the word "Loo-ie-ville."

A little later another incident occurred in Louisville's history which might well be recounted in this Northwest Pacific region. Beginning with the close of the Revolutionary War, Thomas Jefferson had sought to bring about the exploration of the boundless domain stretching between the Father of Waters and these shores of the Pacific seas—all claimed and held in turn by Spain and France. Finally he became President, and in 1803, through a small appropriation made by Congress, he was enabled, after many years, to undertake the carrying out of his purpose. In May, 1803, in Paris, by formal treaty, Napoleon, in behalf of the French Government, and for a trifling consideration, ceded this tremendous empire to the American Government. This he did to prevent any chance of England's capture of it. President Jefferson appointed his private secretary, Meriwether Lewis, a young Virginian, as chief of the expedition. Thereupon Lewis invited his youthful friend, Capt. William Clark, to share with him the duties, responsibilities, and honors of the enterprise, which became known to history as the Lewis and Clark expedition. William Clark was also a Virginian by birth, but became a Kentuckian by adoption and made his home at Louisville, with his father and his brother, George Rogers Clark. William Clark accepted the invitation. Lewis, with the greater number of the required men, left Washington in July, 1803. He embarked on the Ohio River at Pittsburgh on August 31, and by water craft moved downstream to Louisville, where he was joined by William Clark and some additional adherents of the undertaking. From Louisville the party thus formally organized and led by Lewis and Clark started upon its epochal journey to the Pacific Northwest.

In November, 1805, after thousands of miles of travel and exploration across the intervening and uncharted plains, mountains, and forests, the little band of brave and skilled adventurers reached this great ocean not far from this spot—that is to say, at the mouth of the Columbia River. There they remained for the winter, and in the following spring they commenced their toilsome journey back to civilization. Accordingly, in 1806, Lewis and Clark returned to Louisville, where Clark remained, Lewis going on to Washington. The illuminating journals kept by these two intrepid explorers were later published. Both Lewis and Clark afterwards served as Governors of the Louisiana Territory. Their services to their country were of an inestimable character. They paved the way and rendered possible and inevitable the flowing of the tides of American migration from the East to every part of the region of the Louisiana Purchase.

Thus, my friends, the city of Louisville has this character of historical contact with this mighty region; and at this hour Kentucky's metropolis clasps hands with Seattle, the wonder city of the Northwest, Pacific, and with never-to-be-forgotten Bremerton. It is peculiarly fitting that there should be here constructed and launched a new cruiser of the American Navy, dedicated to the Nation's defense and bearing the name "Louisville."

It is also most appropriate that in this sesquicentennial year of Louisville's formal birth the honor of this day should come to it.

In the years that have passed since the settlement began in 1778, the little town beside the Ohio River Falls, which came to be known as the Falls City, has grown and grown until to-day it is a great center of homes, churches, schools, factories, and markets. Throughout its history its citizens have maintained the heroic, patriotic spirit and traditions of its founding. It has a population of something like 310,000, and it is the second city of the South—New Orleans being the first. Of all the cities lying southward of the Ohio and Potomac Rivers it stands first in the volume and value of its manufactured products; a great plant now converts into hydroelectric energy the waterpower of the falls. The city leads the world in many lines of industry. The recently completed canalization of the Ohio River will greatly add to the city's growth and wealth. It is a railroad center of importance, and one of the great gateways between the North and South. Within a stone's throw of its outer limits, in the old family burial grounds, there rest in a handsome tomb erected by the National Government the ashes of "Old Rough and Ready," the hero of the Mexican War—Zachary Taylor—the twelfth President of the United States. Seventy miles to the southward, in Larue County, Ky., there lies the little farm, now a Government reservation, where the immortal Lincoln was born. To-day the water that shall baptise and sanctify this noble ship is that which was taken from the old spring on this farm from which Lincoln, when a child, used to drink. May his spirit always rest upon the vessel and its crew.

It is appropriate that these ceremonies should take place on this day, consecrated to labor. The very highest praise is due Admiral Ziegemeier, his skilled and able assistants, and the many workmen who have joined together to construct this 10,000-ton cruiser, the third vessel of the American Navy to bear the name "Louisville." The two predecessor ships were in no wise comparable with this noble unit of the fleet. These officers and workmen have put into their task their best thought and effort, and the result is a marvel of beauty, speed, and power. It is also worthy of the highest commendation, the fact that this gallant ship is being constructed at this navy yard at a cost of about $8,000,000, an amount more than half a million less than the yard's estimate, and a saving of $2,500,000 as compared with the cost of its construction at any private shipbuilding plant. This achievement is a remarkable one, and more than justifies the confidence of Congress and the country in the operation of the Bremerton Yard. In view of this record, it is my judgment that this plant should receive every consideration at the hands of the Federal Government.

"And now we are ready to christen thee, oh beautiful ship, and to consign thee to the sea."

Bearing the name which thou shalt bear, carrying aloft the flag which thou shalt carry, and manned by American officers and men, we know that thou shalt ever uphold, not only the glorious traditions of the American Navy, but also the noblest traditions of the proud city whose namesake thou art to be. Our prayer is that during thy life upon the wave, there shall never occasion

arise for the exercise of thy battle strength; but if this prayer be without avail, and if deadly conflict shall put thee to the test, then our hope and deep conviction shall be that, unconquerable, thou shalt conquer, in thy country's defense and in the cause of right!

DONATION OF CLOTHING TO NEEDY MEN

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my own remarks briefly in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. LUDLOW. Mr. Speaker, since we are devoting much time and serious thought these days to relief measures for worthy persons who are victims of the current depression, I hope I may be indulged if I interrupt the program of the House briefly this afternoon to bring to the attention of Members of Congress a real plan of practical relief which has been instituted by Secretary of War Patrick J. Hurley, believing that it will suggest to Members how they may cooperate in serving some of their most needy and deserving constituents.

Secretary Hurley stands for relief that is practical and effective, and he has made a most commendable move by opening the military stores of salvaged clothing to charitable organizations that will undertake to distribute this clothing among the needy and will furnish guarantees that the clothing will be given away and not resold.

Although this clothing has been worn, it is warm and serviceable and undoubtedly it will be a godsend to many men who are thinly clad and ill shod and who do not have the means to pay for clothing.

There will be a nominal selling price to the charitable organizations that apply for the clothing, but this will be a mere trifle. There must be a nominal charge to meet statutory requirements.

The system of distribution will be through the headquarters of the nine corps area commanders. To each of the nine corps area commanders Adjt. Gen. Charles H. Bridges has sent the following telegram:

JANUARY 6, 1931.

COMMANDING GENERAL, CORPS AREA:

The Secretary of War authorizes sale to accredited charitable organizations, by a lot at a nominal price to be fixed by you, such available salvaged clothing, shoes, and equipment as may be needed for relief of unemployed. Sales should be made only to charitable organizations duly authorized by governors of States to make purchases, and each organization will be required to furnish a certificate to the effect that uniform coats, overcoats, and caps will be dyed or otherwise changed in appearance so as to remove distinctive character of the article, and further to certify that all articles purchased will be given away and not resold. Provisions of paragraphs 19 (a) and 20 (a) and (b), Army Regulations, 30–2145, as amended by change 3, are suspended for above purposes only.

BRIDGES.

Members of Congress may find opportunities for service if as soon as possible we will advise the charitable organizations in our districts, such as the Salvation Army, local welfare societies, and so forth, in regard to getting their applications filed with their corps area commanders, so the distribution of used clothing may be as widespread and beneficial to as many persons as possible. This will be real help to many who are now in need of it.

PAYMENT OF ADJUSTED-SERVICE CERTIFICATES

Mr. KVALE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including a letter from the department adjutant of the American Legion, Department of Minnesota, inclosing resolutions adopted with reference to the payment of adjusted-service certificates.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

Mr. KVALE. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following letter from the department adjutant of the American Legion, department of Minnesota, inclosing resolutions adopted with reference to the payment of adjusted-service certificates:

DEPARTMENT OF MINNESOTA,
THE AMERICAN LEGION,
St. Paul, January 7, 1931.

To the Senators and Representatives in Congress from Minnesota:

At a representative meeting of the American Legion held in Minneapolis on January 4 attended by department officials, district commanders, and district membership directors, the following resolution was adopted with instructions that it be sent to the Senators and Representatives in Congress from Minnesota:

Whereas a study of the operation of the adjusted-service compensation act indicates that many veterans are being deprived of the full benefit of that act as intended by Congress; and

Whereas it is the consensus of opinion of the American Legion, Department of Minnesota, that the adjusted service compensation act should be amended so as to secure the World War veterans the full benefit of said act: Now, therefore, be it

Resolved (at a meeting of the American Legion, Department of Minnesota, composed of States officers, district commanders, and district membership directors, held on Sunday, January 4, 1931, at Minneapolis, Minn.), That we recommend the redemption of the adjusted-service certificates at their full face value.

Sincerely yours,

EDWIN L. LINDELL, *Department Adjutant.*

ENROLLED BILLS SIGNED

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 9985. An act to amend the act entitled "An act to amend the national prohibition act," approved March 2, 1929.

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 3273. An act to authorize the Postmaster General to issue additional receipts or certificates of mailing to senders of certain classes of mail matter and to fix the fees chargeable therefor.

BILL PRESENTED TO THE PRESIDENT

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H. R. 9985. An act to amend the act entitled "An act to amend the national prohibition act" approved March 2, 1929.

ADJOURNMENT

Mr. BARBOUR. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 53 minutes p. m.) the House adjourned until to-morrow, Saturday, January 10, 1931, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Saturday, January 10, 1931, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON APPROPRIATIONS

(10.30 a. m.)

Independent offices appropriation bill.
District of Columbia appropriation bill.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

766. A communication from the President of the United States, transmitting an estimate of appropriation for the fiscal year ending June 30, 1932, amounting to $40,000, to be immediately available, which is supplemental to the estimate of $20,000 contained in the Budget for the fiscal year 1932 (H. Doc. No. 714); to the Committee on Appropriations and ordered to be printed.

767. A communication from the President of the United States, transmitting an estimate of appropriation for the Department of Labor for salaries and expenses, Bureau of Immigration, for the fiscal year 1932, amounting to $500,000, which is supplemental to the estimate of $9,617,740 con-

tained in the Budget for the fiscal year 1932 (H. Doc. No. 715); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. UNDERHILL: Committee on Accounts. H. Res. 331. A resolution to pay Dr. George Campbell an amount equal to six months' compensation of the late James Campbell (Rept. No. 2195). Ordered to be printed.

Mr. UNDERHILL: Committee on Accounts. H. Res. 318. A resolution to pay Frances Slade, widow of Charles Slade, late an employee of the House, six months' compensation and $250 to defray the funeral expenses of said Charles Slade (Rept. No. 2196). Ordered to be printed.

Mr. UNDERHILL: Committee on Accounts. H. Res. 308. A resolution to pay salary and funeral expenses of Albert J. Kubeldzis, late clerk to Congressman LINDSAY (Rept. No. 2197). Ordered to be printed.

Mr. UNDERHILL: Committee on Accounts. H. Res. 314. A resolution to pay Fred R. Miller for extra and expert services to the Committee on Pensions (Rept. No. 2198). Ordered to be printed.

Mr. UNDERHILL: Committee on Accounts. S. Con. Res. 34. A concurrent resolution to pay the Sussex Trust Co. a sum equal to six months' compensation of the late Napoleon B. Hearn (Rept. No. 2199). Ordered to be printed.

Mr. UNDERHILL: Committee on Accounts. H. Res. 329. A resolution appropriating a sum not to exceed $10,000 for the investigation of the fiscal relations between the United States and the District of Columbia (Rept. No. 2200). Ordered to be printed.

Mr. WILLIAMSON: Committee on Expenditures in the Executive Departments. H. R. 10199. A bill authorizing any executive department or independent establishment to do work for any other executive department or independent establishment and prescribing the method of payment therefor; with amendment (Rept. No. 2201). Referred to the House Calendar.

Mr. ROBINSON: Committee on Interstate and Foreign Commerce. H. R. 10621. A bill authorizing W. L. Eichendorf, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Mississippi River at or near the town of McGregor, Iowa; with amendment (Rept. No. 2202). Referred to the House Calendar.

Mr. HUDDLESTON: Committee on Interstate and Foreign Commerce. H. R. 14679. A bill authorizing Pensacola Bridge Corporation (a Florida corporation), its successors and assigns, to construct, maintain, and operate a bridge across Santa Rosa Sound, in the State of Florida, at or near Grassy Point in Santa Rosa County, Fla., and repealing the act approved May 26, 1928, as amended February 19, 1930, authorizing construction of a bridge across Santa Rosa Sound; with amendment (Rept. No. 2203). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 15068. A bill to grant the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the French Broad River on the proposed Morristown-Newport Road between Jefferson and Cocke Counties, Tenn.; with amendment (Rept. No. 2204). Referred to the House Calendar.

Mr. MILLIGAN: Committee on Interstate and Foreign Commerce. H. R. 15133. A bill to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Randolph, Mo.; with amendment (Rept. No. 2205). Referred to the House Calendar.

Mr. COOPER of Ohio: Committee on Interstate and Foreign Commerce. H. R. 15137. A bill to extend the times for commencing and completing the construction of an overhead viaduct across the Mahoning River at or near Niles, Trumbull County, Ohio; with amendment (Rept. No. 2206). Referred to the House Calendar.

Mr. HUDDLESTON: Committee on Interstate and Foreign Commerce. H. R. 15276. A bill authorizing the States of Alabama and Mississippi, through their respective highway departments, to construct, maintain, and operate a free highway bridge across the Escatawpa River at or near Wilmer, Ala., and Latonia, Miss., connecting Mobile County, Ala., and George County, Miss.; without amendment (Rept. No. 2207). Referred to the House Calendar.

Mr. BURTNESS: Committee on Interstate and Foreign Commerce. H. R. 15366. A bill granting the consent of Congress to the State of Minnesota to construct, maintain, and operate a bridge across the Mississippi River near Bemidji, Minn.; with amendment (Rept. No. 2208). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 15433. A bill granting the consent of Congress to the State of Illinois to construct, maintain, and operate a free highway bridge across the Little Calumet River on South Halsted Street at One hundred and thirtieth Street, in Cook County, State of Illinois; without amendment (Rept. No. 2209). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 15434. A bill granting the consent of Congress to the State of Illinois to construct, maintain, and operate a free highway bridge across the Fox River at Algonquin, in McHenry County, State of Illinois; without amendment (Rept. No. 2210). Referred to the House Calendar.

Mr. STALKER: Committee on the District of Columbia. H. R. 14049. A bill to provide for special assessments for the paving of roadways and the laying of curbs and gutters; with amendment (Rept. No. 2211). Referred to the Committee of the Whole House on the state of the Union.

Mr. HILL of Alabama: Committee on Military Affairs. H. R. 14573. A bill authorizing the attendance of the Army Band at the Confederate Veterans' reunion to be held at Montgomery, Ala.; without amendment (Rept. No. 2212). Referred to the Committee of the Whole House on the state of the Union.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 15865. A bill for the retirement of employees of the Panama Canal and the Panama Railroad Co., on the Isthmus of Panama, who are citizens of the United States; without amendment (Rept. No. 2213). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. McLEOD: Committee on the District of Columbia. S. 4307. An act to authorize the Commissioners of the District of Columbia to compromise and settle a certain suit at law resulting from the forfeiting of the contract of the Commercial Coal Co. with the District of Columbia in 1916; without amendment (Rept. No. 2214). Referred to the Committee of the Whole House.

Mr. SMITH of Idaho: Committee on Irrigation and Reclamation. H. R. 14916. A bill for the relief of the Uncompahgre reclamation project, Colorado; with amendment (Rept. No. 2215). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BOWMAN: A bill (H. R. 15982) to provide for the regulation of the business of making loans of $300 or less in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. COCHRAN of Missouri: A bill (H. R. 15983) authorizing and directing the Clerk of the House of Representatives to notify the executive of each State of the number of Representatives to which each such State is entitled in the Seventy-third Congress; to the Committee on the Census.

By Mr. CRAMTON: A bill (H. R. 15984) to amend an act entitled "An act to provide for the creation of the Colonial National Monument in the State of Virginia, and for other purposes," approved July 3, 1930; to the Committee on the Public Lands.

By Mr. CROSS: A bill (H. R. 15985) for the prevention and removal of obstructions and burdens upon interstate commerce in agricultural commodities, by regulating transactions on commodity exchanges, putting a stop to short selling thereon, and for other purposes; to the Committee on Agriculture.

By Mr. DOUGLAS of Arizona: A bill (H. R. 15986) to amend the act of May 23, 1930 (46 Stat. 378); to the Committee on the Public Lands.

Also, a bill (H. R. 15987) to authorize the President of the United States to establish the Canyon De Chelly National Monument within the Navajo Indian Reservation, Ariz.; to the Committee on Indian Affairs.

Also, a bill (H. R. 15988) to amend the Federal highway act; to the Committee on Roads.

By Mr. KNUTSON: A bill (H. R. 15989) to provide a government for American Samoa; to the Committee on Insular Affairs.

By Mr. SINCLAIR: A bill (H. R. 15990) to extend the time for repayment of certain loans to farmers for seed, feed, or fertilizer, and for other purposes; to the Committee on Agriculture.

By Mr. GIFFORD: A bill (H. R. 15991) providing for an examination and survey of Vineyard Haven Harbor, Mass.; to the Committee on Rivers and Harbors.

By Mr. ALDRICH: A bill (H. R. 15992) to postpone the effective date of the act entitled "An act to amend the definition of oleomargarine contained in the act entitled 'An act defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine,' approved August 2, 1886, as amended," approved July 10, 1930; to the Committee on Agriculture.

By Mr. CONNERY: A bill (H. R. 15993) to provide immediate and deferred payment to veterans of the face value of their adjusted-service certificates; to the Committee on Ways and Means.

By Mr. MOORE of Virginia: A bill (H. R. 15994) to provide for the reimbursement of owners of certain lands taken by the United States for the purpose of a Marine Corps base at Quantico, Va.; to the Committee on Claims.

By Mr. FULMER: A bill (H. R. 15995) to provide a preliminary examination of the Edisto River and its branches south and north of Edisto, S. C., with a view to the control of its floods; to the Committee on Flood Control.

By Mr. ZIHLMAN: A bill (H. R. 15996) to establish a board of indeterminate sentence and parole for the District of Columbia and to determine its functions, and for other purposes; to the Committee on the District of Columbia.

By Mr. PATMAN: A bill (H. R. 15997) to amend the act of March 26, 1928, prescribing the persons entitled to the benefits of the National Home for Disabled Volunteer Soldiers and the method of their admission thereto; to the Committee on Military Affairs.

Also, a bill (H. R. 15998) to amend the World War veterans' act, 1924, as amended; to the Committee on World War Veterans' Legislation.

By Mr. SHOTT of West Virginia: Joint resolution (H. J. Res. 459) to transfer into the classified service all veterans of any war now employed who are honorably discharged from the military or naval service of the United States; to the Committee on the Civil Service.

By Mr. BLAND: Joint resolution (S. J. Res. 460) authorizing amendments to sections 1, 3, 5, and 7 of Public Resolution No. 89, Seventy-first Congress, approved June 17, 1930, entitled "Joint resolution providing for the participation of the United States in the celebration of the one hundred and fiftieth anniversary of the siege of Yorkton, Va., and the surrender of Lord Cornwallis on October 19, 1781," and authorizing an appropriation to be used in connection with such celebration, and for other purposes; to the Committee on the Library.

By Mr. ALMON: Joint resolution (H. J. Res. 461) authorizing the appropriation of $30,000,000 to be expended by the American National Red Cross for the purchase of food and clothing for the purpose of relieving distress among the unemployed and in drought-stricken areas, and for other purposes; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AYRES: A bill (H. R. 15999) for the relief of Lewis H. Miller; to the Committee on Military Affairs.

By Mr. BAIRD: A bill (H. R. 16000) for the relief of John Cooney; to the Committee on Military Affairs.

By Mr. BEERS: A bill (H. R. 16001) granting an increase of pension to Mary E. Shirk; to the Committee on Invalid Pensions.

By Mr. BYRNS: A bill (H. R. 16002) granting a pension to Minnie G. Oakley; to the Committee on Invalid Pensions.

By Mr. CLANCY: A bill (H. R. 16003) granting an increase of pension to Hillary J. Howard; to the Committee on Pensions.

Also, a bill (H. R. 16004) for the relief of Thomas J. De Manigold; to the Committee on Military Affairs.

By Mr. DOUGLAS of Arizona: A bill (H. R. 16005) to permit relinquishments and reconveyances of privately owned land within certain counties in the State of Arizona to the United States for the benefit of the Navajo Indians, and for other purposes; to the Committee on Indian Affairs.

By Mr. EVANS of California: A bill (H. R. 16006) granting a pension to Sarah E. Young; to the Committee on Invalid Pensions.

By Mr. FITZGERALD: A bill (H. R. 16007) granting a pension to Nancy McCurdy; to the Committee on Pensions.

By Mr. FREEMAN: A bill (H. R. 16008) granting an increase of pension to Georgiana A. Woodmansee; to the Committee on Invalid Pensions.

By Mr. GIFFORD: A bill (H. R. 16009) providing for the relief of Mertis L. Foster; to the Committee on Claims.

By Mr. GUYER: A bill (H. R. 16010) granting a pension to Elizabeth Davis; to the Committee on Invalid Pensions.

By Mr. HOGG of West Virginia: A bill (H. R. 16011) granting a pension to Cora C. O'Neill (with accompanying papers); to the Committee on Invalid Pensions.

By Mr. HOOPER: A bill (H. R. 16012) granting a pension to Clara Fruin (with accompanying papers); to the Committee on Invalid Pensions.

By Mr. HOPKINS: A bill (H. R. 16013) granting an increase of pension to Frances Ross; to the Committee on Invalid Pensions.

By Mr. JOHNSTON of Missouri: A bill (H. R. 16014) granting an increase of pension to Hester A. Young; to the Committee on Invalid Pensions.

By Mrs. LANGLEY: A bill (H. R. 16015) granting a pension to George W. Brown; to the Committee on Pensions.

Also, a bill (H. R. 16016) granting a pension to Mary F. Becknell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16017) granting a pension to Polly Stewart; to the Committee on Invalid Pensions.

By Mr. LETTS: A bill (H. R. 16018) granting an increase of pension to Adelia H. Bishop; to the Committee on Invalid Pensions.

By Mr. PARKER: A bill (H. R. 16019) granting an increase of pension to Martha M. Smith; to the Committee on Invalid Pensions.

By Mr. REILLY: A bill (H. R. 16020) granting an increase of pension to Frederick C. Perry; to the Committee on Invalid Pensions.

By Mr. RICH: A bill (H. R. 16021) granting an increase of pension to Laura E. Gerow; to the Committee on Invalid Pensions.

By Mr. RUTHERFORD: A bill (H. R. 16022) for the relief of Blanche Knight; to the Committee on Claims.

By Mr. SEARS: A bill (H. R. 16023) for the relief of Charles H. Craig; to the Committee on Military Affairs.

By Mr. SPARKS: A bill (H. R. 16024) granting a pension to Martha Breakey Ellis; to the Committee on Invalid Pensions.

By Mr. STOBBS: A bill (H. R. 16025) for the relief of Edwin C. Jenney, receiver of the First National Bank of Newton, Mass.; to the Committee on the Judiciary.

By Mr. SUMNERS of Texas: A bill (H. R. 16026) for the relief of George Lee Moreland; to the Committee on Military Affairs.

By Mr. TABER: A bill (H. R. 16027) granting an increase of pension to Helen Camp Heath; to the Committee on Pensions.

By Mr. TAYLOR of Colorado: A bill (H. R. 16028) granting an increase of pension to Nelly Sharp Bennet; to the Committee on Pensions.

Also, a bill (H. R. 16029) for the relief of George Doughty; to the Committee on Claims.

By Mr. UNDERWOOD: A bill (H. R. 16030) granting an increase of pension to Susan Kennedy; to the Committee on Invalid Pensions.

By Mr. WOLVERTON of West Virginia: A bill (H. R. 16031) authorizing the Secretary of War, under the direction of the President, to order Joseph E. Myers, major, United States Army, retired, before a retiring board for a rehearing of his case, and upon the findings of such board either confirm his retirement under the provisions of section 24–b, act of Congress of June 4, 1920, or place him on the retired list, as provided by section 1251 of the Revised Statutes, for disability incurred in line of duty; to the Committee on Military Affairs.

By Mr. WYANT: A bill (H. R. 16032) granting a pension to Mabel Irene Patterson; to the Committee on Pensions.

PETITIONS, ETC.

Under clase 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8489. By Mr. BLOOM: Petition of residents of New York State, urging the passage of House bill 7884 providing for the exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

8490. By Mr. CHRISTGAU: Resolution of the members of the Meighen-Thompson Post, No. 161, of the American Legion at Le Roy, Minn., expressing approval of legislation providing for the immediate cash payment of the adjusted-service certificates; to the Committee on Ways and Means.

8491. By Mr. CLARK of Maryland: Petition of American Public Health Association upon tick-borne diseases, urging Congress to pass an act authorizing the bureau of the Public Health Service to take over the laboratory located at Hamilton, Mont., and extend the scope of the work as may be deemed necessary by the Surgeon General of the Public Health Service; to the Committee on Agriculture.

8492. By Mr. GLOVER: Petition of the Arkansas State Drought Relief Committee, urging the early appropriation by the Federal Congress of sufficient funds to insure the establishment where necessary and for the maintenance of adequate health and medical service to protect health and life and relieve suffering; to the Committee on Appropriations.

8493. By Mr. GOLDSBOROUGH: Petition of the Old Kent Chapter, Daughters of the American Revolution, requesting the Federal Government to complete the work at Fort McHenry by properly restoring and maintaining the ground under the supervision of the War Department; to the Committee on Military Affairs.

8494. By Mr. HOGG of West Virginia: Petition of Lowell C. Kelly, of Henderson, W. Va., requesting the passage of legislation authorizing the cash payment of adjusted-compensation certificates; to the Committee on Ways and Means.

8495. By Mr. KVALE: Petition of the Mollie Stark Branham Chapter, Daughters of the American Revolution, Litchfield, Minn., urging immediate enactment of Senate bill 51, to restrict immigration; to the Committee on Immigration and Naturalization.

8496. Also, petition of Charles E. Reed and 21 ex-service men of Raymond, Minn., urging vigorous support of Patman bill, H. R. 3493; to the Committee on Ways and Means.

8497. By Mr. McKEOWN: Petition of American Legion officials of the Webster-Schrack Post, Barnsdall, Okla., favoring the payment of adjusted-compensation certificates; to the Committee on Ways and Means.

8498. By Mr. MEAD: Petition of Maritime Association of Port of New York, with reference to increasing hours of operation on Panama Canal; to the Committee on Interstate and Foreign Commerce.

8499. Also, petition of New York Conservation Association, re certain items in the agricultural appropriation bill; to the Committee on Appropriations.

8500. Also, petition of Sons of the Revolution of New York, for the creation of a national park at New Windsor, N. Y., the camp ground of the American Army in 1782 and 1783; to the Committee on Military Affairs.

8501. By Mr. SMITH of West Virginia: Resolution of the Parent-Teachers Association, of Sprague, W. Va., asking that the radio wave lengths to be allocated by the Government be so distributed that the agencies of education may be assigned at least 12 per cent of all broadcasting channels; to the Committee on the Merchant Marine and Fisheries.

8502. By Mr. STONE: Petition of Farmers Organization of Oklahoma, urging that the agricultural marketing act be given a fair trial, and oppose all agitation for its repeal; to the Committee on Agriculture.

8503. By Mr. WYANT: Petition of Forest Home Lodge No. 159, Brotherhood of Railway Trainmen, advocating that busses, trucks, inland waterway, and other forms of transportation be placed on a basis of regulation of operation, rates, taxation, etc., the same as railroads; to the Committee on Interstate and Foreign Commerce.

8504. By Mr. YATES: Petition of Dr. William W. Sweet of the University of Chicago, Chicago, Ill., urging the passage of House bill 12549, known as the Vestal bill, which is a bill to protect the rights of copyright property; to the Committee on Patents.

8505. Also, petition of Mr. L. G. Elliott, 4101 Michigan Avenue, Chicago, Ill., protesting the passage of any legislation increasing postal rates on first-class postage; to the Committee on the Post Office and Post Roads.

8506. Also, petition of J. D. Silberman & Sons, 1117–1125 West Thirty-fifth Street, Chicago, Ill., protesting the passage of any legislation that will increase the rate of first-class postage from 2 cents to 2½ cents; to the Committee on the Post Office and Post Roads.

SENATE

SATURDAY, JANUARY 10, 1931

(Legislative day of Monday, January 5, 1931)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The VICE PRESIDENT. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the House had agreed to the concurrent resolution (S. Con. Res. 34) to pay the Sussex Trust Co. a sum equal to six months' compensation of the late Napoleon B. Hearn, with an amendment, in which it requested the concurrence of the Senate.

FEDERAL POWER COMMISSION—PERSONAL EXPLANATION

Mr. BLEASE. Mr. President, yesterday afternoon I was absent. I had a general pair with the Senator from Maine [Mr. GOULD]. The statement which he made with reference to myself and his pair was absolutely correct.

Had I been present, I should have voted not to reconsider. My reason therefor was that I voted against each one of the nominees whose nominations were under consideration. I also voted against the other two. I do not think we should have reconsidered three without recon-

sidering all; and I hope the President of the United States will reach the conclusion that after he commissions a man he has not any right, legally or otherwise, to withdraw that commission unless he be authorized to do so by the Senate by a two-thirds vote.

I am further of the opinion that he has no jurisdiction after he commissioned these men and they qualified as officials to rescind his action. I am further of the opinion that when the Senate fumbled the ball, as football players say, and it passed over into the lines of the President, they certainly had no reason, if true sportsmen, after they have fumbled the ball to expect Mr. Hoover to push it back to them and give them another opportunity.

For these reasons I certainly should have voted not to have reconsidered the nominations of these men, notwithstanding the fact that I did vote against their confirmation. I hope the President for once in his life will prove that he is a man and say to the Senate that the matter has passed beyond their jurisdiction and his and that he does not consider himself in a position to return those nominations to this body.

GOVERNMENT OF PORTO RICO—ORGANIC ACT

Mr. BINGHAM. Mr. President, I ask that there may be referred to the Committee on Territories and Insular Affairs and printed as a petition or memorial a statement from the president of the Senate of Porto Rico and the speaker of the house of representatives, relative to amendment of the organic act of Porto Rico.

There being no objection, the statement was referred to the Committee on Territories and Insular Affairs and ordered to be printed in the RECORD, as follows:

[Cablegram]

SAN JUAN, P. R., *January 8, 1931.*

CORDOVA DAVILA,
Resident Commissioner from Porto Rico,
Washington, D. C.:

For Senator BINGHAM, chairman Senate Committee on Territories and Insular Affairs, and Representative KNUTSON, chairman House Committee on Insular Affairs.

On behalf of the majority of the Legislature of Porto Rico, composed of senators and representatives belonging to the Alianza, Republican, and Socialist Parties, we have the honor to inform you that we indorse the bills under consideration by Congress to amend the organic act of Porto Rico and we recommend their approval as necessary to the better operation of the government of the island and to the solution of urgent problems of social and general importance.

LUIS SANCHEZ MORALES,
President of the Senate of Porto Rico.
MANUEL F. ROSSY,
Speaker of the House of Representatives.

REPORTS OF COMMITTEES

Mr. McMASTER, from the Committee on Military Affairs, to which was referred the bill (S. 4537) to relinquish all right, title, and interest of the United States in certain lands in the State of Louisiana, reported it with an amendment and submitted a report (No. 1265) thereon.

Mr. BROUSSARD, from the Committee on Naval Affairs, to which was referred the bill (S. 4809) to authorize certain officers of the United States Navy and Marine Corps to accept such decorations, orders, and medals as have been tendered them by foreign governments in appreciation of services rendered, reported it with an amendment and submitted a report (No. 1266) thereon.

ENROLLED BILL PRESENTED

Mr. GILLETT, from the Committee on Enrolled Bills, reported that on to-day, January 10, 1931, that committee presented to the President of the United States the enrolled bill (S. 3273) to authorize the Postmaster General to issue additional receipts or certificates of mailing to senders of certain classes of mail matter and to fix the fees chargeable therefor.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. METCALF:

A bill (S. 5642) granting an increase of pension to Margaret Hunt (with accompanying papers); and

A bill (S. 5643) granting a pension to Mabel S. Pickup (with accompanying papers); to the Committee on Pensions.

By Mr. FESS:

A bill (S. 5644) to amend the act entitled "An act to authorize and direct the survey, construction, and maintenance of a memorial highway to connect Mount Vernon, in the State of Virginia, with the Arlington Memorial Bridge across the Potomac River at Washington," approved May 23, 1928, as amended; to the Committee on the Library.

By Mr. McNARY:

A bill (S. 5645) to confer certain benefits on certain persons who served under the jurisdiction of the Quartermaster General; to the Committee on Pensions.

A bill (S. 5646) for the relief of the next of kin of Fred H. Hazard; and

A bill (S. 5647) for the relief of S. N. Kempton; to the Committee on Claims.

By Mr. KING:

A bill (S. 5648) providing for judicial review of certain decisions of executive officers; to the Committee on the Judiciary.

By Mr. BLACK:

A bill (S. 5649) for the relief of the State of Alabama and certain former officers of the Alabama National Guard; to the Cominittee on Claims.

By Mr. HEFLIN:

A bill (S. 5650) granting a pension to William H. Ferguson; to the Committee on Pensions.

By Mr. CONNALLY:

A bill (S. 5651) granting a pension to Ellen Loughborough; to the Committee on Pensions.

By Mr. McKELLAR:

A bill (S. 5652) for the relief of W. C. Redman (with accompanying papers); to the Committee on Military Affairs.

By Mr. STEIWER:

A bill (S. 5653) granting an increase of pension to Hellanah Jane Fellows (with accompanying papers); to the Committee on Pensions.

By Mr. CAPPER:

A bill (S. 5654) to authorize the Commissioners of the District of Columbia to sell parcel 31/17, known as the powder-house site; and

A bill (S. 5655) to authorize the Commissioners of the District of Columbia to close streets, roads, highways, or alleys in the District of Columbia rendered useless or unnecessary, and for other purposes; to the Committee on the District of Columbia.

By Mr. COPELAND:

A bill (S. 5656) to extend section 8 of the food and drugs act of June 30, 1906, as amended, to the false or deceptive advertising of drugs; to the Committee on Agriculture and Forestry.

By Mr. BROOKHART:

A bill (S. 5657) to divest certain telegraph messages of their interstate character; to the Committee on Interstate Commerce.

A bill (S. 5653) granting a pension to Orpha Blanche Thompson (with accompanying papers); to the Committee on Pensions.

By Mr. SHEPPARD:

A bill (S. 5659) authorizing rental payments to Houston Cotton Exchange for space used by classification committee of United States Department of Agriculture; to the Committee on Claims.

By Mr. NORBECK:

A bill (S. 5660) granting an increase of pension to Henrietta Steele (with accompanying papers); to the Committee on Pensions.

By Mr. HOWELL:

A bill (S. 5661) granting an increase of pension to Mary E. Boyd; to the Committee on Pensions.

A bill (S. 5662) for the relief of Samuel Goosee; to the Committee on Military Affairs.

By Mr. SMITH:

A bill (S. 5663) for the relief of W. A. Frink; and

A bill (S. 5664) for the relief of Florence M. Humphries; to the Committee on Claims.

By Mr. SHEPPARD:

A joint resolution (S. J. Res. 231) to further provide for defraying the expenses of the International Water Commission, United States and Mexico; to the Committee on Foreign Relations.

AMENDMENT TO DEFICIENCY APPROPRIATION BILL

Mr. HAYDEN submitted an amendment intended to be proposed by him to House bill 15592, the first deficiency appropriation bill, 1931, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 9, line 24, insert the following: "and for the highway authorized by the act approved June 5, 1924 (43 Stat. 423)."

AMENDMENT TO WAR DEPARTMENT APPROPRIATION BILL

Mr. SWANSON submitted an amendment intended to be proposed by him to House bill 15593, the War Department appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 25, line 7, after the word "posts," to strike out the figures "$15,865,913" and insert "$15,874,013," and in line 7, after the word "which," strike out the figures "$1,414,292" and insert "$1,422,292."

SUSSEX TRUST CO.

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the concurrent resolution (S. Con. Res. 34) to pay the Sussex Trust Co. a sum equal to six months' compensation of the late Napoleon B. Hearn, which was, on page 1, line 4, to strike out "Sussex Trust Co., executor" and insert "executor of the estate."

Mr. TOWNSEND. I move that the Senate concur in the amendment made by the House of Representatives.

The motion was agreed to.

WELFARE OF MOTHERS AND INFANTS

The VICE PRESIDENT. The Senate resumes the consideration of Senate bill 255, the unfinished business.

The Senate resumed the consideration of the bill (S. 255) for the promotion of the health and welfare of mothers and infants, and for other purposes.

Mr. BLACK obtained the floor.

Mr. BARKLEY. Mr. President, will the Senator from Alabama yield to me that I may have an editorial from the New York World read?

The VICE PRESIDENT. Does the Senator from Alabama yield for that purpose?

Mr. BLACK. I yield if it will not take too long.

Mr. BARKLEY. It is not very long.

Mr. BLACK. Very well.

"THE DEMOCRATIC PARTY LOOKING FORWARD"

Mr. BARKLEY. I ask unanimous consent that the clerk read an editorial appearing in the New York World of to-day entitled "The Democratic Party Looking Forward."

The VICE PRESIDENT. Without objection, the clerk will read, as requested.

The Chief Clerk read as follows:

[From the New York World of Saturday, January 10, 1931]

THE DEMOCRATIC PARTY LOOKING FORWARD

Mr. Shouse, the chairman of the Democratic National Committee, was probably right when he said two days ago that whether or not the Democrats organized both Houses of the next Congress, "as the sole coherent group" they "will dominate and direct legislation." He then went on to say that the Democratic Party recognized a double duty: "One to prevent, so far as possible, the recurrence of these panic periods"; the other to adopt measures in advance to minimize the distress which accompanies them. As an example of the second sort, Mr. Shouse named the bills introduced by Senator WAGNER as early as 1928, which were blocked by the administration forces in the House.

There is an important distinction here which Mr. Shouse, as one of the Democratic leaders, will do well to emphasize strongly in the coming months. The Wagner bills are measures designed to create employment and to relieve distress in times of depression. They do not pretend to prevent depression, but merely to make it less acute. They are obviously desirable in principle and ought to be adopted. But they must not be confused with the much more difficult matter of minimizing the violence of the business cycle. There the rôle of statesmanship is much less clearly understood.

It is for this difficult task that the Democratic Party will be called upon to supply leadership as 1932 approaches. The time is already at hand when by candid discussion a beginning should be made toward clarifying the purposes of the party. The prevailing economic depression is the culmination of a decade in which throughout the world nations, our own well up in front, have sought to attain prosperity by the method of tariffs, subsidies, price controls, inflation, and national isolation. The supreme question for the Democratic Party to determine is whether it intends to take the leadership in an opposite direction or to go on in the direction we have been traveling for 10 years.

The pressure to go on, rather than to change direction, will be very great. The party will be sorely tempted to try to win the West by adopting some plan or other to raise farm prices by governmental action; it will be sorely tempted to buy support in the East and in the new industrial South by a policy of high protection; it will be beset by the fears of those who are terrified at the idea of international cooperation. It is possible that the party can win in 1932 by such policies as these. The unpopularity and demoralization of the Republicans may insure a victory. But it will be a victory by default, and, in our judgment, it would have no significance and no permanence. The Democrats would remain the minority, raised to power not for their own merits but because the country is for the moment tired of the Republicans.

The other course requires more courage and wisdom. It would involve the application and extension to modern conditions of the historic Democratic principle of seeking to free trade from governmental restriction and manipulation and to substitute voluntary cooperation for political control. The pursuit of this principle would call for the steady, deliberate revision of the tariff downward, the abandonment of governmental price-fixing schemes, the discouraging of artificially maintained price controls, the encouragement of voluntary consolidations and cooperative undertakings, the emancipation of the world from the burden of political tribute, and a mature acceptance of the fact that America is a world power and has a vital interest in the maintenance of peace.

There will be great opposition within the party to such a course. But, in our judgment, if the Democratic Party takes this course, summoning to its standard the men who sympathize with a new national economic policy, it can win not merely in 1932 but it may alter the political alignment of the American Nation. The Republican Party, as administered by Messrs. Hoover, FESS, WATSON, and their kind, has ceased to represent the interests of the masses of the people and the judgment of enlightened men. It can be displaced as the dominant party if the Democrats have the sense and the nerve to take the leadership in a rôle which, as it happens, conforms to their best traditions.

MUSCLE SHOALS

Mr. BLACK. Mr. President——

The VICE PRESIDENT. The Chair thinks he should call the attention of the Senator from Alabama to the fact that he has only 15 minutes under the unanimous-consent agreement.

Mr. BLACK. I have 15 minutes on the bill and 5 minutes on amendments, I understand. If the bill is again laid aside, I can acquire the floor again at that time if I do not conclude within the time limit now.

The VICE PRESIDENT. Certainly. The Chair thought it his duty to call attention to the unanimous-consent agreement.

Mr. BLACK. I thank the Chair. I was merely stating the fact that if I were not granted an extension of time if I need it now, that in order to conclude my remarks I might obtain the floor again and talk for a few minutes on the same subject.

The VICE PRESIDENT. The Senator can do that.

Mr. BLACK. Mr. President, I desire to talk for a few minutes on a subject which is not new to the Senate. It usually empties the Senate to speak on the subject of Muscle Shoals. Either everyone already knows all about Muscle Shoals or does not desire to know any more, as a rule.

I want to begin by saying that the idleness of the nitrate plant at Muscle Shoals for the last 10 years is a national crime and a national disgrace. The public has obtained the idea in some way that the only question involved in Muscle Shoals is power. In so far as the South is concerned, the vital question at Muscle Shoals is fertilizer.

I invite the attention of the Senate to the fact that 12 Southern States last year used more than 65 per cent of all the fertilizer used in the United States. Fertilizer is a problem which perculiarly affects the South. I state now, after a thorough investigation, that in my judgment if the nitrate plant were put to work it would give employment to

thousands of men, would not displace any men who are now working in the United States, and would greatly and materially reduce the price of fertilizer to the farmers of the Nation.

I desire to announce now that if there should be no Muscle Shoals legislation at this session it is my intention to join with any group to utilize any legitimate method for the purpose of bringing on an extra session of the Congress in order that this long-delayed problem may be settled in the immediate future.

I desire to make another statement with reference to the bill, and I sincerely trust my southern colleagues may take note of this statement with me. In so far as I am concerned, it is my intention to do my best to see that no bill passes the Senate which does not recognize the fact that fertilizer is of prime importance, and that it is not peculiarly and exclusively a proposition for power. I have no quarrel with those who desire the surplus power to be sold to States, counties, and municipalities, with the preference to them. I agree with that policy. I am opposed to 1 kilowatt of the power going into the lines of any private power company for private exploitation. The plant was not built for that purpose. It should not be utilized for that purpose. But first and foremost, if those Senators who represent the South stand by the thing which is of most interest to the South, they will see that no bill passes the Senate and becomes a law which does not provide first and foremost for the manufacture of fertilizer to reduce the price to the starving farmers of the South.

I call attention to the fact that the fertilizer bill of this Nation last year was more than $300,000,000. I call attention to the fact that the fertilizer bill of the farmers of Alabama last year was more than $23,000,000; the fertilizer bill of the farmers of North Carolina was more than $46,000,000; the fertilizer bill of the of the farmers of Georgia was more than $30,000,000; the fertilizer bill of the farmers of South Carolina was more than $25,000,000; the fertilizer bill of the farmers of the State of Washington was $612,000; the fertilizer bill of the people of Oregon was $350,000; the fertilizer bill of the people of Nebraska was $27,500; the fertilizer bill of the people of Nevada was $7,500.

The fertilizer question is no problem to the people of the West, but it is a problem to the people of the South. The southern people expect the representatives of the South in Congress to stand by the South and to stand by the southern farmer and see that no legislation gets by here that does not provide first and foremost for the manufacture of fertilizer.

I do not care personally whether the fertilizer is manufactured by the Government, by a cooperative association, or by private industry, provided the proper safeguards are put around it. But I do say that, first and foremost, the problem of the people of Alabama and of the South is the reduction of the price of fertilizer to them. I invite the attention of Members of the Senate to the fact that last year in the State of Alabama, according to Government statisticians, the ferilizer bill of every farmer in the State for every pound of cotton was 1.93 cents. Practically one-fourth of every pound of cotton raised in the South, so far as its selling value is concerned, had to be paid out by the Alabama farmer for fertilizer. The same thing is true with reference to North Carolina, South Carolina, and the other States of the South. It is not a problem to the other sections of the country, but it is a problem to the people of the South.

I join with those who do not desire the Power Trust to exploit any further the people of the Nation with its avarice and greed. I am opposed to their extending their tentacles in order to envelop the Nation in their meshes. I have voted that way, and I intend to continue to vote that way. I am not in favor of 1 kilowatt of this power going into the lines of the Alabama Power Co. or any other power company, but I say that, first and foremost, before anything else is done with the power, it shall go to reduce the price of fertilizer to the farmers of my State who are being broken down by the Fertilizer Trust. What good will it do to protect them from the Power Trust with which they do not yet have to deal if, before they are protected, they lie there starved to death by reason of having to pay too high prices for fertilizer?

I invite Senators who represent the Southern States, who are vitally interested in the problem of fertilizer, to join me in the position I take, which is twofold, first, that if some measure is not passed within the immediate future in order to settle this long-pending Muscle Shoals problem, we join with any group actuated by any motive to bring about an extra session and obtain action on the Muscle Shoals question; and, second, that no bill shall get by the Senate that does not provide, first and foremost, that before any power goes out in order to enrich industry, it shall be provided that the farmers of the Nation, including the farmers of the South, shall be relieved from the exorbitant fertilizer prices which they have been paying.

I invite the attention of the Senate to the fact that although it has been said so long that many people have come to believe from repetition that the cyanamide plant at Muscle Shoals is obsolete, last year we imported into this country more cyanamide for fertilizer than could have been manufactured at the plant at Muscle Shoals. I invite attention to the fact that the fertilizer was manufactured by workmen living in foreign countries. I invite attention to the fact that if the Muscle Shoals plant were put to work it would to-day, in this serious time of depression and unemployment, give employment to thousands and thousands of men who are now hungry, and thus enable them to be gaining an honest livelihood. Thousands and thousands of them could be given employment. I do not care whether the nitrogen shall be manufactured by one process or another, but I say that fertilizer is a serious problem to my people, a serious problem to the people of the South; and, after all, I claim that this project which is located in the South, in my State, is a southern project. I claim that it was dedicated and intended to be devoted to the advancement of agriculture; that was the purpose for which the plant was built. If we who represent the South are to sit silently by and permit any kind of a bill which fails to provide for the manufacture of fertilizer to become a law, I say that it would be a gross betrayal of the people of our States and of our section.

I call attention to the fact that in 1929, in addition to 50,000 tons of cyanamide fertilizer which came into this country, more than a million tons of Chilean nitrates were shipped into our borders. It was said that private business would take care of it, but private business has not done so. In the year before the World War we imported 600,000 tons of Chilean nitrates; in 1929 we imported more than 1,000,000 tons. The great country of Germany before the World War imported 800,000 tons of Chilean nitrates; last year it imported less than 25,000 tons, and was exporting nitrates to this country. Germany to-day in the case of nitrates is on an export basis. To-day, if we should again have a war, as in the early days of the World War, it would be the duty of this Nation to send its Navy to protect the coast of Chile.

In addition to that, the farmers of the South, the people whom I represent, the people whom other southern Senators represent, will pay this year, as they paid last year, more than 25 per cent of the expenses of the operation of the Chilean Government. They have done so every year since the plants at Muscle Shoals have been lying idle. That is not fair, it is not right, and in the future it ought not to be permitted to continue.

There has been much talk about relief of the farmer. I propose something that will relieve him. I do not propose the appropriation of $150,000,000 to be dropped in the wheat pit or to be dropped on the cotton-exchange market; the farmers get no good out of that and it ought not to have been permitted, in the first place; but if Congress will enact a law providing, first, for the manufacture of fertilizer in the Southern States and the fixation of nitrogen it will do something that will really give the farmers of this Nation relief.

I do not desire that there shall be any ground for misunderstanding with reference to the surplus power. I stand for the use of that power by the people; I would not have one kilowatt of it go into the lines of any private power company; I desire preference to be given to the States, counties, and municipalities. I am not indebted to the private power companies in any way whatsoever. I desire the power which shall be generated at the people's plant by the people's money to be used for the benefit of the people. First, however, I want it used for the benefit of the farmers, who in the beginning were promised that that would be done.

I call attention to the fact that it would reduce the price of fertilizer. In 1928 the port price of Chilean nitrate was $47; in 1930 it was $43. It was costing the southern farmer $60 a ton at retail or about 20 cents a pound of nitrogen content. Mr. Charles J. Brand, in a speech which has been received by every Senator within the past week, makes the statement in opposition to Muscle Shoals legislation that the synthetic product, the same as the nitrates that come from Chile, can be manufactured in this country for $25 per ton. Senators can see that that would mean practically a 50 per cent saving to the American farmer.

If the conferees can not reach an agreement, if they disagree or if the Muscle Shoals bill should otherwise fail, it is my intention to introduce a bill immediately, and I desire now to suggest it in the open Senate in order that it may be considered by the conferees. I believe it should meet with the approval of the House, the Senate, and the President. I have prepared and shall introduce a bill, if a disagreement shall occur. It is now in the form of an amendment. I propose and suggest that the best way to operate this plant so that everybody will know it is to be used for the farmer is to lease it to a cooperative association of farmers, providing in the law that it shall not be operated for profit, that no dividends shall be paid, but that it shall be operated for the purposes originally contemplated.

I propose by the amendment which I shall offer to some bill which comes up hereafter, or I shall offer it as a separate bill, to provide that the President shall be authorized to lease, either separately or as a whole, the nitrate plant and the equipment. I propose to provide that it shall be leased to a farmers' cooperative association which, in the opinion of the President, has financial resources available, or the standing, prestige, and numerical strength sufficient to obtain such resources, to operate the Muscle Shoals properties for the manufacture of fertilizer, and its ingredients in an economical manner.

I propose that it be leased to them at a dollar per year. I propose further that they may sell power at a reasonable rate. I propose further that they shall not operate the plant for a profit, and that the lease shall so stipulate, but that it shall be operated for the benefit of the American farmer. I have every reason to believe that the farmers in this country will take advantage of the opportunity if this proposal shall become the law.

In order that we may check fully and completely the attitude of those who say they are for the American farmer, I also propose that the Federal Farm Board shall loan to a responsible farm cooperative association money for the purpose of operating the plants at Muscle Shoals and putting thousands of people at work and at the same time reducing the price of fertilizer. That will afford a chance for something to be done. Mr. President, I am going to place the proposed amendment in the RECORD and ask that it may be printed at this point.

The VICE PRESIDENT. Without objection, it is so ordered.

The proposed amendment is as follows:

Notwithstanding the foregoing provisions of this joint resolution the corporation shall not operate the nitrate plants at Muscle Shoals until the expiration of 12 months after the approval of this act, and not then if a lease is made as herein provided.

During that interval of time the President is hereby authorized to lease either separately or as a whole, to any substantial farmers' cooperative association, not operated for profit, nitrate plants Nos. 1 and 2 (including the Waco limestone quarry) together with all tools and machinery, equipment, accessories, and materials belonging thereto (except power plants) necessary for the fixation of fertilizer or the manufacture of fertilizer and its ingredients, and other products useful to the farmer in the most economical manner, and upon such terms and conditions as the President may subscribe, subject to the following qualifications:

1. Such properties shall be leased to such farmers' cooperative association, as in the opinion of the President has the financial resources available, or the standing, prestige, and numerical strength sufficient to obtain such resources, to operate the Muscle Shoals properties for the manufacture of fertilizer and its ingredients in an economical manner.

2. The said farmers' cooperative association shall be operated for cooperative purposes only and not for the profit of its members, except as they might be benefited from the reduced purchase price of the articles manufactured and sold and distributed by the said association and under no circumstances or conditions shall any dividends be paid to such members as a result of the operation of the properties herein described.

3. The said properties shall be leased to the said cooperative association for the sum of $1 per year, except that the association shall pay a reasonable agreed value for all stone removed from the Waco quarry and for any additional buildings or equipment, other than these heretofore set out (exclusive always of power plants) which are necessary to carry out the terms of the lease.

4. Such lessee may, with the approval of the Muscle Shoals board, make alterations, modifications, or improvements in existing plants and facilities, and construct and operate new plants and facilities in order to properly carry out the purposes of this section.

5. Such power as may be needed by the cooperative association for the manufacture, distribution, and sale of fertilizer, fertilizer ingredients, and other things useful to the American farmer, shall be sold to said association by the board, at a price fixed as fair and reasonable by the board, with the approval of the President.

6. The lessee shall covenant to keep said property in first-class condition during the life of the lease.

7. Such other terms may be included in the lease as will protect the rights of the Government, and will further the utilization of the properties herein described for the benefit of the American farmer.

8. If, after 12 months, no lease has been made as herein provided the board shall proceed to operate the same in accordance with the provisions of this joint resolution without regard to the provisions of this section.

9. The Federal Farm Board is hereby authorized to make loans to such cooperative association as may lease the Muscle Shoals plants as herein provided.

Mr. BLACK. Mr. President, I desire to call attention, particularly of the Senator from Iowa [Mr. BROOKHART], whom I have heard so often speak of cooperative associations, to the fact that if the southern Senators can now secure the support of the progressive western Senators who have stood here for the people year after year, I believe we can enact such a provision into law; that it will be passed by both Houses and be signed by the President.

The VICE PRESIDENT. The time of the Senator from Alabama has expired.

WORLD PEACE—ADDRESS BY HON. A. B. HOUGHTON

Mr. CAPPER. Mr. President, on November 21, 1930, the Hon. A. B. Houghton, former ambassador to Great Britain, delivered an address on Peace at the town hall meeting in New York City.

It was only recently that the speech came to my attention, and I asked Mr. Houghton for a complete copy of the address. Mr. Houghton is a student of men and of affairs, is acquainted with conditions abroad as well as at home, and to my mind his views on this important subject are worthy of the attention of the Senate and the country.

In this speech Mr. Houghton unfolds and discusses very ably his view that only by a vote of the people themselves should any civilized country declare war. I am sending to the desk a copy of this address, and request that it may be printed in the CONGRESSIONAL RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

I want to talk to you a little while to-night about peace. And since peace, obviously, can not be assured by the action of any one people alone I shall venture to suggest to you, as I have suggested to others, that the time is perhaps at hand when, if a durable peace between them is consciously sought, that little group of peoples which dominate the western world must, by mutual agreement, undertake a new experiment in democratic government and extend the right of suffrage into the international field.

Few of you, I suspect, have forgotten the shock with which the Great War burst on the world. Its probability, its certainty even, had long been contemplated. No one believed that peace in Europe could be indefinitely maintained by merely increasing armaments. But even so, aside from a few minor disturbances, the peoples had lived for many years in a state of peace. No new cause of ill will





between them was discernible. No obvious reason had presented itself to make war appear necessary at the moment. Other crises of a similar kind had been successfully weathered. It was natural to assume that some way out of their difficulties would again be found. And so, while more or less concerned, the European peoples went their several ways in the expectation that peace would not be broken. I happened to be in England at the time. I shall never forget the amazement, the consternation, the actual horror with which the war was greeted. And what was true there was true elsewhere. I doubt if there was a people in Europe not equally stunned and appalled when suddenly confronted by the terrible reality. They were all mentally unprepared. They had not chosen war. They were simply caught in a situation not of their making but over which as individuals they had no control. After the first shock had passed, after the peoples had settled down in grim earnest to their task, they began to look about for some explanation of the dreadful and overwhelming catastrophe which had overtaken them. And the explanation most generally accepted, I suppose, by the allied peoples was that the war had to come—that two great conceptions of government had finally come to grips and that the peoples, democratically organized, must fight for existence against the military autocracies. The two, it was asserted, could not go on living side by side. The world was not large enough to hold them both. One of them had to go. And, believing the moment favorable, the military autocracies, we were told, were determined to force the issue to a conclusion.

In the end, after four and a half year of warfare on a scale heretofore unimaginable, and at a cost which staggered humanity, victory fell to the self-governing people. The autocracies were overthrown. The dynastic ambitions and quarrels were swept away. The perils, real or imaginary, which had existed when peoples democratically organized were confronted by military autocracies all disappeared. On the face of it and on the basis of that explanation the world, in all truth, had been made safe for democracy. A happier future—a future, bought at a great price, which should be undisturbed by war—lay ahead; and then, if you will remember, came a hard awakening. Slowly, reluctantly, but very definitely, we found ourselves compelled to realize that that war which we had been told was being waged to end war somehow failed in its purpose. The democratic peoples now, apparently, distrusted one another quite as profoundly as before they had distrusted the autocracies. War again had to be contemplated; and in this year of our Lord, for instance, if we lift our eyes, we see that there are more men under arms than ever before. Armaments have increased and bid fair to increase even more. The search for new and more deadly instrumentalities for destroying life and property goes on unwearied and unchecked; and if we listen carefully we may even now hear whispers of a certain year, just ahead, called X, which is supposed to the final year that peace between the great powers may be regarded as assured. All that seems lacking, apparently, to set the war drums beating again is the occasion. Peace is no less desirable. No people wants war. But, somehow or other, that durable peace we sought has receded even as we stretched out our arms to grasp it.

That is not a happy situation. I do not wish to overemphasize it. Yet, in face of the facts confronting us, it is difficult to discover in what way the governments of the self-governing peoples are relying less than formerly on armaments to provide for national security. They continue to act within well-defined grooves, and in accordance with a political theory which exalts nationalism, and rely, frankly, upon force, when necessary, to attain their ends. Conference after conference has been held. Organization after organization has been formed. Effort after effort has been made to insure peaceful settlements. No one wants to let the furies of destruction loose again to scourge the earth. But the net result of the past dozen years is a steady and merciless increase in armaments; and if we ask ourselves the reason for this strange persistence in a policy which has shown itself both ineffective and dangerous, and which even to-day divides the nations and is keeping them apart, the answer is ready for us. Those in political authority now apparently find the real source of danger to be ourselves—you and me and all the rest of us—and to assume, human nature being what it is, that wars, practically speaking, are inevitable. They deplore the fact. They are ready to agree that peace is highly desirable and that war is a frightfully expensive and irrational method of settling international disputes. In view of human experience, however, they see no alternative. Deep down in human nature they find racial and national instincts and prejudices which, when appealed to, have always resulted in a war spirit. They see no reason to assume that any other result may be expected in any future now useful to contemplate. Meanwhile, then, their obvious duty is to protect us against others, and against ourselves.

Now, I for one, disagree wholly with that amiable theory. I do not believe that, as a matter of fact, wars to-day do take their origin in the moral defects or weaknesses or lack of self-control of great masses of men and women capable of self-government. I do not believe that we, for instance, are going to awake some fine morning and find ourselves in the grip of an uncontrollable impulse to go out and slaughter a neighboring people and seize its lands and goods. That is not an explanation. It is nonsense. What is true, of course, is that this people or any other people will under certain conditions be willing to go to war. But I need hardly point out to you that those conditions are an integral part of the problem. Before a war is conceivable, there must be something to fight about—an issue. And that issue, broadly speaking, is the outcome of a series of maneuvers by which the masses concerned are brought into positions of opposition. Obviously, the maneuvering is not done by the masses themselves. Collectively, and as individuals, they have little, if anything, to do with the slow and subtle and tortuous shiftings of international relationships. That task, very properly, they leave to their governments. Their interests are directed to the more prosaic task of earning a living. The maneuvering is done, of course, by those little groups of men we call governments. These little groups seek constantly and naturally to gain supposed advantages of one sort or another for their own nationals. Out of their efforts to enlarge or to strengthen or to maintain the interests committed to their charge, the masses they represent are gradually maneuvered into positions which, to say the least, can not easily be surrendered. If the process continues, sooner or later an agreement between these little groups becomes impossible. Then, on the ground that their lives and property are somehow involved and endangered, these great masses of men and women, roused by every power of organized appeal and propaganda, are ordered under arms and war follows. The little groups make the issue. And the little groups declare the war. The masses they control find themselves at the critical moment substantially helpless. And so as individuals, loyally and patriotically, they accept the decision and go out to pay the bills of war with their bodies, and perhaps with their souls, in the hope that if not they, then those who come after them may reap a benefit in some measure proportionate to its cost. And even the men through whose instrumentality, consciously or unconsciously, willingly or unwillingly, this dreadful catastrophe has been brought about, still continue to explain it on the ground that, human nature being what it is, any other determination was impossible—and will be, either now or hereafter. I do not pretend that this is an exhaustive and complete analysis of the origin of modern war. I do submit that, in the main, the process leading up to war is in the hands of those little groups of men. I do submit that our governments possess not only the power to control and direct our relations with other peoples but also the power, at their discretion, to throw us into war with them. Wherefore, it seems to me, that what we need most to consider at the moment is not so much our individual sins and weaknesses and lust for blood, helpful and commendable as such self-examination may be, but rather how far it is either safe or necessary in this new and more democratic world we are entering, to permit our governments such complete freedom of action.

Precisely here it behooves us to tread a bit warily. You may say our governments do not possess complete freedom of action. We are self-governing. So are the other great peoples in this western world. You may assert their wills and ours find full expression in representative government. If we want peace, you may say, we can have it. Our governments were responsive and obedient to our stand in the war. But, unhappily, the statement is too broad. The matter is not so simple. The power to throw us into war, for instance, does not rest in us, but in our Government. Being self-governing, we elect that Government. We choose those who are to represent us. But we elect them always on domestic grounds and for domestic reasons. And a government elected on such an issue, say, as prohibition or the tariff, or some other interest which at the moment bulks large, may not be at all representative when confronted by the need of a decision involving peace or war. What then? Such a conflict of opinion would mean comparatively little in the ordinary run of affairs. If the government we elect, for instance, puts a certain policy into effect and it proves contrary to what a majority of us want, in due time we simply turn that government out of office and substitute a new government more in accord with our views. But in case of war differences of opinion assume tremendous importance. If our Government decides for war, we can not change that decision at some later time. It sets in motion a set of forces which are uncontrollable—and from whose action there is no appeal. We carry on the ordinary work of legislation well enough by representatives chosen for the purpose. We still keep the control. But a declaration of war is final. It takes all control from us. It binds us absolutely—and all we are and all we have and all our future. It involves a question as fundamental, at least, as the adoption of a constitution. You may assume, if you want, that our Government will act at any time in accordance with our wishes. But I ask you to note that it is pure assumption. We do not know. We have no means of knowing. No self-governing peoples have yet set up the political machinery necessary to ascertain what a majority of them may desire in such an emergency. And modern war is altogether too overwhelming a catastrophe to be risked on an assumption. But something more than a mere assumption is involved here. We must not forget that in times of crises our governments may not seek to obey the popular will. They may ignore it altogether, as they have sometimes in the past, and decide, for reasons which seem good to them, to follow their own conceptions of what the situation demands. And that, in my own opinion at least, seems to be too great and too vital a decision to be taken by them alone. It involves the very negation of popular government. And it puts the peoples involved in a situation where they are powerless. If you think that is a risk so slight as to be ignored, a careful reading of modern history should convince you to the contrary. So sooner or later, it seems to me, we shall inevitably be forced to drag out into the open and face clearly the question that is lurking here in the background—whether, as at present, the power to declare war shall continue exclusively in the hands of our governments, or if public opinion is to decide; and that would seem to be the object of self-government, whether that power

shall be exercised only after we who are most concerned shall in some proper and constitutional way have given our consent. We can not proceed indefinitely in both directions. Yet that is precisely what we are trying to do to-day. Sooner or later we must choose which way we will have it. And bound up in that conclusion, in my own opinion, is the next great constitutional problem which the self-governing peoples, acting together, must solve.

Why not? Why should the great self-governing peoples not assume that responsibility? Why should they continue to delegate to others, chosen for quite other purposes, the power to put them into war? Is this not the one power a self-governing people would logically reserve to itself, since it puts in jeopardy their collective lives and property? We create governments primarily to protect our individual lives and property, and to that end our representatives make laws and set up safeguards, and if these prove unsatisfactory we change them. It is only when all our lives and all our properties are suddenly involved in a great and supreme decision affecting peace or war that we cease to be self-governing. We accept the decision of others. And that method, if we may call it such, has not led us to peace. It has never freed us from war and the burdens of war. We have no reason to assume that peace to-day is secure—rather, the contrary. And there are reasons which seem at least to indicate that while war hitherto has been the concern mainly of governments, it might more safely be made the concern of the peoples themselves.

First, as you know, the great self-governing peoples have shown themselves competent to manage their domestic affairs. Foreign affairs are merely an extension of domestic affairs. They are not a sort of arcana wherein the laws of common morality are excluded and in which only cynical gentlemen of bilingual attainments are competent to play a rôle. They are in the main simply the natural and beneficial outcome of a desire to trade. They become potentially dangerous only when men who temporarily possess power undertake, for a supposed national advantage, to infringe either the liberties or the possessions of a neighboring people. Then they become very dangerous indeed. But I ask you, in so far as the self-governing peoples are concerned, is such an effort as likely to arise out of great masses of men and women whose interests lie primarily in peace as out of small dynamic groups of men who think, perhaps, they can better the relations between them and sometimes, as history has shown us, are willing to take a chance? I, for one, doubt it. It is conceivable, indeed, that what men call "national destiny" might safely be left to work itself out more slowly and in its own way and without quite so much conscious aid and direction.

Second, I need hardly say to you that war steadily increases its demands. Once it could be waged with profit. Now no gain can equal its cost. Once it could be waged by a relatively small proportion of the populations involved. Now it embraces all. Men and women alike must contribute to its will to destroy. There are no noncombatants. Its proportions have become so formidable and its demands and consequences so ruinous that it threatens to wreck civilization itself. Whatever may be said regarding war in the past, whatever advantages may have come of it, whatever good it may have accomplished, to-day the situation is radically changed. This new democratic era into which we are entering, wherein production is becoming more and more a world process and in which the relations of each one of us is becoming more and more vitally dependent upon others, can not withstand the shock and dislocation and waste of war as easily as societies more primitively organized. Some check upon the use of this method must be found. And if self-government has any meaning whatever, I suggest that those who are most vitally interested, whose lives are at stake, and whose property is endangered are the ones best fitted to provide that check.

Then, again, while the fundamental relations between peoples are based, as at present, frankly and openly upon force, fear of attack obviously becomes a natural and dominant consideration within each national group. Out of that fear springs, as a matter of course, the desire to increase armaments which, except for use against each other, are largely unnecessary. Each arms for defense, and each thus becomes potentially more able to attack and so more dangerous as a neighbor. What we do not always realize is that fear in this sense is fear of the concentrated power in the hands of governments to make war almost overnight. Such fear could not exist if the war-making power were diffused among a people. The tension would lessen. Time would be required before that power could again be focused. And time is the greatest ally of peace. We may go even further. If this concentrated power, now in the hands of our governments, were in fact diffused among their peoples, we may safely assert that those in political authority would be less inclined than now to develop situations out of which war might easily emerge. They could not be sure of their ability to carry such plans through to completion. The fact that they had so managed the people's business as to bring it to a dangerous crisis would be their condemnation. What is troubling the world to-day is not too little governmental interference with the wholly natural and helpful processes of dealing between nations, but too much.

And finally, we must remember that the self-governing peoples occupy a wholly different position than ever before. Conditions of life have changed vastly during the past few decades. The earth's diameter, I suppose, remains what it always was in terms of miles. The distance from pole to pole no doubt remains the same. But certainly the world in which we are living has shrunk amazingly and become a mere fraction of its former size. And as its distances have lessened the peoples necessarily have been drawn into closer contact. In particular their mutual dependence on each other for their actual livelihoods and their standards of living is being made clear almost day by day. It is the fashion, I know, now to speak as if the democratic impulse had exhausted itself. I doubt it. It seems to me rather that what we are witnessing to-day is the beginning of a new and greater democratic advance, moving in ways we do not yet fully understand toward the extension of democratic control over interests which are the concern of no one nation, but of all nations. International life can no longer safely be assumed to be a sort of game in which the governments are the players and the peoples the pawns. The time for that is past. For to these peoples to-day the cable and telegraph and telephone, the wireless and the radio bring every event of importance throughout the world—what is taking place in this or in that parliament, what this or that statesman is advocating, what effect this or that policy is having—bring this information, within a few moments of its occurrence, to these hundreds of millions of men and women who have assumed political responsibility and who feel themselves competent to form opinions about whatever concerns them. They are almost as well and as quickly and as accurately informed as their governments. Nothing of importance can now be hidden from them. Everything is brought into the merciless light of publicity. Naturally these men and women form opinions and reach conclusions on a scale never before conceivable. Already we see public opinion taking form against those recurrent conflicts which hitherto have seemed so inevitable. And if it shall appear that our existing political methods are inadequate to protect us against war, because based on assumptions no longer either necessary or useful, who shall doubt that those methods will be changed and that the peoples themselves assume responsibility for that supreme decision.

Such considerations are, of course, obvious enough. They could be multiplied almost indefinitely. No sane human being would deny their compelling force if it were not for one doubt. And it is this: Are we, you and I and the rest of us, the plain men and women who make up the vast bulk of each of these self-governing nations, as competent to determine if and when a war is necessary as the little groups of individuals who now form their government? That is the doubt. And the answer to that depends, obviously, upon our belief in ourselves. There was a time when the ability of men and women to govern themselves under any conditions was disputed, and for precisely the same reasons. History and the rise of self-governing states have demonstrated not only that they are competent but that they are happier and safer when they take on themselves the responsibility of government. Our fathers met that doubt and answered it for their day and generation. Now we find ourselves face to face with it, but in a new guise—whether, although admittedly competent to govern ourselves within our own frontier, we are competent to control our fundamental relations with other peoples; in other words, to determine whether at any given time those relations shall be relations of peace or war. That is the nub of the matter. The great peoples are now self-governing. Each of them has set up a machinery of government which gives it effective control of its own domestic affairs. But in the region of international affairs the existing machinery of government has never been within their control and is not now. Theoretically, of course, each self-governing people controls its relations with other peoples. Practically, by leaving the power to declare war in the hands of their governments, they lose that control at the moment most vital to them. It is conceivable, of course, that, owing to some inherent moral instability or lack of understanding they are unfitted to assume that control; that they would treat lightly a decision which meant so much to them and to others and squander recklessly their lives and property in vain wars against their neighbors. But the presumption at least is in their favor. After all, it is their lives and their properties which are involved. And it is certainly within their power, if they will, either to permit the continuation of a system autocratic by nature, which always has resulted in war, and by which, as at present, their lives and property can be taken without consultation with them and without effective means of protest, or, by agreement with the other self-governing peoples, to take upon their common shoulders by the necessary constitutional means the power to decide whether at any given time war between them is or is not necessary. If they choose the latter course, war is inevitable only in so far as they themselves want it to be. They will be in position to decide, for then the full power of sovereignty will be within their grasp. Only then will the democratic process be complete.

And so it seems to me if what I have said has substantial basis in fact that sooner or later those peoples who have demonstrated their competence to govern themselves within their own frontiers must, if peace between them is to be made more certain, assume direct responsibility for their relations with each other. Our governments have not protected us against war. We have no apparent reason to look for any marked change in their methods or in their aims. The future, if they control it, may easily become an intensified repetition of the past. Personally I believe we can not safely or prudently continue to be democratic within our frontiers and autocratic in our dealings with the other self-governing peoples. Personally I believe that as the chances of a lasting peace are greater when in the hands of representative governments than in the hands of autocrats, so those chances will be greater still when in the hands of great masses of human beings whose interests lie in peace and who think in terms of peace and who know that their lives and property are the stake if peace is broken. At any rate, so far as I can see, no effective alternative is open. If the danger of war is to be lessened, a sufficient measure of con-

trol can be obtained only when the self-governing peoples definitely and constitutionally take the decision into their own hands. For there is only one power great enough to control a government, and that is the power of the people who create it.

That, substantially, completes what I have to say. I did not come here to offer you a panacea against war. I know of none. I have sought only to indicate how an added security against war can be obtained among that small group of nations which I have called the great self-governing powers. I would ask you to note, first, however, that the group, if small, is nevertheless of supreme importance. It comprises the dominating peoples. Out of a conflict between them comes that most dreadful catastrophe of all—a world war. So long as peace obtains between them, all other conflicts are comparatively of minor importance. And I would ask you to note, second, that they are not only the dominating peoples; they are the peoples who are most alike, who possess, roughly, the same degree of economic and political and educational advancement, who accept the same standards of life, respond to the same appeals, and react to the same emotions, and who have learned that war between them, whether won or lost, is wholly evil. If common action against war is possible at all, it should be easiest to obtain between them. Moreover, bitter and costly experience has taught them that a durable peace between them can not rest upon force. They have tried it and they have failed. A durable peace must rest upon good will—not sentimentalism, not shallow emotionalism, but upon good will, which, in essence, is the common-sense acceptance of the fact that no dispute between them can possibly be worth the human and material costs of war. I believe profoundly that this practical good will exists, that the great self-governing peoples may safely trust one another, and that to-day only a method of dealing between them inherited from an outgrown system of autocratic government prevents our recognition of that great and beneficent fact. We are caught in a method of our making. We must unmake it.

The possibility of such an agreement may seem to you, from a practical standpoint, so remote as to be negligible. In my opinion, it is far from negligible. I believe, indeed, that the opportunity lies open to us to-day. Everywhere there are strange winds blowing through the hearts and minds of men. There is a new spirit in the world. The cannon fodder is becoming articulate. The human pawns in that dreadful game are more and more aware of their responsibility and of their power. We talk about public opinion. We recognize its power. We rely upon it more and more to act as a corrective and to promote justice and fair dealing between the nations. Why, then, should we hesitate to give it a constitutional method of direct expression, which, when war between us threatens, will be decisive? Why should we so fear ourselves?

Now, let me thank you for your patience. You have been very kind. I realize, of course, far better than you how inadequate is the statement I have made. But however inadequate, it at least has this excuse, that it is an effort, as I told you, to point out an added security against war where it is most destructive and most dangerous, that is to say, between the peoples who are most alike, the great self-governing peoples. If we are content with the present relations between them, we need no added security. But in view of the war which ended less than a dozen years ago and of the present, in which the war clouds are again gathering, and of the future in which our children will live, are we content?

THE SILVER PROBLEM

Mr. BORAH. Mr. President, I have before me the Mid-Month Review of Business by the Irving Trust Co. of New York. In this review there are four or five paragraphs dealing with the silver problem. In view of the source from which the comment comes I think it of more than ordinary importance and ask to have the paragraphs referred to printed in the RECORD.

I also ask to have printed in the RECORD a news dispatch from Shanghai dated January 6, and another from Peking of the same date published in the New York Times of January 7, 1931, relating to the same subject.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

[From the Irving Trust Co. (New York) Mid-Month Review of Business of December 17, 1930]

THE PROBLEM OF SILVER

Perhaps silver gives a clue. Half the world's population still uses silver as its money metal—India, China, Mexico, Abyssinia, and a few other countries. In China silver has been used as the store of value for nearly 4,000 years. In India lifetime savings take the form of silver jewelry, bangles, table utensils, cult objects and statuary, bullion and coins, hidden in the rafters or buried in the ground. Myriads of people want metallic wealth, which "neither moth nor rust doth corrupt"—not paper money that becomes sodden by the wet from thatched roofs or makes good provender for rats and insects. It is a serious matter to disturb folk ways of such long standing. Yet the Government of India in 1926 imposed upon the people legislation, dictated from London, providing that India should adopt a gold-bullion standard in place of the previous gold-exchange standard, and gradually sell on the open market the excess stocks of silver, consisting of several hundred million ounces, then held in the Indian treasury; the proceeds of these sales would serve to augment the treasury's gold holdings, which were to be increased gradually until the requirements necessary to the operation of a free gold standard should be accumulated. In line with this legislation the Indian treasury has disposed of large amounts of silver, and in March, 1930, imposed an import duty of 4 annas (between 9 and 10 cents) on the white metal.

At the time that the Royal Commission issued its recommendation silver was selling at about 65 cents an ounce. A rapid fall in the price followed, and in December, 1926, the price averaged 53½ cents. Punctuated by occasional rallies, the trend has since been downward and on the 16th of the present month quotations reached 31⅛ cents, the lowest level in the history of the world. Because Indians and Chinese from time immemorial have been accustomed to invest their savings in silver—the amount of such accumulated savings in India alone being conservatively estimated at 7,000,000,000 ounces—the extent of the social upheaval can hardly be imagined. Inasmuch as China is on a silver basis, her purchasing power in terms of imports has been melting away, and thus American sales to China have woefully declined. In addition, the Chinese are suffering from a world-wide decline in the gold prices of the commodities which they export. It seems safe to infer that the silver catastrophe has been a major factor in the unrest in India and the economic crisis in China. If so, the full effects of the situation have not yet been witnessed.

DEBASEMENT OF SILVER CURRENCIES IN EUROPE

In addition to the events just described, Great Britain, Germany, France, Austria, Holland, Italy, Mexico, and some other countries have debased their silver coinage since the war, so that considerable supplies of the metal have been dumped from these sources upon a market that has now become demoralized. For the past five years silver production has been almost static at about 250,000,000 ounces per annum. Gold, too, has been produced in recent years in fairly constant quantities, or about an annual average of 19,350,000 ounces. World production of silver for the entire period from 1493 to 1927, inclusive, has been over 14,000,000,000 ounces, or about fourteen times the weight of gold produced in the same period. Since 1493, moreover, the Americans have produced 84 per cent of the world's silver. One-half of the total silver output since 1493 was produced in the 39 years from 1889 to 1927; but in spite of this great increase the rate of increase has been much less than that of gold, copper, lead, and zinc, not to speak of many other basic commodities. Gold in the United States has a stable value of $20.67 a fine ounce, an unvarying price fixed by legislation. During 1929 the average price of silver was $0.5363 an ounce, and thus gold was worth thirty-eight and fifty-four one-hundredths times its equal weight in silver. This ratio of 38.54 to 1 is called the commercial ratio of silver to gold. It is interesting to note that from 1687 to 1874 this ratio fluctuated between the extremes of 14.14 to 1 and 16.25 to 1. The relationship of 16 to 1, which became a political issue in the United States in the latter part of the nineteenth century, is now supplanted by the extraordinary ratio of approximately 65 to 1. Bearing in mind the fact that the major portion of the silver now produced is a by-product of mining carried on chiefly for some other metal or metals, and the further fact that for the past five years the total silver output has been relatively constant, although the price has fallen some 50 per cent, it is evident that the economic law of supply and demand has been fundamentally disturbed by legislation.

A SUGGESTED REMEDY

The facts clearly indicate the nature of the relief which is needed, and it is to be hoped that neither shortsighted nationalistic prejudicies nor mere doctrinaire notions about bimetallism will stand in the way of the type of legislative action that is urgently necessary if the western nations are not going to push the Orient into an even deeper abyss of misery. The purchase of a few million ounces of silver annually by the treasuries of the leading commercial occidental nations for the purpose of augmenting the depleted silver content of their silver coins, or of using silver instead of paper for currency of small denominations, would exert an immediately beneficial effect. Some agreement, also, to proceed more cautiously in foisting the gold standard upon nations who are not yet ready for it would lessen the real concern that was expressed in the interim report of the gold delegation of the financial committee of the League of Nations, lest gold supplies within a few years may be insufficient to support the growing volume of credit that is based on gold. These measures would help to preserve the value of the immense silver hoards in India and China and save the 700,000,000 of inhabitants from utter catastrophe.

The historical defects of bimetallism in certain western currencies are well known and no one wishes to see them occur again. But we can still remain on the gold standard and use to advantage larger amounts of silver in our currencies. As far as the Orient is concerned, silver has been their standard of value from time immemorial. In the western countries for many centuries, silver was of predominant importance until, some 70 years ago, the relative advantages of the gold standard became apparent to the United States and to other European countries. Thus here silver has become a commodity rather than primarily money, whereas in the minds of half the human race it still remains money first and commodity only secondarily. To forget this would be a serious psychological and political blunder. But mere altruism need not be the motive for trying to better the present silver situation. In helping our eastern neighbors we would be helping ourselves. Silver prices for many years have fluctuated slightly in advance of commodity prices. Thus, in pre-

venting a debacle in the price of silver, we would set in motion forces that would uphold general commodity prices and augment and stabilize international commerce. By broadening the monetary use of silver here and in Europe we would greatly strengthen the gold standard and insure its relative stability and permanence.

COMMODITY PRICES NOT YET STABILIZED

The course of wholesale commodity prices in November failed to reverse the long-continued downward trend of quotations. For the fourteenth successive month, Bradstreet's wholesale price index exhibited a decrease, the December 1 figure registering a drop of 2 per cent from November 1, of 20 per cent from December 1 a year ago, and 53 per cent from the record high of February 1, 1920. The present decline in prices has been very nearly as extended in point of time as the postwar drop, but has been far less severe in actual percentage of decrease. Attempts made by producers of copper to advance the price were not successful. Producers quoted copper at 12 cents a pound, but were undersold by custom smelters, and copper quotations now range between 9¾ and 10 cents. On December 15 the price of tin touched the lowest level in 28 years when a large tonnage of the metal was unexpectedly added to the world's visible supply. Lead is steady, although well under the level of earlier in the year; but each slight advance in zinc is followed by recession. The average price of agricultural products on the farm on November 15 was at the lowest since December, 1915. The Federal Farm Board is supporting the price of wheat, which continues to rule above world parity.

[From the New York Times of January 7, 1931]

SILVER NOW LOWEST IN CHINA'S HISTORY—$424 IN REPUBLIC'S CURRENCY IS WORTH ONLY $100—COMMODITY PRICES RISE FAST—MAIL STRIKE THREATENED—HOPEI PROVINCE RESUMES COLLECTION OF LIKIN TAX DESPITE BAN BY NANKING RÉGIME

By Hallett Abend

SHANGHAI, January 6.—The value of silver in relation to gold has fallen to the lowest point in China's history, $100 in gold now being worth $416 to $424 in silver currency. The Mexican trade dollar once was worth 49.6 cents.)

The violent fluctuations in the value of silver has brought unsettled business conditions. Prices of all commodities are rising rapidly to meet the new values of silver although they had been advanced greatly when the new tariff was published.

The General Labor Federation has decided to fight the Nanking Government's order prohibiting the organization of more local unions. The union leaders say that if Nanking persists in its stand the postal workers will be called out in a nation-wide strike.

HOPEI RESUMES OLD TAX

PEKING, January 6.—The internal tax (likin) stations of Hopei resumed activity yesterday notwithstanding the Province's official report to T. V. Soong, Finance Minister, that the likin had been abolished. The authorities explain they are awaiting the establishment of 19 special bureaus to collect the new taxes on foods, textiles, lumber, and livestock which will replace the likin revenue.

Collectors of the likin contend their contracts have not expired, and therefore are continuing to gather taxes until they have regained the money they invested for the right to collect them.

The Peking likin has been definitely ended, 1,000 tax collectors being thrown out of work.

SILVER SLUMP BEGAN IN 1926

The slump in the value of China's silver currency is the result of the world-wide decline in silver which began in 1926, when India adopted the gold standard and began selling her immense excess of silver bullion.

The price of silver has dropped steadily from 65 cents in 1926 to 29½ cents an ounce, yesterday's quotation in the New York market.

China also has troubles in shifting from the old likin (local taxes) which were to have been replaced January 1 by a high tariff. The likin was to have been abolished January 1, 1930, but the change was put off to October. Another delay came last October because of the civil war. The Nanking Government's power now will be measured by its success in enforcing the change in taxation

PROMOTION OF WELFARE OF MOTHERS AND INFANTS

The Senate resumed the consideration of S. 255, the unfinished business.

Mr. JONES. Mr. President, I think it would be well to have the agreement under which we are now operating read to the Senate.

The VICE PRESIDENT. Let the agreement be read.

The Chief Clerk read the unanimous-consent agreement entered into on December 17, 1930, as follows:

Ordered, by unanimous consent, that after the hour of 3 o'clock p. m. on to-morrow no Senator shall speak more than once or longer than 15 minutes upon the bill (S. 255) for the promotion of the health and welfare of mothers and infants, or more than once or longer than 5 minutes upon any amendment offered thereto.

Mr. HARRISON obtained the floor.

The VICE PRESIDENT. The Chair would like to suggest that there is no pending amendment. The Chair was informed when the Senator from Alabama [Mr. BLACK] began his remarks that there was a pending amendment, but the amendment has been disposed of. So the Senator from Mississippi has 15 minutes.

DEATH OF JOSEPH S. M'COY

Mr. HARRISON. Mr. President, on yesterday there passed away in the city of Washington one of the most conscientious and able public servants in the Government service. I refer to the Government actuary, Mr. Joseph S. McCoy. I am sure that those Senators and Members of the House of Representatives, as well as Government officials generally, who have had occasion to come in contact with him and to imbibe from his great store of knowledge appreciated his work for the Government. In my humble opinion, of all the Government employees with whom I have become associated he was the ablest. He perhaps earned his salary more than any man in the whole Government service. The store of information he had with reference to Government finance and the readiness of his memory were remarkable. I have detained the Senate for this brief time merely to express my sense of personal bereavement and my sympathy and, I am sure, that of the Senate to his family in his untimely death.

Mr. SMOOT. Mr. President, I rise at this time merely to indorse every word which has been uttered by the Senator from Mississippi [Mr. HARRISON] in eulogy of the late Joseph S. McCoy. I have known him for a quarter of a century; I have come in direct contact with him during that time whenever the Senate has had under consideration a tariff bill or other legislation affecting Government finances. I know of no man in the service who has been so faithful as Mr. McCoy.

He was hardly known outside of the committees of Congress and the Government departments, and yet his knowledge of the financial affairs of the Government was perhaps not surpassed by that of any other man, and the estimates made by him of Government revenues were as nearly accurate as the human mind could make them. That has been proven by the experiences of the past 20 years.

I was pained to learn of his death, which I understand came suddenly while he was driving his automobile. Had he been ill and I had known of it, I would have been happy to have called to see him. I say these few words to express the esteem, respect, and honor in which I held this splendid American citizen.

"TO RUIN THE PRESIDENT"

Mr. GOFF. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial appearing in the Washington Post of to-day entitled "To Ruin the President."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

TO RUIN THE PRESIDENT

The vote in the Senate for reconsideration of the nominations of three members of the Federal Power Commission reveals the animus of the insurgent-Democratic coalition that is seeking to ruin President Hoover and the Republican Party. The roll call verifies the intimations made during the debate, having for their purpose the poisoning of the public mind against Mr. Hoover. A bold and malevolent conspiracy has been formed to make it appear that the President of the United States is a tool of the hydroelectric power interests; that he has placed corrupt men on the Power Commission for the purpose of serving the power interests and to rob the public; that they have obeyed his orders by removing two honest functionaries who detected power frauds; and that, unless these power commissioners are thrust out, the people of the United States will be at the mercy of a rapacious monopoly which has made the President of the United States its slave.

The coalition demands that the President shall return to the Senate the notification of confirmation of the three commissioners in question, in order that the Senate may cancel the confirmation and reject the nominations, thereby making the offices vacant. This action is taken by the coalition in spite of the fact that the Senate notified the President that the men had been confirmed, following which notice they took the oath of office, organized, and proceeded to transact official business. They acted in obedience

to the law, which provides that the new commission shall be deemed to be organized when three commissioners take office. The Senate by its vote attempts to nullify this act of Congress.

The threat is made that if the President should refuse to send back the nominations the Senate will refuse to vote the salaries of the three commissioners. That threat, or any other threat that can be made, should have no effect upon the President. He is bound to see that the laws are faithfully executed. The law reorganizing the Power Commission must be enforced. It will be violated if the commissioners are thrown out by a vote of the Senate. They are removable only by the President or by conviction upon impeachment.

It is inconceivable that President Hoover will cooperate with the coalition that seeks to destroy him. If he should return the nominations, he would be conceding the right of the Senate to remove public officers in a manner not provided by the Constitution. He would be surrendering one of the great powers of the Executive, the power that lies at the foundation of all law enforcement and which insures faithfulness in office—the power of removal. And he would be surrendering this power not to right a wrong or to thrust out corrupt men but to consummate a wrong, to disgrace honorable men, and to aid a political coalition that charges him with corruption.

In this attempt to besmirch the Presidency the public will stand by President Hoover and against the Senate. The scheme is plainly apparent; the object is only too clear. The coalition that poses as the champion of the people against the Power Trust is in itself an enemy of decent government and is guilty of an attempt to violate the law and the Constitution. As the facts develop the coalition will discover that it has overreached itself and has rallied the people behind their President.

RESTRICTION OF IMMIGRATION

Mr. HARRIS. Mr. President, I ask leave to place in the RECORD a resolution adopted by the Thirty-second National Encampment of the United Spanish War Veterans regarding Mexican immigration.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Resolution No. 14

Whereas it being reported that the immigration laws are being violated by the Mexicans, and that the laws are not sufficiently stringent to prevent immigration which would seriously interfere with the employment of American labor; and

Whereas the national convention of the United Spanish War Veterans held in Habana, Cuba, in 1927, recommended the enactment of a bill known as the Box bill, pending in the House of Representatives; and

Whereas the Senate of the United States has adopted the said bill under the name of the Harris bill, that it is pending in the Congress for the action of the House of Representatives: Now therefore be it

Resolved by the Thirty-second National Encampment of the United Spanish War Veterans, in convention assembled, We do heartily indorse the Harris bill restricting immigration from the Western Hemisphere, and that this resolution be referred to our national legislative committee for action.

WELFARE OF MOTHERS AND INFANTS

The Senate resumed the consideration of the bill (S. 255) for the promotion of the health and welfare of mothers and infants, and for other purposes.

Mr. HEFLIN. Mr. President, I ask unanimous consent that we may vote upon the maternity bill at 1.30 o'clock p. m. to-day.

The PRESIDING OFFICER (Mr. PESS in the chair). Is there objection?

Mr. JONES. Mr. President, under the unanimous-consent agreement we probably will vote on it before that time; so I see no necessity of entering into such an agreement.

Mr. HEFLIN. I just want to get a vote on it. I do not want it to be postponed from time to time until this session is over. I want the country to know that it is just being passed along. If we are not going to vote on the bill it ought to be laid aside permanently.

Mr. KING. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. It is proposed to add, as a new section, the following:

This act shall expire by limitation June 30, 1936.

Mr. KING. I ask the Senator from Washington, having charge of the bill, if he will accept that amendment?

Mr. JONES. Mr. President, I will say to the Senator that while personally I should prefer the bill as it is, yet I appreciate the difference of opinion with reference to that matter. The amendment gives five years to carry out this work; and in order to get the bill through the Senate I will make no objection to the amendment proposed by the Senator from Utah.

Mr. BARKLEY. Mr. President, notwithstanding the Senator's surrender on the subject, I hope the amendment will not be agreed to. We had the same proposition up once before. We put a limitation on the life of the measure, and then extended it for two years, and because of a filibuster at the end of that two years we were unable to enact it into permanent legislation. We will have the same situation again if this amendment is agreed to; and I hope it will be defeated.

Mr. KING. Mr. President, I regret that this measure will receive, as it undoubtedly will, the approval of this body; and I regret that the Senator from Kentucky [Mr. BARKLEY] indicates opposition to the amendment which I have offered. First, let me say in the limited time at my disposal that I am in favor of communities and States adopting all proper measures in the interest of public health and the conservation of life. I have advocated in my own State appropriations by the legislature to aid in protecting the lives of infants and in promoting the welfare of mothers.

The States are sovereign and they have the responsibilities of sovereign governments. One of the responsibilities is to promote the welfare of the people; to aid those who are in want; to adopt wise, humane, and, if I may use the expression, scientific methods and policies to protect and conserve the lives of children. Public health is an asset to communities and to States, and the States should be generous in their appropriations to promote the health of their inhabitants.

I am opposing this bill not because I am opposed to infants and mothers obtaining benefits which it is declared this bill will aid in securing, but because I am opposed to measures that consolidate the States with the Federal Government and that tend to reduce them to a sort of protoplasmic mass to be moved only by the powerful arm of the Federal Government. I believe in the competency of the people of the States to govern themselves, and I think that measures of this kind challenge our dual form of government and the competency of the States and the people within their borders to manage their own domestic affairs. Our fathers drew a sharp line between the functions of the States and those of the Federal Government. Unfortunately, the gravitational forces of the Federal Government are drawing the States from their orbits, the inevitable result of which will be—if these gravitational forces are not overcome—that our form of government will be destroyed and a paternalistic or socialistic system will take its place. I have confidence in the people, in their State pride, in their ability to work out the problems, complex as they are, incident to our social, industrial, and economic conditions. If the people are led to believe that they must look to the Federal Government for gratuities, bounties, gifts, appropriations, and contributions to relieve them of obligations of local government, then the integrity of the States will be menaced and disturbing and dangerous elements will be introduced into our political system.

The centralizing forces operating in this Republic have become so powerful that the spirit of local self-government has become vitiated. The Federal Government should not encroach upon the States or take over duties and responsibilities which belong to them and to their inhabitants. The morale and the spirit of individualism of the people should be strengthened, and efforts should be made to arouse them against the dangers of centralizing movements which, if uninterrupted, will destroy what we have said must exist—an indestructible Union of indestructible States.

The President of the United States made, I believe, an unwise suggestion that the provisions of the Sheppard-Towner Act, which, of course, no longer exists, be continued for a limited period of time. However, he was wise enough not to recommend it as permanent legislation. His position indicates that he does not favor permanent legislation containing provisions similar to those in the pending measure.

I do not know of many persons who are in favor of the provisions in this bill being embodied into permanent legislation, although the Senator from Kentucky undoubtedly does, and I know that Grace Abbott and some other women have cooperated with her in securing the passage of this measure. The President in a recent message stated that the organization of preventive measures and health education in its personal application is the province of public-health service. He added that such organization "should be as universal as public education, and that its support is a proper burden upon the taxpayer and that it should be based upon local and State responsibility."

A proper interpretation of this statement means that the States and local State political units should look after sanitation, health, and education. No one questions the duty of the States to provide a suitable system of education and to adopt reasonable measures in the interest of sanitation and the health of the people. Speaking of county and local communities, the President says:

> Such organization gives at once a fundamental control of preventive measures and assists in community instruction. The Federal Government, through its interest in control of contagion, acting through the United States Public Health Service and the State agencies, has in the past and should in the future concern itself with this development, particularly in the many rural sections which are unfortunately far behind in progress.
>
> * * * * * * *
>
> I recommend to the Congress that the purpose of the Sheppard-Towner Act should be continued through the Children's Bureau for a limited period of years; and that the Congress should consider the desirability of confining the use of Federal funds by the States to the building up of such county or other local units, and that such outlay should be positively coordinated with the funds expended through the United States Public Health Service directed to other phases of the same county or other local-unit organization. All funds appropriated should, of course, be applied through the States, so that the public-health program of the county or local unit will be efficiently coordinated with that of the whole State.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Nebraska?

Mr. KING. I yield.

Mr. NORRIS. From what has the Senator been reading?

Mr. KING. From the message of the President of the United States.

Mr. NORRIS. President Hoover?

Mr. KING. Yes.

Mr. NORRIS. I could not hear it all on account of the noise around me. Is the President opposed to this legislation?

Mr. KING. His message, I think, indicates that he favors it for a limited period of time only.

Mr. NORRIS. Is he favorable to it for a limited length of time on the theory that it is an experiment, and he wants to see how it will work?

Mr. KING. No.

Mr. NORRIS. What is the ground?

Mr. KING. I assume that the President believes the States have responsibilities which they must assume, and that the powers of the Federal Government are limited. However, it appears that the President favored Federal aid for a limited period of time only, presumably upon the theory that the States would then be sufficiently interested and equipped to afford all proper aid in infancy and maternity cases.

Mr. NORRIS. How long has this been in effect?

Mr. KING. Seven years.

Mr. NORRIS. I understand that it is not in effect now.

Mr. KING. When the Sheppard-Towner bill was first under consideration its proponents asked that its life be limited to five years, stating that at the expiration of that period it would have served its purpose. However, before the expiration of the five years some of the same forces that had advocated the bill demanded that it be continued for a further period. The result was that the law was continued for two years more.

Mr. NORRIS. On the argument made by the President and those who favor a limitation now, do they say the seven years the law was in effect has not been sufficient time to give it a fair trial?

Mr. KING. I can not answer for the President or those who are insisting upon this measure. I think they say it has accomplished good, but that in some States there are not local organizations to carry forward the work under State supervision. Evidently the President's plan is that Congress shall continue the provisions of the Smith-Towner bill for a limited time until the necessary organizations have been perfected in the States to carry forward the work pertaining to infancy and maternity. My position is that in most of the States local organizations exist and that all of the States will enact suitable legislation to deal in a comprehensive and satisfactory way with this question. Certainly the States are as much interested in the welfare of infants and mothers as are bureaucratic agencies in Washington. Personally I prefer to trust the States than to trust Federal bureaus.

Mr. NORRIS. Is there any reason given why in a trial of seven years they have not spread it over the entire country?

Mr. KING. Reasons may have been assigned but I am not familiar with them. I presume that the contention is that in some States ample provision has not be made to deal with these matters. It is possible that a few States have not enacted measures to meet the situation, but I have no doubt that they will enact all necessary legislation to effectuate the desired results.

As I have stated, the people are competent to deal with their own problems and they will. Political and social advancement and reforms—small or great—have usually come from the people and not from bureaucrats. There are a few persons who believe that the Federal Government, through its bureaus and agencies, should enter into the States and take over their internal affairs. There are some persons who do not perceive the limitations upon the Federal Government. There are socialists who believe that the States should be merged into the Federal Government and that the latter should carry into effect socialistic policies, modified or extreme. There are some persons with socialistic or communistic views who regard it as a duty of the Government to take over the children and assume the duties and responsibilities of the parents. This legislation, in my opinion, has been advocated by some who have perceived in it an entering wedge for the Federal Government to take over the control and education of the children as well as the duties and functions of the States and their political subdivisions. I think it may be said that Mrs. Kelly, who is recognized as a socialist, if not a communist, has been an active champion of this measure. Miss Grace Abbott and other intelligent and charming women have actively supported this measure, and, as I believe, have gone further in seeking to superimpose upon the States Federal authority in matters relating to children and other domestic and local matters.

Mr. BINGHAM. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BINGHAM. Has the Senator from Utah spoken both on the bill and on the amendment for 20 minutes?

Mr. KING. Mr. President, I think I occupied my 15 minutes on the bill before the recess.

Mr. NORRIS. Mr. President, I desire to speak on the amendment, and not on the bill, at this time. I may want to speak later on the bill.

Mr. BARKLEY. Mr. President, will the Senator yield to me?

Mr. NORRIS. I have only five minutes.

Mr. BARKLEY. I should like to suggest the absence of a quorum.

Mr. NORRIS. Oh, no; I think there is a quorum here.

Mr. President, I am not finding fault with the theory of those who are opposed to this kind of legislation. In a general way I have a great deal of sympathy with the position taken by the junior Senator from Utah [Mr. KING]. I do not see, however, any point in the proposition of limiting this legislation at the present time.

As is well known, this legislation was enacted into law and put upon the statute books, and was there all together for seven years. The time expired some time ago. Now the proposition is in this bill to make it permanent.

I am in favor of the bill because it seems to me that the experiment—and I regarded it as an experiment myself at the beginning, and I think most Senators voted on the limitation on that theory—has been an exceedingly beneficial one, and that work has been done under this law that would not have been done by the States and will not be done by the States if this bill is defeated.

If it is intended to limit the life of the bill on the ground—and it seems to me that is the only legitimate reason for limiting it as to time—that it is an experiment, we have already had that experiment. If, later, in time to come it is discovered that the States have taken over this work, as the Senator from Utah says it is hoped they will, but have not yet done—if that happens we can easily repeal the law.

Mr. KING. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Utah?

Mr. NORRIS. Yes.

Mr. KING. May I say to the Senator that the States have taken over the work, with the exception of a limited number, and there is no doubt but that they will promptly do so?

May I say, while I have the floor—the Senator interrupted me——

Mr. NORRIS. All right.

Mr. KING. The President makes one suggestion which it does seem to me should appeal to the Senator—namely, that any sort of legislation relating to public health should be under the control of the Public Health Service of the United States, and all of the activities relating to public health carried on by the Federal Government should be under the jurisdiction of one agency instead of scattering them through a number of agencies.

Mr. NORRIS. Mr. President, it was quite evident that the President was in favor, and other people were in favor, of putting it under the Public Health Service. There was a meeting some time ago, the intent of which was to create a sentiment, and get behind the movement to create sentiment, in favor of taking that course, and although it was backed by the power and the influence of the administration, they were completely overturned in that meeting. Those who had given the greatest study and spent most time in perfecting this kind of legislation were opposed to turning it over to the Public Health Service.

There has been no criticism, so far as I know, of the administration of the law. Of course, there are those who are opposed to the fundamental principle, and, as I said, I am not quarreling with them. They may be right. But, as far as the administration of the law is concerned, so far as I have heard or have read, there has not been a word of criticism. It is conceded by those who oppose it, I think, that vast good has been brought about, and to my mind that is a sufficient answer to those who now want to place it under the control of somebody else and take it away from the control of those who have made a success, an admitted success, of the law and its administration.

The PRESIDING OFFICER. The Senator has 15 minutes on the bill.

Mr. NORRIS. I will not take that at this time.

Mr. BARKLEY. Mr. President, I made a few remarks on this bill prior to our adjournment for the holidays, and I had hoped we might get a vote upon it within some reasonable time without much further discussion. But I can not refrain from occupying just a few moments with reference to the amendment offered by the junior Senator from Utah [Mr. KING].

Of course, I understand that the Senator from Utah is perfectly sincere in his opposition to this bill. He is one of the outstanding opponents in this body of any legislation on the part of the Federal Government in behalf of the welfare of the average man or woman in the United States, and he is perfectly sincere about it, on the ground that such activities ought to be carried on by the States. Whether he would occupy the same position if he were a member of a State legislature I do not know, but my observation has been that usually those who oppose legislation on the part of the Federal Government for the benefit of the masses of the people on the ground that the activities ought to be undertaken by the State government, are equally opposed to it when undertaken by the State governments. So that I am compelled sometimes to discount opposition here on the ground that it involves the question of States rights. I do not in any way doubt the sincerity of the Senator from Utah when he says he is against this bill, and, being against it, he would like to limit it in any way possible so that it would die automatically at the end of a short period.

The Senator rather sarcastically referred to the proponents and supporters of this measure as communists. The word "communism" has come in recent weeks to be a convenient peg on which to hang opposition to every movement, either in Congress or out of it. If one is in favor of making an appropriation for the welfare of a cow or a hog, that is the height of statesmanship; but if he is in favor of an appropriation which has for its purpose the making of a human being a little more healthy, or giving a baby a right to live equal to the right of an animal, he is denounced as a communist. If one wants to pass an appropriation in the Congress of the United States to feed human beings who are as hungry as mules and horses and cattle, he is a communist; but it is entirely within the province of statesmanship to appropriate $45,000,000 to feed animals.

I can not subscribe with any degree of patience to that sort of position. I do not know whether Mrs. Kelly, referred to by the Senator from Utah, is a communist or not, and I do not care whether she is or not. I know of millions of honest, patriotic women in the United States who believe in this legislation, concerning whom it is unfair to designate them as communists or as in sympathy with communism.

I do not know how many communists there are in the United States. I saw a statement the other day that there are about 17,000, according to the census, or the report of somebody. I do not know whether those figures are correct or not. There are certainly not very many of them in this country. I saw in the papers yesterday or the day before a statement to the effect that the distinguished international communist sleuth, who has been engaged recently in activities in an effort to find out how many banks have been wrecked because of some whispering reports about insolvency, has made the statement that the agitation down in Arkansas resulting in the congregation of a few honest, hard-working people who were hungry, in order that they might obtain food for their families, was instigated because of communism.

I am going to discuss the drought and food situation here in a few days, as soon as I can get a convenient opportunity to do so. I have a letter from a member of the distinguished Breckenridge family, which has been prominent in the affairs of Kentucky for more than a hundred years, and after an investigation in some of the counties in eastern Kentucky she writes to me a letter which would make an iron man weep if he had any heart in him. She states that 13 per cent of the people in one county where she has made an investigation have not a bite of food in their cabins at this time. Yet if a man advocates the Federal Government doing something for those people that would be on a parity with what we do for animals, he is denounced as a communist.

The newspapers all over the country carry stories that the agitations on behalf of millions of our people who are hungry and needy are instigated because of a desire to uproot the foundations of the Government, and they throw in our faces the anathema that we are communists.

The PRESIDING OFFICER. The Senator has 15 minutes on the bill.

Mr. JONES. Mr. President, the Senator has spoken on the bill.

Mr. BARKLEY. I have occupied the 15 minutes on the bill, to which I was entitled. I hope this amendment will be defeated, and I hope we can get a roll call when the vote comes.

Mr. BINGHAM. Mr. President, I send to the desk an editorial from the New York Sun, which I ask to have read in my time.

The PRESIDING OFFICER. Without objection, the clerk will read.

The legislative clerk read as follows:

[From the New York Sun]

BUREAUCRATS' DELIGHT

The Jones-Cooper bill, which is now before the Senate, is, except for minor details, identical with the Sheppard-Towner Act, which was in effect between 1922 and 1929, and is accordingly open to all the objections to which the former law was open. Nobody has put the principal objection to legislation of this sort better than did President Butler, of Columbia University, in his annual report for 1921, when he said:

"For a long time the excellent limitations of the American form of Federal Government held these movements in check, so far as the National Government itself was concerned. When, however, the ingenious discovery was made that the National Government might aid the States to do what lay within their province but was denied to the National Government itself, the door was opened to a host of schemes."

Elsewhere in that same report President Butler said:

"One of the most noteworthy of recent developments in America is the zeal with which machinery is designed and built ostensibly to serve various public interests and undertakings, but in reality to control them."

These two excerpts, once brought to bear on the vicious Smith-Towner bill, apply equally well to the attempt to revive the Sheppard-Towner law. Consider what the bill now before the Senate proposes under the guise of providing for the welfare of the mothers and infants of the Nation. It appropriates $1,000,000 a year to be divided among the States, $15,000 to each State and the balance to be divided according to population, but no payment is to be made to any State until the State has appropriated an equal amount. It creates a board of maternity and infant hygiene, consisting of the Chief of the Children's Bureau, the Surgeon General of the United States, and the Commissioner of Education. It provides that the Children's Bureau shall administer the act and the chief of the bureau be the executive officer. Before receiving any of the money allotted to it a State must submit detailed plans for its expenditure and these plans must meet with the approval of the board. States cooperating with the board must submit such reports as are required or requested by the board. The board may withhold the certificate that authorizes the Treasury to make payment to the State if in its opinion the State agency is not complying with the provisions of the act.

The effect of the bill, in short, is to set up a dictatorship over the whole nation-wide fight to reduce the infant and maternal mortality rates and to centralize that authority in a bureau of the Government which was under severe fire at the recent child welfare conference. The Federal Government can not invade the domain of the States vi et armis, but bureaucrats have found a way around this difficulty. Dollar-matching legislation opens the way to peaceful penetration.

There is no convincing evidence that the Sheppard-Towner Act in seven years of operation did any good that could not have been accomplished without invasion of State rights. The opposition of the American Medical Association to a bill of this character is a sufficient exposure of its pretensions.

Mr. BINGHAM. Mr. President, that great association, the American Medical Association, is composed of leading surgeons and physicians in the United States, who are devoting their lives to the health of the country and the care of the sick, and who in particular have given liberally of their time, many physicians giving at least half of their time to work in the hospitals for which they receive no compensation at all, and it has never been sufficiently explained why this great association should oppose this legislation, unless it is really not in the public interest and not in the interest of the lives and the health of the mothers and children, for whom its sponsors claim it is really to be passed.

I desired to take only five minutes at this time on the amendment, which I hope will prevail, and I ask how much time remains?

The PRESIDING OFFICER. Half a minute.

Mr. BINGHAM. It seems to me that the Senator from Utah has expressed fully the situation, that in view of all that has passed, at least this experiment ought to be limited to five years and should not go on indefinitely. I am very glad the Senator from Washington, in charge of the bill, has expressed his willingness to accept that amendment, which I hope may prevail.

Mr. JONES. Mr. President, I want to correct the Senator. I did not say that I would accept it. I said that I would not oppose it.

The PRESIDING OFFICER. The time of the Senator from Connecticut has expired, and the question is on the amendment offered by the junior Senator from Utah [Mr. KING].

The amendment was rejected.

The PRESIDING OFFICER. The bill is still open to amendment. If there be no further amendment——

Mr. BLAINE. Mr. President, I doubt very much whether all the Senators realized that this bill might come on for a vote to-day. I think under the circumstances I will suggest the absence of a quorum, so that Senators may have an opportunity to be here when the vote is taken.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Dale	Jones	Sheppard
Barkley	Davis	Kendrick	Shipstead
Bingham	Deneen	King	Shortridge
Black	Dill	La Follette	Smith
Blaine	Fess	McGill	Steck
Blease	Fletcher	McKellar	Steiwer
Borah	George	McMaster	Swanson
Bratton	Gillett	McNary	Thomas, Idaho
Brock	Glass	Metcalf	Thomas, Okla.
Brookhart	Goff	Morrison	Townsend
Broussard	Goldsborough	Moses	Trammell
Bulkley	Harris	Norbeck	Vandenberg
Capper	Harrison	Norris	Wagner
Caraway	Hawes	Nye	Walcott
Carey	Hayden	Oddie	Walsh, Mont.
Connally	Hebert	Partridge	Wheeler
Copeland	Heflin	Pine	Williamson
Couzens	Howell	Ransdell	
Cutting	Johnson	Robinson, Ind.	

The VICE PRESIDENT. Seventy-four Senators have answered to their names. A quorum is present. The bill is open to amendment. If there be no further amendments, the question is on engrossing the bill.

The bill was ordered to be engrossed and to be read a third time.

The bill was read the third time.

The VICE PRESIDENT. The question is, Shall the bill pass?

Mr. JONES. I ask for the yeas and nays.

The yeas and nays were ordered; and the legislative clerk proceeded to call the roll.

Mr. KING (when his name was called). I have a general pair to-day with the Senator from Delaware [Mr. HASTINGS]. I suppose that pair would apply to this particular vote. However, I transfer my pair with that Senator to the senior Senator from Maryland [Mr. TYDINGS] and vote "nay." I am advised the Senator from Delaware [Mr. HASTINGS] would vote "yea" and the Senator from Maryland [Mr. TYDINGS] would vote "nay" if present.

Mr. SMITH (when his name was called). I have a general pair with the senior Senator from Indiana [Mr. WATSON]. I do not see him in the Chamber. Not knowing how he would vote on this matter, I withhold my vote.

Mr. THOMAS of Oklahoma (when his name was called). I have a general pair with the junior Senator from Illinois [Mr. GLENN]. Not knowing how he would vote, I withhold my vote. If permitted to vote, I would vote "yea."

The roll call was concluded.

Mr. GEORGE. I have a pair with the senior Senator from Colorado [Mr. PHIPPS]. I transfer that pair to the Senator from Nevada [Mr. PITTMAN] and vote "yea."

Mr. WAGNER. On this vote I have a pair with the junior Senator from Missouri [Mr. PATTERSON]. I am not able to learn how he would vote if present. Therefore I withhold my vote. If I were permitted to vote, I would vote "yea."

Mr. SMITH. I have previously announced my pair with the Senator from Indiana [Mr. WATSON]. I transfer that pair to the Senator from Texas [Mr. CONNALLY] and vote "yea."

Mr. FLETCHER (after having voted in the affirmative). I transfer my pair with the Senator from New Jersey [Mr. KEAN] to the junior Senator from Mississippi [Mr. STEPHENS] and let my vote stand.

Mr. GOFF. I desire to announce the necessary absence of my colleague, the junior Senator from West Virginia [Mr. HATFIELD] on account of illness. If present and not paired, he would vote "yea."

Mr. FESS. The Senator from New Hampshire [Mr. KEYES] is absent attending the funeral of a relative. If the Senator from Massachusetts [Mr. WALSH] who is paired with the Senator from New Hampshire [Mr. KEYES] could vote, he would vote "nay."

I desire to announce the following general pairs:

The Senator from New Jersey [Mr. MORROW] with the Senator from Tennessee [Mr. BROCK];

The Senator from New Hampshire [Mr. KEYES] with the Senator from Massachusetts [Mr. WALSH];

The Senator from Colorado [Mr. WATERMAN] with the Senator from Virginia [Mr. SWANSON];

The Senator from Pennsylvania [Mr. REED] with the Senator from Arkansas [Mr. ROBINSON];

The Senator from Maine [Mr. GOULD] with the Senator from South Carolina [Mr. BLEASE];

The Senator from West Virginia [Mr. HATFIELD] with the Senator from Missouri [Mr. HAWES]; and

The Senator from Maine [Mr. HALE] with the Senator from Mississippi [Mr. HARRISON].

Mr. GILLETT (after having voted in the negative). I transfer my general pair with the Senator from North Carolina [Mr. SIMMONS] to the Senator from Minnesota [Mr. SCHALL] and let my vote stand. I am not advised how either of these Senators would vote.

The result was announced—yeas 56, nays 10, as follows:

YEAS—56

Ashurst	Davis	Jones	Ransdell
Barkley	Deneen	Kendrick	Robinson, Ind.
Black	Dill	La Follette	Sheppard
Blaine	Fess	McGill	Shortridge
Bratton	Fletcher	McKellar	Smith
Brookhart	George	McMaster	Steiwer
Bulkley	Goff	McNary	Thomas, Idaho
Capper	Goldsborough	Morrison	Townsend
Caraway	Harris	Norbeck	Trammell
Carey	Hayden	Norris	Vandenberg
Copeland	Hebert	Nye	Walcott
Couzens	Heflin	Oddie	Walsh, Mont.
Cutting	Howell	Partridge	Wheeler
Dale	Johnson	Pine	Williamson

NAYS—10

Bingham	Gillett	Metcalf	Steck
Borah	Glass	Moses	
Broussard	King	Shipstead	

NOT VOTING—30

Blease	Hastings	Pittman	Thomas, Okla.
Brock	Hatfield	Reed	Tydings
Connally	Hawes	Robinson, Ark.	Wagner
Frazier	Kean	Schall	Walsh, Mass.
Glenn	Keyes	Simmons	Waterman
Gould	Morrow	Smoot	Watson
Hale	Patterson	Stephens	
Harrison	Phipps	Swanson	

So the bill was passed.

INTERIOR DEPARTMENT APPROPRIATIONS

Mr. JONES. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the Interior Department appropriation bill.

There being no objection, the Senate resumed the consideration of the bill (H. R. 14675) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes.

The VICE PRESIDENT. The pending amendment will be stated.

The CHIEF CLERK. The pending amendment is on page 29, line 16——

MUSCLE SHOALS

Mr. HEFLIN. Mr. President, I shall detain the Senate only a few moments. I understand that in the agreement on the Muscle Shoals measure about to be reached between the House and the Senate conferees fertilizer will not be provided for in the Norris joint resolution. As the Senate well knows, the original act which designated Muscle Shoals as a Government project provided, among other things, that fertilizer should be made there in time of peace and nitrates for the Government in time of war. At the time the Norris joint resolution passed the Senate I reminded the Senate that there are—

two great forces struggling, seeking to prevent the disposition of Muscle Shoals. Those two forces are the Power Trust and the Fertilizer Trust. The Power Trust does not want Muscle Shoals operated by the Government or by any private enterprise which it can not control. It does not want the country to know how cheaply hydroelectric power can be produced. That is the main reason for its opposition.

The Fertilizer Trust does not want fertilizer made at Muscle Shoals; it does not want the farmer to know how cheaply fertilizer can be produced, and that accounts for its opposition.

Mr. President, that is quoted from a speech I made in the Senate on April 3, 1930; and when the Norris measure was pending in the Senate I offered the following amendment:

Provided, That for the period of 10 years after the enactment of this joint resolution the board is authorized to furnish, free of charge, to any corporation or individual designated by the Secretary of Agriculture and the Federal Farm Board, acting jointly, an amount of power sufficient to produce annually 40,000 tons of fixed nitrogen; and after the expiration of such 10-year period to furnish power to such corporation or individual upon the payment of such reasonable charges therefor as may be fixed by the Secretary of Agriculture and the Federal Farm Board: *Provided further*, That any fertilizer, either mixed or unmixed, produced with the use of such power, shall be sold by such corporation or individual at reasonable rates to be fixed by the Secretary of Agriculture.

That amendment was not adopted.

Then I said:

Mr. President, this amendment goes to the very meat of the issue presented by the enabling act of 1916. One of the main things in the proposal was to make cheap fertilizer for the farmer in time of peace and to make nitrates for the Government in time of war. If my amendment is adopted, it will be made certain that 40,000 tons of fixed nitrogen will be manufactured annually at Muscle Shoals. It will be observed that my amendment does not provide that the power for that purpose shall come alone from the surplus power. I would, if necessary, utilize all of the power at Muscle Shoals to make fertilizer for the farmer.

Mr. President, since this question has been up for consideration in the Senate I perhaps have said more in favor of making cheap fertilizer for the farmers at Muscle Shoals than nearly everybody else in the Senate combined; but I want to call attention to the fact that at the time this measure was pending in the Senate, and I was insisting upon making it certain that fertilizer would be made at Muscle Shoals, the only speech made in behalf of my amendment for that purpose was made by myself. I regret that there has been so little interest manifested in compelling the production of fertilizer at Muscle Shoals. But, Mr. President, enough on that subject.

I do want to insist, however, that the Senate get busy and do everything in our power to have legislation passed at the other end of the Capitol regarding the relief measures that are being held up there. Many misrepresentations are being made. I do not know where gentlemen get their information or misinformation, but it is being repeatedly given out that the cry for food comes from the communists. Mr. President, there is no better or surer way to make communists than for men intrusted with responsible position to stand in the great lawmaking body of the Nation and misrepresent a situation and tax the patience of hungry people to its uttermost by such cheap and dillydallying tactics.

Mr. McKELLAR. Mr. President——

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Tennessee?

Mr. HEFLIN. I yield.

Mr. McKELLAR. Mr. President, I have just seen a dispatch from the United Press, I think, that Mr. John Barton Payne, president of the Red Cross, has appealed to the President to ask the people by private contributions to subscribe $10,000,000 to the Red Cross fund for the purpose of aiding the hungry. I assume by that that the Red Cross is now at last awakening to the real situation.

Mr. HEFLIN. Mr. President, I am glad that the Red Cross is seeking additional funds, and I shall say a word on

that subject, since the Senator from Tennessee has raised the question.

As I understand, the purpose of the Red Cross is to go immediately to the rescue of people who are in distress. That is so mainly because the Government can not get its machinery in action soon enough to provide immediate relief. That, I understand, is the purpose of the Red Cross work, and people who are liberal with their accumulated wealth have very kindly contributed to cases that have needed immediate attention.

But, Mr. President, I think it is a measly shame that this great Government, the richest in all the world, should wait upon private contributions from men of wealth, to be doled out to patriotic citizens in distress. It is all right and it is a good thing for the Red Cross to go to the rescue, and go quickly, when they hear of acute situations such as we have in many sections of this country, and I commend the Red Cross for the good that it has done and that it is doing and may do; but this Government can not shirk its responsibility in the matter of looking after citizens who have been overtaken, without any fault of their own, by circumstances that place them in a situation where starvation threatens.

In the newspaper last night I read that a child, an American mother's little girl, was being held in Tulsa, Okla., for rent. A poor mother could not pay her rent and the landlord seized her 16-months-old child and held it, and is holding it for the rent.

Mr. President, this Government abolished imprisonment for debt a long time ago, but now we see it coming back in this instance. A writ of habeas corpus was sued out and has no doubt been granted; it should have been; but the Congress can not afford to dally with this question as it is dallying while people in 20 States of the Union are in dire distress.

A Mr. HAMILTON FISH, of New York, a man of immense wealth, who rides back and forth in his limousine, and is free and easy with his talk, says that he has information to the effect that the demand for food out in the States is brought about by communists. That is not so. Other Members of Congress in another branch may be influenced by such suggestions. It is all right to fight the movement of the communists; communism is a deadly peril anywhere; it preaches a doctrine that would destroy the American home; but we will be able to take care of that and it is our duty to oppose it. We do not, however, want any propaganda pushed along behind that attack in order to enable a certain group of people to have this Government take action against the conduct of certain people in Russia. We will attend to that business separately and apart from the purpose of some of those who are agitating and inspiring Mr. FISH and others to investigate communist activities. It is all right to investigate them in orderly fashion, but, Mr. President, when certain people say that the hungry, distressed people who are now asking their Government for aid are communists, they are misrepresenting the facts and guilty of a crime against loyal, patriotic Americans who need and should have Government aid.

Mr. President, I should like to see every Senator in this body arise and enter his protest against the inexcusable tactics that are this day holding up and preventing action on the relief measures passed many days ago by the Senate. Senators, it is wrong; it is outrageous to hold those measures back while waiting for the Red Cross organization to go out and to ask for contributions and to beg with hat in hand for something to give to American citizens whose wives and children are pleading for something to eat. It is nothing short of being an outrage and a crime. Let the Red Cross hasten to give temporary relief, but who here who has a proper appreciation of his duty as a representative in this great lawmaking body is going to sit down and fold his arms and seal his lips and wait for the Red Cross to go out amongst people who are worth millions and ask them to give money to be expended in the States in order to afford relief to farmers who are losing their farms, who are suffering because they failed to make a crop upon which to live, and who are this day surrounded by clouds of gloom and despondency. Mr. President, I repeat, it is a shame that this Government should stand aloof while the Red Cross goes out and solicits contributions to be given to suffering American citizens. They are not asking aid through charity; they are asking the Government to loan them money. They want to pay the money back. We loaned money to sufferers in the flood-afflicted areas in my State and other States last year. They have paid back about 87 per cent of it and will pay it all back when they shall be able.

Mr. President, the people who are in distress are not begging, and I do not intend that any cheap politics shall be played behind a communistic movement brought forth at this time in order to fight the red Napoleon. It is ridiculous. I am not going to discuss that now, but I will later tell you who first started it and trace it to its source. It is a piece of political propaganda to be used in 1932; and rich Congressmen are playing it up now, to the hurt and injury of millions of suffering people in 20 States of this Union.

Why, talk about Nero fiddling while Rome burned! What have we here? We have the most miserable piece of politics being played here at the other end of the Capitol while people out in the States are in dire distress and calling upon their Government to come to their rescue. They are not asking the Government to give them anything. They do not ask that. They are asking to have this money loaned to them; and what is the Government doing? It is loaning $150,000,000 to the shipbuilders to build ships for use on the high seas.

When the New York Stock Exchange, with its mighty crash last fall, robbed millions and shook the Nation from center to circumference, the Federal reserve bank up there went to its rescue with millions of dollars. They could furnish the money to supply those stock gamblers when they were prostrate in a gambling spree, reveling in evil doing, destroying property values, and paralyzing the legitimate business of the Nation. The Federal reserve bank of the Government could go to the rescue and supply them with millions, which it did. But out in the States, where there is dire distress among men and women made in God's image, good citizens, patriotic people who give their sons when the tocsin of war sounds, we can not go to their rescue. We must wait for John Barton Payne to get in touch with rich people who are kindly disposed, and who may or may not give money to be doled out to them through charity! I repeat they do not ask such a thing, Mr. President. We might just as well serve notice on all concerned now that we will not stand for such a thing. The issue must be met. Those who want the Government to go to the rescue of these suffering people, and go at once, gird your loins for battle and let us challenge the opposition to meet us in the open. Let us ask them, Are you wanting the people in the States to suffer and wait until correspondence can be had with people who may give something to the fund of the Red Cross? Or are you willing to fight to secure the appropriation of $60,000,000 by the House to feed starving people here at home? This great Government gave $20,000,000 at one time to Russia, a foreign country, to feed her starving people, and one hundred million to feed the starving people of Europe at another time. I call that to the attention of the House. Surely Members there will vote to "loan" half $120,000,000 to distressed, suffering people in the United States.

Let us put the issue plainly to them. The House ought to act upon these measures. These measures ought not to be held up another day. If there is suffering in the cities anywhere, if it can be shown to me that the army of the unemployed can not be reached and supplied otherwise, I will vote for a measure to appropriate money to loan to them to buy food for themselves and their families; but these farm-relief measures should not be held up because they do not carry provisions for the other cause. Let legislators amend these bills if they want to, but let us get action.

I appeal to those in the House who hail from the drought-afflicted areas to seek to get a rule from the Rules Committee. I appeal to them to move to suspend the rules. They can do either one or both; but I have not seen any effort to do that. I am disappointed and displeased because I have not.

Mr. President, it too frequently happens that men of wealth who come and knock at the door have no trouble getting a hearing. Too often legislators are only too glad to grant their requests; but they do not listen much to these people far out in the States away from the Capital, people who are not as influential in public affairs as some of these higher-ups in the political world. Their voice is not heard so much. But, Mr. President, these people in the States are going to remember. They should not and will not soon forget these things.

In the hope that I may bring to the attention of some gentlemen in another legislative body an appeal that they never had before, because some live in an atmosphere and move in a circle far removed from those who struggle and toil amidst great hardships and who know what it is to be hungry and to suffer for the common necessities of life, I desire to read a poem entitled:

THE MONEYLESS MAN

By Mr. H. T. Stanton, of Kentucky

Is there no secret place on the face of the earth
Where charity dwelleth, where virtue has birth,
Where bosoms in mercy and kindness will heave,
When the poor and the wretched shall ask and receive?
Is there no place at all where a knock from the poor
Will bring a kind angel to open the door?
Oh, search the wide world, wherever you can,
There is no open door for a moneyless man.

Go look in your hall where the chandelier's light
Drives off with its splendor the darkness of night;
Where the rich hanging velvet in shadowy fold
Sweeps gracefully down with its trimmings of gold;
And the mirrors of silver take up and renew
In long-lighted vistas the wildering view;
Go there at the banquet and find, if you can,
A welcoming smile for a moneyless man.

Go look in yon church of the cloud-reaching spire,
Which gives to the sun his same look of red fire;
Where the arches and columns are gorgeous within
And the walls seem as pure as a soul without sin;
Walk down the long aisles; see the rich and the great
In the pomp and the pride of their worldly estate;
Walk down in your patches and find, if you can,
Who opens a pew for a moneyless man.

Go look in the banks, where Mammon has told
His hundreds and thousands of silver and gold;
Where safe from the hands of the starving and poor
Lie piles upon piles of the glittering ore;
Walk up to their counters—ah, there you may stay
'Till your limbs shall grow old and your hair shall grow gray,
And you'll find at the bank not one of the clan
With money to lend to a moneyless man.

Go look to your judge, in his dark, flowing gown,
With the scales wherein law weigheth equity down;
Where he frowns on the weak and smiles on the strong
And punishes right whilst he justifies wrong;
Where juries their lips to the Bible have laid
To render a verdict they've already made;
Go there in the court room and find, if you can,
Any law for the cause of a moneyless man.

Then go to your hovel—no raven has fed
The wife that has suffered too long for her bread;
Kneel down by her pallet and kiss the death frost
From the lips of the angel your poverty lost;
Then turn in your agony upward to God
And bless while it smites you the chastening rod;
And you'll find at the end of your life's little span
There's a "welcome" above for a moneyless man.

Mr. President, I commend that poem to the careful and prayerful consideration of those Members of the House who are turning a deaf ear to the hungering, suffering people of our country.

INTERIOR DEPARTMENT APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 14675) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes.

The VICE PRESIDENT. The question is on the amendment of the committee.

Mr. JONES. Mr. President, I desire to state that the senior Senator from Utah [Mr. SMOOT], who has charge of the Interior Department bill, is necessarily absent for a short while, and he asked me to proceed with the bill.

This may not be any inducement for prompt action on the measure, but I want to express the hope that we may get the bill through to-day, and I should be in favor of the Senate adjourning when we get through with the bill.

Mr. KING. Mr. President, I inquire whether the amendment now under consideration is on line 16, page 29?

The VICE PRESIDENT. That is the amendment.

Mr. KING. I ask that it may go over for the moment.

The VICE PRESIDENT. The Senator desires that it be passed over without prejudice?

Mr. KING. Without prejudice.

The VICE PRESIDENT. Without objection, the amendment will be passed over.

Mr. KING. I have no objection to agreeing to it with the understanding that we may recur to it.

Mr. JONES. Oh, yes; if the Senator desires to recur to it there will be no objection to that course. I would rather have it agreed to, and then, if the Senator desires, recur to it.

The VICE PRESIDENT. Without objection, the amendment will be agreed to with that understanding. The clerk will continue the reading of the bill.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 32, line 24, after the name "Montana," to strike out "$18,000" and insert "$18,100," and on page 33, line 10, after the words "in all," to strike out "$338,000" and insert "$338,100," so as to read:

For operation and maintenance of the irrigation systems on the Flathead Indian Reservation, Mont., $18,100; for continuation of construction, Camas A betterment, $10,000; beginning construction of Lower Crow Reservoir, $90,000, together with the unexpended balance of the appropriation for completing the Kicking Horse Reservoir contained in the Interior Department appropriation act for the fiscal year 1931; beginning Pablo Reservoir enlargement, $85,000; lateral systems betterment, $25,000; miscellaneous engineering, surveys and examinations, $5,000; purchase of reservoir and camp sites, $55,000; for the construction or purchase of a power distributing system, $50,000; in all, $338,100.

Mr. KING. Mr. President——

Mr. JONES. Those are salary amendments.

The VICE PRESIDENT. The question is on agreeing to the amendments.

The amendments were agreed to.

Mr. KING. Mr. President, I want to say that with respect to this appropriation generally for the Flathead Indian Reservation I shall have something to say, and may move to strike out a large part of this appropriation.

Mr. JONES. I suggest to the Senator that the only amendments there are salary increases.

Mr. KING. Oh, I see! What I meant by that was that I presume that from a parliamentary standpoint, an amendment having been offered to the bill, it will be my duty, if I challenge the original appropriation, to offer an amendment to the amendment. That is what I had in mind.

Mr. JONES. Oh, yes.

Mr. KING. So I have no objection to this amendment being accepted, with the understanding that I do not lose the opportunity to challenge the entire appropriation or any part of it.

The VICE PRESIDENT. The clerk will resume the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 35, line 1, after the word "thereunder," to strike out "$5,000" and insert "$5,400," and in line 6, after the words "in all," to strike out "$28,300" and insert "$28,700," so as to make the paragraph read:

For maintenance and operation of the irrigation systems on the Crow Reservation, Mont., including maintenance assessments payable to the Two Leggins Water Users' Association and Bozeman Trail Ditch Co., Montana, properly assessable against lands allotted to the Indians irrigable thereunder, $5,400; for cooperation with or payment to an irrigation district formed for the purpose of reclaiming seeped areas under the Two Leggins Unit, embracing approximately 1,240 acres of trust patent Indian land, $19,840; for construction of drainage for agency lands, $3,460; in all, $28,700, to be reimbursed under such rules and regulations as may be prescribed by the Secretary of the Interior in accordance with the act of May 26, 1926 (44 Stat. 658–660).

The amendment was agreed to.

The next amendment was, on page 38, after line 16, to insert:

For continuing construction of the Wapato irrigation and drainage system, for the utilization of the water supply provided by the act of August 1, 1914 (33 Stat. 604), $360,000, reimbursable as provided by said act.

Mr. KING. Mr. President, I ask that that amendment go over. I desire to say to the Senator that the House refused to make this appropriation, and Mr. CRAMTON in his report emphatically declared against it. I see no reason why we should make the appropriation, especially in view of the record that has been made upon this reservation.

Mr. JONES. I think the record of this reservation fully justified it; and I can see no justification for the House leaving it out, either in the testimony that they took or otherwise. As the Senator knows, I think I know the situation very well.

Mr. KING. I ask that it may go over.

The VICE PRESIDENT. The amendment will be passed over without prejudice.

The next amendment was, under the subhead "Education," on page 40, line 7, after the word "therewith," to strike out "$3,518,000" and insert "$3,557,750," so as to read:

For the support of Indian day and industrial schools not otherwise provided for, and other educational and industrial purposes in connection therewith, $3,557,750.

Mr. BRATTON. Mr. President, I desire to offer an amendment to the amendment, and the matter which I have in mind should be embraced in four amendments. Accordingly, with the consent of the distinguished Senator from Washington now having the bill in charge, I shall offer them as one amendment and ask that they be considered together.

The first amendment is this: On page 40, line 7, instead of the figures "$3,557,750," I move to insert "$3,587,750."

The second amendment is on page 43, line 1, to strike out "$475,000" and to insert in lieu thereof "$495,000."

Mr. KING. Is that the same amendment carried forward?

Mr. BRATTON. I shall explain it in a moment. Then, on the same page, the same line, to strike out "$800,000" and insert in lieu thereof "$820,000."

The last is on the same page, line 19, to strike out the period and insert a semicolon and the words "Pueblo and Hopi day schools, $20,000."

Let me say that the effect of these four amendments together will be to add $50,000 for Hopi and Pueblo day schools, $30,000 of it being for teachers and $20,000 for construction work.

The need for this additional money was brought to my attention while the bill was pending before the Committee on Appropriations. I communicated with the Commissioner of Indian Affairs, and was assured by him that the money is needed. The matter was presented to the committee; I was given permission by the committee to offer the amendments on the floor. I hope that they will be accepted and the matter taken to conference. I appeal to the Senator from Washington to do that.

Mr. JONES. Mr. President, these amounts are not estimated for, are not covered by Budget estimate, they have not been reported by the committee, and the committee has passed a general rule directing that a point of order be made to an amendment offered on the floor that is subject to a point of order. Under that rule of the committee I feel compelled to make the point of order against these amendments.

Mr. BRATTON. Mr. President, I concede that the point of order is well taken, but the rule to which the Senator refers has been waived on previous occasions by the Senator, as well as others of us who are members of the committee. I make no complaint against that. I do feel, however, that the need of this additional money is sufficiently urgent to justify the Senator in letting the matter go to conference, and if it can not be justified there by the department, it can be stricken. Under the circumstances, I appeal to the Senator not to interpose the point of order. Let me say, on behalf of these Indians, that they need all of the assistance they can get. This is not a waste of money. No more useful purpose could be suggested than this, and on behalf of those people who need additional school facilities I renew the appeal to the Senator from Washington to let the matter go to conference.

Mr. JONES. Mr. President, the Senator makes, of course, a very appealing statement. With reference to action heretofore, I remember only one time when I did not make a point of order under similar circumstances, and I regretted that a very short time after I had failed to make the point.

If the point of order is not made to this amendment, I can not make it to any other amendment which may be offered; and while I know this is a very appealing proposition, I feel that under the circumstances I shall insist on the point of order.

Mr. BRATTON. Very well, Mr. President, I make no complaint against the Senator for waiving the point of order on a previous occasion. Perhaps the rule is a wise one in the main, but I think it operates injuriously at times and will do so with harshness in this case. But I concede that the point of order is well taken if the Senator feels compelled to insist on it.

The VICE PRESIDENT. The point of order is sustained, and the question is on the amendment.

The amendment was agreed to.

The next amendment was, on page 41, line 15, after the word "tuition," to insert "and other educational purposes," so as to make the proviso read:

Provided, That not more than $7,500 of the above authorization of $760,000 shall be expended for new construction at any one school unless herein expressly authorized; for tuition and other educational purposes among the Five Civilized Tribes, there may be expended from tribal funds of such nations $77,000 as follows: Chickasaw Nation, $22,000; Choctaw Nation, $55,000.

The amendment was agreed to.

The next amendment was, on page 43, line 6, after the figures "$45,000," to insert a comma and the words "to be immediately available," so as to read:

For lease, purchase, repair, and improvement of buildings at Indian day and industrial schools not otherwise provided for, including the purchase of necessary lands and the installation, repair, and improvement of heating, lighting, power, and sewerage and water systems in connection therewith, $325,000; for construction of physical improvements, $475,000; in all, $800,000: *Provided*, That not more than $7,500 out of this appropriation shall be expended for new construction at any one school or institution except for new construction authorized as follows: Turtle Mountain, N. Dak., employees' quarters, $35,000; Fort Apache, Ariz., girls' dormitory, $45,000, to be immediately available; addition to school building, $8,000; in all, $53,000.

The amendment was agreed to.

The next amendment was, on page 43, after line 19, to insert:

For repair, improvement, replacement, or construction of additional public-school buildings within Indian reservations in Arizona, attended by children of the Indian Service, to be equipped and maintained by the State of Arizona, $5,000.

The amendment was agreed to.

The next amendment was, on page 50, line 10, after the figures "$181,625," to insert a colon and the following proviso:

Provided, That the appropriation contained in the Interior Department appropriation act for the fiscal year 1931 for new school building, auditorium, and gymnasium, including equipment, is hereby continued available until June 30, 1932.

So as to read:

Pierre, S. Dak.: For 325 pupils, $108,625; for pay of superintendent, drayage, and general repairs and improvements, $18,000; for central heating plant, $55,000; in all, $181,625: *Provided*, That the appropriation contained in the Interior Department appropriation act for the fiscal year 1931 for new school building, auditorium, and gymnasium, including equipment, is hereby continued available until June 30, 1932.

The amendment was agreed to.

The next amendment was, on page 51, line 6, after the word "exceed," to strike out "$5,500,000" and insert "$5,535,000," so as to read:

In all, for above-named nonreservation boarding schools, not to exceed $5,535,000, together with $25,000 of the unexpended balance of the appropriations for support, and for pay of superintendent, drayage, and general repairs and improvements, for the Fort Bidwell School, California, for the fiscal year 1931, which is hereby reappropriated for this purpose.

Mr. KING. Mr. President, what is the reason for that increase?

Mr. JONES. It is a salary increase.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, on page 53, line 2, to strike out "$400,000" and insert "$403,500," so as to read:

For support and maintenance of day and industrial schools among the Sioux Indians, including the erection and repairs of school buildings, in accordance with the provisions of article 5 of the agreement made and entered into September 26, 1876, and ratified February 28, 1877 (19 Stat. 254), $403,500.

Mr. JONES. That is a salary increase.

The amendment was agreed to.

The next amendment was, on page 53, line 15, after the word "including," to strike out "$350,000" and insert "$351,370," and in line 22, after the word "total," to strike out "$799,000" and insert "$800,370," so as to read:

Natives in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction, to provide for support and education of the Eskimos, Aleuts, Indians, and other natives of Alaska, including necessary traveling expenses of pupils to and from industrial boarding schools in Alaska; erection, purchase, repair, and rental of school buildings; textbooks and industrial apparatus; pay and necessary traveling expenses of superintendents, teachers, physicians, and other employees; repair, equipment, maintenance, and operation of the U. S. S. *Boxer;* and all other necessary miscellaneous expenses which are not included under the above special heads, including $351,370 for salaries in the District of Columbia and elsewhere, $24,000 for traveling expenses, $170,000 for equipment, supplies, fuel, and light, $25,000 for repairs of buildings, $146,000 for purchase or erection of buildings, $76,000 for freight, including operation of U. S. S. *Boxer,* $4,500 for equipment and repairs to U. S. S. *Boxer,* $1,500 for rentals, and $2,000 for telephone and telegraph; total, $800,370, to be immediately available.

Mr. JONES. That is a salary increase.

The amendment was agreed to.

The next amendment was, under the subhead "Conservation of Health," on page 54, line 25, after the word "diseases," to strike out "$4,050,000" and insert "$4,085,000," so as to read:

For conservation of health among Indians, including equipment, materials, and supplies; repairs and improvements to buildings and plants; compensation and traveling expenses of officers and employees and renting of quarters for them when necessary; transportation of patients and attendants to and from hospitals and sanatoria; returning to their former homes and interring the remains of deceased patients; not to exceed $100,000 for construction of employees' quarters, other than those named herein; and not exceeding $1,000 for printing and binding circulars and pamphlets for use in preventing and suppressing trachoma and other contagious and infectious diseases, $4,085,000, including not to exceed the sum of $2,282,000 for the following-named hospitals and sanatoria.

The amendment was agreed to.

The next amendment was, on page 58, line 2, before the name "South Dakota," to strike out "Pierre," so as to read:

Provided further, That this appropriation shall be available for construction of hospitals and sanatoria, including equipment, as follows: Albuquerque Sanatorium, and employees' quarters, New Mexico, $375,000; Sioux Sanatorium, and employees' quarters, South Dakota, $375,000; Ignacio Hospital, Colorado, $75,000; in all, $825,000.

The amendment was agreed to.

The next amendment was, on page 59, line 1, before the word "payable," to strike out "$100,000" and insert "$100,960," so as to read:

For support of hospitals maintained for the benefit of the Chippewa Indians in the State of Minnesota, $100,960, payable from the principal sum on deposit to the credit of said Indians arising under section 7 of the act of January 14, 1889 (25 Stat., p. 645).

The amendment was agreed to.

The next amendment was, on page 59, at the end of line 16, to strike out "$50,000" and insert "$50,680," so as to read:

For the equipment and maintenance of the asylum for insane Indians at Canton, S. Dak., for incidental and all other expenses necessary for its proper conduct and management, including pay of employees, repairs, improvements, and for necessary expense of transporting insane Indians to and from said asylum, $50,680.

The amendment was agreed to.

The next amendment was, on page 60, line 2, after the word "heads," to strike out "$319,000" and insert "$319,520," so as to make the paragraph read:

Medical relief in Alaska: To enable the Secretary of the Interior, in his discretion, and under his direction through the Bureau of Indian Affairs, with the advice and cooperation of the Public Health Service, to provide for the medical and sanitary relief of the Eskimos, Aleuts, Indians, and other natives of Alaska; erection, purchase, repair, rental, and equipment of hospital buildings; books and surgical apparatus; pay and necessary traveling expenses of physicians, nurses, and other employees, and all other necessary miscellaneous expenses which are not included under the above special heads, $319,520, to be available immediately.

The amendment was agreed to.

The next amendment was, under the subhead "General support and administration," on page 60, line 6, after the word "employees," to strike out "$1,275,000" and insert "$1,292,000," so as to read:

For general support of Indians and administration of Indian property, including pay of employees, $1,292,000.

The amendment was agreed to.

The next amendment was, on page 60, commencing at line 7, to strike out "including not to exceed $10,000 for home demonstration work among Indians, including necessary personnel, travel, and other necessary expenses, and purchase of equipment and supplies; and."

Mr. BRATTON. Mr. President, let me ask the Senator in charge of the bill the purpose of striking out that limitation.

Mr. KING. What page is that?

Mr. BRATTON. Page 60, line 7.

Mr. JONES. Mr. President, I find a notation on the bill of the senior Senator from Utah [Mr. SMOOT] to the effect that the striking out of this was asked for by the department, that it was too much of a limit. I find in the hearings this statement of Mr. Dodd regarding the home demonstration work:

We are not asking for an increase in that item, but we should like to ask that that language be stricken from the item. In our estimates we had included approximately $40,500 for home demonstration work under the general appropriation for industrial advancement and assistance, which amount was to be used in addition to funds taken from the various items made in fulfillment of treaty obligations for pay of employees.

Senator SMOOT. We have given you an increase of $205,000 in your appropriation this year.

Mr. DODD. Yes, sir.

Senator SMOOT. We also gave you an increase of $121,000 above the estimate.

Mr. DODD. That is brought about, Senator, through the consolidations which appear on the next page of the bill, wherever you have not treaty obligations; and that is the reason why the limitation of $10,000 should be stricken from the text of the bill, because at the present time we are paying for home demonstration work from those funds. The $10,000 will permit of no expansion in that work, but merely carrying on what we have; and if it stays in, with these treaty items included in the text of the item, it means that we will have to curtail the activities which are now being carried on, because the $10,000 not only applies to the full appropriation but to the text which follows.

Mr. BRATTON. Mr. President, if I understand the situation correctly, the House language would preclude the department from using more than $10,000 for home demonstration work.

Mr. JONES. Yes.

Mr. BRATTON. Whereas under the Senate committee amendment the department might allocate any part of the $1,275,000 to that work. Does the Senator think it is wise to leave it entirely to the department to allocate any part of the sum without limitation as to amount?

Mr. JONES. I am inclined to think that is wise. I do not think we will find the department reckless in a matter of that kind or using unnecessary amounts. They know that if they do that one year, then we will certainly learn of it and put a very drastic limitation on it again. They ought

to know better, too, just what amount they will need than we do.

Mr. BRATTON. Can the Senator from Washington tell us whether such a limitation has been included in previous bills?

Mr. JONES. There was no limitation last year, I am told.

Mr. BRATTON. This is a new venture?

Mr. JONES. Yes.

Mr. KING. Mr. President, I would like to inquire of the Senator what part of this $1,292,000 is to be used for the support of Indians and what part for the administration of Indian property. I appreciate that the Senator will find great difficulty, as I think almost any other person would, in answering that question, but I am induced to propound it for the reason that any person attempting to find out what is done with the appropriations carried in these Indian appropriation bills would find himself in an inextricable maze of difficulty; indeed, he would find himself, changing the simile, against a stone wall. I find in reading this report that large appropriations are carried, for instance, for the Klamath Indians and for the Yakima Indians and for the administration of the various reservations and Indian projects. It is presumed, from reading those appropriations carried in those specific instances with reference to particular and specific reservations, that the appropriations there printed are all that are to be made for the support of the Indians specifically referred to and for the administration of their property.

We find an omnibus provision here of $1,292,000 for administration and for the general support of Indians. I find that in many cases where only a limited number of employees have been reported that the fact is that there are many more. Those additional employees are taken care of in further provisions in the bill which deal in a general way with Indian affairs rather than with specific appropriations for specific reservations. No one can go through this bill and find out what expenditures will be made on behalf of any particular reservation or the charges against the Indians of any particular tribe.

The appropriations are so juggled that it is humanly impossible for anybody to find out just what is chargeable to reservations or to a tribe, or what is spent upon a reservation for any particular purpose. There are, as stated, specific appropriations, and there are thrown into general funds a large number of appropriations, and they may be used for any purpose alleged to be connected with the Indians. Congress has no sufficient check upon the activities of the Indian Bureau and its thousands of employees. That is one of the reasons why there is so much criticism of the bureau and why the Indians feel that they are being injured and robbed; they believe that it is impossible for them to determine just what has been done with the funds with which they are charged from the appropriations which are made and presumed to be for their benefit and to be expended upon their particular reservation.

Mr. JONES. Mr. President, the Senator is correct in his statement that it is impossible for anybody going through the bill to determine the particular items for which the appropriations have been made. If we were to incorporate in the bill the details of every item for which a particular amount is appropriated we would have a bill of very great size. I can not tell the Senator the particular amounts for particular items included in the $1,292,000, but I have had occasion to examine the hearings in the House on various appropriation bills. I said one time, before I became chairman of the Committee on Appropriations and an appropriation bill came over to the Senate, that I thought I would examine into it very carefully and see whether or not there was any item in the bill that I thought was not justified. I took particular pains to study the hearings on two or three appropriation bills. I had to make the statement that I found no item in the bill that was not fully justified in the hearings before the Appropriations Committee of the House.

The Senator has no doubt examined the hearings held in the House on various appropriation bills and I think he will agree with me that it is really remarkable to see the attention and study and investigation the House Committee on Appropriations give to the various items. They take thousands of pages of testimony going into the items very minutely. I think the Senator will find in the hearings before the House committee on this particular item that there is testimony covering practically every dollar of the appropriation and distributing every particular item.

Mr. THOMAS of Oklahoma. Mr. President——

The PRESIDING OFFICER (Mr. FESS in the chair). Does the Senator from Washington yield to the Senator from Oklahoma?

Mr. JONES. In just a moment. It is true that the Budget sends down detailed figures with reference to the estimates submitted and the House committee bases its appropriations very largely upon those estimates. The aggregate sum of money is to be distributed and expended according to those particular estimates. Of course, sometimes an amount is put in that exceeds the Budget estimate or differs from it. When that is done it is indicated in the report of the committee. The administrative officers are practically directed how the money shall be expended.

As I said, the Senator will find in the Budget estimate and in the hearings of the House every dollar of the $1,292,000 accounted for and practically direction is given as to how it shall be expended.

I yield now to the Senator from Oklahoma.

Mr. THOMAS of Oklahoma. In line with what has been said I want to invite the attention of the chairman of the committee to the paragraph on page 23 embraced in lines 5 to 8, reading as follows:

> For the purpose of retaining remunerative employment for Indians, $70,000, and the unexpended balance for this purpose for the fiscal year 1931 is continued available for the same purpose for the fiscal year 1932.

I would like to ask the chairman of the Committee on Appropriations if what he just said applies to this particular item?

Mr. JONES. I think so. Of course, I have not investigated the hearings with respect to that particular item, but from my experience, as I have said, in examining the hearings held before the House Committee on Appropriations I would say that that is true. That is only based on my experience and study of the House hearings heretofore. It may be possible that that was not done in this particular case, but I think there will be found very few items contained in the bill which are not fully justified by the hearings. There may be some items that Senators think are justified in the hearings which are not in the bill. That is probably true; but I believe there will be found ample justification in the House hearings for every item that is contained in the bill.

Mr. THOMAS of Oklahoma. Mr. President, on the particular item mentioned the House hearings contain several pages in an effort to justify the appropriation. It is an appropriation which has already been made. At a later time when I have the opportunity I shall submit a motion to strike those lines from the bill. Inasmuch as I have something to say about the matter I might as well say it now, because it supports the contention made by the junior Senator from Utah [Mr. KING].

Mr. JONES. Would not the Senator prefer to make his remarks when he submits his motion to strike out?

Mr. THOMAS of Oklahoma. The matter has been placed before the Senate, a charge has been made in effect by the junior Senator from Utah, and a defense has been interposed by the chairman of the Committee on Appropriations, and I know of no better time to call the attention of the Senate to it than now.

We have in the bill an item of $70,000 proposed to be made available for the purpose of finding employment for Indians. This matter originated several years ago. A former Congressman from Oklahoma [Mr. Howard] introduced the bill in the House proposing to create an employment agency for the purpose of finding employment for Indians. After the bill had been discussed in the House and in the Senate for

some time the Indian Bureau saw fit to include in the Interior Department appropriation bill an item of $50,000 for the employment of Indians. That item was made available last year. One would naturally think that in carrying out the appropriation the Interior Department and the Indian Bureau would organize at some place an employment agency and have some place for Indians to go and make application for employment. The fact is that the Indian Bureau has not done that.

I desire to call the attention of the Senate to the House hearings as found on page 782 and a few pages thereafter. I wish to read briefly from those hearings.

Mr. CRAMTON made the statement:

> The next item is "for the purpose of obtaining remunerative employment for Indians, $75,000."

Mr. Dodd, representing the Indian Bureau, made this explanation:

> The object of our employment work is to find and develop suitable opportunities for Indian men and women in commercial and industrial lines, to make contacts with the Indians and with the prospective employers, and, once having made a placement, to see that there is proper follow-up work so that there may be no loss of interest either on the part of the Indian or his employer.
>
> While $50,000 was made available for such purposes during 1931, our plans for the employment work are still in a more or less formative stage. Our present organization comprises—

Here is the way the Indian Bureau is spending that $50,000:

> Our present organization comprises 1 employee stationed in Minneapolis, whose title is guidance and placement officer; 2 placement agents, both Indians, with headquarters in Salt Lake City and Phoenix, respectively, 3 outing centers at Los Angeles and Berkeley, Calif., and Phoenix, Ariz.; an overseer of Indian employment at San Carlos, Ariz., whose duties consist principally of obtaining Indian workers for the cotton fields; and 1 assistant placement officer who is now engaged in the preparation of forms and other detailed work which is essential to this activity. Within the near future we expect to have a guidance and placement officer with headquarters in Kansas City.

This idea originated where we have one-half of the Indians in the United States in the State of Oklahoma. We have in the State of Oklahoma 2,500,000 people. Of that number we have 150,000 Indians. These Indians are controlled and governed by the Congress. They have nothing to do with the State legislature. The legislature can not legislate for them. They have little to do with the county government, with the township government, or the city government. These Indians are governed by the Congress of the United States, and here in this body we make policies, or are presumed to make policies, to govern the Indians. I say that in justification of the amendments I shall offer as we proceed with the bill.

Mr. KENDRICK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Wyoming?

Mr. THOMAS of Oklahoma. I yield.

Mr. KENDRICK. I want to ask the Senator from Oklahoma if he objects to the effort to provide for employment for the Indians or does he object to the method under which we are proceeding?

Mr. THOMAS of Oklahoma. The method under which we are proceeding.

Mr. KENDRICK. May I say to the Senator that, from my viewpoint, no actual appropriation has been included in an Interior Department appropriation bill that would bring as much wholesome result to the Indian as this kind of an item, provided only the method is correct under which the employment is sought to be procured.

Mr. THOMAS of Oklahoma. I agree with the Senator thoroughly. My objection is not to the provision or the amount, but to the way the money has been spent.

I shall proceed to call the attention of the Senate to what developed in the House hearings. Here is what Mr. Dodd said about how the money is being spent and the end to be obtained by the expenditure of $70,000 or $75,000:

> Effort is made to cooperate with local committees, churches, and other welfare organizations in providing these Indians with wholesale entertainment and social contacts with the right kind of people.

Mr. President, a little further on Mr. CRAMTON, chairman of the House subcommittee—and I want to say in his behalf that there is no Member of the House who is better acquainted with the Indian problem than is he—became impatient with the explanation made upon this item and at a later date in the hearings he asked the Indian Bureau—and when I say the Indian Bureau I do not mean the Secretary of the Interior—for an explanation. The Senator from Utah [Mr. KING] made a suggestion that the bill is a hodgepodge. It is worse than that. It is a Chinese puzzle. There is no Member of this body who has conception of what the bill means. If there is, I yield now for him to make the statement that he understands it. There is no Member of either body who has any comprehension of what the bill means.

Mr. SMOOT. Does the Senator refer to any item in the bill or to the whole bill?

Mr. THOMAS of Oklahoma. I refer to the Interior Department appropriation bill which has reference to the Indian Bureau and the Indians.

Mr. SMOOT. The Senator said there is no one knows anything about what is in the bill?

Mr. THOMAS of Oklahoma. I make the statement flatly that there is only one person in the United States that knows what the bill means, and that man is Mr. Dodd, in the Indian Bureau. When the hearings were progressing——

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the junior Senator from Utah?

Mr. THOMAS of Oklahoma. I yield.

Mr. KING. I think Mr. Dodd does not know the implication of many of the appropriations which have been made and many of the statutes which have been enacted and many of the regulations which have been promulgated. He is not familiar with them and does not know the direct or indirect results that will flow from the operation of the provisions of the bill.

Mr. THOMAS of Oklahoma. Mr. President, in connection with former bills items have been proposed before the committee for appropriation. The Indian Bureau comes before the committees to present their set-up. They explain to the committee what they propose to do with the money if it is made available and then the bill is so drawn as to make the money available not only for the purpose mentioned but for other purposes. Then the Indian Bureau, under the control of Mr. Dodd, so far as the money is concerned, proceeds to spend that money as it sees fit. The Senate does not understand the bill. The House does not understand it. The Secretary of the Interior does not understand it. The Indian Commissioner does not understand it. But one man in the bureau and in the Interior Department understands it.

Mr. SMOOT. The Senator from Oklahoma understands it, does he not?

Mr. THOMAS of Oklahoma. No; I do not.

Mr. SMOOT. There is only one man in the world who knows anything about it?

Mr. THOMAS of Oklahoma. I did not say that. I said there is only one man in the Interior Department who understands the bill.

Mr. KING. And I say he does not understand it.

Mr. SMOOT. The Senator said he did not understand it.

Mr. THOMAS of Oklahoma. I did not take in as much territory as did the distinguished senior Senator from Utah.

Mr. SMOOT. I perhaps took in too large a territory.

Mr. THOMAS of Oklahoma. I myself think the Senator did.

Mr. SMOOT. I think that no one outside of the United States had even thought of it or knows anything about it.

Mr. THOMAS of Oklahoma. Mr. President, I want to proceed with the House hearings on this particular item.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Utah?

Mr. THOMAS. I yield.

Mr. SMOOT. I was going to call attention to the further fact that in the hearings in the House the Senator will see

that there were questions asked by the members of the House committee. Mr. Dodd answered every question, telling exactly what the items were for and why the appropriation was requested.

I will say to the Senator that, of course, it would be impossible for me to say whether $50,000 or $51,000 will be expended for the purpose of obtaining remunerative employment for the Indians; I do not believe that anyone can say whether the amount will be $50,000 or $51,000 or $49,000; but the Indian Bureau has had similar appropriations in the past. This is only carrying out previous policy with reference to items in Indian appropriation bills for years past; the money has been expended; as Mr. Dodd says, it will be expended next year in the same way, and he gave the House committee the information for which it asked when the hearings were held.

Mr. THOMAS of Oklahoma. I am not criticizing the distinguished Senator from Utah; I compliment him; and if I ask him a question I will know in advance he can not answer it, and, therefore, I will not embarrass him. Last year, however, the Indian Office placed in its request for appropriations an item of $50,000 for employment agencies; the set-up was explained before the House committee, and came to the Senate. No question was raised, but the office last summer in spending that money did not follow its own set-up. In proof of that, I will refer to the record.

Mr. SMOOT. The Senator will admit, I think, that there is a set-up now covering this whole amount?

Mr. THOMAS of Oklahoma. I will come to that in just a moment.

Mr. SMOOT. As to whether they followed it out in accordance with the appropriation in last year's bill, no evidence came before the Appropriations Committee to that effect; not a word was ever uttered before the committee, either by anyone from the department or any member of the committee or any witness.

Mr. THOMAS of Oklahoma. This item was not attacked before the Senate committee, and I am not making that charge. I realize that this bill is made up by the House of Representatives; it comes to the Senate, and the Senate committee only considers the amendments that may be proposed by members of the committee, other Members of the Senate, Members of the House of Representatives, or some other interested persons, and the committee does not give any consideration to any item that is not attacked or suggested for improvement or amendment.

This item was not suggested in the Senate, and I can not, of course, criticize the distinguished chairman of the committee for not reading the record. Here is a book of 1,236 pages. Naturally, the members of the committee would not have the time to read it all; but I want to read particular portions, in view of the suggestions made by the Senator from Utah.

I quote from page 784, where Mr. Dodd was attempting to explain what their set-up was for the expenditure of this $70,000. Mr. CRAMTON made this suggestion:

I will tell you what I wish you would do. I wish you would give me a memorandum to-morrow, when we start in here, of the present organization and when each one of those went on the pay roll and how this $50,000 is spent. You say there will be $47,000. I do not know how you are going to get $47,000 spent by the 1st of July.

Mr. SCATTERGOOD. And how much of it belongs to what previously was the set-up?

Mr. DODD. For those who were on at the beginning of July 1, counting the salaries and expenses, $19,800. Those are the direct placement people. For the transfer of the outing matrons—

So we have a new item here in the Indian Service—the item of "outing matrons"—paid from an employment-agency fund—

For the transfer of outing matrons, whom we expected to bring over under this last year, including their salaries and expenses, $16,100, making a total for those who have been on the pay roll since the 1st of July——

Mr. CRAMTON. Did we know anything about this outing matron last year?

Mr. DODD. We tried to emphasize it to the committee.

Mr. CRAMTON. I know you talked about having a matron to watch Indians who went to the city to work, but I do not recall that people that were already on the pay roll were transferred to this item.

Mr. DODD. We tried to emphasize last year the bringing over of Mrs. Royce, Mrs. Hall, and a woman in Phoenix whose name I do not recall at this minute. Then Mr. Shipley, who was employed on the San Carlos Reservation for placing of those Indians in the lettuce and cotton fields in that section of the country. Then we estimate for one-half of the pay of the director and expenses, $2,900. Two additional placement officers one-half of the year, $4,700—that is, a half of the salary and half expenses—and two assistant placement officers at one-half salary and expenses, $4,100, making a total of $11,700 of the full total of $47,600 that I mentioned.

Mr. CRAMTON. Here is your statement last year about the appointment of a supervisor of Indian employment.

Here is the set-up now that was given to the committee last year:

Four contact agents, 3 overseers, 4 assistant clerks, that being 12 employees, an expenditure of $26,740 for personal services. I do not see anything there about matrons.

Says Mr. CRAMTON:

Your estimate as set forth was, director of employment, salary and expenses, $6,500; five employment agents, salaries and expenses, $20,000; five assistant employment agents, salaries and expenses, $15,000; purchase of necessary equipment and miscellaneous expense, $8,500, a total of $50,000. There was nothing said about transfer of other people to relieve other appropriations.

Mr. SCATTERGOOD. Do you not think the employment of Mrs. Hall and Mrs. Royce belong in this group?

Mr. CRAMTON. They are not employment agents, I understand. They were already on the pay roll before you brought this item. This was something beyond, and they were welfare workers, not so much for getting these girls a job as they were taking care of them after they got their jobs. They have been on the job a long time. It is not something new that nobody ever thought of before.

Mr. SCATTERGOOD. Certainly in the set-up that was presented to the committee they were not in. The $50,000 allotment would not have taken care of them.

Then, further down, Mr. Dodd says:

During 1930 there were 2,200 Indians placed in various kinds of employment.

A little later on that will be contradicted.

A great deal of it was seasonal employment in beet fields, lettuce fields, and cotton fields, but there have been numerous permanent positions obtained principally in industrial concerns. Indian women have been placed as nurses and domestics, and other Indians have been placed in clerical positions.

On page 786 Mr. Scattergood makes a statement, as follows:

We have not gotten many figures of actual jobs yet.

Mr. Dodd says they placed 2,200 in position, while Mr. Scattergood, the assistant commissioner, says:

We have not got many figures of actual jobs yet, but he is establishing connections which we believe a year hence will show, unless industrial conditions do not recover, good results.

On the following day, at the request of Mr. CRAMTON, Mr. Dodd prepared the new set-up, and I particularly desire to refer the Senate to page 787:

Mr. CRAMTON. Our attention was not directed in the paragraphs you have now quoted, or at any other time, to the transfer of the matrons. I would be interested to know where there was any reductions made in the paragraph under which those appropriations were carried.

Mr. DODD. In the industrial work and care of timber item there was a reduction of $10,000.

Mr. CRAMTON. That was understood at the time; instead of that $10,000 we were setting up this separate $50,000 item. But what I am emphasizing is this; and the Indian Bureau will have to learn that a statement of that kind should bind them.

Evidently Mr. CRAMTON did not think that the set-up given the year before bound the Indian Office; he became impatient, and he served notice on the dictator in the department that at least in the future he would expect that the set-up which they proposed to the committees would be binding upon the Indian office. Mr. CRAMTON says further:

A definite set-up was presented of how that $50,000 would be spent, and nothing was included there for these matrons. If that was your oversight, very well; but it was not included. Now, with the appointments that were provided for in that set-up not made, why, the matrons are brought over and absorb the balance.

Mr. DODD. The outing matrons who are at Sherman Institute, at Salem—





Not employment agencies but "outing matrons"—

and at one or two other boarding schools—

Not industrial centers, not on Indian reservations, not even close to Indian reservations, but outing matrons in Indian boarding schools, paid for by an appropriation intended to be used to find Indians seeking employment positions to enable them to earn their bread.

The outing matrons who are at Sherman Institute at Salem and at one or two other boarding schools, dealing specifically with the outing proposition of the students at the schools, are still on duty at the schools and are paid from the school appropriations. These three outing centers, at Phoenix, Berkeley, and Los Angeles, are the only ones that were brought over to this appropriation.

Mr. CRAMTON. It is simply the principle of the thing. If you had, in that set-up of $50,000, carried an item for four outing matrons, then we would have looked over to the item where there was previously an appropriation for those matrons and checked to see whether the proper reduction was made. But our attention was not called to the four matrons, and it is not to be expected that here we are to know about it and remind you of it.

Mr. DODD. I quite agree with you.

Mr. CRAMTON. Hence, those outing matrons were not called to our attention. Personally, I think they should be taken out of the ordinary appropriation from which they have been paid heretofore.

Mr. DODD. We are giving the matter study. I tried to get the information you requested in time——

And here is Mr. CRAMTON'S conclusion:

Mr. CRAMTON. In other words, there is no sense of an appropriations committee sitting here, studying things, looking over your set-ups, and then approving an appropriation on the basis of that set-up; and then, because the appropriation in its terms is general, permit the department to spend the money any way they want to. They are bound morally by this set-up. When this committee finds that those set-ups are not followed, if the committee is going to amount to anything, they have got to object to it. Of course, if we are to be a rubber stamp, then it does not matter.

I make the charge now that the Congress of the United States, so far as the Indian financial policy is concerned, is the rubber stamp of one clerk in the Interior Department. The Senate does not know, the House does not know, how the money is expended, and the Indian Office pays no attention to its own set-up. At a later date I shall move to strike these lines from the bill. Congress is told, however, "If you will increase the $50,000 item to $70,000, we will consider stationing a placement official at Kansas City," 200 miles from half of the Indians of the United States and 200 miles from the place where the original idea was conceived. I can not conceive that the Senate will agree that that sort of maneuvering is fair to the Congress.

Later on in the afternoon I shall have some more to say about similar items.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

DROUGHT RELIEF

Mr. CARAWAY. Mr. President, I shall detain the Senate but a minute.

The other day before the Committee on Appropriations Mr. John Barton Payne did a very grave injustice to a large number of suffering men, women, and children. I said the next day, when the substance of his testimony was shown me, that he had spoken without information. To-day Mr. Payne has asked the President of the United States to issue a call for $10,000,000 to aid in caring for the distressed condition, the existence of which he denied in his testimony a week ago.

Mr. President, I am very grateful, indeed, for what he shall do. I take it as a matter of course that the President will issue the call, although in doing it he will have to confess that in opposing legislation to keep people from starving he was grievously at fault.

A great deal of unnecessary human misery has occurred, and will occur, by reason of this belated request. He can not wipe out the tears of children crying for bread, nor can he take out of the hearts of mothers the bitterness because their cry has not been answered. I feel fully assured that in this delay the graves of a great many innocent people were dug; but it is better to have these steps taken now than not to have them taken at all.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. CARAWAY. I yield.

Mr. WHEELER. I notice that the statement was made the other day, either by the junior Senator from Arkansas or by his colleague [Mr. ROBINSON], that the Red Cross had stated that they had no funds to help out down there in Arkansas.

Mr. CARAWAY. That was the report of the field agents down there.

Mr. WHEELER. Information has come to me in the last day or so, from a reliable source, that the Red Cross, as a matter of fact, had $40,000,000 on hand as a surplus. The reason why I call the attention of the Senator to that matter is because of the fact that I was shocked when they stated that they had no funds; and if they have $40,000,000 I do not know why they should be appealing for $10,000,000 more.

Mr. CARAWAY. I do not know anything about the organization of the Red Cross.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Utah?

Mr. CARAWAY. I yield.

Mr. SMOOT. I want to say to the Senator from Montana that the Red Cross has $4,700,000 on hand, as testified by Mr. Payne at the committee meeting here about a week ago.

Mr. JONES rose.

Mr. CARAWAY. I think the Senator from Utah is in error. Does the Senator from Washington wish to ask me a question?

Mr. JONES. I was going to make substantially the same statement that the Senator from Utah has made. I very distinctly remember Mr. Payne saying that they had, my recollection is, $4,500,000, and that when their fund got down to about a million and a half, of course they would make another call on the people, and he had no doubt about the fund being replenished.

Mr. CARAWAY. My information, however, without knowing anything about it personally, is that the Red Cross had a very much larger sum, but it had allocated—the Senator from Washington shakes his head. Does he know that he is correct?

Mr. JONES. Mr. Payne said nothing about that in his statement.

Mr. CARAWAY. I know he did not; I read his testimony; but my information is—and I have the source of that information lying here on the desk before me—that they had a very much larger sum, but that they allocated for what they call distress service, or disaster relief, a certain proportion of their entire assets, and that they had allocated $4,500,000 for this purpose. Is that the information that the Senator has?

Mr. WHEELER. Yes; that is the information that I have.

Mr. CARAWAY. That is the information that comes to me. I am not saying myself whether it is true or false because I do not know.

Mr. SMOOT. They may have had at the beginning of last year, or whenever the year closed, on their first request for funds, a great deal larger amount than I have stated.

Mr. CARAWAY. I am not asserting the fact. I have information here to the effect that they had, last July, $44,000,000, and that they have now in the neighborhood of $38,000,000, but that so much has been allocated for disaster relief. I profess to have no information about that, and I am not making that as a charge at all. Of course, it would be inexcusable to do so. I have said all that I wanted to say on that subject.

The papers far removed from the seat of the disaster have been filled with hostile editorials and news items denying that suffering and starvation threatened a very large number of people in the drought-stricken area. I take it for granted they will follow Mr. Payne now just as readily as they followed him when he said there was no need of additional assistance. He said that a week ago, without information; and the very day he was testifying before the Committee on Appropriations that ample funds existed and ample relief was being extended his agents in my own State

gave out an interview that the situation was unthinkable. Mr. Myers, who is one of his disaster men, said that he had served in Russia after the collapse and in China, and that he saw no such conditions in either of those countries; and he went on record as saying that they were undertaking to preserve life with a dollar a month per head! That figures out a cent a meal. It is perfectly shocking, Mr. President, that anybody with any sense of humanity in his soul or any love for his kind would think about trying to compel people to live on a cent a meal. It is unthinkable to me.

I have been a Member of one branch or the other of the Congress for 18 years. I voted for relief for people in many sections of this country, and I thank my God that I have not a single vote recorded in either House against an effort to alleviate suffering; it makes no difference where it occurred. I voted for relief for the Russians. I voted for it for China. I voted for it for the peoples of Europe. I voted for it for Salem, Mass., when they had a fire. I voted for it for New England when they had a flood. I never have recorded a single vote of mine against this great Government of ours extending aid to human suffering; it makes no difference where it occurred, nor when it occurred, nor what the occasion of the disaster was.

If that be a dishonorable record, I am glad to have it; and if that be a dole, why, God bless this Nation, it sometimes has recognized that it owes something to human beings. I regret that until pellagra has almost become an epidemic and until typhoid fever is already beginning to stalk in the homes of the humble and the suffering this relief was delayed.

PRELIMINARY EXAMINATION OF FOX RIVER, WIS., FOR THE PURPOSE OF FLOOD CONTROL

Mr. BLAINE. I ask unanimous consent for the immediate consideration of House bill 11201, Order of Business 1297, a local bill affecting the upper Fox River in the State of Wisconsin, about which there is no controversy.

Mr. SMOOT. Let it be read.

The PRESIDING OFFICER. The clerk will read the bill for the information of the Senate.

The Chief Clerk read the bill (H. R. 11201) to authorize a preliminary examination of the Fox River, Wis., for the purpose of flood control.

Mr. SMOOT. Mr. President, is the report from the committee a unanimous one?

Mr. BLAINE. I understand that the report from the committee is a unanimous one and that the bill is approved by the War Department.

Mr. SMOOT. If it is not going to take any time, I shall not object to its consideration.

There being no objection, the Senate proceeded to consider the bill, which was ordered to a third reading, read the third time, and passed.

ADDRESS BY SENATOR WAGNER ON UNEMPLOYMENT

Mr. BULKLEY. Mr. President, I ask unanimous consent to have printed in the RECORD a very able address delivered at a recent unemployment conference in Cleveland, Ohio, by the junior Senator from New York [Mr. WAGNER].

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR ROBERT F. WAGNER, OF NEW YORK, AT AN UNEMPLOYMENT CONFERENCE HELD UNDER THE AUSPICES OF THE AMERICAN ASSOCIATION FOR LABOR LEGISLATION, IN COOPERATION WITH 10 OTHER SOCIAL SCIENCE ORGANIZATIONS, AT GUILD HALL, CLEVELAND ON DECEMBER 30, 1930

Mr. Chairman, ladies, and gentlemen, I am grateful for the compliment you pay me when you invite me, a layman, to address the distinguished economists and social scientists who are assembled here to-night.

The events of the past year have again focused the unwilling attention of the American people upon the interplay of visible and invisible economic forces which results in unemployment. That is a subject which I should like briefly to consider with you. I shall not, however, so far presume upon your hospitality as to attempt to discuss the economics of business depression. In that field you are the masters and I the student. What I know I have learned from your teaching. There are, nevertheless, areas within the broad confines of this subject where I feel at liberty to enter without trespassing. For unemployment is not only an abstruse theoretical problem in economics, which the old schoolbooks used to define as the science of wealth, it is likewise a condition which affects the men and women who labor to create wealth. It is with this human side of the problem that I am particularly concerned. Does the prevalence and recurrence of unemployment subject us to an obligation toward these men and women? What, it other words, is the ethical basis for our efforts to change this state of affairs? Is it perhaps true and right, as we have been recently admonished, that we should leave it to self-reliance and individualism to work out the salvation of the wage earners who are out of work? Or, if these workers do have a claim upon our exertions to prevent unemployment and to mitigate the rigor of its sinister consequences, does it rest upon no broader foundation than the spirit of kindness and philanthropy?

Neither of these alternatives is very satisfying. The joblessness of these wage earners is not the merited penalty of their own misdoing. Their plight is not a consequence that they could have prevented. It is the resultant effect of forces beyond their control—forces which the entire industrial and business community has set into motion. Fundamentally it seems to me the justification of our endeavors rests upon the oft-repeated, frequently misunderstood principle of the right to work, which in modern industrial society is synonymous with the inalienable right to live. That right to work has never been surrendered and can not be forfeited. Society was organized to enlarge the scope of the right and to increase the fruits of its exercise. It was never intended, and it must not be, that organized government should become the means of its denial.

We may preach self-reliance, we may glorify individualism. We do not, however, by extolling these splendid virtues satisfy the valid claim of each and every willing worker to an opportunity to work and live. No amount of self-reliance will make jobs available for the millions now idle. No degree of individualism will feed their wives and children.

Now, then, what are the obligations that the recognition of this principle imposes upon industry and government?

If the wage earner is to be protected in his right to work, of necessity it follows that industry must be subjected to a duty; the duty of maintaining the continuity of wages. The existence of this duty has been asserted and repeated times without number, but it is still frequently received as if it were startlingly revolutionary. I have often wondered that it should seem so strange. It does not strike business as strange that it continues to pay interest though its capital lie idle. Rent is collected though the plant is vacant. In the absence of profits dividends are paid out of surplus without so much as an intimation that anything unusual is occurring. Why should a different policy govern the payment of wages? Why does industry at present feel at perfect liberty to turn its workers loose at the first sign of slack? Why does it not regard the pay roll as a fixed charge on its business? Apparently it expects that a bountiful Providence will feed, clothe, and house its workers and keep them fit until it is ready to reemploy them. It would never occur to a manufacturer to set his machinery out on the street during depression in the hope that the Red Cross would maintain it for him until the recovery of business. But without hesitation, without embarrassment, and I suspect frequently without appreciation of the full meaning of his act, he turns out of doors his entire labor force. He may not now realize it, but he is participating in a system whereby he is in fact unshouldering a burden that his business should carry and saddling it upon the generous citizens of his community.

Some would call this chaos the American method of dealing with the fundamental problem of business, society, and government. Never in my judgment has the word American been more outrageously abused. The present confusion with its lay-offs and its bread lines and its charitable appeals all proceeds on the wrong assumption that we owe these men and women nothing; that what we give them is a matter of kindness; that what they receive they obtain by sufferance and not by right. I prophesy that when we shall have learned to manage our economic affairs in a more sensible way we shall look back at the present disorder with amazement that a generation which called itself civilized could be guilty of sustaining it. Of course, I recognize that multitudes of individual employers, having the best of intentions, feel as helpless as their employees to change this condition by their solitary act. All the more reason, I believe, why we should applaud the few courageous souls who have mustered the will and contrived the means of bringing steadiness of employment to their workers. Their names constitute a roll of honor upon which every employer may well aspire to be inscribed. I stated at the opening of my remarks that I would not discuss the economics of this question and I do not intend to depart from that resolution. But I can not help reflecting upon them who would lead us to believe that there is some "law" of economics in obedience to which we must suffer these periodic depressions. With me it is an article of faith that no law, economic or otherwise, ever validly ordained that millions of people willing to work shall be condemned to want and privation in the midst of national plenty. We shall yet find, I am convinced, that if there be such law it was written by our own ignorance and thoughtlessness, and that it can be erased by organization and control.

The ingenuity which succeeded in multiplying the production of the requisites of life and comfort a thousandfold is equal to the new and more subtle task of distributing the benefits of that production to all our people. I have complete confidence in the belief that what we need is not a new economic order but greater precision and better organization in the existing order.

We might perhaps be moved to condone the present arrangements if indeed we could not afford to do better. Such, however,

is not the fact. It is only too obvious that the national economy permits us to deal with this difficulty in a more civilized manner. After all, we do not now knowingly permit people to starve or freeze. We manage to provide the bare necessities for those in distress. The iniquity lies in our method which is physically destructive and morally disruptive of the character of the very people we would help.

And that is not the only charge that can be leveled against the existing insecurity of employment. It has its effect even upon the workers who are employed. From the day the wage earner first has his name put upon a pay roll to the day of his retirement his life is cramped with the ever-present fear that at any time he, too, might, through no fault of his own, be broken upon the rack of enforced idleness. That condition does not promote self-reliance; it is not conducive to the building of character.

I have at other times spoken of the economic benefits that would flow to industry from greater security of employment. It is time to emphasize that industry is under an inescapable moral obligation to provide it.

The Government has an important rôle to play in giving validity and sanctions to the right to work. I believe we are fairly well agreed on the elements that should constitute the program of national action. The enumeration of the unemployed which has, at the instance of Senator COUSENS and myself, been made a permanent part of the decennial census, and my bill for the monthly publication of statistics of employment, which became a law last June, will together form the corner stone of the informational structure which the Government must erect. The bill for advance planning and proper timing of public works has passed both the House and the Senate and is now in conference to adjust the differences between the two bodies.

The bill for the establishment of a nation-wide system of cooperating public employment offices under State auspices has passed the Senate, has been approved by a House committee, and is now awaiting action on the House Calendar. More recently I introduced a bill to encourage the establishment of private unemployment reserves by exempting these reserves and contributions to the reserves from income-tax liability. Immediately upon the reconvening of Congress I am prepared to introduce a bill to have the Federal Government cooperate with the States in establishing systems of unemployment insurance. This program of legislation comprehends the two essential features of any organized effort to cope with unemployment, so far as that problem is within the sphere of Federal action. It would reduce the incidence of unemployment as far as possible by regularization and stabilization and it would compensate for the loss of wages by reason of unemployment out of reserves set aside for the purpose or by insurance. I have no personal doubts that eventually this program will be enacted into law. We are moving in that direction steadily and irresistibly. Whether these bills will become law as speedily as their urgency requires depends in a large measure on the ladies and gentlemen present whom I now have the honor to address.

It is my experience that social legislation does not pass any sooner than the public is educated to demand it. The process of education is largely in your hands. You can convince the public that unemployment requires constant attention, planning, and preparation alike in times of prosperity and depression. You can teach them that it calls for permanent agencies of correction. You can persuade them that the proposals you have devised are safe, sane, and sound. Likewise it is your duty to go forward more rapidly than heretofore with your research to devise and perfect the methods of prevention. For instance, we should like you to tell us much more than you have about technological unemployment. Your predecessor economists were quite ready to berate the English workmen who destroyed the machines that came to take their jobs, but they never told us how to care for the worker whose craft was destroyed by an invention. To this day we do not really know what happens to the displaced worker.

I have called attention in the Senate to the fact that over a period of years we have watched the index of production rise and the index of employment fall. To me that spelt technological unemployment. The same fact emerges from the ratio of common laborers registered to the number of places open as published by the New York State employment offices. In January, 1923, the ratio was 95 applicants to every 100 jobs available. In January, 1924, the number of applicants per 100 vacancies rose to 129. The succeeding January it was 175, then 196, then 362, then 427. In January, 1929, it registered 439. Through good years and bad years alike the pressure of men on jobs continues. What is the extent and measure of that problem? How long does it take these men who are displaced to find themselves in other occupations? What would it cost us to care for these men during the interval of their idleness? What can we do to retrain and rehabilitate them for new and necessary occupations? Is there any way whereby we can charge the cost of these displacements against the benefits derived from the improved technic or new machinery? These questions demand a very early answer. The Government can not afford to experiment rashly. It must resort to those remedies that have been tested in the laboratories of science. In this problem of human engineering you are the experts. It is your prerogative to prescribe for us the new economics of social control. There are men in every legislature to-day who look to you to point the way.

Yours is the task to find the solution to the key problem of our generation. Yours is, therefore, the opportunity to bring us closer to our common objective—the day when our people can enjoy a greater measure of security and happiness in their daily lives.

INTERIOR DEPARTMENT APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 14675) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes.

Mr. KING. Mr. President, I desire to ask the Senator from Oklahoma [Mr. THOMAS] before he resumes his seat what proportion of the aggregate appropriation carried by this bill is available for the Indians within his State. My understanding is that there are only about 225,000 Indians now under the jurisdiction of the Government, and that 150,000 or more live within the State of Oklahoma. I am informed that most of the appropriations carried by this and other Indian appropriation measures are expended for Indians other than those in Oklahoma. My understanding is that the more than twenty-four million carried by this bill are available for less than one-half of the Indians, while only from two to three million dollars are to be expended in Oklahoma.

Mr. THOMAS of Oklahoma. That is my understanding, Mr. President.

Mr. KING. I should like to ask the Senator upon what theory the Indian Bureau justifies its conduct in asking for $24,000,000 plus for this year for 225,000 Indians under its jurisdiction, more than one-half of whom reside in the State of Oklahoma, and to those Indians are given only about two or three million dollars. Does the Senator know how that course is justified?

Mr. THOMAS of Oklahoma. They do not attempt to justify it. They bring in their items and get them through without discussion or investigation.

Mr. SMOOT. Mr. President, I want to say to my colleague that some of the wealthiest people in Oklahoma are Indians; and the Senator knows that we have not an Indian in the State of Utah who has any income at all, unless it is from a few sheep that he grazes in the mountains. They have millionaire Indians down in Oklahoma.

Mr. KING. I understand that a number of Indians in Oklahoma who have oil lands have received very large sums from the sale of their lands, or royalties from year to year for the oil which has been produced, but I am unable to understand why there should be such an apparent discrimination between the Indians of Oklahoma and those in other parts of the United States and why such a large proportion of the appropriations should be expended outside of Oklahoma.

Mr. THOMAS of Oklahoma. Mr. President, will the Senator yield?

Mr. KING. I yield.

Mr. THOMAS of Oklahoma. The Senator in charge of the bill suggests that we have millionaire Indians in Oklahoma; but this bill does not carry a penny of any Indian.

Mr. SMOOT. No; but they are counted as to the number of Indians in Oklahoma in dividing the appropriations.

Mr. THOMAS of Oklahoma. That is true. They are Indians, nevertheless.

Mr. SMOOT. I simply called that to the attention of my colleague.

Mr. KING. Are they under the jurisdiction of the United States?

Mr. THOMAS of Oklahoma. They are.

Mr. SMOOT. They are to a certain extent; but the Government of the United States does not say how they shall spend their money.

Mr. THOMAS of Oklahoma. The Government spends the money for them.

Mr. SMOOT. Oh, well, it spends the money that is appropriated by the Government, yes; but the Government does not take the money that the Indians get from royalties and spend that for them. They can invest that in any way they want to.

The Government of the United States, whenever a question arises as to an investment, the Indian himself brings that up and decides, if he has the money, how he will spend it. He buys his automobile. He lives a hundred times better than half of the whites in the Nation. Nobody is

objecting to that. The Indian, if he owns oil lands and receives his royalties from them, is entitled to spend his money in any way he desires.

Mr. THOMAS of Oklahoma. Answering the question submitted by the Senator from Utah, I have before me a tabulation of some 10 so-called rich Indians. The money belonging to these Indians comes from oil royalties and gas royalties, restricted money. Not one of these Indians could spend a penny of that money without the approval and consent of the department.

The first one I refer to is Eastman Richards. During the past few years he has received in his account in the office the sum of $1,766,179.20. Of that sum the Indian Office has approved of his expenditures in the sum of $1,763,775.13, and of his fund of seventeen hundred thousand dollars he now has the sum of $1,861 left. Not a penny of that money could have been spent by Eastman Richards if the expenditure had not been approved by the Department of the Interior.

The next Indian is Jeanette Marshall. During the past few years this lady has had an income of $1,060,000 and over, and of that sum she has been permitted to spend the sum of $940,000, leaving her a net balance of $119,000.

Wosey John has had collected for her from her allotment the sum of $737,000, and she has been permitted to spend in the past few years the sum of $562,000.

Benjamin Wacoche has had collected for him $379,000. He has made expenditures, with the approval of the department, in the sum of $257,000.

Amy Simpson has had collected for her by the department the sum of $308,000. She has expended, with the approval of the department, the sum of $272,000.

Minnie Tiger has had collected for her $236,000. She has been permitted to spend $215,000.

Exie Fife has had collected for her the sum of $499,000, and she has been permitted to spend, with the approval of the department, the sum of $312,000.

Mr. President, let me call attention to how this money has been expended and for what purpose; and, remember, every penny of these gigantic sums has been spent upon vouchers approved by the Department of the Interior, the Indian Office.

Mr. SMOOT. Does the Senator object to that?

Mr. THOMAS of Oklahoma. I am explaining this matter, and I am in a sense criticizing the department.

Mr. SMOOT. I wanted to know just how the Senator felt about it. Does the Senator feel that those moneys ought to be expended by the Indians without any supervision?

Mr. THOMAS of Oklahoma. No, I do not; but I can not justify permission being given to a full-blood Indian to spend seventeen hundred thousand dollars over a period of somethings like 7 or 8 or 9 years.

Mr. SMOOT. Does the Senator know what he spent it for?

Mr. THOMAS of Oklahoma. I will not take the time now to go into that.

Mr. SMOOT. The money went into investments, largely, did it not?

Mr. THOMAS of Oklahoma. No; it was squandered. For example, Eastman Richards was permitted to build a town site with the approval of the Department of the Interior, and in his gigantic operations—the buying of the land, building and operating a town site, including all classes of stores—he became involved in such a way as to become a virtual bankrupt, all under the supervision of the Indian Office.

Mr. President, the 10 accounts heretofore listed—and I did not read all of them—reflect receipts over a 10-year period of $6,524,750.92; disbursements, with the full approval of the Government, of $4,706,839.54, or an annual expenditure of $470,683.95 for the group, $47,068.39 per family. The balance to the credit of the entire group, which includes Liberty bonds now in the hands of the Government, is $1,818,113.38.

Mr. KING. Mr. President, I would like to ask the Senator a queston.

The PRESIDENT pro tempore. Does the Senator from Oklahoma yield to the Senator from Utah?

Mr. THOMAS of Oklahoma. I yield.

Mr. KING. I would like to know whether among those 10 was the case of an Indian who, it is claimed, was induced to make a gift of a million dollars, or thereabouts, to some organization, and suits have been brought, and, as I recall, one branch of the case, if not the main case, was recently before the Supreme Court of the United States. My recollection is that one of the Justices during the argument challenged attention to the situation and in effect said that it appeared to him that a case of fraud had been perpetrated against the Indian.

Mr. THOMAS of Oklahoma. Mr. President, that was the Jackson Barnett case, and this does not include that item. There are a number of items which could have been included here.

In further answer to the question suggested by the Senator from Utah, I refer to the expenditures of these Indians' money for automobles, every penny spent with the approval of the Department of the Interor. Automobiles and their upkeep for six of this group over the 10-year period cost $294,057.51. Five of the same group required legal services over the 10-year period costing $177,540.01.

Four spent for living expenses, including rent, farm stock, farm machinery, oil, gas, and repairs to cars, fences and fencing, $518,311.03.

The PRESIDENT pro tempore. The question is on agreeing to the amendment on page 60, line 6.

The amendment was agreed to.

The next amendment was, on page 60, line 11, after the word "relief," to strike out the comma and "to be immediately available."

Mr. THOMAS of Oklahoma. Mr. President, I desire to inquire of the chairman of the committee the reason for striking out the words "to be immediately available."

Mr. SMOOT. The reason is that the amount is provided for in the first deficiency appropriation bill. That bill will be here in a little while, and that item will be taken care of.

Mr. THOMAS of Oklahoma. Mr. President, in the House committee a provision was placed in the bill to take care of the old, indigent, and needy Indians, and of the total sum carried in the bill the sum of $160,000 was made immediately available to take care of these emergency cases. When the bill came to the Senate, for some reason—and the Senator from Utah has just stated the reason—this item was stricken from the bill. I went to the only source of authority from which we can get any information about this bill, and that was to Mr. Dodd, who told me that the reason why this item was stricken from the bill was that it would disarrange their bookkeeping system; that if they carried this item of $160,000 immediately available, when this bill was passed, they would have to transfer $160,000 to a special fund and make it available forthwith. That was the only reason he could give me for requesting the committee to strike out this item; and when the request was made the committee struck the item from the bill.

Mr. SMOOT. I propounded a question to Mr. Dodd in the committee, and this is what he said:

> While we are talking of this item—

The item to which the Senator refers—

> we were planning to suggest the elimination of the words "to be immediately available," at the top of page 59, because if this money is made immediately available we do not have a definite sum upon which we can plan our work for 1932. We hope to take care of the immediate situation with our deficiency appropriation bill, for which the estimate has been submitted.

In other words, the first deficiency appropriation bill will take care of that, and the Budget has already agreed to it.

Mr. THOMAS of Oklahoma. Mr. President, I understand the reason suggested by the Senator from Utah, but here is the situation. There is no deficiency bill before the Senate now, so far as I know.

Mr. SMOOT. No; but the Senator knows there will be one here within the next few days.

Mr. THOMAS of Oklahoma. I hope so.

Mr. SMOOT. The first deficiency appropriation bill. The reason this item was stricken out was that it is provided for in the first deficiency appropriation bill.

Mr. THOMAS of Oklahoma. I will ask the Senator how much is proposed to be carried in the deficiency bill for this particular purpose?

Mr. SMOOT. I have not looked at the final draft of the bill, but I am assured this item will be taken care of in that way.

Mr. THOMAS of Oklahoma. Mr. President, this is the situation: There are 225,000 restricted Indians in the United States. There are some 300,000, embracing the restricted Indians and the nonrestricted Indians. I would like to ask the Senator from Utah at this time to give us the definition of an Indian, for the RECORD. It is material at this point.

Mr. SMOOT. I suppose it means Indians who belong to a tribe, no matter where they may be located—anywhere in the United States—if they live in tribal relations. I do not know that it could be otherwise.

Mr. THOMAS of Oklahoma. That is the decision of the Supreme Court of the United States, but that is not the decision of the Indian Office. The Indian Office holds that if an American citizen has a drop of Indian blood in his veins, and has a restricted dollar, that man is an Indian; but if he is a full blood and has not a restricted dollar, he is not an Indian.

Mr. SMOOT. The test is the restricted dollar, I will say to the Senator.

Mr. THOMAS of Oklahoma. The only money that is proposed to be appropriated in this bill is to take care of the restricted Indians. Not a single penny is proposed in this bill, or in any other bill, so far as I know, to take care of even full-blood Indians who have not a restricted dollar.

In the House there was put into this bill an item of $160,000 for the relief, the immediate relief, of Indians. The Senator from Utah states that some other bill is coming along at some time in the future carrying a deficiency item to take care of the needy and now starving Indians. I hope it will not meet the fate that has met the $45,000,000 item. Before the holidays we had an amendment on this floor to a bill carrying $45,000,000. On some one's objection the item was stricken from the bill. It could have gone through then—there was no objection to it—and have been available; but now, upon objection raised, this matter is tied up indefinitely in the House of Representatives.

Mr. SMOOT. Mr. President, I do not apprehend that there will be anything like that in connection with this bill. There never has been, and I am quite sure there will not be now.

Mr. THOMAS of Oklahoma. I hope not. All this item in this bill does is to make the sum of $160,000 immediately available. If it is not needed, it will not be spent. If it is needed, it will be spent.

Mr. SMOOT. The $160,000 is needed, irrespective of what we carry in the deficiency appropriation bill, and the amount that will be carried in the deficiency appropriation bill will be made immediately available. I assure the Senator of one thing—and he is a member of the committee—that if the words are not in that bill making it immediately available I will join with him in having it made immediately available.

Mr. THOMAS of Oklahoma. I make no reference to the Senator from Utah, but I have had assurances before upon which I relied which have not been carried out.

Mr. BRATTON. Mr. President, if this amount is needed for relief purposes, and the House saw fit to put it into the bill, why should we quibble about procedure; that is, state that it will be put into the first deficiency bill? It seems to me that if this amount of money is needed, it has to come out of the Treasury in either event, and why not let us recede on this amendment and let the language be restored to the bill, and then proceed with its consideration? We will accomplish the desired end, and discontinue what will otherwise become a prolonged discussion.

Mr. THOMAS of Oklahoma. In answer to the suggestion made by the Senator from New Mexico, let me say that this item is $160,000. I have heard that the deficiency bill proposes to carry $175,000. The two make slightly more than $300,000. There are 300,000 Indians in the United States. That would make the payment only at the rate of $1 per Indian. Of course, they will not all claim the money. If they did, they would not get it; but that is the rate, even if both items go through. I propose to show the Senate, if I may, the need for this money now.

Mr. SMOOT. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. SMOOT. The first deficiency appropriation bill has passed the House.

Mr. BRATTON. It is here.

Mr. SMOOT. Yes; or will be here to-day. It contains, with reference to this very matter, an item of $175,000. That is to take care of whatever deficiencies there may be, and it provides $175,000 for that purpose.

Mr. BRATTON. Yes; but if the amount specified in this bill for relief is needed, why quibble about whether it shall be available now or beginning the 1st of July.

Mr. SMOOT. Because they want the full $160,000 to come in the next fiscal year.

Mr. BRATTON. They do not have to use it now.

Mr. SMOOT. Then why make it available? They will have $175,000 as soon as the deficiency bill passes, and it is liable to pass the first of next week. There is no reason why it should not be passed by next Tuesday.

Mr. BRATTON. It seems if we are going to appropriate $160,000 out of the Treasury for this purpose plus $175,000 for the same purpose and the Indians need $300,000 plus, there is no reason why we should argue against making the entire sum available now. The bureau will not have to spend it.

Mr. SMOOT. We do not make sums immediately available unless absolutely necessary. There is no necessity for having the $160,000 made immediately available. The $175,000 is the item that will come in the next deficiency appropriation bill.

Mr. BRATTON. The House must have thought so or it would not have made both provisions.

Mr. THOMAS of Oklahoma. Upon what information does the Senator from Utah make the statement that there is no occasion to make the sum available now to take care of relief among the Indians? While the Senator is looking up that matter, let me say that only recently a committee was down among the Indians in Oklahoma. We found point after point where the Indian Bureau had no funds to take care of the needy. We found one point where the doctor had no medicine—why? Because the Congress had limited the appropriation made available for that purpose. We found one place where the only medicine given the Indians consisted of pills and castor oil, and they were out of both. The excuse invariably given is that the niggardly policy of the Congress is responsible. The bureau comes before our committee and makes that statement, "You will not give us the money." I propose to show that there is need for the money and need for it now, not only need for the $160,000, but need for the $175,000, and even then it is only a pittance over a dollar per capita.

Mr. SMOOT. They will get it within the next week.

Mr. THOMAS of Oklahoma. Only a few days ago, the 2d day of this month, I sent a telegram to every Indian agency throughout the United States reading as follows:

Please advise me by wire collect if it is necessary for the Government to provide funds for the relief of Indians under your jurisdiction, and if so indicate nature and extent of relief necessary.

I received a reply from the Rosebud Reservation in South Dakota, as follows:

ROSEBUD, S. DAK., *January 2, 1931.*

ELMER THOMAS,
United States Senate:

Your wire. Second $10,000 needed to be used in payment for labor performed by indigent Indians and $2,000 for additional rations for issue to old, incapacitated Indians and relief of distress in broken homes.

WM. O. ROBERTS.

I call attention next to a reply from the Seminole Agency, located at Shawnee, Okla.:

SHAWNEE, OKLA., *January 3, 1931.*

Senator ELMER THOMAS:

Have approximately $1,000 for relief of old, sick, and indigent Indians. Have requested Indian Office to allot $5,000, reimbursable, to be used to pay Indians for agricultural leases due January 1; can not be collected; also recommended per capita payment of $50 to Sac and Fox under this agency. If Indian Office grants my request will need no additional funds for relief.

SUPERINTENDENT EGGERS.

I call attention next to a telegram from Superintendent Bonnin, of the Cheyenne and Arapahoe Agency, located at El Reno, Okla.:

EL RENO, OKLA., *January 2, 1931.*

Senator ELMER THOMAS,
Washington, D. C.:

Your telegram to-day. District Superintendent Buntin believes Cheyenne and Arapahoe Indians should have $35,000 for relief to buy food, clothing, feed, and seeds on reimbursable plans so far as practicable, because many lessees unable to pay January rentals and some have no income. I agree.

BONNIN.

I call attention next to the answer from Browning, Mont., as follows:

Your wire January 2. Twenty thousand dollars additional funds will be necessary care for needs of Indians during balance of fiscal year. Fifteen thousand of this amount is for emergency relief purposes, for giving employment to Indians on Government work of all kinds that can be accomplished under severe winter conditions. Five thousand needed for rations for old and indigent people.

Here is an Indian agent making request for money to help Indians out in Montana, and the Indian Bureau disallows the request, and it is disallowed on account of insufficient funds. That is the reason they give us on every hand. Every time a request is made of the Indian Office for funds they have not any funds, and the Congress is blamed for that condition.

Mr. SMOOT. Congress has taken care of them. Congress has provided now in the deficiency appropriation bill $175,000, which will become a law within the next week. That is provided for in the deficiency bill which has just come to the Senate from the House. I have never seen, since I have been a member of the Appropriations Committee, a case where there was a deficiency appropriation asked for and granted by Congress and then the regular appropriation, becoming available on the 1st day of July of the current year and extending a year beyond, made immediately available as well. There is no necessity for it. The deficiency appropriation bill will more than likely be reported out within a day or two from the Senate Committee on Appropriations. It carries $175,000 for the Indians.

Mr. THOMAS of Oklahoma. I was just stating that the superintendent at Browning, Mont., requested the Indian Office to allot him the sum of $5,000. Let me read it again:

BROWNING, MONT., *January 2, 1931.*

Hon. ELMER THOMAS,
Senate Committee on Indian Affairs:

Your wire January 2. Twenty thousand dollars additional funds will be necessary care for needs of Indians during balance of fiscal year. Fifteen thousand of this amount is for emergency relief purposes, for giving employment to Indians on Government work of all kinds that can be accomplished under severe winter conditions. Five thousand needed for rations for old and indigent people. Last amount previously requested in supplemental estimate and disallowed on account of insufficient funds. Justification for relief funds submitted Indian Office my letters September 11 and October 7, Supervisor Campbell's letter October 3. Requested in these communications $25,000, in addition to five thousand for rations for old people. We were allotted $10,000 of this amount October 3, leaving deficiency of fifteen thousand in this item and five thousand deficiency for purchase of rations, making total of $20,000 additional fund needed at this date.

STONE.

Mr. SMOOT. That is correct, and that is included in the $175,000 which is in the deficiency appropriation bill at this time.

Mr. THOMAS of Oklahoma. From the Pawnee Agency, at Pawnee, Okla., I received this reply:

PAWNEE, OKLA., *January 4, 1931.*

Hon. ELMER THOMAS,
United States Senate, Washington, D. C.:

Your wire 2d. One thousand dollars needed food for old and incapacitated during January and February; $3,000 needed immediately for labor, able-bodied, on hospital grounds, premises, and roads at Otoe, Kaw, and Ponca subagencies. Question whether white lessees will be able to pay rental due March 1; if not, Indians will be in deplorable condition.

SNYDER, *Superintendent.*

I received also the following telegram from Yuma, Ariz. Conditions must be good among the Indians at Yuma, because I have this reply:

YUMA, ARIZ., *January 2, 1931.*

ELMER THOMAS,
Washington, D. C.:

Your wire 2d. Not necessary for Government to provide funds for relief of Yuma Indians.

JOLLEY.

From Devils Lake, N. Dak., I have a similar message, as follows:

DEVILS LAKE, N. DAK., *January 3, 1931.*

ELMER THOMAS,
Washington, D. C.:

Your wire 2d. Do not anticipate need for relief funds additional to regular provisions.

GRAY, *Superintendent.*

I call attention next to the message from the agency at Miami, Okla:

MIAMI, OKLA., *January 3, 1931.*

Hon. ELMER THOMAS,
United States Senate, Washington, D. C.:

Your wire to-day. Department allotted me $500 for relief of indigent Indians. Have not yet found many cases of serious destitution among restricted Indians. There will probably be more cases among unrestricted Indians, but these are county cases, Government funds not being applicable. From past experience amount allotted should be sufficient.

H. A. ANDREWS.

Here is a telegram from an Indian agent that he has under his jurisdiction full-blood Indians who can not speak the English language, who at one time had lands and had patents issued to them, who have sold their lands under the authority of the Interior Department. They are not now restricted, but they are county charges. Not a penny of the money that has heretofore been made available or supposed to be carried in this bill is available to those Indians.

Mr. SMOOT. Nor would it be if we provided the money, as the Senator now wants it, and made it immediately available.

Mr. THOMAS of Oklahoma. I have a telegram from the Muskogee Agency, the Five Civilized Tribes.

MUSKOGEE, OKLA., *January 3, 1931.*

Hon. ELMER THOMAS,
United States Senate:

Answering telegram probably 500 families restricted Indians will need aid from Government for groceries, medical attention, clothing until May 1. Red Cross can possibly estimate unrestricted Indians needing aid.

MCMILLAN.

There is another concrete illustration that Indian citizens of this country, full-blooded Indians who can not speak the English language, whose affairs have been managed by the Indian Bureau, who are now unrestricted, have no land and have no money and must go to the county or to the Red Cross or else starve.

Mr. SMOOT. Just as white people do. There is no difference at all and this bill has nothing to do with that situation.

Mr. THOMAS of Oklahoma. I call attention to a report submitted by the supervising Indian agent, Samuel H. Thompson. He made a complete survey of our State, part of it in bird's-eye and part in detail. He spent some time among the Chickasaws and Choctaws, and here is his report as to conditions among something like 40,000 Indians in Oklahoma:

The home conditions among the Chickasaws and Choctaws are in many instances distressing. Poverty stalks in many places and several families will have to be helped through the winter if they do not suffer actually for food. In the Pawnee jurisdiction this is not so obvious except among the Poncas, who are very poor indeed.

Mr. President, the distinguished Senator from Utah tells us that the Government can not appropriate money to take

care of full-blood Indians or quarter-blood Indians or half-blood Indians unless they are restricted. The Supreme Court does not so hold; the public conscience of America, in my judgment, does not so hold; but the Indian Office does, and because the Indian Office adheres to that holding the Appropriations Committee follows it, and the Congress, as Mr. CRAMTON says, the rubber stamp of the department, follows that decision. I wish to call attention to one of the recent decisions of the Supreme Court of the United States, a decision handed down in 1922 and found in Two hundred and sixty-first United States Reports. The portion which I quote is found on page 232. I read:

The contention that the United States was without authority to maintain the suit in the capacity of guardian for these Indians is without merit. In United States v. Kagama (118 U. S. 375, 383 384) the general doctrine was laid down by this court that the Indian tribes are wards of the Nation—

Not one Indian tribe, but the Indian tribes are wards of the Nation—

communities dependent on the United States. "From their very weakness and helplessness, so largely due to the course of dealing of the Federal Government with them and the treaties in which it has been promised, there arises the duty of protection, and with it the power."

The Supreme Court makes no distinction between the Indians, whether or not they have money. The Supreme Court holds that the Indians in the United States are wards of the Government; not that the rich Indians are wards of the Government, not the well-to-do Indians, not the Indians who have a dollar, but even the Indians who have no land and no dollars are likewise the wards of the United States of America.

Mr. SMOOT. Mr. President, the Senator will admit, will he not, that some of the richest Indians in the United States are restricted Indians?

Mr. THOMAS of Oklahoma. Certainly.

Mr. SMOOT. The Indians the Senator is speaking of now are nonrestricted Indians, and they are not under the jurisdiction of the Government of the United States.

Mr. THOMAS of Oklahoma. They should be.

Mr. SMOOT. That is a matter of policy, and the Senator knows that we can not determine a policy on an appropriation bill.

Mr. THOMAS of Oklahoma. That is a policy which I am going to seek to change, so far as I can.

Mr. SMOOT. I think an appropriation bill is not the place where it should be changed or could be changed.

Mr. THOMAS of Oklahoma. I object to the Appropriations Committee reporting out provisions seeking to establish that policy, and that is where the policy has been established.

Mr. SMOOT. The policy has not been established by the Appropriations Committee.

Mr. THOMAS of Oklahoma. It has been in past years. In appropriating money to take care of restricted Indians we take care of the Indians who have land; we take care of Indians who have money; and the richer the Indians are the more money we appropriate to take care of them. I condemn that policy.

Mr. SMOOT. There is no differentiation between restricted rich Indians and restricted poor Indians or nonrestricted rich Indians and nonrestricted poor Indians.

Mr. THOMAS of Oklahoma. Without exception at the Indian agencies which we visited we found the testimony to be uniform that the agency spends 90 per cent of its time in taking care of the property and funds of the rich Indians, while the great mass of indigent and impoverished Indians have no attention.

Mr. SMOOT. If their property is being cared for, then they are restricted Indians.

Mr. THOMAS of Oklahoma. They are restricted Indians.

Mr. SMOOT. Yes.

Mr. THOMAS of Oklahoma. I am not complaining about taking care of the property of restricted Indians. I am complaining of the policy of setting poor Indians adrift to starve and wander and to die.

Mr. SMOOT. Not the restricted Indians.

Mr. THOMAS of Oklahoma. Well, the unrestricted Indians.

Mr. SMOOT. The Supreme Court decision to which the Senator referred a few moments ago has nothing to do with the unrestricted Indians, but has to do with the restricted Indians.

Mr. THOMAS of Oklahoma. The decision makes no distinction between restricted Indians and nonrestricted Indians. I will quote further, beginning with the next line of the decision.

This duty of protection—

So says the Supreme Court of the United States—

This duty of protection and power extends to individual Indians—

Not restricted Indians, not the Indians who have a dollar; but to Indians even though they may have become citizens of the United States. A number of citations are given in this decision. From the same decision I will read another paragraph:

After pointing out the fact that it was the policy of the Government to protect all Indians—

Not restricted Indians, not rich Indians, not Indians who have a dollar; but all Indians, and I contend the Supreme Court meant that whether or not the Indian had a dollar was of no consequence; whether or not he was 70 years of age or 1 year of age was of no consequence, if he be an Indian he would come under the term "all Indians"—

After pointing out the fact that it was the policy of the Government to protect all Indians in their property and to teach and persuade them to abandon their nomadic habits the court said: "The civil and political status of the Indians does not condition the power of the Government to protect their property or to instruct them. Their admission to citizenship does not deprive the United States of its power nor relieve it of its duty."

Mr. President, I submit that this item should not be stricken from this bill. The bill should carry this item of $160,000 and the money should be made immediately available. If it is not needed it will not be used. It will deprive the Indian Office, however, of the opportunity of telling the Indian agencies throughout the United States, and they in turn telling the thousands of Indians under them, that the Congress, in its niggardly policy, did not and even would not appropriate this money.

Mr. KING. Mr. President, will the Senator yield?

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. To whom does the Senator from Oklahoma yield?

Mr. SMOOT. I thought the Senator from Oklahoma had concluded.

Mr. THOMAS of Oklahoma. I yield to the junior Senator from Utah.

Mr. KING. Mr. President, I rise for information. I should like to know whether it is the view of the Senator from Oklahoma, and whether he thinks that is the law, that when Indians have lands allotted to them and finally have assumed the position in the community of citizens, participating in elections and having all the rights of American citizens, possessing their own property and conducting their own affairs in their own way, they are then restricted Indians and the obligation rests upon the Government to care for them? In other words, is there not some period in the life of an Indian or a tribe when he or it becomes emancipated from the control of the Government and assumes the same status in the community as other citizens of the United States assume?

Mr. THOMAS of Oklahoma. Without intending to be personal, I will answer that question in this way: Suppose an American citizen had a son who was not, perhaps, as brilliant as he might be, and suppose the father should see fit at some period of his life to give him a portion of his patrimony, and thereafter the son in the investment of the money should lose it, would the parent cease from that time henceforth to have any supervision or care or interest in that son?

Mr. KING. Mr. President, if the Senator asks that question of me, of course the parent would have an interest in

his son, and would be rather inhuman if he did not; but the point is this—and I was merely asking the question for information—whether the Senator contended that the Indians in the case to which I referred a moment ago, or their children, if they married with whites, occupied the position or status of restricted Indians, so that the Government owed them an obligation any more than it owed an obligation to other citizens of the United States to care for them in distress and in poverty, and so on?

Mr. THOMAS of Oklahoma. At a later time I shall take opportunity to discuss that proposition.

Mr. KING. I was merely asking the question for information.

Mr. THOMAS of Oklahoma. I submit that the amendment should be disagreed to.

The PRESIDENT pro tempore. The question is on agreeing to the amendment reported by the committee.

Mr. SMOOT. Mr. President, I should like to make a brief statement. If this amendment shall be agreed to it will mean that not only will the $160,000 provided for the coming fiscal year but also $175,000 in a deficiency bill will be made immediately available, thus providing $335,000 to take care of the Indians immediately from the 1st day of July of this year until the 30th day of June of next year; the entire appropriation will be made immediately available. No such thing as that has ever been done by the Senate, and I ask that the proposal may be disagreed to.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the committee.

The amendment was rejected.

Mr. KING. Mr. President, the senior Senator from Utah is not in the Chamber; at least I do not think he was when I propounded an inquiry respecting the item of $1,292,000 carried in line 7, on page 60. I asked in regard to that whether that general appropriation could be separated as between the amount to be devoted to the support of the Indians and that to be utilized in paying employees of the Government. May I say to my colleague, if he will indulge me a moment, that I find in many places rather large appropriations for the administration of the property of the Indians, and I find a large number of employees provided for and their compensation provided for in various paragraphs of the bill. What I am trying to get at is, will any part of this $1,292,000 be utilized for the same purposes; that is, for caring for the Indians, for the support of the Indians, or for the administration of their property for which provisions are made in preceding or succeeding paragraphs in the bill?

Mr. SMOOT. No; we can not say just exactly what will be used for the support of the Indians and the administration of the Indian property and what will be used for the pay of employees. This is a salary item, and I do not see how it could be changed. I do not see how the objects of appropriation could be segregated in any way. The figures are arrived at because of the salary increases which, in accordance with law, have been made all through the bill.

Mr. KING. Mr. President, I was not challenging that. To illustrate a little more fully, if I may, the point that I have in mind, I notice in the provisions dealing with the Klamath Indians $136,000 are appropriated, largely, I fancy, for salaries, and, in part, for improvements, and so forth. Under the same heading is a provision for the extermination of beetles upon the Klamath Reservation and for the extinguishment of fires upon that reservation. I find here $1,292,000 for the support of the Indians and general administration of Indian property. There may be a duplication. It occurs to me that there have been duplications; for one may find in specific paragraphs appropriations presumed to care for definite objects and then find a general appropriation from which could be taken large sums for the accomplishment of the same ends for which the specific appropriations are made.

Mr. SMOOT. When the President submits the Budget every detail is found in the estimate. When the House holds hearings upon the suggested appropriations those estimates are submitted to the committee, and it is shown in detail what the items are for. The provisions are the same as those in previous appropriation bills; there has been no difference during the 28 years I have been here.

Mr. KING. In respect to appropriations for the Klamaths in one year my recollection is that forty-five or fifty-eight thousand dollars were asked for salaries, but upon looking at the report it is disclosed that $86,000 or $89,000 were paid for salaries. Obviously, they took from some general appropriation sufficient money to make up the excess paid for salaries over that which they had asked for in the specific appropriations.

Mr. SMOOT. If the Senator had looked at the deficiency appropriation bill, if such a thing occurred, he would have found in the deficiency appropriation bill the amount to cover the difference that he speaks of. It could not be otherwise. The money could not be expended for any other purpose.

Mr. KING. It ought not to be; but I think if the Senator will meticulously examine the reports, the accounts of the Indian Bureau, the way they handle their accounts, he will be utterly unable to form an opinion as to the sources from which appropriations have come and the manner in which appropriations from general funds and specific funds have been used. He will find duplications and a maze of uncertainties that permit evasion by the department and its employees, and that prevents Congress from putting its finger upon the evils and abuses that arise from these duplications, and this practice of drawing from general funds for specific purposes, and from specific funds for general purposes.

Mr. SMOOT. I will tell the Senator how it can be done, if he desires to look it up. The first thing that we know of is the Budget estimate. It is a large book, of course.

Mr. KING. I have examined it hundreds of times.

Mr. SMOOT. The Senator has gone through it a good many times. That is the basis of our appropriations. As soon as the Budget is taken up, the House Appropriations begins with the appropriations for all the departments as the bills come in here, as the Senator knows.

Mr. KING. I am familiar with that procedure.

Mr. SMOOT. The House holds hearings upon every item found in the Budget bill, and then the departments have a right to come before the House Appropriations Committee and ask for an increase if they think it necessary. They have to prove to the Committee on Appropriations of the House that that increase is absolutely necessary.

When the bill comes to the Senate, those increases are passed upon here. If the Senator wants to find out whether there is a duplication of any item of an appropriation, let him take the Budget and find the items there, and he will find every single item mentioned—so many employees at such and such salaries per year, and all of the amounts covering the items specifically named—and that will be the case in the items just referred to by my colleague.

That is in the Budget. Did the House make any change from the Budget estimates? It is very seldom that the House ever does it. In fact, when the bill comes to us we can not increase the Budget estimate; or, if we do, any Senator upon the floor of the Senate has a perfect right to make a point of order against it, if the House has not acted beforehand. Therefore there is a way, if the Senator wants to take the time, to check every item in every appropriation bill, and find out whether it is above the estimated amount of the Budget; and, if so, he can examine the House hearings and ascertain why that was done.

Mr. KING. I find in the bill, for instance, an appropriation made for a particular forest of $25,000 or $50,000 for the extinguishment of fires. Then, further on, I find a general appropriation of $250,000 for caring for property and for the extinguishment of fires. It is impossible to determine what use finally is made of the latter appropriation or of the former appropriation, because they are not infrequently thrown into the same category, and diversions are made therefrom when and as may be determined by those controlling the Indian Bureau.

Mr. SMOOT. Take the $25,000 appropriation for forest fires: That often happens, because fires in the forests sometimes are greater than the appropriation was made for in

the first instance. In fact, we have many items like that coming here. One year they do not expend all the money because there have not been as many fires in the forests as there have been in other years. Next year there may be twice as much; and hardly a year has passed for I do not know how long but that we have had to have a deficiency appropriation for fires in forest reserves.

Mr. KING. I am familiar with that. The point I am trying to make is that the method which has been employed in securing specific appropriations for specific purposes, and general appropriations which duplicate the same and from both of which drafts will be made for specific and general purposes is indefensible and that the indiscriminate use of such appropriations leads to duplication and waste and extravagance. This course in practice prevents Congress from checking the Indian Bureau and prevents the Indians from knowing what they are charged with. The system employed by the bureau is one of mystery and permits evasions and injustice.

Mr. SMOOT. I am sure I have just as much interest as my colleague in keeping down these appropriation bills. I have spoken against large appropriations, though not quite as much as he; but I am in full accord with keeping down the appropriations to the very limit, and I think the appropriation bills themselves are pretty clean, taking them as a whole.

EXECUTIVE MESSAGE

An executive message from the President of the United States was communicated to the Senate by Mr. Latta, one of his secretaries.

FEDERAL POWER COMMISSION

Mr. WHEELER. Mr. President, I understand that the President of the United States has sent a message to the Senate, and I am going to ask the Presiding Officer to lay that message before the Senate.

The PRESIDENT pro tempore. That can not be done until the Senate goes into executive session. The message deals with executive business.

Mr. WHEELER. Without objection, can it not be done as in executive session?

Mr. SMOOT. Let us go on with the bill a little while, and then we will take up the message. I have no objection to having it handed down but——

Mr. WHEELER. How long does the Senator expect to go ahead with this bill to-night?

Mr. SMOOT. I do not know what the plan may be as to the rest of the amendments. The Senator from Oklahoma [Mr. THOMAS] may want to speak, but most of the remaining amendments are for increases of salaries provided for. Were all those salary amendments agreed to en bloc to-day while I was away?

Mr. KING. No; that was not done.

Mr. SMOOT. Then I will call attention to them just as they come and say that they are salary increases. Most of the balance of those in the bill are for that purpose.

Mr. THOMAS of Oklahoma. Mr. President, may I answer the question submitted by the Senator from Montana?

The PRESIDENT pro tempore. The Senator from Montana has the floor. Does he yield to the Senator from Oklahoma?

Mr. WHEELER. I yield to the Senator.

Mr. THOMAS of Oklahoma. The Senator in charge of the bill indicated that I might want to speak. I do not want to speak.

Mr. SMOOT. What I meant was that as I understood the Senator, he stated that he would discuss later to-day a matter connected with the bill. I did not mean that the Senator wanted to talk simply to kill time.

Mr. THOMAS of Oklahoma. The policy of the Indian Bureau, and the policy of the committee, force me to speak.

Mr. SMOOT. I have no objection to that.

Mr. THOMAS of Oklahoma. I will say to the Senator in charge of the bill, and to the Senator from Montana, that I have some amendments that I must offer, and if they be not accepted I must explain them; and that is going to take some time—not unnecessarily, however.

Mr. SMOOT. I have not the least objection to that. In fact, the Senator himself told me that he had half a dozen amendments to offer, and I do not know what they are. I know, also, that the junior Senator from Arizona [Mr. HAYDEN] has four or five amendments, I think—I do not know which it is—that he wants to offer.

Mr. KING. I have two or three.

Mr. SMOOT. I do not know how many amendments will be offered.

The PRESIDENT pro tempore. The Senator from Montana continues to hold the floor. To whom does he yield?

Mr. WHEELER. Mr. President, it is quite apparent that we can not finish the Interior Department bill this afternoon; and I am going at this time to suggest the absence of a quorum.

Mr. HAYDEN. Mr. President, will the Senator yield before he does that?

Mr. WHEELER. I yield.

Mr. HAYDEN. I should like to make a suggestion to the Senator from Utah. All that the Senator from Montana seeks is to have the message from the President read. He does not ask to have any action taken upon it, but merely that the message may be read for the information of the Senate. If it is read, we might then proceed with the consideration of the Interior Department bill. The Senator does not ask, as I understand, to have any action taken.

The PRESIDENT pro tempore. It will be necessary to move that the Senate go into executive session before the message can be laid down.

Mr. WHEELER. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Barkley	Fletcher	King	Sheppard
Bingham	Frazier	La Follette	Shortridge
Black	George	McGill	Smith
Blaine	Gillett	McKellar	Smoot
Borah	Glass	McMaster	Thomas, Okla.
Bratton	Goff	Metcalf	Townsend
Brock	Goldsborough	Morrison	Trammell
Brookhart	Harris	Moses	Vandenberg
Broussard	Harrison	Norbeck	Walcott
Bulkley	Hayden	Norris	Walsh, Mont.
Capper	Hebert	Nye	Watson
Caraway	Heflin	Oddie	Wheeler
Connally	Howell	Partridge	Williamson
Davis	Johnson	Pine	
Deneen	Jones	Ransdell	
Fess	Kendrick	Robinson, Ind.	

Mr. GOFF. My colleague [Mr. HATFIELD] is absent on account of illness. I wish to have this statement stand for the day.

The PRESIDENT pro tempore. Sixty-one Senators having answered to their names, a quorum is present.

EXECUTIVE SESSION

Mr. WATSON. Mr. President, I understand there has been a desire on the part of some Senators to hear the President's message read. I am assuming that inasmuch as it refers to business of an executive character we ought to go into executive session.

Mr. SMOOT. We will have to in order to consider it.

Mr. WATSON. Therefore I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

FEDERAL POWER COMMISSION

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was read, ordered to lie on the table, and to be printed:

To the Senate of the United States:

I am in receipt of the resolution of the Senate dated January 5, 1931—

That the President of the United States be respectfully requested to return to the Senate the resolution advising and consenting to the appointment of George Otis Smith to be a member of the Federal Power Commission, which was agreed to on Saturday, December 20, 1930.

I have similar resolutions in respect to the appointment of Messrs. Claude L. Draper and Col. Marcel Garsaud.

On December 20, 1930, I received the usual attested resolution of the Senate, signed by the Secretary of the Senate, as follows:

Resolved, That the Senate advise and consent to the appointment of the following-named person to the office named agreeably to his nomination:

FEDERAL POWER COMMISSION

George Otis Smith, to be a member of the Federal Power Commission.

I received similar resolutions in respect to Colonel Garsaud and Mr. Draper.

I am advised that these appointments were constitutionally made, with the consent of the Senate formally communicated to me, and that the return of the documents by me and reconsideration by the Senate would be ineffective to disturb the appointees in their offices. I can not admit the power in the Senate to encroach upon the Executive functions by removal of a duly appointed executive officer under the guise of reconsideration of his nomination.

I regret that I must refuse to accede to the requests.

HERBERT HOOVER.

THE WHITE HOUSE, *January 10, 1931.*

The PRESIDENT pro tempore. Reports of committees are in order.

Mr. WALSH of Montana. Mr. President, I have before me the Executive Calendar, and I do not observe mention of the nominations of the President for three commissioners of the Federal Power Commission. Inasmuch as the action of the Senate in confirming these nominations on yesterday was reconsidered, I inquire by what right the executive clerk, who is charged with the duty of preparing the Executive Calendar, omitted these names from the Executive Calendar.

The PRESIDING OFFICER (Mr. ODDIE in the chair). The Chair is informed that it has been the custom not to put such nominations on the calendar until the papers are received back in the Senate.

Mr. WALSH of Montana. Such a custom could not possibly obtain, because there is no precedent, as was abundantly demonstrated in the discussion.

I move that the executive clerk be directed to revise the calendar by including the names of the three gentlemen.

Mr. WATSON. For what purpose does the Senator make that motion?

Mr. WALSH of Montana. The only purpose is to have the clerks observe their duty as to any action which may be taken with respect to a matter. I prefer that the matter stand over for a day or two.

Mr. WATSON. The Senator prefers that the motion be not pressed to-day. Does he want it to stand over?

Mr. WALSH of Montana. No; I spoke of the eventual disposition of the nominations. I am quite willing that they should stand over. But I do not think that we should tolerate for a moment the perfectly obvious disregard of their duties by the clerks at the desk.

Mr. MOSES. If the Senator will permit me, does the Senator maintain that the Senate can deal with a nomination when the nomination papers are not before us? For instance, I have in my hand a report from the Committee on Post Offices and Post Roads on behalf of the Senator from Mississippi, a great number of nominations. They can not go on the calendar until they are reported. A nomination can not go on the calendar unless the nomination is in hand, and we have not in hand the nominations to which the Senator refers; they are gone.

Mr. WALSH of Montana. I was prepared on yesterday to discuss that question, assuming that it would be presented. To my mind there is no obstacle whatever to proceeding, notwithstanding the fact that the papers are not present. I was prepared to sustain that contention upon the authority of Cushing upon Parliamentary Law, who clearly states that the papers are not necessary to confer jurisdiction upon the Senate, and his declaration of the matter is supported by repeated authorities of the House of Representatives referred to. So that the absence of the notification to the President of the former action of the Senate in no way restricts its action. But bear in mind, I am not now asking for action. The matter is not now before us. I am simply now insisting that the calendar shall be corrected.

Mr. MOSES. That is the point I am trying to make, that the Senator is insisting upon having put upon the Executive Calendar now a set of nominations as reported from a committee when we have not the papers here upon which to do it.

Mr. WALSH of Montana. I can not see why the presence or the absence of the papers has a thing on earth to do with the question of whether these nominations should go upon the calendar, when the action of the Senate in confirming has been reconsidered. The matter goes back, as a matter of course, to its original status.

Mr. MOSES. I take the position that we can not deal with it out of thin air. Of course, I saw a lot of parliamentary prestidigitation here yesterday, but I would not say that that will continue as the uniform custom and practice of the Senate. Otherwise I am sure we would be in a tangle all the time.

Mr. WALSH of Montana. As to the unbroken practice, I repeat that we have not any practice for this particular case.

Mr. MOSES. Then, of course, it is unbroken, if we have not any.

Mr. NORRIS. Mr. President, I would like to allude to the fact that it is not contemplated by the Senator's motion that we take any action. The Senate actually reconsidered the votes by which these confirmations took place. We did not have the papers then. Let us assume, for the sake of the argument, that that was wrong. We have not reconsidered the action. The putting of the names on the calendar is not an action of the Senate, it is a ministerial act of the clerk of the Senate, nothing else. It is simply putting the names on the calendar in order that the question which the Senator raises may be properly raised. It is all right to raise that question when the Senate wants to act, but certainly no one can complain of the clerk following out what was his instruction yesterday when we reconsidered the confirmations. Nobody is asking for action. The motion does not contemplate it. But if the Senator wants the Senate to take action, if he wants to raise the point he raises, that the Senate can not act without the papers, the way to do it is to put the names on the calendar so as to afford an opportunity for the Senator to raise that very question.

Mr. MOSES. Mr. President, if the Senator from Montana will permit——

Mr. WALSH of Montana. I would like to make one further remark.

Mr. MOSES. The Senator from Montana has the floor.

Mr. WALSH of Montana. Yes; and I want to make one further observation with respect to this matter.

To those who put so much store by this little paper, whatever it may be, which is said to confer some kind of jurisdiction upon the Senate to act, and who contend that it can not act without some kind of paper before it, let me remark that just exactly the kind of a paper the Senator from New Hampshire now holds in his hand became the foundation of the action of the Senate. We had a message here from the President of the United States nominating these gentlemen. That is the paper upon which we proceeded. That paper is still here. So we have the paper upon which we are prepared to proceed. We voted upon that, and confirmed upon that paper. That paper still being before us, we voted to reconsider our action. That paper is still here as a foundation for the further action of the Senate. The notification we sent to the President when the Senate had confirmed is not the paper upon which our proceedings are founded at all.

Mr. MOSES. No; but if the Senator from Montana wishes to go far enough back, he need not pause with the message which the President of the United States sent to us; he can go back to the Rock of Ages and found his action upon that. I am talking about what is the practical custom

of preparing an Executive Calendar. The Senator knows perfectly well what the practice is here. The Senator knows that practice has never been ruptured. The Senator knows a message comes from the President, the names on it are presented, and nomination slips like the one I hold in my hand are prepared, the slips take their ordinary course through the committees, through the subcommittees, or whatever it may be, are reported here, and the names are put upon the Executive Calendar.

Mr. WALSH of Montana. If the Senator will pardon me, I do not know that that is the practice. I do not know that such a case has ever before arisen to give rise to a practice.

Mr. MOSES. No; but I am speaking about the practice up to the time we asked for the return of the resolution of confirmation.

Mr. WALSH of Montana. So am I.

Mr. MOSES. That is how the names get onto the calendar, and they get off the calendar by confirmation, and I maintain that they can not get back onto the calendar until we have the papers.

Mr. WALSH of Montana. The practice is for the clerks to make up a calendar of those things which are under consideration by the Senate.

Mr. MOSES. From the papers in their hands.

Mr. WATSON. Mr. President, will the Senator permit me to ask him a question?

Mr. WALSH of Montana. I yield.

Mr. WATSON. What is the object of putting the names on the calendar.

Mr. WALSH of Montana. As I have indicated to the Senator, my only purpose is to see that the clerks do their duty.

Mr. WATSON. Beyond that, I suppose it is the object of the Senator——

Mr. WALSH of Montana. Beyond that I state that I prefer to let the matter stand over for the day.

Mr. WATSON. But that is not sufficient. Beyond that I suppose the Senator wants the nominations voted upon again, and if they are voted down and rejected, then where will we be?

Mr. WALSH of Montana. That is a matter I have under consideration.

Mr. WATSON. I ask the Senator in all good faith, then, where are we? Would we not be just where we are now?

Mr. WALSH of Montana. Let me state my own conviction, that a subsequent vote, voting them down, rejecting the nominations, would be entirely futile, and so far as I am concerned I do not desire to pursue what I conceive to be a perfectly futile thing. If there were any proceeding in the law by which the title of these men to the offices which they now in fact occupy could be challenged, I should insist upon a vote on their confirmation or rejection. But there is no such proceeding so far as I know, and accordingly, inasmuch as it is impossible to test in court the right which they assert to these offices, it seems to me that the subsequent procedure would be futile, and for myself I am not desirous of going through a perfectly futile gesture.

Mr. WATSON. I was wondering whether the Senator wanted to take a preliminary step merely to correct the wrongdoing, if you please, of the clerks. What difference does that make?

Mr. WALSH of Montana. Of course, I understand perfectly well that the clerks are perfectly honest about this matter, but they have an entirely contrary view to my own as to what ought to be done in this particular case. The clerks take the position, and did take the position yesterday, that we could not even consider the motion to reconsider in the absence of the papers. That is why I suppose they have not put the names on the calendar. But I challenge that, and was prepared to challenge it yesterday, but it was not necessary because nobody raised the point.

Mr. WATSON. The fact of placing the names on the list would be of no consequence unless there is some subsequent action to be taken.

Mr. WALSH of Montana. I have submitted to-day only my own views about the matter. Other Senators may have different views.

Mr. MOSES. Is it the desire of the Senator that, having adopted this instruction to the clerks to place the names, and the names having been put back on the Executive Calendar, we shall stand confronted by the same kind of notation we find on page 1 of the existing Executive Calendar with reference to nominations for the Tariff Commission?

Mr. WALSH of Montana. I contend that they shall stand there until the Senate directs otherwise.

Mr. MOSES. That would mean printing business.

Mr. WHEELER. Mr. President, may I have the attention of the chairman of the Committee on Appropriations? I would like to ask him in what appropriation bill will occur the item for the salaries of the members of the Federal Power Commission?

Mr. JONES. It will be in the independent offices appropriation bill.

Mr. WHEELER. I want to state now that unless these men are out of office and the President of the United States has seen fit to cooperate with the Senate to the extent of getting rid of those who are now holding the office, namely, George Otis Smith and the other members of the commission, I propose to move that no appropriation be permitted for their salaries during the ensuing year.

Mr. WATSON. Mr. President, will the Senator permit a question?

Mr. WHEELER. Certainly.

Mr. WATSON. In order to do that does the Senator think it necessary that the names be placed on the calendar to be voted upon again?

Mr. WHEELER. I am not talking about that; but I am serving notice now that if the President of the United States feels that he can hide behind the advice that these men were legally appointed, then I think the Senate of the United States ought to vindicate itself and its judgment by simply saying that these men are not properly appointed and that we will withhold any appropriations for their salaries. So far as I am concerned, in view of the action that George Otis Smith took with reference to the discharge of two employees who have been fighting for common honesty and common decency in the Power Commission, if the President will not act and will not cooperate with the Senate in that matter, I feel that we should withhold any appropriation for their salaries.

Mr. JOHNSON. Mr. President, I want to make one thing very clear. I think the suggestion of the Senator from Montana is eminently fitting. Of course I have waited with bated breath for the message of the President, because of the doubt that I had as to what the President would do. I labored under the delusion perhaps that the President, seeing the error of his way, or the error of the way of the ministers of the "King," would, of course, act in accordance with the view of the Senate. But I want to make plain, so there will be no imputation of bad faith in the future in regard to the procedure, that while by no means have I any plan as to what shall be done if these names are placed on the Executive Calendar again, yet I do not want to be bound—and the Senator from Montana [Mr. WALSH] stated very plainly that he was speaking only for himself—by the fact that it has been stated here that subsequently no action would be taken concerning them. If any one of us shall feel advised subsequently sufficiently to require or to ask action by the Senate upon these matters, I want the Senator from Indiana [Mr. WATSON] to understand that we feel perfectly free to ask any action that we might think was appropriate in the premises.

Mr. MOSES. May I ask the Senator about his personal view? Does the Senator in that event want to have the Senate reject the nominations or confirm them and have a notification sent to the President? What lies in the Senator's mind?

Mr. JOHNSON. I say that my mind is entirely confused and in doubt because of the surprise that comes to me from the message of the President, and because of the matter that

is contained in the message. What is in my mind at the present time? Nothing in respect to action, but because the statement publicly was made here that no future action might be taken or would be taken by the Senator from Montana [Mr. WALSH] so far as he was aware, if these names went on the calendar again, I did not want, by my silence, to assent to that suggestion because there might come a time in the future where one of the various writs with which the Senator is familiar might be obtained with respect to these men, or whereby some other action might be desired to be taken. What it is I do not know. I have no plan of action at all. I say that with frankness to the Senator.

Mr. MOSES. Of course, I do not know what writ might be made to lie against the Senator from California or against any other Senator with reference to this matter.

Mr. JOHNSON. I do not know, either.

Mr. MOSES. Of course, I do know there will be pressure put upon the Senate for it to do once again what it has already done in a very important matter presented to the Senate, and that it will be once more asked in this matter to do what it has already done. As I remarked to the senior Senator from Montana [Mr. WALSH] when I engaged in the colloquy with him, this would be another of many futilities on the part of the Senate.

Mr. JOHNSON. That may be, but one more futility on the part of the Senate will not affect even the Senator from New Hampshire or myself.

Mr. MOSES. Oh, no; I quite agree, even though, as Ramsay MacDonald said to us about parity, we would have futilities pressed down and running over.

Mr. McKELLAR. Mr. President, will the Senator from California yield?

Mr. JOHNSON. Certainly.

Mr. McKELLAR. I want to give a similar notice to that given by the Senator from California. But I want to go a step farther. I think when the names are put on the calendar we ought to vote on them again, and if we do have the privilege of voting I want to have the privilege of voting against these gentlemen a second time. I voted against them before, and I want to vote against them again, because I think they are not men who ought to be put on the Federal Power Commission.

Mr. JOHNSON. I am not clear as to whether that should be done or not. I state that with all seriousness, but I simply again say that I do not want to be bound by any suggestion here that there would certainly be inaction concerning the names.

Mr. NORRIS. Mr. President, I would like to call the attention of the Senate again to what seems to me to be so perfectly plain, that putting these names on the calendar is only a clerical duty, a ministerial duty of the clerk. It is not for the clerk to say the Senate has no jurisdiction or that it has. By putting the names on the calendar he does not even express his own opinion about it. It does not interfere with any act or any point that anybody wants to raise. It is a part only of the action to be taken by the Senate.

Suppose the Journal clerk had said, "I will not record that action of the Senate where the vote to reconsider these names was taken," what would we say to him? He may say the Senate had no right to reconsider. Assuming that he was right, even though other Senators may think that we did something we had not a legal right to do, the clerk who keeps the record has not anything to do except to record what the Senate did.

When we reconsider any nomination the name automatically goes back on the calendar. If Senators then, when it comes up properly before the Senate, want to raise the point that all our action was without right and without jurisdiction, it is perfectly proper for them to raise it. Nobody wants to interfere with that right. Nobody is asking that the Senate take any action except to ask the clerk to do his duty.

Suppose when the vote was taken on this matter the clerk had said, "I will not read the roll call after it has been taken, because the Senate has no right to take this vote," what would we say to that? The clerk might have been right. Perhaps we did not have any right to do it. But that question is not involved. It seems to me there can be no possible objection to putting the names on the calendar. The question is asked, "What is the Senate going to do when we get the names back on the calendar?" "Sufficient unto the day is the evil thereof." Suppose we had said to the clerk, "Call the roll," and he said, "I will not call the roll on this motion because you have no right to make it, and there should not be a vote on it." Could not he have said the same thing then that he might say now, that "the reason I did not put these names on the calendar is because I think the action is illegal."

Mr. WATSON. Does the Senator think it makes any difference whether we have the papers here or not?

Mr. NORRIS. Not on this proposition. I am not going to argue the question as to whether we have jurisdiction to pass on it afterwards. We have gone a part of the way through. The clerk has not completed the record; that is all.

Mr. MOSES. Oh, but, if the Senator will permit me, of course I can not submit even to an implied criticism of the clerk.

Mr. NORRIS. The Senator does not need to do so. The Senator can defend the clerk. I am not making any accusation.

Mr. MOSES. By implication the Senator is.

Mr. NORRIS. All right. Then introduce a resolution to investigate me for making a wrongful charge.

Mr. MOSES. No; too many other Senators are already under investigation.

Mr. NORRIS. That still has not anything to do with it. It is requested here that the clerk be required to complete the record that has already been acted upon by the Senate.

Mr. MOSES. If the Senator will permit me, that has been completed and is in the Journal. The entry has been made in the Journal.

Mr. HEFLIN. Mr. President, a point of order.

Mr. NORRIS. Then let us have the names placed on the Executive Calendar.

The PRESIDING OFFICER. The Senator from Alabama desires to make a point of order. The Senator from Nebraska and the Senator from New Hampshire will suspend until the point of order is stated.

Mr. HEFLIN. I make the point of order that only one Senator should talk at a time. Two are talking at a time now.

Mr. GLASS. I make the point of order that the point of order is not well taken because three Senators are talking at a time. [Laughter.]

Mr. MOSES. Mr. President, will the Senator from Nebraska permit me?

The PRESIDING OFFICER. The Senator from Nebraska has the floor. Does he yield to the Senator from New Hampshire?

Mr. NORRIS. All right. I yield to the Senator. He did not ask me before to yield, but I yield to him now.

Mr. MOSES. I kept saying: "Will the Senator permit me?"

Mr. NORRIS. Very well; I yield now anyway.

Mr. MOSES. If we had passed a bill and sent it to the House of Representatives, and then wished to reconsider the action, and we had passed a resolution asking for the papers to be returned to us, and they had not come to this Chamber, would the Senator think that the clerk should thereupon put the bill back on the calendar?

Mr. NORRIS. There would not be any such proposition raised.

Mr. MOSES. It ought not to be raised in this case, then.

Mr. NORRIS. What always happens when we reconsider a nomination? Automatically, as a result of our action, right or wrong, the name goes back on the calendar. When the time comes that the calendar is called somebody raises the question that if we once do it it can be done again. But it was argued yesterday that we did not have jurisdiction, and that we can not do it. But if the names go back on the calendar several things may happen. I submit that nobody knows what may happen. So far as I

know, no one knows what will happen. The Senate may not agree on it, and it may take a motion to decide the question. When those names are on the calendar we can meet the matter in a legitimate way, but we can not meet it unless they are on the calendar.

Mr. WATSON. Mr. President, may I ask the Senator a question?

Mr. NORRIS. It would be in order when those names are printed on the calendar, and we go into executive session, and the calendar is taken up, for quite a number of things to be done. They would be debatable the same as they were before. They can be voted on again, confirmed again or rejected, or it would be in order to make a motion to refer them to a committee. That is something we will meet when we get to it, but in order to do that systematically the names ought to be on the calendar, and Senators ought not to object to putting the names on the calendar.

Mr. WATSON. Mr. President, will the Senator let me ask him a question?

Mr. NORRIS. Certainly; I yield to the Senator from Indiana.

Mr. WATSON. On yesterday the Senate voted first on the question of reconsideration of the confirmation of George Otis Smith. That motion was carried. Now suppose that, immediately following that, on the motion to request the President to return the papers in the Smith case, the Senate had voted the other way. Then could we put the name on the calendar?

Mr. NORRIS. I will answer that by suggesting another supposition. Suppose now while this motion is pending the Senator from Indiana, despite the excellent state of health in which he appears to be, should drop dead on the floor, and then suppose some Senator should make a motion to adjourn out of honor to our esteemed brother and friend.

Mr. WATSON. I have no doubt such a motion would carry.

Mr. NORRIS. And then suppose a second Senator should raise a point of order that another motion was pending, and that the motion to adjourn was out of order and could not be entertained, what would the Senate do? I do not know what they would do.

Mr. MOSES. A motion to adjourn is always in order.

Mr. NORRIS. But it would be necessary to confine the motion to the adjournment; it could not be modified in any way. However, whether the motion was in order or out of order, no matter what the Senator from New Hampshire may think about it, any Senator could raise the point that it was not in order, and the Senate could waste time over that. A million things could be supposed that might happen. There is not, however, anything asked here, there is nothing requested, except to have a ministerial duty performed.

Mr. WATSON. Let me say to the Senator that my theory is that the papers are not here, and therefore the clerk is under no obligation to place the names on the calendar. I asked the question therefore of the Senator in order to obtain his opinion. The Senate voted to reconsider. Are we not in the same position as if we had then turned around and voted not to ask the President to return the papers, for we have not the papers here?

Mr. NORRIS. Exactly; but we have asked that they be sent back.

Mr. WATSON. Yes; but we have not got them.

Mr. NORRIS. Suppose we had not as yet voted on that question, that there had been another calendar printed, and we had adopted a motion to reconsider, I think the names ought to appear on the calendar again because we had reconsidered.

Mr. WATSON. I do not think so.

Mr. NORRIS. Senators must not confuse with this proposition the legal question involved as to whether we have jurisdiction or have not. We have done a certain thing, and as a result of having done that certain thing these names ought automatically to go back on the calendar.

Mr. WALSH of Montana and Mr. SHORTRIDGE addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Nebraska yield; and if so, to whom?

Mr. NORRIS. I yield first to the Senator from Montana.

Mr. WALSH of Montana. Something has been said about the absence of the papers. What papers are absent? The nominations of these men are before the Senate. Those are the papers which are the foundation of the action of the Senate; they are here. What are the papers that are asked for?

Mr. SHORTRIDGE. Mr. President, may I——

Mr. WALSH of Montana. Just a moment. The paper that is absent is a notification that was sent by the Senate to the President to the effect that the Senate had voted to confirm; that is all. Now, let me ask anyone upon what basis can it be urged that the absence of that paper affects the jurisdiction of the Senate?

Mr. WATSON. Only this, Mr. President——

Mr. NORRIS. The Senator from Montana asked me the question.

Mr. WATSON. He said "anyone."

Mr. NORRIS. Let us take the paper that the President ought to have sent back if he was going to comply with the request of the Senate. What would the paper have been? Would it have been the resolution which we adopted yesterday reconsidering our previous action? Would it have been the original nominations of these men, which I understand are still in the custody of the Senate and will remain there throughout all time? I think it is a myth mostly; but the point I particularly wanted to emphasize is that no rights will be lost if this motion should prevail; nobody's interest will be jeopardized; it is only a ministerial duty which it is requested shall be performed. The same point can be raised when the nominations come up legitimately; nobody will lose any right which he may think he may have on technical or constitutional grounds as to the action of the Senate. Those questions can be raised then, and probably will be, just as they were raised yesterday. I repeat that the putting of the names upon the calendar is no more on the part of a clerk than the reporting of the proceedings which took place here yesterday.

Mr. BINGHAM. Mr. President, will the Senator yield for a question?

Mr. NORRIS. I yield first to the Senator from California, who has been on his feet for some time.

Mr. SHORTRIDGE. The Senator from Montana introduced a resolution requesting the President to return certain papers. I presume the Senator considered their return of some legal importance.

Mr. NORRIS. No; I think the Senator from Montana when he did that—at least that was the effect of his action—was simply acting in compliance with the rules of the Senate that made such a motion mandatory.

Mr. SHORTRIDGE. Precisely; granted. We have heard much about the dignity and importance and constitutionality of the rules of the Senate, and the Senator from Montana, observing one of those rules, requested the return of certain papers lodged with the President. The President has seen fit to decline to comply with the Senate's request, and the papers in question are not here. Now I understand the Senator from Nebraska to advance the notion that the papers are of no consequence after all.

Mr. NORRIS. For argument's sake, let me admit that they possess all the importance the Senator wants to attach to them—I do not look upon them in that way, but I am willing, for the sake of the argument, to admit it—still, we are just asking the clerk to perform a ministerial duty.

Mr. SHORTRIDGE. I proceeded on the theory, if the Senator will permit me further, that the request made by the Senator from Montana, observing the rule, was for a certain purpose, and that if the request had been complied with, then these names could have taken their place, perhaps, on the calendar.

Mr. NORRIS. Why?

Mr. SHORTRIDGE. For future consideration by the Senate.

Mr. NORRIS. Oh, no.

Mr. SHORTRIDGE. But the papers have not come back.

Mr. NORRIS. No; according to the theory of those who think that we have no jurisdiction, no matter what the President might have sent back to us, the clerk would not have put the names on, because it is said that the Senate acted without jurisdiction. If the President had sent his whole library here to the Senate, it would not have had any effect upon the legality or the illegality of the Senate's action in reconsidering.

Mr. SHORTRIDGE. I grant that. If the Senator will allow me just one word more, then I will not further interrupt. I repeat myself, perhaps, when I say that I assume the request was made of the President for the purpose of having returned to us certain papers, and I assume that their return was considered a necessary step for the doing of something further. If these papers had been returned to us, then I concede that the nominations should take their proper place on the executive calendar, but the papers requested have not been returned; wherefore, it seems to me, we are now indulging again in another futile act.

If I may add just a word more, again begging the pardon of the Senator, the Senator from Montana, thoughtful as he is, says that he has not decided as to the future conduct or action of the Senate, and that that future action of the Senate in respect to this matter might be all futile. I took the liberty of saying yesterday that I thought our action would be futile in so far as the President complying with our request was concerned. Now I respectfully submit that this would be another futile act on our part, if future action is contemplated with respect to these nominations or these officials. I suppose a motion like the one before us can be made, but there is no necessity whatever for the names of these former nominees, now officials, literally to appear on a paper called a calendar. The record shows what was done.

Mr. McKELLAR. Mr. President, will the Senator from Nebraska yield to me?

Mr. NORRIS. I will yield in just a moment. I wish to refer to what the Senator from California has said. In closing his statement he said that the record was just the same as though the names should actually appear on the calendar. The Senator may be right about that. The calendar, after all, is merely evidence of certain things, just as a certificate of election is only evidence of the fact of election. A Senator could take the office; he would be entitled to be sworn in to office if no certificate had ever been issued to him, provided he had been legally elected or appointed, as the case may be. It may be that the Senator from California is right about that. If that is true, then it would be in order to take up these nominations at any time when we have an executive session. If the clerk did not read the names, any Senator would have a right to have the names placed before the Senate. As a matter of convenience, however, the Senate has by its action, if not by a definite rule, provided a calendar for the assistance and benefit of Senators, and also for the benefit of the clerk and the presiding officer, in passing on nominations. When they have reached that stage and are ready for action by the Senate, for the convenience of the Senate, they are put upon a calendar. I am inclined to think the Senator is right; that if they were not placed there, it would be in order for any Senator to demand, when we were considering nominations, to have the nominations read and placed before the Senate.

I have before me here a calendar, from which I read that Eugene Santschi, jr., has been promoted in the Regular Army. Suppose the clerk had not put that name on the calendar. The reason it is on the calendar is, as I have said, for the convenience of Senators, to enable them to conduct business in an orderly way. Suppose the clerk had omitted it, though, as a matter of fact, it was entitled, just as all other reported nominations, to be placed on the calendar; it would probably be in order for the Senator from California to demand, and have his demand complied with, that that nomination, which had been reported by a committee, should be placed before the Senate just the same as though it had been on the calendar. It may be that that will apply to the nominations now in question.

That only shows, Mr. President, that the putting of names on the calendar, while in itself unimportant, is a clerical duty of an employee of the Senate to perform; and that is all that is asked for here.

Mr. FESS. Mr. President, will the Senator yield?

Mr. NORRIS. I yield to the Senator from Ohio.

Mr. FESS. I understand that there has been a motion made to have these names put on the calendar?

Mr. NORRIS. Yes.

Mr. FESS. For the protection of the clerk let me say I have a list of precedents here as to the procedure of the Senate in the past with reference to the return of measures from the House of Representatives, which precedents were followed in this case.

Mr. NORRIS. Nobody is trying to criticize the clerk; nobody is trying to find fault with him.

Mr. WATSON. Oh, no.

Mr. McKELLAR. Mr. President——

Mr. NORRIS. I yield to the Senator from Tennessee.

Mr. McKELLAR. Suppose without an order directing him to do so the Secretary had by mistake sent the notifications to the President, and thereupon the motion was made within the two days asking the President to return the notifications; would anybody have contended, under such circumstances, if the President had refused, that the Senate would not have the power to go on and reconsider the nominations? I think not. The mere fact that the order did go to the President has not changed the situation at all. I think it is clearly the duty of the clerk to put the names on the calendar.

Mr. GLASS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state his inquiry.

Mr. GLASS. What is before the Senate?

The PRESIDING OFFICER. The motion of the Senator from Montana [Mr. WALSH] to direct the executive clerk to place certain names on the Executive Calendar.

Mr. NORRIS. The Senator is satisfied now, I suppose. I have not anything further to say.

Mr. BINGHAM. Mr. President, the Senator from Nebraska has talked a great deal about "orderly procedure"; and yet what he is proposing is directly contrary to orderly procedure.

The Senate, in the interest of orderly procedure, has made a rule that when a bill has passed the Senate and the Senate desires to reconsider it, and the bill has gone over to the House of Representatives, the motion to reconsider must be accompanied by a motion to ask the House to return the papers. If the House refuses to return the papers, of course we can not act and do not act on it, and the bill is never put on the calendar. That is in the interest of orderly procedure, so that there may not be before the two bodies at one and the same moment the same ghostly paper.

The Senator from Montana contends that because the nomination which the President sent down is in the files of the Secretary of the Senate, and will remain there as long as the paper lasts, therefore we have the right to consider it. The same thing might prevail with regard to a bill. The original bill that is introduced is in the files of the Secretary of the Senate. That is not sent to the House. The House is merely notified that we have passed a certain bill; but in order that we may reconsider it and in order that it may go back to the calendar we ask the House to return the papers.

In the interest of orderly procedure the rule has been made that we must ask for a return of the papers before we can consider the matter again and put it on the calendar. It seems to me that to require the clerk to place upon the calendar something which is not before us, because we have sent the papers to the House or to the President, is not in the interest of orderly procedure.

Mr. WALSH of Montana. Mr. President, just a word to make clear the situation.

The clerks at the desk have taken the position that the Senate is without power to entertain a motion to reconsider a nomination until the papers are first returned here; and they so advised the Vice President, and the Vice President took that position. The Senate, however, on yesterday determined otherwise. The Senate on yesterday entertained the motion to reconsider in the absence of the papers.

Now, if the executive clerk will give me his attention——

Mr. WATSON. Mr. President, will the Senator permit a question right there?

Mr. WALSH of Montana. Yes.

Mr. WATSON. A part of the Senator's own resolution contained a provision asking for the return of the papers.

Mr. WALSH of Montana. Yes.

Mr. WATSON. If that is of no value in the world and played no part in the whole matter, why did the Senator put that in his resolution?

Mr. WALSH of Montana. I do not care to discuss that now. I desire to address myself to the question of the duty of the clerk.

The clerk had the idea that the Senate could not entertain the motion to reconsider at all until the notification sent to the President had been returned. The Senate took a different view about it, and said, "We have the power," and then proceeded to entertain the motion to reconsider. Then the clerk should have abandoned his contention and acted in accordance with the action of the Senate. He still entertains the notion that we have no power, but we determined otherwise; and accordingly it was his duty, when the vote was reconsidered, to put the matter back on the calendar.

Mr. FESS. Mr. President, will the Senator yield?

Mr. WALSH of Montana. I yield.

Mr. FESS. In case the Senator's motion is carried, and the clerks thereby put the names upon the calendar, will that stand as a precedent when we send for the papers in the House? If they refuse to send them back, must we put the bill on the calendar?

Mr. WALSH of Montana. Let me remark that I conceive the two cases to be entirely different. When a bill is introduced in the House, and that bill is sent over here, and we dispose of it here and send it back to the House, when we vote to reconsider that bill, I dare say there is much to the contention that we can not proceed until the bill is in our physical possession. Everybody concedes, however, that that is not this case. There is not anything at all in the possession of the President of the United States upon which we are obliged to act.

Mr. BINGHAM. Mr. President, why did the Senator insist on a roll-call vote on his motion to send back the papers? If they are of no value at all, why insist on sending them back?

Mr. GLASS. The papers in that case were simply a notification to the President of the action of the Senate.

Mr. BINGHAM. Then why ask to have them sent back, if they were merely a notification? He got that from the newspapers.

Mr. GLASS. It was a mere form to have the President disregard the notification; that is all.

Mr. FESS. Mr. President, I desire to ask the Senator from Montana, the author of the motion, for the information of the clerks hereafter, if this motion carries, whether that does not carry with it the instruction to them, in the case of a House matter, to change the rules of procedure that they have been following.

Mr. WALSH of Montana. If the Senate shall ever reconsider its action in passing a bill, it is no affair of the clerks where the papers are. If the Senate reconsiders a vote on a bill, it is the duty of the clerks to put that bill back on the calendar; and they are not to entertain any question as to whether the Senate had a right or did not have a right to entertain that motion in the absence of the papers.

Suppose the Senate did reconsider a bill without the papers having come back from the House: Would the Senator from Ohio entertain the view that it was not the duty of the clerks to put that bill back on the calendar?

Mr. FESS. The Senator from Ohio thinks that if the Senate has rules, it ought to respect the rules and not each day change the rules.

Mr. WALSH of Montana. Yes; but the Senator must concede that we have reconsidered the vote by which the bill was passed. We have not waited until the papers come back. We have already done so; and the simple question is, Are the clerks justified in saying, "We will not put this matter back on the calendar because the papers have not come back from the House"?

Mr. FESS. I should think the parliamentary clerk ought to observe the rule in his instruction of the Vice President; but the clerks or the reporters who are reporting the proceedings in the Senate will proceed to report exactly what takes place. My concern is, for the sake of the clerks, whether this is an instruction to them that in the matter of the procedure between us and the House they are to change the plan that we have always followed here.

Mr. WALSH of Montana. Not at all. If the Senate ever does reconsider a vote without the papers, the papers being over in the House, if it actually reconsiders the vote the clerks should put that bill back on the calendar.

Mr. FESS. Let me ask the Senator: If the Senate reconsiders the vote before the bill is returned from the House, is it reconsidered?

Mr. WALSH of Montana. Undoubtedly it is.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Montana [Mr. WALSH]. [Putting the question.] The Chair is in doubt.

Mr. WALSH of Montana. I call for a division.

Mr. BRATTON. I call for the yeas and nays.

Mr. BINGHAM. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Dill	Kendrick	Shipstead
Barkley	Fess	King	Shortridge
Bingham	Fletcher	La Follette	Smith
Black	Frazier	McGill	Smoot
Blaine	George	McKellar	Steiwer
Borah	Glass	McMaster	Thomas, Okla.
Bratton	Goff	Metcalf	Townsend
Brookhart	Goldsborough	Morrison	Vandenberg
Broussard	Gould	Moses	Walcott
Bulkley	Harris	Norbeck	Walsh, Mont.
Capper	Hayden	Norris	Watson
Caraway	Hebert	Nye	Wheeler
Connally	Heflin	Oddie	Williamson
Copeland	Howell	Pine	
Davis	Johnson	Ransdell	
Deneen	Jones	Sheppard	

The PRESIDENT pro tempore. Sixty-one Senators having answered to their names, a quorum is present. The question is on agreeing to the motion of the Senator from Montana.

Mr. WATSON. I call for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. KENDRICK (when Mr. CAREY's name was called). My colleague [Mr. CAREY] is unavoidably absent. If he were present, he would vote "nay."

Mr. FLETCHER (when his name was called). I have a pair with the Senator from New Jersey [Mr. KEAN]. I transfer that pair to my colleague [Mr. TRAMMELL] and vote "yea."

Mr. GEORGE (when his name was called). I have a general pair with the senior Senator from Colorado [Mr. PHIPPS]. I transfer that pair to the senior Senator from Nevada [Mr. PITTMAN] and vote "yea."

Mr. KING (when his name was called). I have a general pair with the senior Senator from Delaware [Mr. HASTINGS]. I am unable to obtain a transfer. If I were permitted to vote, I should vote "yea."

Mr. METCALF (when his name was called). I have a general pair with the Senator from Maryland [Mr. TYDINGS]. I transfer that pair to the Senator from Oregon [Mr. McNARY] and vote "nay."

Mr. THOMAS of Oklahoma (when his name was called). I have a general pair with the Senator from Illinois [Mr.

GLENN]. I transfer that pair to the Senator from New Mexico [Mr. CUTTING] and vote "yea."

The roll call was concluded.

Mr. WATSON. My colleague [Mr. ROBINSON] is absent from the Senate Chamber because of a death in his family. He is paired with the Senator from Mississippi [Mr. STEPHENS]. If my colleague were present and permitted to vote, he would vote "nay."

Mr. BULKLEY (after having voted in the affirmative). Mr. President, has the junior Senator from Wyoming [Mr. CAREY] voted?

The PRESIDENT pro tempore. That Senator has not voted.

Mr. BULKLEY. Then I desire to withdraw my vote. I voted in the affirmative, and I desire to withdraw my vote because I have a pair with the Senator from Wyoming.

Mr. COPELAND (when Mr. WAGNER's name was called). My colleague [Mr. WAGNER] is necessarily detained from the Senate. He has a general pair with the junior Senator from Missouri [Mr. PATTERSON]. If my colleague were present and permitted to vote, he would vote "yea."

Mr. MORRISON. I desire to announce that my colleague the Senior Senator from North Carolina [Mr. SIMMONS] is necessarily out of the city. If he were present and permitted to vote, he would vote "yea." He is paired with the senior Senator from Massachusetts [Mr. GILLETT].

Mr. FESS. I desire to announce the following general pairs:

The Senator from New Jersey [Mr. MORROW] with the Senator from Tennessee [Mr. BROCK];

The Senator from New Hampshire [Mr. KEYES] with the Senator from Massachusetts [Mr. WALSH];

The Senator from West Virginia [Mr. HATFIELD] with the Senator from Missouri [Mr. HAWES];

The Senator from Missouri [Mr. PATTERSON] with the Senator from New York [Mr. WAGNER];

The Senator from Massachusetts [Mr. GILLETT] with the Senator from North Carolina [Mr. SIMMONS];

The Senator from Colorado [Mr. WATERMAN] with the Senator from Virginia [Mr. SWANSON];

The Senator from Pennsylvania [Mr. REED] with the Senator from Arkansas [Mr. ROBINSON]; and

The Senator from Maine [Mr. HALE] with the Senator from Mississippi [Mr. HARRISON].

The result was announced—yeas 36, nays 23, as follows:

YEAS—36

Ashurst	Copeland	Howell	Nye
Barkley	Dill	Johnson	Pine
Black	Fletcher	La Follette	Sheppard
Blaine	Frazier	McGill	Shipstead
Borah	George	McKellar	Smith
Bratton	Glass	McMaster	Thomas, Okla.
Brookhart	Harris	Morrison	Walsh, Mont.
Caraway	Hayden	Norbeck	Wheeler
Connally	Heflin	Norris	Williamson

NAYS—23

Bingham	Goff	Metcalf	Steiwer
Broussard	Goldsborough	Moses	Townsend
Capper	Gould	Oddie	Vandenberg
Davis	Hebert	Ransdell	Walcott
Deneen	Jones	Shortridge	Watson
Fess	Kendrick	Smoot	

NOT VOTING—37

Blease	Harrison	Patterson	Swanson
Brock	Hastings	Phipps	Thomas, Idaho
Bulkley	Hatfield	Pittman	Trammell
Carey	Hawes	Reed	Tydings
Couzens	Kean	Robinson, Ark.	Wagner
Cutting	Keyes	Robinson, Ind.	Walsh, Mass.
Dale	King	Schall	Waterman
Gillett	McNary	Simmons	
Glenn	Morrow	Steck	
Hale	Partridge	Stephens	

So the motion of Mr. WALSH of Montana was agreed to, and the executive clerk was directed to place on the Executive Calendar the names of George Otis Smith, Marcel Garsaud, and Claude L. Draper.

REPORTS OF COMMITTEES

The PRESIDENT pro tempore. Reports of committees are in order.

Mr. McKELLAR. Mr. President, I report favorably from the Committee on Post Offices and Post Roads a number of nominations for the calendar.

The PRESIDENT pro tempore. The report will be received and the nominations placed on the Executive Calendar.

Mr. McKELLAR. I also report favorably from the same committee several nominations of postmasters in the State of Mississippi and, at the request of the senior Senator from Mississippi [Mr. HARRISON], ask for their immediate consideration.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and, without objection, the nominations are confirmed.

Mr. WATERMAN reported favorably, from the Committee on Patents, the nomination of James Walter Clift, of Michigan, to be examiner in chief of the United States Patent Office.

STATEMENT OF PRESIDENT HOOVER

Mr. WHEELER. Mr. President, I understand that the President of the United States has issued a statement supplemental to the statement he sent to the Senate, and in this statement given out to the press outlining his position on the power fight he asserts, in substance, that the Senate was attempting to symbolize Hoover as the defender of the Power Trust.

I am at a loss to understand just how the President could come to that conclusion, for the simple reason that most of us, when we called attention to what the facts were in connection with the matter, suggested that as a matter of fact we did not believe the President of the United States knew what the facts were, and that had he known what the facts were in the case, he would immediately have acted and would have insisted that Mr. Russell and Mr. King be retained by the commission. But it would seem now that by his action to-day he was attempting to protect those who are fighting in the interest of the Power Trust on the commission, and seeking, if you please, to punish those who have been diligent in fighting in the interest of the people's rights and for common decency and common honesty up there on the Power Commission.

I do not know how anybody could come to any other conclusion, in view of the facts in the case.

Mr. SHORTRIDGE. Mr. President, no one is justified in reaching the conclusion which the Senator from Montana appears to have reached. No fact has developed or exists which justifies the conclusion apparently reached by the Senator from Montana. No fact exists which justifies the Senator from Montana or any other Senator in saying that the President is in league with or cooperating with any trust as against the people of our country.

Mr. WHEELER. Mr. President, notwithstanding the Senator from California, I still maintain that assertion, and I say that I am much more justified in coming to that conclusion than is the President of the United States in coming to the conclusion which he has stated, that the Senate of the United States was trying to symbolize Hoover as the defender of the Power Trust.

THE CALENDAR

The PRESIDENT pro tempore. The clerk will proceed with the call of the calendar.

IN THE ARMY

The Chief Clerk read the nomination of First Lieut. Louis William Haskell to be transferred to Field Artillery.

The PRESIDENT pro tempore. Without objection, confirmed.

Mr. McKELLAR. Mr. President, may not these Army nominations be confirmed en bloc?

The PRESIDENT pro tempore. They may be, without objection.

Mr. McKELLAR. I ask unanimous consent that they be confirmed en bloc.

The PRESIDENT pro tempore. The Senator from Tennessee asks unanimous consent that the balance of the nominations in the Army be confirmed en bloc.





Mr. NORRIS. As I understand the Chair there would be no use in objecting. He announced they were confirmed anyway. I do not want to object, but the Chair said they would be confirmed without objection.

The PRESIDENT pro tempore. Without objection they would be confirmed.

Mr. NORRIS. Of course, the Chair may be able to see so far into the future as to predict that nobody would object.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the nominations are confirmed en bloc, and without objection——

Mr. LA FOLLETTE. I object.

The PRESIDENT pro tempore. That completes the calendar.

RECESS

Mr. WATSON. Mr. President, as in legislative session, I move that the Senate take a recess until Monday at 12 o'clock.

The motion was agreed to; and the Senate (at 4 o'clock and 57 minutes p. m.) took a recess until Monday, January 12, 1931, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 10 (legislative day of January 5), 1931

APPOINTMENT IN THE ARMY

GENERAL OFFICER

William Sharp McNair to be brigadier general, Field Artillery.

TRANSFERS IN THE ARMY

First Lieut. Louis William Haskell to Field Artillery.

Second Lieut. Henry Joseph Hoeffer to Corps of Engineers.

PROMOTIONS IN THE ARMY

Walter Eugene Gunster to be colonel, Infantry.

Melvin Guy Faris to be lieutenant colonel, Infantry.

Irvin Vorus Todd to be major, Finance Department.

Harry Gage Montgomery to be captain, Air Corps.

Gustavus Wilcox West to be first lieutenant, Cavalry.

George Peter Berilla, jr., to be first lieutenant, Cavalry.

Douglas Hall to be first lieutenant, Medical Administrative Corps.

Louis Felix Williams to be second lieutenant, Medical Administrative Corps.

Frank Randle Day to be second lieutenant, Medical Administrative Corps.

William Joseph Henry to be second lieutenant, Medical Administrative Corps.

Horace Fennell Sykes to be colonel, Adjutant General's Department.

Oliver Prescott Robinson to be colonel, Infantry.

William Ernest Persons to be colonel, Infantry.

Henry Clay Miller Supplee to be colonel, Infantry.

William Kern Moore to be colonel, Field Artillery.

David Yulee Beckham to be colonel, Adjutant General's Department.

John Overton Steger to be colonel, Adjutant General's Department.

William Jackson McCaughey to be lieutenant colonel, Infantry.

Eugene Ross Householder to be lieutenant colonel, Adjutant General's Department.

Eugene Santschi, jr., to be lieutenant colonel, Infantry.

William Addleman Ganoe to be lieutenant colonel, Infantry.

Elmer Franklin Rice to be lieutenant colonel, Infantry.

Edwin Colyer McNeil to be lieutenant colonel, Judge Advocate General's Department.

Augustine Warner Robins to be lieutenant colonel, Air Corps.

Romeo Henry Freer to be major, Quartermaster Corps.

Horatio Grant Coykendall to be major, Finance Department.

Thomas William Doyle to be major, Infantry.

Henry Hockwald to be major, Quartermaster Corps.

Carroll Morton Gale to be major, Infantry.

John Louis Shanley to be major, Quartermaster Corps.

Odber Merrill Cutler to be major, Infantry.

Fred Cyrus Nelson to be captain, Air Corps.

James Andrew Healy to be captain, Air Corps.

Edward Moses Morris to be captain, Air Corps.

Everett Foster Rea to be captain, Finance Department.

Charles Douglas to be captain, Air Corps.

James Elmer Boush to be captain, Quartermaster Corps.

Hugh Albert Bivins to be captain, Air Corps.

Maybin Homes Wilson to be captain, Corps of Engineers.

Burton Frederick Lewis to be captain, Air Corps.

Elmer John Bowling to be captain, Air Corps.

Orin Jay Bushey to be captain, Air Corps.

Samuel S. Burgey to be captain, Ordnance Department.

Fred Sidney Borum to be captain, Air Corps.

Lawrence Carmel Jaynes to be captain, Infantry.

Branner Pace Purdue to be first lieutenant, Infantry.

George Joseph Deutermann to be first lieutenant, Field Artillery.

George Arthur Grayeb to be first lieutenant, Field Artillery.

Hayden Young Grubbs to be first lieutenant, Field Artillery.

William Albert Fuller to be first lieutenant, Cavalry.

Ralph Edmund Tibbetts to be first lieutenant, Infantry.

Edwin Lynds Johnson to be first lieutenant, Field Artillery.

Clyde Eugene Steele to be first lieutenant, Infantry.

Ernest Holmes Wilson to be first lieutenant, Infantry.

Norman Holmes Smith to be first lieutenant, Field Artillery.

John Wingo Dansby to be first lieutenant, Infantry.

Robert Milchrist Cannon to be first lieutenant, Field Artillery.

Charles Cavelli, jr., to be first lieutenant, Field Artillery.

Thomas Byrd Whitted, jr., to be first lieutenant, Field Artillery.

James Wilbur Mosteller, jr., to be first lieutenant, Coast Artillery.

Arthur Benedict McCormick to be major, Dental Corps.

Charles Oliver Purdy to be chaplain with the rank of major.

POSTMASTERS

MISSISSIPPI

Sallie P. Flemming, Cruger.

Charlie M. Breazeale, Ethel.

William D. Woods, Houston.

Walter L. Goodman, Iuka.

Erskine C. Cloon, Jackson.

Amy E. Axtell, Madison Station.

Ocran C. Elliott, Nettleton.

Alfred L. King, Vance.

HOUSE OF REPRESENTATIVES

SATURDAY, JANUARY 10, 1931

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, when we consider the forces which would destroy and obliterate the divinity in man and the currents which are sometimes like irresistible gulf streams, how unspeakably grateful we are that Thou art a God of wisdom and a God of love. As we exist in weakness, stumbling through the world, Thou dost bear us along. Thou wilt surely brood man until he reaches the stature of his spiritual manhood. We thank Thee for the generosity of the infinite heart and for the hand that supplies all our necessities until the whole divine scheme is made perfect. In the name of our Savior. Amen.

The Journal of the proceedings of yesterday was read and approved.

DROUGHT RELIEF

Mr. WOOD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table House Joint Resolution 447, disagree to the Senate's amendments and ask for a conference, and that conferees be appointed.

The SPEAKER. The gentleman from Indiana asks unanimous consent to take from the Speaker's table House Joint Resolution 447, disagree to the Senate amendments, and ask for a conference. The Clerk will read the title.

The Clerk read the title of the resolution.

The SPEAKER. Is there objection?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, the matter being absolutely in statu quo, no expressed change in attitude on the part of the gentleman from Indiana, I can not change my attitude, and therefore I am reluctantly constrained to object.

Mr. WOOD. Mr. Speaker and gentlemen of the House, I wish to say to the gentleman from New York and the membership of this House that I have tried the best I could to expedite action upon this measure. When this bill was first introduced in the House there was some difference of opinion as to the amount that should be appropriated, and that there might be no delay of any kind about the attitude of the Appropriation Committee with reference to the amount to be appropriated under the authorization, without a dissenting voice, either in the subcommittee of the Appropriation Committee or the entire committee, we recommended the appropriation of the full amount authorized, $45,000,000.

That measure was passed last Monday. It passed the Senate the same day. On Tuesday I asked immediately that it be taken from the Speaker's table, disagree to the Senate amendments, and ask for a conference. Objection was then had. I asked for it the next day and the next day with the same result.

In order that the people of the country may know, as far as I am concerned, I have been trying to expedite the matter by obtaining unanimous consent for a conference for the very reason that no good could be accomplished by delay under the objection that was being raised, for the very question that they desire to put before the House could have been had when I first asked unanimous consent. It could have been had at the second time that I asked unanimous consent, and it can be had to-day. If gentlemen desire, they could move to instruct the conferees and the full expression of the House could be had. Or, if it is permitted to go to conference and there is a disagreement, that disagreement would be brought back to the House, and again the House by its vote could determine whether the action of the conferees should be sustained or whether they should be overruled.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. MOORE of Virginia. May I ask the gentleman when he moved on Monday and Tuesday and Wednesday that the rules be waived by unanimous consent and was unsuccessful, then knowing the urgency of the situation, why did not the leadership on the majority side of the House resort to the rules and either send the bill to the committee or have it reported back or get a rule from the Committee on Rules? I want to say that the situation is extremely urgent in some of the Southern States, where the climatic conditions are such that the farmers are anxious to know as quickly as possible what they can depend upon.

Mr. WOOD. I realize that urgency, and that was the reason I asked that it be sent to conference. The reason I did not ask for a rule was because it would have made further delay.

The whole matter could have been determined and would have been determined long ago if this bill had been permitted to go to conference when the request was first made.

Mr. CHINDBLOM. Mr. Speaker, will the gentleman yield?

Mr. WOOD. Yes.

Mr. CHINDBLOM. Yesterday something was said here about the action of the Speaker. Of course, the Speaker needs no defense upon the part of any Member of the House, or by himself. He did, however, do the House and the gentleman who spoke yesterday the courtesy of saying something upon the subject; but I wonder whether it is thoroughly realized throughout the House what would be the effect of the action that was suggested then and which has been suggested this morning, that is, that the Speaker refer this resolution with the Senate amendment to the Committee on Appropriations. If that were done, the Committee on Appropriations would, of course, take up the matter and consider it, and when that committee reported the matter back to the House, the bill would go on the House Calendar, but would have no preference, and no privileged status, and a single objection could prevent its consideration here.

Mr. GARNER. Mr. Speaker, will the gentleman yield?

Mr. CHINDBLOM. Yes.

Mr. GARNER. That exact condition existed when the original bill was brought into the House. Unanimous consent was given for its consideration. I assure the gentleman now that so far as I know on this side of the House there will be no objection to considering that bill to-day, if it is reported from that committee.

Mr. CHINDBLOM. There is this further suggestion I wish to make, and I think the chairman of the committee will agree with me, viz, that this conference committee could not bring back a conference report and agree to the Senate amendment without having a vote upon it by the House, because the Senate amendment has no authorization in law.

Mr. MOORE of Virginia. What is the objection to obtaining a rule from the Committee on Rules?

Mr. CHINDBLOM. I am not talking about a rule. The Committee on Rules should not be resorted to except in the last necessity. If there is a method for proceeding under the ordinary rules of the House that method should be followed.

Mr. GARNER. Mr. Speaker, will the gentleman yield?

Mr. CHINDBLOM. Yes.

Mr. GARNER. There is a method under the ordinary rules of the House, and that is for the Speaker to send this to the Committee on Appropriations. The Committee on Appropriations would then make its report back to the House, and then ask unanimous consent to take it up for consideration. That consent can be obtained, and if the gentlemen desire, they can obtain that consent now in advance. They may ask unanimous consent to consider it in the House now, as though it had been already reported.

Mr. CHINDBLOM. The gentleman eventually would have to resort to unanimous consent, and the chairman of the Committee on Appropriations has pursued the most expeditious method for having the matter considered.

Mr. SABATH. Without giving the House an opportunity to be heard.

Mr. CHINDBLOM. Oh, the House would have an opportunity to act upon it. In my opinion, the Committee on Appropriations could not accede to the Senate amendment without giving the House an opportunity to vote upon it, because that amendment is without authorization of law.

Mr. SABATH. The gentleman knows that the chairman of the Committee on Appropriations is opposed to the Senate amendment.

Mr. LAGUARDIA. Mr. Speaker, I think the gentleman from Indiana ought to be fair. This issue is being beclouded in a maze of technical statement in respect to the parliamentary situation which the country may not understand. Let the RECORD show that when this proposition was first before the House there was no food provision in it.

Mr. CHINDBLOM. That is exactly true.

Mr. LAGUARDIA. And that we of the city went along, because the seed proposition was something which would affect beneficially the entire country; that when the food provision was inserted we naturally felt that if food were to be provided for one set of citizens in need it must be made applicable to all citizens in need.

Let the RECORD also show that the only way that I can get my proposition considered when it comes back from conference is by unanimous consent, because I concede that

as the resolution is now drawn my proposition, under the rules, is not germane. We are confronted with this situation, that if the conferees on the part of the House agree with the Senate, then I am out of court, I am left helpless, and the city is left holding the bag. If, on the other hand, the Senate agrees with the House and recedes from its amendments, then there is nothing before us, and some one will have obtained a great parliamentary victory, but nothing really constructive will have been done for the needy.

Mr. BYRNS. Mr. Speaker, will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. BYRNS. Does not the gentleman think that there is at least a suspicion in the mind of the gentleman from Illinois [Mr. CHINDBLOM], and possibly others, that just what the gentleman has suggested will occur, and that the Senate conferees—at least, they so hope—will yield, will recede, in which event this House will never be permitted to have an opportunity to vote on this amendment?

Mr. CHINDBLOM. So far as any suspicion in my mind is concerned, let me say that on the general question of giving relief of this kind to the people in the cities as well as in the country districts, if it is given at all, I am, of course, in entire accord with my colleague from New York [Mr. LAGUARDIA]—absolutely; but when the gentleman from New York first made his objection, he was not alone in objecting. The RECORD will show, I am sure, and my recollection is, that objections by two or three gentlemen were made on the Democratic side to letting this bill go to conference.

Mr. LAGUARDIA. I hope everybody will join with me in objecting. The gentleman from Illinois [Mr. SABATH] and many others are standing together on this proposition. Come on boys, object. I object, Mr. Speaker.

Mr. PARKS. Mr. Speaker, will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. PARKS. There is not a man in Arkansas who would not join with the gentleman from New York [Mr. LAGUARDIA] to feed the men who are starving or out of employment in New York. We do not draw any line. I would just as soon vote to-day to feed men starving in New York as to feed a man starving in my own town, and I join with the gentleman.

Mr. LAGUARDIA. And every Member from New York City will join with the gentleman in bringing relief to the citizens of this country. [Applause.]

Mr. BANKHEAD. Mr. Speaker, will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. BANKHEAD. The gentleman has admitted with reference to the parliamentary status of the matter, that he recognizes that his proposition would not be germane as an amendment to the Senate amendment.

How does the gentleman expect to get, under the rules of the House, a vote on his amendment to get this food provision to apply to the cities, inasmuch as the whole tenor of the pending bill is for loans to farmers?

Mr. LAGUARDIA. My reply to that is that I depend upon the same procedure that the gentleman from Indiana [Mr. WOOD] now depends upon, namely, unanimous consent.

Mr. BANKHEAD. Does the gentleman not feel in his heart that that is rather a vain hope? I am in sympathy with the attitude of the gentleman as far as that is concerned, but we have got an objective to drive to, and the gentleman is very resourceful and knows the rules of the House, and I am anxious to know what remedy the gentleman has in mind, considering the rules of the House, to get action.

Mr. LAGUARDIA. The gentleman from Indiana [Mr. WOOD] and myself are on a par in needing unanimous consent for consideration. If we go before the Rules Committee, I hope we will be on a par and I hope that the Rules Committee will do for me as much as they will do for the gentleman from Indiana and give him a rule and make my proposition in order.

Mr. SABATH. The Rules Committee can do it, can it not?

Mr. LAGUARDIA. Of course.

Mr. DYER. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. DYER. If the gentleman has the assurance of the conferees of the House which we have already had from the chairman of the committee and one of the conferees Mr. WOOD, that they will not agree to this amendment, would that not be sufficient for the gentleman to withdraw his objection and allow it to go to conference? The gentleman [Mr. LAGUARDIA] is not in favor of food, anyway?

Mr. LAGUARDIA. Of course he is. After the statement made by the gentleman from Indiana as to the dangers in this country, of course I am in favor of feeding the people.

Mr. DYER. Out of the funds of the Treasury?

Mr. LAGUARDIA. Out of the funds of the Treasury when necessary. I would rather feed people than use the funds for other purposes.

Mr. BYRNS. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. BYRNS. I received a letter only this morning from the agricultural commissioner of my State detailing some of the conditions in the State of Tennessee and the great need for immediate relief. I am sure it applies to all of the other drought-stricken areas.

I wish the gentleman would yield while I ask my good friend from Indiana a question.

Mr. LAGUARDIA. I yield.

Mr. BYRNS. Why is not the gentleman from Indiana [Mr. WOOD] willing to give this House an opportunity to vote one way or the other upon this amendment? Why will the gentleman not ask now for unanimous consent for the immediate consideration of this bill and the amendment, as if it were reported from the committee, rather than interpose the rules of the House to prevent the House from expressing its opinion upon this particular amendment? That would give the House an opportunity to register its will. And if the gentleman is unwilling to do that I would like to ask the gentleman if he will not yield to me, if the Speaker will recognize me, in order that I may make that request.

Mr. WOOD. In answer to the question the gentleman has propounded, I will say the very thing the gentleman is now talking about can be done if this measure is sent to conference, by moving to instruct the conferees. I am willing that that should be done, and it could be done whether I am willing for it or not. So that there is no obstacle in the way of doing that. It is within the province of this House to now instruct the conferees what they want them to do and the things for which they shall stand; and if they do it, I will stand by it.

Mr. BYRNS. Will the gentleman yield further?

Mr. WOOD. I yield.

Mr. BYRNS. Of course, the gentleman knows that when the conferees of the House meet with the conferees of the Senate I do not say what they will do—no one knows—but there is a possibility, and I have a suspicion from what has occurred in the past few days, a probability or at least a hope that the Senate conferees will immediately recede. Will not the gentleman make this agreement with the House on the part of the House conferees, that if such a situation should present itself the House conferees will not permit the Senate to recede from this amendment until it is brought back and a vote had upon it? [Laughter and applause.]

We can bring it back in disagreement. It is in the bill. Now, the gentlemen laugh about that. This amendment is before the House and the House conferees can go to the conference and say to the Senate conferees that they do not propose to agree that this amendment shall be eliminated until those they represent have had a vote on it. That is not such a laughable matter. The gentlemen know that can be done, and if the gentleman from Indiana [Mr. WOOD], as chairman of the conferees, will make that agreement, I am satisfied there will no longer be any objection to his proposition, or at least I hope there will not be further objection.

Mr. WOOD. If that course were adopted, it would be an affront to the Senate. They have a right to recede if they

wish to, and I know of no power to prevent it. That is one of the provinces of a conference.

Mr. BYRNS. Would the gentleman think the Senate would regard it as an affront when the Senate unanimously adopted this amendment?

Mr. WOOD. That is the reason why I think the gentleman need have no fear with reference to there being a disagreement. I think it would be impossible for the conferees of the House and Senate to agree, the Senate standing as it is standing, not only in putting this amendment upon this bill but now proposing it on another bill over there, so that if that is the only obstacle in the way, the gentlemen can disabuse their minds and be relieved of all doubt.

Mr. MOORE of Virginia. May I interrupt the gentleman once more?

Mr. WOOD. I yield.

Mr. MOORE of Virginia. It seems from the discussion that there is not going to be any action taken this morning. I would like to ascertain, if the gentleman from Connecticut [Mr. TILSON] will be so good as to give me the information, whether it is proposed to bring in this measure under a rule at any early date?

Mr. TILSON. I can say to the gentleman from Virginia [Mr. MOORE] that the chairman of the Committee on Appropriations has already spoken to me, and I have agreed with him that the program that should be followed is to ask for a special rule if we are unable to follow the program usually followed by the House.

Mr. WOOD. In further answer to the gentleman from Virginia [Mr. MOORE], I may say it is my purpose, and I have so declared it to the gentleman from Connecticut [Mr. TILSON] and others, that I intend to try once more, for the purpose of expediting this thing, to get unanimous consent, and that being refused, to ask for a rule, which means further delay. I regret exceedingly being compelled to have to do this, but it seems there is no other course to pursue. The gentleman from New York says he expects to appear before the Rules Committee—and everybody has the right to appear before it and express their views—so that means further delay in getting this much-needed appropriation for the suffering which now exists in this country.

Mr. MOORE of Virginia. I would like very much to have this matter brought up by unanimous consent, but that seems to be absolutely impossible. However, it does not seem to me there would be much delay if the Rules Committee would consider this matter to-day, report a rule to-day, and have the matter considered on Monday.

Mr. WOOD. As I understand, the gentleman from New York intends to persist in his objection.

Mr. LAGUARDIA. Under the circumstances.

Mr. WOOD. Then I will say that I intend immediately to ask for a rule.

Mr. JONES of Texas. Will the gentleman yield?

Mr. WOOD. Yes.

Mr. JONES of Texas. The gentleman from New York intends to object to this specific request and thus prevent the matter being brought up to-day. That being so, I wonder if the gentleman would object to the request of the gentleman from Tennessee [Mr. BYRNS], that it be brought up on his request for a vote to-day on the Senate amendment?

Mr. LAGUARDIA. Then where would I stand on my amendment?

Mr. WOOD. You would not stand at all.

Mr. JONES of Texas. I will say to the gentleman that would not interfere with his rights before the Rules Committee. He would still have all of his rights before the Rules Committee.

Mr. BANKHEAD. Will the gentleman from New York yield for one suggestion?

Mr. LAGUARDIA. Yes.

Mr. BANKHEAD. The gentleman seems to entertain some hope that he might be able to persuade the Rules Committee or somebody else to bring about a parliamentary situation by which he could get a vote on his proposed amendment. I want to make the prophecy to the gentleman from New York that when that rule comes before the House it will be an ironclad rule to send this bill to conference without any other provision whatever.

Mr. LAGUARDIA. But you can not blame the gentleman from New York and you can not say that he has not exhausted every remedy he has. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

ORDER OF BUSINESS

Mr. GARNER. Mr. Speaker, I want to ask the gentleman from Connecticut what we are likely to have up Monday?

Mr. TILSON. The copyright bill, which has been under consideration heretofore and has been partially read for amendment. It should be taken up for consideration on Monday.

Mr. GARNER. In view of the statement made on the floor of the House yesterday by the gentleman from Indiana [Mr. WOOD] concerning the situation in Arkansas and what brought it about, the gentleman from Arkansas [Mr. PARKS] is very anxious to make some reply to that statement and at the earliest possible moment. Therefore he desires unanimous consent for an opportunity to address the House for 30 minutes on Monday, and I submit that unanimous-consent request.

The SPEAKER. The gentleman from Texas asks unanimous consent that the gentleman from Arkansas [Mr. PARKS] may have the privilege of addressing the House for 30 minutes on Monday. Is there objection?

Mr. DYER. Mr. Speaker, reserving the right to object, I am sure the gentleman from Texas and the gentleman from Arkansas would not want to interfere with the consideration of this relief measure by making any speech?

Mr. GARNER. Oh, no. I will make my request conditional, that this speech is not to in any way interfere with the consideration of the relief proposition.

Mr. DYER. I think we ought to get that matter before us at the earliest possible moment and dispose of it. If these people should have assistance, they ought to have it at once.

Mr. GARNER. I am in perfect agreement with the gentleman, and I will make my request conditional.

Mr. TILSON. Mr. Speaker, reserving the right to object, the gentleman from Texas took occasion the other day to gently rebuke the majority leader for allowing these speeches out of turn to interfere with the regular business of the House. He stated very positively that if he were majority leader he would not allow any of these speeches to be made. Now he comes forward and asks me to do the very thing he has publicly rebuked me for doing. Monday is going to be a very busy day. We may not finish to-day the appropriation bill now before the House, but if we do, I think the copyright bill, the consideration of which has been started and which is now pending before the House, should be taken up on Monday and disposed of. If we should permit a half hour's speech, that would push the copyright bill along into the afternoon.

Mr. SPROUL of Illinois. Mr. Speaker, I object to this speech on Monday.

Mr. GARNER. Mr. Speaker, in order that the picture may be more accurate than the gentleman from Connecticut has given it to the House, may I state that in response to a unanimous-consent request that was granted the other day I said that that statement could have been made in the Committee of the Whole, because the House was immediately going into the Committee of the Whole. Therefore, any gentleman could get 30 minutes or an hour if he could get it from his side of the House. Let it be understood that that condition existed at that time, and let me say to my friend from Connecticut that the gentleman from Texas does not pride himself very much on always being consistent. Whenever a certain situation is presented he does what he thinks is best under the circumstances and he does not care anything about consistency. [Applause.]

Mr. SNELL. We are glad to know that.

Mr. SPROUL of Illinois. Mr. Speaker, I object.

Mr. TILSON. I wish my friend from Arkansas [Mr. PARKS] would delay his remarks for one day. I hope that we may go right on Tuesday with another appropriation bill when there will be ample time for general debate. I

trust my friend from Arkansas will be willing to postpone his remarks for a day.

Mr. PARKS. I will postpone them 10 years while I listen to gentlemen speak. I make the point of no quorum, Mr. Speaker.

Mr. SPROUL of Illinois. Mr. Speaker, I have objected two or three times to the unanimous-consent request.

Mr. RANKIN. Mr. Speaker, I make the point of order that the gentleman is not in order. There is a point of no quorum pending before the House.

The SPEAKER. The gentleman from Arkansas [Mr. PARKS] makes the point of order that there is not a quorum present. Evidently, a quorum is not present.

Mr. TILSON. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, when the following Members failed to answer to their names:

[Roll No. 10]

Abernethy	Doutrich	Kendall, Pa.	Reid, Ill.
Auf der Heide	Doyle	Kennedy	Rowbottom
Ayres	Drewry	Kiefner	Schaefer, Wis.
Bacharach	Edwards	Kinzer	Selvig
Beck	Eslick	Langley	Short, Mo.
Bell	Fish	Lindsay	Sirovich
Bloom	Fitzpatrick	Linthicum	Sloan
Bohn	Foss	Ludlow	Smith, W. Va.
Boylan	Garber, Va.	McCormack, Mass.	Somers, N. Y.
Brand, Ohio	Garrett	McCormick, Ill.	Sproul, Kans.
Britten	Gavagan	McLeod	Stalker
Browne	Golder	Magrady	Stevenson
Brunner	Goodwin	Menges	Sullivan, N. Y.
Buckbee	Graham	Michaelson	Sullivan, Pa.
Canfield	Granfield	Moore, Ky.	Taylor, Colo.
Carley	Griffin	Newhall	Taylor, Tenn.
Carter, Wyo.	Hale	Nolan	Thompson
Celler	Hall, Ill.	Norton	Treadway
Chase	Haugen	O'Connor, La.	Underwood
Clancy	Hoffman	O'Connor, N. Y.	Vestal
Clark, Md.	Hopkins	O'Connor, Okla.	Walker
Connolly	Hudson	Oliver, N. Y.	Watres
Corning	Hudspeth	Palmer	Welsh, Pa.
Craddock	Hull, Tenn.	Palmisano	White
Culkin	Igoe	Parker	Whitehead
Cullen	Johnson, Ind.	Perkins	Williams
Dempsey	Johnson, Nebr.	Pou	Wolfenden
Dickinson	Johnson, Wash.	Prall	Wolverton, N. J.
Dickstein	Johnston, Mo.	Pratt, Harcourt J.	Zihlman
Dorsey	Kearns	Pratt, Ruth	
Douglass, Mass.	Kemp	Ramey, Frank M.	

The SPEAKER. Three hundred and seven Members are present, a quorum.

On motion of Mr. TILSON, further proceedings under the call were dispensed with.

ADDRESS OF HON. CHARLES H. BRAND OF GEORGIA

Mr. CRISP. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing an able, scholarly, and informative Armistice Day speech, delivered in Athens, Ga., November 11 last, by my colleague, the gentleman from Georgia [Mr. BRAND], under the auspices of the Allen R. Fleming Post of the American Legion.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The address is as follows:

ARE THE DISABLED VETERANS OF THE WORLD WAR BEING FAIRLY TREATED BY CONGRESS AND THE VETERANS' BUREAU?

On a dark, stormy night in April, 1917, I was one of 435 persons gathered together in the Capitol of our country at the call of Woodrow Wilson, then President of the United States, for the purpose of declaring war against the Imperial Government of Germany. It was one of the most momentous events in the history of the world. From that night until this day I have given my time, my energy, my study, and such talents as I may be endowed with, to the interests of my country and the welfare of the American soldiers, and particularly the World War veterans of Georgia and the eighth congressional district of Georgia.

These 13 years have been the hardest of my whole public life, and yet with all the trials and difficulties incident to it the work has been a labor of sympathy and devotion.

The Athenians inscribed on 10 pillars erected over their ashes the names of those who fell at Marathon. The spirit which moved these Greeks in their victory over the Persians in one of the world's historic battles was no purer and nobler than the suggestion which inspired the organization of the American Legion to establish American Legion posts in memory of those veterans of the World War who were the first to pay the supreme sacrifice.

The American Legion is a useful, worthy, and honorable institution, whose members throughout the Nation celebrate this day in honor of the veterans of the World War who died in the service for their country and for the peace of the world, many of whose bodies are at rest in the cemeteries of France.

"He who has lived for the welfare of his fellow men, for the cause of free government, and to enlarge the boundaries of human happiness lives on forever." For the benefactors of the human race there is no death. The centuries may move on in endless procession over their graves; human society may be transformed by the storms of revolution; yet the influences of the philanthropist, the law giver, and the hero in peace or war, in fadeless beauty and strength will keep pace with them all, and give color and shape to the conduct of remotest generations.

The desire of the human heart to keep alive the virtuous examples of those who have passed away is as universal as the race of man. In some form or other it is manifest everywhere, on every shore, on the crest of every wave, and in the customs of every tribe and kindred beneath the sun.

Nor is this principle confined alone to honors paid to the great. For every worthy life, however humble, that goes out on the ebbing tide into the vast ocean of eternity there are sighs and tears, and some memorial is erected as a mark of love and memory.

I hope this will forever remain so, with the American soldiers, sailors, and marines of my State and district who forfeited their lives for the perpetuity of the peace of the world and the survival of the human race.

As heretofore stated in an address in the House of Representatives of the American Congress, the American soldier, 3,000 miles away from his family, standing erect upon the battle fields of France, ready with his gun to answer the call to battle, unmindful of home and fearless of death, to my mind has earned a place on the world's roll of immortelles; and his commanding officer, facing without flinching the enemies' guns and marching with his boys to the cannon's mouth, is entitled to the sublimest rank in the temple of fame.

From the highest rank to the lowest sphere the private soldier and the officer of the United States acted well their parts, and the eternal seal of honor is stamped upon their deeds.

I think it advisable on this occasion to call your attention to the old law and the new law enacted during the Seventy-first Congress relative to compensation of disabled veterans of the World War and point out what I conceive to be the chief evils of each and also make some suggestions in respect of the treatment of veterans by employees of the Veterans' Bureau.

BENEFITS AND DEFECTS OF THE NEW LAW

The amount of compensation of veterans under the new law is determined by Congress and not by the bureau. It was manifest to Congress that injustice was being done to thousands of disabled veterans who could not produce evidence of service connection to the satisfaction of the Veterans' Bureau, due largely to the death and inaccessibility of witnesses. Congress stepped in and did for these disabled soldiers that which was denied them by the bureau under the old law.

Under the new law the chief benefits are:

A. The Veterans' Bureau is required automatically to award compensation in certain cases, namely $12 per month to a veteran having 25 per cent disability, $18 per month to a veteran having 50 per cent disability, $24 per month to a veteran having 75 per cent disability, and $40 per month for total disability.

B. The bureau is required to give credit to lay testimony, which is not true under the old law.

C. Service connection is not required to be proven under the new law, as it is under the old law, in order to obtain compensation.

The greatest defect under the new law according to my conception is:

That no veteran can obtain compensation under the new law though he may have a disability from 10 to 25 per cent. In other words, a veteran having a disability of 24½ per cent, for instance, is not entitled to any compensation. There is a great multitude of veterans who are disabled from 1 to 25 per cent who are outlawed under this new law.

BENEFITS AND DEFECTS UNDER THE OLD LAW

(a) I respectfully contend that under the old law, too much authority is vested in the Veterans' Bureau.

(b) Too much discretion is vested in physicians in passing upon the creditability of witnesses testifying either orally or in writing in behalf of the veteran.

(c) Scant consideration is given to the testimony of local physicians.

(d) Practically no regard is given to the testimony of witnesses who are not physicians, though they may have personal knowledge of the veteran's disability, and are worthy of belief.

(e) No compensation is permitted or allowed under the old law to veterans having a disability under 10 per cent. There are thousands of veterans in this class.

The officers charged with the duty and responsibility of passing upon applications of veterans in the different bureaus include attorneys at law, physicians, and other employees in bureaus and hospitals of the different States.

There are three classes of employees of this bureau according to my analysis of the situation:

(a) Those employees who are interested, helpful, and sympathetic with the veteran, and there are many of this class.

(b) Those who are indifferent, careless, and unsympathetic. There are quite a number of these.

(c) Those who are incompetent, offensive, and resentful. The number of these is unknown to me.

No longer than yesterday a veteran with his wife came to my office and told me that he went to the Veterans' Bureau in Atlanta for the purpose of being examined and rerated, by previous

appointment. He said that he arrived in the room to which he had been sent to see an officer of the bureau; that this officer told him to go down in the basement and stay there until he was called for. The veteran did this and remained there all day without being called there by this or any other officer. He went back to the room and was told to come back next morning. He went back next morning, according to this veteran's statement, and was again told to go down in the basement and wait until called for. He was not called for until late in the afternoon, when he was told that he would have to come back the next day, as they could not give him any attention that day. The veteran told him that he was a poor man, out of employment, and did not have the money to pay another night's hotel bill. This officer then told him that he should have come there sooner, and to the bureau in the first instance, without going to see any other person. He said that he would fare much better and be accorded more consideration if he would not go to see a Congressman or a Senator about his case, or have anything to do with the American Legion or the Red Cross. He made this statement in an angry and insulting manner, according to the veteran's statement to me, and made it distinctly clear to the veteran that it would be better for him to let alone and have nothing to do with Members of Congress, the American Legion, and Red Cross.

I take the position that this employee and any other employee of the Veterans' Bureau who would treat a veteran of the World War in this manner should be promptly fired from office and never thereafter be permitted to be employed in any Veterans' Bureau for the purpose of handling applications of veterans. This officer was a physician and belongs to that class to which I refer as being offensive and resentful and cold-blooded. Many of the physicians in the bureau have had no practical experience as physicians and could not make a living in the general practice of medicine.

The lawyers in some of these bureau offices are inexperienced. Some have never tried a case in a police or justice court. They are unfit to pass upon the testimony submitted by veterans because of their ignorance of the rules of evidence and the relevancy and competency of evidence.

(*d*) Many veterans who have been awarded $50 per month for arrested tuberculosis are no longer on the pay roll, though still affected with the disease. Many veterans entitled to benefits under the retirement act have been turned down. Others who were permanently placed upon the pay roll have had their compensation decreased, in many cases without notice and without a hearing.

CHIEF CRITICISMS OF VETERANS' BUREAU

(1) Too little credit given to testimony delivered by local witnesses, including medical men and laymen under the old law.

(2) Rule as to lay evidence not strict enough under new law.

(3) Too little consideration given to the testimony of veterans and practically none to witnesses of veterans, whether physicians or laymen, under new law.

(4) Failure to give veterans in a close case benefit of the doubt. That is to say, where there is a reasonable doubt, honestly maintained by the Veterans' Bureau, as to whether a veteran should have compensation or not, the doubt should be resolved in favor of the veteran instead of the Government. As a rule in such a case the bureau finds for the Government.

My convictions upon this subject are based upon my experience with the bureau, upon information obtained from Members of the House of Representatives and the Senate, and my own experience in handling cases for veterans in the Veterans' Bureau in the States of Georgia, South Carolina, Florida, New York, Ohio, and Oklahoma.

Before concluding I want to call your attention to a bill which I introduced during the Sixty-ninth Congress on March 3, 1926, entitled a bill to amend the World War adjusted compensation act. I was the first Member of Congress to introduce such a bill, though 46 other Members during this session of Congress have introduced similar bills.

The chief purpose of this bill is to permit such veterans of the World War as wish to do so to receive the cash value of their adjusted-service certificates. In other words, the bill provides that veterans of the World War shall have the option of surrendering their adjusted-service certificates to the Treasury Department and receiving the full cash value of same on the date of the surrender, plus 4 per cent interest from the date of the certificate compounded annually, or holding the certificates until date of maturity. These certificates are dated January 1, 1925, and due January 1, 1945. The bill does not require the Government to pay all the veterans the cash value of their certificates, but leaves it optional with the veterans to retain the certificates until maturity or surrender the same and receive the cash value thereof with interest from the date of the certificates.

There is nothing that Congress can do which would have a greater effect to offset the suffering and sacrifices of the present depression which prevails throughout the United States, or which would be of more benefit to the veterans and the people generally throughout the United States than the enactment of such a law.

In the meantime and in conclusion, I want to leave this thought with you, and it is my profound conviction that every veteran of the World War who is disabled and not now receiving compensation should receive compensation according to the degree of his disability, provided he can prove that when he entered the war he was a sound man, and further prove by trustworthy testimony that his disability is service connected, and if this is denied by the bureau handling the case, the burden of proof shall rest upon the Government to show that his disability is not due to service.

THE ARMY APPROPRIATION BILL

Mr. BARBOUR. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 15593) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1932, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15593, with Mr. TILSON in the chair.

The Clerk read the title of the bill.

Mr. COLLINS. Mr. Chairman, I yield myself such time as I may need.

The CHAIRMAN. The gentleman is recognized for one hour.

Mr. COLLINS. Mr. Chairman and members of the committee, the bill for consideration to-day is almost entirely the handiwork of the War Department. The Budget Bureau did not fix the budget limits of this bill. They were fixed by the War Department. The allocation of funds was not made by the Budget but by the department. In fact, they were changed by the Budget in only three instances, two of these changes being trifling ones involving less than $15,000, and those were made at the instance of the department. The third was a change in the estimates for the Air Corps and this, too, was made without the objection of the department, and probably at its suggestion, because, had it not been made, the appropriation would have exceeded the outside budget limits fixed by the department. The changes made by the Appropriations Committee were in the main trifling ones. There is a reduction in the total amount carried in the bill, but this reduction is the direct result of lower costs of articles now as compared with prices prevailing when these estimates were originally framed by the War Department, and the cuts made were cuts that the War Department felt could be safely made, and were transmitted to the subcommittee and adopted by the subcommittee. The changes made by the subcommittee were, as usual, in the main increases to certain civilian military organizations, and because the committee feared a fight on the floor unless the increases were given. These increases were: Organized Reserves, $350,000; citizens' military training camps, $22,905.

The bill can be said, therefore, to be the War Department's bill, and allots funds according to its wishes. Therefore the military-minded man should certainly be happy with this measure.

But I wish to repeat my former warnings that it is a dangerous thing for this Congress to accept the passive rôle of approving any program these fighting men lay before us—it is worse than dangerous.

I believe that much of the money carried in this bill is wasted on obsolete equipment, obsolete methods, and upon activities intended solely for propaganda purposes, and that more military protection could be afforded the country by smaller expenditures for a more modernly equipped Army of much smaller personnel.

WORLD CONDITIONS DEMAND MILITARY ECONOMIES

The whole world is suffering from a dose of militarism that gave us a war the world can not pay for, and disorganized world economics so badly that bankrupt farmers and unemployed laborers suffer in poverty everywhere. While our honest citizens are reduced to want, and this Congress debates giving a few millions of dollars to save wives and children from actual starvation—a miserable situation at best—the War Department presents its request for amounts many times as great, and gets even more than it asks for.

Gentlemen, I insist that sums far above those asked for food for the hungry could be taken from this military bill and the country would not only be richer but safer thereby.

WORLD PEACE DEMANDS MILITARY REDUCTIONS

Many of the items in this bill are not only economic waste but are sheer political folly because their result is not technical military defense but the building up of a great military-minded institution which becomes a part of the social life of the people, and intrenches itself in their daily living, in their loyalties, in their very outlook on life. The pages of history are filled with the wrecks of nations that have tried to attain prosperity and security through building up their military establishments. Our day calls through the mouths of the unemployed and of debt-ridden farmers for military reductions as aids to peace and prosperity.

At the world disarmament conference, that will probably be called in 1932, these United States, with the largest national defense budget in the world, must be ready to urge the limitation of such budgets and should now set a practical example for the world by weeding out of this bill the waste contained therein.

WHY DO WE NOT REDUCE?

The common people of this country when they meet in their organized civic and religious bodies are continually urging military and naval reductions for peace and economy. Why do we not reduce these constantly growing budgets? There are two reasons. In the first place, there is the inertia, the power of the status quo. We go on passing bills year and after, just because we do not stop to consider them. In the second place, we are building up in this country a large army of persons and institutions that feel a personal interest in these appropriations. Every dollar appropriated this year becomes an active, not a passive, argument for as much or more next year—for some one is touched by that dollar—and if it is not carried, the Congress will hear from the person hurt. It may be a school board that gets some rifles and a drill sergeant or two; it may be a community near a military post; it may be a young girl who is learning to ride a Reserve Officers' Training Corps pony; it may be any one of millions touched directly by War Department dollars. But every one of them wants to see continued the special favors which they think they receive, and will tolerate a continually mounting military appropriation—if they get their share of the bounty. The truth is this bill has become the pork barrel of Congress, and Members vie with each other in getting larger and better residences for officers and men at posts in their districts and for larger appropriations for military activities in the territory they represent. In this way the military institution intrenches itself in more lives each year. Let us examine the picture:

Size and cost of our Military Establishment

	Provided in bill for 1930	Provided in bill for 1931	Provided in bill for 1932
Regular Army:			
Personnel	214,004	216,524	211,749
Pay, personnel	$217,816,270	$219,225,143	$216,943,665
National Guard:			
Officers	13,966	13,966	13,966
Men	176,034	176,034	181,034
Total	[1] 190,000	[1] 190,000	[1] 195,000
Cost—			
Federal	$32,619,798	$33,058,306	$33,058,946
State contributions	15,037,009	[2] 15,037,009	[2] 15,037,009
Municipal contributions	2,255,241	[2] 2,255,241	[2] 2,255,241
Free issues	5,598,417	[2] 5,598,417	[2] 5,598,417
Total cost	[3] 55,510,465	[3] 55,948,973	[3] 55,949,613
Organized Reserves:			
Officers [4]	114,624	112,757	113,273
Deduct dual-status officers	9,765	10,831	11,891
Enlisted men	5,464	5,416	4,721
Total reserves	110,323	107,342	106,103
Cost	[3] $2,742,156	[3] $2,814,772	[3] $2,802,754

[1] Estimated average enrollment. Actual enrollment will be larger.
[2] Figures for 1931 and 1932 unknown.
[3] Does not represent total cost of activity, but merely item as listed in bill.
[4] Column of smaller figures represent officers who are in both the guard and the reserves.

	Provided in bill for 1930	Provided in bill for 1931	Provided in bill for 1932
Reserve Officers' Training Corps:			
Advanced students	13,561	13,561	13,561
Basic students	74,543	74,543	74,543
Junior students	42,929	42,929	42,529
Total	131,033	131,033	131,033
Cost	[3] $3,001,344	[3] $4,000,000	[3] $3,960,000
55-C Schools:			
Cadets	15,944	15,944	13,666
Cost	[3] $88,900	[3] $88,900	[3] $88,900
National Rifle Board:			
Persons (male and female)	110,000	110,000	110,521
Cadets in military training	+1,500	+1,500	2,310
Cost	[3] $744,750	[3] $710,780	[3] $732,770
Total personnel	772,804	772,343	770,330
Annual appropriation for military activities	$331,338,442	$333,674,764	$334,956,890

[3] Does not represent total cost of activity, but merely item as listed in bill.

TRADITIONALISM OF THE ARMY WEAKENS MILITARY DEFENSE

Military men are creatures of habit. Discipline is their password. Military training produces the type of mind that fits into old ruts and stays there. It is generally true, for this reason, that the opening months of a modern war see many follies committed by military leaders who cling to old methods, who use the same old machines until sheer necessity forces them to change. This always means that much of our peace-time training and preparedness is waste.

Military promotion and the advancement of the individual within the military machine rest largely upon length of service and faithfulness to the system. This means that all the older men, the men "higher up," grew up under and owe their position to military methods which may now be obsolete. We, therefore, find our Army officers favoring more men, more supplies, better pay, a larger numerical organization—not a more modern fighting machine. Though machines and supplies may be obsolete in six months, large stocks of these must be purchased year after year and stored only to be made useless by new discoveries or by deterioration.

Capt. Liddell Hart, recognized as one of the most productive military minds of our generation, has analyzed this situation about as I have, saying that there are three reasons why present armies stick to obsolete tools and methods.

First, the fact that authorities now in power are burdened with the legacy of their predecessors.

The second excuse, in fact, is that of vested interest—in the best sense of that phrase. If we converted most of our existing regiments into tank or mobile machine-gun units, we should not only need fewer men, but the expenditures on machines would have to be met by discharging the large surplus of men in order to apply the cost of their pay to a more practical object * * *. We can fully understand their hardship * * *. But is it right to keep the security of the Nation in jeopardy while soldiers are slowly reconciling themselves to the inevitable.

A third excuse for obsolete methods is the rapidity of mechanical progress.

Captain Hart goes on to say:

In 1918 the experience of the combatant was dominated by the machine gun, the tank, smoke, and gas. But the postwar builders of the Army cried, "Back to 1914" and reduced to a shadow equipment and training in all these new elements * * *.

On what patterns is the Army to be recast? Like an athlete who has run to fat it must reduce its infantry corpulence and develop its mechanical sinews. * * * The first stage will be to provide infantry with mechanical legs to carry them to the battlefield, to replace horse-drawn artillery with motor-drawn or motor-borne guns, and to develop the tank arm to the importance that its tactical importance as the heir of cavalry demands.

In considering the various arms he says:

Because of great technical changes, infantry are dependent upon the help of the other arms or are going to the earth like rabbits. * * * It is needless to consider cavalry for they suffer all the disabilities, save one, of infantry, and in greater degree because they offer a larger and more valuable target. The sole exception is that they can run away faster!

Then with regard to field artillery, though moderately effective against the sluggish tanks of the World War, its chances will be infinitely less against a modern tank zigzagging at 20 miles per

hour and infinitesimal against them if launched in masses. If it can not hit, it will be hit. In any case its value depends upon the tanks coming to meet it; its rôle thus becomes purely defensive. Only by being fitted in a tank—the obvious solution—can it compel the tank to come to action and resume its offensive rôle in a war of movement.

In referring to gas, he says only aircraft and tanks can be defended against this weapon without the masks becoming such a handicap as to completely stop offensive action.

Therefore, if gas becomes a weapon—and it surely will—we are left with the airplane and the tank as our sole effective arms for offensive action.

Captain Hart concludes:

Save under the stress of shocks of war, large changes are difficult, if not impossible, to bring about * * *. Disbanded regiments mean not only marred careers but the severance of great traditions.

However, some day, he predicts, the taxpayer will awake to the costliness and folly of great armies of men and horses, and will say, "We decline to continue pouring out our money in order that the lives of our sons shall once more be sacrificed on machine-gun-swept battlefields," and will demand the cheaper and more effective mechanized army.

In the last war 27 per cent of our casualties were the result of gas, and we were just making the original experiments with that weapon in that war. Gas must surely be much more important in future conflicts between industrial nations. The tank, in spite of its primitive character, in spite of our complete lack of knowledge as to its proper tactical uses, and in spite of the indifference or opposition to it in old-fashioned military circles, crashed through to first-rate importance as a weapon. But future tanks will have speed, striking power, maneuverability undreamed of by those who drove World War tanks to fame. Just this morning I saw in the New York Times an announcement of the trials of the famous Christie tank, which I read for your benefit.

LINDEN, N. J., January 9.—A war tank powered with a 338-horsepower Liberty airplane motor and weighing nearly 10 tons traveled about a field here to-day at a speed of 45 miles an hour, bumping over logs 2 feet thick, sloshing through frozen ponds, spinning about in its own length, mashing barbed-wire entanglements, and crumpling walls 2 feet thick. The machine's caterpillar tracks were quickly removed and the tank roared over a paved highway on solid-rubber wheels at 75 miles an hour.

Capt. L. D. Tharp, United States Army tank expert, Japanese Army officers, and reporters witnessed the test of the craft, invented by Walter J. Christie, who said $400,000 was spent in developing the machine. The Christie plant is located here.

Captain Tharp declared he would recommend that the tank be adopted as standard equipment of the United States Army. He said at the end of the exhibition:

"For some time past the United States Government has been seeking a tank of this type. Many investigations have been held, but none of the machines proved satisfactory. This is the first tank which I have seen so far that has combined speed with power."

On caterpillar treads the tank climbed an incline of 45 degrees at 35 miles an hour. It was equipped with a 1-pound cannon and a machine gun. Its armor plate is five-eighths of an inch thick. The fuel containers have a capacity of 90 gallons, and it was said that the tank would travel 3 miles on a gallon of fuel on wheels and 2 miles on the caterpillar treads. The top speed on wheels was said to be 90 miles an hour.

According to Mr. Christie, who said he was employed by the Federal Government as a mechanical engineer during the war, the Japanese Government has purchased the right to manufacture 100 of the tanks at $1,800 each. The Japanese officers at the field today declined to comment or disclose their identity.

In the face of these overwhelming proofs of the superiority of gas and the tank to the unprotected legs and arms of the flesh-and-blood soldier, let us take a glance at this appropriation.

Our Regular Army has 39,137 horses and mules, the National Guard has 10,396 maintained at Federal expense and 2,045 at State expense, the Reserve Officers' Training Corps has 1,919 faithful old servants of the horse-and-buggy age. In a hurried search for the many scattered sums appropriated for horses in this total bill I found the following for the Regular Army and the National Guard—the Reserve Officers' Training Corps should be added, of course:

Forage		$4,155,351
Shoeing		106,186
Allowances, private mounts		225,000
Army transportation, animal		649,926
Purchase of horses and mules		318,120
Cavalry school		21,310
National Guard:		
Forage		1,255,707
Caretakers		1,126,800
Personnel (Cavalry)—		
Officers, 779 Enlisted men, 10,459	at $191	1,146,458
Personnel, Regular Army, with Cavalry:		
Officers, including veterinarians, 723, at $5,000		3,615,000
Enlisted men, 7,733, at $1,000		7,733,000
		20,352,856

Over against this must be placed our appropriation for chemical warfare, $1,252,099. Of this amount more than four-fifths go for purely protective measures, leaving a very small amount for chemical warfare—when we contrast the figure with the amount devoted to horses.

It seems to be rather evident that our Army is more interested in riding good old-fashioned horses than in fighting with the most modern weapons. It also takes more men to maintain a horse-drawn army than one that is up to date. So we keep our horses that the old-fashioned soldiers may also be kept—without appearing completely useless.

With regard to our appropriations for tanks, it should be noted that our committee last year voted six Christie tanks for the Army that they might experiment with this weapon. They had asked for only one. In spite of the action of this Congress in approving the six tanks, the War Department bought only one. Due to the fact that the builder did not want to build less than six, the remainder were left for foreign purchasers, Soviet Russia taking some.

Mr. COLLIER. Mr. Chairman, will the gentleman yield?

Mr. COLLINS. Yes.

Mr. COLLIER. In regard to these engines of destruction the gentleman is speaking of, what was the reason given by the War Department why it bought only one of those Christie tanks instead of six or seven?

Mr. COLLINS. They said that they wanted to experiment further with them.

Mr. WRIGHT. Mr. Chairman, will the gentleman yield?

Mr. COLLINS. Yes.

Mr. WRIGHT. As a matter of fact, the so-called experts in the War Department are divided about the Christie tank, are they not?

Mr. COLLINS. Yes.

Mr. WRIGHT. But the officials who have had ripe experience and who are really in charge of the Tank Corps think that it is a wonder.

Mr. COLLINS. Yes.

Mr. WRIGHT. But the Chief of Ordnance does not think anything of it.

Mr. COLLINS. That is true.

MILITARY EXPENDITURES DO NOT MEAN SECURITY

The answer to all this continually mounting expenditure and waste in a futile effort to secure "national security" is not more of this military training, more preparedness. That simply means more waste, more competition with foreign fighting forces, and an endless chain of folly. The final answer lies in getting rid of such a senseless system in favor of peaceful methods of doing the business of the world.

And this Congress and the people of this country should never forget that our country, along with nearly 60 other nations, has solemnly pledged itself to seek the solution of international controversies only by pacific means. This military appropriation and its results upon our public life must be viewed, legally and morally, with a view to our keeping that pledge.

For more than a century our Nation stood respected and secure from all attack without the gigantic Military Establishment that is being built up under the present national defense act. Now that we have pledged ourselves to use only peaceful methods, now that the world is seeking peace and disarmament, now that so many people are in dire want,

we must surely trim these appropriations. And now is the time to start.

However, in spite of this world-wide need for military reductions, and in spite of its military obsolescence in many ways, our Regular Army continues to stand and grow as a corpulent, wasteful body, fighting for its own existence and future quite as much as for national security or progress.

The Regular Army (7 A)

	Provided in bill for 1930	Provided in bill for 1931	Provided in bill for 1932
Officers	[1] 12,000	[2] 12,000	[2] 12,000
Retired officers on active duty	148	148	100
Warrant officers	1,157	1,038	966
West Point cadets	1,108	[2] 1,237	[2] 1,236
Army nurses	665	[2] 600	[2] 660
Enlisted men	118,750	[2] 118,750	[2] 118,750
Philippine Scouts	6,500	[2] 6,500	[2] 6,500
Civilian employees	61,333	63,295	[3] 58,265
Contract surgeons	23	29	29
Flying cadets	350	563	500
Officers on retired list	2,350	2,575	2,700
Warrant officers on retired list	284	385	403
Nurses on retired list	11	11	13
Enlisted men on retired list	9,185	9,323	9,621
Civilian messengers	65	65	60
Hospital matrons	5	5	6
Total personnel	214,004	216,524	[2] 211,749
Pay of Army personnel	$133,615,568	$134,357,519	$136,264,164
Civilian pay	84,200,702	84,867,623	[4] 80,679,501
Total pay	217,816,270	219,225,142	[5] 216,943,665

[1] Not to exceed this number.
[2] Average. More men than indicated will actually be enrolled in the course of the year.
[3] Decrease due to elimination of 6,077 Soldiers' Home employees transferred to independent offices appropriations bill.
[4] Exclusive of Soldiers' Home employees pay amounting to $5,631,937.
[5] Does not include houses, subsistence, clothing, medical attention, transportation, repairs to housing, heat, fuel and light, where furnished in kind, which would add at least $40,000,000 more.

The Federalized National Guard grows

Date	Enlisted men	Officers	Federal appropriation
June, 1920	47,019	1,939	$28,000,200
June, 1927	168,170	12,192	29,929,987
June, 1929	174,370	13,630	31,606,909
June, 1930	176,036	13,966	32,619,798
June, 1931	(?) 180,000	14,371	33,058,306

The Federal equipment in the hands of the guard was valued at $114,624,141.87 in 1929 and at $115,280,000 now.

The Organized Reserves

Date	Officers	Enlisted men	Federal appropriation
June, 1920	98,283	None.	$2,751,100
June, 1926	103,829	5,775	3,721,300
June, 1929	112,757	5,416	5,303,583
June, 1930	113,373	4,721	6,542,362

I want to repeat my former warnings that this great army of reserves, mostly leaders out in civil life, organized with a military purpose, influenced by military leadership, is a dangerous social and political force. With the military outlook, but clothed with civilian position and influence, these men are a great power for winning chambers of commerce, service clubs, and other professional and business groups to an ever-growing military budget. Not because they are bad men, but because they are ordinary men, under the spell of the military mind, they will help to build up other social and civil contacts for the military.

THE CITIZENS' MILITARY TRAINING CAMPS—FREE VACATIONS

In his final report upon retiring as Chief of Staff of the United States Army, Maj. Gen. Charles P. Summerall admitted what I have always insisted, "From what has been said, it is apparent that the camps do not directly serve to promote any military objective. The chief benefit to the Army lies in the increased confidence in its personnel on the part of the civilian population which has followed from the many contacts incident to the conduct of the camps."

Mr. WAINWRIGHT. Mr. Chairman, will the gentleman yield?

Mr. COLLINS. Yes.

Mr. WAINWRIGHT. I would like, and I think a great many of us would like to know whether the gentleman under his oath, and his responsibility as a Member of this House for the national defense, as a matter of fact would be in favor of doing away entirely with the Reserve Officers' Training Corps and the citizens' military training camps, and all of the other auxiliary components of the Army, practically cutting in two, or disposing of the Army altogether?

Mr. COLLINS. I agree with General Summerall that the citizens' military training camps are worthless as a military organization. I think the Reserve Officers' Training Corps ought to be made elective instead of compulsory. Give its members an opportunity to take it if they want it and not have it forced on them, as is now being done. Not a single farmer boy of this country can take a course in agriculture unless he is forced to take military training, except at the University of Wisconsin; and in many regions no boy can take a mechanical course without being forced to take military training. I want the citizens' military training camps abolished because they are worthless, and I want to make the Reserve Officers' Training Corps optional in the colleges and universities of the country. Have I answered the gentleman?

Mr. WAINWRIGHT. No; not entirely.

Mr. COLLINS. What else does the gentleman want?

Mr. WAINWRIGHT. I ask the gentleman from Mississippi if he advocates doing away with the Reserve Officers' Training Corps. I understand his answer is that he does not advocate doing away with it but simply changing it?

Mr. COLLINS. So as to make it elective.

Mr. WAINWRIGHT. So as to make it elective. Now, with regard to the citizens' military training camps——

Mr. COLLINS. I agree with General Summerall that they are worthless from a military standpoint.

Mr. WAINWRIGHT. I am sure the gentleman must have had considerable opportunity to observe the citizens' military training camps. Am I wrong in believing that the gentleman thoroughly approves of the wonderful effect that that training in the citizens' military training camps has, both in the promotion of citizenship and the physical and all other kindred qualities in the young men who take advantage of the privilege extended by the Government in connection with the citizens' military training camps?

Mr. COLLINS. I think from the standpoint of military training the training is worthless. When it comes to citizenship I think I know more about citizenship than some Army sergeant. I think I know more about courtesy than the average Army sergeant; and I do not want my boy to be taught citizenship and courtesy by any Army sergeant. I want educators who know their business to teach him.

Mr. WAINWRIGHT. Fortunately, as far as the citizens' military training camps is concerned, there is a very large and growing element in this country who totally disagree with the gentleman's reflections on the citizens' military training camps.

Mr. COLLINS. I know that. I have already stated that and I have stated why. They have their hands in the Treasury. That is the reason. [Applause.] They do not want it stopped. That is the reason we keep on wasting money on such activities.

That is not all that General Summerall said.

The popularity of the camps has increased to such an extent that the procurement of students no longer constitutes a problem. First-year trainees, who are too young to obtain employment in civilian occupations, naturally form the bulk of the attendance. The percentage of those who return for the more advanced training of subsequent years falls off progressively with the increasing age of the trainees and their need [he might have said their ability] to seek a gainful occupation. The chief benefit to the country flowing from the citizens' military training camps lies in improved citizenship qualifications, which can not fail to result from their influence.

There you have it! The camps are not for military preparedness, but for building military mindedness, which is considered the proper "qualification for citizenship" by military leaders, of course.

A few figures are enlightening. The enrollment in 53 of these camps for 1930 was 39,061 students at the opening of the camps. Some got homesick and the number was 37,690 at the close. The number of military personnel used to chaperone, tend, and entertain these youngsters was 1,137 Regular Army officers, 7,392 enlisted men, 2,911 reserve officers, and 131 civilian employees, making a total of 11,571 tutors, at an expense of $2,742,158 directly appropriated, plus pay of personnel, plus free issues.

All this expenditure of men and money produced in 1930 the large total of 24 trainees graduating into the Officers' Reserve, 10 of them accepting the appointment.

We trained 40,000 men and got 10 officers out of them. Now, I think even the gentleman from New York [Mr. WAINWRIGHT] ought to be willing to admit its utter worthlessness as a military arm of the Government.

Mr. WAINWRIGHT. I will say to the gentleman that I certainly do not; and, of course, as he well knows, the citizens' military training camps are not supposed to be an officers' training school.

Mr. COLLINS. I am going to quit trying to persuade the gentleman from New York. It seems to be impossible.

Mr. WAINWRIGHT. The Reserve Officers' Training Corps is the officers' training school.

Mr. HUDDLESTON. Will the gentleman yield?

Mr. COLLINS. I yield.

Mr. HUDDLESTON. You got 10 officers out of the total number of trainees?

Mr. COLLINS. Yes.

Mr. HUDDLESTON. What value are they from a military standpoint?

Mr. COLLINS. Practically none.

Mr. HUDDLESTON. So that we got nothing out of it?

Mr. COLLINS. Absolutely nothing. If we went to war to-morrow, they would fight with a Reserve Officers' Training Corps pony, because that is all they know.

Their training is so watered down as to be of little value. Furthermore, they are taught by these same Army officers I described as tradition ridden.

Mr. PARKS. Mr. Chairman, I make a point of order of no quorum.

The CHAIRMAN. The gentleman from Arkansas [Mr. PARKS] makes a point of order that there is no quorum present.

Mr. STAFFORD. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The gentleman from Wisconsin [Mr. STAFFORD] moves that the committee do now rise.

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. STAFFORD. Mr. Chairman, I ask for tellers on the vote.

Tellers were ordered, and the gentleman from Wisconsin [Mr. STAFFORD] and the gentleman from Arkansas [Mr. PARKS] were appointed tellers.

The committee again divided, and the tellers reported that there were—ayes 2 and noes 87.

So the motion to rise was rejected.

The CHAIRMAN. The Chair will count. [After counting.] The Chair has been able to count over 20 Members in the Chamber who did not pass between the tellers. A quorum is present.

Mr. PARKS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. PARKS. On the report of the tellers there were 87 in the negative and 2 in the affirmative. Is that correct?

The CHAIRMAN. That is correct.

Mr. PARKS. Does the Chair announce that that number constitutes a quorum?

The CHAIRMAN. It is not a quorum, but the Chair counted more than 20 Members who did not pass between the tellers. There are more than 100 Members present in the Chamber at this moment by count of the Chair. A quorum is present, and the gentleman from Mississippi is recognized.

Mr. COLLINS. Mr. Chairman, last year I took occasion to call your attention to the Manual on Citizenship Training prepared for the guidance of officers assigned the task of leading these citizens' military training camp boys and other boys under military tutelage. I want to repeat their description of democracy:

> Democracy: A government of the masses. Authority derived through mass meeting or any other form of direct expression. Results in mobocracy. Attitude toward property is communistic—negating property rights. Attitude toward law is that the will of the majority shall regulate, whether it be based upon deliberation or governed by passion, prejudice, and impulse, without restraint or regard to consequences. Results in demagogism, license, agitation, discontent, anarchy.

Mr. GLOVER. Will the gentleman yield?

Mr. COLLINS. I yield.

Mr. GLOVER. Was that the rule of democracy by which my people were judged yesterday by the distinguished chairman of the Appropriations Committee as being communists?

Mr. COLLINS. I do not know. I can not say about that.

Mr. HUDDLESTON. Is that the textbook used at the citizens' military training camps?

Mr. COLLINS. That is right.

Mr. HUDDLESTON. And that produces the good citizenship that the gentleman from New York referred to?

Mr. COLLINS. That is right. I wish also to repeat their reference to peace education—

> The attempt to undermine the Nation from within is more serious than the threat of armed force from without.
>
> An impractical and destructive idealism called internationalism is being propagated by certain foreign agitators and is being echoed and reechoed by many of the Nation's intellectuals. Its efforts are to combat the spirit of patriotism, to destroy that spirit of nationalism without which no people can long endure—

Now, gentlemen, make no mistake about this, no nation can make it so pleasant and profitable for little boys to play with flesh and blood soldiers, to study the old military follies, without tragic social and political consequences. While the enlightened churches and the forward-looking schools of this country are trying to build attitudes looking toward peaceful methods of settling international disputes and toward the eventual abandonment of barbaric military ways, the War Department is spending millions of dollars of the taxpayers' money in propagating and popularizing an obsolete military machine and the military method for which it stands.

This is worse than suicide; it is political insanity.

THE WAR DEPARTMENT INVADES THE SCHOOLS

In a class with these sugar-coated, militarized, free vacations at camp is this parading the Army in the rôle of schoolmaster. Military training in schools and colleges receives Federal aid under three provisions of this bill—the Reserve Officers' Training Corps, schools under section 55–C, and those under the National Rifle Board.

Reserve Officers' Training Corps enrollment at institutions

	The Reserve Officers' Training Corps enrollment	Number institutions	War Department representatives
September—			
1920	98,849		
1924	125,504		
1929	129,958	228	1,743
1930	131,033	230	1,744

This bill carries an item of $3,960,000 for the Reserve Officers' Training Corps, but this sum by no means represents the total cost of the training. Last year $4,652,743.70 went into salaries and an unknown amount into free issues of equipment—in addition to the appropriation.

FIFTY-FIVE C SCHOOLS

Last year 60 cities, enrolling 15,944 cadets, received War Department aid for military training under this arrangement, with 27 Army men on duty. This year 57 institutions enrolled 13,666 cadets with 27 War Department men on duty.

Schools to the number of 23, enrolling 2,310 cadets, are given aid by the National Board for the Promotion of Rifle Practice.

Mr. PATTERSON. Will the gentleman yield for a question?

Mr. COLLINS. Yes; I yield.

Mr. PATTERSON. Where they have this training in the schools and make it compulsory, as they do in the land-grant college in my State and probably in the gentleman's State, would it make any difference in the amount of money they get from the Federal Government if they do not have it compulsory?

Mr. COLLINS. It would make no difference in the money they get under the land grant act, but it would affect the number of men and materials from the War Department for the Reserve Officers' Training Corps.

Mr. PATTERSON. In other words, it would be based entirely on the number of people who take the training, and if they did not make it compulsory there would not be many taking it.

Mr. COLLINS. Certainly. In one of the western institutions—I think it was a California college—when they made it elective the War Department withdrew the Reserve Officers' Training Corps unit entirely.

Mr. GLOVER. Will the gentleman yield for a question?

Mr. COLLINS. Yes.

Mr. GLOVER. Is not the teaching of militarism, which this would amount to, the very thing that overthrew Germany and would overthrow this country if it is carried out and enforced?

Mr. COLLINS. I want the gentleman to understand my position. My position is that I want to make the Reserve Officers' Training Corps training elective in these colleges.

Mr. GLOVER. That is my position, too.

Mr. COLLINS. Instead of compulsory.

MORE WASTE OF FEDERAL MONEY

Analyze these figures. The War Department subsidizes military training in 313 schools and colleges, enrolling 147,009 cadets, at an unknown cost—it was $10,696,504 for the Reserve Officers' Training Corps alone in 1925, the last year for which complete figures are available; it is surely higher now—and supplies 1,771 instructors.

A drive is going to be made on us at this Congress. The War Department itself saw fit to take out of the schools about 47 retired Army officers who are on active duty. Their idea was to replace them with younger men, who have the right to be promoted as they go along through life. There is going to be a drive made upon Congress this year to set aside the wishes of the War Department in that regard and keep those old retired men in the schools of the country.

Mr. HUDDLESTON. Will the gentleman tell us why that is to be done?

Mr. COLLINS. It is because these retired officers on active duty are receiving about twice as much money on the active list as they would receive if they were on the retired list, and they want to stay in the schools, where they are not doing anything, so they can get twice as much money. This is a result of propaganda inaugurated by them.

Mr. HUDDLESTON. This drive is inaugurated by them?

Mr. COLLINS. By them.

Mr. HUDDLESTON. In their own selfish interest?

Mr. COLLINS. Yes. The War Department states that these men will be replaced by other officers.

Mr. BARBOUR. Will the gentleman yield?

Mr. COLLINS. Yes.

Mr. BARBOUR. It will not make any difference whatsoever in the Reserve Officers' Training Corps?

Mr. COLLINS. Not a particle, so why does the Congressman want to take Colonel Jones, who is 75 years old, and keep him in a school instead of putting in that school some wide-awake younger officer?

Mr. PARKS. They think he would do less harm than a younger man would do.

Mr. COLLINS. If I felt that way about it, I would be in favor of keeping him there.

Mr. PARKS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN (Mr. HOOPER). The Chair will count. [After counting.] One hundred and twelve Members present, a quorum.

Mr. COLLINS. Last year they secured only 5,870 reserve officers and 25 other graduates too young for commissions. If these graduates follow the example of previous graduates, half of them will drop their interest in the reserves within a very few years, leaving 2,947 officers for all this effort.

How does the War Department justify these expenditures and this inefficiency? With the usual old arguments about teaching patriotism, citizenship, courtesy, and so forth?

TEACHING THE BOYS TO SERVE

For several years I have pointed out different ways in which these cadet corps are made attractive; I have told you how:

First. Many prizes are offered for various forms of cadet activity.

Second. Better and more expensive uniforms are supplied cadets year after year.

Third. The advanced students are paid commutation of subsistence for work for which the schools usually give them academic credits.

Fourth. Many parades and public functions are held, where the mammas and papas can see Johnnie march with the band.

Fifth. They are paid to go to camp.

Sixth. Polo ponies help to remove the drudgery from this life of serious service and the boys get pay as well as college credit for the polo. The Reserve Officers' Training Corps has 1,906 horses and still has its 13 mules. I have heard the Army is trying out a new game called mule polo, that is played with brooms and a soft ball. I hope none of these mules get rough with the college boys.

Seventh. They have honorary military fraternities and social clubs for the ambitious.

Eighth. Certain schools are designated as honor schools. This system encourages local patriotism and enrolls the whole community in an effort to boost their cadet corps into this distinction.

Ninth. In some schools the brightest and most prominent boys socially are drawn into the cadet corps, in an effort to make it an exceptional honor to be with this body of the élite, who are set off by their uniform and are given special opportunities to display themselves before the community.

Tenth. And the ladies! If only the CONGRESSIONAL RECORD carried halftones, I would like to place on record the photographs of some of these fine young Amazons who don Sam Browne belt and puttees to strut for their old Uncle Sam.

In the final report of General Summerall, referred to above, he said:

> Through the wide distribution of stations and the detached duty of officers with the civilian components, the Army is now in contact with nearly every community in the land. With few exceptions, the officers and enlisted men are held in high esteem, and in many cases take a leading part in the life of their environment. * * * It is incumbent upon our service schools to stress cultural training in order that our officers may be adapted to the many forms of business, industrial, and educational life of the communities in which they are stationed.

And, in the main, these officers are quite ingenious in their efforts to find new ways to teach the boys and girls to serve their country. Last year I told you about their teaching polo, the rich man's game, to the socially ambitious. I told you of one institution where they proposed to teach snowshoeing. Let me introduce some more delightful social services.

The CHAIRMAN. The gentleman has consumed one hour.

Mr. COLLINS. Mr. Chairman, I yield myself 30 minutes.

The CHAIRMAN. Without objection, the gentleman from Mississippi is recognized for 30 minutes.

There was no objection.

Mr. COLLINS. The first story comes from the Bangor (Me.) News for November 13, 1930:

A dancing school is to be opened for the Reserve Officers' Training Corps. Major Baldinger stated that at all military academies dancing is compulsory, and he had noticed many of the cadets were unable to dance. The lessons are to be charged for at the rate of 50 cents each. The dancing instructors are to be experts selected from the ranks. The head instructors are Carleton Myers and Max Epstein. After the beginners have advanced somewhat, girl instructors will be procured from the student body to put on the finishing touches. The proceeds are to go to the expense of the dancing school and the remainder to the balance in the officers' treasury. An informal dance is to be given by the Reserved Officers' Training Corps at city hall on November 28, the admission charge to be 50 cents.

Gentlemen, this is some of the military training we are providing for the youth of our country to make us safe against any invasion by foreign armies. If this is not bunk, then I never heard of any.

The Huntsville (Ala.) News for December 24, 1930, carries a patriotic notice:

RIDING CLASS PLANNED

AUBURN, Ala.—Announcement has been made by the Reserve Officers' Training Corps unit of the Alabama Polytechnic Institute of intentions to organize a horseback-riding class for young women starting soon after the New Year.

A little rougher, if not more manly sport is announced in the Princeton (N. J.) Herald for March 14, 1930:

WILD WEST FEATURES ARE ADDED TO RESERVE OFFICERS' TRAINING CORPS HORSE-SHOW PROGRAM

A demonstration of the riding of bucking horses, a fancy roping exhibition, and the driving of gun carriages through an archway of flames are three features which have been added to the program of the Eleventh Annual Horse Show of the Princeton Reserve Officers' Training Corps, which will be held in the Riding Hall on Wednesday evening.

The prizes which will be offered for the various events will be on display at the Princeton University Store next week. The Horse Show, tickets for which may be procured at Marsh's Drug Store, is under the direction of Cadet Lieut. Col. Russell D. Higgins, 1931, and Cadet Capt. William D. Campbell, 1930.

But the worst blow of all to my southern pride comes in a notice in the Chambersburg, Pa., paper for March 3, 1930:

MILITARY GENTLEMEN PREFER BRUNETTES

STATE COLLEGE, March 3.—The accepted theory relative to blondes and their attraction for gentlemen received a setback at the Pennsylvania State College when the student officers of the Reserve Officers' Training Corps elected their coed. honorary colonels. All three of the women students elected to the staff of the Penn State regiment are brunettes, lassies with brown eyes and dark hair.

The trio—Miss Helen Keepers, of Greencastle; Miss Anna E. Hoke, of Harrisburg; and Miss Anne A. Gillouly, of Johnsonburg—were presented at the annual military ball. The regiment will later see the honorary officers at all of its formal functions, the coeds in their special uniforms taking places with the commanding officers. At all reviews they will be in the reviewing stand.

The election of honorary officers, held this year for the first time at Penn State, is expected to become a traditional event at the college.

I know this sounds foolish. It is foolish, but this is what we are paying for, gentlemen, and we have no one to blame but ourselves for such foolishness. We may try to blame some one else, but we are responsible for it.

Mr. PARKS. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Arkansas rise?

Mr. PARKS. Mr. Chairman, I rise to say that I think the blondes have as much right to preference as the brunettes, and I do not believe there is a quorum here. So I make the point of order of no quorum, so the Members may hear the gentleman's speech.

The CHAIRMAN. The Chair will count.

Mr. RAMSEYER. Will the Chair permit an interruption for a suggestion as a point of order?

The CHAIRMAN. The Chair is counting.

Mr. RAMSEYER. It is so manifest and apparent that this point of order is made for dilatory purposes that I make the point of order it is dilatory. The rule provides that points of order made succeeding each other without intervening transaction of business are dilatory.

The CHAIRMAN. The Chair is not prepared at this stage to say that the motion is a dilatory motion.

Mr. RAMSEYER. It has not been two minutes since the Chair counted and found a quorum present.

The CHAIRMAN. The Chair would not want to hold that at this time. The Chair will count. [After counting.] One hundred and twenty-one Members present, a quorum.

FALSE EDUCATIONAL CLAIMS

Mr. COLLINS. Many citizens are led to accept this sugar-coated militarism through the extensive advertising of the Army, which calls it physical training, discipline, education in citizenship, and such. And they carry on very elaborate programs of constantly drumming this idea into our minds through posters and many other devices. But the public must not be fooled. Our impartial authorities on education dispute every one of these claims. Last year I quoted the report of the commission of the department of superintendent of our National Education Association:

It is often claimed that military exercises, whether we call them military training or military drill, offer the best method of training pupils in obedience, promptness, truthfulness, industry, and other desirable personal traits; in short, of developing personal character and of training pupils physically. Those engaged in the work of education are practically unanimous in asserting that these claims have no justification.

It seems to me, ladies and gentlemen of the committee, that the people of this country who know most about the subject of education are the educators of the country and not Army officers and Army sergeants.

If time permitted, I could quote the American Physical Education Association, the World Federation of Education Association, all the State commissions that have studied the question, and many other authorities—all condemning military drill as poor education for civilians when compared with courses taught by regular educators trained to teach youth.

Common sense will tell the ordinary man that some drill sergeant who may have had no training other than his experience in the Army is not as well fitted to teach students as the men and women who spend years in preparing themselves in our regular colleges and normal schools. Our military system quite naturally makes no provision for preparing officers or men for public-school or college teaching.

COMPULSORY TRAINING IN SCHOOLS

War Department testimony before our committee showed that federally subsidized military training is compulsory in 90 colleges and in 25 city public high-school systems. While no Federal law makes the training compulsory, the fact that the War Department pays for these military courses, while local authorities would have to pay for physical training and other alternatives, makes the Federal Government responsible for the continuation of the compulsory feature.

A study of the history of this training in the colleges will also show that Army men have done much to help keep these units compulsory. The War Department, I am told, refused to allow a leading western college to drop the compulsory feature, and when the college insisted upon making the work optional, the War Department withdrew the unit entirely—in spite of the fact that the college wanted an optional unit. General Summerall said, in his final report, the most serious danger to the continued prosperity of the Reserve Officers' Training Corps that has arisen in recent years lies in the effect of the decision of the Secretary of the Interior, sustained by the opinion of the Attorney General, that military training is not compulsory in land-grant colleges under the Morrill Act. This statement shows that the Chief of Staff favored a continuation of this un-American policy of conscription in peace time. Many War Department representatives in local situations have done everything possible to prevent dropping the compulsory feature.

This practice is especially unfair to farm boys and to students in our great tax-supported institutions who can not afford, in the main, to go to expensive private colleges where there is no compulsory training. Students of agriculture have no choice but to attend colleges where they will be drafted at once into War Department courses. This Congress should provide in this bill that none of these funds shall go into compulsory military courses.

PUBLIC SENTIMENT RISING AGAINST DRILL

Testimony given before our committee brought out the point that large numbers of civic, religious, and educational bodies have officially condemned the present practice of compulsory courses or of having the War Department in the public schools. Here is a partial list of well-known groups that have expressed themselves on military training:

The American Federation of Teachers.
The American Federation of Labor.
The National Women's Trade Union League.
The National Farmers' Union.
The National Grange.
The National Education Association, Department of Superintendence.
The American Physical Education Association.
The National Congress of Mothers and Parent-Teachers' Associations.
The Women's Christian Temperance Union.
The Federation of Women's Boards of Foreign Missions.
The National Council of Jewish Women.
The National Federation of Temple Sisterhoods.
The Central Conference of Jewish Rabbis.
The Federal Council of the Churches of Christ in America (executive committee).
The Northern Baptist Convention.
The National Council of Congregational Churches.
The General Conference of the Methodist Episcopal Church.
The Presbyterian General Assembly.
The Society for the Advancement of Judaism.
The Synod of the Reformed Presbyterian Church.
The Conference of Western Unitarians.
The Disciples of Christ.
The National Student Council of the Y. M. C. A.
The World Alliance for International Friendship Through the Churches.
General Synod of the Reformed Church of America.
The Study Conference of the Churches and World Peace.

I could give you many more, but this is enough to show that those groups that have studied the matter are opposed to the present practice. The only answer of the militarists to this civic demand to free our schools of militarism is to offer greater inducements to students and to local authorities, to increase their advertising, and to put into the field more of these highly polished salesmen General Summerall referred to.

THE NATIONAL RIFLE BOARD REACHES MULTITUDES

This body supplies arms and ammunition to 1,600 rifle clubs, enrolling over 110,000 men and women of all ages. Many other people would enjoy the same sport.

The American Legion will attempt to establish rifle clubs for young people at each of their 12,000 local posts. You may expect a drive for funds to extend this activity until hundreds of thousands of boys and girls are touched by it.

General Reckord is head of the rifle club. He is a fine gentleman, and I have the highest regard for him, but a drive is going to be made by him and his associates to put at each Legion in the United States a rifle club. That will mean that in every Congressman's district in the United States you will have one or more organizations drawing sums from this bill, and these organizations, these clubs, will be formed solely for the purpose of influencing legislation for larger and larger personnel in the Army.

You know that is the purpose of it. You know that these men, these legionnaires of the rifle club, would be perfectly useless in the event of war. What is the use of them except for propaganda purposes? It is not going to be long before this scheme is consummated; it has already begun, and there are 25 to 50 of these clubs at Legion posts at the present time.

THE GIGANTIC PROPAGANDA MACHINE

Propaganda is the art of influencing people's attitudes. One of the most effective ways of doing that is to touch them personally and to reach them through their own personal desires. The figures I have given you show how generously we are financing a program that enables the War Department to give something to hundreds of thousands of people. I want to add one more picture to show how accurate General Summerall was when he said the Army was reaching nearly every American community. I find, for example, that the Regular Army has at least 340 posts, arsenals, fields, offices, and so forth, outside Washington, and 38 procurement planning offices. The National Guard has 3,203 camps, units, and offices. Military training receives Federal aid in 313 colleges and secondary schools, and these boys go to 44 camps under 9 corps-area officers. The citizens' military training camps have 89 procurement offices and camps. The National Board for Promotion of Rifle Practice has 1,600 clubs. The Organized Reserves have 88 offices in 87 cities. There are many duplications in this list, but the total of 5,829 is very suggestive of just how much propaganda power might be used.

You must remember also that these official activities have their unofficial associations backing them up with propaganda and support. The Military Training Camps' Association, with 3,400 workers throughout the country; the Reserve Officers' Association, with local chapters in all leading centers; the Reserve Officers' Training Corps Association; the National Rifle Association, and so forth.

This Congress and the public should also know that the legislative representative of the American Legion and the secretary of the Military Training Camps Association both declared themselves in favor of universal military service before our committee. I am sure that neither the country at large nor the ex-service men would stand for such activities if they looked into the matter.

Mr. KVALE. Will the gentleman yield?

Mr. COLLINS. I yield.

Mr. KVALE. Is this statement the gentleman has just read the individual expression of the representative or is it the opinion of the Legion?

Mr. COLLINS. I hope it is his individual expression. I hope the representative of the American Legion voiced his personal views on that subject. However, whenever the Legion representative of the American Legion comes before our committee, it is generally accepted by the Members of Congress that he is representing the Legion. I do not believe in this instance that he is. I hope he is not, but when he speaks it is generally thought that he is speaking for the organization he represents.

Mr. BARBOUR. In order that the RECORD may show exactly what the representative said I want to read this from the hearings:

Mr. TAYLOR. We are going to use our best efforts to get as high a development of junior marksmanship as 12,000 posts of the American Legion can do it.

At the present time there are certain of them who can not get anything, and we would like to see them get their ammunition and their guns.

Mr. COLLINS. I heard you say a year or so ago that you were one of the advocates of universal military training in the United States.

Mr. TAYLOR. You mean compulsory military training?

Mr. COLLINS. Universal military training.

Mr. TAYLOR. I am for universal military training; yes, sir.

Mr. COLLINS. That is all I want to know.

Mr. COLLINS. Compulsory military training and universal military training mean the same thing.

BUILDING THE MILITARY MIND

We should always remember that the military mind is not a mind that wants war, but a mind that wants bigger and better military preparedness and that sees national defense, national greatness, national security, and civic loyalty in terms of these military tools and of popular support for them.

Secretary of State Stimson said of naval officers opposing the London treaty:

These critics are naval officers—fighting men. They are handicapped by a kind of training which tends to make men think of war as the only defense against war.

President Arthur E. Morgan, of Antioch College, a very distinguished civil engineer, has wisely said (quoted from North Carolina State College Wautaugan for May, 1930):

The military man honestly believes that his primary loyalty is to his country, whereas I believe it is not to his country but to the military profession and the military tradition. A proof of this is the fact, I believe, that the military man has higher respect and regard for the military man in the country of his possible enemies than he has for the man in his own country who deprecates the military profession. * * * Contrary to

his own beliefs, his loyalty is just to his profession and not to his country.

Our so-called military training in the schools is not military trainnig in a technical sense. It is competitive propaganda to secure the loyalty of young Americans to a philosophy of life and of world affairs. As an intellectual and spiritual guide I do not trust the military man.

A significant if only an indirect commentary on the purpose of much of this military activity is seen in an editorial in the Army and Navy Journal for June 3, 1930:

CUT IN FUNDS MAY FORCE OUT RETIRED OFFICERS ON SCHOOL DUTY

It is to be deplored that those responsible for drawing up the War Department budget estimates have seen fit to make a material cut in the appropriation for retired officers on active duty. * * * At present there are 140 retired officers on active duty of whom 111 are on duty as instructors at schools and colleges. So it can easily be seen that where the reduction will come will be from the ranks of the school and college instructors. These retired officers on instruction duty now have under their training, it is conservatively estimated, a total of 45,276 students. * * * With the retired officers removed from this duty the possibility of leaving the field open to the pacifists and antimilitary organizations is not very pleasant.

And, of course, a "pacifist or antimilitary organization" is anyone that does not believe in and support the program for bigger and bigger budgets.

Is anyone here so unacquainted with the workings of the public mind and of the power of subsidized institutions as to think that these appropriations are not laying year by year a groundwork for a great military-minded body of institutions and people? In the name of education for peace, in keeping with the spirit of the times, in response to our obligations under the Kellogg pact, and upon belief of a suffering burdened humanity, I say it is time to reduce these expenditures. [Applause.]

In addition to making the technical changes I have suggested for our Army, the propaganda units provided for in this bill should be completely eliminated in the interests of economy and a saner and safer attitude toward national defense. If the citizens' military training camps, all military training in high schools, and War Department support of compulsory courses in colleges were abandoned, we would save money, be more secure, and stop a lot of propaganda for an obsolete system and for military-mindedness. [Applause.]

The CHAIRMAN. The time of the gentleman from Mississippi has again expired.

The Clerk will read.

The Clerk read as follows:

Office of Secretary of War, $271,907: *Provided*, That no field-service appropriation shall be available for personal services in the War Department except as may be expressly authorized herein.

Mr. JAMES of Michigan. Mr. Chairman, I move to strike out the last word for the purpose of asking unanimous consent to insert here a letter from the late Secretary Good and the bill to which it refers.

The CHAIRMAN. Is there objection?

There was no objection.

The letter and bill referred to are as follows:

WAR DEPARTMENT,
Washington, D. C., July 29, 1929.

Hon. W. FRANK JAMES,
Chairman Committee on Military Affairs,
House of Representatives.

DEAR MR. JAMES: I am pleased to reply to your request of June 21, 1929, for a report on H. R. 2760, a bill to prohibit assignment of certain civilian employees to any bureau of the War Department.

This provision appears in the United States Code on page 37, title 5, section 169; however, the Judge Advocate General has expressed the opinion that this provision is not of a permanent character and its inclusion in the code is erroneous.

If it is not permanent law now, I would prefer that it not be enacted into permanent law, for the reason that it places a restriction upon the War Department that might hamper its activities. I do not favor the enactment of this bill and am of the opinion that this provision should be eliminated from the annual War Department appropriation bill.

If any additional information be desired, I shall be pleased to furnish it.

Sincerely yours,

JAMES W. GOOD, *Secretary of War.*

H. R. 2760

A bill to prohibit assignment of certain civilian employees to any bureau of the War Department

Be it enacted, etc., That no clerk, messenger, or laborer at headquarters of tactical divisions, military departments, brigades, service schools, and the office of the Chief of Staff shall be assigned to duty in any bureau of the War Department.

The Clerk read as follows:

For assembling, classifying, and indexing the military personnel records of the World War, including personal services in the District of Columbia and the purchase of necessary supplies and materials, $200,000.

Mr. JAMES of Michigan. Mr. Chairman, I reserve the point of order on the paragraph.

Mr. BARBOUR. Will the gentleman make the point of order?

Mr. PARKS. I demand the regular order.

Mr. BARBOUR. I am ready to give any information that the gentleman wants, if I can.

Mr. JAMES of Michigan. I do not think that this is authorized by law, and I therefore make the point of order.

The CHAIRMAN. Will the gentleman from California cite the authorization?

Mr. BARBOUR. Authority to appropriate for personal services is contained in the act of June 26, 1930 (46 Stat. L. 817). This is merely a matter of employing additional persons to do this particular work. Practically all of it is for personal services. The act I have cited provides that appropriations without limit may be made for increasing the employees engaged in these various activities.

The CHAIRMAN. As the Chair understands, the gentleman from Michigan makes the point of order to the paragraph beginning with line 15 and ending with line 18?

Mr. JAMES of Michigan. That is correct.

The CHAIRMAN. Will the gentleman from Michigan allow this to go over by unanimous consent, with the point of order pending, until the Chair has an opportunity to examine the act the gentleman from California cites?

Mr. JAMES of Michigan. Certainly.

Mr. PARKS. Is that a unanimous-consent request?

The CHAIRMAN. It is to pass the paragraph over until the Chair has had an opportunity to examine the statute.

Mr. PARKS. It is to accommodate the Chair, and therefore I shall not object.

The CHAIRMAN. The Chair hears no objection.

The Clerk read as follows:

Office of Chief of Engineers, $124,526: *Provided*, That the services of skilled draftsmen, civil engineers, and such other services as the Secretary of War may deem necessary may be employed only in the office of the Chief of Engineers to carry into effect the various appropriations for rivers and harbors, surveys, and preparation for and the consideration of river and harbor estimates and bills, to be paid from such appropriations: *Provided further*, That the expenditures on this account for the fiscal year 1932 shall not exceed $218,830; the Secretary of War shall each year in the Budget report to Congress the number of persons so employed, their duties, and the amount paid to each.

Mr. JAMES of Michigan. Mr. Chairman, I move to strike out the last word for the purpose of inserting at this point a letter and bill sent to me as chairman of the House Committee on Military Affairs from the late Secretary of War Good, regarding this paragraph.

The CHAIRMAN. The gentleman from Michigan moves to strike out the last word and asks unanimous consent to put in the RECORD a certain letter and bill. Is there objection?

Mr. STAFFORD. Mr. Chairman, reserving the right to object, does the letter refer to the amount of money that would be required for the employment of draftsmen and civil engineers?

Mr. JAMES of Michigan. It does.

Mr. STAFFORD. To provide for the additional work imposed on the corps by reason of the last river and harbor act?

Mr. JAMES of Michigan. The Secretary of War stated that there is no law on the subject, and he sent me a bill to introduce to carry out the purposes of the paragraph.

Mr. STAFFORD. I have no objection to the request.

There was no objection.

The letter and bill referred to are as follows:

WAR DEPARTMENT,
Washington, D. C., April 19, 1929.

Hon. W. FRANK JAMES,
Chairman Committee on Military Affairs,
House of Representatives.

DEAR MR. JAMES: I submit the following draft of a bill which I request be introduced in the House of Representatives and enacted into law:

"A bill to authorize services of skilled draftsmen, civil engineers, and other services in the office of the Chief of Engineers

"*Be it enacted, etc.*, That within such limit of cost as may be annually fixed therefor, the services of skilled draftsmen, civil engineers, and such other services as the Secretary of War may deem necessary may be employed only in the office of the Chief of Engineers, to carry into effect the various appropriations for rivers and harbors, surveys, and preparation for and the consideration of river and harbor estimates and bills, to be paid from such appropriations: *Provided*, That the Secretary of War shall each year, in the Budget, report to Congress the number of persons so employed, their duties, and the amount paid to each."

The foregoing is desired in order that there may be substantive law for the item, "Salaries, War Department, office of the Chief of Engineers," which annually has appeared in the War Department appropriation act.

In view of the fact that the proposed legislation is for the purpose of authorizing appropriations, no specific estimates of increased or decreased costs can be given. The costs involved will depend upon annual requirements and appropriations therefor.

If any additional information from the War Department is desired, I shall be pleased to furnish it.

If the Committee on Military Affairs wishes to have hearings upon the proposed legislation, the following-named officer is designated to appear before your committee:

Brig. Gen. Herbert Deakyne, Acting Chief of Engineers.

The proposed legislation has been submitted to the Director of the Bureau of the Budget, who advises that it is not in conflict with the financial program of the President.

Sincerely yours,

JAMES W. GOOD, *Secretary of War.*

H. R. 2025

A bill to authorize services of skilled draftsmen, civil engineers, and other services in the office of the Chief of Engineers

Be it enacted, etc., That, within such limit of cost as may be annually fixed therefor, the services of skilled draftsmen, civil engineers, and such other services as the Secretary of War may deem necessary may be employed only in the office of the Chief of Engineers, to carry into effect the various appropriations for rivers and harbors, surveys, and preparation for and the consideration of river and harbor estimates and bills, to be paid from such appropriations: *Provided*, That the Secretary of War shall each year, in the Budget, report to Congress the number of persons so employed, their duties, and the amount paid to each.

Mr. HUDSON. Mr. Chairman, I move to strike out the last word for the purpose of inquiring of the chairman of the committee if this amount will be sufficient to allow for accelerated development of our river and harbor projects.

Mr. BARBOUR. We are assured that it will. The gentleman from Michigan will note that the amount carried in the bill is larger than that carried in the 1931 bill, and that is due to the fact that there will be additional technical and skilled employees required because of the increased river and harbor work.

Mr. HUDSON. I notice there is an increase, but it seems to me there is an imperative demand that the work be completed in many of these projects if they are of any value at all. It seems to me a larger amount should be appropriated.

Mr. BARBOUR. The Chief of Engineers told us that with the money appropriated this year he has all of the money that he can economically expend; in fact, more. He fixed the amount that he could economically expend at $75,000,000. Sixty million dollars is carried in this bill, and then there is $22,500,000 in the emergency bill which recently passed. The Engineer Corps has ample money to carry on this work, up to the limit of equipment and personnel.

Mr. HUDSON. That is the thing that I want to be sure of. We are increasing the amount?

Mr. BARBOUR. Yes.

Mr. HUDSON. Have they enough here to give them the extra technical labor that will be required?

Mr. BARBOUR. They have ample funds.

Mr. HUDSON. I withdraw the pro forma amendment.

Mr. McCLINTIC of Oklahoma. Mr. Chairman, I move to strike out the last word and ask unanimous consent to extend my remarks in the RECORD by publishing certain telegrams sent to me to-day from the district which I have the honor to represent, in respect to the drought-relief situation.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent to extend his remarks in the RECORD in the manner indicated by him. Is there objection?

There was no objection.

Mr. McCLINTIC of Oklahoma. Mr. Chairman, individuals should be very careful in giving out statements which have a bearing on the means of livelihood applicable to a number of humans. Many in life have all of the comforts necessary, yet the majority of our people at the present time are severely embarrassed because there is no employment, no money being loaned by the banks, and no way to obtain food unless it is furnished by some public agency. Therefore, anyone who would intentionally make a misleading report that affects innocent, hungry women and children to their detriment is entitled to be severely criticized for not following the rule of common decency. Without further comment I am printing a series of telegrams that relate to this caption.

The telegrams are as follows:

ALTUS, OKLA., *January 9, 1931.*

Hon. JAMES V. MCCLINTIC,
House of Representatives:

Press carried statements made by Carl Blackwell, of A. & M., and Clarence Roberts, editor of Oklahoma Farmer-Stockman, contradicting H. T. Kimbell's statement regarding conditions of farmers. These two men are better than 200 miles from our county and had better post themselves before they make any more such ridiculous statements. We can furnish you names, addresses, and number of children of families of 1,752 farmers in Jackson County who must have assistance to get through the winter and make a crop this year.

JACKSON COUNTY DROUGHT-RELIEF COMMITTEE.

JANUARY 9, 1931.

Hon. CLARENCE ROBERTS,
Farmer-Stockman, Oklahoma City, Okla.:

Advised that you have given out statement reflecting upon the credibility of report made by drought-relief committee in Jackson County. I have message to-day stating committee will gladly furnish you with names of 1,752 farmers, in addition to their wives and children, who will have to be given aid. Committee states you can not be posted as to conditions that exist there. Therefore in spirit of fairness I shall gladly pay your railroad fare if you will go to Altus and furnish me first-hand information, as I do not believe you would purposely make statement that is not based on facts. I also wish to say that I have been personally acquainted with George Wright, head of Red Cross, and Henry T. Kimbell, chairman of drought-relief committee for nearly 50 years, both being schoolmates of mine, and any statement they make can be relied upon. Answer collect.

J. V. MCCLINTIC.

JANUARY 9, 1931.

Hon. CARL BLACKWELL,
Agricultural and Mechanical College,
Stillwater, Okla.:

Advised that you have given out statement reflecting upon the credibility of report made by drought-relief committee in Jackson County. I have message to-day stating committee will gladly furnish you with names of 1,752 farmers, in addition to their wives and children, who will have to be given aid. Committee states you can not be posted as to conditions that exist there; therefore, in spirit of fairness, I shall gladly pay your railroad fare if you will go to Altus and furnish me first-hand information, as I do not believe you would purposely make statement that is not based on facts. I also wish to say that I have been personally acquainted with George Wright, head of the Red Cross, and Henry T. Kimbell, chairman of the drought-relief committee for nearly 50 years, both being schoolmates of mine, and any statement they make can be relied upon. Answer collect.

J. V. MCCLINTIC.

JANUARY 9, 1931.

JACKSON COUNTY DROUGHT-RELIEF COMMITTEE,
Altus, Okla.:

I have wired Carl Blackwell, of the Agricultural and Mechanical College, and Clarence Roberts, of the Farmer-Stockman, and offered to pay their railroad fare if they will make trip to Altus and then report to me as to actual conditions. I am determined that your citizens shall have fair consideration.

J. V. MCCLINTIC.

STILLWATER, OKLA., *January 10, 1931.*

Hon. J. V. MCCLINTIC,
Member of Congress, Washington, D. C.:

Have made no statement relative to Jackson County conditions. Only statement made referred to State as a whole and was greatly misquoted in a paper. What I said was "Only a small percentage of farmers in State are in need of Government loans or charity. It would be unfair to say that we do not have a serious situation in the State, neither is it fair to say that the farmers in general are in destitute circumstances. I have heard of no large area of State where people are in dire need. Farmers of northern and northwestern part of State are in better conditions than in other parts of the State. Worst conditions are found in southern, southeastern, and southwestern part of State, where some are having difficulty and will need help. Most of our regular farmers have a fair amount of food and clothing, though little money. We have a number of transient farm laborers who were caught in the State without work and are really in need. Reports coming to my office indicate that in most places the Red Cross and other organizations have been able to care for most of the urgent cases. When asked if the pending legislation would take care of our needs I said I thought it would take care of our most urgent needs." The above statement was made without reference to the present controversy and with no knowledge of or reference to the drought-relief committee report. Not my desire to hamper drought-relief work, and especially in Jackson County, as I was raised there and have many good friends in that county.

C. P. BLACKWELL.

OKLAHOMA CITY, OKLA., *January 9, 1931.*

J. V. MCCLINTIC,
House Office Building, Washington, D. C.:

Strongly urge that drought-relief fund now in conference be made available to meet acute human needs. Have so wired Secretary Hyde. Tentative plans made to-day for detailed private investigation of conditions southwest Oklahoma. Letter follows.

CLARENCE ROBERTS,
Editor Oklahoma Farmer-Stockman.

JANUARY 10, 1931.

JACKSON COUNTY DROUGHT-RELIEF COMMITTEE,
Altus, Okla.:

C. P. Blackwell, of Stillwater, wires, in part, as follows: "Have made no statement relative to Jackson County conditions. Only statement made referred to State as a whole and was greatly misquoted in a paper." Clarence Roberts, editor Oklahoma Farmer-Stockman, states he has wired Secretary Hyde urging drought-relief funds be made available to meet acute human needs; also that he has made tentative plans to make private investigation in southwestern Oklahoma. In view of their telegrams, it is indicative that they were either not posted or were misled in some way.

J. V. MCCLINTIC.

Mr. PARKS. Mr. Chairman, I rise in opposition to the pro forma amendment for the purpose of asking a question of the gentleman from California in charge of the bill. I saw it stated in the press that there are certain items in this bill amounting to nearly $2,000 with which to provide uniforms for certain officers in the Army in order that they might drive White House cars in proper livery. Is that in the bill, or what has become of it?

Mr. BARBOUR. No. It is not in the bill. Nothing of that kind is in the bill.

Mr. PARKS. It was stricken out of the bill?

Mr. BARBOUR. It is out.

Mr. CHINDBLOM. It is not in.

The Clerk read as follows:

For printing and binding for the War Department, its bureau and offices, and for all printing and binding for the field activities under the War Department, except such as may be authorized in accordance with existing law to be done elsewhere than at the Government Printing Office, $500,000: *Provided*, That the sum of $3,000, or so much thereof as may be necessary, may be used for the publication, from time to time, of bulletins prepared under the direction of the Surgeon General of the Army, for the instruction of medical officers, when approved by the Secretary of War, and not exceeding $65,000 shall be available for printing and binding under the direction of the Chief of Engineers.

MILITARY ACTIVITIES

Mr. BYRNS. Mr. Chairman, I move to strike out the last word.

I ask the attention of the gentleman from California [Mr. BARBOUR]. I notice that at this point in the bill which was passed last year—in other words, the current law—this language is carried:

No money appropriated by this act for objects which the economic survey now being conducted by the War Department, when complete and approved, may show as now being wholly or partly required, shall be available for obligation for any other object.

That language is not in the present bill. Why is it not so included?

Mr. BARBOUR. Last year when the bill was being considered it came about from the fact that the President recommended that an economic survey be made to see wherein certain economies could be effected. Reports have been filed and they are receiving further consideration in the War Department. That was put in the bill last year, and in view of the statement which the Secretary of War made to the committee, the committee did not consider it necessary to have it in this bill.

Mr. BYRNS. There was as much before the gentleman's committee at this time as there was last year, was there not? I understand the gentleman to say that this survey, while it is supposed to have been completed, is being given further consideration. Why should that langauge not be carried in this bill in the interest of economy? In other words, this bill, when it goes into effect, will be in effect until June 30, 1932——

Mr. BARBOUR. May I read what the Secretary of War had to say about that?—

Last year, pursuant to instructions from the President, the War Department initiated an economic survey of our Military Establishment in order definitely to fix the Army program, to determine activities not in consonance with modern military science, and to ascertain the trend of development programs for the future—all in order to establish, as far as practicable, a constructive plan for complete, adequate military preparedness.

All agencies of the War Department were actively engaged in this study, which was completed in October, 1929. No publicity has been given to the study for the reason that it contains much data that are necessarily of a secret character, and its disclosure would be harmful rather than helpful. The major premise was the mission of the Military Establishment as affected by national and international factors. Based on this, the personnel and matériel necessary to accomplish the mission, in varying degrees of effectiveness, were considered. Valuable suggestions for possible economies were received from many sources. All were given careful study. A number of the recommendations, before they can be undertaken, must receive the sanction of law. Others involve material changes which can not be made effective except over a period of years.

Specifically, the study was of tremendous value to the War Department. A large number of officers and agencies became familiar with the structure and operation of the Military Establishment. Discrepancies, obstructions, and some duplications of effort were discovered. Where not prevented by law, corrective measures have already been applied. The possibility of effecting economies was early visualized. Some are now being effected. Others are contemplated in the Budget now before you.

Inasmuch as the survey was to be constructive, many new activities were contemplated. Lack of funds, of course, will delay their initiation and accomplishment.

On the whole, the study was of great benefit to the Army as a matter of introspective examination. Definite goals were prescribed for immediate accomplishment or for consideration as future objectives. The committee may be sure that the War Department will always endeavor, within the limits of funds available, constantly to progress in national defense, to modernize its arms and equipment, and effectively to eliminate all obsolete and obsolescent activities.

Other matters that you desire to hear about might be brought out by questions that you will ask.

The reason for not carrying the language in the bill is that we understood from the Secretary of War that the surveys and studies have been completed but the carrying of them into effect has not been accomplished.

Mr. BYRNS. That is a very good reason for putting the language in this bill, it seems to me.

Mr. BARBOUR. This language in the bill last year was as follows:

No money appropriated by this act for objects which the economic survey now being conducted by the War Department, when complete and approved may show as not being wholly or partly required, shall be available for obligation for any other object.

It referred to the study that was then being conducted, which is not the case now.

Mr. BYRNS. I understand the situation to be that last year when the committee was considering this bill it was made clear to the committee that an economic survey was being made by the department for the purpose of putting in certain economies. This language may have been put in there on the recommendation of the President. It may have

come from the Bureau of the Budget. I am not advised as to that.

Mr. BARBOUR. The committee put it in.

Mr. BYRNS. But the committee, in the interest of economy, incorporated this language with the view that if this survey showed during the fiscal year for which the appropriation was made that certain economies could be effected, the appropriations made for that particular purpose should not be available for other objects. That language, of course, was highly proper under the circumstances, because if economies could be effected it was important that the money appropriated should not be used. I can not understand, in view of the fact that the Secretary of War says that some of these economies have been effected and that others will be effected by virtue of this survey, why that language should not be carried in the bill. It does not carry a dollar of appropriation. It is simply a safeguard, and it seems to me that in the interest of economy it should be in the bill.

Mr. BARBOUR. The only reason is that if the survey had been completed, the Secretary of War assured the committee that the economies would be effected.

Mr. BYRNS. Well, the gentleman did not take his word for it a year ago.

Mr. BARBOUR. We did not have his word a year ago, because the survey had not been completed.

Mr. COLLINS. Will the gentleman yield?

Mr. BYRNS. I yield.

Mr. COLLINS. I will tell the gentleman why I think the subcommittee failed to insert the language. It was because the committee was satisfied that the President was not going to bring about any economies in the organization of the War Department. The President's suggested economies were just a flash in the pan, and no worth-while economies have been brought about or will be. The idea prevailed in the committee a year ago that the number of Army officers would be reduced by the alleged survey and that other economies would come, but we have been disappointed and now are certain that none will result.

I think the President told the gentleman from Washington, Doctor SUMMERS, that the number of Army officers would be reduced and the doctor made a speech on the floor, or extended his remarks, giving the number that could be eliminated without hurt to the Army. Since then we have found out that there is going to be no reduction in this number, but really an increase or no material reduction elsewhere. I think that is the reason the committee did not insert this language. Mr. WRIGHT, my Democratic colleague on the subcommittee, had the same idea as I.

Mr. BARBOUR. I do not know what reason influenced the gentleman from Mississippi, but I am sure that was not the reason which controlled the action of the other members of the committee. So far as reducing the Army by 4,000 officers is concerned, there was some talk about that, but there was nothing definite before the committee as to any particular economies.

However, in addition to the survey that was made by the War Department, this committee this year had a survey made of the activities under these appropriations and we were able to cut the estimates of the Bureau of the Budget by $4,000,000 or $5,000,000.

Mr. BYRNS. Would the gentleman have any objection to the incorporation of proper language so as to effectuate just what the gentleman had in mind?

Mr. BARBOUR. I have no objection whatever to that language going back into the bill or any language that will accomplish what the gentleman suggests.

Mr. BYRNS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BYRNS: On page 6, after line 16, insert:

"No money which has been appropriated by this act for objects which the economic survey conducted by the War Department may show as not being wholly or partly required shall be available for obligation for any other object."

Mr. BYRNS. That is exactly the language except that I have changed it so as to show that the survey has been completed.

Mr. BARBOUR. That seems to me entirely satisfactory.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Tennessee.

The amendment was agreed to.

Mr. PARKS. Mr. Chairman, I make a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. PARKS. This bill carries something like one-third of a billion dollars. It occurs to me that with 5,000,000 men out of work this matter should be carefully considered, and while it grieves me to do so, I am constrained to call the attention of the Chairman to the fact that we have no quorum present and I make that point of order.

The CHAIRMAN. The gentleman from Arkansas makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and eight gentlemen are present, a quorum. The Clerk will read.

The Clerk read as follows:

CONTINGENCIES OF THE ARMY

For all contingent expenses of the War Department and of the Army not otherwise provided for, and embracing all branches of the military service, including the office of the Chief of Staff; for all emergencies and extraordinary expenses, including the employment of translators and exclusive of all other personal services, in the War Department or any of its subordinate bureau or offices in the District of Columbia, or in the Army at large, but impossible to be anticipated or classified, to be expended on the approval or authority of the Secretary of War, and for such purposes as he may deem proper, and for examination of estimates of appropriations in the field, $12,000.

Mr. COLLINS. Mr. Chairman, I offer an amendment.

Mr. JAMES of Michigan. Mr. Chairman, I wish to make a point of order against this paragraph.

The CHAIRMAN. The gentleman from Michigan makes a point of order against the paragraph.

Mr. BARBOUR. Does the gentleman make his point of order against the whole paragraph?

Mr. JAMES of Michigan. Against the whole paragraph; yes.

Mr. BARBOUR. We concede the point of order, Mr. Chairman, if directed to the whole paragraph.

The CHAIRMAN. Has the gentleman read the precedents?

Mr. COLLINS. Mr. Chairman, I do not concede it.

Mr. BARBOUR. I understand the point of order is directed against the whole paragraph.

Mr. JAMES of Michigan. And new language.

Mr. BARBOUR. What is the new language?

Mr. JAMES of Michigan. The words "of the War Department and," on page 6, line 18.

The CHAIRMAN. To what portion of the paragraph does the gentleman make his point of order?

Mr. JAMES of Michigan. I call particular attention to the new language in line 18, page 6, the words "of the War Department and."

Mr. BARBOUR. Mr. Chairman, I do not concede the point of order as to that language.

Mr. COLLINS. I believe that if the gentleman will listen to my amendment he will withdraw his point of order.

Mr. JAMES of Michigan. I am willing to hear the amendment; but I am going to insist on the point of order.

Mr. COLLINS. Mr. Chairman, I ask that my amendment may be read for information.

The CHAIRMAN. Without objection, the amendment will be read for information.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. COLLINS: On page 7, line 4, after the word "appropriations," insert "and of military activities."

Mr. COLLINS. That covers everything the gentleman is after.

Mr. JAMES of Michigan. No. I insist on my point of order to the words I have quoted.

Mr. BARBOUR. As I understand, the gentleman's point of order now goes to the words "of the War Department and."

Mr. JAMES of Michigan. Yes.

Mr. BARBOUR. In order to cover expenses which the Comptroller General held could not be paid out of this appropriation under the language as it formerly stood, the committee changed it to read "expenses of the War Department and of the Army." I contend, Mr. Chairman, that there is just as much authority for putting the War Department in there as there was to put the Army in.

Mr. JAMES of Michigan. Of course, there is no authority for either one.

Mr. BARBOUR. We are confining ourselves to the specific language of the paragraph.

The CHAIRMAN (Mr. TILSON). The Chair is ready to rule, although at a loss to understand fully just what is the gist of the gentleman's point of order.

Mr. JAMES of Michigan. I may state that the purpose of the amendment is to get around a decision of the Comptroller General that there is no authority of law for certain expenditures.

The CHAIRMAN. The organic act creating the Military Establishment is very broad, and the powers therein are granted to the War Department rather than to the Army itself. It would seem to the Chair that under the organic act it is far more appropriate to use the words "the War Department" than it would be to use the language "Army activities."

Mr. JAMES of Michigan. There is no legislation for any part of the paragraph.

Mr. BARBOUR. Mr. Chairman, that is an entirely different proposition. The gentleman from Michigan [Mr. JAMES] directed his point of order to specific language. My first understanding was that he made the point of order to the entire paragraph.

Mr. JAMES of Michigan. I did.

Mr. BARBOUR. And then I understood it was directed to the three words, "War Department and."

Mr. JAMES of Michigan. I stated that when the Chair asked me about the particular language.

Mr. STAFFORD. I understand the position of the gentleman from Michigan is that he makes a point of order to the entire paragraph, and to sustain that he points out some language which he thinks militates against the rule.

The CHAIRMAN. In order to get the point of the gentleman from Michigan the Chair asked him to point out the offending language, and the gentleman pointed out to the Chair those three words, and the Chair is ready to rule that these words are in order.

Mr. JAMES of Michigan. I thought the Chair wanted the particular language. Of course, the whole paragraph is subject to a point of order, because there is no law for it; but these particular words were inserted to get around a decision of the Comptroller General as developed before the committee by the gentleman from Mississippi [Mr. COLLINS]. This is to defray the expenses of some gentlemen who may be called here, not on Army matters but on matters pertaining to things outside the Army; for instance, matters pertaining to Porto Rico or to the Philippines.

Mr. STAFFORD. That is a very interesting statement, and I hope the gentleman from California [Mr. BARBOUR] will reply to that.

Mr. BARBOUR. That is going into the merits of the proposition, and we can take that up after the point of order has been disposed of.

The CHAIRMAN. Has the gentleman from Michigan broadened his point of order?

Mr. JAMES of Michigan. Mr. Chairman, I make a point of order against the whole paragraph.

The CHAIRMAN. On what ground?

Mr. JAMES of Michigan. On the ground there is no authorization of law for contingent expenses of the Army, and I also make it against the particular words "War Department and," which is an attempt to get around a decision of the Comptroller General.

The CHAIRMAN. On that particular language, the Chair would overrule the point of order; but if the gentleman will point out anything in the entire paragraph that is not authorized by law, then the Chair will deal with it.

Mr. JAMES of Michigan. I want to call the attention of the Chair to the words "War Department and," and I want to read from page 88 of the hearings, as follows:

Mr. COLLINS. Why do you not get a special bill to take care of it? There would be no trouble about that.

Then on page 89 General Carmichael states:

Recently it was necessary for the Secretary of War to request a distinguished civilian to come to Washington for conference on a highly important matter solely under the civilian administration of the War Department in connection with the affairs of one of our island possessions, but only indirectly affecting the Army. The gentleman came and rendered the service the Secretary of War required without any compensation, but neither the appropriation "Contingencies of the Army" nor any other appropriation under the War Department was available to pay his travel expenses.

The CHAIRMAN. The Chair has before him a decision in which the late James R. Mann took part, from which he would like to read just a few lines:

There are a number of items which are clearly subject to points of order in the bill, but this is an appropriation for the maintenance of the Army.

The present appropriation bill is one for the maintenance of the War Department.

Now, everyone knows that every department of the Government must necessarily have various contingent expenses, and the creation of the department itself, in my judgment, is sufficient warrant for the appropriation of contingent expenses.

Referring to the organic act which created the War Department, the Chair finds ample authority for making an appropriation for contingent expenses of the War Department, and on that point alone would overrule the point of order.

If the gentleman can point out any other offending language, the Chair will then deal with it, but as to this particular language the Chair overrules the point of order.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

I notice in last year's act there was a proviso which restricted the use of these funds for the transfer of surplus property. What was the purpose of the committee in eliminating it from this year's bill? The language is:

Provided, That none of the funds appropriated in this act shall be used for the payment of expenses connected with the transfer of surplus property of the War Department to any other activity of the Government—

And so forth.

Mr. BARBOUR. We are advised that the surplus property to which this referred has been practically exhausted and that there are no more transfers to which this would apply. It would be surplusage in such circumstances, and that was the only reason for taking it out of the bill. It was just that much language in the bill that we were assured was no longer necessary.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent to withdraw the pro forma amendment.

Mr. PARKS. Mr. Chairman, may I ask the gentleman from California a question? Would the gentleman have any objection to the language "of the War Department and," in lines 18 and 19, page 6, going out?

Mr. BARBOUR. That is the language that the committee put in the bill.

Mr. PARKS. Would the gentleman have any objection to that going out of the bill?

Mr. BARBOUR. Yes. I think that language ought to stay in the bill.

Mr. PARKS. Mr. Chairman, I desire to offer an amendment. On page 6, line 18, strike out the language "of the War Department and."

The CHAIRMAN. The gentleman from Arkansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. PARKS: Page 6, line 18, strike out the words "of the War Department and."

Mr. PARKS. Mr. Chairman, I have no particular desire to take up time by discussing the amendment. However, if you adopt the amendment I suggest the language should read "for all contingent expenses of the Army not otherwise provided for," and so forth.

You can send to the Philippines, you can send to Europe, you can send to any part of this globe and bring a man here at the beck and call of the War Department or of some general, if he wants him to come here, and pay his expenses out of this item, if you leave the language as it is in the bill.

I have no objection to paying all the necessary expenses of the War Department, but I do say that with millions of men out of employment and thousands of men to-day bordering on starvation, we ought not to sit here and spend the money of this Government to let an officer of the Army call a man from one end of the United States or from one end of the world to another to testify or to give some trivial information, and in all seriousness I think the language ought to go out of the bill.

Mr. BARBOUR. Mr. Chairman, I do not think anybody would disagree with the statement of the gentleman from Arkansas. We can all agree 100 per cent with his statement, but here is the situation. This does not increase the appropriation one cent. It is exactly the same amount that was carried in the bill last year.

However, there was a situation arose, the committee was told, under which it was necessary to bring a civilian from a distant point here in connection with some matter of importance in the War Department. A man was sent to Washington and the payment of his expenses, which was all he was going to get, was held illegal or not proper under the appropriation by the Comptroller General. This fund is fairly handled in the discretion of the Secretary of War. By simply writing in to the War Department, we provide language which would cover cases like that which arose in the last year, and it is a very proper case.

Mr. McFADDEN. What was the opinion of the Comptroller General?

Mr. BARBOUR. That the language as it then stood, "for all contingent expenses of the Army," did not cover such a matter as that.

Mr. McFADDEN. Would this consolidate other claims which are being held up by the Comptroller General?

Mr. BARBOUR. No; I do not know that there is any case pending.

Mr. CHINDBLOM. This is for the fiscal year beginning next July.

Mr. COLLINS. The situation is this: The Secretary of War brought this individual from the Philippine Islands for a certain conference about Philippine matters. The business did not concern the Army. The Secretary undertook to pay the expenses of the gentleman, but the Comptroller General said that it could not be done. This change in language has been made so that the Secretary can bring persons to Washington or elsewhere and pay their expenses out of this item whether the trip is made for the Army itself or not.

Mr. CHINDBLOM. In this particular case it was to pay the expenses of bringing a man to Washington for a helpful and useful purpose. As a matter of fact the appropriation is for contingent expenses and as the item read in the past, particularly for the current fiscal year, the Comptroller General held that no contingent expenses in the War Department in its administrative capacity can be paid out of that appropriation, but only contingent expenses of the Army.

So that the question is whether we will make this appropriation available for contingent expenses for the executive branch of the department, the War Department, and not confine it to the Army.

Mr. PARKS. If this language is left in you will increase it $2,000 above the Budget estimate.

Mr. BARBOUR. That has nothing to do with this language, nothing whatever. The $2,000 is in there, but it has nothing to do with this language.

Mr. PARKS. That is according to the principle of economy of this administration.

Mr. BARBOUR. If the gentleman will look at the total result of this bill he will not have much to say about lack of economy.

Mr. CHINDBLOM. Well, it is terrible to think that there should be a fund of $12,000 for the contingent expenses of the entire War Department and the Army. That is shocking to the sensibilities of some gentlemen.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arkansas.

The question was taken; and on a division (demanded by Mr. PARKS) there were 6 ayes and 52 noes.

Mr. PARKS. Mr. Chairman, I object to the vote on the ground that it discloses that no quorum is present.

The CHAIRMAN. The gentleman makes the point of order that no quorum is present. The Chair will count. [After counting.] One hundred and two Members are present, a quorum.

So the amendment was rejected.

Mr. COLLINS. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 7, line 4, after the word "appropriation," insert "and all military activities."

Mr. COLLINS. Mr. Chairman, I hope the gentleman from California will accept this amendment. It gives the Military Affairs Committee the same privileges as the members of this subcommittee.

Mr. BARBOUR. Will the gentleman assure us that the Military Affairs Committee will make no more use of it than does the Appropriations Committee?

Mr. CHINDBLOM. Is not the gentleman afraid that this will add enormously to shock the sensibilities of some Member?

Mr. COLLINS. I am not asking for the amount to be increased.

Mr. CHINDBLOM. That might be the result, that somebody would come along and ask for more money.

Mr. BARBOUR. I will agree to strike out the $2,000.

Mr. COLLINS. I do not think it ought to be stricken out. I will agree to strike out the entire paragraph. I do not see why the Congress or the Committee on Appropriations or the Committee on Military Affairs should not have the privilege of knowing something about the activities of the Army.

Mr. BARBOUR. I do not either.

Mr. COLLINS. And with this paragraph in, supplemented by the amendment that I have offered, it should enable both the subcommittee of the Committee on Appropriations and the Military Affairs Committee of the House to find out something about the Army.

Mr. STAFFORD. Will the gentleman point out where the language is broad enough to carry an authorization to allow any committee of the House to utilize this fund?

Mr. COLLINS. The amendment that I offer permits the Military Affairs Committee to make investigations in the field.

Let me make this statement so that everyone will know what is before us. Under the terms of the appropriation as now written the subcommittee on the War Department has the right to investigate estimates in the field. They can go out into the field and find out something first-hand about military activities. It is a pity that this subcommittee has never seen fit to do this. They have the right to do it, but have never done it. We would know more about the activities for which we appropriate. As it is we know scarcely nothing about them.

Mr. BARBOUR. I don't like to have the gentleman include the whole committee in that statement.

Mr. COLLINS. I know as much about this bill as anyone on the committee.

Mr. BARBOUR. I have made several trips out, but never called on this fund for anything. I have paid my own expenses.

Mr. COLLINS. This amendment merely gives the Military Affairs Committee of the House the same right as is now

enjoyed by the subcommittee of the Committee on Appropriations, and I think that this should be done.

Mr. CHINDBLOM. Does the gentleman hold that this appropriation is available for the Appropriations Committee of the House?

Mr. COLLINS. Yes.

Mr. CHINDBLOM. It does not say so.

Mr. COLLINS. I think it does.

Mr. CHINDBLOM. It provides—

For examination of estimates of appropriations in the field—

That is, on the part of the War Department?

Mr. COLLINS. Oh, no.

Mr. CHINDBLOM. It says nothing about committees of the House.

Mr. COLLINS. Under the terms of this act the Subcommittee on Appropriations has the right to use this fund. There is no doubt about that.

Mr. BARBOUR. That was put in there about three years ago for the purpose of providing for investigations in the field by the Subcommittee on Appropriations. There has never been a one-cent piece of the money expended. Any investigations that have been made by the various members of the committee in the field have been made at their own expense. Not a dollar of this has ever been used. So far as I am concerned, I would just as soon see it stricken out.

Mr. CHINDBLOM. If the Comptroller General has approved that construction, I would not have any quarrel with him.

Mr. BARBOUR. He has approved of it so far as it relates to the Committee on Appropriations, but not as to the Committee on Military Affairs or any other committee. I do not want to see this become a growing item. It was put in there, and has never been used. If the proposed amendment is going to result in increasing this and running it into a large sum of money, I do not think it should be adopted. I would rather see the item stricken out than to take any chance of its being increased.

Mr. COLLINS. I think if the membership of this House had first-hand information about the activities of the War Department, we would cut out millions of dollars of appropriations from this bill.

Mr. CHINDBLOM. I am not opposed to the Committee on Appropriations or any other committee using funds that may be available for surveys in the field.

Mr. COLLINS. I understand the gentleman. I know he is one of the best men in this House.

Mr. CHINDBLOM. I simply did not believe that this language was susceptible of the construction that it would be available to committees of the House. If it is, then I have no objection to the amendment proposed by the gentleman from Mississippi.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. COLLINS. Mr. Chairman, I ask unanimous consent to proceed for five minutes longer.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. COLLINS. I think the amendment is wise. I think the Military Committee should have the right to go out into the field and examine War Department activities, and the only way that this can be done is by appropriating money to do it. As for the Committee on Military Affairs I think it should have the same rights as is now enjoyed by the Committee on Appropriations.

Mr. COLE. May not this permit of junketing?

Mr. COLLINS. Suppose it is a junket and that we can save a million dollars by the expenditure of a thousand dollars, would the gentleman be opposed to it?

Mr. BARBOUR. Did the gentleman ever know of a junket that saved a million dollars?

Mr. COLE. I would like to know how much any junketing trip has ever saved.

Mr. COLLINS. It has been in the bill for three years and not a penny of it has ever been expended by the Subcommittee on Appropriations. The gentleman can not say, therefore, that the Subcommittee on Appropriations has been junketing.

Mr. PARKS. The gentleman says that millions of dollars can be saved in this bill by a certain amendment. Does the gentleman know that the president of the Red Cross called on the President and asked him to appeal to the poverty-stricken people of the United States, with 5,000,000 people unemployed, for $10,000,000 to help the starving people of the country, when you might save it in this bill?

Mr. BARBOUR. I do not know where the gentleman gets all these ideas of this bill.

Mr. COLLINS. I hope the gentleman will accept this.

Mr. BARBOUR. I much prefer personally to see the item stricken out, but I shall not object to the gentleman's amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

For contingent expenses of the Military Intelligence Division, General Staff Corps, and of the military attachés at the United States embassies and legations abroad, including the purchase of law books, professional books of reference, and subscriptions to newspapers and periodicals; for cost of maintenance of students and attachés; for the hire of interpreters, special agents, and guides, and for such other purposes as the Secretary of War may deem proper, including $5,000 for the actual and necessary expenses of officers of the Army on duty abroad for the purpose of observing operations of armies of foreign states at war, to be paid upon certificates of the Secretary of War that the expenditures were necessary for obtaining military information, $47,480, to be expended under the direction of the Secretary of War: *Provided*, That section 3648, Revised Statutes (U. S. C., title 31, sec. 529), shall not apply to payments made from appropriations contained in this act in compliance with the laws of foreign countries under which the military attachés are required to operate.

Mr. KVALE. Mr. Chairman, I move to strike out the last word for the purpose of inquiring of the chairman of the committee if he has any information as to how many officers of the Army are now on duty abroad "for the purpose of observing operations of armies of foreign states at war," for the purpose of obtaining military information?

Mr. BARBOUR. As far as I know, at the present time there are none, but that is carried in the bill for the purpose of providing for military observers should occasion require.

Mr. KVALE. But at the present time there are not any?

Mr. BARBOUR. My understanding is that there are none, as such. There may possibly be one in China, but I do not think there is even one there, because the war there seems to be over.

Mr. PARKS. Will the gentleman yield?

Mr. KVALE. I yield.

Mr. PARKS. I notice a provision in the bill—

Provided, That section 3648, Revised Statutes, shall not apply to payments made from appropriations contained in this act in compliance with the laws of foreign countries under which the military attachés are required to operate—

What is section 3648?

Mr. BARBOUR. Section 3648 of the Revised Statutes prohibits advance payments of any kind. There are certain things, small items, for which it is necessary or desirable to make advance payments. Therefore, by putting this language in the bill, it permits that to be done. It is a minor matter. There is nothing of any particular importance covered by that. Subscriptions to magazines in foreign countries, where they require the subscriptions to be paid in advance, and things like that.

Mr. PARKS. I understand that the $47,480 does not cover the entire item. Is that the entire amount that can be expended under this item?

Mr. BARBOUR. Under this paragraph, yes; but that does not include the pay of these officers.

Mr. PARKS. The $81,800 in the next paragraph certainly does not carry it, does it?

Mr. BARBOUR. Oh, no. The pay of the Army covers the pay of the officers.

Mr. COLLINS. There is about $350,000 expended.

Mr. BARBOUR. Does the gentleman want to know what the total cost of the military attaché item is?

Mr. PARKS. Yes. That is the information for which I asked.

Mr. BARBOUR. I understand it costs about $322,000. That is the figure that was given the committee.

The pro forma amendment was withdrawn.

The Clerk read as follows:

For pay of not to exceed an average of 12,000 commissioned officers of the line and staff, $31,066,500; pay of officers, National Guard, $100; pay of warrant officers, $1,734,656; aviation increase to commissioned and warrant officers of the Army, $1,693,512; additional pay to officers for length of service, $7,694,796; pay of enlisted men of the line and staff, not including the Philippine Scouts, $53,183,975; pay of enlisted men of National Guard, $100; aviation increase to enlisted men of the Army, $543,279; pay of enlisted men of the Philippine Scouts, $1,124,182; additional pay for length of service to enlisted men, $3,338,336; pay of the officers on the retired list, $9,358,393; increased pay to retired officers on active duty, $131,132; pay of retired enlisted men, $12,302,416; increased pay and allowances of retired enlisted men on active duty, $5,940; pay of retired pay clerks, $3,375; pay not to exceed 60 civil-service messengers at $1,200 each at headquarters of the several Territorial departments, corps areas, Army and corps headquarters, Territorial districts, tactical divisions and brigades, service schools, camps, and ports of embarkation and debarkation, $72,000; pay and allowances of contract surgeons, $51,276; pay of nurses, $873,400; pay of hospital matrons, $720; rental allowances, including allowances for quarters for enlisted men on duty where public quarters are not available, $6,140,735; subsistence allowances, $5,869,841; interest on soldiers' deposits, $50,000; payment of exchange by officers serving in foreign countries, and when specially authorized by the Secretary of War, by officers disbursing funds pertaining to the War Department, when serving in Alaska, and all foreign money received shall be charged to and paid out by disbursing officers of the Army at the legal valuation fixed by the Secretary of the Treasury, $500; additional pay to officers below the grade of major required to be mounted and who furnish their own mounts, $225,000; in all, $135,464,164, less $800,000 to be supplied by the Secretary of War for this purpose from funds received during the fiscal year 1932 from the purchase by enlisted men of the Army of their discharges, $134,664,164; and the money herein appropriated for "Pay, and so forth, of the Army" shall be accounted for as one fund.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. I wish to inquire what the basis is for the committee fixing $800,000 as the contribution that is made in this bill and in the act of last year from the funds received by the department for discharges in the Army?

Mr. BARBOUR. That is the amount given the committee by the department. It is an estimate of the amount to be received from that source, based on past experience.

Mr. STAFFORD. Has the gentleman any information as to what the total amount of that fund is annually?

Mr. BARBOUR. Yes. Commencing in 1923 it was $259,909.50. I will give it in round figures. In 1924, $685,000; in 1925, $851,000; in 1926, $903,000; in 1927, $971,000; in 1928, $843,000; in 1929, $964,000; in 1930, $902,000.

It is a varying amount, as the gentleman will see, and the attempt is to arrive at an amount in this estimate that is somewhere near the average amount.

Mr. STAFFORD. I believe in the gentleman's elaborate review of the Army he stated the number of officers which the appropriation will provide for. Will the gentleman give me the benefit of that study?

Mr. BARBOUR. An average of 12,000, in round numbers. Actually, 11,973.

Mr. STAFFORD. As I recall the gentleman's statement, the allowance for warrant officers' pay was less than in the pending act.

Mr. BARBOUR. That is true.

Mr. STAFFORD. I did not ask the gentleman to explain at that time why that appropriation is less than last year.

Mr. BARBOUR. That is because there will be 72 fewer warrant officers in 1932 than there are in 1931.

Mr. STAFFORD. Is it the plan of the War Department to reduce the enlisted strength of the warrant officers?

Mr. BARBOUR. It is the law. The law requires a reduction of warrant officers to something more than 600. This bill provides for 966. They are not reducing them until they reach the time for retirement, or by withdrawals or resignations.

Mr. STAFFORD. Do I understand the gentleman to say it is the mandate of the department to reduce the skeleton force for warrant officers until it reaches 600?

Mr. BARBOUR. Yes, sir. The law says, "No vacancies in the grade of warrant officer, except warrant officers in the mine-planting service, shall be filled until the number in such grade is reduced to 600, and thereafter the number shall not be increased above 600." That excepts the mine planters.

Mr. STAFFORD. I may say that my memory is a little hazy. I was on the conference committee when that limit was fixed, but I had forgotten it in the six years of absence from service. I notice we still continue this large amount of pay of officers for the National Guard, $100, and pay of enlisted men in the National Guard, $100. That has been continued for a number of years with the expectation that some day it will be increased, I suppose; or what is the real purpose of carrying this large appropriation?

Mr. BARBOUR. My understanding is that in the event of an emergency it will be necessary to substantially increase this amount. Meantime it is just kept alive. It is a matter of form. The money is not used.

Mr. SABATH. Mr. Chairman, I rise in opposition to the pro forma amendment. I notice this language on page 10, line 3:

Rental allowances, including allowances for quarters for enlisted men on duty where public quarters are not available, $6,140,735.

May I inquire why it is necessary to appropriate this tremendous sum of money for that purpose? Have we not enough camps and housing facilities to house these men?

Mr. BARBOUR. This appropriation provides for officers and enlisted men, and there are a great many on duty at places where there are no Army posts and no quarters available. For instance, officers and enlisted men on duty at the various schools throughout the country. They are scattered throughout the States.

Mr. SABATH. What schools?

Mr. BARBOUR. Colleges and schools for the Reserve Officers' Training Corps. They have to be quartered, and this provides for them. Then there are a lot of men on other detached duty.

Mr. STAFFORD. This fund is available for officers here in Washington?

Mr. BARBOUR. Yes; this fund is available for officers on duty in Washington, too.

Mr. SABATH. I was fearful that the committee might have received some inside information from the chairman of the Appropriations Committee, who yesterday sounded an alarm, and that the committee is trying to provide this appropriation, so that at a time of such imaginary danger as is in the mind of the gentleman from Indiana [Mr. WOOD] we might be ready with funds with which to provide special quarters for the Army of the United States in order to take care of the unfortunate and hungry farmers in Arkansas and Oklahoma, charged by him with being Bolsheviks, whom he charges and holds as being responsible for the closing of so many of the banks in New York and throughout the United States.

Mr. BARBOUR. The gentleman is going to include Chicago in that, is he not?

Mr. SABATH. Oh, yes. I see the gentleman is smiling, so I know he is not serious. Nevertheless, the gentleman from Indiana [Mr. WOOD] yesterday did try to make the country believe there is great danger from that element because he read it in some paper, to which publication, by the way, he is giving undeserved credit and publicity. I do not mean the gentleman from California, but I mean the chairman of the Appropriations Committee.

Mr. BARBOUR. The gentleman means the gentleman from Indiana?

Mr. SABATH. Yes; I mean Mr. WOOD, of Indiana. I want to assure the chairman who is in charge of this measure that I think these people have not been responsible for the closing of banks throughout the United States, and if the gentleman from Indiana would make a thorough in-

vestigation he would come to the conclusion that it is the gambling financiers of Wall Street who brought about these crashes, these bankruptcies, and the closing of banks throughout the United States; and I believe every effort should be made, before it is too late, to protect the remaining banks from the Wall Street wrecking and racketeering financiers. Mr. Chairman and gentlemen, it is not the unfortunate hungry people looking for bread who are responsible for the closing of these banks, as the gentleman from Indiana [Mr. WOOD] would have use believe. I am pleased to learn that the charge of the gentleman from Indiana [Mr. WOOD] was not the reason for this large appropriation.

Mr. BARBOUR. The amount in this bill is about $325,000 less than it was before.

Mr. SABATH. Nevertheless, it is a tremendous amount.

Mr. BARBOUR. Oh, yes; it is a large amount.

Mr. SABATH. To be serious, I really do not know how we can use it all.

Mr. BARBOUR. It is available for all of the officers on duty in Washington, enlisted men on duty here, and a lot of detached officers and enlisted men who are assigned to the various schools throughout the country, to the National Guard, Organized Reserves, and other duty. They have to be quartered, and they are entitled to quarters under the law.

Mr. SABATH. I know; but $6,140,000 is a tremendous sum.

Mr. BARBOUR. It is smaller than it has been in the past, and it is getting smaller all the time. At some of our Army posts there is such a lack of buildings that we are compelled to quarter the officers outside.

Mr. SABATH. I thank the gentleman for the information.

Mr. PARKS. I would like to ask the chairman of the subcommittee a serious question. On page 10, line 13, there appears this language:

Additional pay to officers below the grade of major required to be mounted and who furnish their own mounts, $225,000.

What is that additional pay for?

Mr. BARBOUR. We have gone over that pretty carefully each year for the last two or three years.

Mr. PARKS. I forget from year to year, and these figures are so big.

Mr. BARBOUR. I will say that the amount is getting smaller all the time. To go back into history a little bit, in the seventies there was a law passed which provided that an officer could have two mounts.

Mr. PARKS. I remember that.

Mr. BARBOUR. Below the grade of major an officer having one mount would get $150 a year cash and stabling, shoeing, and everything that goes with the maintenance of a horse, and for two horses he would get $200 a year, with all of these other things. This committee a year or two ago limited an officer to one mount, and this is the money which provides the $150 a year. Previously they had two horses, but now they have one. This amount has been substantially reduced during the last couple of years, because we now provide for one horse instead of two. Does that answer the gentleman's question?

Mr. PARKS. That gives me some information.

Mr. SABATH. Is it not a fact that these officers require more than one horse? They require two or three horses for their polo games, and these are the horses, are they not, for which we are appropriating?

Mr. BARBOUR. It does not make any difference whatever whether they are polo horses or not. I will state to the gentleman from Chicago that down in Georgia recently they played a polo game on mules.

Mr. SABATH. Where?

Mr. BARBOUR. In Georgia. They are very versatile people in Georgia.

Mr. SABATH. No doubt they were much safer on the mules than they are on the horses; at least, if we can judge from their action in the polo games, some of the officers would be safer on mules than they are on horses.

Mr. BARBOUR. The gentleman from Illinois is a better judge of that than I am.

Mr. PARKS. Will the gentleman yield?

Mr. BARBOUR. I yield.

Mr. PARKS. I am not any judge of the difference between a polo pony and a polo mule. I would just as soon have one as the other.

Mr. BARBOUR. One would answer any purpose of mine as well as the other.

Mr. PARKS. Would the gentleman mind putting a provision in here so they could buy polo mules, because we have thousands of them, and we are without anything to feed them while we are waiting for the drought relief bill which is being held up by your people.

Mr. BARBOUR. Why does the gentleman keep insisting that I have anything to do with that?

Mr. PARKS. I did not say the gentleman had anything to do with it, but the gentleman belongs to the crowd on that side of the aisle that will not let this bill go to conference so we can meet the situation, and if we can not feed these animals I would like to send them to the Army.

Mr. BARBOUR. If the gentleman wants to be fair, he will confine his statements to the facts. I do not propose to yield to the gentleman and then be accused of things that I have nothing whatever to do with.

Mr. PARKS. I overestimated the gentleman's influence on that side of the aisle, and I apologize for it.

Mr. BARBOUR. The gentleman certainly did. There is no question about that.

The pro forma amendment was withdrawn.

The Clerk read as follows:

No appropriation contained in this act shall be available for the pay of any officer of the Army on the active list who is employed by or engaged in any manner in connection with any publication not printed at public expense which carries paid advertisements, except that nothing herein shall prevent the contribution of articles gratuitously or for pay.

Mr. WAINWRIGHT. Mr. Chairman, I move to strike out the paragraph between lines 10 and 16 on page 11.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. WAINWRIGHT: Page 11, line 10, strike out all of the paragraph between lines 10 and 16, inclusive.

Mr. WAINWRIGHT. Mr. Chairman, this is a paragraph that should come out of this bill. It has no basis really in justice or in reason.

The effect of this paragraph, if enacted into law, will be to practically very much affect the usefulness of, if not destroy, the so-called Army service journals. This paragraph provides that no part of the pay provided by the paragraph as a whole may be used to pay any officer who is in any way connected with any journal not printed at public expense which carries paid advertising. As a matter of fact, these journals are all of them practically managed by officers on the active list in the sense that officers give some part of their time to the management of these papers, and they all carry paid advertising. So the result of this amendment will be that each one of these service papers will be deprived of the service and the ability and the advice of officers on the active list, because the paragraph provides that no officer engaged in any manner in connection with these publications may receive any of the pay.

Mr. SABATH. Will the gentleman yield?

Mr. WAINWRIGHT. I prefer not to be interrupted.

Among the journals affected would be the Infantry Journal, the Cavalry Journal, the Field Artillery Journal, the Coast Artillery Journal, the Quartermaster Review, and a number of other journals, which those who have any familiarity with the Army will recognize as most valuable and essential publications.

Now, what are the facts? There are 11 officers who give some of their time to the publication of these journals and 22 enlisted men; and of the officers who give any time to it, computing the time they do give to the work, for all these

journals it would take not over the full time of 3 officers of the Army and 8 noncommissioned officers.

If you want to deal a real blow and effect a real injury to the Army, you will let this go through. These journals manifestly can not exist or can not properly be managed and conducted without the active assistance of men who know most about the technical subjects involved.

May I say that, as I recall the colloquy I had with the chairman of the subcommittee, I gathered the impression he was not particularly in favor of dealing this body blow to the Army, and I believe there are other members of the subcommittee who are also not particularly in favor of it. My own judgment is that this is another one of those contributions to the national defense which that eminent military authority upon the Appropriations Committee, the gentleman from Mississippi, has dealt to the cause of national defense. I think this is a pet project of his. This is a perfectly indefensible provision and should come out of this bill.

Mr. PARKS. Mr. Chairman, I desire to make a point of order. Since the Chair a few moments ago so fairly and conscientiously and accurately counted 102 men present, I have noticed 6 men leave the Chamber and only 1 came in. Therefore I believe we have not a quorum present, and, although it grieves me to do so, I must make the point of order that there is not a quorum present.

The CHAIRMAN. The Chair will make another honest and conscientious count. [Laughter.] [After counting.] One hundred Members present, a quorum.

Mr. SABATH. Mr. Chairman, I rise in opposition to the pro forma amendment.

I fully appreciate that these gentlemen who are devoting their time and service to these publications are perhaps rendering greater service to the Army than the gentlemen to whom I referred a little while ago as the expert polo players and others, but not being a militaristic gentleman, I do not read all of these publications, but those that I do read invariably devote themselves to propaganda abusing the House and the Congress, and especially the membership of this House who fail to advocate an increase in the salaries and allowances of Army officials. What other service these publications render to militarism I have failed to observe.

Mr. BACON. Will the gentleman yield?

Mr. SABATH. I yield to the gentleman from New York.

Mr. BACON. I challenge the gentleman's statement that there ever has appeared in any single service journal a single criticism of any Member of this House or of the body itself. The articles that appear in these service journals are entirely technical articles on the different branches of the service.

Mr. COLLINS. Oh, I beg the gentleman's pardon. I can show you magazines here that contain poetry.

Mr. BARBOUR. Not any more.

Mr. COLLINS. Oh, yes. I can show you the ones that I have here and I can show you articles in them on every subject under the sun, and I am going to show you, too.

Mr. SABATH. Perhaps I have been unfortunate in not reading some of the valuable articles to which the gentleman from New York calls my attention. I have also perhaps been unfortunate in not reading some of the verses to which the gentleman from Mississippi calls attention; but I do distinctly recall seeing a great many articles in some of these publications finding fault with the treatment that is accorded to the Army and its officials by this House. Now, I may be in error in charging these articles to the publication which the gentleman has in mind. It might not be the same one. I do distinctly recollect that I have often read articles emanating from military gentlemen in the publications attacking viciously the conduct of the House of Representatives, whenever we have failed to advance to them an increase in their salary.

Mr. WAINWRIGHT. Will the gentleman yield?

Mr. SABATH. Yes.

Mr. WAINWRIGHT. I want to call attention to the statement before the committee in regard to these magazines. May I quote from the hearings before the committee:

> It is considered that each of these publications performs a very useful function in disseminating valuable information to the recipients, and that the high quality of the publications is best insured by the supervision of officers on active duty.

Mr. MORTON D. HULL. Will the gentleman yield?

Mr. SABATH. I yield.

Mr. MORTON D. HULL. I want to ask the gentleman whether these newspapers or magazines are published by an incorporated company, and whether they have stockholders to pay dividends?

Mr. WAINWRIGHT. I understand there is not a newspaper that pays a dividend or a profit to anybody. They are supported from their subscription list and from some paid advertisements. There is not a dollar of public expense goes into them except such time as the Army personnel devote to them.

Mr. COLLINS. I think the gentleman is wrong about that.

Mr. WAINWRIGHT. They are supported by their subscription list and their advertisements.

Mr. COLLINS. Mr. Chairman, it is now about half past 4, and this amendment will require some time for consideration. I think we ought to adjourn now.

Mr. BARBOUR. I am not willing to adjourn now. If we had been able to make the normal progress, I would have been willing to adjourn. I think with the delay we have been meeting we had better go ahead and dispose of this amendment now.

Mr. COLLINS. It is an important amendment, and I think it ought to have more Members on the floor.

Mr. BARBOUR. I think we have a fair number of Members now.

Mr. PARKS. Why can we not run along until around 6 o'clock? I think we ought to have a quorum here.

Mr. BARBOUR. Well, we can get a quorum if there is not a quorum present.

Mr. PARKS. I have been doing what I can to keep a quorum here.

Mr. BARBOUR. Oh, yes; the gentleman has been very helpful to-day. [Laughter.]

Mr. COLLINS. Gentlemen of the House, I have some of these magazines and papers here. Here is one that contains advertisements. It is the Infantry Journal. Here is another, the Field Artillery Journal. Here is the Military Engineer, the Chemical Warfare, the Military Surgeon, and so on.

Mr. COYLE. Has this magazine ever been sent out under a frank?

Mr. COLLINS. No. Here is another one that does go out under a frank—the Seventy-ninth Division Bulletin.

Mr. PARKS. Is the gentleman asking to put the entire magazines in the RECORD?

Mr. COLLINS. Oh, no. Here is the Army and Navy Musician. Most of these magazines are filled with advertising matter. They are edited by Army officers and managed by Army officers and are filled with articles and with editorials on all kinds of subjects.

Here is another one that goes out under the frank—the Bulletin, January 31; it has poetry in it.

Mr. STAFFORD. Real poetry or imitation poetry?

Mr. COLLINS. Here are some more that went out under a frank. Here is also a lot of junk in the form of magazines that went out under a frank.

I have not had time to digest all of this stuff, but it went out under a frank. It contains something here about the Navy Club ball. In it is a theater guide, giving you a write-up about War Nurse, Brown Buddies, Stepping Sisters, the Rope Yarn Service, and so on.

Mr. BACON. What is the name of that?

Mr. COLLINS. It is the Rope Yarn. Here it is. Now, here is a thought for those of you who report daily to some captain or major in the Army: Army officers ought to be Army officers. They ought to be engaged in the business in which they are employed, and should not be runnnig magazines. Some say that it takes only a part of a man's time to run a magazine, but I know better than that. Every-

body who has sense enough to come in out of the rain knows that a magazine such as this, the Military Engineer, containing 100 pages of news material and 30 pages of advertising matter, takes all of the time of many people to get it out. Let us go on further with this. I have a letter here. It is a circular letter, so many like it must have gone out. It reads as follows:

THE UNITED STATES FIELD ARTILLERY ASSOCIATION,
THE FIELD ARTILLERY JOURNAL,
Washington, D. C., January 27, 1930.

POST EXCHANGE OFFICER.

DEAR SIR: The next number of the ——— will carry an advertisement for Vogel boots. Our advertising agency in New York City has personally examined these boots and find them to be all that they are represented.

E. Vogel (Inc.) is sending you, within the next few days, measuring blanks to be used in taking orders for their product. The company will allow 10 per cent to all exchanges for handling their business. They are making the service a price of $22.50 for full calfskin boots. This, of course, where handled through the exchange, will be less 10 per cent.

Your cooperation will be appreciated by this office.

Yours very truly,

J. M. EAGER.

This letter calls the attention of a post-exchange officer to certain boots advertised in the Artillery Journal, of which he is the editor or business manager, and urges this post exchange to buy these particular boots, because they advertise in this magazine. And this letter went out under frank.

I have a magazine here that I checked reasonably well, and I find that every advertisement in that magazine advertises goods that the War Department purchases. The membership of this House knows that the lieutenant colonel or the colonel editing this magazine will be very grateful to the advertisers who are liberal with advertising matter.

The man who is running the magazine is certainly influenced whether he knows it or not. If we appropriate money for Army officers, we ought to get them. We ought not to get newspaper editors and solicitors for advertisements for magazines and newspapers. We ought not to have the mail carrying free letters and correspondence urging post exchanges over the country to buy articles advertised in service magazines.

This is a healthy restriction. The Army ought to take these men now engaged in running magazines and put them to some useful War Department purpose.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. COLLINS. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. COLLINS. They should go into some useful War Department activity. I have no particular friendship for those magazines that are run by independent private agencies. They never have said anything complimentary about me that I ever heard of; but magazines like these, edited and managed by officers of the War Department, with advertisements secured because a particular branch of the Army is back of it, supporting it, and profiting by it, ought not to be permitted to go into the open market and compete with magazines on the outside that are supported by private individuals. It is not fair competition. The officers that are engaged in the running of these magazines are not engaged in the activities for which they were employed, and we ought to stop them and make them pursue the work for which they were employed.

Mr. WAINWRIGHT. Mr. Chairman, will the gentleman yield?

Mr. COLLINS. Yes.

Mr. WAINWRIGHT. Is it not a fact that the gentleman's main objection, and the main thing that he had in mind in having this amendment inserted in the bill, was the question of officers soliciting or having anything to do with soliciting advertising; and if that is so, perhaps there is something in that phase of it. My only point, as I expressed in general debate, is, why kill the whole thing to accomplish that one purpose?

Mr. COLLINS. The amendment goes farther than that suggested by the gentleman. Of course, I would accept it if I could get no better one.

Mr. HILL of Alabama. Mr. Chairman and gentlemen of the committee, I notice my distinguished colleague from Mississippi [Mr. COLLINS] holding this journal up as an argument in favor of the provision of the bill which the amendment seeks to strike out. I have never seen this journal before this minute when I walked down here and picked it up.

Let us see what is in it. Let us see whether it is so bad. The title of it is the Infantry Journal. Journal of the United States Infantry Association for January, 1931. If we turn to the table of contents we find the first story is Industry and the National Defense, by Maj. Gen. George Vanhorn Mosley. Who is General Mosley? He is the officer who is assistant to the Assistant Secretary of War, charged with the mobilization of the industries of this country for preparedness and for national defense. So we find an article here by General Mosley on Industry and the National Defense.

I imagine if we turned to that article we would find that General Mosley has outlined therein how to mobilize our industries so that we may be best prepared to defend our country in time of war.

Another article we find is the Nicaragua Canal Survey.

You gentlemen recall that this House at the last session or the preceding session authorized a survey of the Nicaragua Canal to determine whether or not it is feasible for this Government to construct that canal, and whether or not this Government should construct it. Surely that would contain, I think, only information of the best kind, and information that might be very useful to the country as a whole.

Another article Coordination of the Attack. Still another Tank Divisions. And other articles are Technical Use of Smoke by Infantry Regiments, Antiaircraft Rifle Marksmanship, and Training and Equipment.

I think it is clear as we look at the contents of this journal that it is a publication for educational purposes; that it is a medium through which the infantry branch of our service disseminates to the members of that branch helpful, useful, and needful information. Each branch of the service publishes once a month or bimonthly a magazine disseminating this useful information to its members. How is the magazine published and how is it operated? Each branch of the service has its own association. The members of that branch pay in most instances, I believe, $3.50 yearly for membership in the association, and as a result of that membership this periodical published by the association is sent to the different members.

As I view every one of these publications they are very much alike and very much similar to a law review in a law school, disseminating information among its members. Each branch designates from its branch one officer whose duty it is to publish the magazine. That officer has charge of all the editorials in the magazine, of all the articles appearing therein, and all of the advertisements secured for the magazine. How are those advertisements secured? Not by that officer going around and seeing individual advertisers but by that officer going to a commercial advertising agency and that agency securing the advertisements for a small commission thereon.

The CHAIRMAN (Mr. CHINDBLOM). The time of the gentleman from Alabama has expired.

Mr. HILL of Alabama. Mr. Chairman, I ask unanimous consent to proceed for one additional minute.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. HILL of Alabama. I believe if you will investigate this matter you will find there is nothing in our Army, as constituted to-day, that does more to educate the officers of our Army or to build up the esprit de corps of the

Army than the publication of these different branch journals. [Applause.]

I hope that the membership of this House will not to-day, by leaving this language in the bill, strike down and destroy these journals. Let me say to the membership of the House if this is to be done it should be done not in an appropriation bill but after a bill for the particular purpose has been introduced, after hearings have been held on the bill, and a committee of the House has given full consideration to the matter. [Applause.]

The CHAIRMAN. The time of the gentleman from Alabama has again expired.

Mr. PARKS. Mr. Chairman, I move to strike out the last word.

It seems to me that a terrible thing is about to happen. I do not know just what it is going to be. If this amendment is adopted, it is going to be an awful thing; and if it is not adopted, it is going to be a calamity. If they are going to take time to debate this amendment and destroy the publication of these magazines, I do not know how the Army is going to get along; and, on the other hand, if you do not adopt them and you continue these magazines it looks to me like it is going to be a terrible calamity.

Here we are at 4.30 on Saturday afternoon, and whether that amendment is adopted or not, the flag will still fly over this Capitol and 5,000,000 men will still be out of work, begging for bread. Here we are at this time debating this matter while millions of people are appealing to this Congress for food and for relief. I am compelled to make a point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and twenty-seven Members of the committee are present, a quorum.

The pro forma amendment was withdrawn.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York to strike out the paragraph.

The question was taken; and on a division (demanded by Mr. COLLINS) there were—ayes 55, noes 38.

So the amendment was agreed to.

Mr. PARKS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will say that the last vote shows 93 Members voting, and the Chair saw at least a score who did not vote. The Chair will hold that there is a quorum present.

The Clerk read as follows:

For payment of claims not exceeding $500 each in amount for damages to or loss of private property incident to the training, practice, operation, or maintenance of the Army that have accrued, or may hereafter accrue, from time to time, $100: *Provided*, That settlement of such claims shall be made by the General Accounting Office, upon the approval and recommendation of the Secretary of War, where the amount of damages has been ascertained by the War Department, and payment thereof will be accepted by the owners of the property in full satisfaction of such damages.

DURABILITY OF ALLOYS USED ON METAL-CLAD AIRSHIPS

Mr. CRAMTON. Mr. Chairman, I move to strike out the last word. I have no desire to take much of the time of the committee at this hour, but in his discussion of the metal-clad ship proposition which will come before the committee a little later, the gentleman from New York stated that the metal skin for these airships corrodes, and so forth. Since that statement was made I have made some investigation and assembled some data. I ask unanimous consent to revise and extend my remarks by inserting the statement I referred to, made by the gentleman from New York [Mr. TABER], and a statement with reference to the durability of the metal now used as well as that which has heretofore been used.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to extend his remarks by including the documents referred to. Is there objection?

Mr. STAFFORD. Mr. Chairman, reserving the right to object, does the gentleman's data comprise any reference to the investigation now being made by the Bureau of Standards as to the effect of corrosion on this metal-clad airship after being used for the last 16 months by the Navy?

Mr. CRAMTON. I have no information as to that data but I would welcome any statement they might make upon the subject.

Mr. STAFFORD. I wish to state for the information of the gentleman and also of the committee that I was informed on yesterday that the Navy Department, within a day or two, has taken off some of the plates of the *ZMC–2*, the vessel that was purchased some years back and put into operation only 16 months ago, and sent the plates to the Bureau of Standards for a determination as to the effect of corrosion on them.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CRAMTON. In the address by the gentleman from New York [Mr. TABER], as it appears in the RECORD of yesterday's proceedings, he says, on page 1785:

They state that the metal skin for these airships corrodes, gets so it will crumble after it is exposed to the air for a time. They have not been able to give the small ship which the Navy has the kind of a test that it needs before they enter on this large expenditure.

On top of that the War and Navy Departments both say that the life of this duralumin skin is not as great as the cloth skin. Ordinarily one might question this. The cloth skin, however, is so treated that 75 per cent of the original *Los Angeles* is still in service since 1923, and that being put on the Zeppelin at Akron is better than that put on the *Los Angeles*. So in view of all these things we ought not to go into this.

The question of durability, of lasting quality of the skin of the ship, whether of fabric or of metal, becomes of importance if the two are to be compared.

The truth is, if a comparison is to be insisted upon, a great merit of the ultimate metal clad will be its greater durability under all weather conditions. Even in the present state of the art, while any fabric yet used must be treated with all the care and consideration of a grand piano, carefully housed 95 per cent of the time, to be shielded as much as possible from storm, from the breezes of the ocean, from the rays of tropic sun, the metal clad now proposed can spend 100 per cent of its time in the open, at a mast instead of in a hangar, will be as safe over salt water as on land, and will not fear the Tropics.

My friend TABER has in mind, evidently, duralumin and some experience in corrosion which the Navy has had with it. But even duralumin properly cared for has given good account of itself, as the statement I will present demonstrates. Note the experience of the Ford Co. with planes covered with duralumin.

But the proposed experiment is not to use duralumin but the improved alclad alloy, alclad 17 SRT, with the possibility of even greater advance in perfection of alloy before time for construction to begin if a ship is later ordered. The improved alloy, alclad 17 SRT, with coating of zinc oxide and aluminumized lacquer, will give a durability to the skin of the metal clad which no fabric clad knows. The following statement by Mr. Carl B. Fritsche, president of the Aircraft Development Corporation, gives authentic data upon the durability of duralumin and the more recent alclad alloys.

JANUARY 10, 1931.

Hon. LOUIS C. CRAMTON,
House of Representatives, Washington, D. C.

In re corrosion of thin aluminum alloys.

DEAR MR. CRAMTON: In the debate in Congress on January 9 on the proposed Army metal-clad airship the question was raised as to the life of thin aluminum alloys and their susceptibility to corrosion. Answering your inquiry as to any related experience in the use of these alloys which might throw light on the subject, I have the honor to submit the following:

FORD MOTOR CO. EXPERIENCE, 1924 TO 1930

The Ford Motor Co. to date has built 150 large all-metal airplanes, using aluminum alloys possessing characteristics similar to the alloys which it is proposed to use in the construction of the Army metal-clad dirigible.

The first Ford-Stout metal airplane, called *Maiden Detroit*, was built in 1924, and is still in existence, having been taken out of active service in 1929 and placed in the museum in Detroit. The wings and fuselage of this plane were covered with duralumin, and are still intact, the plane now being about 7 years old.

The large Ford trimotor plane, now on exhibition in the Pennsylvania Station in New York, was built in 1926, and was operated by the Maddux Air Lines until 1929, at which time it was placed on exhibition. This plane is covered with duralumin also, and, although it was operated and moored out in the open for two years or more and furthermore was exposed to alkali desert air, it is reported that there are no indications of corrosion of consequence.

Twelve Ford trimotor planes have been delivered to the Army and Navy, and four additional Ford planes are now being built for the Army.

Mr. Mayo also reports that one of the Ford airplanes covered with duralumin has been operating continuously on the Ford freight line for five years and is still in service, using the original covering.

GAGES AND DESCRIPTION OF ALLOYS USED ON FORD PLANES

The thickness of the covering of the wings and fuselage of Ford airplanes varies from 0.010 to 0.014 of an inch. Experience has been had with three different aluminum alloys.

Plain duralumin used from 1924 to 1928. Experience discloses that when not serviced properly from the standpoint of cleanliness this plain duralumin is subject to intercrystalline corrosion.

For example, one of the Navy planes which was one of the first Ford duralumin jobs turned out has been scrapped because of intercrystalline corrosion.

Alclad alloy used by the Ford Co. from 1928 to 1930, and which so far has developed no intercrystalline corrosion of consequence.

For example, Mr. Mayo reports that in repairing Ford planes covered with alclad, samples of the metal covering have been tested time and time again and found to possess practically the same tensile strength as when new, and indicating no evidence of intercrystalline corrosion.

This alclad alloy is the same metal which was used for the hull covering of the Navy metal-clad *ZMC–2*.

Alclad alloy 17-SRT made by the Aluminum Co. of America, an improvement over the original alclad and a decided improvement over the early duralumin, is being adopted by the Ford Motor Co. this year. It is reported that this latest alloy shows no intercrystalline corrosion whatsoever, except under extreme conditions when exposed to acids, which might attack this metal, or through continuous contact with water having a heavy content of salt.

However, Mr. Mayo reports that by coating this alclad alloy with zinc oxide and aluminumized lacquer it is immune to intercrystalline corrosion and surface corrosion, even when operated practically continuously in contact with salt water. It is reported that this same coating is now being applied to the pontoons and the flying boat hulls of naval aircraft.

Mr. Mayo also reports that concentrated salt spray tests in which the thin sheet metal was exposed continuously for 1,000 hours revealed no corrosion of any consequence, the tensile strength still being within 4 per cent of the original strength and the elongation averaging 12. In my opinion, the severity of this concentrated test might be comparable to the exposure a metalclad dirigible would normally experience in about eight years of continuous operation.

ALLOY USED FOR HULL COVERING OF THE METAL-CLAD "ZMC–2"

The hull covering of the *ZMC–2* is the first alclad produced in commercial quantities by the Aluminum Co. of America. Its gage is approximately 0.01 of an inch, or about the same as the thinnest gage used on the Ford plane.

The metal covering of the *ZMC–2* is now 3 years old.

From each batch of the original sheet metal received during the construction of the ship, sample sheets were laid aside and were exposed in the construction hangar at Detroit; later removed to Lakehurst when the *ZMC–2* was delivered to the Navy, and have been exposed at the Lakehurst hangar under conditions similar to those experienced by the metal dirigible itself.

From time to time samples of these sheets have been tested to determine their physical condition.

The last test was made three months ago—October 9, 1930. Fifty samples of the metal were tested by the Detroit testing laboratory and revealed the following average physical characteristics:

Tensile strength (ultimate), 54,000 pounds per square inch.
Elongation or ductility, 10.

The tensile strength above indicated is 97¼ per cent of the original strength. Attention is directed to the fact that tests of the tensile strength made one year previous, in 1929, indicated an average of 97½ per cent of the original strength. This would indicate that in the past year the tensile strength has decreased only one-fourth of 1 per cent.

The *ZMC–2* was designed with a safety factor in its hull of 5 when operating under maximum pressure.

Allowing for the slight decrease in tensile strength and subtracting for the riveted seams, this would indicate that the hull of the *ZMC–2* still possesses a safety factor of 4 when operating under maximum pressure and a safety factor of 8 when flying under average operating pressure, namely, 2 inches of water.

This would indicate that although the metal in the *ZMC–2* hull is now 3 years old, that the ship has suffered no loss in strength from corrosion of any consequence.

Considering the fact that it is exposed to salt air when flying over the Atlantic in the neighborhood of Lakehurst, it might be advisable in the near future to give it a coating of zinc oxide and aluminumized lacquer, which the Navy is now using on its own flying boats and pontoons.

ALLOY PROPOSED TO BE USED FOR THE HULL COVERING OF THE LARGE ARMY METAL-CLAD AIRSHIP

On the large Army ship the latest and best aluminum alloy, "Alclad 17 SRT," will be used. Its gage will range in thickness from 0.014 to 0.018 of an inch.

Inasmuch as unprotected aluminum alloys resist corrosion in proportion to the cube of their thickness, it is obvious that on an average the resistance of the hull of the Army metal clad to corrosion as compared to the Navy *ZMC–2* will bear a ratio of approximately 5 to 2 in favor of the Army ship. However, it is proposed also to coat the Army ship with the zinc oxide and aluminumized lacquer above referred to, and which, according to Mr. Mayo's experience, makes the thin sheet practically immune to any corrosion, even when exposed to salt water or salt air.

CONCLUSION

In conclusion, it should be borne in mind that practically all development in aluminum alloys has occurred since the World War; that constructive progress is being made year by year in improving these alloys and making them more serviceable and reliable.

Experimental work now going on indicates the eventual practicability of combining the element beryllium with aluminum and thus producing a still more advantageous alloy which will have approximately one-half the weight for the same strength as alclad and bears promise of being immune from any corrosion, even when operating under extreme conditions. The availability of this new alloy is dependent upon the discovery of a process for reducing beryllium ores to the pure base metal at a cost consistent with commercial practice.

It should also be borne in mind that in the event the construction of the Army airship should be authorized within the next year, that by the time we are ready to apply the hull covering to this large airship the metal in the hull covering of the Navy *ZMC–2* will then be 5 years old, and there will be available very conclusive experience on which one may rely with confidence.

Yours respectfully,

CARL B. FRITSCHE,
President Aircraft Development Corporation.

The Clerk read as follows:

For the payment of claims of officers, enlisted men, and nurses of the Army for private property lost, destroyed, captured, abandoned, or damaged in the military service of the United States, under the provisions of an act approved March 4, 1921 (U. S. C., title 31, secs. 218–222), $30,000.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. I wish to make a brief inquiry as to the paragraph just preceding. I desire to inquire whether the committee has any information as to the total amount which the War Department expends annually in the settlement of claims under the authorization there carried.

Mr. BARBOUR. Under this $500 authorization?

Mr. STAFFORD. Yes.

Mr. BARBOUR. It is something around $10,000 or $12,000 a year. In 1930 it was $19,650, and in 1931 it is estimated to be $14,000.

Mr. STAFFORD. I wished to get an idea as to the extent to which the department was availing itself of this provision and the sum it used in the liquidation of these claims.

Mr. BARBOUR. I will state that this small appropriation of $100 is made possible because of the fact that from former appropriations they estimate there will be on hand $22,270 at the beginning of the fiscal year 1932.

Mr. STAFFORD. It rather confused me when I saw the small appropriation of $100, because I felt the department was unquestionably settling claims to a much larger amount, and the gentleman's statement makes that understandable.

The pro forma amendment was withdrawn.

The Clerk read as follows:

QUARTERMASTER CORPS

Subsistence of the Army: Purchase of subsistence supplies: For issue as rations to troops, including retired enlisted men when ordered to active duty, civil employees when entitled thereto, hospital matrons, applicants for enlistment while held under observation, general prisoners of war (including Indians held by the Army as prisoners, but for whose subsistence appropriation is not otherwise made), Indians employed by the Army as guides and scouts, and general prisoners at posts; for the subsistence of the masters, officers, crews, and employees of the vessels of the Army Transport Service; hot coffee for troops traveling when supplied with cooked or travel rations; meals for recruiting parties and applicants for enlistment while under observation; for sales to officers, including members of the Officers' Reserve Corps while on active duty, and enlisted men of the Army. For payments: Of the regulation allowances of commutation in lieu of rations to enlisted men on furlough, enlisted men when stationed at places where rations in kind can not be economically issued, including retired enlisted men when ordered to active duty and when traveling on detached duty where it is impracticable to carry rations of any

kind, enlisted men selected to contest for places or prizes in department and Army rifle competitions when traveling to and from places of contest, applicants for enlistment, and general prisoners while traveling under orders. For payment of the regulation allowances of commutation in lieu of rations for enlisted men, applicants for enlistment while held under observation, civilian employees who are entitled to subsistence at public expense, and general prisoners while sick in hospitals, to be paid to the surgeon in charge; advertising; for providing prizes to be established by the Secretary of War for enlisted men of the Army who graduate from the Army schools for bakers and cooks, the total amount of such prizes at the various schools not to exceed $900 per annum; and for other necessary expenses incident to the purchase, testing, care, preservation, issue, sale, and accounting for subsistence supplies for the Army; in all, $21,237,708.

Mr. HULL of Wisconsin. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HULL of Wisconsin: Page 15, line 3, after the figures, strike out the period and insert the following: "*Provided*, That none of the money appropriated in this act shall be used for the purchase of oleomargarine or butter substitutes."

Mr. HULL of Wisconsin. Mr. Chairman, I hope this amendment may be accepted by the committee and favorably acted upon by the Committee of the Whole.

At this time butter is selling in the markets of this country at less than half the cost of production. The dairymen of this country, who give us one of our largest industries, are suffering from a condition of affairs such as had not existed in this country in 30 years. When Congress met a year ago last April it was for the express purpose of giving the farmers of this country their home market and placing agriculture on a parity with industry. One of the greatest things the dairymen at this time have to combat is the competition of oleomargarine and butter substitutes. Not only is the market flooded with the substitutes of the kind that have been made for a great many years past but of late there has come onto the market, under a recent ruling of the Commissioner of Internal Revenue, a new substitute which is said to be gaining even a more rapid and greater sale than any of the other substitutes which had theretofore been offered.

We are using in the various departments of Government millions of pounds of oleomargarine and butter substitutes in competition with the farmers' dairy products. I understand that in the War Department alone they are using 590,000 pounds, and from that upward, annually.

Considering the fact that dairying is so essential to the prosperity of the country, and that such a large element of our people are affected by the low prices of butter, it does seem to me that this Congress should at least go to the extent of closing to the oleomargarine trade the various departments of Government which have to purchase supplies for employees and others of the Government service—or in its care.

There is no food value in oleomargarine as compared with the food value of butter, and when any department of the Government feeds its people with a substitute for butter, to that extent it is defrauding them of the right to have the good, healthful product which comes from the dairy farms.

I represent a district which has about 1 per cent of all the cows in the United States. In April, 1929, when this Congress first met, we were getting from that dairy product in these eight counties approximately $40,000,000 a year, and at this time, after nearly two years of discussion of means and methods of improving the situation of agriculture, especially in the West, those farmers to-day are receiving not much more than $25,000,000 for practically the same volume of products.

There are various other reasons which might be mentioned, but it does seem to me it is only fit and fair that we let those farmers and dairy people know that this Government is determined that, at least so far as the Army is concerned, the farmers and the dairymen of this country shall have their home markets, and I hope this amendment will be adopted. [Applause.]

Mr. BARBOUR. Mr. Chairman, representing as I do a very large dairying district, I am naturally in sympathy with anything that will increase the sale of dairy products, but this is not the way to do it.

The Army ration is fixed by Executive order. This Executive order prescribes the amount of each of the components of the ration, and it is based on a per man per day estimate. The Army ration, fixed by Executive order at the present time, provides for 1¾ ounces of butter per day, which is a pretty fairly liberal allowance I think. I see the gentleman from Kansas [Mr. STRONG] shakes his head. It is more than we get down in the restaurant here as our allocation at meals.

Mr. STRONG of Kansas. Oh, no. I think every man is served with two and sometimes three pats of butter, which weigh about an ounce apiece, and we have three meals a day.

Mr. BARBOUR. Not the kind I get. The kind I get it would take about 20 to make an ounce.

Mr. STRONG of Kansas. The gentleman means a pound and not an ounce.

Mr. BARBOUR. Well, we will say a dozen.

Mr. STRONG of Kansas. Oh, no.

Mr. SABATH. The gentleman from Kansas has a special table and special service.

Mr. STRONG of Kansas. Yes; and there is no booze on it.

Mr. BARBOUR. Now, let me proceed. The ration calls for an allowance of olemargarine of 0.25 of an ounce per day. I have taken this matter up with the Quartermaster Corps, and I am advised that they furnish butter in all the messes and for all purposes, for use on the table and otherwise, except where a preference for oleomargarine or a substitute is expressed by certain messes, and then they try to give them what they want or what they ask for.

Now, the way to correct this situation, if it is wrong, is not to cut down this appropriation or write something into this bill, but to take it up with the proper authorities and convince them that this supposedly balanced ration is not a balanced ration, and convince them that certain changes should be made in the ration to make it a balanced ration. Let us not try to fuss with it here by cutting off the money to buy the ration without giving it any consideration. The ration is something that should be considered as a whole. As I said in the beginning, I am in favor of selling all the dairy products we can, but I do not believe in doing it in this way, because it is not the right way to do it.

Mr. KVALE. Will the gentleman yield?

Mr. BARBOUR. I yield to the gentleman from Minnesota.

Mr. KVALE. I would like to suggest to the gentleman, who is the chairman of the subcommittee, that at one of the military posts in his own State last month the members of a command were served at one meal with oleomargarine and at another meal with butter—I am talking now about table service—complaints were made, in one instance from the soldier to his father and then to my office, and I instituted an inquiry on the basis of that complaint.

Mr. BARBOUR. That was probably due to the mess itself. You would not hold the War Department responsible for that; but as I understand the amendment of the gentleman from Wisconsin [Mr. HULL], it would prevent the use of oleomargarine or substitutes even for cooking purposes.

Now, let us not go at this with our eyes shut. I am in sympathy with the gentleman in trying to get dairy products used as much as we can, but there is a right way to do that, and this is not the right way.

Mr. HULL of Wisconsin. Will the gentleman yield?

Mr. BARBOUR. Yes.

Mr. HULL of Wisconsin. The gentleman has been familiar, I suppose, with this question in previous Congresses?

Mr. BARBOUR. This question has never come up before in connection with the Army ration, so far as I know.

Mr. HULL of Wisconsin. Has it never been discussed before?

Mr. BARBOUR. Not in connection with the Army ration, so far as I can recall.

Mr. HULL of Wisconsin. Has it been called to the attention of the gentleman's committee at any time this session?

Mr. BARBOUR. No; not until after the hearings were completed. There is a bill pending, I understand, before the Committee on Agriculture, but this comes up at a time when we have not had any chance to go into it and see what the effect will be.

Mr. HULL of Wisconsin. But are there not other departments of the Government which serve only butter in their messes?

Mr. BARBOUR. I do not know what the others do.

Mr. HULL of Wisconsin. If this situation can be reached in this way, why wait on the Committee on Agriculture, or why consult somebody in the War Department, or why beat around the bush when the farmers of this country are looking to the Congress to get some kind of relief from this sort of competition? [Applause.]

Mr. BARBOUR. But the farmers are not expecting Congress to go at a thing of this kind and do it in the wrong way when there is a right way of doing it. What I am trying to prevent is the throwing out of balance, of what is supposed to be a carefully balanced ration. If it is not a carefully balanced ration, then take your story to the men who have charge of this matter and convince them. They are the experts on these questions. Do not try to make a short cut by simply cutting off the appropriation.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. BURTNESS. Mr. Chairman, I have an amendment to the Hull amendment at the desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

After the word "substitute," at the end of the Hull amendment, add the words "for table use."

Mr. PARKS. Mr. Chairman, I desire to make a point of order. This is a discussion on butter for table use. When Arkansas farmers eat nuts as Red Cross supplies fail, and families scour woods for morsels to stave off starvation, although it grieves me greatly, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Arkansas makes the point that no quorum is present. The Chair will count. [After counting.] One hundred and three Members are present, a quorum.

Mr. BURTNESS. Mr. Chairman, I am, of course, in entire sympathy with the Hull amendment; in fact, had a similar amendment pending at the desk; but I feel that the Hull amendment should be slightly modified.

Mr. HULL of Wisconsin. Mr. Chairman, I accept the amendment offered by the gentleman from North Dakota.

Mr. BURTNESS. Then I need say nothing further on my amendment; but would like to add a few words by way of support to the Hull amendment as now modified. The amendment would read:

None of this appropriation shall be used for the purchase of oleomargarine or other butter substitutes for table use.

It eliminates entirely the point raised by the distinguished chairman of the subcommittee that it would eliminate for cooking purposes the purchase of cooking compounds, where they might desire to use oleomargarine or other butter substitutes, as they are generally used for cooking ingredients both in the home and elsewhere.

Mr. BARBOUR. Might there not be some uncertainty in regard to it? Make it read "for other than cooking purposes."

Mr. BURTNESS. I do not know how the gentleman from Wisconsin feels about it, but as far as I am concerned that language would be just as satisfactory.

Mr. BARBOUR. I am not out of sympathy with the purpose of the amendment.

Mr. BURTNESS. I know the gentleman's fine attitude toward agriculture and he could not be out of sympathy with anything that is proposed for the benefit of agriculture. I know he could not be out of sympathy with this amendment, especially at a time like this when, as everybody knows, butterfat is selling for 20 to 30 cents a pound throughout the farm sections.

The gentleman from California tells us that 1¾ ounces of butter are included in a day's ration. Just think of it, what that means. It is a slight fraction over 3 pounds per man per month. I am certain that the gentleman from California will not be considered overweight physically, but I know that he must use more butter than that every month. If this amendment is adopted, it should add about one-seventh to the butter purchases. The oleomargarine purchases now amount to about one-seventh of the butter in each man's ration. Assuming that all is used for table use it would simply increase the butter purchase one-seventh for table use. Surely that is not very much to ask for the assistance of the dairy farmers of this country. It could not hurt the War Department, it could not hurt the Government, and it would be a good thing for Congress at this time to indicate this much sympathetic interest in the dairy farmers of the country.

Mr. STAFFORD. The gentleman does not include the enlisted man who would be benefited.

Mr. BURTNESS. I took it for granted that every Member of the House would realize the advantages of good butter over oleomargarine to the Army personnel; that the vitamins in the butter compared with those in oleomargarine are very much greater. I supposed that was a conceded fact, and therefore deemed it unnecessary to mention it to the intelligent members of the committee. Of course, it would improve the ration and hence be helpful to the entire War Establishment. With prevailing reduced prices of food no extra cost will be involved as compared with former years.

The CHAIRMAN. The time of the gentleman from North Dakota has expired.

Mr. BARBOUR. Mr. Chairman, I ask unanimous consent that his time be extended for two minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BARBOUR. Would the gentleman have any objection to this language?—

Provided, That none of the money appropriated in this act shall be used for the purchase of oleomargarine or butter substitute—

Either—

for table use—

Or—

for other than cooking purposes.

Mr. BURTNESS. Either one of those is satisfactory to me. One is the exact amendment before the committee as proposed by the gentleman from Wisconsin [Mr. HULL] and as modified by mine. The other simply changes "for table use" to "for other than cooking purposes." I think the language suggested by the gentleman from California is possibly preferable to the language suggested by myself, but I am not in a position to accept it, because the amendment is that of the gentleman from Wisconsin [Mr. HULL]. I understand, however, the gentleman from Wisconsin is ready to accept the amendment.

Mr. BARBOUR. Can we agree on this?—

Provided, That none of the money appropriated in this act shall be used for the purchase of oleomargarine or butter substitutes for other than cooking purposes.

Mr. BURTNESS. I take it that the intent of the language now proposed by the gentleman is that on the table the men are to be served with butter and not with any butter substitute.

Mr. BARBOUR. Absolutely.

Mr. BURTNESS. That is as a butter spread.

Mr. BARBOUR. That is the understanding.

Mr. BURTNESS. With that understanding in the RECORD there could be no question as to the construction that could be placed upon it by the War Department. That is satisfactory to me.

Mr. BARBOUR. Will the gentleman change his amendment?

Mr. BURTNESS. The gentleman from Wisconsin has accepted my amendment and I think has already indicated

by his action that he is willing to accept the amendment now proposed.

Mr. HULL of Wisconsin. I accept the amendment proposed by the gentleman from California.

Mr. BARBOUR. Then, Mr. Chairman, I offer the following as a substitute for the Hull amendment.

The Clerk read as follows:

Amendment offered by Mr. BARBOUR as a substitute for the amendment offered by Mr. HULL of Wisconsin and Mr. BURTNESS: Page 15, after line 3, strike out the period, insert a colon, and the following: "*Provided*, That none of the money appropriated in this act shall be used for the purchase of oleomargarine or butter substitutes for other than cooking purposes."

Mr. KETCHAM. Mr. Chairman and members of the committee, I do not want to take up time in discussion of the question, now that the amendment in which we are all interested has been accepted by the chairman of the committee, but I do want to ask him for an interpretation of the word "cooking" and how broad a term that is.

Mr. BARBOUR. I am not an expert along that line; but to cook is to prepare a raw-food product for service on the table by the application of heat, changing it from a raw product to a cooked product.

Mr. KETCHAM. Any of the processes, whether frying or otherwise.

Mr. BARBOUR. I am willing to stand by the definition in Webster's dictionary, whatever that may be.

Mr. KETCHAM. I wanted the gentleman's idea. I thought, in view of his fine spirit in the matter, that he did not intend that there should be any narrow interpretation of the word "cooking."

Mr. BARBOUR. Not at all. I just did not want to complicate the thing so that they would be hampered.

Mr. KETCHAM. Mr. Chairman, I say this only by way of explanation of the interest that so many of us who have agricultural constituents, and particularly dairy constituents, are taking in this amendment. It all arises by reason of the fact of a recent ruling in the Internal Revenue Department, which has struck the dairy interests the most serious blow, probably, that we have known in the last quarter of a century. For those who do not know, I might say it was revealed in a conference this morning that in the brief time which has elapsed since the promulgation of the order on November 12 broadening the use of butter substitutes, the price in the New York market of dairy markets has decreased 10½ cents per pound, causing a loss to the dairy interests varying from, estimated, $1,000,000 a day to $3,000,000 a week. Whatever may be the loss, it is very serious. Those of us who are interested in the dairy business are exceptionally anxious that a change be made in order, and that every possible bit of encouragement may be given the dairy interests in the fight that they are making to reverse that ruling.

Mr. HASTINGS. Will the gentleman yield?

Mr. KETCHAM. Yes.

Mr. HASTINGS. Just to be permitted to say that the same complaint is made against the use of oleomargarine in the various veterans' hospitals throughout the country; and now, since this amendment is about to be adopted, I rise to invite the attention of the subcommittee of the Committee on Appropriations having in charge the preparation of the independent offices bill and request the same amendment be incorporated in that bill with reference to the use of butter in the veterans' hospitals throughout the country.

Mr. SABATH. I rise in opposition to the amendment.

Mr. Chairman and gentlemen, I recognize the conditions that confront the farmers and the dairy people throughout the United States, and I sympathize with you who are honestly trying to aid the dairy interests, but I think you are pursuing a short-sighted policy. I am of the opinion that oleomargarine or butterine contains, as I have been informed from time to time, from 40 to 50 per cent of butter, balance of tallow, lard, and other substances, but practically everything coming from farm products.

You are under the impression that by this amendment you are going to aid the dairy interests. You gentlemen do not seem to realize or wish to realize or recognize the conditions that are responsible for the low prices which the farmer is receiving for his products.

I believe that the wheat growers and other farmers have suffered more in proportion than the dairy interests. Why? Why are prices so low? Why are they going lower from day to day? You do not pay any attention to, and you are not trying to relieve the situation which might help to raise the price of the farmers' commodities. The present demoralized business and financial situation in our country is responsible for the lowering of prices. If instead of trying to stop the use of butterine, to increase the consumption of butter, you would evolve or support a plan that would reestablish confidence and restore business, and thereby create employment for the millions out of work, the depression—which is responsible for the low prices and lack of consumption—and your troubles would be over; and you will then be doing something worth while, something constructive, helpful, and beneficial; and increase the demand for butter without compulsory legislation. What we should do, my friends, is to remedy the evil that has brought about the condition from which not only the farmer but the people of this country generally are suffering.

By this time you should know that these conditions are due to the market crashes of 1929, which led to the destruction of the business and the agriculture of the country. It has affected the entire Nation. It has not only destroyed the prices of stocks but also the prices of commodities. It is, above all, a criminal inflation, brought about by unscrupulous stock manipulators, which was the forerunner of the inevitable crash that destroyed and drained not only the people but the banks of all their available cash, and which, in turn, brought about the present crisis.

Some of my Democratic colleagues charge that these existing conditions are due to the Republican foolhardy tariff legislation and shortsighted foreign policy. No doubt that both have, in a measure, contributed to the present crisis. But I am sure that, upon investigation, you will come to the conclusion that the unscrupulous high financiers of Wall Street who engineered the inflation brought about also the deflation, the crash—yes, the cyclone—that has caused destruction not only to agriculture and business but to the thousands of imposed-upon banks upon whom they unloaded their worthless securities, thereby draining them of all their available cash and liquid assets.

The people of the Nation have suffered tremendously and have no confidence in the future. And still we permit these unscrupulous operators to continue in their destructive practices.

I pointed out to the President in October, 1929, and again in my speech on the floor of the House on the 9th of December of 1929, of the approaching danger, and pleaded for legislation which would prevent, in the future, the repetition of these thieving practices. I felt then, and I feel now, that if we forbid the professional short selling of stocks as well as grains, many of those who have not been caught in the whirlpool of destruction, and who had the foresight to protect their money, will start to purchase, will start to buy, will start to invest. But they will continue to be fearful to do so, unless they feel that they have some protection from the designing, short-selling, market-breaking, and price-manipulating pirates.

If you are actually sincere in your desire to relieve the people of your district and of your country and are unafraid to act, and can unshackle yourselves from controlling and insidious powers, join forces with me in a plan which, if carried out, will, I assure you, shortly reestablish confidence and improve conditions throughout the Nation.

Mr. Chairman, ladies and gentlemen, were the conditions not so serious it would appear ridiculous to hear that in the richest and most advanced nation in the world millions of people are out of employment and in want of food, of which there is an overabundance and much of which goes to decay and waste. And here we are, making no real and sincere effort to evolve a plan for the restarting of the machinery

of the Nation which would lead to the utilization of the labor of the unemployed and which would reestablish confidence and prosperity.

Mr. Chairman, ladies and gentlemen, if you do not quite grasp the feasibility and importance of my suggestions, investigate for yourselves the reasons for these existing conditions, for I know that if you will do so, upon careful investigation, you will join with me in demanding action which will relieve the existing intolerable conditions.

I recognize your manifold duties and activities, but there is nothing of greater importance—nothing that will redound more to your credit than your cooperation or your action which might be instrumental, at least to a minor degree, in restoring normalcy to the people, in bringing order out of chaos, and in bringing about contentment and happiness, instead of the prevailing fear and discord.

The time will not permit me, but I hope you will read the editorial appearing in Paul Block's newspaper, which I know you will admit justifies my crusade against short selling.

"SHORT SELLING" SHOULD BE STOPPED

Newspaper reports of the meeting between President Hoover and Messrs. Whitney and Lindley, president and vice president of the New York Stock Exchange, indicate that they discussed the gravity of "short selling" of securities and commodities by professional speculators.

We have always believed, and believe now, that short sales—the sales of stock not actually owned by sellers—not only are unnecessary for the maintenance of an open securities market but that they have a serious effect both on the small investor and on general business throughout the country, because of the psychological business reaction which usually follows a dropping stock market. * * *

Why the professional trader should be permitted to sell stocks short, thereby unreasonably depressing the values of sound securities held by small investors, is beyond understanding. Many good companies which pay dividends regularly * * * sell stock to employees. These employees may use this stock as collateral for loans toward the purchase of homes. The stock gambler, taking advantage of a temporary business depression, sells this stock short, depresses its price below its real value, and causes a drop in its collateral value, until the small stockholder, unable to protect his stock at the bank, loses both his home and his money.

If only the professional traders were the gainers and losers in short sales, the subject would not be serious, but every business man knows that a falling stock market and a falling commodity market create a depressing effect on business. This situation exists now, and it could be materially improved if short sales were prohibited.

Only recently a handful of men in New York City sold "short" over 20,000,000 bushels of wheat. They were no more in the wheat business than the printers who set the type for this newspaper. They were only speculators who by their combined sales depressed the market looking for a profitable turn for themselves, but through this action creating more uncertainty in the minds of business men and greater losses to many farmers throughout the country.

The control of "short sales" is in the hands of the board of governors of the various exchanges. If they can not control it so that "short selling" is stopped, the State legislatures—

And I say Congress—

should enact a law which would make such transactions illegal. Such a law would help the small investor and would help business generally.

PAUL BLOCK, *Publisher.*

The CHAIRMAN. The question is on the amendment of the gentleman from North Dakota to the amendment offered by the gentleman from Wisconsin.

Mr. BURTNESS. Mr. Chairman, as I understood it, the gentleman from Wisconsin accepted that amendment.

The CHAIRMAN. Without objection, the amendment to the amendment is agreed to.

There was no objection.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from California [Mr. BARBOUR].

The substitute amendment was agreed to.

The amendment as amended was agreed to.

Mr. JAMES of Michigan. Mr. Chairman, I made a point of order on the first page of the bill, and I understand from the Chair that he intends to rule against me.

I ask unanimous consent to extend my remarks in the RECORD by inserting a letter addressed by me in behalf of the Committee on Military Affairs to the Secretary of War, and his reply; also a memorandum taken from the files of the Committee on Military Affairs which shows, in my opinion, that the inclusion of this item will lead to the expenditure of about $12,000,000.

I also ask unanimous consent to extend my remarks by inserting several other letters written by the Secretary of War. I withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn. Is there objection to the request of the gentleman from Michigan [Mr. JAMES] to extend his remarks in the manner indicated?

There was no objection.

The matter referred to is as follows:

DECEMBER 19, 1930.

Hon. PATRICK J. HURLEY,
The Secretary of War, Washington, D. C.

MY DEAR MR. SECRETARY: Section 10 of the act to amend the World War veterans' act, 1924, as amended, approved July 3, 1930, reads as follows:

"SEC. 10. That a new section be added to Title I of the World War veterans' act, 1924, as amended, to be known as section 39, and to read as follows:

"'SEC. 39. The Secretary of War is hereby authorized and directed to transfer to and accumulate in the War Department in the city of Washington, District of Columbia, all records and files containing information regarding medical and service records of veterans of the World War: *Provided*, That the necessary appropriation to accomplish the transfer of such records and files is hereby authorized.'"

Members of the Veterans' Committee of the House state that this language was only intended to provide for quick and efficient reference to the medical and service records of veterans of the World War when they made application to the Veterans' Bureau for compensation.

Section 1 of House Joint Resolution 34, introduced by Mr. ANDREW, of Massachusetts, reads as follows:

"*Resolved, etc.*, That the Secretary of War and the Secretary of the Navy are hereby directed to cause the official records and maps relating to the participation of the military and naval forces of the United States in the World War to be assembled, inventoried, classified, prepared for publication, and published.

"That the assembly, inventory, and classification of the official records and maps as herein directed and the work pertaining thereto shall be performed by the agencies having custody of such records and maps in the War and Navy Departments."

The further sections of the bill outline in greater detail the carrying out of the purpose expressed in section 1.

In connection with the language of the veterans' act, as amended, and the purpose of the Andrew resolution, I would like to invite your attention to the following language appearing in the committee draft of the Army appropriation bill, on page 9:

"For assembling, classifying, and indexing the historical records of the World War, including personal services in the District of Columbia and the purchase of necessary supplies and materials, $250,000."

It is the opinion of the Committee on Military Affairs, of which I have the honor to be chairman, that the language in the appropriation bill does not carry out the purpose and intent of the language of the veterans' act, as amended, and is therefore subject to a point of order whenever the Army appropriation bill comes up on the floor of the House.

The Committee on Military Affairs respectfully suggests that a representative of the War Department appear before the Committee on Appropriations, War Department appropriations subcommittee, and ask that the language be changed to carry out the intent of the law.

Sincerely yours.

——— ———, *Chairman.*

DECEMBER 26, 1930.

Hon. W. FRANK JAMES,
Chairman Committee on Military Affairs,
House of Representatives.

MY DEAR MR. JAMES: Your letter of the 19th instant concerning an estimate for $250,000 appearing in the Budget "for assembling, classifying, and indexing the historical records of the World War" has been given careful consideration.

It was not the intention of the War Department that the $250,000 estimate referred to was to be used in carrying out the provisions of section 39 of the World War veterans' act, as amended. No estimate for that work has been submitted to the Director of the Bureau of the Budget, as sufficient data upon which to base an accurate estimate are not yet available, although a preliminary estimate has been prepared by The Adjutant General, under whom the work would be performed. The amount necessary for this work, however, will be far in excess of $250,000.

It is also true that the appropriation requested is not intended for assembling and classifying World War records with a view to their publication, as contemplated by the Andrew resolution. This was stated during the hearings before the War Department

appropriation subcommittee, which was advised by the department representative that the appropriation was necessary to enable the department to separate the personnel records from the organization records and sort and arrange the latter so that accurate and prompt reports could be made to Congress, the Veterans' Bureau, other Government agencies, and the general public in cases involving service during the late war. In order that there would be no misconception on the part of the subcommittee of the purpose for which the appropriation was to be used, the conditions were explained, with a request that the word "historical" be stricken from the proposed bill. It was the impression of the War Department representatives at the hearings that the subcommittee would strike out that word to preclude possible misunderstanding.

It is hoped that the $250,000 will remain in the bill for the purpose stated above, as it is essential that The Adjutant General keep his records in such condition as to promptly, accurately, efficiently, and economically dispatch the business of the World War division of his office, which pertains largely to claims of individual veterans.

Sincerely yours,

PATRICK J. HURLEY,
Secretary of War.

After the hearings last year on House Joint Resolution 350 The Adjutant General had a survey made of the records of the World War with a view to determining the cost of collecting and properly indexing and filing them. After a very careful study it has been estimated that there are 204,428,000 records which need processing, the cost of doing which work, as it should be done and at the minimum expense to the Government, is estimated to be $12,375,000.

This survey included the perfection of the personnel files as well as the preparation of the organization records with a view to their publication. The work on both classes of records must proceed simultaneously, the work to be done at the files and the clerical force so balanced that a paper withdrawn from a file will be placed in another file on the same day. Thus the records relating to any individual or any particular case which may be under investigation will always be available.

In accordance with instructions from the Secretary, the sum of $500,000 will be included in the estimates for The Adjutant General's office for the fiscal year 1932 to start the work of perfecting the records. With this amount 358 clerks will be added to the office force. These clerks will be thoroughly trained in their first year and will form the nucleus for any size force for which funds may be made available. It is only in this manner that the work can be done intelligently, accurately, and rapidly. The length of time necessary to complete the work after the first year will depend upon the appropriations made available.

There appears to be no necessity for new legislation for the perfection of the records as the collection, filing, and indexing of the records is a basic duty of the War Department.

When the records have been collected and properly indexed and filed their publication will be a simple matter for which legislation similar to that embodied in House Joint Resolution 34 will be timely.

The files divided as to subject would probably be as follows: Personal, 50 per cent; historical, 14 per cent; general subjects, 24 per cent; no value, 12 per cent.

The preparation for publication of the historical records of the World War can not be considered without considering at the same time the assemblying of the personnel records for that period. With this end in view a study has been made resulting in an estimate of the total number of records to be handled as 204,428,000, the cost of evaluating, examining, preparing for publication, and properly filing will be $12,374,944.

A summary showing the production based on an appropriation of $500,000 for the first year and the grades and rate of pay of the clerical force to be employed for that year follows:

Production

Pulling records from file, 87 clerks at $400	$34,800
Examining records, 29 clerks at $1,200	34,800
Alphabetizing, 35 clerks at $1,000	35,000
Placing on file, 174 clerks at $200	34,000

Total cases handled in one year 34,800×250 working days, 8,700,000.

Clerks:	
1 clerk, section chief, Grade VII	$2,600
1 clerk, assistant section chief, Grade VI	2,300
3 clerks, group leaders, Grade V	6,000
4 clerks, group leaders, Grade IV	7,200
12 clerks, group leaders (wing), Grade IV	21,600
12 clerks, searchers, Grade II	17,280
87 clerks, pullers, Grade I	109,620
29 examiners, Grade IV	52,200
35 alphabetizers, Grade I	44,100
174 filers, Grade I	219,240
Total 358 clerks	482,140
Messengers and supplies:	
2 messengers	2,160
Supplies	16,000
Total	500,300

[Report requested May 31, 1929; never received, still at Bureau of the Budget]

[H. R. 2745, in the House of Representatives, Seventy-first Congress, first session]

A bill to authorize appropriations for contingencies of the Army

Be it enacted, etc., That there is hereby authorized to be appropriated annually, out of any money in the Treasury not otherwise appropriated, such amount as may be necessary for all contingent and extraordinary expenses of the Army which are not otherwise provided for (except personal services) and which can not be anticipated or classified, embracing all branches of the military service and including expenses incident to the official entertainment of (a) distinguished persons, particularly foreigners, (b) distinguished Navy guests, (c) distinguished Army guests senior to the department or corresponding commander, and (d) other Army and Navy guests where their presence may be necessary and incident to a proper extension of official courtesy to any one of the foregoing classes; such appropriations to be expended on either the prior authority or subsequent approval of the Secretary of War and to be available not only for the purposes stated therein but for any expenditures he may deem proper.

[H. R. 1810, in the House of Representatives, Seventy-first Congress, first session]

A bill to authorize appropriations for the Command and General Staff School, Fort Leavenworth, Kans.

Be it enacted, etc., That there is authorized to be appropriated such amounts as may be necessary for the purchase of textbooks, books of reference, scientific and professional papers, instruments, and material for instruction; employment of temporary, technical, special, and clerical service; and for other necessary expenses of instruction, at the Command and General Staff School, Fort Leavenworth, Kans.

WAR DEPARTMENT,
Washington, D. C., April 9, 1929.

Hon. W. FRANK JAMES,
Acting Chairman Committee on Military Affairs,
House of Representatives.

DEAR MR. JAMES: I submit the following draft of a bill which I request be introduced in the House of Representatives and enacted into law:

"A bill to authorize appropriations for the Command and General Staff School, Fort Leavenworth, Kans.

"*Be it enacted, etc.*, That there is authorized to be appropriated such amounts as may be necessary for the purchase of textbooks, books of reference, scientific and professional papers, instruments, and material for instruction; employment of temporary, technical, special, and clerical service; and for other necessary expenses of instruction, at the Command and General Staff School, Fort Leavenworth, Kans."

The foregoing is desired in order that there may be substantive law for item, "Command and General Staff School, Fort Leavenworth," which annually has appeared in the War Department appropriation act.

In view of the fact that the proposed legislation is for the purpose of authorizing appropriations, no specific estimate of increased or decreased costs can be given. The costs involved will depend upon annual requirements and appropriations therefor.

If any additional information from the War Department is desired, I shall be pleased to furnish it.

If the Committee on Military Affairs wishes to have hearings upon the proposed legislation, the following-named officer is designated to appear before your committee:

Maj. Gen. Charles H. Bridges, The Adjutant General.

The proposed legislation has been submitted to the Director of the Bureau of the Budget, who advises that it is not in conflict with the financial program of the President.

Sincerely yours,

JAMES W. GOOD,
Secretary of War.

[H. R. 2751, in the House of Representatives, Seventy-first Congress, first session]

A bill to authorize appropriations for payment of exchange by Army officers

Be it enacted, etc., That there is authorized to be appropriated such amounts as may be necessary for payment of exchange by officers serving in foreign countries, and when specially authorized by the Secretary of War, by officers disbursing funds pertaining to the War Department, when serving in Alaska; and all foreign money received shall be charged to and paid out by disbursing officers of the Army at the legal valuation fixed by the Secretary of the Treasury.

WAR DEPARTMENT,
Washington, D. C., May 4, 1929.

Hon. W. FRANK JAMES,
Acting Chairman Committee on Military Affairs,
House of Representatives.

DEAR MR. JAMES: I submit the following draft of a bill which I request be introduced in the House of Representatives and enacted into law:

"A bill to authorize appropriations for payment of exchange by Army officers

"*Be it enacted,* etc., That there is authorized to be appropriated such amounts as may be necessary for payment of exchange by officers serving in foreign countries, and when specially authorized by the Secretary of War, by officers disbursing funds pertaining to the War Department, when serving in Alaska, and all foreign money received shall be charged to and paid out by disbursing officers of the Army at the legal valuation fixed by the Secretary of the Treasury."

The applicable provision of law for several years has been carried in the War Department appropriation act. However, as there is no substantive law, it is desired that the proposed bill be enacted that the language may be omitted from future acts. Its enactment will cause no additional cost.

If any additional information from the War Department is desired, I shall be pleased to furnish it.

Should hearings upon the proposed legislation be held, suitable witnesses will be designated to appear.

The proposed legislation has been submitted to the Director of the Bureau of the Budget, who advises that it is not in conflict with the financial program of the President.

Sincerely yours,

JAMES W. GOOD,
Secretary of War.

[H. R. 2752, in the House of Representatives, Seventy-first Congress, first session]

A bill to authorize accounting for the appropriation "Pay, etc., of the Army" as one fund, and for the appropriation "Pay of the Military Academy" as one fund

Be it enacted, etc., That the money appropriated annually for "Pay, etc., of the Army" shall be accounted for as one fund.

SEC. 2. That the money appropriated annually for "Pay of the Military Academy, United States Military Academy," shall be accounted for as one fund.

WAR DEPARTMENT,
Washington, D. C., May 4, 1929.

Hon. W. FRANK JAMES,
Acting Chairman Committee on Military Affairs,
House of Representatives.

DEAR MR. JAMES: I submit the following draft of a bill which I request be introduced in the House of Representatives and enacted into law:

"A bill to authorize accounting for the appropriation 'Pay, etc., of the Army' as one fund, and for the appropriation 'Pay of the Military Academy' as one fund

"*Be it enacted, etc.*, That the money appropriated annually for 'Pay, etc., of the Army' shall be accounted for as one fund.

"SEC. 2. That the money appropriated annually for 'Pay of the Military Academy, United States Military Academy,' shall be accounted for as one fund."

The applicable provisions of law have for many years been carried in the annual War Department appropriation acts. However, as there is no substantive law other than the existing temporary law referred to that permits the accounting of the two items referred to as one fund, it is requested that the proposed bill be enacted, in order that the language may be omitted from future acts. Its enactment will cause no additional cost.

If any additional information from the War Department is desired, I shall be pleased to furnish it.

Should hearings upon the proposed legislation be held, suitable witnesses will be designated to appear.

The proposed legislation has been submitted to the Director of the Bureau of the Budget, who advises that it is not in conflict with the financial program of the President.

Sincerely yours,

JAMES W. GOOD,
Secretary of War.

[H. R. 3315, in the House of Representatives, Seventy-first Congress, first session]

A bill to authorize appropriations for expenses of courts-martial, courts of inquiry, military commissions, and boards

Be it enacted, etc., That there is authorized to be appropriated such amounts as may be necessary for payment of expenses of courts-martial, courts of inquiry, military commissions, boards, and compensation of reporters and witnesses attending same, contract stenographic reporting services, and expenses of taking depositions and securing other evidence for use before the same.

WAR DEPARTMENT,
Washington, D. C., May 23, 1929.

Hon. W. FRANK JAMES,
Chairman Committee on Military Affairs,
House of Representatives.

DEAR MR. JAMES: I submit the following draft of a bill which I request be introduced in the House of Representatives and enacted into law:

"A bill to authorize appropriations for expenses of courts-martial, courts of inquiry, military commissions, and boards.

"*Be it enacted, etc.*, That there is authorized to be appropriated such amounts as may be necessary for payment of expenses of courts-martial, courts of inquiry, military commissions, boards, and compensation of reporters and witnesses attending same, contract stenographic reporting services, and expenses of taking depositions and securing other evidence for use before the same."

The proposed legislation is to provide substantive law for the expenses of courts-martial, courts of inquiry, military commissions, and boards. The authorization for such expenses has heretofore been carried in the annual appropriation act.

In the proposed legislation it will be noted that the word "retiring," now appearing in the appropriation act, is omitted before the word "boards." This will make the authorization more comprehensive and will permit the expenses of all boards to be met from one appropriation.

If any additional information from the War Department is desired, I shall be pleased to furnish it.

If the Committee on Military Affairs wishes to have hearings upon the proposed legislation, suitable witnesses will be designated to appear before your committee.

The proposed legislation has been submitted to the Director of the Bureau of the Budget, who advises that it is not in conflict with the financial program of the President.

Sincerely yours,

JAMES W. GOOD,
Secretary of War.

[H. R. 2894, in the House of Representatives, Seventy-first Congress, first session]

A bill to authorize appropriations for payment of services and expenses for apprehension of deserters, and for other purposes

Be it enacted, etc., That there is authorized to be appropriated such amounts as may be necessary for payment, in the discretion of the Secretary of War, to any civil officer or citizen for services and expenses for the apprehension, securing, and delivering of soldiers absent without leave, and of deserters, including escaped military prisoners.

SEC. 2. That there is authorized to be appropriated such sums as may be necessary for payment of a donation to each military prisoner discharged otherwise than honorably upon his release from confinement under court-martial sentence involving dishonorable discharge.

SEC. 3. That there is authorized to be appropriated such sums as may be necessary to provide a suit of citizen's outer clothing, and when necessary an overcoat, to be issued to each soldier discharged otherwise than honorably and to each enlisted man convicted by civil court for an offense resulting in confinement in a penitentiary or other civil prison.

WAR DEPARTMENT,
Washington, D. C., May 11, 1929.

Hon. W. FRANK JAMES,
Chairman Committee on Military Affairs,
House of Representatives.

DEAR MR. JAMES: I submit the following draft of a bill which I request be introduced in the House of Representatives and enacted into law:

"A bill to authorize appropriations for payment of services and expenses for apprehension of deserters, and for other purposes

"*Be it enacted,* etc., That there is authorized to be appropriated such amounts as may be necessary for payment, in the discretion of the Secretary of War, to any civil officer or citizen for services and expenses for the apprehension, securing, and delivering of soldiers absent without leave and of deserters, including escaped military prisoners.

"SEC. 2. That there is authorized to be appropriated such sums as may be necessary for payment of a donation to each military prisoner discharged otherwise than honorably upon his release from confinement under court-martial sentence involving dishonorable discharge.

"SEC. 3. That there is authorized to be appropriated such sums as may be necessary to provide a suit of citizen's outer clothing and, when necessary, an overcoat, to be issued to each soldier discharged otherwise than honorably and to each enlisted man convicted by civil court for an offense resulting in confinement in a penitentiary or other civil prison."

The proposed legislation is to provide substantive law for payment of services and expenses for apprehension of deserters, soldiers absent without leave, and escaped military prisoners; for payment of donations to, and to provide citizen's outer clothing for dishonorably discharged general prisoners. The authorization for such payments has heretofore been carried in the annual appropriation act. Its enactment will involve no additional cost.

If any additional information from the War Department is desired, I shall be pleased to furnish it.

Should hearings upon the proposed legislation be held, suitable witnesses will be designated to appear.

The proposed legislation has been submitted to the Director of the Bureau of the Budget, who advises that it is not in conflict with the financial program of the President.

Sincerely yours,

JAMES W. GOOD,
Secretary of War.

[H. R. 2681, in the House of Representatives, Seventy-first Congress, first session]

A bill to authorize settlement of damages to persons and property by Army aircraft

Be it enacted, etc., That within the limits of appropriations made from time to time the settlement of claims, not exceeding

$250 each, is authorized for damages to persons and private property resulting from the operation of aircraft at home and abroad when each claim is substantiated by a survey report of a board of officers appointed by the commanding officer at the nearest aviation post and approved by the Chief of Air Corps and the Secretary of War.

MARCH 11, 1930.

Hon. W. FRANK JAMES,
Chairman Committee on Military Affairs,
House of Representatives.

DEAR MR. JAMES: Careful consideration has been given to the bill (H. R. 2691) to authorize settlement of damages to persons and property by Army aircraft, copy of which you transmitted to the War Department under date of June 21, 1929, with a request for information and the views of the department relative thereto.

The appropriations for the Military Establishment have for a number of years annually carried such authority as is proposed to be permanently granted by the bill herein reported upon. It is believed that the authorizations which have thus been annually granted have been to the advantage of the Military Establishment as well as the public. However, it is believed that it would, on the whole, be advantageous to increase the amount of the individual claims which may be settled to $500 each. Such a change would be desirable in the interest of good administration and also of uniformity, since the authorization now being carried in the successive naval appropriations prescribe the limit of $500. It is further recommended that the approval of only the Secretary of War be specifically required for the payment of the claims. This will accord with the usual practice in such cases and the recommendation of the Chief of Air Corps will always be required as a matter of administrative procedure before action is taken by the Secretary of War.

The original bill, with the amendments herein recommended, is as follows:

[PART STRICKEN OUT IN BRACKETS]

"That within the limits of appropriations made from time to time the settlement of claims, not exceeding [$250] $500 each, is authorized for damages to persons and private property resulting from the operation of aircraft at home and abroad when each claim is substantiated by a survey report of a board of officers appointed by the commanding officer at the nearest aviation post and approved by [the Chief of Air Corps and] the Secretary of War."

COPY TO ACCOMPANY ORIGINAL

The annual expenditures in the settlement of claims of this character in previous years have been comparatively small, and they may be expected to be normally very restricted in amount.

The submission of this report has been delayed due to the consideration of its subject matter along with that of the settlement of claims of other classes, but it is now believed that the bill herein reported on should be separately considered.

Sincerely yours,

PATRICK J. HURLEY, *Secretary of War.*

Mr. BARBOUR. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having assumed the chair, Mr. TILSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 15593) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1932, and for other purposes, and had come to no resolution thereon.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. JOHNSON, of South Dakota, at the request of Mr. WILLIAMSON, on account of illness.

RECOMMITMENT OF A BILL

Mr. HALL of Indiana. Mr. Speaker, by direction of the chairman of the Committee on the District of Columbia, I ask unanimous consent that the bill (H. R. 11013) to authorize the Commissioners of the District of Columbia to close streets, roads, highways, or alleys in the District of Columbia rendered useless or unnecessary, and for other purposes, be recommitted to that committee.

The SPEAKER. The gentleman from Indiana asks unanimous consent that the bill H. R. 11013 be recommitted to the Committee on the District of Columbia. Is there objection?

Mr. GARNER. I understand that is by resolution of that committee?

Mr. HALL of Indiana. Yes.

The SPEAKER. Is there objection?

There was no objection.

ADJUSTED-SERVICE CERTIFICATES

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to also insert a letter I have just received from Mr. O'Neil, national commander of the American Legion, relative to the attitude of the Legion on the payment of the adjusted certificates.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The letter is as follows:

THE AMERICAN LEGION,
January 9, 1931.

Hon. WRIGHT PATMAN,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN PATMAN: I have to-day returned from a trip to the west coast, and your letter of December 29 has just now come to my attention.

I note the quotation from Mr. Green's letter to Edward Earle, and your comment to the effect that "Mr. Green states his organization can not sponsor the payment of the adjusted-service certificates now, because it can not interfere with the plans of the American Legion."

I will get in touch with Mr. Green and advise him of the position the American Legion has taken on this legislation.

As I have personally advised you, it is my opinion that the action of the Boston convention should be interpreted that the Legion should not initiate or sponsor any legislation for the cash payment of these certificates.

It is my opinion that the convention did not pass on the merits of this legislation and only decided that the same should not be in the Legion's legislative program.

We have communicated with all the national executive committeemen and have heard from 32 departments. Ten of these departments believe the national organization should sponsor legislation for payment—the other departments heard from believe we should not initiate or sponsor such legislation.

I also have an opinion from the national judge advocate, and he emphatically states that the national convention gave a direct mandate which prevents us in advocating the proposed legislation, and this mandate can not be ignored.

For your information, however, the national organization will not in any way oppose the passage of any of the various bills in Congress that propose the payment of these certificates, as I do not interpret the action of the Boston convention as a mandate of opposition to this legislation.

I am writing another letter to each national executive committeeman, giving a summary of the bills now pending on this subject, and I will be back to Washington in a few days, and in all probability will have heard from other departments and will see you at that time.

The primary interest of the American Legion is the care of the disabled and their dependents. Our executive committee, which met in November, outlined the legislative program which the organization should urge at this session of Congress. I was also instructed, as national commander, to direct our legislative committee to give preference to legislation that will benefit the disabled, their widows and orphans. This must be our major program.

We have, however, convention mandates on other matters affecting adjusted compensation and we propose to push these actively during the present session and would greatly appreciate your assistance on this program.

Thanking you for your interest and with kind personal regards, I am,

Respectfully,

RALPH T. O'NEIL,
National Commander.

I expect to personally ask each and every member of the Ways and Means Committee to sign a petition requesting the chairman of the committee, Mr. HAWLEY, to immediately call a committee meeting for the purpose of holding hearings on the proposal to pay the adjusted-service certificates in cash.

My petition to instruct the Committee on Ways and Means to hold hearings is ineffective for this session in view of the fact that it did not receive the required number of signers, 218, before the close of the legislative day of January 10. In order for the committee to be compelled under this proceeding to give consideration to the proposal, the required number of signers must have been secured seven days prior to the third Monday in January.

In view of Mr. O'Neil's letter, it is now incumbent upon the rank and file of the American Legion and the individual posts of the American Legion to let their members of Congress know that this legislation is needed and expected.

I commend the Legion for devoting its primary interests to the care of the disabled and their dependents. However, the passage of legislation to pay the adjusted service certifi-

cates would help hundreds of thousands of disabled veterans and their dependents, who will not receive benefits under legislation sponsored by the Legion and should also receive Legion support. I am for both programs. The bill to care for the disabled and their dependents should not interfere with a proposal to pay an honest debt that has been publicly confessed for services rendered. No increase of taxes will be necessary and immediate prosperity will be brought to our Nation if such a measure is passed.

The action of the Legion will not retard my efforts in the least. The proposal has been indorsed by other veterans' organizations, and if the rank and file of the Legion will ask relief we have an excellent chance of getting this legislation passed at this session.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 4803. An act to extend the time for constructing a bridge across the Atchafalaya River at or near Morgan City, La.;

S. 4804. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Atchafalaya River at or near Krotz Springs, La.;

S. 4805. An act to extend the time for construction of a free highway bridge across the Red River at or near Moncla, La.;

S. 4806. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Red River at or near Alexandria, La.;

S. 4807. An act to extend the time for construction of a free highway bridge across the Red River at or near Coushatta, La.;

S. 4808. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Red River at or near Shreveport, La.;

S. 4809. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Ouachita River at or near Sterlington, La.;

S. 4810. An act to extend the time for construction of a free highway bridge across the Ouachita River at or near Monroe, La.;

S. 4811. An act to extend the time for construction of a free highway bridge across the Ouachita River at or near Harrisonburg, La.; and

S. 4812. An act to extend the time for construction of a free highway bridge across the Black River at or near Jonesville, La.

ADJOURNMENT

Mr. BARBOUR. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 17 minutes p. m.) the House adjourned until Monday, January 12, 1931, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Monday, January 12, 1931, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON APPROPRIATIONS

(10.30 a. m.)

District of Columbia appropriation bill.
Independent offices appropriation bill.

COMMITTEE ON NAVAL AFFAIRS

(10.30 a. m.)

To authorize the construction of certain naval vessels. (H. R. 14688.)

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. KNUTSON: Committee on Insular Affairs. H. R. 14560. A bill to amend the organic act of Porto Rico, approved March 2, 1917; without amendment (Rept. No. 2229). Referred to the House Calendar.

Mr. KNUTSON: Committee on Insular Affairs. S. J. Res. 193. A joint resolution to change the name of the island of Porto Rico to "Puerto Rico"; without amendment (Rept. No. 2230). Referred to the House Calendar.

Mr. EVANS of Montana: Committee on the Public Lands. H. R. 15008. A bill to extend the south and east boundaries of the Mount Rainier National Park, in the State of Washington, and for other purposes; with amendment (Rept. No. 2231). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. FITZGERALD: Committee on Claims. S. 612. An act for the relief of Charles Parshall, Fort Peck Indian allottee, of the Fort Peck Reservation, Mont.; without amendment (Rept. No. 2216). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. S. 3206. An act for the relief of Rebecca Green; without amendment (Rept. No. 2217). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 3336. A bill for the relief of the Western Electric Co. (Inc.); without amendment (Rept. No. 2218). Referred to the Committee of the Whole House.

Mrs. LANGLEY: Committee on Claims. H. R. 3910. A bill for the relief of Lawrence A. Jett; with amendment (Rept. No. 2219). Referred to the Committee of the Whole House.

Mr. RANSLEY: Committee on Military Affairs. H. R. 7717. A bill for the relief of Aaron S. Fass; without amendment (Rept. No. 2220). Referred to the Committee of the Whole House.

Mr. SCHAFER of Wisconsin: Committee on Claims. H. R. 8941. A bill for the relief of Daniel C. Jeffcoat; with amendment (Rept. No. 2221). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 9065. A bill to reimburse Dampskib Aktieselshap Roskva, owners of the steamship *Roskva*, for damage to said vessel; with amendment (Rept. No. 2222). Referred to the Committee of the Whole House.

Mr. GUYER: Committee on Claims. H. R. 9264. A bill for the relief of Edward Bodeck; with amendment (Rept. No. 2223). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 11711. A bill for the relief of George E. Casey; without amendment (Rept. No. 2224). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 11964. A bill for the relief of Edward F. Gruver Co.; without amendment (Rept. No. 2225). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 13051. A bill for the relief of Grina Bros.; without amendment (Rept. No. 2226). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 13098. A bill for the relief of Amy Harding; with amendment (Rept. No. 2227). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 15370. A bill for the relief of Samuel Weinstein; with amendment (Rept. No. 2228). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 11559) for the refund of $455.10 to be paid to Ida L. Randels, guardian of Meredith L. Randels, for premiums paid on a converted insurance policy; Committee on Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. 15411) granting an increase of pension to Emily F. Ailshie; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 15653) granting a pension to Nannie M. Brock; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. PARSONS: A bill (H. R. 16033) to extend the times for commencing and completing of a bridge across the Ohio River at or near Shawneetown, Gallatin County, Ill., and a point opposite thereto in Union County, Ky.; to the Committee on Interstate and Foreign Commerce.

By Mr. HOUSTON of Hawaii: A bill (H. R. 16034) to amend the act entitled "An act to extend the provisions of certain laws to the Territory of Hawaii," approved March 10, 1924; to the Committee on the Territories.

By Mr. WILLIAMSON: A bill (H. R. 16035) to prohibit the importation of any article or merchandise from the Union of Soviet Socialist Republics; to the Committee on Ways and Means.

By Mr. CABLE: A bill (H. R. 16036) to provide for warrants of arrest of aliens unlawfully in the United States, for the deportation of undesirable aliens, and for registration to protect aliens lawfully resident here; to the Committee on Immigration and Naturalization.

By Mr. FREE: A bill (H. R. 16037) to amend subsections F, M, and R of the ship mortgage act, 1920; to the Committee on the Merchant Marine and Fisheries.

By Mr. HARE: A bill (H. R. 16038) for the protection of depositors in member banks of the Federal reserve system; to the Committee on Banking and Currency.

By Mr. WILLIAMSON: A bill (H. R. 16039) providing for the simplification of procedure for payment of Federal moneys to States and Territories; to the Committee on Expenditures in the Executive Departments.

Also, a bill (H. R. 16040) in the matter of the returns, audit, and filing of Federal contracts; to the Committee on Expenditures in the Executive Departments.

By Mrs. WINGO: A bill (H. R. 16041) to authorize the National Society United States Daughters of 1812 to make annual report to the Smithsonian Institution; to the Committee on the Library.

By Mr. WOOD: A bill (H. R. 16042) to amend section 153 of the Judicial Code of the United States providing for a sitting of the Federal court for the northern district of Indiana at Lafayette, in said State; to the Committee on the Judiciary.

By Mr. WILLIAMSON: A bill (H. R. 16043) providing for the standardization of outstanding liabilities accounts and of negotiable period of Federal checks and warrants; to the Committee on Expenditures in the Executive Departments.

By Mr. LEAVITT: A bill (H. R. 16044) for the purpose of fencing lands in the United States Range Livestock Experiment Station for the inclusion of game animals; to the Committee on Agriculture.

By Mr. ZIHLMAN: A bill (H. R. 16045) to authorize the Commissioners of the District of Columbia to close streets, roads, highways, or alleys in the District of Columbia rendered useless or unnecessary, and for other purposes; to the Committee on the District of Columbia.

By Mr. RAGON: Resolution (H. Res. 333) authorizing the Speaker of the House to appoint a committee to obtain information relative to the health and social and economic conditions of persons in drought-stricken areas or in industrial centers in which severe unemployment prevails; to the Committee on Rules.

By Mr. GARNER: Joint resolution (H. J. Res. 462) to further provide for defraying the expenses of the International Water Commission, United States and Mexico; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALLEN: A bill (H. R. 16046) granting an increase of pension to Sarah Jane Liby; to the Committee on Invalid Pensions.

By Mr. AYRES: A bill (H. R. 16047) for the relief of Noble Jay Hall; to the Committee on Claims.

By Mr. BLAND: A bill (H. R. 16048) for the relief of Elizabeth Buxton Hospital; to the Committee on Claims.

By Mr. BOWMAN: A bill (H. R. 16049) granting an increase of pension to Mary Clark; to the Committee on Invalid Pensions.

By Mr. BRAND of Ohio: A bill (H. R. 16050) granting an increase of pension to Mariah Green; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16051) granting an increase of pension to Eliza E. Lafollete; to the Committee on Invalid Pensions.

By Mr. CRAIL: A bill (H. R. 16052) granting a pension to Joseph Boyle; to the Committee on Pensions.

By Mr. GARBER of Oklahoma: A bill (H. R. 16053) granting a pension to Addie Foster; to the Committee on Pensions.

By Mr. GARNER: A bill (H. R. 16054) granting a pension to William S. Wall; to the Committee on Pensions.

By Mr. HASTINGS: A bill (H. R. 16055) granting an increase of pension to Louisa H. Emerson; to the Committee on Invalid Pensions.

By Mr. HOPKINS: A bill (H. R. 16056) granting an increase of pension to Thana Hope; to the Committee on Invalid Pensions.

By Mrs. KAHN: A bill (H. R. 16057) for the relief of Stanley Nolan; to the Committee on Naval Affairs.

By Mr. LUDLOW: A bill (H. R. 16058) granting a pension to Eudora Washburn; to the Committee on Pensions.

By Mr. MOORE of Ohio: A bill (H. R. 16059) granting an increase of pension to Sarah J. McHenry; to the Committee on Invalid Pensions.

By Mr. PITTENGER: A bill (H. R. 16060) granting an increase of pension to Martin Hanson; to the Committee on Pensions.

Also, a bill (H. R. 16061) for the relief of certain members of the Fleet Naval Reserve and Fleet Marine Corps Reserve; to the Committee on Naval Affairs.

By Mr. SPEARING: A bill (H. R. 16062) granting a pension to Edith Chambers Feehan; to the Committee on Pensions.

By Mr. STALKER: A bill (H. R. 16063) granting a pension to Almyra Stanton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16064) granting an increase of pension to Marion A. Peterson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16065) granting an increase of pension to Mary L. Allen; to the Committee on Invalid Pensions.

By Mr. STRONG of Pennsylvania: A bill (H. R. 16066) granting an increase of pension to Eliza Mauk; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 16067) granting a pension to Millard Sevier Acuff; to the Committee on Pensions.

Also, a bill (H. R. 16068) granting an increase of pension to William C. Hagelgans; to the Committee on Pensions.

Also, a bill (H. R. 16069) granting a pension to Allie M. Walker; to the Committee on Invalid Pensions.

By Mr. TILSON: A bill (H. R. 16070) for the relief of Myrtle A. Kniffen; to the Committee on Naval Affairs.

By Mr. WOLVERTON of New Jersey: A bill (H. R. 16071) granting an increase of pension to George W. Kelley; to the Committee on Pensions.

By Mr. WOLVERTON of West Virginia: A bill (H. R. 16072) granting an increase of pension to Julia A. Duncan; to the Committee on Invalid Pensions.

By Mr. ZIHLMAN: A bill (H. R. 16073) to authorize the Commissioners of the District of Columbia to sell parcel 31/17, known as the powder-house site; to the Committee on the District of Columbia.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8508. By Mr. BLANTON: Petition of Hon. M. C. Lambeth, Hon. W. R. Chapman, Hon. M. S. Long, Hon. W. J. Cunningham, Hon. Tom K. Eplin, and 116 other citizens, favoring the passage of House bill 15489, by Hon. JOE J. MANLOVE, in behalf of ex-rangers and Indian war veterans; to the Committee on Pensions.

8509. By Mr. BLOOM: Petition of residents of New York State, urging the passage of House bill 7884, providing for the exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

8510. Also, petition of the executive committee of the board of directors of the American Booksellers' Association, urging the passage of the general copyright revision bill for the reason that it will be of general benefit to the book trade by removing certain hampering conditions under which it is now operating, particularly at a time when such relief is greatly needed; to the Committee on Patents.

8511. By Mr. COLE: Petition of Marion B. Green, of Cedar Rapids, Iowa, and of 116 others, residents of Cedar Rapids, Center Point, and Marion, Iowa, in fifth congressional district, favoring the passage of House bill 7884 for the exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

8512. By Mr. HOPE: Petition of R. H. Smith and 31 others of Little River, Kans., urging an import duty on crude oil; to the Committee on Ways and Means.

8513. By Mr. JOHNSON of Texas: Petition of H. Dignowity, of Baytown, Tex., indorsing the Capper-Reed vocational educational bill, H. R. 10821; to the Committee on Education.

8514. By Mr. KVALE: Petition of Post No. 62, American Legion, Benson, Minn., by J. Skala, commander, urging legislation providing for full and immediate payment of the face value of adjusted-service certificates; to the Committee on Ways and Means.

8515. By Mr. MURPHY: Resolution of John J. Welsh Post, No. 275, American Legion, of Lisbon, Ohio, Hugh Ramsay, adjutant, asking that adjusted-compensation certificates be paid at once at 100 per cent face value; to the Committee on Ways and Means.

8516. By Mrs. OLDFIELD: Petition of Harvey C. Couch, chairman Arkansas drought-relief committee, and others Little Rock, Ark., urging prompt enactment of Senate bill 5540; to the Committee on Appropriations.

8517. By Mr. SEGER: Petition of Albert Hopper, Paul Von Suskil, and 30 other residents of Paterson, N. J., and vicinity, supporting Senator REED's proposal to bar immigration for two years; to the Committee on Immigration and Naturalization.

8518. Also, letter of Vivisection Investigation League, with petition of 147 residents of Paterson, Clifton, and Little Falls, N. J., and vicinity, favoring House bill 7884; to the Committee on the District of Columbia.

SENATE

MONDAY, JANUARY 12, 1931

(Legislative day of Monday, January 5, 1931)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The VICE PRESIDENT. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 4803. An act to extend the time for constructing a bridge across the Atchafalaya River at or near Morgan City, La.;

S. 4804. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Atchafalaya River at or near Krotz Springs, La.;

S. 4805. An act to extend the time for construction of a free highway bridge across the Red River at or near Moncla, La.;

S. 4806. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Red River at or near Alexandria, La.;

S. 4807. An act to extend the time for construction of a free highway bridge across the Red River at or near Coushatta, La.;

S. 4808. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Red River at or near Shreveport, La.;

S. 4809. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Ouachita River at or near Sterlington, La.;

S. 4810. An act to extend the time for construction of a free highway bridge across the Ouachita River at or near Monroe, La.;

S. 4811. An act to extend the time for construction of a free highway bridge across the Ouachita River at or near Harrisonburg, La.;

S. 4812. An act to extend the time for construction of a free highway bridge across the Black River at or near Jonesville, La.; and

H. R. 11201. An act to authorize a preliminary examination of the Fox River, Wis., for the purpose of flood control.

EXECUTIVE SESSION—TARIFF COMMISSION

The VICE PRESIDENT. Under the order of December 16, 1930, as modified, the Senate, as in executive session, will proceed to the consideration of the nominations of the persons named to be members of the United States Tariff Commission. The question is, Will the Senate advise and consent to the nomination of Henry P. Fletcher to be a member of the United States Tariff Commission?

Mr. WATSON. To that end I move that the Senate proceed to the consideration of executive business.

The motion was agreed to.

TRIBUTE TO NATHAN STRAUS

As in legislative session,

Mr. WAGNER. Mr. President, rarely has it been our misfortune to mourn the loss of a nobler soul than Nathan Straus, who was taken from us yesterday. Our heads are bowed with grief that his boundless kindness, his purposeful philanthropy, his statesmanship, and his wisdom should no longer minister to the humanity he loved so well. Neither race nor creed nor color ever constituted boundary to his all-embracing generosity. In America, in Europe, in Palestine stand the numerous monuments to his humanitarian spirit inscribed with the undying affection of every people on earth.

Very rarely did he hold public office, but he continually rendered public service. He coveted no prize for himself but to serve his fellow men. He sought no opportunity but to be more useful to the people about him.

His loss is irreparable. The whole world is poorer by reason of his passing.

This is not the time to detail his marvelous works. No catalogue can do him justice. We may, however, generalize that wherever there was suffering there Nathan Straus's generosity reached out to alleviate it; whenever there was good work to be done his great spirit moved him.

He conferred great honor on Germany, his native land; upon the Jewish people, whose faith he professed; upon the

United States, the land of his adoption and devotion. He passed from our midst, but the love we bear him, the reverence in which we hold him, these will continue forever.

Mr. COPELAND subsequently said: Mr. President, while I was absent in a meeting of the Committee on Appropriations my colleague addressed the Senate in regard to a matter about which I, too, would like to say what is in my heart. I am glad he spoke.

There died in my city yesterday Mr. Nathan Straus. To my mind Mr. Straus was the greatest philanthropist of his generation. He did more for child life and for health protection and advancement, in my opinion, than any other man who ever lived.

When Mr. Straus started his work in New York City, out of every 1,000 babies born 247 died in the first year of life. Now the number is only 50 per 1,000. That has been accomplished, as I view it, largely because of the increased purity of the milk supply.

Mr. Straus early became interested in the subject of pasteurization of milk. In the face of great opposition he impressed upon the commercial distributors of milk the propriety of treating the milk in that way. The result is that to-day in New York City practically every drop of milk sold is pasteurized, and the death rate has dropped as I have stated.

Mr. Straus from his own purse established baby-feeding stations. Physicians and nurses examined ill children and directed their treatment. It was pioneer work, now followed by every enlightened community.

Mr. Straus, after his great work in New York City, went to Germany, to his native town, and started the work there. He established a station in Huddersfield, England, where he demonstrated to the English people the importance of that work. Then he went to Palestine and established his great health institute in Jerusalem. He founded there an institution which is open to all classes and all creeds and all races.

I think we may well afford to turn aside for just a moment to pay a brief tribute to this great man. I feel that his work will live forever. I think that I am within the bounds of reason when I say that Mr. Straus was our greatest philanthropist. His death brings a distinct loss not alone to the people of my city and my State but to the people of the Nation, and because of the nature of his work his death is an international loss.

Personally I take the translation of my friend as a great blow. He was a loyal, devoted, generous man, who was beloved by all of us who were fortunate enough to have his friendship.

MRS. OVERMAN'S APPRECIATION OF SENATE'S TRIBUTE TO THE LATE SENATOR OVERMAN

The VICE PRESIDENT laid before the Senate the following telegram from Mrs. Lee S. Overman, of Salisbury, N. C., which was ordered to lie on the table:

[Telegram]

SALISBURY, N. C., *January 8, 1931.*

Hon. CHARLES CURTIS,
President of United States Senate, Washington, D. C.:

We wish to thank you and, through you, the Members of the Senate for the resolutions adopted on occasion of the death of my husband, the late Senator OVERMAN, for the impressive funeral services held in the Senate Chamber, and for the beautiful tribute of flowers which were buried with him. We deeply appreciate these marks of love and respect on the part of the Senate. They afford us a measure of consolation that nothing else could give.

MRS. LEE S. OVERMAN.

VISITORS TO THE NAVAL ACADEMY

The VICE PRESIDENT appointed, pursuant to law, the Senator from New Jersey [Mr. KEAN], the Senator from Pennsylvania [Mr. DAVIS], the Senator from Florida [Mr. TRAMMELL], and the Senator from Massachusetts [Mr. WALSH] members of the Board of Visitors on the part of the Senate to visit the Naval Academy at Annapolis, Md.

SUPPLEMENTAL ESTIMATE—CONTINGENT EXPENSES, SENATE (S. DOC. NO. 251)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting a supplemental estimate of appropriation pertaining to the legislative establishment, fiscal year 1931, for contingent expenses of the Senate, in the sum of $40,000, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

DISPOSITION OF USELESS PAPERS

The VICE PRESIDENT laid before the Senate a communication from the Public Printer, transmitting, pursuant to law, a list of papers on the files of the Government Printing Office which are not needed in the conduct of business and have no permanent value or historical interest, and asking for action looking to their disposition, which was referred to a Joint Select Committee on the Disposition of Useless Papers.

The VICE PRESIDENT appointed Mr. SHIPSTEAD and Mr. FLETCHER members of the committee on the part of the Senate.

He also laid before the Senate a communication from the secretary of the United States Civil Service Commission, transmitting, pursuant to law, a schedule of useless papers on the files of the United States Civil Service Commission in Washington, D. C., which are not needed in the conduct of business and do not appear to have any historical value, and asking for action looking to their disposition, which was referred to a Joint Select Committee on the Disposition of Useless Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. DALE and Mr. MCKELLAR members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a resolution adopted by the Industrial Club, of St. Louis, Mo., favoring the immediate passage of legislation to so amend the Volstead Act as to permit the legitimate manufacture and sale of nonintoxicating beer, and to place upon this beverage its just share of taxation, which was referred to the Committee on the Judiciary.

He also laid before the Senate a resolution unanimously adopted at a meeting of the Municipal War Veterans' Memorial Association, of New York, N. Y., favoring the employment as enumerators in the Federal census of at least 35 per cent of veterans, which was referred to the Committee on Commerce.

He also laid before the Senate resolutions adopted by the National Progressive League, of Wayne County, Mich., protesting against the passage of the so-called Hawes-Cutting bill, granting independence to the Philippine Islands, which were ordered to lie on the table.

He also laid before the Senate a resolution adopted by Filipino Veterans of the World War at Manila, P. I., protesting against the passage of immigration legislation to exclude Filipinos from the United States, which was referred to the Committee on Immigration.

He also laid before the Senate resolutions adopted by the Provincial Board of Romblon, P. I., protesting against the alleged inhumanities and atrocities committed against Filipinos on the Pacific coast, and favoring the passage of legislation protecting the Filipinos in the United States, which were referred to the Committee on Territories and Insular Affairs.

Mr. JONES presented a letter in the nature of a petition from members of Port Angeles Aerie, No. 483, Fraternal Order of Eagles, of Port Angeles, Wash., praying for the adoption of the so-called Eagle plan of unemployment relief and the establishment of a Federal industrial commission, which was referred to the Committee on Education and Labor.

Mr. HALE presented petitions of sundry citizens of Norway, Lewiston, Livermore, and Auburn, all in the State of Maine, praying for the passage of legislation for the exemption of dogs from vivisection in the District of Columbia, which were referred to the Committee on the District of Columbia.

Mr. COPELAND presented petitions numerously signed by sundry citizens of Brooklyn, N. Y., praying for the passage

of legislation for the exemption of dogs from vivisection in the District of Columbia, which were referred to the Committee on the District of Columbia.

Mr. TYDINGS presented petitions of sundry citizens of Baltimore and vicinity, in the State of Maryland, praying for the passage of legislation for the exemption of dogs from vivisection in the District of Columbia, which were referred to the Committee on the District of Columbia.

He also presented petitions of sundry members of the faculties of Johns Hopkins University, Goucher College, and other educational institutions, of clergymen, lawyers, bankers, business executives, and other citizens, all of Baltimore and vicinity, in the State of Maryland, praying for the ratification of the World Court protocols, including the so-called Root formula, which were referred to the Committee on Foreign Relations.

ENROLLED BILLS PRESENTED

Mr. GILLETT, from the Committee on Enrolled Bills, reported that on to-day, January 12, 1931, that committee presented to the President of the United States the following enrolled bills:

S. 4803. An act to extend the time for constructing a bridge across the Atchafalaya River at or near Morgan City, La.;

S. 4804. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Atchafalaya River at or near Krotz Springs, La.;

S. 4805. An act to extend the time for construction of a free highway bridge across the Red River at or near Moncla, La.;

S. 4806. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Red River at or near Alexandria, La.;

S. 4807. An act to extend the time for construction of a free highway bridge across the Red River at or near Coushatta, La.;

S. 4808. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Red River at or near Shreveport, La.;

S. 4809. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Ouachita River at or near Sterlington, La.;

S. 4810. An act to extend the time for construction of a free highway bridge across the Ouachita River at or near Monroe, La.;

S. 4811. An act to extend the time for construction of a free highway bridge across the Ouachita River at or near Harrisonburg, La.; and

S. 4812. An act to extend the time for construction of a free highway bridge across the Black River at or near Jonesville, La.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GOFF:

A bill (S. 5665) to designate United States Highway No. 50 as the George Washington Highway, and for other purposes; to the Committee on Post Offices and Post Roads.

By Mr. NORBECK:

A bill (S. 5666) granting a pension to Shoots Enemy or Yellow Hair (with accompanying papers);

A bill (S. 5667) granting an increase of pension to Alfred C. Plaude (with accompanying papers); and

A bill (S. 5668) granting an increase of pension to Joseph T. Stapleton (with accompanying papers); to the Committee on Pensions.

A bill (S. 5669) for the relief of William A. Delaney (with accompanying papers); to the Committee on Claims.

By Mr. KEAN:

A joint resolution (S. J. Res. 232) authorizing the issuance and sale of two billion 2-cent stamps in connection with drought relief; to the Committee on Post Offices and Post Roads.

PETITIONS FOR CITIZENSHIP

Mr. HALE submitted an amendment intended to be proposed by him to the bill (H. R. 10672) to amend the naturalization laws in respect of posting of notices of petitions for citizenship, which was referred to the Committee on Immigration and ordered to be printed.

PAYMENT OF DEATH GRATUITY

Mr. McMASTER submitted an amendment in the nature of a substitute intended to be proposed by him to the bill (H. R. 7639) to amend an act entitled "An act to authorize payment of six months' death gratuity to dependent relative of officers, enlisted men, or nurses whose death results from wounds or disease not resulting from their own misconduct," approved May 22, 1928, which was ordered to lie on the table and to be printed.

AMENDMENT TO AGRICULTURAL DEPARTMENT APPROPRIATION BILL

Mr. TYDINGS submitted an amendment to increase the appropriation for the purchase of additional land for experimental purposes adjoining the experimental farm of the Department of Agriculture near Beltsville, Md., from $15,975 to $16,950, intended to be proposed by him to House bill 15256, the Agricultural Department appropriation bill, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

APPOINTMENTS BY EXECUTIVE ORDER AND DISMISSALS IN THE CIVIL SERVICE

Mr. HEFLIN. I wish to submit a Senate resolution and ask that it go over under the rule.

The resolution (S. Res. 398) was read and ordered to lie over under the rule, as follows:

Resolved, That by January 26, 1931, the Secretary of the Treasury shall furnish the Senate with a duplicate list of appointments made by Executive order on August 22, 1925, without examination, indicating residence, salaries, and duties; be it further

Resolved, That the Secretary of the Treasury shall also furnish the Senate a list of permanent civil-service employees from States whose quotas are in arrears who were discharged in 1926 in accordance with Executive order of June 4, 1925, for reduction of force; and also the number of said employees who were reemployed at reduced salaries, indicating the reduction in salary; be it further

Resolved, That the Secretary of the Treasury advise the amount saved by said reduction of force and also advise the amount of increases in salaries for those retained.

EXECUTIVE MESSAGES

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

CLAIMS AND EXPENSES UNDER THE STATE DEPARTMENT (S. DOC. NO. 252)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed:

To the Congress of the United States:

I transmit herewith a report by the Secretary of State recommending the enactment of legislation for the following purposes:

I

For the relief of the widow, Raimunda Valladarez de Calderon, and children of Justo Calderon, a native Nicaraguan, who was shot to death on January 30, 1930, by Chief Pharmacist's Mate Willie H. Williamson, United States Navy, who was serving as a second lieutenant in the Nicaraguan National Guard.

II

For reimbursement of Demetrio Valle, a Nicaraguan citizen, which arose from bombing operations of a United States Marine Corps airplane near Palsagua, Nicaragua, on or about April 11, 1929.

III

For reimbursement of Salvador Buitrago Diaz, owner of the newspaper La Tribuna, of Managua, Nicaragua, for damage done to his property by United States marines on February 6, 1921.

IV

For reimbursement of Dr. Enrique Klinghoffer and Dr. Br. Rappoccioli for payment for professional services rendered and medical supplies furnished to Charles Stevens McReynolds, deceased, former major United States Marine Corps.

V

For payment of a claim against the Navy Department in the sum of $1,500 United States currency transmitted to that department by the commander in chief United States Asiatic Fleet, after a consultation with the American consul general at Shanghai, regarding proper compensation in the circumstances, in behalf of Ling Mau Mau, a citizen of China, for personal injuries received by him as a result of a collision between a Chinese junk on which he was aboard and the United States naval vessel *Whipple*, which occurred in the Whangpoo River on May 20, 1930.

VI

For payment of a claim of Miss Janet Hardcastle Ross, a Canadian citizen, for compensation for personal injuries resulting from the dropping of a dummy bomb by a United States Navy airplane near Coronado, Calif., on March 27, 1929.

VII

For payment of claims presented by the Governments of Great Britain and of Japan for reimbursement by the Government of the United States of its share in the expenses incurred by the Governments of Great Britain and of Japan in connection with the proposed deportation of enemy aliens from China to Australia during the World War.

VIII

To provide $15,000 for the expenses of the Fourth Pan American Commercial Conference to be held in Washington in 1931.

IX

Report and recommendation concerning a claim against the Navy Department in the sum of $15.59, United States currency, in behalf of N. J. Moosa, a citizen of Great Britain, for reimbursement of expenses of medical services and hospital treatment incurred by him as the result of a collision at Shanghai, China, on September 13, 1928, between a United States Marine Corps truck and a broker's trap, in which he was riding.

X

To provide $50,000 for the expenses of participation by the United States in the World's Grain Exhibition and Conference to be held in Canada in 1932.

The recommendations of the Secretary of State have my approval and I request the enactment of legislation for the purposes stated in order that this Government may carry out the projects and meet the obligations outlined in the report.

HERBERT HOOVER.

THE WHITE HOUSE, *January 12, 1931.*

HENRY P. FLETCHER

The Senate being in executive session,

The VICE PRESIDENT. The clerk will report the first name on the calendar.

The Chief Clerk announced the name of Henry P. Fletcher, of Pennsylvania, to be a member of the United States Tariff Commission.

FEDERAL POWER COMMISSION

Mr. DILL. Mr. President, I do not want to inject into the discussion of nominations for the Tariff Commission anything involving the Power Commission question, but I would like to have inserted in the RECORD an editorial from to-day's Washington Daily News entitled "The Issue." I should like to have it made a part of my remarks at this point in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The editorial is as follows:

[From the Washington Daily News, Monday, January 12, 1931]

THE ISSUE

President Hoover's denial that he is a defender of the power interests could be accepted more readily if it had not been made a few minutes before his Secretary of the Interior restored Frank E. Bonner to the Government pay roll.

This sounds like a minor item compared with the major conflict now under way between the Senate and the President over the three Federal Power Commissioners. Hoover, no doubt, would like it to be ignored in the excitement of his wrathy attack upon the Senate. But it goes through all the smoke and thunder to the very heart of the matter.

There has never been the slighest doubt about Frank E. Bonner; Bonner, whose appointment as executive secretary to the outgoing Power Commission was made on recommendation of a power company official; Bonner, who recommended that the commission drop regulation of power company securities; Bonner, who tried to break up the commission's accounting work; Bonner, who tried, unsuccessfully, to suppress opinions of Solicitor Russell squeezing the water out of power company accounts, and then tried to have the position of solicitor abolished; Bonner, who, failing again, sent an investigator to Montana to try to smear Solicitor Russell's reputation; Bonner, who told the Senate the power companies "are being persecuted"; Bonner, who, as he saw his tenure of office drawing to an end, tried to get the commission to issue a "minor part" license to the Appalachian Electric Power Co., freeing that company and possibly three-fourths of all companies from all regulation by the Power Commission.

Bonner was dismissed by the new power commissioners. But so were King and Russell, the men who had tried to enforce the Federal water power act over Bonner's opposition.

And now Bonner is welcomed back with open arms into the Government service. King and Russell are left to find jobs where they may.

Hoover speaks the truth when he says the people will pass upon all this with unerring judgment. His phrases about the duty of the Executive to resist encroachments of the Senate upon his prerogatives will not blind an electorate which showed last November its understanding of the underlying conflict.

From the beginning there has never been a real issue in this quarrel except enforcement of the Federal water power act.

That was the issue when King and Russell refused to acquiesce in Bonner's attempts to nullify the act.

It was the issue when the President picked for his new Federal Power Commission four men who knew nothing whatever about the intricate power law or the difficulties of enforcing it, and, for chairman, a man who had shown himself a thoroughly tractable bureaucrat.

It was the issue when the Senate reluctantly confirmed these men, failing to find in their undistinguished pasts an affirmative reason for not doing so.

It was the issue when Smith, Garsaud, and Draper rushed to take the oath of office and to dismiss from the commission King and Russell, who had resisted the power companies.

It was the issue when the Senate, acting in the only way an honest legislative body could act, reconsidered its confirmation of these men.

It was the issue when Hoover elected to defend his three commissioners and defy the Senate in its right to refuse to approve them.

It was the issue when these self-discredited new "commissioners" secretly began reconsideration of the iniquitous "minor part license" case while the Senate was voting them fit for office.

It was the issue when Hoover's Secretary Wilbur found a job for the repudiated Bonner.

And it will be the issue when the voters eventually "pass unerring judgment" on this power fight.

Mr. DILL. I also ask to have inserted in the RECORD at this point and made a part of my remarks an editorial from the New York American entitled "The President *v.* the Public," and an editorial from this morning's New York World entitled "The Power Board Dispute." I make the request because these articles discuss quite frankly and, as I think, clearly and correctly the existing situation.

The VICE PRESIDENT. Without objection, it is so ordered.

The editorials are as follows:

[From the New York American, Monday, January 12, 1931]

THE PRESIDENT *v.* THE PUBLIC

Whether the people or the Power Trust shall control the new Federal Power Commission is the real and fundamental issue now joined between the Senate and the President.

This is too grave an issue for the people to be blinded by technicalities of procedure.

In the light of the facts no power can prevent the people from seeing the issue clearly.

Once they are in possession of the facts, not even the power of the Presidency can dissuade the people from following where the facts lead.

Here are the facts:

By a vote of 44 to 37 the Senate requested the President to return for reconsideration the nominations of the chairman and two other members of the new Power Commission.

This request was prompted by the action of three commissioners in summarily removing the chief auditor and the solicitor of the old commission who have done their best to prevent the Power Trust from stealing valuable properties belonging to the public.

In making this request the Senate contends that it acted in accord with Senate rule No. 38. Under this rule no nomination is finally confirmed or rejected until two days after the Senate has voted upon it.

This rule also provides that "if a notification of the confirmation or rejection shall have been sent to the President before the expiration of the time within which a motion to reconsider may be made, the motion to reconsider shall be accompanied by a motion to request the President to return such nomination to the Senate."

The nomination of these three commissioners having been returned to the President before the time limit fixed by this rule

had expired, the Senate was within its rights in requesting the return of the nominations.

But the President not only refuses to accede to the request of the Senate but challenges the right of the Senate to reconsider the nominations and sustains the action of the commissioners in removing these two faithful employees.

"By their fruits ye shall know them." The representatives of the people in the Senate are trying to prevent the Power Trust from controlling the Federal Power Commission.

The representatives of the people in the Senate are trying to prevent the tools of the Power Trust on the commission from punishing Chief Auditor King and Solicitor Russell for doing their best to prevent the Power Trust from stealing the properties that belong to the people.

But the representative of the people in the Presidency lines up against the Senate and the faithful public servants the Senate is trying to protect for doing their duty and goes to the support of the Power Trust and the three members of the new Power Commission that did exactly what the Power Trust wanted them to do when they dismissed King and Russell.

The Hearst newspapers, in calling upon the Senate to reconsider the nominations of Chairman Smith and Commissioners Garsaud and Draper, said:

"As for Mr. Hoover himself, he is apparently acting not as the President of the United States but as the president of the Power Trust."

By action that speaks louder than words, Mr. Hoover now shows that the Hearst newspapers were right in their conclusion.

Thus in the eternal struggle between justice and privilege, of which the conflict between the Senate and the President is the latest engagement, you see the Senate championing the cause of the public and the President joining forces with the Power Trust.

So that if Mr. Hoover is not president of the Power Trust now, he probably will be after 1932.

[From the New York World, Monday, January 12, 1931]

THE POWER BOARD DISPUTE

The dispute between the President and the Senate over the recent appointments to the Federal Power Commission is a new form of an old controversy. It is new in that the Senate's vote for a reconsideration of its confirmation of the appointment of three members of the commission is wholly without precedent. But the Senate's insistence upon a right to some degree of control over the tenure of those officeholders whose appointment it confirms is by no means novel. This, indeed, formed the main basis of the dispute which led to the impeachment of President Johnson in 1868. In these earlier controversies the Senate sought to exercise the same sort of control over the removal of an officeholder which it exercised over his appointment. During its quarrel with President Johnson Congress passed over his veto the tenure of office act requiring the President to obtain the consent of the Senate to the dismissal of any official whose appointment it had confirmed. This act was later modified and finally repealed.

In the case of the Power Commission the Senate has sought to use its authority not to prevent a removal but virtually to make one on its own initiative. It is this which gives the case its novelty. Under its existing rules the Senate may reconsider the nominations it has confirmed "on the same day on which the vote was taken, or on either of the next two days of actual executive session of the Senate." The rules also provide that "if a notification of the confirmation or rejection of a nomination shall have been sent to the President before the expiration of the time within which a motion for reconsideration may be made, the motion to reconsider shall be accompanied by a motion to request the President to return such notification to the Senate."

In voting for a reconsideration of its confirmation of three members of the Power Commission the Senate has thus acted in strict compliance with its own rules. It confirmed the appointments on December 19 and 20 and then adjourned for the holidays. The President, meantime, was officially notified of the Senate's action and issued commissions to the appointees. On December 23 the three members of the newly appointed commission, who were then in Washington, without awaiting the arrival of their colleagues, notified all employees of the old commission that the new law automatically ended their tenure, but they also arranged to retain the services of the clerical staff for the time being. The main result was to bring about the dismissal of the secretary, the solicitor, and the chief accountant. The solicitor, Charles F. Russell, and the chief accountant, William V. King, have been unpopular with the power companies because of their advocacy of more effective methods of regulation, and it was their removal which led the Senate to vote for a reconsideration of its confirmation of the appointments of Commissioners Draper, Garsaud, and Smith.

Since a motion to this effect was made on the first legislative day following the confirmation, the Senate's action seems to have been clearly in order under its rules. On the other hand, since the commissioners have been duly sworn in and the Attorney General has ruled that the appointments have been constitutionally made, it seems that the President is on solid legal ground when he declines to accede to the Senate's request, for his compliance would be tantamount to acknowledging that the Senate had the power under certain conditions to remove duly appointed officers. When the Senate's rules conflict with the law and the Constitution the President's duty is plain.

The President's power over appointments and removals was emphasized, even while the tenure of office act was in force, by Presidents Grant, Hayes, and Cleveland. All three of these urged the repeal of that measure. President Cleveland challenged its constitutionality and acted in defiance of it, declaring that it was his duty to maintain the Chief Magistry "unimpaired in all its dignity and vigor," and Congress repealed the act during his first term. Ten years later the President's sole authority over removals from office was sustained by the Supreme Court in the leading case of Parsons *v.* United States.

The constitutionality of President Hoover's position has no bearing, of course, upon the propriety of the summary dismissal by the three power commissioners of two public officials who had shown a commendable zeal in protecting the interests of the public. The President's message to the Senate does not touch upon this issue. He would have done well to rest his case before the country with that document. Unfortunately he has supplemented it with a public manifesto which is both inept and indefensible. He depicts the criticism of the Power Commission as a bit of political strategy and intimates that it is actuated by "a hope of symbolizing me as the defender of the power interests if I refuse to sacrifice three outstanding public servants." * * *

This is the second time within a month that the President has impugned the motives of the Senate. A few weeks ago those who disagreed with his program for the relief of unemployment were denounced as playing politics at the expense of human misery, and now those who question the conduct of his appointees are denounced in equally vehement fashion. Cooperation with the Senate is indispensable to the success of Mr. Hoover's administration, but how can he expect to obtain it with such outbursts of ill temper?

Mr. HASTINGS. Mr. President, may I have inserted in the RECORD, immediately following the articles requested to be printed therein by the Senator from Washington [Mr. DILL], an editorial from the Washington Post of January 11, 1931, on the same subject? I would like to say that I have deleted from that editorial words in two places which might be objectionable.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The editorial is as follows:

[From the Washington Post, Sunday, January 11, 1931]

THE SENATE MASTERED

Nothing that Mr. Hoover has done in the Presidency has met with such an electric and delighted response from the public as his rebuff to the Senate, administered yesterday.

It is now seen that the people were not mistaken in Herbert Hoover. When they elected him they regarded him as a man of courage and fidelity, who would discharge the duties of the Presidency without fear or favor, patiently but with a will of iron. He has now met the test and emerges his own master and master of the Presidency.

"I can not admit the power in the Senate to encroach upon the Executive functions."

These words became American history the moment they were uttered. It is the voice of George Washington and Abraham Lincoln that speaks through Herbert Hoover.

There is another historic saying: "Whom the gods would destroy they first make mad." The clique of Senators who invited this staggering rebuke from the President of the United States do not quit. They have the vanity of small men who vainly hope to ward off public derision and contempt by persisting in further frantic excesses. Accordingly they vote to place the names of the power commissioners back on the calendar, notwithstanding the President's refusal, as if the Senate could remove these officials from office. Notice is also given that an attempt will be made to withhold the pay of these officials.

The full effect of this plunge into insanity will fall upon the Democratic Party. Democrats engineered this attempt to usurp Executive power. Democrats bulldozed Senator ROBINSON, their floor leader, into supporting them, and he will now have abundant leisure in which to repent. He had a wonderful opportunity to stay his party colleagues before they made a fatal blunder, which in politics as in war is worse than a crime. He wavered, and so he shares his party's humiliation.

The majority that committed the Senate to this disastrous collision with the Executive makes itself rediculous by restoring the names of the power commissioners to the calendar of nominations. If the Senate had power to do that, why did it waste five days in debating the question of asking the President to return the nominations? The Democrats who conceived this brilliant futility seem to be determined to reap the full harvest of public derision.

It was not through lack of information that the Democratic-insurgent coalition committed the blunder of trying to intimidate President Hoover. Senator GOFF was particularly cogent in his summing up of the constitutional question involved. What he said was unanswerable, and what followed confirmed his statements. "The action of the Senate in voting to recall these names, for the purpose of removing these commissioners, was the exercise solely of an Executive function," says Senator GOFF. "Under the Constitution the President has no authority whatsoever to return

the names of the commissioners to the Senate, which is a legislative body possessing no authority to remove or impeach."

President Hoover's public statement on this matter reinforces his message to the Senate and gives the people a clear idea of the nature of the controversy. But it does more than that. It gives the people a clear idea of the mettle of the man at the head of the Government. Here is the successor of Washington, Lincoln, and Cleveland. No President has more resolutely fulfilled his oath to support and defend the Constitution.

No President has more clearly earned the thanks and support of the American people than President Hoover has earned it by putting the Senate in its place.

Mr. HASTINGS. Also I ask to have inserted in the RECORD an editorial appearing in the Washington Star of January 11, 1931, and an article appearing in to-day's New York Herald Tribune quoting several editorials, one of which I have stricken out from the Detroit Free Press, because it seems to me it might be objectionable.

The VICE PRESIDENT. Without objection, it is so ordered.

The editorials are as follows:

[From the Washington Star, Sunday, January 11, 1931]

THE POWER COMMISSIONERS

The Senate, by a vote of 44 to 37, has sought to remove from office three members of the Federal Power Commission after they have been duly "appointed" and commissioned by the President. None of the Senators who voted last night to request the President to return to the Senate the nominations of these three commissioners would hold that the President had in any way violated precedent or the law, after he had been officially notified that the Senate "advised and consented" to the appointment of the commissioners. They have insisted, however, that the Senate has the right to call back the nominations of the commissioners because the motion to reconsider and recall was made within the first two "executive" sessions of the Senate after confirmation.

It is now contended that the Senate, as the journal of its executive session shows, waived the rule when on December 20 it sent to the President notice of the confirmation of the nominations. Senators who demanded the recall of the nominations, by their objection last night to sending to the President notice of the confirmation of other nominations, acted upon yesterday by the Senate, gave emphasis to the argument that in acting on the power commissioners' nominations originally they had waived their rule and given the President authority to go ahead and "appoint" and commission the power commissioners.

The President, having acted within his rights, is now asked by the Senate to rescind that action and return to the Senate the nominations of the power commissioners. If the President accedes to the request he establishes a precedent which may rise to plague the Executive in the future in its dealings with the Senate, which is constantly seeking to encroach upon the authority of the Executive, as has been shown over a long period of years. It is not the part of the Senate to retire from office officials of the Government after it has "advised and consented" to their appointment, and these officials have been appointed and commissioned by the President in accordance with the law. That is a function allocated to the Chief Executive. Impeachment proceeding for malfeasance in office may be instituted in the House, and if determined upon by that body may be tried by the Senate.

Politics lies at the bottom of the present controversy between the Senate and the Chief Executive. Also, a desire on the part of opponents of Mr. Hoover to make the so-called water-power issue paramount in the campaign of 1932 and to align Mr. Hoover with the so-called Power Trust and against the interests of the general public. The opponents of the administration seized upon the fact that the three power commissioners—to whose appointment a majority of them had "advised and consented"—had let out of office two officials of the old Power Commission who were declared to be antagonistic to the power interests. It is true that at the same time the commissioners had declared vacant the office of the executive secretary, held by F. E. Bonner, characterized by many of the Senators as a friend of the power interests.

Never before, so far as the records have revealed, has the Senate undertaken to remove from office by the reconsideration route officials to whose appointment it has advised and consented, after appointment has been made by the President in due form. If the President declines to send the names of the commissioners back to the Senate, holding that he can not waive the powers of the Executive relating to dismissal, there appears to be nothing the Senate can do about the matter, although it might by some device be carried to the courts for final determination. It has been suggested that the Senate in its wrath may withhold appropriations for the members of the Power Commission. But in such action it must have the concurrence of the House. It is doubtful if the House would undertake to uphold the Senate in its course with regard to the power commissioners.

The Senate's action last night appears to be notice to any and all who are appointed to serve on the Federal Power Commission that they must retain in service subordinate officials whom the "coalition" desires to have retained. If that is to be the dictum, the only course for the President to follow would be to appoint Messrs. King and Russell, the two officials in question, as members of the Power Commission.

[From the New York Herald Tribune, Monday, January 12, 1931]

SENATE LACKS RIGHT TO RECALL, PRESS BELIEVES—PHILADELPHIA PUBLIC LEDGER FINDS LIMIT REACHED IN "ARROGANT ASSUMPTION"—POWER LOBBY IS ASSAILED—PRESIDENT HAS UPPER HAND, ASSERTS BALTIMORE SUN

Leading newspapers in various parts of the country published the subjoined editorial comment upon the controversy between the President and the Senate with regard to three members of the Federal Power Commission:

East

NEW YORK TIMES

"As for the President, he acted promptly, courageously, and in the highest tradition of his great office. His statement of the law was absolutely crushing to his opponents, while his explanation of the policy of the administration in the matter of regulating hydroelectric companies was clear and convincing. There was a ring of honest indignation in his words when he deplored the raising of such a foolish and time-wasting controversy in the Senate at a juncture when 'the condition of the country requires every constructive energy.' To that implied rebuke of the Senate we are confident that the country will say a loud amen. When the Senate of the United States turns its 'advice and consent' into device and contempt, the people of the United States will know what to think of it."

PHILADELPHIA PUBLIC LEDGER

"The long story of the United States Senate's attempt to assert authority over the executive branch of the Government contains many examples of arrogant assumption, but the limit would seem to have been reached. * * * No one expected Mr. Hoover to yield to the Senate's contention. To do so would have encouraged the Senate to adopt a similar dictatorial attitude toward the policies and procedure of the Interstate Commerce Commission, the Tariff Commission, the Farm Board, and all other governmental bodies whose membership it confirms. His refusal will be widely commended. From the practical viewpoint, the Senate has indulged in an idle gesture. But as a symptom of its increasing spirit of autocracy and disposition to dictate to the Executive it is most disquieting."

BALTIMORE SUN

"There is not much doubt that the President has the Senate by the short hair in this matter of the attempted recall of the confirmation of three members of the Power Commission. * * * The whole affair gives no credit either to the Senate or to the President, and offers no cheering prospect to the people. * * * So far as we can see, nobody deserves any congratulations. The Senate has rather made a spectacle of itself, and Mr. Hoover has won another of the kind of victories that scare sensible men to death."

WASHINGTON POST

"Nothing that Mr. Hoover has done in the Presidency has met with such an electric and delighted response from the public as his rebuff to the Senate administered yesterday. It is now seen that the people were not mistaken in Herbert Hoover. He has met the test and emerges his own master and master of the Presidency. 'I can not admit power in the Senate to encroach upon the Executive.' These words became American history the moment they were uttered. The full effect of the Senate's plunge into insanity will fall upon the Democratic Party. Democrats engineered this attempt to usurp Executive power. They made a fatal blunder, which in politics, as in war, is worse than a crime. * * *

"With an obscure rule of procedure as a pretext, the Senate had attempted again to encroach on Executive rights, and he has publicly rebuked it in an appeal to the country.

"When he imputes malicious motives to the Senate majority he voices the belief of the great mass of the people, and their 'unerring judgment' will sustain him. Once again the Senate has indulged in tactics which will further impair its standing. It is refreshing to read the President's accusations. They recall the words of President Coolidge on a similar occasion: 'It is time that we return to a government under and in accordance with the usual forms of the law of the land. The state of the Union requires it. The state of the Union never required it more urgently than at present."

PHILADELPHIA INQUIRER

"The President sees the real issue clearly, though the Senate is trying to camouflage it. It reaches far beyond the matter of the appointments in question or even the functions of the Power Commission. The Senate resolution, as the President says, encroaches upon the executive arm of the Government. Mr. Hoover accepts the full duties and responsibilities of his office, resisting unconstitutional dictation. No self-respecting President could do less. And public opinion will be firmly behind him, as it was behind his predecessors, in refusing to yield one jot or tittle of his authority to his self-appointed censors. No little oligarchy of Senators can take it away from him."

Middle West

CLEVELAND PLAIN DEALER

"The Senate is probably skating on thin legal ice. Its action can hardly be conceived as more than a gesture of protest. Virtually it asserts a power of senatorial recall. If power commissioners' confirmation can be called back because the Senate does not like what they do after they take office, what would prevent

the Senate from seeking by the same method to oust the Chief Justice or any other presidential appointee subject to Senate confirmation? But if the Senate's action is open to criticism on legal grounds, its timeliness as a gesture of protest will lead many to defend the Senators who changed their vote. It is a blow at the power lobby, which for years has been seeking a direct legislative and administrative action and to influence public opinion."

INDIANAPOLIS STAR

"The rebuke administered to the Senate by President Hoover should be understood and its importance recognized in every corner of the Nation. The Chief Executive was not merely fighting back at a group of bumptious Senators disgruntled because of the action of the recently installed power commissioners. He was defending a fundamental principle in our plan of government. The President was standing firmly in support of the executive and judicial departments, which were threatened by the Senate. Nothing the Senate has done demonstrated so forcibly, as has its recall resolution, the depths to which that body has fallen. A majority apparently has lost, or never had, a proper conception of the Senate's function in our theory of government."

DES MOINES REGISTER

"President Hoover makes a perfect defense of his refusal to return the names of the power commissioners to the Senate for reconsideration of their nominations. The commissioners no doubt acted with undue haste in discharging the working force of the old commission. That haste caused the Senate to act precipitately in adopting the resolution to reconsider. But the President has settled the whole controversy. He has acted promptly and with decision. If he were to act thus vigorously oftener, he would find the country responding more readily to his leadership."

West

PORTLAND OREGONIAN

"If presidential appointments that are legally made, confirmed, and put into effect could be upset by the Senate at one time, why not at another? Why would not the Senate have this club of reconsideration to hold over all presidential appointees a month after confirmation, or six months, or a year? The Senate blundered by sending the names along while there remained a possibility that it would change its mind. Now it asks the President to do something he can not legally do for the sake of righting its own mistake. Yet if the commissioners had not actually gone into office, the movement to oust them would not have started."

SAN FRANCISCO CHRONICLE

"The Senate's action is pure partisan peevishness, just another exhibition of insurgent ghost dancing, abetted by the Democrats with the hope of annoying the administration. The line-up tells its own story. The action of the Senate has the unpleasant odor of an attempt at usurpation. Yet it need not be taken too seriously even in that light. The coalition itself probably didn't expect President Hoover to let the Senate commit an act of usurpation. While throwing bricks at the President the Senate hoped he would save it from its own folly. In the meantime the insurgents and their Democratic sympathizers have had a lovely time making swashbuckling speeches for home consumption and using up five days needed for urgent public business."

South

BIRMINGHAM NEWS-AGE-HERALD

"The President's statement on the matter gives the Senate as well-deserved a dressing down as that body has ever had at the hands of any Chief Executive. At the same time it is written in temperate terms and with scrupulous regard for all the facts of the situation. This restraint on the part of Mr. Hoover gives added force to his statement. * * * The Senate has been entirely in the wrong in this affair. Its actions have not only been spiteful but petty and childish. It has attempted to dictate to the Power Commission concerning a more or less trivial affair with which it had nothing to do in the first place. It has attempted to encroach upon the authority of the President. It has acted with indiscretion and poor judgment. It has acted unfairly. It was in no respect whatever in the right in its attitude."

ATLANTA CONSTITUTION

"The action of the Senate is not only unprecedented but it must be alarming to every devotee to orderly and just government. The technicality based on Senate parliamentary rules weighs absolutely nothing in the grosser implications of the Senate action. The grave questions involved are the prerogatives of the chief of the executive department and the legal rights of the officers of the Government constitutionally designated and confirmed to their places and functions."

MEMPHIS COMMERCIAL-APPEAL

"Regardless of the qualifications of the new Power Commission as developed by newly discovered evidence, President Hoover is not only within his rights in refusing to return the nominations to the Senate but for once shows the proper spirit in asserting himself as the executive department of the Government. The Government must be run along well-ordered lines and their process must have due regard to the developments of functions set by the Constitution. The Senate must advise and consent, but the Constitution requires this to be done only once. When that is done, as was done in the Power Commission case, that will be the end of it."

RALEIGH NEWS AND OBSERVER

"Senator WALSH and other Senators have done a great public service in bringing the action of the Power Commission under public condemnation. The President should have returned the nominations and the Senate should have recalled the other two. If the President is legally right, a good purpose has still been subserved in putting the commissioners under the calcium light. That the commission should have been comprised of the ablest men in America, whose very names would have inspired confidence."

NEW ORLEANS TIMES-PICAYUNE

"The controversy over the Power Commission involves a question of fundamental law which will have to be settled by the courts if all the parties thereto maintain their present position with respect to it. During the interval indignant Senators can debate the issue as much and as long as they like. The probability that they will do this very thing suggests the probability of further delay of relief legislation and increases the probability of a forced special session. Conceivably the importance of this new conflict may be greater than outsiders suppose, but many long-range observers now regard it offhand as another illustration of the beautiful 'harmony and cooperation' prevailing at Washington during a trying time when these qualities are so obviously needed."

Mr. HASTINGS. I also ask to have printed in this connection as a part of my remarks an editorial appearing in this morning's New York Times entitled "Worse than 'Futile,'" and the statement issued by President Hoover in relation to the Power Commission.

The VICE PRESIDENT. Without objection, it is so ordered.

The editorial and statement are as follows:

[From the New York Times, Monday, January 12, 1931]

WORSE THAN "FUTILE"

Senator WALSH of Montana admitted on Saturday that it would be "futile" for the Senate to continue its controversy with the President over the Federal Power Commission. It is a pity that he did not discover this earlier. It was on his motion that the Senate used up nearly a week in discussing a question that never should have been raised at all. Mr. WALSH now admits that the President has the upper hand. Since Mr. Hoover would not knuckle under to the Senate, there is nothing more that the Senate can do except to make damnable faces. The three commissioners whom the Senate wished to remove, by reconsidering their nomination, were duly appointed, confirmed by the Senate, sworn in, and are now lawfully in office. There are only two ways in which they can be got out of it. One is for the President to remove them, which he will not do. The other is for the House to impeach them, which it will not do. There is no possible way of getting the dispute into court. In fact, from the judicial aspect, the dispute has already been foreclosed against the Senate by the Supreme Court. Senator WALSH is quite right in declaring that any further proceedings by the Senate in the premises would be an utter "futility."

Worse than a futility was the whole attitude and action of the Senate from the beginning. What it was endeavoring to do was to usurp for itself an essential part of the power of the Executive. It was setting up one of its own rules as superior to the Constitution of the United States. It should have known in advance that the President would surely resist its attempted encroachment. When he takes the oath faithfully to "execute the office of President," and to "preserve, protect, and defend the Constitution of the United States," he binds himself to maintain, not only for himself but for his successors, every vestige of his rightful power. Upon many Presidents before Mr. Hoover the Senate has made this same kind of attack; but almost invariably it has been repulsed and defeated. And in every case the people have rejoiced at the discrediting and discomfiture of a Senate that sought to rob the President of a part of his prerogative. All this should have been as clear last Monday as it became on Saturday. For almost a week the Senate simply got down into the dirt for nothing.

The alleged legal point which it tried to make was only a covering for a political motive. The desire was to embarrass and entrap the President. Eagerly scenting the possibility that "the Power Trust" may be a winning issue in the presidential election of 1932, the Senate set about to identify Mr. Hoover as a "friend" of the wicked thing. But its poisoned arrows fell harmless from his shield. All that he had to do was to point to the facts and the law. He has recommended that the largest possible right of regulation of power companies shall be placed in the hands of the Federal Power Commission, so far as concerns all interstate transmission. He has appointed competent and honorable commissioners. The Senate found no fault with them until, as they were expected, and almost instructed to do, by the statute, they set about reorganizing their working force so as to eliminate friction and promote efficiency. Then the Senate thought it saw a chance to come forward as the vigilant and formidable enemy of the Power Trust and devoted friend of the people. That was the real reason why it marched uphill for five days, and then ignominiously down again on the sixth, confessing that its whole scheme had ended in futility.

In this display of how not to do it the Democratic Senators took a disgraceful part. Only five of them voted against the folly and and foredoomed failure of calling upon the President to abnegate his office and to humiliate himself. Of the other Democratic Senators it must plainly be said that, as Tacitus wrote of the degenerate Romans, they fairly rushed into their shameful position ("ruerunt in servitium"). They gleefully thought that they were

laying a trap for a Republican President, but fell plump into it themselves. Thereby they threw away the reputation which some of their leaders have been laboring hard to acquire for steadiness and trustworthiness—especially to persuade the country that they were going to avoid every appearance of another deadly alliance with the insurgent Republicans. If they are going to recover for themselves and their party some of that public confidence which they have sought to obtain, and which in one mad week they did so much to shatter, they will have to repent in dust and ashes and bring forth works meet for repentance during all the rest of the session.

The President acted promptly, courageously, and in the highest tradition of his great office. His statement of the law was absolutely crushing to his opponents, while his explanation of the policy of the administration in the matter of regulating hydro-electric companies was clear and convincing. There was a ring of honest indignation in his words when he deplored the raising of such a foolish and time-wasting controversy in the Senate at a juncture when "the condition of the country requires every constructive energy." To that implied rebuke of the Senate we are confident that the country will say a loud amen. When the Senate of the United States turns its "advice and consent" into device and contempt, the people of the United States will know what to think of it.

[From the New York Herald Tribune, Sunday, January 11, 1931]

PRESIDENT'S STATEMENT TO NATION ON POWER BOARD

WASHINGTON, January 10.—The text of President Hoover's statement to the Nation on the Senate's recall of Power Commission nominations follows:

"JANUARY 10, 1931.

"I have to-day notified the Senate that I will not accede to their resolution requesting the return to the Senate of the resolutions advising and consenting to the appointment of Messrs. George Otis Smith, Col. Marcel Garsaud, and Mr. Claude L. Draper, members of the Federal Power Commission.

"I am advised by the Attorney General that these appointments were constitutionally made, are not subject to recall, and that the request can not be complied with by me. In any event the objective of the Senate constitutes an attempt to dictate to an administrative agency upon the appointment of subordinates and an attempted invasion of the authority of the Executive. These as President I am bound to resist.

"I can not, however, allow a false issue to be placed before the country. There is no issue for or against power companies.

"It will be recalled that on my recommendation the Federal Power Commission was reorganized from the old basis of three Cabinet members giving a small part of their time to a full commission of five members, in order that adequate protection could be given to public interest in the water resources of the country, and that I further recommended that the commission should be given authority to regulate all interstate power rates. The law establishing the new commission became effective last June, although legislation giving it authority to regulate rates has not yet been enacted.

"The resolutions of the Senate may have the attractive political merit of giving rise to a legend that those who voted for it are 'enemies of the power interests' and, inferentially, those who voted against it are 'friends of power interests,' and it may contain a hope of symbolizing me as the defender of power interests if I refuse to sacrifice three outstanding public servants or to allow the Senate to dictate to an administrative board the appointment of its subordinates, and if I refuse to allow fundamental encroachment by the Senate upon the constitutional independence of the Executive. Upon these things the people will pass unerring judgment.

"Much of the debate indicates plainly that those who favored this resolution are intent upon removing Messrs. Smith, Draper, and Garsaud, not because they are unqualified but to insist upon the Senate's own selection of certain subordinates. Irrespective of the unique fitness of these commissioners for their positions and before they have given a single decision in respect to any power company, they are to be removed unless they are willing to accept employees not of their choosing. It is not only the right but it is also the duty of the commission under the law to appoint its own employees.

"It must assume the responsibility for the conduct of its office. The fitness of its subordinates for the fulfillment of their respective duties must be determined by the commissioners, and no honorable man could accept such responsibilities upon any other terms. If the appointments of these commissioners are withdrawn, it is obvious that their successors must accept the Senate's views of these subordinates.

"The resolution raises the question of the independence of the executive arm of the Government in respect of the appointment and removal of executive officials. Many Presidents have had to meet this particular encroachment upon the executive power in some form. Every one of them has repelled it, and every President has handed on this authority unimpaired. It reaches to the very fundamentals of independence and vigor of the Executive, whose power comes from the people alone and the maintenance of which is vital to the protection of public interest and the integrity of the Constitution.

"The President is responsible to the people to see that honest and capable officials are employed by or appointed to the various administrative agencies of the Government. I do not appoint nor recommend any subordinate of the Power Commission. Under the law the commission appoints these officers untrammeled. If the Power Commission shall fail to employ honest and capable officials, it is within my power to remove such officials as well as the members of the commission. I have not and shall not hesitate to exert that authority. The House of Representatives have the right to impeach any official, and if the Power Commission shall be derelict in the performance of its duties, the orderly and constitutional manner of procedure by the legislative branch would be by impeachment and not through an attempt by the Senate to remove them under the guise of reconsidering their nominations or any attempt to force administrative agencies to a particular action.

"In July last I nominated to the Senate Colonel Garsaud and Messrs. Draper and Williamson as members of the new commission. Their character and fitness for its duties were inquired into by a committee of the Senate and favorably reported. Owing to the press of business in the last session these nominations were not considered at that time. Their names remained before the country for four months, and in December I renominated them to the Senate, together with Mr. George Otis Smith and Mr. Frank R. McNinch. The qualifications of all five members were again searchingly investigated by the committee, the nominations were favorably reported to the Senate, and they were confirmed on December 19 and 20 after full consideration and debate.

"Mr. George Otis Smith has been in public service as member and head of the Geological Survey for 30 years, through Democratic as well as Republican administrations. He has distinguished himself as an independent, devoted public official, with a larger knowledge of water-power resources of the United States than any other man. He was chosen as chairman of the commission. Colonel Garsaud is an eminent engineer and had a distinguished service as colonel in the Army during the World War. Mr. Draper served for 10 years as chairman of the public utilities commission of his State with the universal approval of the citizens of that State. Not a single member is in the remotest way connected with power interests.

"Upon confirmation, official notice was forwarded to me by the Secretary of the Senate, in accordance with the precedents of many years. I thereupon issued the commissions and the appointees were duly sworn into office. Messrs. Smith, Draper, and Garsaud, the only members who were then in Washington, met and assumed the responsibility of office, and, I understand, notified all employees of the old commission that under the new law their employment was automatically terminated. Arrangements were made with the Civil Service Commission to temporarily continue the clerical employees, and further action was deferred upon the secretary, a solicitor, and an accountant and others until a meeting of the full commission, including Messrs. Williamson and McNinch, which was held early in January. At that time all employees, including the three men whose dismissal has been the subject of controversy, were informed they could apply for reappointment and their qualifications would be examined. I am informed that the solicitor and accountant have applied for reappointment, but no action has been taken by the commission upon their applications. The chairman of the commission, however, expressed disapproval especially of the former secretary and the solicitor because of long-continued bickerings and controversies among employees of the old commission.

"I regret that the Government should be absorbed upon such questions as the action of the Power Commission in employment or nonemployment of two subordinate officials at a time when the condition of the country requires every constructive element.

"HERBERT HOOVER."

REPORTS OF COMMITTEES

The Senate being in executive session,

Mr. MOSES. Mr. President, if it is not out of order to transact some executive business, I ask unanimous consent to submit a report for the Executive Calendar.

The VICE PRESIDENT. The report will be received.

Mr. MOSES, from the Committee on Post Offices and Post Roads, reported favorably the nominations of Blanche B. Pineo to be postmaster at Center Ossipee, N. H., and Willard C. Fogg to be postmaster at Lincoln, N. H., which were placed on the Executive Calendar.

Mr. BORAH, from the Committee on the Judiciary, reported favorably the nomination of Daniel H. Case, of Hawaii, to be circuit judge, second circuit, Territory of Hawaii, which was placed on the Executive Calendar.

Mr. HEBERT, from the Committee on the Judiciary, reported favorably the nomination of Joseph J. McGuigan, of Pennsylvania, for appointment as district attorney of the Canal Zone, which was placed on the Executive Calendar.

Mr. BRATTON, from the Committee on the Judiciary, reported favorably the nomination of Philip H. Mecom, of Louisiana, to be United States attorney, western district of Louisiana, which was placed on the Executive Calendar.

Mr. KING, from the Committee on the Judiciary, reported favorably the nomination of Samuel H. Sibley, of Georgia, to be United States circuit judge, fifth circuit, which was placed on the Executive Calendar.

Mr. STEIWER, from the Committee on the Judiciary, reported favorably the nomination of Randolph Bryant, of Texas, to be United States district judge, eastern district of Texas, which was placed on the Executive Calendar.

Mr. PHIPPS, from the Committee on Post Offices and Post Roads, reported favorably sundry post-office nominations, which were placed on the Executive Calendar.

Mr. BLAINE, from the Committee on the Judiciary, reported favorably the following nominations, which were placed on the Executive Calendar:

Joseph C. Hutcheson, jr., of Texas, to be United States circuit judge, fifth circuit; and

Francis M. McCain, of Kentucky, to be United States marshal, western district of Kentucky.

Mr. HASTINGS, from the Committee on the Judiciary, reported favorably the nomination of Carroll C. Hincks, of Connecticut, to be United States district judge, district of Connecticut, which was placed on the Executive Calendar.

HENRY P. FLETCHER

The VICE PRESIDENT. The question is, Will the Senate advise and consent to the nomination of Henry P. Fletcher to be a member of the United States Tariff Commission?

Mr. HARRISON. Mr. President, I ask unanimous consent that the first of the names for membership on the Tariff Commission be passed over and that we proceed to the consideration first of Mr. Brossard. I suggest that for the reason that the main opposition is to Mr. Brossard, and I think it will expedite the consideration of the nominations if that course is pursued.

Mr. WATSON. Let me ask the Senator if Brossard is the only one who is going to be opposed, why not confirm the others and then take up Brossard?

Mr. HARRISON. Personally my main opposition is to Brossard. I think the main fight is going to be on Brossard, and I see no reason why he should not be taken up first, because I will say frankly to the Senator from Indiana, if Mr. Brossard should be confirmed my attitude might be changed completely with reference to the others.

Mr. WATSON. I can not understand the Senator's viewpoint.

Mr. HARRISON. There are many things the Senator from Mississippi does that the Senator from Indiana can not understand. As I understand the situation, the main opposition to these nominees is to Brossard. Why not consider him first?

Mr. WATSON. Of course, they are not in that order on the Executive Calendar, and I know of no reason why we should take up one before it is reached in its proper order. My suggestion is that we consider first those as to which there is no opposition and then proceed to the one as to which there is going to be a fight, according to the Senator from Mississippi.

The VICE PRESIDENT. Does the Senator from Indiana object?

Mr. WATSON. I do. I dislike to object to anything my friend from Mississippi asks, but I object to this suggestion.

The VICE PRESIDENT. Objection is made. The question is, Will the Senate advise and consent to the nomination of Henry P. Fletcher to be a member of the United States Tariff Commission?

Mr. BORAH. Mr. President, I desire to submit some observations with reference to the nomination of Mr. Fletcher to be chairman of the Tariff Commission. I want to preface my remarks by saying that as an individual I have no criticism to offer against Mr. Fletcher. So far as I know there are no criticisms in that respect to be offered. If he were here nominated for a position in the line of the work to which he has devoted his life, I could support him without misgivings of any kind, but he is to be made chairman of the most important, in many respects, commission which we have created and the most expert commission which we have created.

It will be recalled that at the last session the Congress surrendered its ancient and well-protected prerogative of framing tariff bills and levying taxes in that respect and delegated that power to a commission in conjunction with the Executive. The great argument which was made at that time, and the argument which seemed to control, was that the making of a tariff had come to be purely an expert task, that the Congress of the United States was in the first place uninformed with reference to the subject and in the second place somewhat unwieldy in executing that task, and therefore it was necessary to delegate this power exclusively to a tariff commission. Thus, it was the design of Congress, apparently, to have expert knowledge. We were to have a tariff free from politics and framed by the best students of this subject.

As I have said, I have no objection to Mr. Fletcher as an individual, but Mr. Fletcher has apparently studiously refrained from informing himself in regard to the tariff. Considering that he comes from the great State of Pennsylvania it might be said that he is willfully ignorant of the tariff because of the course which he has pursued. He seemed not to have any interest in it, any desire to know anything about it, and I have understood that he said that it is one of the wonders to him why he was selected for this particular position. I further understand that at first he declined it on the ground that he felt he was not fitted for the work—all the more commendable in Mr. Fletcher. I am perhaps expressing at this time the same ideas which he entertained when advised of the President's desire to name him for a task for which he felt himself quite unfitted.

Let me call attention to the hearings. He was asked by the Senator from North Carolina [Mr. SIMMONS]:

Have you made any study of the tariff?
Mr. FLETCHER. No, sir; not until I came on the commission.

On page 7 appears the following:

Senator HARRISON. What are your general views with reference to tariff?
Mr. FLETCHER. I haven't any general views.
Senator HARRISON. You haven't any views on the tariff?
Mr. FLETCHER. No.
Senator HARRISON. Well, you are a Republican in your views on the tariff, I assume.
Mr. FLETCHER. Well, to that extent, perhaps; yes.
Senator HARRISON. What are the Republican views on the tariff?
Mr. FLETCHER. Well, if you will tell me, sir, that—they are not so awfully different from the views of some Democrats, so I have been told.
Senator HARRISON. Are you what is called a high protectionist?
Mr. FLETCHER. Well, I don't think so. I feel that the system has been adopted in this country.

He "feels" it has been adopted in this country. Mr. Fletcher is not to be criticized because of his timidity in this matter, because he has given no consideration to the matter whatever, but he is to be chairman of the commission which is to take the place of Congress because Congress does not know anything about it.

Senator HARRISON. Do you believe in the theory as followed in this bill as laid down in the flexible provisions, of ascertaining the difference in cost in this country and abroad, and taking into consideration certain things, by which to arrive at that difference in cost of production here and abroad and fix the rate accordingly?
Mr. FLETCHER. Yes; I think we will try to do that to the best of our ability.
Senator HARRISON. Is that your viewpoint?
Mr. FLETCHER. That is the ony way I could go about it in order to comply with the law, and that without regard to any views which I may or may not have. I think I could do that.

Again the Senator from Kentucky [Mr. BARKLEY] said:

Senator BARKLEY. Mr. Fletcher, have you sufficiently studied the new tariff law to know whether you care as chairman of the Tariff Commission to say whether the rates are high enough?
Mr. FLETCHER. I have not studied it at all. I expect to learn a little bit about it as it comes along, as each case comes along.
Senator WALSH. Mr. Fletcher, how many years were you in the Diplomatic Service?
Mr. FLETCHER. About 27, I think.
Senator WALSH. And there was a period of time when you were not in the service?
Mr. FLETCHER. Yes.
Senator WALSH. How long was that?
Mr. FLETCHER. Well, there was a period, I think, from February, 1920, until I went back as Undersecretary of State in March, 1921.
Senator WALSH. What did you do during that time?
Mr. FLETCHER. I did not do very much of anything. I went on a trip to Europe. I had not been there for a long time. And when I came back I took some part in the Republican national campaign—made a few speeches against the League of Nations, and a few things like that.

Senator WALSH. Did you resign in order to participate in that campaign?

Mr. FLETCHER. I did not.

Senator WALSH. You stated that you had made no speeches and written no articles upon the tariff?

Mr. FLETCHER. Yes, sir.

Senator WALSH. Did you read any book on the tariff prior to your nomination?

Mr. FLETCHER. No, sir.

Further on:

Senator CONNALLY. Mr. Fletcher, I am sorry that I was a little late this morning. I understood you to say you had never made any special study of the tariff.

Mr. FLETCHER. That is true.

I think that is sufficient to illustrate what I have in mind. Conceding that Mr. Fletcher is a man of the character and a man above criticism in that respect, which I am very ready to do, as I said, here is an expert board to deal with this particular question which affects the welfare of every man, woman, and child in the United States. It does seem to me most extraordinary that the chairman of that commission should be selected from one wholly uninformed even of the general principles of the subject, and that his equipment should consist entirely of his services, however excellent they may be, in the diplomatic field. He has given no study to the tariff whatever and no consideration to it. Far from being an expert, he is not even informed of the most fundamental principles in regard to it. Why should it be thought wise that these expert commissions should have as their chairmen men who know nothing about the subject and who have never given any consideration to it whatever. It presents a question not alone in regard to this particular nominee as the broader question of what we are doing with reference to these commissions. A few days ago we confirmed—or I now suppose we did—the Federal Power Commission. The chairman of the Power Commission, whatever else may be said pro or con, discloses by his examination that he knows nothing of the subject with which he is to deal. He has given no study and no consideration to it and does not profess in any sense to be an expert in regard to that matter. Can one imagine a more important subject to the people of the United States than the power question? Why should we consent to the placing upon governmental commissions those who disqualify themselves by stating that they are utterly uninformed with reference to the subjects with which they are hereafter to deal?

So we come to the Tariff Commission, which is really a tax-levying commission, a commission which has to deal with the subject of imposing taxes, and we select as the chairman of that commission a man who has no knowledge of the subject, who has given no consideration to it, no study, and who has in no wise equipped himself for the position.

Therefore the question arises, Mr. President, what kind of hybrid monstrosities are we creating and attaching to our Government by constituting special commissions to deal with expert subjects and placing upon them men who are not in any wise qualified as experts in regard to those subjects? The fact is that the Congress of the United States is rapidly delegating its power; we are surrendering the duties imposed upon us by the Constitution; we are turning them over to commissions, upon the theory that the Government is entitled to the benefit of peculiarly expert knowledge. It is a grave matter for those who have been elected by the people, who are directly responsible to the people, to shirk their responsibility and place it elsewhere. If we do so we ought to do so because those to whom we delegate the power are better fitted to perform the task, that they have a fitness nowhere else in the Government to be found.

If we shall proceed to fill these commissions with men who have not expert knowledge, what shall we have done? We shall have created a body which is responsible to no constituency and yet is governed by the same influences by which Congress is governed. If we are to create commissions, which are responsible to no constituency, certainly they ought to have an equipment and that equipment ought to be peculiarly an expert knowledge with reference to the subjects with which they are to deal.

It is often said, as it is being said now, that these commissions will determine the questions presented to them according to the facts and according to expert knowledge. We are told now that the railroad merger question will be settled alone upon the facts and the expert knowledge of the students of it, but we know perfectly well that all governmental commissions are more or less controlled by political influences, coming either from the executive or the legislative department or from both. A few years ago my recollection is that an application of the New England railroads for an increase of rates was refused by the Interstate Commerce Commission. What happened? Had that commission been accorded the respect and treatment to which it was entitled, and had we been willing to accept the expert knowledge of the Interstate Commerce Commission, there the matter would have ended; but it did not end there. There immediately began a tremendous propaganda from one end of the country to the other. It was taken up by the newspapers; it was finally taken up by officials in Washington. Letters and petitions were transmitted, from the Executive down, to the Interstate Commerce Commission, which had passed upon the subject. So tremendous and overwhelming became the public opinion thus fostered and thus propagated and propagandized that the commission, without taking additional testimony, changed its position. It was a public-opinion controlled judgment by one of our expert commissions.

If we are to have commissions I am in favor of letting those commissions do their work without the influence of the outside world, either from the executive or the legislative departments; and if they are equipped, as they should be, as experts, we can feel some comfort when a decision has been made that we have obtained the very best decision that can be reached in regard to the matter, that can be obtained through the commission form of government.

Take, for instance, the Tariff Commission. We know that a former President of the United States felt under the necessity of having some control over the Tariff Commission; so he adopted the plan of asking for the resignation of one or two—I have forgotten which—of the tariff commissioners, in order that such resignation should be in his possession all the time, thus exerting, I take it, a rather strong and powerful influence over the man who had placed the resignation in the hands of the President. It was placed there or requested for no other purpose, I assume, than that the President might reorganize that commission whenever it was thought proper to do so, and it would be thought proper to do so, I take it, when the judgment of the commission ran counter to the views of the President of the United States.

So, Mr. President, in all the commissions which we are creating there is going to be, unless we change our program entirely, this exertion of outside influence from one department of the Government or the other or both, and the only protection against that of which I can conceive is an expert thoroughly devoted to his subject, a man who, as an expert, refuses to yield upon the facts and principles. Unless we are to create that kind of commissions, I repeat, we are creating tribunals to run our Government which are not responsible to the constituency of the country and which at the same time are controlled by political influence.

Mr. President, let us for a moment think of the tremendous powers which have passed out of the hands of the selected, the elected representatives of the people into the hands of tribunals which are responsible to nobody except the appointing power. Questions affecting trusts and monopolies are practically all settled in the Department of Justice and outside the courts of the country. Our taxes are now to be levied, so far as the tariff is concerned, not by the Congress of the United States but by a commission responsible to no constituency save the appointing and confirming power. The power problem is to be dealt with by a commission in the same way. Those matters which most deeply affect the people are being removed in their control as far as possible from the influence of the people. It seems, therefore, to me that, in the first place, after these commissions are created the executive and the legislative departments of the Gov-

ernment ought to keep their hands off of them and let them operate as quasi judicial bodies; and if we are not satisfied with that kind of government then abolish the commissions. Secondly, I think, as we seek to place upon judicial tribunals men who have given their lives to the study of causes and the principles of the law, so we ought to place upon commissions men who have studied the subjects with which they are to deal and who are expert in their knowledge.

Mr. BINGHAM. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Connecticut?

Mr. BORAH. I yield.

Mr. BINGHAM. Did the Senator from Idaho vote to keep his hands off the Federal Power Commissioners after they had started to operate?

Mr. BORAH. I thought I did.

Mr. BINGHAM. I thought, after the appointees had commenced to operate, the Senator voted to have their names returned to the Senate because of something they had done while they were operating.

Mr. BORAH. Oh, the Senator understands perfectly well that it was the contention of those who were dealing with the subject that the Power Commissioners were not legitimately in the office. I stated upon the floor of the Senate, as the Senator would have known had he been in attendance, that I agreed perfectly with the Senator from West Virginia [Mr. GOFF] that if they were in office we had nothing to do with them.

Mr. SHORTRIDGE. They were in office.

Mr. BORAH. They were physically in office, but that was a different suggestion.

Mr. BINGHAM. Did the Senator object to the first appointee on the Power Commission because he was an expert or because he was not an expert?

Mr. BORAH. I certainly did not object to him because he was an expert, although I am a little bewildered by the Senator's question.

Mr. President, let me conclude the remarks which I am making by saying that I appreciate how very unpleasant it is for anybody to suggest rejecting an appointee when there is no attack upon his character—and I make none upon Mr. Fletcher's character—but I am perfectly clear that we are face to face with the proposition, first, of what kind of men we are going to place upon governmental commissions, and, secondly, what we are going to do with the commissions after they are created. I want to see expert men upon the commissions and I want to see the commissions left alone to do their work until we shall see fit by law to abolish them.

Mr. REED. Mr. President, if I have understood correctly the position taken by the learned Senator from Idaho [Mr. BORAH], it is that the ideal appointment to a commission of this sort would be an expert trained as is a lawyer and qualified for service on the commission as a lawyer is trained for service upon a court. If there existed any such person in this world, I agree that he might be a highly desirable appointee; but there is no such person as a disinterested tariff expert in the sense that there are lawyers of general practice who are disinterested. Men become tariff experts because they are retained by particular interests to prosecute particular points of view; men become tariff experts because they are importers and have constantly to deal with the customs authorities and customs laws of the United States, and it is a matter of bread and butter that they should be experts in those laws in order to get their goods imported at the lowest possible cost; men become tariff experts because in the United States they manufacture articles upon which there is a tariff duty which gives them protection; but none of those men are disinterested experts in the sense that a lawyer is a disinterested expert in the law and is qualified thereby for service on a court.

If we were to put in the law a provision that the Tariff Commission should be composed solely of disinterested tariff experts, it is probable that the membership would never be filled.

What then? Since such persons do not exist, we have the choice of selecting persons who by interest and experience have developed a profound conviction on one side or another of the endless tariff controversies. We could put in, let us say, the president of the manufacturers' association of one of the great manufacturing States. He would be a tariff expert, surely, but he would not be disinterested; and his long experience would lead him almost inevitably to take a bias in favor of the highest possible duty.

Neither of those appointees, in my judgment, would be proper appointees to this commission. We do not want men to go on the commission with firm and unyielding convictions in favor of either extreme of this tariff controversy. The ideal person would be a disinterested expert; but no expert is disinterested. Consequently, the next best person to appoint would seem to be a citizen mature in judgment, patriotic by proven experience, intelligent, obviously, absolutely disinterested, and not taking sides between these two great groups.

That is what we have here. In Mr. Fletcher we have a lawyer; a soldier with a superb record in the Spanish War and the Philippine campaign that followed it; a diplomat of trained experience, who has learned from observation that the world is round, and that the same kind of human beings live on the other side of the ocean, with the same problems; who has learned to look at our international relations from something more than a parochial or provincial point of view; a man of proven patriotism, both in his military work and his long diplomatic service; a man who has no interest whatsoever in either the importation of foreign articles or the domestic manufacture of their competing articles—in other words, who has no bias, because of his own self-interest, toward either side of this controversy—a man, 58 years of age, who has never taken an active part in any kind of tariff agitation or tariff lobbying, who never was on either side of the tariff case; and a man of fine intelligence, it is admitted by every one who has met him or has had a chance to size him up.

I can not imagine how a better appointment could have been made; and I speak, not as a protectionist, but as one who wants the Tariff Commission to function as a court functions, with an integrity that will be understood by all of the citizens of this country who have to deal with the commission.

Obviously, an expert of the type of Mr. Marvin, the former chairman, could not to-day be confirmed if he were appointed to that commission, because of his long and persistent activities in behalf of the Home Market Club, of which he was for a time one of the principal officers. He has been labeled a tariff lobbyist. I can understand that a man of his background would not be accepted by a majority of the present membership of the Senate for a position on the commission. But if a man of that type is not eligible, and if a disinterested person, who has no bias toward either side of the controversy, is not eligible, it restricts our choice to a person who is an avowed free-trader; and surely no one can contend that we want to create a tariff commission composed exclusively of persons who want to beat down the duties under a tariff law that is avowedly protective.

If we are not to go to either extreme; if we want a man whose character has not been criticized by any person on this floor or off it, a man whose intelligence is beyond question, and whose patriotism is all that any man's can be, we have him here.

Mr. BORAH. Mr. President, just a word.

Of course there are more people in the country than lobbyists on one side, and men who are wholly uninformed about a subject upon the other side.

The Senator from Pennsylvania is quite correct in the proposition that we do not desire the kind of an expert who has been engaged as a lobbyist, and so forth; but that is far from answering the proposition that there are in the country plenty of men who are entirely familiar with this subject, who have been students of the subject, who have not

been lobbyists, and who are not representing firms before the Congress or elsewhere.

As I understand, the other members of the commission, at least three of them, have been selected over somewhat strenuous objection because they are deemed to be experts; and it has been desired, apparently, to secure men who were experts. But there is selected as the chairman of the commission a man who says himself he knows nothing about the subject, has not been interested in it, has given no study to it, and has no opinions in regard to the subject.

If this were going to be the only case of this kind, I should not have said a word, because instead of disliking Mr. Fletcher, personally I like him; but inside of 10 years, if these commissions continue and this practice continues, they will be filled up with men who are to be taken care of, politicians who have had an accident, instead of expert students of the subject.

Mr. REED. Mr. President, I ought to add one sentence, and that is that Mr. Fletcher was not an applicant for this position, and it required a good deal of persuasion to induce him to accept it.

Mr. KING. Mr. President, I shall trespass upon the Senate for just a moment. If I rightly interpreted the remarks of the Senator from Pennsylvania [Mr. REED], I think he placed too narrow a construction upon the word "expert" as it was employed by the Senator from Idaho. As I understood the Senator from Idaho, his position was that persons employed to fill boards and commissions, such as the Tariff Commission and the Power Commission, should possess some knowledge of the subjects with which they have to deal in order that they may intelligently and ably and in the interests of the people discharge the duties their respective positions impose upon them. Certainly no man should be appointed to a judicial position who had no knowledge of law, and persons named for positions upon the Tariff Commission should have some knowledge of the fundamental principles of political economy, of trade and commerce, and of the effects of tariff legislation. The peoples of the world are being drawn nearer together, and the interests of the peoples, in a material and a business way, as well as in other fields of vital importance, are not circumscribed by national boundaries.

The trade and commerce of every civilized country is not confined to its own borders and to its own people. We have a bureau of foreign and domestic commerce for the purpose of promoting, not only domestic production and consumption, but international trade. This organization should have men who are familiar with the resources of our country and of other countries and of the great tides of trade and commerce that sweep around the world. They should have expert knowledge of the conditions of business and trade and commerce, not only in the United States but in other lands. They should know something of the tariff question and reciprocity as between nations, and international exchange and the business and commercial forces which make for national and international prosperity.

One of the most important commissions in the Federal Government is the Tariff Commission. Its powers under the Fordney-McCumber Act and the recent tariff law have been greatly enlarged, and the importance of this Federal agency has received thereby additional emphasis. It is not too much to say that this commission can materially affect the business interests of the American people whether its interests are domestic or international. Those appointed to this important body should be students of public questions, of political economy, of the resources of our country, of our complicated business structure, and of the essential elements underlying trade and commerce. They should be acquainted with the tariff structures of this and other countries and the economic conditions in the United States and elsewhere. They should not be provincial, but have that breadth of view that comes from contacts with the world and a knowledge of the growing interdependence of communities and nations. The ideal tariff commissioner will have a comprehensive knowledge of business conditions here and abroad—the influence and effects of tariff rates upon trade and commerce; and, of course, he will have an intimate knowledge of the productive forces in the United States and other countries.

I appreciate that a man might be competent and qualified for a position on the Tariff Commission who might not qualify as an expert—using the term in its narrow sense—upon the tariff question per se; but in my opinion a man should not be named for a position on the Tariff Commission who knows nothing of political economy, of the great field of trade and commerce and the fundamental principles which underlie the business structure of our country and of other countries, and of the ties—fiscal, commercial, and otherwise—that bind the world together.

Mr. REED. Will the Senator yield?

Mr. KING. Certainly.

Mr. REED. Nothing of that sort has appeared against Mr. Fletcher, certainly. He did not say that he did not understand the principles of political economy. He said he did not know the details of the tariff law.

Mr. KING. Mr. President, I am unable to give to the testimony of Mr. Fletcher the same construction as that placed upon it by my distinguished friend, nor do I mean to say that Mr. Fletcher's knowledge of some of the matters to which I have referred is as limited as might be inferred from his answers to questions submitted when he was before the Finance Committee. Indeed, I think Mr. Fletcher has considerable knowledge of public questions of international relations, and he possesses character and ability. I agree, however, with the Senator from Idaho that he is not an "expert" upon the tariff question, nor do I think his knowledge of the fundamental questions involved in tariff legislation and in trade and commerce is as broad and comprehensive as that which should be possessed by the ideal tariff commissioner.

My purpose in rising, however, was to state that in my opinion the Senator from Pennsylvania [Mr. REED] gave to the remarks of the Senator from Idaho [Mr. BORAH] a narrow and restricted meaning.

It is becoming more and more apparent that governmental functions are being devolved upon commissions. Efforts are being made to relieve executive officials of the responsibilities which should rest upon them and to take from Congress authority which it should exercise. We find the same tendency in our State governments. Scores of commissions are created, and executive and legislative responsibilities are passed on to these commissions. If some supposed evil exists in our political or economic life, immediately the cry goes forth that a commission must be created; and too often when the commission is created responsible officials and the people forget its existence, and it soon falls into a moribund condition or is perpetuated as a parasitic growth. Without desiring to criticize the President, I call attention to the fact that he has created a large number of commissions, and some of the heads of the departments have followed his example and have created boards and commissions and Federal instrumentalities. These commissions invade nearly every field of human endeavor and intrude themselves into the States and seek to regulate the control of the domestic concerns of sovereign States. As I have indicated, the suggestion of a new problem, or an old problem in a disguised form, speedily produces a commission—supported, of course, by an appropriation—to investigate or to advise or to collect data, or to do something that should be done, if done at all, by an existing agency, State or National. The mania for commissions is growing, and with its growth the forces of bureaucracy are strengthened.

Mr. President, if we are to be governed by commissions, let us try and have commissions of able and competent persons—persons possessing expert knowledge of the questions with which they are to deal and of the duties which they are to discharge.

Mr. SHORTRIDGE. Mr. President, Senators present will pardon me if I detain them for just a moment before expressing their opinion with respect to this nomination.

The observations of my frind from Idaho [Mr. BORAH] called up to my mind that this question as to whether Congress was delegating a legislative power to the commission is a question that was raised long ago, maturely considered by the Supreme Court, and by that court decided that there was not, in a constitutional sense, a delegation of legislative power to the commission.

During the discussion of the tariff bill in this body last year I took occasion to say that I was not enamored of this flexible provision in the bill, section 336. I was not enamored of that type of legislation, namely, the delegating of power to a commission, even to find certain facts upon which the principle of the bill was to be applied.

In brief, the other day I called attention to the fact that section 336 of the existing tariff law reads:

> In order to put into force and effect the policy of Congress by this act intended—

The act declares a policy. For brevity, I call it a protective policy, the meaning of which everybody, of course, understands. This act declares that policy, and in order to carry out that policy we, the Congress, fixed certain rates on certain imported articles, and we declared how or in what way we were to carry out that policy; wherefore section 336 provides further:

> In order to put into force and effect the policy of Congress by this act intended the commission (1) upon request of the President, or (2) upon resolution of either or both Houses of Congress, or (3) upon its own motion, or (4) when in the judgment of the commission there is good and sufficient reason therefor, upon application of any interested party, shall investigate the differences in the costs of production of any domestic article and of any like or similar foreign article.

Then the section proceeds to point out what they shall consider—substantive facts, not policies or theories of legistion, but substantive facts as to the cost of production of a given article in a foreign country and in our own. They are not changing the policy of Congress, they are not legislating in respect to a policy; they are specifically charged with the ascertainment of certain facts "in order to put into force and effect the policy of Congress by this act intended."

I will not trouble the Senate by reading the rest of this section, which goes into details. It points out what the commission shall ascertain, and, having ascertained it, they are to make certain findings of fact, which facts found, in a word, are as to the cost of the manufacture or production of the given foreign article and the cost of manufacture or production of a like article here, and in order to carry out the policy of Congress in this act intended and specifically set forth, they are to find that it would be necessary to raise the given rate perhaps to the extent of 50 per cent thereof, or lower it to that extent, in order, I repeat, to carry out the policy of Congress intended and specifically and again and again set forth in this act.

Then what? Their findings are not conclusive. They report their findings to the President, and he, in like manner, is charged under his oath to carry out the policy of Congress; and if he, examining these findings of facts, thinks that they are based upon competent, relevant, sufficient evidence, he approves those findings. If he does not so think, he disapproves, and the rates fixed in the law remain unchanged.

I rose merely to say that originally, and even now, I am not enamored of this flexible-tariff provision; but it is not a delegation of legislative power, and—addressing my friend the Senator from Idaho—I see in it no present danger to the industries of our country. If I did, I would seek to expunge that section from the law; but for reasons into which I need not go, I see no present danger in section 336, and if properly interpreted there may be much good in it.

Mr. NORRIS. Mr. President, I desire to ask the Senator a question, if he will permit.

Mr. SHORTRIDGE. I yield.

Mr. NORRIS. I would like to have the Senator tell the Senate whether he agrees, then, or whether we are justified in drawing the conclusion from what he has said that he does agree, with the Senator from Pennsylvania, that in the selection of tariff commissioners it is not even possible to get experts, and therefore that all we have to do and what we ought to do is to confine ourselves to getting men of learning and ability such as it is conceded Mr. Fletcher possesses.

Mr. SHORTRIDGE. Mr. President, my answer would be that substantially given by the Senator from Pennsylvania. What is an expert? Those of us who have practiced for many years in the courts have had something to do with experts, and, of course, we know how prejudiced they may be in favor of the one or the other theory which may be involved in a case.

What I want, and what I assume we all want, is a man, first, of unimpeachable character, who can not be and will not be improperly influenced by any one or any set of men.

Second, we want a man of intelligence, who can listen, who can hear, who can take evidence, and logically reach and maintain a finding such as we would ask of a jury, such as we would ask in a court.

Inasmuch as the law declares the policy of Congress and furnishes the metewand, tells the commissioners what they shall investigate and what they shall find, and that there must be evidence—competent, persuasive, sufficient evidence—to sustain their finding, the ideal man, in my mind, is such a one as Mr. Fletcher, who we know does not seek the position, a man who frankly says, "I have not devoted my mind specifically to tariff matters as such," a man of character, of ability, of wide experience, of a vision which takes in all nations, peoples of the earth. I think he is preeminently qualified to listen to and pass upon the evidence which will be presented to the commission.

There are matters which I desire to bring before that commission. I have two resolutions pending here now, filed at the request of people from my State and many of the other Western States. If I go before that commission to lay facts before it, I want to know that I am submitting those facts to a man with logical mind, of intelligence, who will not brush me aside or brush aside the evidence because of some specific knowledge he has, or thinks he has, on the subject, or because of some theory he holds as to policy; I want to submit facts to a man who will be guided by the facts and the law, even as the Senator from Nebraska was guided when he sat in a court of justice. Therefore I think, with great respect to my friend the Senator from Idaho, that we have in Mr. Fletcher the ideal man for this position.

Mr. NORRIS. Mr. President, with great respect for the Senator from California, I want to ask the Senator another question, if he will permit.

Mr. SHORTRIDGE. I yield.

Mr. NORRIS. I think the Senator has exhibited his usual ability, more ability in avoiding an answer to my question than he would necessarily have to have if he would answer it.

Mr. SHORTRIDGE. Will the Senator be good enough to propound the question again? I will make my answer responsive.

Mr. NORRIS. I am compelled to say that, in my judgment, the Senator has not yet answered the question. I would like to have the Senator tell us whether he agrees with the Senator from Pennsylvania in the theory that in selecting members of this commission we are not able to get experts on the tariff unless we take experts who are biased on one side or the other.

Mr. SHORTRIDGE. I will answer responsively. It might be possible to get a man who calls himself an expert on the tariff who is not prejudiced, perhaps, a man who might be able to tell us that he had studied the first tariff bill, which was signed by George Washington, and which was a protective tariff bill; that he had gone down through and read the debates in every great tariff contest; that he had listened to Breckinridge and Henry Clay and Daniel Webster and Calhoun, and, he might add, that he believed in the views of William McKinley, who agreed to a bounty on sugar instead of a duty—the only time when McKinley faltered in his protective tariff doctrine. He might go on and say, "I have spent hours in reading the arguments of Sir Robert Peel," who changed his theory completely upon the tariff question, as the Senator knows; he might, as in a court, qualify himself



to be an "expert." But it does not follow that he would make a good or a better commissioner.

Mr. NORRIS. If he did all those things, he would probably be a rather old man, and disqualified on account of age, probably.

Mr. SHORTRIDGE. That might be; but I have read them all, and I am not an old man.

Mr. NORRIS. Oh, no; the Senator is a young man. The Senator said that he might say that he had listened to all these debates. Probably in his anxiety to avoid, if he is avoiding, a direct answer to my question, the Senator has referred to it in rather a sarcastic way. I am asking my question in the best of faith. I want to propound it to the Senator again. Does the Senator agree with the Senator from Pennsylvania when he says that it will not be possible to get experts to serve on this commission unless we elect men who are biased one way or the other?

Mr. SHORTRIDGE. I thought I had answered. I say, it may be possible; yes. That is a direct answer to the Senator's question.

Mr. NORRIS. Would it be desirable to have such a man, if we can get him, in preference to a man like Mr. Fletcher, who admits he does not know anything about it?

Mr. SHORTRIDGE. I am not prepared to say it would be advisable, even assuming we could get him.

The VICE PRESIDENT. The question is, Does the Senate advise and consent to the nomination of Henry P. Fletcher to be a member of the United States Tariff Commission? [Putting the question.] The ayes have it, and the Senate advises and consents to the nomination.

THOMAS W. PAGE

The PRESIDING OFFICER (Mr. FESS in the chair). The question is, Will the Senate advise and consent to the nomination of Thomas W. Page, of Virginia, to be a member of the United States Tariff Commission for the term expiring June 16, 1935?

Mr. BORAH. Mr. President, I understand Mr. Page is an expert. I would like to know under what interest he became an expert.

Mr. GLASS. Mr. President, I may say that Doctor Page is the man who, in the opinion of the Senator from Pennsylvania [Mr. REED], has no existence. Doctor Page is an expert, and a thorough one, in every sense in which that term may properly be used. He never represented any interest and could not be induced to represent any interest. He was a distinguished teacher of political economy at the University of Virginia. He was for some years a member of the Tariff Commission, and I could not better present his type of man than by stating that he resigned his position on the Tariff Commission because of his unwillingness to permit executive authority to create a sense or measure of subserviency on the part of the commission.

While I do not know, I confidently express the belief that he was not, as he never was, an applicant for this or any other job. He knows the tariff. He is a man of unblemished integrity, and, as I have said, of exceptional and unusual ability. He is the man who the senior Senator from Pennsylvania says does not exist.

Mr. NORRIS. Mr. President, I feel very badly about Mr. Page. Personally, I would like to see him confirmed. I think if he were confirmed, he would make a very good official. But it is exceedingly unfortunate that he will probably be rejected by the Senate. My own idea is that he would add to the efficiency of this great commission, but, unfortunately for him, he knows something about the business of the commission, and he will therefore, of course, incur the opposition of the great Senator from Pennsylvania. Certainly the Senator from Pennsylvania will not support a man for this position who is biased one way or the other, and certainly we can not contradict the statement of the Senator from Pennsylvania that there are no experts unless they are biased one way or the other.

That excludes Mr. Page, I am sorry to say. It puts him aside. Much as I dislike to see it done, the Senate will be on record again, as the newspapers will say in flaming headlines, as fighting the President of the United States and not confirming his nominations. It would put us again in the very unfavorable attitude of being contrary to the administration.

Mr. Page, I think, has shown by his service that he possesses expert knowledge on the subject of the tariff. I am not informed as to which side he belongs, but I know that he belongs to one side or the other because the Senator from Pennsylvania has laid down the broad rule without any exception that if a man knows anything he is not qualified to act because his knowledge puts him on one side or the other and makes him biased and prejudiced, and therefore disqualifies him from passing in a judicial manner upon the questions which may come before the commission, and thus he is not able properly to perform the functions of the office. So he will have the opposition of the Senator from Pennsylvania [Mr. REED].

I am not sure, because not so fully expressed and not so definite, but from his answers that he gave to the questions I propounded or from the way he avoided the questions I propounded, I can not help reaching the conclusion that the great Senator from California [Mr. SHORTRIDGE] will be against him also because he knows something about the position to which he has been appointed. With that opposition combined with the opposition of the Senator from Pennsylvania, of course, Mr. Page stands no show of confirmation.

Mr. REED. Mr. President, Doctor Page is not an exception, although perhaps I should have made an exception to the generality of my remarks. He was a distinguished political economist when he was appointed to the Tariff Commission. He became an expert in tariff matters because of his work on the commission. He is a fine man. I know of nothing whatever against him except that he is a Democrat. He is an authority on the tariff and his appointment is one in which we all ought to take pride.

Mr. SHORTRIDGE. Mr. President, I rise merely to express my sorrowful regret that the Senator from Nebraska was sufficiently an expert to understand my answers to his questions.

Mr. NORRIS. Mr. President, I am glad to have the judgment of the Senator from California, because it immediately qualifies me to hold any office, even a position in the Senate, according to the definition of the Senator from Pennsylvania. [Laughter.]

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Thomas W. Page, of Virginia, to be a member of the United States Tariff Commission for the term expiring June 16, 1935? [Putting the question.] The ayes have it, and the nomination is confirmed.

JOHN LEE COULTER

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of John Lee Coulter, of North Dakota, to be a member of the United States Tariff Commission for the term expiring June 16, 1934? [Putting the question.] The ayes have it, and the nomination is confirmed.

ALFRED P. DENNIS

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Alfred P. Dennis, of Maryland, to be a member of the United States Tariff Commission for the term expiring June 16, 1933?

Mr. HARRISON. Mr. President, I was one of two Senators, I think, one of the majority and myself of the minority, who voted against the favorable recommendation of the nomination of Alfred P. Dennis. I did it for very peculiar reasons, I presume. I am not one of those who feel called upon every time the President sends a nomination here to fight the nomination. I have an idea that when a man is President of the United States he is generally going to appoint people to carry out the policies and principles upon which he was elected, and so I always ask myself the question when nominations come here, Is the man honest, is he capable, is he tied to some special interest that might in-

fluence him in the faithful discharge of his duties? If he is tied to some special interest, then I vote against his confirmation. If he is dishonest, or if in my opinion he is corrupt, I vote against his confirmation.

One of these nominees I very much oppose, and as to him I shall present my views to the Senate when his name comes up next. I voted against Mr. Dennis—not that there was any question of his honesty, because I think he is a man of fine character and honesty and has rendered some very fine service to the country. I felt that he was a little bit too subservient to the powers that be—such subserviency that should not be tolerated by independent public servants. His views on the tariff are, in my opinion, for the most part correct. I have no score with him on that line. I may differ at times with him about some of them, but in the main, in my opinion, he has very splendid tariff views. He is a real tariff expert. But his subserviency in a way as reflected in certain circumstances which I shall not narrate here make me think that he would not make the right kind of commissioner on the Tariff Commission.

Then, too, Mr. President, while we were in the grip of a heated contest here over the tariff question and there were two sides presented to the country and the papers were aflame each day with their views on this theory and that theory there was issued from the Tariff Commission a statement signed by Mr. Dennis and signed by Mr. Brossard, and by those two only, saying that agriculture would be greatly benefited by the passage of the tariff bill. The committee in making this investigation ascertained that when the first draft of this very remarkable and now historic document came to the eagle eyes of these distinguished gentlemen it only said that "agriculture will be benefited" to a certain percentage as relating to importations, and so forth. It was a highly technical expression. It expressed in a technical way probably a correct theory according to these gentlemen. But Mr. Brossard did not think that the statement had enough punch in it, so he made it read that "agriculture will be benefited by the passage of the tariff act," and then finally it was changed and the word "greatly" was inserted. Mr. Dennis wrote his notation on this remarkable report that he had read it and in substance it was very fine.

We were told, however, before the Finance Committee when these nominations were being considered that Mr. Dennis was not familiar with this expression, that it had been changed, that it had been changed by a publicity expert of the commission, and that he signed it under a wrong impression, and Mr. Brossard took the blame for the whole proposition. It seemed to me a commissioner ought to know more than just to sign papers in that way, and if he did sign it, it was most reprehensible.

Mr. WALSH of Montana. Mr. President——

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Montana?

Mr. HARRISON. I yield.

Mr. WALSH of Montana. Let me ask the Senator from Mississippi what was the occasion for the issuance of this pronunciamento?

Mr. HARRISON. There was no reason for the issuance of it. The House of Representatives had called on the Tariff Commission to submit a certain report with reference to tariff rates, and so forth, and this was a statement that Mr. Brossard and Mr. Dennis, who were the committee, I may say, on publicity appointed by the full commission, gave to the press. They did not think that the cold statement of facts which was sent to the House had sufficient "punch" in it, as I have said, or would attract the eye of the reading public; and so there were inserted in the beginning of the statement words to the effect that agriculture would be greatly benefited by the passage of the bill.

Mr. WALSH of Montana. It seems to me that it was an extraordinary document issued by the commission, proclaiming that the tariff law, as proposed, would be beneficial to agriculture.

Mr. HARRISON. Yes; that is quite true.

Mr. SMOOT. Mr. President, will the Senator from Mississippi yield?

Mr. HARRISON. I will yield in a moment. Let me say that, of course, when this statement was issued there were some speeches made on the floor of the Senate calling attention of the country to this remarkable incident. Mr. Dennis immediately got in touch with certain Senators; he sent some one to see me, and afterwards himself talked to me about it, disclaiming any knowledge of the matter at all. As I have said, the other day before the Finance Committee Mr. Brossard took the whole blame, because, he said, after the change was made, he directed Mr. Conrad, the publicity man, to be sure to tell Mr. Dennis of this change, and he came to the conclusion that Mr. Conrad did not tell Mr. Dennis anything about it.

Mr. SMOOT. Mr. President——

Mr. HARRISON. I yield to the Senator from Utah.

Mr. SMOOT. The Senator from Montana asks why this statement was issued. The Senator will remember that the commission was instructed to ascertain the volume of importations and the rates of duty on those importations under the then existing law and under the proposed law. The report of the Tariff Commission showed that 68 per cent of the increased rates affected agricultural products and products on which compensatory duties were levied because of the increased duties on agricultural products, while 32 per cent covered all other products on which increased rates were levied. That is why it was done.

Mr. WALSH of Montana. That is information; those were facts given to Congress by the commission, and, of course, that is what they are there for; that is all right; but when and how did the commission obtain the power to express an opinion as to whether a proposed law was beneficial or was not beneficial?

Mr. SMOOT. There was not any question that 68 per cent of the increased duties affected agricultural products, and the statement was based upon that fact.

Mr. WALSH of Montana. There is no question about that; that was the fact.

Mr. HARRISON. Mr. President, the Senator from Utah will agree, I think, that the commission should not have issued that kind of statement and that they were going beyond the bounds of reason and of their authority when they stated this conclusion, which was merely an opinion. It would have been all right to have given the statement which they sent to Congress in the first place, but they went too far in giving a conclusion.

That is all I desire to say as to Mr. Dennis. The matter referred to, as well as the reasons I have stated, influenced me to vote against him in the committee. The reasons for that action may appear to be very negligible. As I have said, there is nothing against the character of Mr. Dennis; he certainly has knowledge of the tariff; but I thought he was a little bit too subservient to certain interests.

Mr. COPELAND. Mr. President, as I understand, the Senator from Mississippi is not pressing any serious objection to Doctor Dennis.

Mr. HARRISON. I felt, as a member of the Finance Committee, that I ought to state to the Senate the reasons that prompted me in voting against him in the committee; but I want every Senator to vote his own convictions.

Mr. COPELAND. I wish to say that I have found Doctor Dennis alert, diligent, intelligent, and a very useful member of the commission. I am glad the Senator from Mississippi joins in that feeling regarding him.

Of course, there is ample explanation for the publicity which went out, although I agree with the Senator that it was unfortunate. I believe that is the feeling of Doctor Dennis. Certainly that should not be held against him, and of course will not be. I hope that the nomination of Doctor Dennis may be confirmed by the Senate.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Alfred P. Dennis, of Maryland, to be a member of the United States

Tariff Commission for the term expiring June 16, 1933? [Putting the question.] The ayes have it, and the nomination is confirmed.

As in legislative session,

MINUTES OF UNITED STATES TARIFF COMMISSION

The PRESIDENT pro tempore laid before the Senate a communication from the chairman of the United States Tariff Commission, transmitting certified copies of the minutes of the meetings of the commission from January 28, 1927, to December 1, 1930, inclusive, pursuant to Senate Resolution 370, of January 5, 1931, which, with the accompanying papers, was ordered to lie on the table and to be printed.

CLAIMS RESULTING FROM EXPLOSIONS AT NAVAL AMMUNITION DEPOT, LAKE DENMARK, N. J.

The PRESIDENT pro tempore laid before the Senate a communication from the Comptroller General of the United States, submitting, pursuant to law, a report, with his recommendations thereon, of certain claims transmitted to his office by the Secretary of the Navy covering property damage, death, or personal injury in connection with the explosions at the naval ammunition depot, Lake Denmark, N. J., on July 10, 1926, which, with the accompanying papers, was referred to the Committee on Claims.

EDGAR B. BROSSARD

The Senate being in executive session,

The Chief Clerk announced the nomination of Edgar B. Brossard, of Utah, to be a member of the United States Tariff Commission for the term expiring June 16, 1932.

The PRESIDING OFFICER (Mr. FESS in the chair). The question is, Will the Senate advise and consent to the nomination which has just been read?

Mr. HARRISON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	Keyes	Shipstead
Barkley	Frazier	King	Shortridge
Bingham	George	La Follette	Simmons
Black	Gillett	McGill	Smith
Blaine	Glass	McKellar	Smoot
Borah	Glenn	McMaster	Steck
Bratton	Goff	McNary	Steiwer
Brock	Goldsborough	Metcalf	Stephens
Brookhart	Gould	Morrison	Swanson
Broussard	Hale	Morrow	Thomas, Idaho
Bulkley	Harris	Moses	Thomas, Okla.
Capper	Harrison	Norbeck	Trammell
Caraway	Hastings	Norris	Tydings
Carey	Hatfield	Nye	Vandenberg
Connally	Hawes	Oddie	Wagner
Copeland	Hayden	Partridge	Walcott
Couzens	Hebert	Phipps	Walsh, Mass.
Cutting	Heflin	Pine	Walsh, Mont.
Dale	Howell	Ransdell	Watson
Davis	Johnson	Reed	Wheeler
Deneen	Jones	Robinson, Ark.	Williamson
Dill	Kean	Schall	
Fess	Kendrick	Sheppard	

Mr. WATSON. I desire to announce that my colleague the junior Senator from Indiana [Mr. ROBINSON] is necessarily absent on account of a death in his family.

The PRESIDING OFFICER. Ninety Senators have answered to their names. A quorum is present.

Mr. HARRISON. Mr. President, we have now reached in the consideration of nominations for members of the Tariff Commission the one about whom the greatest amount of controversy has centered. I refer to Mr. Brossard.

Mr. Brossard was appointed as examiner in the Tariff Commission some years ago. He had excellent indorsements. He served in that capacity, and rendered, so far as the sugar interests of the country are concerned, very distinguished service. Mr. Brossard was called to Washington while he was working as an economist in the agricultural college in Utah. He stated in his testimony before the committee that his first knowledge of the appointment came in the form of a telegram which he received from the Tariff Commission asking if he wanted the position. He accepted it; he came to Washington and worked for the commission.

It will not be forgotten by the Senate and the country that perhaps the most important question that has been considered by the Tariff Commission was that dealing with the difference in the cost of production of sugar here and abroad. It was that question which tore the commission apart and influenced resignations upon the part of certain of its members. It led to the historic occasion when the recommendation of a majority of the commission was ignored and pigeonholed by the President of the United States. It was one of the occasions when the consumers of the country were ignored by the President when he refused to accept the recommendation of a majority of the Tariff Commission.

A majority of the commission, it will be recalled, reported that the difference in the cost of the production of sugar here and abroad would justify a duty of about 1.23 cents, and the report called for a reduction of the tariff rate which the law at that time imposed upon sugar. The contest to bring about that report was led by certain progressive gentlemen of the commission, namely, Mr. Culbertson, Mr. Costigan, and Mr. Lewis. They received for that work the condemnation, of course, of the sugar interests of the country, as well as the powers that influenced the Executive Office, because some of them were refused reappointment and one of them was sent abroad as minister to Rumania, I believe; and afterwards in the Committee on Finance, hearing the expressions of my distinguished friend from Utah [Mr. SMOOT], as well as my friend from Indiana [Mr. WATSON], they expressed great merriment and rejoicing that he was gone, and they said the only regret they had was that he was not sent farther than Rumania.

Mr. SMOOT. That does not apply to the Senator from Utah.

Mr. HARRISON. That may not apply to the Senator from Utah, but the Senator from Utah was very glad he was gotten off the Tariff Commission. I think the Vice President of the United States, who was then a very important cog in the Republican organization here, and an important figure on the Finance Committee, was in the confab when they were talking about these various people.

Since then, of course, Mr. Costigan has been elevated out in Colorado, even though it is a great sugar State, to a place in this body; but in the work of the ascertainment of difference in costs of sugar by that commission, this adopted son of Utah—Mr. Brossard—performed very splendid service, not to majority members of the commission, who were for a reduction of the rate on sugar, but because his views reflected the views of Mr. Burgess and Mr. Marvin, the minority members of the Tariff Commission, who were trying to secure, through every possible way, an increase over the existing rate on sugar. Mr. Brossard, as an expert for the Tariff Commission, had a theory of ascertaining difference in cost that was different from that of the majority members of the committee, led by Mr. Costigan and Mr. Culbertson and Mr. Lewis and their experts. He wanted to confine the ascertainment of the difference in cost to a certain recent period in Cuba and then find the cost in this country. The other members of the commission—that was one of the differences—thought it was very well that there should be taken into consideration the cost of producing sugarcane in Hawaii as well as sugarcane in Porto Rico, and put it with the cost in this country, because from Porto Rico and from Hawaii it was duty free.

The majority members of the Tariff Commission thought that this ascertainment ought to be over a period of six years; but the adopted son of Utah—Mr. Brossard—thought it ought to be confined to just two years. In other words, the difference as expressed by these experts and these commissioners led to the conclusion that Mr. Brossard's figures would carry up high the rate on sugar, while those of the others would maintain it down at about 1.23 cents per pound. So Mr. Brossard has very decided views with reference to sugar rates. It perhaps is as close to him as any other subject.

I say, Mr. President, that the President of the United States was duly warned with reference to this nomination. In speech after speech upon the floor of the Senate, and

through statement after statement to the press, the President was advised that there would be strong opposition to Mr. Brossard should he conclude to send his name here as one of the Tariff Commissioners. He has challenged those protests.

The other commissioners have been confirmed. Only one, Mr. Dixon, remains on the calendar, except Mr. Brossard; and there is no opposition to Mr. Dixon's confirmation. The opposition is to Mr. Brossard, because some of us who have made this investigation believe, first, that he is too close to this one interest, namely, sugar; that he has formed and expressed an opinion already; he entertains it. He would drive the tariff on sugar still higher if it were within his power to do so, and he will have great power to do so. In appearing before the Finance Committee touching this confirmation he stated that he had something to do with preparing data upon which this report of the minority members of the commission found $1.89 per hundred as a fair ascertainment of difference in cost of production here and abroad, and he said that under present conditions, under that formula, the tariff ought to be still higher.

That is very pleasing to the Senator from Utah. It would be pleasing to him if all the other members of the commission had so expressed themselves. Every Senator here who can be influenced by the distinguished chairman of the Finance Committee will vote to seat and confirm Mr. Brossard, to give him a further lease of power up there to carry out his formed opinions, and put upon the American people increased taxes on sugar.

That in itself would be sufficient reason for me to vote against Mr. Brossard's confirmation. He is too closely knitted and tied in with that interest. He has formed and expressed an opinion with reference to it. As I say, he helped to prepare the report that was sent to the President by minority members of the committee. These conclusions he has formed are quite enough to defeat his confirmation; but that is not all, Mr. President.

Men who occupy places upon the Tariff Commission or any other commission ought to be open and frank and candid and honest with the Congress and with the public. They ought never to indulge in hypocrisy, deceit, double-dealing, or evasiveness when it comes down to public questions. I do not suppose, in all the legislative history of this country, another case can be found that is on a par with the Brossard case so far as evasiveness and misstatement of facts are concerned.

Can any Senator vote for the confirmation of a man that they think will deliberately withhold facts from a committee, or through evasiveness mislead the committee? Do you believe in that? Of course you do not. What kind of government would we have if we had men upon these commissions who were not frank and open with the public and with the Congress? And yet, Mr. President, a few years ago, when a select committee of the Senate was making an investigation into the Tariff Commission, trying to find out what was the trouble up there and why all these various factions and groups existed, they brought Mr. Brossard before that committee; and the record will show the evasiveness and concealment that I have stated. I am not going to read that part of the record. I am going to leave it to the distinguished senior Senator from Wisconsin [Mr. LA FOLLETTE], who was a member of that committee at that time; but there is not a member of the committee who will deny it, because it is there.

Mr. Brossard denied, Mr. President, before that select committee, that he had prepared any part of the report that was signed by Marvin and Burgess that sought to increase the tariff on sugar. Oh, he was a perfectly innocent babe about it. Whatever preparation had been made had been made by others. He had only furnished some cost slips, and so forth, on the production of sugar beets. Yet, while he was testifying and evading the questions, as my friend from Wisconsin will show to the Senate when he reads the testimony, there sat there a man by the name of Fox, who was another examiner, and Fox had been working with Dean Turner and with Mr. Brossard in the preparation of this report of Burgess and Marvin; and then they called Mr. Fox before the select committee to get his version of it, and Fox contradicted Mr. Brossard in toto.

Oh, he was reluctant about answering the questions about the preparation of the report; but he stated in his testimony that Mr. Brossard helped to prepare that report; that Mr. Brossard and Dean Turner and himself had sat up nights and days in the preparation of it and getting it ready. That was the kind not only of evasiveness but of misstatement of facts that we encountered. It was shown further—Mr. Fox was then an examiner or an expert up there—that Mr. Brossard called Fox to his office numerous times afterward and wanted him to refresh Brossard's memory with reference to his testimony before the select committee. When Brossard was pressed as to reason, he said it was because he had read in the papers that this select committee was going to resume consideration of the question, and he wanted to talk it over with Mr. Fox to see if they understood it alike. That is the kind of man whose name President Hoover sends here, over notice and warning, to serve on an impartial Tariff Commission to try to ascertain facts with reference not only to sugar but to everything else!

How can anybody have respect for a commission if it is going to be filled with such cogs as that? They can not have respect for it. How can the American people, who might be taxed in heavy costs of sugar, have any faith in a commission upon which sits a man who has already expressed himself on the subject and shown before a committee not only that he misstated the facts but an evasiveness that was marked and conspicuous?

Those are the facts with reference to this man; and the Senate can do nothing else but to turn him down, Mr. President.

Personally, I like Mr. Brossard. I never knew him very well. I have come in contact with him. He is a pleasing fellow; but the Senate has a function to perform, and we can not put a man of that character on the commission.

I pass by this report that Mr. Brossard got up while we were here in this heated tariff controversy and sent it out to the press—the statement for which he assumed all responsibility before the Finance Committee, wherein he said that agriculture would be greatly benefited by the passage of this act. No; he did not put in the word "greatly," he said it would be benefited. Mr. Conrad inserted the word "greatly," and I presume for that Mr. Conrad got an increase of salary as publicity man up in the Tariff Commission. Mr. Brossard injected himself throughout this tariff controversy in trying to mold public opinion in favor of what the distinguished Senator from Utah [Mr. SMOOT] and his former colleague from Pennsylvania, Mr. Grundy—not Senator REED, who was away at that time—were trying to do. He made several speeches—they are in the RECORD; I shall not quote from them—trying to show not only that agriculture was going to be greatly benefited but he made one speech on foreign relations in which he said there were no more protests filed on this tariff bill than on every other tariff bill that has been considered. There had been 29, I think he said, but they were just about of the same character as those that are received in all these tariff discussions. He had possibly read the speech that my friend from Utah had made on the floor of the Senate, and he was just following him and saying, "Me, too."

I do not blame Mr. Brossard for feeling kindly to the distinguished Senator from Utah, because it is due more to the Senator from Utah than anyone else that he received his appointment on the Tariff Commission. He was proud of the fact—that is one thing he did not evade—that when he was suggested as a member of the Tariff Commission he had the indorsement of the distinguished Senator from Utah [Mr. SMOOT]. That is nothing against him, of course; but when we take into consideration that fact, and the fact, too, that Mr. Brossard helped to draw the sugar report for the minority which sought to carry the sugar rate up pretty high, and then his evasiveness about the matter I have stated; when we dovetail all these circumstances in they make him pretty unfit for this particular place.

I have no desire to prolong this discussion. I have stated succinctly and briefly my reasons for opposing the confirmation of Mr. Brossard. The Senate will reflect credit upon itself if it puts its stamp of disapproval on this nomination, because if he is confirmed and made a member of the Tariff Commission, the country will know of his fixed, formed, and expressed opinion as to this particular subject, they will know of his evasiveness before the select committee of the Senate, and they will know that he is unfitted to occupy this particular place on the Tariff Commission.

Mr. LA FOLLETTE. Mr. President, I am opposed to the confirmation of Mr. Edgar B. Brossard to be a member of the Tariff Commission.

As the Senate knows, there was appointed a select committee to investigate the Tariff Commission, pursuant to Senate Resolution 162 of the Sixty-ninth Congress. The members of that committee were JOSEPH T. ROBINSON, of Arkansas, chairman; James W. Wadsworth, jr., of New York; DAVID A. REED, of Pennsylvania; myself; and Senator Bruce, of Maryland.

The committee made an exhaustive investigation, the hearings, with the exhibits and other data, comprises a volume of 1,461 pages. I think it is fair to say that the committee made a very thorough investigation of the activities of the Tariff Commission. It went carefully into numerous controversies which had grown up in the commission, took testimony of all former commissioners, the then commissioners, and, pursuant to the resolution, finally submitted a report to the Senate.

It will be remembered that there had developed a very far-reaching and bitter controversy concerning the Tariff Commission's report on the sugar investigation. As a result of that controversy the senior Senator from Nebraska [Mr. NORRIS] delivered a speech in the Senate, and it was following that address, and the facts disclosed in it, principally concerning the sugar controversy, that the Senate decided upon an investigation of the Tariff Commission.

I sketch in this background, Mr. President, because I think it is important that the Senate should bear in mind that the controversy over the sugar report had reached such proportions and was of such a nature that it throws light on what I consider the disingenuousness of Mr. Brossard's testimony before the select committee.

I may say that he was called after the committee had taken the testimony of other commissioners who were involved in the controversy.

I say for the convenience of Senators that in reading from this testimony I shall refer to the page numbers of the hearings held before the Finance Committee in which the testimony of the select committee concerning the relation of Mr. Brossard and the sugar report was incorporated and made a part of the Finance Committee's recent hearings.

On June 30, 1926, Mr. Brossard appeared before the select committee. The excerpt of the testimony from which I am about to read will be found on page 196 of the hearings before the Finance Committee just referred to:

Chairman ROBINSON. Did you participate in the sugar report?
Mr. BROSSARD. No.
Chairman ROBINSON. I do not mean the sugar-beet report. I mean the sugar report proper.
Mr. BROSSARD. Did I participate in the sugar report?
Chairman ROBINSON. Yes.
Mr. BROSSARD. I considered some of the data, yes, sir, with respect to the cost of production of sugar beets.

Continuing on the succeeding page:

Chairman ROBINSON. Which report did you concur in, the majority or the minority report, in your opinion or conclusion? You were associated with the preparation of the report, were you not, or at least with the summarization of the data?
Mr. BROSSARD. No, sir. I did not have anything to do with it.
Chairman ROBINSON. What was your relationship to the sugar report?
Mr. BROSSARD. I was connected with the staff at the time the sugar report was under consideration as agricultural economist and had charge of the sugar-beet investigation. At numerous times the commissioners severally and jointly requested data on the cost of production of sugar beets. I think there are something like 21 or 22 memoranda that I submitted to the commission on the cost of production of sugar beets, most of which were submitted to them during the time that they were considering the sugar investigation.

In addition to that, I prepared some tabular material at the request of the different members of the commission. I prepared a table on investments for Mr. Lewis. I prepared a table showing the relationship of the price per ton of sugar beets to the acreage planted the following year in sugar beets. That was for Commissioner Lewis. I prepared for Chairman Marvin and Commissioner Burgess a summary of the 2-year average costs and a summary of the 3-year average costs, and submitted a large table showing for the different States the average cost of production of sugar beets in each State and in the United States per pound of sugar extracted from beets. Then there has been other material. If you want these, they might go in the record.

Chairman ROBINSON. I do not know of any occasion for putting them in the record.

Did you form or express any opinion as to which of the reports in the sugar case was correct—the majority or minority report?

Mr. BROSSARD. I may say now that I have never read the report of Commissioners Culbertson, Lewis, and Costigan. I have not to this day read it. I do not know the exact points of view that were taken there. I have not had a copy made available to me.

Chairman ROBINSON. Did you read the other report?

Mr. BROSSARD. I have never read the other report; no, sir. I have not had it. I have never read it, but I know something about the problems, because I talked to the experts on the staff of the commission.

On July 1, the day following, Mr. Brossard was continuing his testimony. This will be found on page 232 of the Finance Committee hearings. Bear in mind the controversial character of this sugar report, the charges and countercharges which had been made concerning it:

Senator LA FOLLETTE. Mr. Brossard, did you see any of the drafts of the minority opinion in the sugar report made under section 315 at any time before it was transmitted to the President?
Mr. BROSSARD. The drafts of the completed report?
Senator LA FOLLETTE. The drafts of the minority opinion.
Mr. BROSSARD. I saw parts of it; yes, sir.
Senator LA FOLLETTE. What parts did you see?
Mr. BROSSARD. Well, I do not remember just now. I submitted some statements to the chairman and to Commissioner Burgess, which I offered for the record the other day, Senator LA FOLLETTE.
Senator LA FOLLETTE. Will you read my question?
(The reporter read as follows:)
"Senator LA FOLLETTE. Mr. Brossard, did you see any of the drafts of the minority opinion in the sugar report made under section 315 at any time before it was transmitted to the President?"

Mark this, in view of the subsequent testimony which I shall call to the attention of the Senate:

Mr. BROSSARD. I saw the drafts and knew what they were, Senator LA FOLLETTE, but I did not read the completed final report. I saw it lying on the chairman's desk, and I do not know but what I saw it—I think that is the only place I ever saw the completed draft of the report.
Senator LA FOLLETTE. Did you see any sections or paragraphs of the minority opinion of the sugar report referred to in my preceding question?
Mr. BROSSARD. Identically, I am not sure that I did; no, sir—the identical paragraphs. I can not say.
Senator LA FOLLETTE. Well, did you see any of the tentative drafts of sections or paragraphs before they were incorporated in the minority opinion which was transmitted to the President?
Mr. BROSSARD. I saw, Senator LA FOLLETTE, material which had been submitted as tentative to go in the report which was submitted, but I am not sure whether it was submitted and whether it was included in the final report of the minority.
Senator LA FOLLETTE. Were you consulted, either directly or indirectly, by the commissioners who signed the minority opinion with regard to its content?
Mr. BROSSARD. I was asked to submit certain specific tables with respect to it; yes, Senator. I had instructions, as a member of the staff, to prepare for Chairman Marvin and for Commissioner Burgess certain tables, which I offered in evidence the other day.
Senator LA FOLLETTE. I am not talking about those tables. I am talking about the content of the minority opinion.
Mr. BROSSARD. Will you read the question again, please? I did not get it.
"Senator LA FOLLETTE. Were you consulted, either directly or indirectly, by the commissioners who signed the minoriay opinion with regard to its content?"
Mr. BROSSARD. Is my answer responsive?
Senator LA FOLLETTE. I do not think it is.

Mark this:

Mr. BROSSARD. Well, I did not discuss the question of what should go in either report, if that is what you are asking about. I never did go before those people and tell them what I thought ought to be in that report; no, sir.
Senator LA FOLLETTE. I did not ask you if you went before them. I asked you if you were consulted, either directly or indirectly, by either one or all of the commissioners who signed the minority opinion, with regard to its contents.

Mr. BROSSARD. No, sir. I was not consulted about the content of the minority opinion by either of the commissioners.

Senator LA FOLLETTE. You were not?

Mr. BROSSARD. Not that I remember of.

Senator LA FOLLETTE. Were you consulted, either directly or indirectly, by the commissioners who signed the minority opinion in the sugar report, in regard to the phraseology of any part or parts of the draft before it was submitted to the President?

Mr. BROSSARD. No, sir.

Senator LA FOLLETTE. With regard to the halibut case, were Commissioners Marvin and Dennis instructed by the commission to hold a hearing on behalf of the whole commission?

Mr. BROSSARD. Yes, sir, Senator; and Commissioner Costigan was also included in that motion but found that he was unable to go; but I think subsequently he did participate in the investigation, nevertheless.

Senator LA FOLLETTE. Was that course followed in the taximeter and print-roller cases?

Mr. BROSSARD. No, sir; but let me state that every word of testimony, Senator——

Senator LA FOLLETTE. I understand that. I have heard your testimony.

Mr. BROSSARD. In all the investigations was available to all commissioners, and we read it all.

Senator LA FOLLETTE. I understand that. I think that is all.

Chairman ROBINSON. Did you, yourself, dictate any portion of the minority sugar report?

Mr. BROSSARD. I did not.

Senator LA FOLLETTE. Then you wish to leave this committee with the impression that the only part which you had with regard to the minority opinion in the sugar report was the submission of the tables to which you referred in your testimony yesterday?

Mr. BROSSARD. As an agricultural expert on the staff of the commission; yes, sir, Senator.

I submit to any lawyer in this body that from a reading of that testimony the responses of Mr. Brossard bear internal evidence of his evasiveness. In his replies to my questions it is apparent that it was difficult to pin him down, and that finally when he was pinned down he said in response to a question by me, and I repeat it for emphasis:

Senator LA FOLLETTE. Then you wish to leave this committee with the impression that the only part which you had with regard to the minority opinion in the sugar report was the submission of the tables to which you referred in your testimony yesterday?

Mr. BROSSARD. As an agricultural expert on the staff of the commission; yes, sir, Senator.

Mr. President, the committee shortly after that time took a recess and did not resume its investigation, as I remember it, until the Congress reconvened in December.

I next wish to refer to the testimony of Mr. Fox, who at the time the sugar report was prepared was one of the economists on the staff of the commission. I am reading from the testimony taken by the select committee on January 10, 1927, as appears on page 253 of the Finance Committee hearings:

Senator LA FOLLETTE. This committee, before the summer adjournment, heard a great deal of testimony about the sugar report which was originally submitted to the President on August 1, 1924. Other material was sent to the President in response to further requests from him in the fall of 1924. Were you connected with the commission during the period of the preparation of the report for the President?

Mr. FOX. The sugar report?

Senator LA FOLLETTE. Yes.

Mr. FOX. Yes, sir; I was.

Senator LA FOLLETTE. What were your duties at that time?

Mr. FOX. Those of an economist. I also served a considerable portion of that time as investigator. I was sent to Hawaii in connection with sugar. I was also sent to New York, and assisted in getting the Cuban data; also getting the sugar-refining data. At such times, I suppose, technically, by the rules of the commission, I was under the chief investigator.

Senator LA FOLLETTE. Did you take part in the preparation of any portion of the commission's report to the President?

Mr. FOX. I did.

Senator LA FOLLETTE. There were two reports submitted, one on behalf of the commission prepared by Mr. Lewis, Mr. Costigan, and Mr. Culbertson, and another report which has come to be known as the minority report, prepared by Mr. Marvin and Mr. Burgess. Do you know how those respective reports were prepared or how either one of them was prepared?

Mr. FOX. I know nothing about how the Costigan-Culbertson-Lewis report was prepared. I know something about how the other report was prepared.

Senator LA FOLLETTE. Will you state your knowledge as to what occurred, with particular reference to the members of the staff who actually participated in the preparation of that report?

Mr. FOX. I should like to make it clear that all reports of the commission originate, with few exceptions, with the staff, prepared either in the commodity division or by the commodity expert assisted by the economists, perhaps with the assistance of many men. They are reviewed, many times revised, at times entirely rewritten by the advisory board. Then they go to the commission. The commission having, of course, final authority, makes those determinative decisions which it deems necessary; and it then becomes, of course, their report. Just as a report is sometimes called the advisory board's report before it goes to the commission, simply because the advisory board has authority to make changes, so, after it leaves the advisory board and goes to the commission, the commission has authority to decide what changes are to be made, after which it becomes a commission report.

As I recall, during the sugar investigation the sugar report was not referred to the advisory board. I believe it is one of the few, if not the only instance, where that was done. I am not certain about that, but it was one instance. While the report prepared by the chief of the sugar division was being considered by the commission with certain experts sitting in with the commission, various memoranda were being prepared. I was very busy, because I was interested in the sugar investigation. I participated in the field work. I prepared a number of memoranda. My associate, Doctor Mixter, I believe, prepared some. Dean Turner prepared many. Doctor Brossard, I believe, prepared some. This was going on for some time. Finally it was decided to prepare a draft of the final report.

That refers, of course, to the Marvin-Burgess report, the so-called minority report.

Mr. REED. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. Certainly.

Mr. REED. Was it not explained that that meant the advisory board's report to the commission and not the report of the commission itself?

Mr. LA FOLLETTE. I do not so understand. If the Senator will follow me I think it will develop that it was not. Mr. Fox continued:

I believe that decision was reached sometime around July 22. I imagine it was at the time when the consideration of the report by the commission was nearing completion. The matter was discussed by my chief, Chief Economist Dean Turner, and myself and some others, and we decided to start work that day. We worked along from that time until the report was submitted. There were a number of drafts made, and the report took the same course as other reports—for instance, as the butter report except that the butter report went through the advisory board.

Senator LA FOLLETTE. You say that about the 22d of July it was decided to prepare a report?

Mr. FOX. Oh, I do not know the exact date.

Senator LA FOLLETTE. But approximately some time in July it was decided to prepare a final draft?

Mr. FOX. The draft. We had been working on all sorts of memoranda.

Senator LA FOLLETTE. You say that Dean Turner and Doctor Mixter——

Mr. FOX. I believe Doctor Mixter prepared some.

Senator LA FOLLETTE. Were there any others associated with you in this work?

Mr. FOX. Well, Doctor Brossard prepared some; Dean Turner and myself. We are not associated, in a way. I was working independently. I was interested, for instance, in the years to be used. I was interested in certain tests that the chief of the sugar division was using upon the early years of the sugar data. I was interested in certain other phases. What Doctor Mixter was working on I do not know. Then, as I recall it, Doctor Brossard worked on memoranda, and, I believe, for a short period before we started Doctor Brossard and Dean Turner worked together.

Senator LA FOLLETTE. At any time during the preparation of this draft report were there any conferences held by those who were working specifically on it?

Mr. FOX. Upon that date when we began working on the draft, then, of course, we went into conference. We organized and went to it—a period that I would not want to go through again. When we started out I made arrangements for a room, because of possible interruptions in the chief economist's office, and the chairman was kind enough to let us use his small anteroom. We worked there during the day and at night we worked in the office of the chief economist.

Senator LA FOLLETTE. Have you in your possession or are there available to you copies of any material contributed to the report by you or Doctor Brossard or Doctor Turner or any other member of the commission's staff?

Mr. FOX. I have drafts which I believe were contributed, but it was a very hectic period, and we did not stand upon ceremony. At the present time, when a report is prepared, it is usually addressed to the commission or the advisory board or someone else from so-and-so, and it is signed, but, during those hectic days those formalities were not observed.

I have a number of memoranda, as I look through my file, that I believe I prepared; one that Doctor Mixter prepared. I have one, I believe, that Doctor Brossard prepared; one that Doctor Brossard and Dean Turner prepared; and I have a lot of miscellaneous material.

Senator LA FOLLETTE. Have you those papers with you?

Mr. FOX. But, may I say this: It would be impossible to trace anyone's contribution, because when he began the drafting of the report, we drew up a rough draft, taking something here, something there, using all of the available information. And then Dean

Turner, who is a very, very careful man, would dictate. As sections were completed they would be reviewed and revised many, many times, so that, even at the time when the first draft was ready, the language was different. Some of the ideas were modified. It was then practically impossible to trace the contribution of any one individual.

Senator LA FOLLETTE. I understand, but you have just stated in your previous answer that you had certain data or memoranda which you believe were prepared by different individuals.

Mr. FOX. But those I just——

Senator LA FOLLETTE. Will you produce those for the committee, please?

Mr. FOX. Here is one that is marked "J. R. T." All of these papers were not kept.

Chairman ROBINSON. Who is "J. R. T."?

Mr. FOX. Dean Turner.

Senator LA FOLLETTE. Let us mark that as an exhibit. I do not think it needs to be included in the hearings.

Mr. FOX. Here is something that is in Dean Turner's handwriting. I see Doctor Mixter has three words on here.

Here is one marked "A. M. F." That is mine.

Senator LA FOLLETTE. Mark that as an exhibit.

Mr. FOX. Here is one that has no name on it, but written at the top is "Doctor Mixter."

Senator LA FOLLETTE. Let that be filed as an exhibit.

Mr. FOX. Here is one on the basis of costs. Who prepared it I do not know. I see some one's handwriting marked "Basis of costs." That is written by Mrs. Garland. I notice two words by Dean Turner.

Senator LA FOLLETTE. Let that be marked as an exhibit.

Have you any idea who prepared that?

Mr. FOX. You see we all had been preparing memoranda for a period of a month or two months. The ideas were supplied by many people. They were often rewritten.

Here is one of mine, "Memorandum on sugar report."

Senator LA FOLLETTE. File that as an exhibit.

Mr. FOX. Here is one of May 29, 1924, "Comments on sugar report." That refers to the report written by Doctor Bernhardt.

Here is another one of mine, "Relative position of Cuban sugar companies. Comments on tests to establish the representative character of the few companies for which data are available for the early years," under date of July 7, 1924.

Senator LA FOLLETTE. File that as an exhibit, please.

Mr. FOX. Here is one, "Raw or refined basis." I think that was prepared jointly by Dean Turner and myself one Sunday.

Here is one, "Why sugar beets compared?" It has at the top in Mrs. Garland's handwriting, "Doctor Brossard's statement," and contains in Dean Turner's handwriting a number of comments.

Senator LA FOLLETTE. Those portions in pencil are in Dean Turner's handwriting?

Mr. FOX. Yes, sir.

Senator LA FOLLETTE. File that as an exhibit.

Mr. FOX. Here is one on "Advantages and disadvantages." This was prepared, I believe, jointly by Dean Turner and myself on a Sunday when I was writing it down in long hand. This is not signed.

Senator LA FOLLETTE. Let it be filed as an exhibit.

Mr. FOX. Here is another one that is not signed, but it has "J. R. T." and "E. B. B.," written by Mrs. Garland.

Chairman ROBINSON. To whom do those initials refer?

Mr. FOX. John R. Turner and E. B. Brossard. It has in pencil corrections made in Dean Turner's handwriting.

Chairman ROBINSON. Let it be filed as an exhibit.

Senator LA FOLLETTE. You said that related to advantages and disadvantages.

Mr. FOX. Not this one; no, sir.

Senator LA FOLLETTE. Pardon me. What is the subject matter of that memorandum?

Mr. FOX. It deals first with the fact that the advisory board was not consulted in the consideration of the sugar report, and sets forth the method of procedure, the usual procedure, and the reasons that a report which does not follow such procedure would be unsatisfactory. It also deals with the fact that the commission was not properly balanced for the consideration of the report by reason of the withdrawal of Commissioner Glassie from consideration of the report. It has a section here on sugar beets. It has another section on prices, and then the balance deals with the inadequacy of the early data.

Senator LA FOLLETTE. From your familiarity with the procedure and the general making of this report—was that memorandum to which you have just referred intended to be submitted for consideration to be included in the report?

Mr. FOX. I could not say, sir. I suppose so. I could not be definite.

Senator LA FOLLETTE. Have you any other papers there?

Mr. FOX. I have plenty of papers here.

Senator LA FOLLETTE. You understand to what I refer?

Mr. FOX. Here are some work sheets. Here are some tables that I notice in Mr. Brossard's handwriting. Here is a table made of costs by States, "E. B. B."

Senator LA FOLLETTE. File it as an exhibit.

Mr. FOX. Here is another table and written on the top of it is "Brossard." I think that is my handwriting.

Here are some tables in my handwriting. Some tables, I believe, that finally went into the report; costs of production of sugar.

Senator LA FOLLETTE. File that as an exhibit.

Mr. FOX. I have here what I believe is a copy of the first draft of a report under date of July 26, 1924.

Chairman ROBINSON. By whom was that prepared?

Mr. FOX. That was prepared by the staff members—Doctor Turner, Doctor Brossard, and myself—sitting in conference.

I ask Senators to compare Mr. Fox's testimony with Mr. Brossard's direct examination to which I have referred in my remarks. Just to refresh the memory of Senators on this subject I want to read again, after an extended examination, what I submit the testimony shows was evasiveness on the part of the witness:

Chairman ROBINSON. Did you yourself dictate any portion of the minority sugar report?

Mr. BROSSARD. I did not.

Senator LA FOLLETTE. Then you wish to leave this committee with the impression that the only part which you had with regard to the minority opinion in the sugar report was the submission of the tables to which you referred in your testimony yesterday?

Mr. BROSSARD. As an agricultural expert on the staff of the commission; yes, sir, Senator.

Compare that with the statement made subsequently by Mr. Fox:

Mr. FOX. I have here what I believe is a copy of the first draft of a report under date of July 26, 1924.

Chairman ROBINSON. By whom was that prepared?

Mr. FOX. That was prepared by the staff members—Doctor Turner, Doctor Brossard, and myself—sitting in conference.

Chairman ROBINSON. Does that appear on the face of the memorandum or do you state that from memory?

Mr. FOX. I state that from memory.

Senator LA FOLLETTE. That is the first draft of a report of the majority or the minority, which?

Mr. FOX. I do not like, personally, the terms "minority" and "majority."

Chairman ROBINSON. Well, then define it in your own way. You know there were two reports. Please make clear which report it was.

Mr. FOX. The Marvin-Burgess report.

Senator LA FOLLETTE. Let that be marked as an exhibit, please.

(The document referred to was marked "Exhibit 16" and filed with the committee. See p. 1122.)

Senator LA FOLLETTE. You made reference to another draft.

Mr. FOX. I have here a draft of July 30, 1924.

Senator LA FOLLETTE. By whom was that prepared?

Mr. FOX. By the same group, incorporating further suggestions.

Senator LA FOLLETTE. By whom?

Mr. FOX. By the same group—Dean Turner, Doctor Brossard, and myself.

Senator LA FOLLETTE. Let that be marked as an exhibit.

Then further exhibits were placed in the record. I read next from page 260:

Chairman ROBINSON. May I ask a question to be clear? What was the object of the preparation of these various memoranda to which you are referring? At whose direction were they prepared and what use was made of them?

Mr. FOX. The memoranda that I prepared were made at the direction of the chief economist, some of them, and some of them were made on my own initiative. Others I could not say. It is usual as reports are going through now—most certainly I, as chief of the division, request the preparation of such reports.

Chairman ROBINSON. What was the object of them? For what purpose were they prepared?

Mr. FOX. Those that I prepared were prepared because of my association with the sugar investigation and my keen interest in the various phases of the subject which were being considered, such as the years to be considered, the question of using early data, and others.

Chairman ROBINSON. What was the object of those prepared by Doctor Brossard and other members of the staff?

Mr. FOX. I could not say, sir.

Chairman ROBINSON. Did this matter of the preparation of these memoranda take the same or similar course as that which is taken in all important cases, or was it an unusual course?

Mr. FOX. I believe the same course as is being taken.

Senator LA FOLLETTE. These draft reports, for instance, were not submitted to the whole commission?

Mr. FOX. Oh, the draft reports—I understood the chairman——

Chairman ROBINSON. No. I was not referring to the draft reports alone. I was referring to the various memoranda, but what I am getting at is whether this was in pursuit of the established custom of the commission or whether there was something unusual about the procedure of various members of the staff preparing memoranda, some of it, after the report had been made.

Mr. FOX. This was before the report was made.

Chairman ROBINSON. Well, there are memoranda here which you said Doctor Brossard and others prepared which were evidently made after the report, because it says:

"The sugar report has not been so conducted as to lay before the President a full and fair presentation of the facts and principles involved."

Mr. FOX. I believe that was prepared while the report—

That is the majority report—

was being considered by the commission.

Mr. President, on page 261, I asked this question:

Senator LA FOLLETTE. As a matter of fact, Mr. FOX, these drafts of opinion, when prepared, were they not for the consideration and the assistance of Mr. Marvin and Mr. Burgess in the preparation of their report?

Mr. FOX. I can only speak for myself. When I prepared those memoranda I had no idea in the world what use was going to be made of them. All I knew was that I was one who claimed to be and hoped he was scientific, and who had had very close touch with the actual field work of the investigation, and who thought he knew some of the problems of the investigation, who was spending his time studying those problems intimately to make certain of his own position. What use was going to be made, if any, of them I could not say.

Senator LA FOLLETTE. But at this time in July, when you say it was decided to prepare the report, there was a tremendous amount of pressure evidently on those who were interested in it, and just tell the committee what was done, for instance, with the data that you prepared? To whom did you turn that over when you had finished with it? You said you were working nights and days on this material. What was done with it?

Mr. FOX. Nothing was done with it until the latter part of July, when it was decided to prepare the draft or what might become the draft of the Marvin-Burgess report.

Senator LA FOLLETTE. Exactly.

Mr. FOX. We organized, and when I say that——

Senator LA FOLLETTE (interposing). You say "we organized." Who organized?

Mr. FOX. Dean Turner and myself.

Senator LA FOLLETTE. Anyone else?

Mr. FOX. Doctor Brossard, too, was present.

Senator LA FOLLETTE. You say that you decided to organize to get out this report?

Mr. FOX. Yes.

Senator LA FOLLETTE. Now, you were not working on something that you did not know what was going to be done with, were you?

Mr. FOX. That is happening all the time.

Senator LA FOLLETTE. No; but you say that you organized to get out the draft of this report?

Mr. FOX. Oh, then we knew.

Senator LA FOLLETTE. For whom was it intended?

Mr. FOX. That draft? Chairman Marvin and Mr. Burgess, to serve as the draft.

Senator LA FOLLETTE. So that is the basis of their report?

Mr. FOX. Yes.

Senator LA FOLLETTE. That is correct, isn't it?

Mr. FOX. Yes; and we used all of these memoranda prepared; that is, all I prepared. I said honestly I had no idea what use might be made of them. I just stated each of the studies that I was interested in, and then we arranged during that conference, Dean Turner was to do all of the dictating, I examined all of the material available prepared by the various men, sorted it out, arranged it in logical order, examined it to see where it fitted in—I acted as sort of a handy man.

Senator LA FOLLETTE. And what was Doctor Brossard's work?

Mr. FOX. I do not recall that any special function was assigned to him. I personally took care of everything that went into that report.

But toward the end I believe Dean Turner and I requested Doctor Brossard to check the figures, because at that time I was getting to a point where I was not as sure of myself as I had been at the beginning.

Chairman ROBINSON. What does he mean by that?

Mr. FOX. I mean that when we prepared this draft Dean Turner did the dictating and I took the responsibility of every figure that went in there, whenever a figure had to appear in a table.

Senator LA FOLLETTE. And you say that Doctor Brossard was present during the preparation of this draft?

Mr. FOX. With certain exceptions. He was not there some evenings. He was not there the first evening. He was not there another evening. He was not there Sunday, and then the very last night we worked pretty late.

Senator LA FOLLETTE. How late did you work?

Mr. FOX. Dean Turner, Doctor Brossard, and Mrs. Garland left at 3.30.

That is 3.30 o'clock in the morning. Yet Mr. Brossard testified that he had nothing to do with the preparation of this report.

I stayed all night, tying up the loose ends, getting ready for the last spurt in the morning, and personally preparing all the charts to go into the report.

Senator LA FOLLETTE. Did Doctor Brossard contribute to the preparation of this draft report?

I want to call attention to the fact that at the time Mr. Fox was testifying he was an economist on the commission, and, in the meantime, since all of these events transpired, Mr. Brossard had been elevated to a position as one of the commissioners, and therefore Mr. Fox was his subordinate. I ask Senators to bear that in mind in judging this testimony of Mr. Fox, because it shows the evident reluctance of a subordinate to testify against a superior officer.

Senator LA FOLLETTE. Did Doctor Brossard contribute to the preparation of this draft report?

Mr. FOX. It is difficult to answer that.

Senator LA FOLLETTE. There were three men there, all of you working on this thing, and each one must have known what the other was doing.

Mr. FOX. Oh, yes. We used all the ideas that were available.

Senator LA FOLLETTE. Then you can answer my question, can't you, Mr. FOX?

Mr. FOX. I would not be able to identify what Doctor Brossard did.

Senator LA FOLLETTE. I am not asking you to identify it; I am asking you the question as to whether or not he contributed to the preparation of this draft report.

Mr. FOX. In a measure, I suppose.

Senator LA FOLLETTE. Can you state how?

Mr. FOX. He had prepared such memoranda as we all did. We tried to use as much of that as we could. His contribution, as I recall it—his definite contribution, as I recall it—arose from the fact that as we were proceeding with the report Dean Turner had assigned to one of the economists, Doctor Mixter, the preparation of a statement setting forth the economic bases for comparing Cuban sugar with United States beets, and when we came to that point and examined Doctor Mixter's statement, as I recall it, it appeared that it would not fit into the report or the draft being prepared. I believe that was a Thursday night—I would not be certain. We broke up rather early that evening, and the next day we decided perhaps the best thing to do was to have Doctor Brossard, because of his familiarity with the subject of sugar beets, prepare a statement setting forth every reason that he could think of from his own memorandum and elsewhere, the why of beet sugar—why sugar beets or beet sugar should be used in the comparison. I believe that was the reason that statement was prepared to which I referred here, that 4-page statement. Then we went through and we picked out, you will notice in Dean Turner's handwriting, such ideas as it seemed would fit into the report.

Senator LA FOLLETTE. Are there any records showing who worked upon this report, either in or out of office hours?

Mr. FOX. Of course, in office hours the only thing I can think of would be the monthly reports. Each division submits to the Secretary each month a statement of the work done by each member. I have in the last few weeks a statement of work done by my own members each week. In addition to that, when we enter the building outside of office hours, we all sign up.

Senator LA FOLLETTE. That is, you sign as you come in and go out?

Mr. FOX. Yes. No; we sign as we go in, recording the time, and then the time we leave.

Senator LA FOLLETTE. What do these records with regard to hours outside of the regular office hours show at this period?

Mr. FOX. Why, I suppose the record itself, the register, would show.

Mr. President, on the same day, as appears on page 264 of the reprint of the select committee's hearings by the Finance Committee, I asked Mr. Fox the following question:

Have you any reason to suppose that your files, with copies of papers and data and memoranda prepared for this minority draft report for Mr. Marvin and Mr. Burgess, have ever been tampered with?

Mr. FOX. No.

Senator LA FOLLETTE. Or that anyone has ever attempted to tamper with them?

Mr. FOX. Not to my knowledge.

Senator LA FOLLETTE. Has there ever been any effort made to find out through your office exactly what your records or files showed with regard to the preparation of the data for this draft report?

Mr. FOX. Our files in the economic division are often consulted.

Senator LA FOLLETTE. Has any particular effort been made to ascertain what your files showed with regard to the preparation of data for this draft report?

Mr. FOX. Yes. Doctor Brossard has called for the files, but that is not anything unusual. I think Mr. Marvin has looked at the files.

Senator LA FOLLETTE. Well, I asked you whether or not the inquiry had been made with particular reference to the data in the files concerning the draft report.

Mr. FOX. Doctor Brossard, as I recall it—if my memory is correct—asked to see what papers in the files showed drafts that Doctor Brossard had worked upon.

This, of course, was subsequent to Mr. Brossard's testimony that he had had no part in the preparation of the sugar report.

Senator LA FOLLETTE. When was that request made, to the best of your recollection?

Mr. FOX. I think Doctor Brossard's request was made last week. I believe it was Monday he had the files for a very short time—very short. And may I explain, because of the fact that these files are called for so many times by people and I have found that some men, some men in my division, are rather careless about the documents, and because of the importance of the documents we have devised a scheme in our division whereby every

single document in the report is documented and there is a number which appears upon it, so that when anyone takes the files we just keep this [the folder] in the office and let them have that [indicating the contents]. That is the rule when I take the material out of the files; for the commissioner or any member of the staff, there is the same rule, in order to make certain where the material is. We have had a number of documents in other connections mislaid.

Senator LA FOLLETTE. When this request was made by Doctor Brossard, did he make the request of you?

Mr. FOX. Yes; to me personally.

Senator LA FOLLETTE. Will you state to the best of your recollection the conversation which took place?

Mr. FOX. I believe he said that he understood or that he thought perhaps the Senate hearings might be reopened, and that he might go back on the stand, and he wanted to be certain of his connection or of his participation; that he was very anxious to correct any misstatements he might have made; that he did not want to take the credit for anything that he did not do; that he was ready to take the responsibility and he wanted to see the files to see just what he had done, as far as my files would disclose.

Senator WADSWORTH. It was to refresh his memory?

Mr. FOX. That is the impression I had. That is the understanding I had; yes, Senator.

Senator LA FOLLETTE. Did Commissioner Marvin ever make any request for the files showing the data used in the preparation of this draft report?

Mr. FOX. As I recall it, he came to my office and asked for the sugar files and looked them over right in my outer office.

Senator LA FOLLETTE. To the best of your recollection, when did that occur?

Mr. FOX. It was one of the days Doctor Brossard testified, perhaps the last day. That was, I suppose, on the 1st or 2d or 3d day of July.

Chairman ROBINSON. Were you present before the committee when Mr. Brossard testified with respect to his connection with the sugar report?

I have already brought that testimony to the attention of the Senate.

Mr. FOX. I was.

Chairman ROBINSON. Did you hear his testimony?

Mr. FOX. I did.

Chairman ROBINSON. How many times have you discussed his testimony or any phase of it, particularly his statement that he had nothing to do with the preparation of the Marvin-Burgess sugar report, since his testimony?

Mr. FOX. With whom?

Chairman ROBINSON. Mr. Brossard.

Mr. FOX. On a few occasions.

Chairman ROBINSON. How many?

Mr. FOX. Three or four, or half a dozen.

Chairman ROBINSON. When was the first time, if you recall?

Mr. FOX. I believe it was some time in September, 1926. It was after my return from the field. I was in the field in connection with the milk and cream investigation.

Chairman ROBINSON. When did you get away from Washington prior to that conversation?

Mr. FOX. I left Washington, I believe, July 3 or 4—July 4, I believe.

I point out that that was shortly after Mr. Brossard had testified before the committee that he had nothing to do with the preparation of the Marvin-Burgess report except as an agricultural expert on the staff of the commission.

Chairman ROBINSON. The first time that Mr. Brossard talked to you about his testimony before this committee was in September, when you returned from the field?

Mr. FOX. As I recall it.

Chairman ROBINSON. What did he say to you then?

Mr. FOX. He asked me if I heard his testimony and what were my reactions toward it.

Chairman ROBINSON. All right. What did you tell him?

Mr. FOX. I was rather reluctant to discuss it.

Chairman ROBINSON. Why? [After a pause.] Why are you so long in answering? Why don't you go ahead and answer my question?

Mr. FOX. It was not a subject matter that I felt free to discuss.

Chairman ROBINSON. Why?

Mr. FOX. Well, as I told you that first time, it was a matter—it involved a matter of opinion. He probably had certain things in mind. In other words, when he answered those questions he answered with certain interpretations.

Chairman ROBINSON. Notwithstanding your reluctance, did you talk to him about it?

Mr. FOX. I did. He stated that he had no purpose but to tell the truth; that if he had the opportunity he would have told everything about his sugar story.

Chairman ROBINSON. Did he indicate or did you infer from what he said that he was denied the opportunity to tell all about what he had to do with the writing of the draft of the sugar report? You knew, as a matter of fact, when you heard him testify, that he had assisted in the preparation of the draft, didn't you?

Mr. FOX. In—that is a relative thing.

Chairman ROBINSON. No; it is not a relative thing. It is a direct question, and you can answer it yes or no.

Mr. FOX. In a measure; yes.

Chairman ROBINSON. Now, you can explain what you mean by "in a measure."

Mr. FOX. Well, I attempted to set forth as fully as I knew how just what was done. We started work on the 22d. We organized.

Chairman ROBINSON. Whom do you mean by "we"?

Mr. FOX. Dean Turner was to do all of the dictating. I examined all the material which was available, the memoranda, sorted out the ideas, arranged it in logical order, saw that things were running smoothly, and acted as handy man, and at most of these meetings, except those on certain evenings and on Sunday, Doctor Brossard was present. Sometimes, when we came to a difficult part, we all, in spite of the fact that Dean Turner did the dictating, we all took a hand in it, and, of course, the official version of it was handled by Dean Turner, because he was the chief of the division.

Chairman ROBINSON. Can you state approximately how many meetings you held in the preparation of that first draft of the Marvin-Burgess report?

Mr. FOX. We started, as I recall it, Tuesday afternoon. That evening Dean Turner and Mrs. Garland and myself worked. Tuesday we were at it morning and afternoon. Only one worked in the evening.

Senator WADSWORTH. You do not mean Tuesday. Don't you mean Wednesday?

Mr. FOX. Wednesday, the next day.

Chairman ROBINSON. Who were associated with the work that day?

Mr. FOX. Wednesday Dean Turner was present, Doctor Brossard and I.

Chairman ROBINSON. How many hours did you put in that day, approximately?

Mr. FOX. We worked in the morning and in the afternoon.

Chairman ROBINSON. But not at night?

Mr. FOX. Not at night.

Chairman ROBINSON. Go ahead.

Mr. FOX. Thursday we worked morning, afternoon, and evening—Dean Turner, Doctor Brossard, I—and I believe we used another stenographer, Miss Braswell. On Friday——

Senator LA FOLLETTE (interposing). To whom was Miss Braswell usually assigned?

Mr. FOX. At that time I think she was assigned to the pool, the stenographic division. She is now assigned, I believe, to the chairman's office.

Friday we worked morning, afternoon, and evening—Dean Turner, Doctor Brossard, I, and Mrs. Garland.

Saturday we worked morning, afternoon, and evening—Dean Turner, Doctor Brossard, I, and Mrs. Garland.

Sunday, Dean Turner and I alone.

Monday, Dean Turner, Doctor Brossard—no—yes—Dean Turner, Doctor Brossard, and I, morning and afternoon; Dean Turner, Mrs. Garland, and I in the evening.

Tuesday, Dean Turner, Doctor Brossard, and I, and two stenographers—Miss Braswell and Mrs. Garland. Miss Braswell left, I believe, a little after midnight. Dean Turner, Doctor Brossard, and Mrs. Garland left a little after 3. I stayed there all night, with the exception of a short walk on Pennsylvania Avenue.

Chairman ROBINSON. Now, with respect to the second draft, did you have a number of meetings, the three of you who had been collaborating in the preparation of the first draft?

Mr. FOX. Well, this was really both drafts—the twenty-sixth draft and the thirtieth draft.

Chairman ROBINSON. That covered the meetings that the three of you had, and sometimes two of you, which have been specified according to your recollection?

Mr. FOX. Yes.

Chairman ROBINSON. Now, after your return in September and Doctor Brossard talking to you about his testimony before the committee with respect to this subject—when did you next talk to him, as you recall it?

Mr. FOX. It would be very difficult for me to say exactly. I should say some time after—I believe it was in connection with another investigation, the maple-sugar investigation which we were conducting—and some question came up of the delay which I was causing in having the men go out into the field; not being satisfied that we were quite ready to go I delayed the work somewhat, and I was called on for an explanation.

Chairman ROBINSON. Were you willing or reluctant to discuss it with him the second time? [After a pause.] I expect you to just answer promptly, yes or no.

Mr. FOX. Frankly, I was not very keen to discuss it.

Chairman ROBINSON. You preferred not to discuss it. Did you indicate that to him?

Mr. FOX. I did not.

Chairman ROBINSON. What?

Mr. FOX. I did not.

Chairman ROBINSON. What did you say to him?

Mr. FOX. I just——

Chairman ROBINSON. You will have to come through here. You had just as well go ahead and tell all about it now.

Mr. FOX. Senator, for the first time this year I have jotted down certain notes not only in connection with my interviews with Doctor Brossard, but with Doctor Dennis and Mr. Costigan, those few times I have seen Mr. Costigan.

Chairman ROBINSON. You have got the memorandum-keeping habit at last, have you? All right; state how many times you have

talked with Doctor Brossard about his testimony before this committee with respect to whether he had anything to do in connection with the sugar report.

Mr. FOX. About six.

Chairman ROBINSON. About six times?

Mr. FOX. Yes.

Chairman ROBINSON. Did he approach you each time, or did you go to him some of the times?

Mr. FOX. He approached me.

Chairman ROBINSON. Each time?

Mr. FOX. Each time, as I recall it.

Chairman ROBINSON. What was the burden of those conversations? What was the object of them?

Mr. FOX. Mr. Senator, I do not know what the object was. I could not tell you.

Chairman ROBINSON. Well, what did you imply to be the object of them? What was your understanding of the object of them?

Mr. FOX. He seemed very anxious to make very clear what he had in mind and what he proposed to do.

Chairman ROBINSON. Do you know why he was doing that? Did he tell you why he was running to you about his testimony before this committee and explaining to you and making clear to you what he meant?

Mr. FOX. Why, that did not seem unusual, because we had been associated together on the thing, and it is very natural——

Chairman ROBINSON (interposing). Then tell the committee why you are reluctant to talk with him about it if there was nothing unusual about it.

Mr. FOX. Well, because the statement as made was rather a sweeping statement.

Chairman ROBINSON. What statement are you referring to now?

Mr. FOX. The statement Doctor Brossard made when he was testifying.

Chairman ROBINSON. I will ask you a leading question. Did you imply that he knew that you took a different view of the facts with respect to his connection with the preparation of that sugar report from what he had stated before the committee?

Mr. FOX. Perhaps so.

Chairman ROBINSON. Now, you have hesitated for perhaps half a minute in answering that question. That does not appear in the record. Why do you hesitate? Why don't you answer it?

Mr. FOX. Because, Mr. Senator, Doctor Brossard testifying here testifies as a commissioner. He is in a position, therefore, to express opinions and conclusions. I am testifying as a member of the staff, and my testimony, therefore, it appears to me, ought to be limited to the statement of facts, which I have tried to do, with the single exceptions when I have been asked——

Chairman ROBINSON. Very well. I think that is exactly correct, but I have asked you a question of fact, and that is why you are reluctant to answer the questions I have asked you.

Mr. FOX. Because, Mr. Senator——

Chairman ROBINSON (interposing). It is because of your subordinate position on the commission?

Mr. FOX. Yes.

Chairman ROBINSON. Very well. I think that is a fair and a true answer. Now, then, how many more times did you talk to Doctor Brossard and what was the substance of those conversations? You have said there were six times and you have detailed two. He came to you each time. What did he say to you?

Mr. FOX. May I correct that?

Chairman ROBINSON. Yes.

Mr. FOX. He did not come to me. He called me to his office.

Chairman ROBINSON. Oh!

Mr. FOX. And usually it was, perhaps, in connection with some other matter, and then casually this subject was referred to.

Chairman ROBINSON. He called you to his office in connection with some other matter, but casually each time the subject matter of his testimony before this committee was mentioned to you by him?

Mr. FOX. Yes.

Chairman ROBINSON. Can you recall what was said on those other occasions? Did you make some memoranda, Mr. Fox?

Mr. FOX. I said I kept them.

Chairman ROBINSON. Yes. Now you may refer to your memoranda for the purpose of refreshing your memory. State what your memorandum shows, if you are prepared to say that it was made approximately or at the time of the incidents to which they relate.

Mr. FOX. Now these memoranda, I say, were prepared with reference to many subjects, and here is one when I went to see Mr. Costigan, complaining about the work of Doctor Simpson and also in connection with the work of some others.

Chairman ROBINSON. Those memoranda may be pertinent to some phase of this inquiry, but for the present and in answering the questions I am now asking you confine yourself to the memoranda you made with respect to your conversations with Mr. Brossard about his testimony before this committee.

Now, Mr. President, I desire to refer to the contemporary memoranda made by Mr. Fox. They show that the first time that Mr. Brossard talked to him about the question of his connection with the minority opinion in the sugar case—namely, the Marvin-Burgess report—was April 2, 1926, before Mr. Brossard ever appeared before the select committee.

Senator LA FOLLETTE. Will you read the first memorandum?

Mr. FOX. This is dated April 2, 1926.

And Mr. Brossard testified—the testimony I have already referred to—on June 30:

Was called in by Doctor Brossard about 12.50 in regard to the cane-sirup schedule, as Doctor Townsend had complained to him that the men were being delayed in going into the field. After the discussion on this matter, Doctor Brossard said—

And this is quoted in Mr. Fox's contemporary memorandum—

"By the way, I have been going over the record to see what I did upon sugar and I fail to find that I did anything; I didn't have anything to do with it. Turner did all the dictating and you supplied all the ideas."

Later, about 3.30, I stepped in the office again in connection with the Townsend matter to point out that Townsend had not previously attempted to see me or the chief investigator in connection with expediting his work and that his going to Brossard was exceedingly unfair. Brossard again turned to me and remarked, "Fox, tell me frankly, has my appointment to the commission affected the morale of the commission?" I said that to be candid with him the situation among the commissioners was such as to affect conditions on the staff; that, for instance, if it were possible to bring matters to the commissioner without causing a row I would long since have forced Mr. Comer to get off the fence and work positively upon the facts in each case. He agreed to that and said that he knew that Simpson was not at all pleased with his appointment and that probably Simpson had carried the tale of the demoralization of the staff to Taussig and that perhaps Comer had also. Whereupon I assured him that I did not think Comer had anything to do with it. I also told him that the staff was pretty much excited about the whole investigation. Whereupon he said that "the situation here is far more certain than it was before I joined the commission. If you remember when Culbertson was here, you and I were on the verge of losing our jobs." To which I replied that it would have made no difference to me; that I had made my plans to go back to the university. He returned, "Same with me; I was on leave of absence to go back any time."

Mr. FOX. These others are on other subject matters. I have here one Monday afternoon, April 12—

That was 10 days after Commissioner Brossard had first talked to Mr. Fox about this matter—

Chairman ROBINSON. Of what year?

Mr. FOX. 1926.

Chairman ROBINSON. All right. Go ahead.

Mr. Fox (reading):

"While in Doctor Brossard's office on other matters he remarked that he was trying to get the facts straight in regard to his connection with sugar, and as he could see it he had nothing to do with it except advise upon agricultural costs; that I had furnished all the ideas and that Dean Turner had dictated them, and that he had been consulted in regard to agricultural costs and had advised thereon. That as to the preparation of the report, which was revised by Commissioners Marvin and Burgess, he thought it advisable that he and I should both have the same facts; that we had the fact straight in regard to sugar."

This, Mr. President, was a statement made by a commissioner to a subordinate economist on the staff before he ever came before the committee of the Senate to testify concerning this matter.

Chairman ROBINSON. At the time of that memorandum and that statement, the time that that memorandum relates, did you make any statements to Doctor Brossard which you recall? When he said that you two ought to agree upon the facts as to your connection with the matter, did you make a statement to him?

Mr. FOX. I do not recall.

Chairman ROBINSON. Your memorandum does not show what you said in reply?

Mr. FOX. No.

Chairman ROBINSON. And you do not recall?

Mr. FOX. No.

Chairman ROBINSON. All right. Go to the next memorandum.

Now, I point out that the next contemporary memorandum made by Mr. Fox concerning his conversations with Commissioner Brossard about his connection with the Marvin-Burgess report was made on July 23, 1926, after Commissioner Brossard had testified before the committee that he had nothing to do with the preparation of this report except to submit tables. I will ask Senators to bear in mind that Mr. Fox was a subordinate on the commission and Mr. Brossard was his superior officer.

Mr. FOX. July 23, 1926. [Reading:]

"Doctor Brossard phoned while we were meeting on the final report on methanol and asked to see me as soon as it was over.

"As the commission held a meeting at 10.30, I did not get an opportunity to see him until the afternoon. When I returned from lunch about 2.15 I was told that he had phoned twice. Finally got to see him at 2.30.

"As soon as I sat down Doctor Brossard asked whether I had heard his testimony before the Senate committee on sugar and whether the testimony did not correctly represent the situation. I hesitated for a moment and then replied that we were all present during the preparation of the report. Doctor Brossard then proceeded to explain that he had not proposed to withhold any information; in fact, that he was ready to explain it all if he had been given the opportunity by Senator ROBINSON and Senator LA FOLLETTE, but that he did not propose to have LA FOLLETTE compel him to state that he had dictated the policy of the minority report. He said that he had not dictated the report, that the report had been dictated by Dean Turner; whereupon I told him in a sense we were all present and had all dictated parts, but that the final dictation and smoothing out was done by Dean Turner. Doctor Brossard also stated that we did not write the minority report, that 'we wrote the expert's report'; whereupon I told him that we wrote the report for Mr. Marvin and Mr. Burgess, and that no 'expert's report' was prepared in either case.

"Doctor Brossard also stated that he had not read the final report, that while Dean Turner and I were busy going over the reports with Messrs. Marvin and Burgess he had been occupied attending to other details.

"Doctor Brossard asked if there was anything in our files on sugar that showed his connection with the report, whereupon I told him that he could look over the files. He wanted me to go over the files and Brossard's testimony before the Senate committee and see if there had been any misstatements, and if there had he would be only too glad to go before the committee and ask for the opportunity to correct such misstatements."

Then on August 2, 1926, Mr. Fox prepared another contemporary memorandum of his conversation with Doctor Brossard:

Doctor Brossard called about 4.45 and wanted to know whether the plans for the Chinese trip had been completed; that Messrs. Marvin, Glassie, Lowell, and he had discussed the matter at noon; and that the report ought to be submitted to the commission, as Mr. Marvin was going away and the last regular meeting of the commission would be held to-morrow.

He discussed the question of personnel, and indicated that Newton had been to see him and that somebody (evidently Mr. Comer) had discussed the full details considered by the board about all these matters.

Finally, as I was ready to go he said: "By the way, before I forget it there is another matter that I wanted to speak to you about while it is fresh in our minds. Have you had a chance to look over the hearings or the details in regard to my testimony on sugar?" I told him that I hadn't, whereupon he restated the position that he had taken at our previous meeting—that he had not intended to evade, but was ready to tell everything, but didn't want to appear to take the whole credit for the work done. "You and I," he said, "know what happened," and he then went on to repeat what he intended to do if they had given him the opportunity—he knew the problems and was ready to discuss them as he knew them.

Mind you, the last two contemporary memoranda to which I have directed the attention of the Senate were prepared concerning conversations which occurred after Mr. Brossard had told the committee of the Senate that he had nothing to do with the Marvin-Burgess report except the preparation of tables, and before Mr. Fox was called to testify before the committee.

The last memorandum Mr. Fox had was dated January 3, 1927, just before the committee resumed its proceedings:

In response to a call from Doctor Brossard, went to see him about 10.15. When I entered his office he said that he would like to see the sugar files, especially the documents which he had submitted in connection with the preparation of the report. He said that he had obtained an inkling from the newspapers that the hearings may start again; that he did not want to take any credit in the preparation of the report or any part of it to which he was not entitled, but that he was fully ready to take the responsibility. Doctor Brossard emphasized the fact that he did not want to take credit for the report.

Doctor Brossard claims that he has reviewed the situation and can not recall having much to do with the report. He claimed that when the report went to Mr. Marvin and Mr. Burgess there was no summary. I pointed out that the summary was prepared before it went to them and that the only change was the addition of two pages describing the history of sugar beets and a few minor changes here and there—changes of emphasis or conclusion. He stated that Dean Turner and I spent two days going over the report with Mr. Marvin and Mr. Burgess, but that he did not go over it. I thereupon pointed out to him that as I recalled it he went over the report with Mr. Marvin and Mr. Burgess before Dean Turner and I were called in. He denied that, stating that Mr. Marvin asked him about the tests, and that as they were not clear to him either he suggested that especially Dean Turner and I be called in.

Mr. President, following Mr. Fox's testimony, Commissioner Brossard again came before the committee, on January 11, 1927. I read from the proceedings:

Chairman ROBINSON. Mr. Brossard, you have already been sworn, I believe?

Mr. BROSSARD. Yes, sir.

Senator WADSWORTH. Mr. Brossard, were you present in the room yesterday when Mr. Fox was testifying?

Mr. BROSSARD. Yes, sir.

Senator WADSWORTH. Did you hear his testimony in relation to the preparation of the so-called draft report for what later became the minority report on sugar?

Mr. BROSSARD. I did.

* * * * * * * *

I heard all of his testimony.

Senator WADSWORTH. You caught the significance, I assume, of his statement or suggestion that he had interpreted your connection with some of that work in a way different from your own interpretation, and that he had interpreted somewhat differently the significance of your testimony in that connection than your own interpretation?

Mr. BROSSARD. Yes, sir; it seemed to me that he had a slightly different interpretation of the testimony.

I submit to any Senator who will read this testimony that there will appear a great deal more than a slight difference in the interpretation:

I do not know that he interpreted the testimony differently, but that he made it possible for a different interpretation to be made; he opened the way for a different interpretation to be made than what I had intended in my testimony.

Senator WADSWORTH. You have heard that testimony of yesterday, and I assume, of course, other Senators heard it also, and the questions having arisen directly or indirectly as I have attempted to describe, will you proceed in your own way now and tell us just what happened in your connection with the whole proceeding, in connection with your testimony, and tell us the story as clearly and comprehensively as possible.

Mr. BROSSARD. Well, I want to connect right back up with my testimony, because I think that will help to clarify the testimony. I want to make it clear, and I have never had any idea of anything else but making it clear. I am not used to having my integrity questioned, and, of course, I have been very much stirred because of a rumor which has been circulated around that it might be. I would like to refer, first, to a question asked by Senator LA FOLLETTE, found on page 1022 of my testimony given on July 1, 1926. Senator LA FOLLETTE's question is as follows:

"Senator LA FOLLETTE. Then you wish to leave this committee with the impression that the only part which you had with regard to the minority opinion in the sugar report was the submission of the tables to which you referred in your testimony yesterday?"

When Senator LA FOLLETTE asked me that question I thought of all the testimony that I had given yesterday; yesterday being the 30th of June. I did not expect that Senator LA FOLLETTE was trying to have me make a statement contradictory to my testimony that had already been given and my testimony on June 30, 1926, as shown on page 985 of the printed record indicates in answer to the following question from Senator ROBINSON, what my participation in the report was, and I should like to read that verbatim:

"Chairman ROBINSON. What was your relationship to the sugar report?

"Mr. BROSSARD. I was connected with the staff at the time the sugar report was under consideration as agricultural economist, and had charge of the sugar-beet investigation. At numerous times, the commissioners severally and jointly requested data on the cost of production of sugar beets, most of which were submitted to them during the time that they were considering the sugar investigation."

In addition to that, I prepared some tabular material at the request of the different members of the commission. I prepared a table on investments for Mr. Lewis. I prepared a table showing the relationship of the price per ton of sugar beets to the acreage planted the following year in sugar beets. That was for Commissioner Lewis. I prepared for Chairman Marvin and Commissioner Burgess a summary of the 2-year average costs and a summary of the 3-year average costs, and submitted a large table showing for the different States the average costs of production of sugar beets in each State and in the United States per pound of sugar extracted from beets. Then there has been other material. If you want these, they might go in the record.

Chairman ROBINSON. I do not know of any occasion for putting them in the record.

Mr. Brossard continued his direct testimony:

Now, right there I want to say that what I had reference to there as "other material" I had in my hand then and exhibited here, you will remember I think very definitely, I think every memorandum of mine that Mr. Fox has submitted in his testimony. Every single one, with one exception as I remember it, as my contribution, and that exception is the one that is in here now, Exhibit 12, marked as having been prepared by Dean Turner and myself, which I did not have a copy of, because there was only one copy made and that was kept in the files of the economics division by the chairman of the advisory board, Doctor Turner.

You will remember that that particular memorandum had something to do with sugar beets. I do not remember just what it is in detail, but I remember that much of it, and in addition, on

the top of that memorandum was put there by Mrs. Garland, I think, secretary to Mr. Fox now, "J. R. T. and E. B. B."

I think all I had to do with that memorandum was the part which pertains to sugar-beet costs, not beet-sugar costs but sugar-beet costs, and that is why my initials appear there.

Outside of that one memorandum, Exhibit 12, as far as I could tell from a description of the material as given by Mr. FOX, every one of these data, Exhibits 10, 12, 13, 14, 19, and 20, and I think one or two or three in addition, I offered for the record that day when Chairman Robinson said that he did not see any need for them going in the record.

Then, on page 986 of this record also, I made the statement that I had discussed the problems involved in this sugar investigation with members of the staff. That I never denied as participating in, and I am glad I had the privilege of doing it, as a matter of fact, and I have never had any reluctance to stand by any of the memoranda that I have submitted, and I would have been very glad to have had them all go in the record, as a matter of fact. I would like to have them go in the printed record. I think it would make this record very much more complete if all of these data were in there, because they will show, I think, quite definitely, just how much these data were changed—these memoranda were changed and how different the result which finally came out as the sugar report as now printed is from these data which I submitted, showing that it was a part of the process of getting these data into the hands of the members of the staff who were preparing this report.

I think Mr. Fox and I are in substantial agreement on nearly every point that he mentioned.

I leave that to the judgment of any Senator who will read the record.

With respect to the dictation of that report, I may say that I think, as I remember it now, I do not have a single phrase in the final sugar report in my language. I am perfectly willing to submit these memoranda and have anybody check them. I have not checked it verbatim, but I do not have any hesitancy in letting them go in and letting them be checked, because Dean Turner, who was chief of the economics division and who was chairman of the advisory board and the real dean of the commission's staff, dictated the report. Mr. Fox and I submitted memoranda, as he has stated. He, I think, helped more in the report than I did, because he had been in it all the time. He was with it from the very beginning; he helped draw the schedules. I came into it after it was a long ways along and had no connection with it except as I was asked to do so by commissioners and by the chairman of the advisory board who was my superior, and whom I was compelled to obey.

Now, coming back to this question of Senator LA FOLLETTE, my answer was:

"As an agricultural expert on the staff of the commission; yes, sir, Senator." That is on page 1022, because I had in mind all that I had said yesterday I had contributed toward the sugar report. I did not think Senator LA FOLLETTE was trying, and I do not think now he meant to limit my testimony, after I had said that I had prepared these many memoranda on sugar-beet costs and these other materials and had said that I had discussed the problems with the staff.

I ask any Senator who will take the time to read his direct examination on his first appearance before the committee, namely, June 30, 1926, which I have already read to the Senate, to determine that question for himself.

Senator LA FOLLETTE, I did not think you intended to limit that to the specific statistical tables on sugar-beet costs which I had specifically described there. At least, I never interpreted your question to be such. When you said that, I thought you had in mind all that I had put into the record yesterday as my testimony, my contribution to the sugar report, and naturally I answered "Yes." I had nothing to do with it as a commissioner, because I was not a commissioner.

Of course I knew that.

All I had to do with it was as an agricultural economist on the staff of the commission, and everything that I had testified to on June 30, 1926, was what I had to do with the sugar report. I had it in mind. I did not want to limit the thing, but I wanted to make it exact and accurate, instead of making a guessing proposition out of it.

There was some difficulty also with a question which you asked me, Senator LA FOLLETTE, which is given on page 1020. You asked me:

"Mr. Brossard, did you see any of the drafts of the minority opinion in the sugar report made under section 315 at any time before it was transmitted to the President?"

Now, listen to this:

My idea of what this minority opinion is is very plain, and I want to have it definitely understood, because there turns my answer. You will remember I made several replies to your question and then you insisted that I answer it just as it was, "minority opinion." I was trying to ascertain what you wanted in the question by that "minority opinion." Now, "minority opinion" to me, after having been both a member of the staff and a commissioner, is this, that the minority opinion is never the minority opinion until the minority have approved it, for I have seen reports that came from the advisory board to the commission so demolished and rewritten and made over by the commissioners that you would never know it was the same thing at all, and so the staff members can not take credit for having written the minority opinion at any time.

I call attention to the fact that in his conversation with Mr. Fox, according to his contemporary memoranda, Mr. Fox pointed out to Mr. Brossard that there was no difference between the minority opinion and the experts' opinion, that what they had done was to prepare the draft of the minority opinion, which was subsequently sent to the President.

Commissioners Marvin and Burgess were solely responsible for that minority opinion, and how could a man tell what they had done with it after it was submitted to them? That was their affair. That is why I answered your question two or three different ways. I was trying to get you to explain in some way what you meant by that "minority opinion." It was a perfectly honest and frank proposition.

Chairman ROBINSON. Well, just go ahead with your statement.

Mr. BROSSARD. The Marvin-Burgess report, of course, was changed. I said I had not read the report, and I find since it has been printed that there were a number of additions to it since I saw it, and it was changed—I will not say completely, but it was changed greatly—as can be readily shown by the comparison of the final sugar report of the two commissioners with the memoranda that was submitted.

I think that is all I have to say with respect to it. I did not want to let this opportunity go by without explaining what I meant by my former answer.

Chairman ROBINSON. Have you any other questions?

Senator WADSWORTH. Not on this point. I want to ask some questions on another point, if you have finished with this.

Senator LA FOLLETTE. I think the record speaks for itself.

I am now reading from page 294 of the Finance Committee's reprint of the select committee's testimony:

Chairman ROBINSON. You read a while ago a portion of the testimony which you gave, and explained it to the committee as consistent with your participation in the making of that draft, as I construe your testimony.

Mr. BROSSARD. Yes, sir.

Chairman ROBINSON. Turn to page 985 of the record and read with me. Of course, we can not read the entire record, but there are significant portions that I think ought to be presented in connection with your testimony just given, in order that you may explain that.

"Chairman ROBINSON. Which report did you concur in, the majority or the minority report, in your opinion or conclusion? You were associated with the preparation of the report, were you not; or at least, with the summarization of the data?

"Mr. BROSSARD. No, sir; I did not have anything to do with it.

"Chairman ROBINSON. What was your relationship to the sugar report?"

Then came the answer which you read a while ago.

Mr. BROSSARD. Yes, sir.

Chairman ROBINSON. Then, down where you quoted the chairman as saying "I do not know of any occasion for putting that in the record," referring to the data that you had, that is immediately followed by a question by the chairman:

"Did you form or express any opinion as to which of the reports in the sugar case were correct—the majority or minority report?

"Mr. BROSSARD. I may say now that I have never read the report of Commissioners Culbertson, Lewis, and Costigan. I have not to this day read it. I do not know the exact points of view that were taken there. I have not had a copy made available to me.

"Chairman ROBINSON. Did you read the other report?"

"Mr. BROSSARD. I have not read the other report; no, sir. I have not had it. I have never read it, but I know something about the problems, because I talked to the experts on the staff of the commission."

Mr. BROSSARD. Yes, sir.

Chairman ROBINSON. Do you think that fairly reflected the fact that you were in conference with two experts on the staff of the commission for the preparation of a report for the uses that you have stated?

Mr. BROSSARD. Mr. Chairman, this report, I said——

Chairman ROBINSON (interposing). All I am interested in is whether you think that answer fairly reflected the facts. I have no objection to your making any explanation.

Mr. BROSSARD. It fairly reflected what I had in mind when I answered the question.

Chairman ROBINSON. All right.

Mr. BROSSARD. Because, I think this is the situation: When we were talking here about that report, I meant the final, completed report of Commissioners Marvin and Burgess and that distinction is essential, it seems to me, in all of these records. That report was their report, and, of course, it was a completed thing. I understand that the conclusion of the report was entirely rewritten by Commissioners Marvin and Burgess. That is what I understood at the time; that the conclusion of the report had been entirely rewritten, and I had not seen the rewritten conclusion, and I wanted to have a chance to look at the printed report or some other report to see what the conclusion was.

Chairman ROBINSON. Now, turning to page 1020, where you quoted some questions by Senator LA FOLLETTE, I will read from the record of your testimony before this committe at page 1020:

"Senator LA FOLLETTE. Mr. Brossard, did you see any of these drafts of the minority opinion in the sugar report made under section 315 at any time before it was transmitted to the President?

"Mr. BROSSARD. The drafts of the completed report?

"Senator LA FOLLETTE. The drafts of the minority opinion.

"Mr. BROSSARD. I saw parts of it; yes, sir.

"Senator LA FOLLETTE. What parts did you see?

"Mr. BROSSARD. Well, I do not remember just now. I submitted some statements to the chairman and to Commissioner Burgess, which I offered for the record the other day, Senator LA FOLLETTE.

"Senator LA FOLLETTE. Will you read read my question?

"(The reporter reads as follows:)

"'Senator LA FOLLETTE. Mr. Brossard, did you see any of the drafts of the minority opinion in the sugar report made under section 315 at any time before it was transmitted to the President?'

"Mr. BROSSARD. I saw the drafts and knew what they were, Senator LA FOLLETTE, but I did not read the completed draft report. I saw it lying on the chairman's desk, and I do not know but that I saw it—I think that is the only place I ever saw the completed draft of the report.

"Senator LA FOLLETTE. Did you see any sections or paragraphs of the minority opinion on the sugar report referred to in my preceding question?

"Mr. BROSSARD. Identically, I am not sure that I did; no, sir—the identical paragraphs. I can not say.

"Senator LA FOLLETTE. Well, did you see any of the tentative drafts of sections or paragraphs before they were incorporated in the minority opinion which was transmitted to the President?

"Mr. BROSSARD. I saw, Senator LA FOLLETTE, material which had been transmitted as tentative to go in the report which was transmitted, but I am not sure whether it was submitted, and whether it was included in the final report of the minority.

"Senator LA FOLLETTE. Were you consulted, either directly or indirectly, by the commissioners who signed the minority opinion with regard to its contents?

"Mr. BROSSARD. I was asked to submit certain specific tables with respect to it; yes, Senator. I had instructions, as a member of the staff, to prepare for Chairman Marvin and for Commissioner Burgess certain tables which I offered in evidence the other day.

"Senator LA FOLLETTE. I am not talking about those tables. I am talking about the content of the minority opinion.

"Mr. BROSSARD. Will you read the question again, please? I did not get it.

"(The reporter read as follows:)

"'Senator LA FOLLETTE. Were you consulted, either directly or indirectly, by the commissioners who signed the minority opinion with regard to its contents?'

"Mr. BROSSARD. Is my answer responsive?

"Senator LA FOLLETTE. I do not think it is.

"Mr. BROSSARD. Well, I did not discuss the question of what should go in either report, if that is what you are asking about. I never did go before those people and tell them what I thought ought to be in that report; no, sir.

"Senator LA FOLLETTE. I did not ask you if you went before them. I asked you if you were consulted, either directly or indirectly, by either one or all of the commissioners who signed the minority opinion with regard to its contents.

"Mr. BROSSARD. No, sir.

"Senator LA FOLLETTE. You were not?

"Mr. BROSSARD. Not that I remember of.

"Senator LA FOLLETTE. Were you consulted, either directly or indirectly, by the commissioners who signed the minority opinion in the sugar report in regard to the phraseology of any part or parts of the draft before it was submitted to the President?

"Mr. BROSSARD. No, sir."

There are other questions that relate to other subjects. Then further down the page, omitting the questions that relate to another subject:

"Chairman ROBINSON. Did you, yourself, dictate any portion of the minority sugar report?

"Mr. BROSSARD. I did not.

"Senator LA FOLLETTE. Then you wish to leave this committee with the impression that the only part which you had with regard to the minority opinion in the sugar report was the submission of the tables to which you referred in your testimony yesterday?

"Mr. BROSSARD. As an agricultural expert on the staff of the commission; yes, sir. Senator."

I have read all of that testimony in order that the full course of the examination that you were subjected to when you testified before might be in the record in this connection. I have no further questions.

Mr. BROSSARD. There is just one thing——

Chairman ROBINSON. You may make any explanations you desire.

Mr. BROSSARD. I just want to call attention to one thing. In my own mind that distinction between (1) the experts' report, (2) tentative drafts of the experts' report, (3) tentative drafs of the minority opinions or the minority sugar report, (4) the minority opinion or the minority sugar report as it was signed by Commissioners Marvin and Burgess, and (5) the supplemental reports on sugar prepared in compliance with the President's requests for additional information—the distinction between those separate entities is absolutely essential, and that was the reason I made the distinctions in my testimony here, so that it would be perfectly clear.

Chairman ROBINSON. All right. Now, with respect to this data, I think it had better be in the record, in view of Mr. Brossard's statement that he would like to have it in.

Senator LA FOLLETTE. I have no objection.

Mr. President, I have gone into this matter at some length because, as a member of the select committee, I felt it was my duty to call this testimony to the attention of the Senate. As I stated at the outset, I believe that an impartial reading of his testimony will convince any Senator that Commissioner Brossard was not a frank, honest, open witness before the committee; that he was, to say the least, disingenuous and evasive in his testimony concerning this important and controversial subject. Furthermore, the testimony shows his conversation with a subordinate on the economic staff of the commission before his testimony took place, and then, following his denial that he had anything to do with the preparation of this minority report except the submission of tables, he had three different conversations with that subordinate before Mr. Fox was called to testify concerning his interpretation of Brossard's connection with the minority report on sugar.

I think, Mr. President, that this testimony will convince any impartial reader that Mr. Brossard can not command the respect and the confidence of either the Senate or the country, in view of the manner in which he conducted himself under oath before this committee of the Senate. There are other reasons why I think the Senate should reject Mr. Brossard's nomination.

I want to call attention to the testimony of Doctor Taussig, who is one of the most distinguished economists in America; he is the dean of that important group. I read from his testimony before the committee:

Senator LA FOLLETTE. In your recent address in New York before the American Economic Association, on December 29, 1925, you expressed the belief that recent appointments to the commission had not been made with due regard for judicial character, ability, training, and open-mindedness; and in view of the character of this investigation, would you state for the benefit of the committee more particularly what you had in mind when you made that statement?

Doctor TAUSSIG. My information upon those subjects, Senator, necessarily comes partly from what appears in the public prints, partly from conversations with former associates or friends of mine. It is no information of any kind which the committee can not get of its own accord, and the committee has much better sources of information as to the personnel and as to the previous history of the appointees.

Senator LA FOLLETTE. While I do not like to press you to make any answer that you do not feel inclined to make, in so far as I am personally concerned, because of your standing as an economist and your long association with this problem in general, and your previous experience with the tariff commission in particular, I for one would be glad if you feel free to make that statement more explicit and in detail for the benefit of the committee.

Doctor TAUSSIG. I thought it was unfortunate. I hesitate to express myself about individuals.

Senator LA FOLLETTE. I realize your natural reluctance, but you realize——

Doctor TAUSSIG (interposing). I thought it was unfortunate that a gentleman who had long been known as a representative before Congress of a particular interest—Mr. Burgess, who was secretary, I think, of the Potters' Association and who was known to have been frequently before Congress—should have been a tariff commissioner. I felt it to have been an unfortunate choice.

Senator LA FOLLETTE. You feel that would tend to break down the public confidence in the Tariff Commission.

Doctor TAUSSIG. I thought so.

Senator REED. Mr. Burgess is no longer a commissioner?

Doctor TAUSSIG. Mr. Burgess is no longer a commissioner. I thought it was unfortunate that Mr. Brossard was appointed a member of the commission. I have no criticisms to make upon his appointment personally, but I think it was unfortunate that he should have been a member of the staff of the commission, a junior member, one who could not be said to be distinguished by any previous achievements on the commission, and I concede that it might be a good plan to make promotions to a commissionership something within the view of members of the staffs of the several commissions, as the Federal Trade Commission, for instance. That is a matter of public policy upon which there may be two different opinions, but if a person was on the staff of the commission and is then chosen to be commissioner, it should be one whose experience, training, and term of service would single him out as the one for promotion. That hardly was done in that particular case—

Referring to Mr. Brossard—

It was a junior member of the staff, who evidently was not called out from the staff because of his character and experience and

knowledge attained by long and good service on the staff of the commission, and an appointment of that sort does not seem to me to be conducive to the best feeling among the commission's staff. If a member of the staff should be appointed, it should be one who in the staff himself is recognized as a person of character, experience, attainments, and suitability.

Now, Mr. President, I want to read from the testimony of Mr. Culbertson, now minister to Chile, who had been on the commission while the controversy with reference to the sugar report took place:

Senator LA FOLLETTE. I should like to ask you—

Addressing Mr. Culbertson—

I should like to ask you if, on July 27, 1925, shortly after your arrival at the legation in Bucharest, you wrote Mr. Costigan a letter?

Mr. CULBERTSON. A personal note?

Senator LA FOLLETTE. A personal note.

Mr. CULBERTSON. I think I did.

Senator LA FOLLETTE. I hand you that note herewith and ask you if that is your letter?

Mr. CULBERTSON. That is my letter.

Senator LA FOLLETTE. Mr. Chairman, I would like to read that letter.

Chairman ROBINSON. Very well.

Senator LA FOLLETTE. The letter contains a newspaper clipping which is attached to the letter. The letter is written on the stationery of the legation of the United States of America, dated July 27. As a matter of fact, that is July 27, 1925, is it not, Mr. Culbertson?

Mr. CULBERTSON. Yes, sir.

Senator LA FOLLETTE. The clipping attached to the letter is as follows:

A UTAH MAN TO TARIFF COMMISSION; SUCCEEDS EMPORIAN

"SWAMPSCOTT, MASS., July 10 (A. P.).—The President has appointed Edgar Bernard Brossard, of Utah, to be a member of the United States Tariff Commission, succeeding William S. Culbertson, recently appointed minister to Rumania."

The letter is as follows:

LEGATION OF THE UNITED STATES OF AMERICA,
July 27.

DEAR MR. COSTIGAN: I can hardly believe it, but it's in the Emporia Gazette, so that it must be true. It's not much of a compliment to me that Brossard is selected to fill my place. If this appointment is to be regarded as a revelation of the President's policy, I feel fully justified in leaving the commission. They were certain to put you and me into a minority and I would have been driven by the force of circumstances to break with my party without saving the commission. How does Dennis take the new appointment? This will test his professions to me. I didn't suppose that Coolidge would do the thing so rawly if he did it at all. Evidently our suspicious were correct and Brossard has been playing with the sugar lobby and now he has his reward! I can imagine the effect on the staff—upon men like Comer, Clark, Delong Simpson, Wallace, etc. They must feel that honesty is not the best policy. Write me through the pouch what the liberal elements will do about confirmation. If they can defeat Warren, this raw case ought to be easy.

I arrived here last Saturday. My family is in Paris. Since the King is away, I may not stay but return to central Europe. I can't actually function as minister until I am received by the King.

My work here will not be less exciting than in Washington and I hope more satisfactory. I shall miss your wise advice and friendly sympathy. More power to your arm in the fight you are in.

Affectionately yours,

W. S. CULBERTSON.

I also wish to read from former Commissioner Costigan's letter, which was addressed to the senior Senator from Arkansas [Mr. ROBINSON] at the time Mr. Costigan resigned from the Tariff Commission, setting forth the reasons for his resignation. I had it printed as a part of my remarks on the flexible tariff provision; and it will be found on page 3942 of the RECORD of September 25, 1929:

The public was much less fortunate, however, in regard to other appointments—

Says this letter from Senator-elect COSTIGAN, formerly commissioner.

Preceding the Senate committee's investigation, when vacancies were created by Commissioner Culbertson's and later by Commissioner Burgess's resignations, Commissioners Brossard and Baldwin were named. After a limited service, during which, to be entirely candid, he was little better than a rubber stamp in the hands of the Marvin group, Commissioner Baldwin resigned—in part, it was said, for reasons of health. He has since been succeeded by Commissioner Lowell.

Commissioners Marvin, Brossard, and Lowell stand to-day a united tariff band, steadily pressing for higher tariff rates and against important reductions, reckless on occasions in their treatment of facts and the law.

Farther on he says:

Commissioner Brossard has long been known in Washington as a political protégé of Senator SMOOT. He was on the staff of the commission before he became a member, and in both relations created an impression of a biased, as distinguished from a scientific or judicial, mind. Members of the Senate investigating committee are aware that, while testifying under oath, he appeared at times to be cautiously hiding material information within his knowledge which was sought by such members. As a witness, he strengthened the view that he is a partisan who wishes to favor certain tariff-protected interests.

I submit the testimony of Mr. Culbertson and Mr. Costigan, former associates on the commission while Mr. Brossard was a member of the staff. I submit the testimony of the dean of American economists, Doctor Taussig, that he considered Mr. Brossard's appointment to the commission, in the first place, an unfortunate mistake.

Mr. President, in view of all these facts, in view of what I believe to be the demonstration that I have made to the Senate this afternoon that Mr. Brossard was disingenuous, evasive, and attempted to mislead the committee in the examination conducted by the select committee concerning his participation in the sugar report, and in view of the further fact that two of his former associates on the commission and the dean of American economists, Doctor Taussig, have branded his appointment as unfortunate, I think the Senate is more than justified in rejecting his confirmation.

Mr. President, if the Senate desires to build up an impartial fact-finding body which will pass upon these tariff cases as a judge would pass upon cases before him in equity, then I say that nothing the Senate could do would be more effective in establishing that kind of a commission than to reject the nomination of Mr. Brossard in view of the record taken by the committee. I say that his appointment demoralized and broke down the morale of the staff of the commission; and I agree with the statement made in former Commissioner Culbertson's letter that Mr. Brossard's appointment was equivalent to saying to members of the staff who were seeking conscientiously to discharge their duties that honesty was not the best policy.

Mr. President, I hope that this nomination will be rejected.

Mr. REED obtained the floor.

Mr. McNARY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Pennsylvania yield to the Senator from Oregon?

Mr. REED. I do.

Mr. McNARY. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	Keyes	Shipstead
Barkley	Frazier	King	Shortridge
Bingham	George	La Follette	Simmons
Black	Gillett	McGill	Smith
Blaine	Glass	McKellar	Smoot
Borah	Glenn	McMaster	Steck
Bratton	Goff	McNary	Steiwer
Brock	Goldsborough	Metcalf	Stephens
Brookhart	Gould	Morrison	Swanson
Broussard	Hale	Morrow	Thomas, Idaho
Bulkley	Harris	Moses	Thomas, Okla.
Capper	Harrison	Norbeck	Trammell
Caraway	Hastings	Norris	Tydings
Carey	Hatfield	Nye	Vandenberg
Connally	Hawes	Oddie	Wagner
Copeland	Hayden	Partridge	Walcott
Couzens	Hebert	Phipps	Walsh, Mass.
Cutting	Heflin	Pine	Walsh, Mont.
Dale	Howell	Ransdell	Watson
Davis	Johnson	Reed	Wheeler
Deneen	Jones	Robinson, Ark.	Williamson
Dill	Kean	Schall	
Fess	Kendrick	Sheppard	

The PRESIDENT pro tempore. Ninety Senators having answered to their names, a quorum is present. The Senator from Pennsylvania is recognized.

Mr. REED. Mr. President, the challenge to the fitness of Doctor Brossard for membership on the Tariff Commission involves a comparatively simple story, and I believe it is possible to tell it in a few words.

Doctor Brossard was born in Idaho, educated at first in Utah, subsequently went to some eastern universities, Cornell, I believe, and the University of Minnesota, and all of his postgraduate work was spent in study on farm management and farm economics. Then he was taken on the faculty of the Utah Agricultural College, and from that was appointed to the staff of the Tariff Commission. After about two years spent in staff work on the Tariff Commission he was promoted by the President to be a member of the commission. That was in 1925.

While he was a member of the staff of the Tariff Commission his principal employment was the gathering of data in the preparation of summaries regarding the production of sugar, both beet and cane sugar, I believe, but principally beet sugar.

Mr. KING. Mr. President, the first work he did related only to beet sugar.

Mr. REED. He began with beet sugar; yes. In addition to that, he was put to work on the Tariff Commission for some time upon the preparation of the wheat report on the application of certain wheat producers for an increase in the tariff on wheat. But his principal work was in connection with the preparation of this material on sugar.

At that time the Tariff Commission consisted of five members, three Democrats—Mr. Costigan, Mr. Lewis, and I think Mr. Culbertson——

Mr. ROBINSON of Arkansas. Mr. Culbertson was not a Democrat.

Mr. REED. No; I am wrong about that. It consisted of five members, in any event, and the sixth member, Mr. Glassie, had been appointed as a Democrat, but his appointment was challenged and he did not sit for a large part of the time in the sugar investigation. I think I am correct in that.

The final report made to the President was made by three members, constituting a majority, which recommended a decrease in the duties on sugar, and a minority report, signed by Messrs. Marvin and Burgess, which recommended an increase in the duties on sugar. Whether Mr. Glassie actually joined in that or whether he was on the commission at the time I do not know. We always talked of it as the minority report.

The select committee, headed by the distinguished Senator from Arkansas [Mr. ROBINSON], which held meetings to consider the workings of the Tariff Commission, sat in the year 1926. It began in March, 1926, as I recall it, and I confess that my own recollection of the proceedings of the committee is faint, although I was a member of the committee, and I think attended all of its hearings.

In substance the investigation of Doctor Brossard came down to this, that when first called to the stand he testified that he had nothing to do with the preparation of the report, meaning the minority report made by Messrs. Marvin and Burgess in favor of an increase in the sugar duties. He was examined at considerable length at that time as to what he actually did do.

Subsequently a witness named Fox, one of the technical staff of the Tariff Commission, was called to testify, and it was thought by some members of our committee that Fox's testimony involved a contradiction of what had been testified to by Brossard on his first appearance. Thereupon Brossard was recalled and confronted with the apparent contradiction and undertook to explain it. His explanation was considered by some members of the Senate committee to be satisfactory, and unsatisfactory by others. That is the principal challenge to Doctor Brossard's confirmation at this time.

Mr. HARRISON. Mr. President, may I ask the Senator a question?

Mr. REED. I yield.

Mr. HARRISON. The Senator was a member of the committee. Did he think the testimony of Mr. Fox and that of Mr. Brossard were contradictory?

Mr. REED. On the whole; no. I found nothing that was discreditable or that indicated an intention on Brossard's part to evade or conceal facts. I found a confusion in the minds of the committee and in the minds of witnesses as to what was meant by the word "report" and by the word "opinion." It seemed to me that the testimony was that of honest men honestly trying to give the facts.

Mr. HARRISON. And the Senator now states to the Senate that he thinks that Mr. Brossard was not evasive, but was open and candid, and told the facts, when he appeared as a witness?

Mr. REED. That was my impression at the time, yes; and it still is.

Mr. COPELAND. Mr. President——

The VICE PRESIDENT. Does the Senator from Pennsylvania yield to the Senator from New York?

Mr. REED. I yield.

Mr. COPELAND. Not all of us have knowledge of the events and of the circumstances connected with this affair. What was it about? What was the report? Where was the difference of opinion?

Mr. REED. That is what I am just about to explain. While Doctor Brossard was a member of the staff of the Tariff Commission he was put to work on the preparation of the data and the summaries relating to beet sugar, in connection with the sugar investigation. The questions which were asked of him when he came before our investigating committee first, in March, 1926, were as to the extent which he, then a member of the staff only, had participated in the preparation of the report which was sent to the President by Messrs. Marvin and Burgess. It was thought by some members of our committee that his answers to those questions were evasive, or indicated a desire to conceal the extent of his participation, and I want to explain to the Senate just what was said and what the apparent contradiction was.

Mr. COPELAND. Will the Senator tell us what that report was?

Mr. REED. As I have said, there were two reports made by the members of the Tariff Commission to the President. One of them, signed, as I recall, by Culbertson, Costigan, and Lewis, recommended a decrease in the duties. The other, signed by Marvin and Burgess, recommended an increase in the sugar duties. The Senate will remember that the President, receiving these reports, took no action in regard to a change of the duties, but allowed the duties to remain as they were.

It was claimed that Brossard had an important part in the preparation of the minority report, which was signed by Marvin and Burgess and sent to the President. Even if he did, it would not have been discreditable to him at all. The mere fact that after investigating the subject he concluded that an increase in duty was justified might have been erroneous, but it would not have been discreditable. That is not claimed to be any reason why he should not be confirmed, as I understand it. The reason that is urged is that, having participated in the preparation of that report, he lied about it, or attempted to conceal the facts, or to evade, when he was questioned about it. If that is true, it reflects upon his integrity, and he should not be confirmed; but I do not think it is true. I think the testimony to which I will call attention in a moment shows that he was quite explicit, quite candid, and that he made no effort to run away from the facts, but that he was confused, and so were some of his questioners, by the fact that there were a number of different documents spoken of as "reports." Only one was the report from these commissioners to the President, but that was based on some drafts, "draft reports," as they were sometimes called, which were prepared by experts and submitted to the commissioners, and before them there were reports in the nature of memoranda giving tables and comparative costs. There were perhaps five different groups of single papers which could be called reports, and the questions were asked, because of the manner in which they were propounded, were susceptible of misunderstanding.

Mr. COPELAND. Mr. President, let us have the record clear. At that time Mr. Brossard was not a member of the commission?

Mr. REED. No; he was not.

Mr. COPELAND. He was an employee of the commission?

Mr. REED. He was one of a large number of technical employees.

Mr. COPELAND. And what part he had in preparing the minority report was the part which an employee would have in getting together material. Am I right in that?

Mr. REED. That was his proper function; yes. It was thought or suspected that he was the person that had actually written the report for Marvin and Burgess, and it was suspected by some members of our committee that although that was the fact, Brossard was trying to lie out of it, thinking that that carried some responsibility. So it is important to note just what did happen, and as far as I am able to glean the facts, they are these:

The commission spent the better part of two years in an analysis of the costs of production here and abroad, and devoted a great deal of thought to the selection of the appropriate period to take for the purpose of comparing costs. Not to go too much into detail, it was claimed by the majority members of the commission, that they ought to go back to the earlier years to get comparative costs, while it was argued by Messrs. Marvin and Burgess that the preceding two or the preceding three years were the appropriate period for which costs ought to be compared.

Brossard, in pursuance of his duties, prepared a lot of tables to show the comparative costs for both periods, and a lot of memoranda which bore on the appropriateness of the one or the other period as the right one to take.

Brossard testified, and it was not contradicted, that not only did he not write that final minority report which was submitted to the President by the two commissioners, but that he never even read it, and did not read the majority report. He was asked by the senior Senator from Arkansas [Mr. ROBINSON], the chairman of our committee, with which of the two reports he agreed in his own opinion, whether he agreed with the majority, in favor of a reduction of duty, or the minority, in favor of an increase, and he replied that he did not agree with either report, because he had not read either. He testified in regard to his activities in this sugar matter as follows.

This, if you please, is before he was asked the questions which led to all the trouble. This is the testimony that led up to the question which it is claimed was not candid and sincere. He was asked by Senator ROBINSON:

> Which report did you concur in, the majority or the minority report, in your opinion or conclusion? You were associated with the preparation of the report, were you not, or at least with the summarization of the data?

I am going to tax the patience of the Senate when I repeat that question because, as Senators will see, there are four questions all asked in one:

> Which report did you concur in, the majority or the minority report, in your opinion or conclusion? You were associated with the preparation of the report, were you not, or at least with the summarization of the data?
>
> Mr. BROSSARD. No, sir; I did not have anything to do with it.
>
> Chairman ROBINSON. What was your relationship to the sugar report?

Now notice the fullness of this answer:

> Mr. BROSSARD. I was connected with the staff at the time the sugar report was under consideration as agricultural economist and had charge of the sugar-beet investigation. At numerous times the commissioners severally and jointly requested data on the cost of production of sugar beets. I think there are something like 21 or 22 memoranda that I submitted to the commission on the cost of production of sugar beets, most of which were submitted to them during the time that they were considering the sugar investigation.
>
> In addition to that, I prepared some tabular material at the request of the different members of the commission. I prepared a table on investments for Mr. Lewis. I prepared a table showing the relationship of the price per ton of sugar beets to the acreage planted the following year in sugar beets. That was for Commissioner Lewis. I prepared for Chairman Marvin and Commissioner Burgess a summary of the 2-year average costs and a summary of the 3-year average costs, and submitted a large table showing for the different States the average cost of production of sugar beets in each State and in the United States per pound of sugar extracted from beets. Then there has been other material. If you want these, they might go in the record.

"Other material" which he offered for the record, as the Senate will see.

> Chairman ROBINSON. I do not know of any occasion for putting them in the record.
>
> Did you form or express any opinion as to which of the reports in the sugar case was correct—the majority or minority report?
>
> Mr. BROSSARD. I may say now that I have never read the report of Commissioners Culbertson, Lewis, and Costigan. I have not to this day read it. I do not know the exact points of view that were taken there. I have not had a copy made available to me.

Understand, these reports were supposed to be secret and confidential between the commission and the President. There was nothing peculiar in their not being furnished to the members of the staff for their study.

> Chairman ROBINSON. Did you read the other report?
>
> Mr. BROSSARD. I have never read the other report; no, sir. I have not had it. I have never read it, but I know something about the problems, because I talked to the experts on the staff of the commission.

There we have the flat statement, which has not been contradicted by Mr. Brossard subsequently or by any other witness, that he not only did not write this report but never even read it nor did he read the majority report. He had never seen them. They continued to be held in confidence.

Chairman ROBINSON then asked him:

> Chairman ROBINSON. Well, did you have any opinion as to which was the better report, the more reliable?
>
> Mr. BROSSARD. Well, I may say, Senator, that I think the study of the recent period was more in agreement with the purposes of the act than to go back to the years 1916 and 1917 and the war years and the after-war years for purposes of comparison, under the act. There were two reasons for that, from my point of view as an economist, and I expressed them at the time to Doctor Bernhardt, who was in charge of the sugar division.

Then he goes on and gives his reasons for that testimony at length, which I do not need to read. Chairman ROBINSON then asked?

> Do I understand you to say that you prefer Marvin's report, as distinguished from the other?
>
> Mr. BROSSARD. I did not say which I preferred, for I have not read them.

This is material, you will see, Mr. President, because this man, who never even read this report, is accused of having written it and of concealing the facts. Obviously, it is not the report of the commission to the President that he could have written.

A little later on, at the session immediately afterwards, Brossard was still on the stand, and was asked by Chairman ROBINSON again:

> Chairman ROBINSON. Did you, yourself, dictate any portion of the minority sugar report?
>
> Mr. BROSSARD. I did not.
>
> Senator LA FOLLETTE. Then you wish to leave this committee with the impression that the only part which you had with regard to the minority opinion in the sugar report was the submission of the tables to which you referred in your testimony yesterday?
>
> Mr. BROSSARD. As an agricultural expert on the staff of the commission; yes, sir, Senator.

That is the statement made by Brossard, which is claimed to be false, evasive, and misleading. Mind you, Mr. President, he had previously testified to his preparation of this great mass of material, had testified that he was constantly consulted by both minority and majority members of the Tariff Commission, had testified that he was in charge of the investigation of sugar-beet production. He made no concealment of that. It was an historical fact that anyone could verify. He made no bones of admitting the fact that he had been in charge of this investigation and in constant consultation with these members of the commission.

Then comes Mr. Fox, who back at the time of the preparation of the report in 1924 had been a colleague of Brossard's on the staff of the Tariff Commission and was still on the staff of the commission and at the time of testifying was a subordinate of Brossard, because Brossard was then a commissioner and Fox was still on the staff. Fox testified in substance that he had been called upon by the commission to work under great pressure in June, 1924, in rushing out this sugar report; that he had worked long hours into the night, sometimes as late as 4 o'clock in the morning; and



that helping him in that work were Doctor Turner and a stenographer and Doctor Brossard; that Brossard was with him on many of these night sessions.

Fox produced for our committee copies of certain draft reports which these experts had prepared for the use of the minority members. They were put in the record of our hearings, are printed and available to the Senate. These reports, or draft reports, as they properly should be called, were turned over to Marvin and Burgess, who then sat down and prepared their own report. Marvin and Burgess took this material that came to them from Doctor Turner and Mr. Fox and Doctor Brossard and with that as a basis prepared a final report which they signed and turned over to the President. That final report was also produced for our committee and was printed, and is to be found in the record of the select committee hearings at page 1144. That is the report which Brossard says he never saw, and there is no evidence that he ever did see it. That report is markedly different from the suggestions of the reports that were turned over to those commissioners by Turner and Fox and Brossard.

Out of that has risen this whole tempest—the fact that these drafts, these suggestions, were prepared in these long, night vigils by these men on the staff. The fact is that they are sometimes called "reports" when they are merely suggestions for reports, has led, I think, to the whole confusion in this matter. They were the basis of a report, but there was only one report and that was prepared by the commissioners themselves and it embodied some of the material that Turner, Fox, and Brossard had prepared, and in other respects it varied from it according to the discretion of the commissioners.

When Mr. Fox was asked who did the dictating of these suggestions, he replied that Doctor Turner usually did the dictating, but when they got to the difficult part of the drafts they all took a hand at it, and then they would revise the product, and so it was impossible to tell to which of these experts should be ascribed any particular sentence of importance; that the three of them worked together as a team in making up this collection of suggestions to submit to their superiors.

There is the whole issue in this case. That being the fact, was it insincere or evasive or false on the part of Brossard, who had testified that he was in full charge of this investigation and that he had made up tables showing this and that and the next thing, and other material which he offered to put in the record and which was declined? Having testified to all that, was it evasive of him to say in reply to Senator LA FOLLETTE the answer which I have read?—

Senator LA FOLLETTE. Then you wish to leave this committee with the impression that the only part which you had with regard to the minority opinion in the sugar report was the submission of the tables to which you referred in your testimony yesterday?

Mr. BROSSARD. As an agricultural expert on the staff of the commission; yes, sir, Senator.

That was said by the man who had just been describing in detail what he did, who had just offered to our committee to put into our record the material he had prepared and we had declined it. It is summed up with that question and that answer. I do not think that indicates the slightest desire to escape responsibility for what he actually did. I do not think it indicates insincerity or evasiveness or falsehood.

Many of us have spent our lives trying cases in court. We know how much a witness is at a disadvantage after he has testified at great length if one lawyer or another puts a sort of sweeping summarizing question to him and he answers it "Yes, sir," or "No, sir." The witness has previously told the whole truth as he knows it, and if the final catchall question is not so phrased as to cover all of the facts one can not say it is the fault of the lawyer, but, at least, it is not the fault of the witness. That is what occurred in this case. There was not the slightest desire on the part of the Senator from Wisconsin [Mr. LA FOLLETTE] to mislead Mr. Brossard or to trick him into an answer inconsistent with what he had testified. I know I never thought that to be the case, and I do not think the witness thought so. He had previously given the details of his employment, and it was very natural for him to sum it all up by saying, as he did in that answer, that his service was that of an agricultural expert and his duty was limited to that. The question is narrower than the answer was apparently meant to be. As the question was worded it was:

Then you wish to leave this committee with the impression that the only part which you had with regard to the minority opinion in the sugar report was the submission of tables to which you referred in your testimony yesterday?

If he had answered that flatly, "Yes, sir," it would have been incorrect, because he submitted more than tables. He had told of a number of things other than tables in his testimony of the day before, and, as I say, had offered all the other things for inclusion in the record; but the question was narrowed down to the exclusion of everything but tables, and the witness answered it—

As an agricultural expert on the staff of the commission; yes, sir.

I do not think a fair construction of that question and that answer can indicate to any one of us a disposition to conceal anything or evade responsibility. After that contradiction, if it is a contradiction, was brought out, there was another question raised as to a suggested effort on the part of Brossard to induce Fox to amend his testimony so as to agree with Brossard's statement, and there again the first mention of it as it was brought out from the witness Fox sounded as if Brossard had gone to him and tried to get him in some way to shade the truth or swerve his answer so as to conform with what Brossard had said and not conform exactly with the facts; but that was pretty well exploded by the testimony of Mr. Fox himself when he was squarely asked whether there was any such intention apparent and he directly denied that there was. At pages 142 and 143 of the Finance Committee hearings, while Mr. Fox was testifying before the Finance Committee, he was asked by Senator SIMMONS this question:

Senator SIMMONS. The reason for his anxiety to sound you out was to bring about a reconciliation of your subsequent testimony to his testimony already given?

Mr. FOX. As to that I am not sure. I think Doctor Brossard knew me well enough to know that I could not be easily influenced.

Senator BINGHAM. Did you get the impression at all that he was trying to influence you?

Mr. FOX. I did not.

Senator BINGHAM. Merely that he was trying to find out what your recollection was?

Mr. FOX. That is true.

Then he continues at somewhat greater length and reiterates the same statement. Fox testified in the same way before the Tariff Commission investigation five years ago. At pages 1062 and 1063 of the record of that hearing this statement was made by the chairman:

Now, it develops that even in April, long before the time he was called to testify, Doctor Brossard went to this witness and tried to reach an agreement with him as to what their testimony should be respecting that important subject, and I rule that the first memorandum is even more significant than the later ones. Do you object to its competency?

Senator WADSWORTH. I have not objected to its competency at all.

Mr. FOX. I regret exceedingly to have brought that in.

Chairman ROBINSON. You need not apologize for it. I would have asked for it if I had known you had it, or if your answers had reflected the fact that long prior to his testimony you were talking about what you and he should testify about that particular fact.

Mr. FOX. Oh, Mr. Senator, I never interpreted that conversation——

Chairman ROBINSON (interposing). I am not asking you for your interpretation.

Senator WADSWORTH. I will ask him. What was your interpretation of that conversation? Was it simply about what the chairman of this committee has indicated?

Mr. FOX. I should say not.

Senator WADSWORTH. Very well.

Mr. FOX. I have never interpreted that conversation as an attempt on Doctor Brossard's part to reach an agreement. I had no such proposition in mind—

And so on. That is the second branch of the case.

Mr. COPELAND. Mr. President, will the Senator from Pennsylvania yield to me?

The PRESIDING OFFICER (Mr. METCALF in the chair). Does the Senator from Pennsylvania yield to the Senator from New York?

Mr. REED. I yield.

Mr. COPELAND. I have been engaged in a committee and have not had the benefit of the speeches previously made. Is there a double charge here, in the first place, that Mr. Brossard may have had a part in formulating the minority report which recommended an increase in the rates of duty on sugar; and, secondly, that he sought to evade responsibility for any such part as he may have had in it?

Mr. REED. I do not so understand, Mr. President.

Mr. ROBINSON of Arkansas. Mr. President, if the Senator from Pennsylvania will permit me, I think that is exactly true. The record is very voluminous, but Mr. Brossard's testimony shows an utter desire to avoid being frank. He had a perfect right to perform the service which he did perform in connection with the sugar report, but for some reason he started out by denying any part in it, explaining that his work was merely that of a scientist collecting data. The record here runs over a hundred pages where he was asked question after question, and his answers, as stated by the Senator from Wisconsin [Mr. LA FOLLETTE], were, in my judgment, lacking in frankness. The record shows also that in the opinion of Fox, the expert of the commission, they were lacking in frankness, because he went back to his office and made memoranda, the clear implication of which was that the statements in Mr. Brossard's testimony with respect to the part which he played in connection with the sugar report were untrue, or quite inaccurate, to say the least; and after that Mr. Brossard came to him and wanted to reach an agreement as to what their testimony should be, to get the facts straight, as he says, and the Fox memoranda indicate that at the time he made the memoranda he thought Mr. Brossard was trying to influence him in the testimony that he should give before the committee. If I can not convince the Senate of that, of course, it is perfectly fair——

Mr. REED. I will ask the Senator to do so in his own time.

Mr. ROBINSON of Arkansas. But I make that statement in order that the Senator from Pennsylvania himself may not misunderstand my theory of the issue upon which question as to Mr. Brossard's right to serve as a commissioner has been based.

Mr. REED. I thank the Senator for his statement. I think it confirms my impression that nobody pretends that what Brossard did was improper. It is only claimed that there was an attempt on his part to conceal it when he testified before the committee. What he did seems to be pretty clearly understood now.

Mr. ROBINSON of Arkansas. Will the Senator pardon a further interruption?

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield further to the Senator from Arkansas?

Mr. REED. I do.

Mr. ROBINSON of Arkansas. It was not improper, provided he did so openly and took the responsibility for it, but the effort to divest himself of responsibility indicates that in his own mind he was taking a questionable course.

Mr. REED. Whatever may be the inference drawn from that as to his state of mind, I have not yet heard anybody claim that what he actually did in the way of assisting Mr. Marvin and Mr. Burgess was in any respect improper. The whole thing narrows down to the question whether the testimony before the Senate committee was or was not a candid statement by him of what he had done and what his participation was. I am trying to show that, to my mind at least, it was completely fair.

Mr. BARKLEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield to the Senator from Kentucky?

Mr. REED. I yield.

Mr. BARKLEY. Touching the propriety of what Mr. Brossard did, of course he was at that time a subordinate; he was not a member of the Tariff Commission; he was a so-called expert engaged in the work of collecting information on the sugar situation. So long as his services were confined to the submission of expert information to the commission, I think it might be said that he acted within the proprieties; but in so far as he went beyond that and undertook to influence their judgment as to the manner in which they should use the information which he had submitted to them, I think it may be open to doubt whether he acted with propriety.

Mr. REED. We need not waste any time in groping around for the facts in that regard, because exactly what he did is printed in the testimony of the so-called Robinson committee. Perhaps it will help the Senate if I will read the concluding paragraph of the material submitted by Doctor Brossard and then the concluding paragraph of the material submitted by Marvin and Burgess, so that the Senate may for itself see how different was Brossard's output from that of the two commissioners who submitted the report.

Mr. HARRISON. Mr. President, before the Senator undertakes to do that will he answer a question?

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield to the Senator from Mississippi?

Mr. REED. Yes.

Mr. HARRISON. There is not any doubt that Mr. Brossard, in answering the question of Chairman ROBINSON directed to him before the select committee, "Did you participate in the report?" he replied he had not done so. Is not that right?

Mr. REED. That is perfectly correct.

Mr. HARRISON. The record shows that he said he did not have anything to do with it.

Mr. REED. That is right.

Mr. HARRISON. He answered in response to a further question that he had nothing to do with it. Is not that right?

Mr. REED. No; that is not right. He said he was in complete charge of the investigation.

Mr. HARRISON. If the Senator will read from the record, I think he will find that statement.

Mr. REED. I will read from the record.

Mr. LA FOLLETTE. Mr. President, will the Senator yield to me for a brief interruption?

Mr. REED. I yield.

Mr. LA FOLLETTE. The Senator has on several occasions referred to the beet-sugar investigation of which Doctor Brossard was in charge. Of course, that investigation was not directly ordered under the power of the commission in connection with the flexible provisions of the tariff law, but was conducted under the general powers of the commission. Of course, however, as the question of the final report under the flexible provisions came up, naturally, having conducted the investigation under the general powers, Mr. Brossard's opinion was solicited by certain members of the commission on the question of the relation of the beet-sugar costs and the data which he had gathered to the other investigation.

Mr. REED. Precisely. The report of Messrs. Marvin and Burgess contrasts the beet-sugar costs in the United States with the Cuban costs of producing cane sugar.

Mr. HARRISON. Mr. President——

Mr. REED. Just a moment. I do not want to be interrupted until I shall have shown the Senate just how radically different Brossard's suggested report was from the final report, which he says he never wrote and never read, but which he is charged with writing only by inference and not because of any evidence.

Here is the way Brossard finishes his report, the one in which he and Turner and Fox collaborated.

Mr. COPELAND. What page, please?

Mr. REED. I am reading now from page 1143. The final statement in that suggested report is this:

Although this difference—

Contrasting beet and cane sugar, now—

calls for a slight increase in the rate of duty, the validity of any change is questioned by reason of the fact that the commission is not in possession of a sufficient body of agricultural costs to warrant a rate adjustment to equalize the differences in costs of production in this industry which is primarily an agricultural industry.

Those are the words for which Brossard is responsible—this man who is charged with being a tool of the sugar industry. Here is what the commissioners recommended in the report which they filed with the President. This is their concluding paragraph——

Mr. ROBINSON of Arkansas. What page?

Mr. REED. Page 1157—giving several suggested rates.

Mr. COPELAND. Mr. President, will the Senator yield, just to make the matter clear?

Mr. REED. Yes.

Mr. COPELAND. The Senator read the last paragraph on page 1143. Is that the language used by Mr. Brossard?

Mr. REED. That is the language in the suggested report which was submitted by Brossard, Turner, and Fox. Nobody knows who wrote that paragraph.

Mr. COPELAND. This was not the final report of the commission, but was the tentative report prepared by these experts in the commission?

Mr. REED. Exactly.

Mr. COPELAND. Joined in by Mr. Brossard?

Mr. REED. Exactly; just exactly as the Senator's own clerk might prepare a letter for signature which the Senator himself would disregard or discard entirely, and replace by one that he dictated himself; and if the Senate will turn to page 1157 it will see that substantial and material increases in the tariff were recommended by Marvin and Burgess. So their recommendations were entirely unlike the recommendations of these experts who had submitted the suggested report to them.

Those are the facts. It is impossible to say with any accuracy that Brossard had anything to do with the report that went to the President, because, as I say, he did not write it and he did not read it, and nobody pretends that he did either. He did not take part with the other experts in the compilation of a great mass of statistical material and in the preparation of these tentative but disregarded suggestions for a report.

It seems to me, Mr. President, that although sugar seems to be dynamite—the very mention of sugar in the Senate seems to make us all expect something sinister—the activities of this man were nothing more than those of a faithful scientist and expert employed by the commission; that the temperance apparent in the two or three suggested reports that they made—they made another one six days before this one, which the commissioners rejected, and told them to do it over again—the temperance shown in both of them is commendable rather than discreditable; that what Mr. Brossard did was entirely innocuous, and everybody must admit it; and that a fair reading of the testimony shows no disposition on his part to conceal the activity that he took in the course of that investigation. It is preposterous to think that he would have wanted to conceal it. There were Turner and Fox and the woman stenographer who had stayed there and worked with them. These papers that they had filed were still in existence. Why should a man attempt to conceal something which in itself was not at all discreditable?

I will confess that as the five of us showered questions on the witness—some of them leading questions, like this last one which was quoted, a catchall question after he had testified for page after page of the record—a literal reading of that question and answer would indicate that he had filed nothing but tables with these commissioners; but he had just a short while previously said that there was a mass of other material and had offered it to us to put into our record, and we had declined it; and it scarcely lay with us to say that the man had not told us everything when he had offered a lot of stuff which we had refused to accept. Yet that is the position in which we put ourselves when we say that he was not frank in telling us what he had done. With open hands, he says, "Other material that I prepared is here for your inspection and your record if you want it"; and we say, "No; we do not want it." Then, presently, on the strength of a summing-up question asked by one of us, which restricts his activities to tables, we say that he was not candid.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield?

Mr. REED. I yield.

Mr. ROBINSON of Arkansas. Doctor Brossard's position all the way through was that Turner and others prepared the so-called memorandum draft for a report, and that he had no part in that. The Senator himself is now confusing Doctor Brossard's testimony, if he will pardon me.

Mr. REED. I do not recall any statement whatever by him that he had no part in it.

Mr. ROBINSON of Arkansas. Over and over he claimed that he was not even present when those who did make that draft participated in making it.

Mr. REED. No; I do not remember any such statement.

Mr. ROBINSON of Arkansas. Yes; that was his first statement—that he had no part in the preparation of the draft which went to Messrs. Marvin and Burgess as in the nature of a suggestion for the form of their report. The significance of it was that at the time he was testifying, his name was before the Senate for confirmation, and he was blowing hot and cold on the proposition; and, as I think the whole record shows, anyone who reads it will reach the conclusion—except, perhaps, one who has already formed a contrary conclusion—that he was not frank in his statements.

Mr. REED. That is just where we differ. I think that in fairness to Brossard we have to take into account the things he did before this question was brought up. He tells us plainly, at page 1078 of the record, that he had in his hand these very tentative reports at the time he told us about the other material, and offered to put it in the record. He says it was literally in his hand there at the witness table. Here are his words:

Now, right there I want to say that what I had reference to there as "other material" I had in my hand then and exhibited here, you will remember, I think, very definitely, I think every memorandum of mine that Mr. Fox has submitted in his testimony. Every single one, with one exception as I remember it, as my contribution, and that exception is the one that is in here now, Exhibit 12.

That is not important.

Mr. ROBINSON of Arkansas. Yes; but the Senator sees that Doctor Brossard there is talking about memoranda that he himself prepared on the special studies that he had made, and that had no relation to the so-called first and second drafts of report that this group of experts were preparing for Messrs. Marvin and Burgess, and which actually became the basis of their report, although they revised it.

Mr. REED. Well, now, just suppose the man had tried to conceal that when he was up for confirmation. He was taxed with being an advocate of the sugar interests and that very report was so temperate, so mild in its recommendations, that it would have helped him rather than hurt him. He had nothing to conceal in that.

I did not finish reading what he stated:

Every single one, with one exception, as I remember it, as my contribution, and that exception is the one that is in here now, Exhibit 12, marked as having been prepared by Dean Turner and myself, which I did not have a copy of, because there was only one copy made and that was kept in the files of the economics division by the chairman of the advisory board, Doctor Turner.

That is what he meant by "other material."

Mr. HARRISON. Mr. President, will the Senator yield?

Mr. REED. Yes.

Mr. HARRISON. That is his statement when he is trying to offer some excuse, following his first statement, when the question was put to him:

Did you participate in the report?

And he said, "No."

Then we brought Mr. Fox before him, and Mr. Fox contradicted him; and now Mr. Brossard is testifying after that, trying to make some excuse for his misstatement.

Mr. REED. Fox did not contradict him. Neither Fox nor any other living witnesses—or dead one, for that matter—said that Brossard had anything to do with the preparation of the report of Marvin and Burgess that went to the President; and that is what he was asked about.

Mr. LA FOLLETTE. Mr. President, I challenge that statement.

Mr. HARRISON. Mr. President, will the Senator permit me to read just a few words in connection with what he says?

Mr. REED. Certainly.

Mr. HARRISON. This is Mr. Fox, from his memorandum that he gave to the committee. He says:

> Doctor Brossard also stated that we did not write the minority report; that "we wrote the experts' report," whereupon I told him that we wrote the report for Mr. Marvin and Mr. Burgess and that no "experts' report" was prepared in either case.

Mr. REED. Yes; and there again they are mixed up. There was no advisory board report, which is usual, but there was a report and suggestions made by these experts; and the very reports themselves show that Doctor Fox's statement can not be interpreted in that way, because the reports are so different.

This testimony is so long that it is very hard to find the particular matters referred to; but Brossard finally gave us this information as to the number of different papers there were that might have been called reports. He says:

> In my own mind that distinction between (1) the experts' report, (2) tentative drafts of the exports' report, (3) tentative drafts of the minority opinions or the minority sugar report, (4) the minority opinion or the minority sugar report as it was signed by Commissioners Marvin and Burgess, and (5) the supplemental reports on sugar prepared in compliance with the President's requests for additional information—the distinction between those separate entities is absolutely essential, and that was the reason I made the distinctions in my testimony here, so that it would be perfectly clear.

We did not make the distinctions in our questions, and our questions caused a great deal of confusion, because I, for one, did not know there were so many different papers that might have been called reports; and if our questions were confused, that was not the witness's fault; it was ours.

Mr. COPELAND. Mr. President, will the Senator yield?

Mr. REED. I yield.

Mr. COPELAND. The Senator has quoted from page 1143, and has given us the impression that that is the statement of the joint committee of experts. I find, by following back to page 1129, that the last paragraph which he has just mentioned is a report from Exhibit No. 17.

Mr. REED. That is correct.

Mr. COPELAND. And in brackets it says:

> [Submitted by Commissioners Thomas O. Marvin and William Burgess.]

Am I right in the understanding which I have in my mind that this Exhibit No. 17 was a proposed, a tentative draft of a report prepared by these three experts for the consideration of these commissioners?

Mr. REED. That is exactly correct. It never was, in fact, submitted to the President.

Mr. COPELAND. No. This was prepared, as is the custom in every executive office, by underlings, but gotten ready for the head of the department. So this Exhibit No. 17 was the report prepared by the experts, including Mr. Brossard?

Mr. REED. That is right.

Mr. COPELAND. And the conclusion found on the bottom of page 1143 is as I quote:

> Although this difference calls for a slight increase in the rate of duty, the validity of any change is questioned by reason of the fact that the commission is not in possession of a sufficient body of agricultural costs to warrant a rate adjustment to equalize the differences in costs of production in this industry, which is primarily an agricultural industry.

That, then, as I understand the Senator from Pennsylvania, is testified to as the belief of Mr. Brossard at the time he, in company with these other experts, prepared this tentative report.

Mr. REED. I do not know whether it was his belief or not. It was prepared by him for submission to these commissioners.

Mr. COPELAND. In any event, this is the only report in which he participated?

Mr. REED. Oh, no.

Mr. COPELAND. I mean as regards the final report to the President.

Mr. REED. Oh, no. Four days before, on July 26, these same experts had prepared a tentative report, which the Senator will find as Exhibit No. 16, beginning on page 1122. The commissioners got that, but did not like it and sent it back to the experts, and Exhibit No. 17, from which we have been reading, was the second effort by the experts to produce what the commissioners wanted. That was not successful either, and then the commissioners themselves prepared Exhibit No. 18, which was the report submitted to the President.

Mr. COPELAND. And it was that report in which an increase of rate was proposed?

Mr. REED. Precisely.

Mr. COPELAND. A report which was not participated in by Mr. Brossard?

Mr. REED. Not at all; not by any of the experts. It was done by the commissioners themselves. I do not mean that they did not embody in it a lot of the material given them by their scientists. Of course they did. But the conclusions and the recommendations were theirs alone, and not those of the experts.

Mr. COPELAND. Mr. President, the matter seems to be rather confusing to me for some reason as I look at the end of the final report to the President, appearing on page 1157. Will the Senator point out where there was recommended an increase in the rate?

Mr. REED. It is confusing.

Mr. COPELAND. I think they mussed it up a little. That is the way it looks to me. I do not see a clear-cut statement there that they actually proposed an increase in the rate.

Mr. REED. It is in the concluding paragraph. The Senator will notice that in five or six preceding paragraphs they state differences in cost of production.

Mr. COPELAND. Yes.

Mr. REED. The recommendation, as far as the report carries one, is in the final paragraph, in which it is stated that it is necessary that the costs of production of two particular crop years should be used as a basis of comparison. If that recommendation is followed, the increase in duty necessarily results.

Mr. COPELAND. That, of course, was the recommendation of the minority of the commission, founded, perhaps, upon material which had been gathered from various sources, but it was the independent opinion of the commissioners.

Mr. REED. Exactly.

Mr. COPELAND. And could not be attributed to Mr. Brossard.

Mr. REED. Of course, when we talk about majority and minority of the Tariff Commission, we have to remember that the majority vote carries no particular influence with the President. The President was perfectly free under the law to adopt the opinion of a minority of one if he wanted to. As a matter of fact, he did so in the cotton-glove case. In that case Commissioner Dennis, as I recall it, filed a minority opinion of one, while all the other members of the commission filed a contrary opinion, and the President saw fit to adopt Commissioner Dennis's minority opinion as his own as the basis of his action.

Mr. President, just one word in conclusion. Let us look at the essential fairness of this thing. We all know Brossard. Most of us have observed him before committees. He has been up at the Capitol many times in response to our summons. We know that he is an intelligent, well-educated, experienced scientist, with particular training in matters of farm accounting and farm economics, a man whose value is

obvious, a man whose experience is difficult to replace. He is of tremendous use on the Tariff Commission, and will be in the future just because of his background of knowledge of scientific agriculture.

His bearing has been candid. He has answered our questions frankly. I am not now speaking of this particular investigation but of our general experience with him. We can get accurate, definite information from him whenever we put him on the stand. He is a valuable man in the place he is occupying, and it seems to me that, altogether apart from quibbles over Senator LA FOLLETTE's question and Mr. Brossard's answer, and things like that, our knowledge of the man and our need for men of that sort is sufficient to require his confirmation.

The PRESIDING OFFICER (Mr. COUZENS in the chair). The question is, Shall the Senate advise and consent to the nomination of Commissioner Brossard?

Mr. ROBINSON of Arkansas obtained the floor.

EXECUTIVE MESSAGES REFERRED

Messages in writing from the President of the United States, submitting nominations, were referred to the appropriate committees.

RECESS

Mr. McNARY. I move that the Senate take a recess until 12 o'clock to-morrow.

The motion was agreed to; and the Senate (at 4 o'clock and 50 minutes p. m.) took a recess until to-morrow, Tuesday, January 13, 1931, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 12 (legislative day of January 5), 1931

COAST GUARD

Lieut. (Junior Grade) (Temporary) John S. Merriman, jr., to be a lieutenant (temporary) in the Coast Guard of the United States, to take effect from date of oath.

REAPPOINTMENTS IN THE OFFICERS' RESERVE CORPS OF THE ARMY

GENERAL OFFICERS

To be brigadier generals, reserve

Brig. Gen. Brice Pursell Disque, reserve, from February 17, 1931.

Brig. Gen. Hugh Samuel Johnson, reserve, from April 11, 1931.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 12 (legislative day of January 5), 1931

MEMBERS OF THE UNITED STATES TARIFF COMMISSION

Henry P. Fletcher to be a member for the term expiring June 16, 1936.

Thomas W. Page to be a member for the term expiring June 16, 1935.

John Lee Coulter to be a member for the term expiring June 16, 1934.

Alfred P. Dennis to be a member for the term expiring June 16, 1933.

HOUSE OF REPRESENTATIVES

MONDAY, JANUARY 12, 1931

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

We would say, our Father in Heaven, "Still, still with Thee." We thank Thee for the hand that reaches down to the one who falls and for the hand that reaches out to the one who climbs. Along with Thee help us to live simple, contented, trustful lives. Lead us on, blessed Lord, with fatherly care, for no word ever spoken dies away in silence and no deed ever falls fruitless to the ground. Oh, may we do our work well and exemplify the excellence of our faith in a living, merciful God. Amen.

The Journal of the proceedings of Saturday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 11201. An act to authorize a preliminary examination of the Fox River, Wis., for the purpose of flood control.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 255. An act for the promotion of the health and welfare of mothers and infants, and for other purposes.

The message also announced that the Senate had agreed to the amendment of the House to the concurrent resolution (S. Con. Res. 34) to pay the Sussex Trust Co. a sum equal to six months' compensation of the late Napoleon B. Hearn.

DROUGHT RELIEF

Mr. SNELL, from the Committee on Rules, submitted the following report for printing in the RECORD:

House Resolution 334

Resolved, That immediately upon the adoption of this resolution the joint resolution (H. J. Res. 447) entitled "Joint resolution making an appropriation to carry out the provisions of the public resolution entitled 'Joint resolution for the relief of farmers in the drought and/or storm stricken areas of the United States,' approved December 20, 1930," with Senate amendments thereto be, and the same hereby is, taken from the Speaker's table to the end that all Senate amendments be, and the same are, disagreed to, and a conference is requested with the Senate upon the disagreeing votes of the two Houses.

Mr. LAGUARDIA. Mr. Speaker, I ask unanimous consent to put in the RECORD some time during the day, for the information of the House, a motion to instruct the conferees which I shall offer whenever this rule is called up.

The SPEAKER. The gentleman from New York asks unanimous consent to insert in the RECORD a motion he proposes to make by way of instruction to the conferees on this bill. Is there objection?

Mr. BANKHEAD. Mr. Speaker, reserving the right to object, and I shall not object, but I assume that the gentleman is proceeding upon the theory that under the rule which was adopted this morning by the Committee on Rules, which provides that this bill shall be sent to conference after disagreeing to the Senate amendments, the gentleman will exercise his parliamentary right to offer this as a privileged motion to instruct the conferees before the conferees are appointed.

Mr. LAGUARDIA. Exactly; with an amendment.

Mr. BANKHEAD. An amendment to what?

Mr. LAGUARDIA. To instruct the conferees to concur in the Senate amendment with an amendment.

Mr. PARKS. When? Does the gentleman from New York imagine they will bring that back before the 4th of March?

Mr. LAGUARDIA. I have no way of telling.

Mr. BANKHEAD. I shall not object.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LAGUARDIA. Mr. Speaker, under leave granted me I submit herewith a motion to instruct conferees on the drought relief bill, which I shall endeavor to offer and submit to the House for consideration as soon as it may be parliamentarily possible to be recognized for such purpose:

I move that the House conferees be instructed to concur in the Senate amendment providing for food distribution with an amendment eliminating all limitations as to classes, occupation, or residence of persons entitled to receive the food provided for in said Senate amendment.

POINT OF NO QUORUM

Mr. PARKS. Mr. Speaker, I make a point of order, if I may be permitted.

The SPEAKER. What is the gentleman's point?

Mr. PARKS. This is a most important matter and I really believe that a quorum ought to be here. I make the point of order that a quorum is not present.

The SPEAKER. The gentleman from Arkansas makes a point of order that a quorum is not present. Evidently, a quorum is not present.

Mr. LaGUARDIA. Will the gentleman withhold that temporarily?

Mr. PARKS. I withhold it for the gentleman from New York, who, I think——

The SPEAKER. The Chair has already announced that a quorum is not present.

Mr. TILSON. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 11]

Auf der Heide	Dickinson	Johnson, Nebr.	Perkins
Bacharach	Dickstein	Johnson, S. Dak.	Pratt, Ruth
Baird	Dorsey	Johnson, Wash.	Ramey, Frank M.
Black	Doughton	Johnston, Mo.	Reid, Ill.
Blackburn	Douglas, Ariz.	Kemp	Rowbottom
Brand, Ohio	Douglass, Mass.	Kendall, Ky.	Short
Britten	Doyle	Kiefner	Sirovich
Browne	Drewry	Kunz	Sloan
Brunner	Dunbar	Kurtz	Smith, W. Va.
Buckbee	Fitzpatrick	Langley	Somers, N. Y.
Butler	Garber, Va.	Lea	Stevenson
Cable	Garrett	Leech	Sullivan, Pa.
Campbell, Iowa	Golder	McCormack, Mass.	Swing
Canfield	Goss	McCormick, Ill.	Taylor, Colo.
Carley	Griffin	McLeod	Thompson
Carter, Wyo.	Guyer	Magrady	Treadway
Celler	Hale	Mead	Underwood
Chase	Hall, Ill.	Menges	Wainwright
Clague	Hoffman	Michaelson	Walker
Clancy	Hopkins	Montet	Watson
Connolly	Hudspeth	Newhall	Welsh, Pa.
Corning	Hull, William E.	Nolan	Williams
Craddock	Igoe	Norton	Wilson
Crisp	James, Mich.	O'Connor, La.	Wolfenden
Culkin	James, N. C.	O'Connor, Okla.	Zihlman
Cullen	Johnson, Ill.	Oliver, N. Y.	
Dempsey	Johnson, Ind.	Palmer	

The SPEAKER. Three hundred and twenty-four Members have answered to their names; a quorum is present.

Mr. TILSON. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

REVISION OF THE COPYRIGHT LAW

Mr. VESTAL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 12549) to amend and consolidate the acts respecting copyright and to permit the United States to enter the International Copyright Union.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. Hoch in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. The Chair will state that when the committee had this bill under consideration on June 28, 1930, and the committee rose, the Clerk had concluded the reading of section 9. An amendment had been offered and unanimous consent had been entered into that debate on that amendment and all amendments to the section should close in five minutes. The gentleman from Indiana had reserved a point of order on the amendment.

Mr. COCHRAN of Missouri. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Missouri rise?

Mr. COCHRAN of Missouri. I rise for the purpose of asking unanimous consent that the House permit the gentleman from Indiana [Mr. Vestal] to speak for 10 minutes and the gentleman from Mississippi [Mr. Busby] to speak for 10 minutes and let them tell us how the measure now stands and what amendments have been adopted. It has been six months since we considered this bill. Only a few Members know what the bill contains.

Mr. LANHAM. Reserving the right to object, it seems strange to me that the gentleman from Missouri should call for that information from Members not members of the committee having the bill in charge. I can say very briefly that in the first place we have reached section 9 of the bill. There is an amendment pending offered by the gentleman from Mississippi [Mr. Busby]. To that amendment it is my desire to make a point of order. It seems to me the gentleman's request might be deferred until the consideration of that point of order.

Mr. COCHRAN of Missouri. Mr. Vestal is for the bill; Mr. Busby against it. It has been six months since the bill was considered. Since that time I venture to say that 500,000 letters have reached Members of this House concerning this measure. All I ask is that the Members be advised what occurred in the way of amendments six months ago.

The Members should be advised what happened to the first eight sections. If you do not desire to enlighten the House, I will withdraw the request.

Mr. LANHAM. This bill comprises but 52 pages, and we have reached page 8. The remainder of it is to be considered under the 5-minute rule.

Mr. PARKS. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. PARKS. I understood there is a point of order reserved against the paragraph now under discussion. Is that so?

The CHAIRMAN. The point of order was reserved on an amendment offered by the gentleman from Mississippi.

Mr. PARKS. I simply wanted to demand the regular order.

The CHAIRMAN. Does the gentleman from Texas desire to make his point of order?

Mr. LANHAM. I do.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. LANHAM. Mr. Chairman, the amendment offered by the gentleman from Mississippi is to section 9 of the bill, beginning on page 8. This amendment has to do with the assignment of copyrights and with the assignment of various interests in copyrighted works.

I make the point of order that the amendment offered by the gentleman from Mississippi to section 9 is multifarious, not germane to the section to which it is offered, and on that I desire to be heard very briefly.

The first paragraph of the amendment offered by the gentleman from Mississippi has to do with the assignment of copyrighted works and, in my judgment, is germane, but the succeeding paragraphs are, I think, not germane. The second paragraph of the gentleman's amendment provides that every assignment of a copyright executed in a foreign country shall be acknowledged, and so forth, and pertains to the manner of the execution of assignments in a foreign country. That subject is considered in the pending bill under section 11, on page 12, and is not germane to section 9, to which it is offered.

The third paragraph has to do with the necessity for the recordation of assignments of copyrighted works, and that subject is dealt with in the pending bill under section 10, on page 9, and is not germane to section 9.

The next paragraph has to do with the issuance of a certificate of record; also to the method of the registration and the fee therefor. Under the pending bill, the subject of the registration and the fee therefor is considered under section 36, on page 35. The matter of the return of the assignment with the certificate is considered in section 58, on page 48, and that paragraph is not germane to section 9, to which it is offered.

The next paragraph has to do with the notice of copyright. The subject of the notice of copyright is considered in the pending bill under section 34, on page 33, and that part of the amendment is not germane to section 9.

The next paragraph has to do with the preservation and keeping of the records, that they shall be under the control

of the register of copyrights. That matter is dealt with in the pending bill in section 58, on page 44, and section 52, on page 46, and that paragraph is not germane to section 9 of the pending bill. The last paragraph of the gentleman's amendment provides that the copyright is distinct from the property in the material object copyrighted, and so forth, and the subject matter outlined in that paragraph of the gentleman's amendment is contained in section 6, on page 7 of this bill.

So I make the point of order, Mr. Chairman, that in view of the fact that all of the matters mentioned in this amendment, with the exception of that stated in the first paragraph, are considered under other and different sections of the pending bill, the amendment of the gentleman from Mississippi is multifarious and not germane to section 9.

Mr. GLOVER. Mr. Chairman, I ask unanimous consent that the amendment of the gentleman from Mississippi may be again reported.

The CHAIRMAN. Without objection, the Clerk will again report the amendment of the gentleman from Mississippi.

The Clerk read as follows:

Amendment by Mr. BUSBY: Page 8, line 14, strike out section 9 and insert in lieu thereof the following:

"That copyright secured under this or previous acts of the United States may be assigned, granted, or mortgaged by an instrument in writing signed by the proprietor of the copyright, or may be bequeathed by will.

"That every assignment of copyright executed in a foreign country shall be acknowledged by the assignor before a consular officer or secretary of legation of the United States authorized by law to administer oaths or perform notarial acts. The certificate of such acknowledgment under the hand and official seal of such consular officer or secretary of legation shall be prima facie evidence of the execution of the instrument.

"That every assignment of copyright shall be recorded in the copyright office within three calendar months after its execution in the United States or within six calendar months after its execution without the limits of the United States, in default of which it shall be void as against any subsequent purchaser or mortgagee for a valuable consideration, without notice, whose assignment has been duly recorded.

"That the register of copyrights shall, upon payment of the prescribed fee, record such assignment, and shall return it to the sender with a certificate of record attached under seal of the copyright office, and upon the payment of the fee prescribed by this act he shall furnish to any person requesting the same a certified copy thereof under the said seal.

"That when an assignment of the copyright in a specified book or other work has been recorded the assignee may substitute his name for that of the assignor in the statutory notice of copyright prescribed by this act.

"That all records and other things relating to copyrights required by law to be preserved shall be kept and preserved in the copyright office, Library of Congress, District of Columbia, and shall be under the control of the register of copyrights, who shall, under the direction and supervision of the Librarian of Congress, perform all the duties relating to the registration of copyrights.

"That the copyright is distinct from the property in the material object copyright, and the sale or conveyance, by gift or otherwise, of the material object shall not of itself constitute a transfer of the copyright, nor shall the assignment of the copyright constitute a transfer of the title to the material object; but nothing in this act shall be deemed to forbid, prevent, or restrict the transfer of any copy of a copyrighted work the possession of which has been lawfully obtained."

Mr. BUSBY. Mr. Chairman, I call the attention of the Chair to the fact that the bill that we have before us is an entire rewriting of the copyright law of this country. It is not merely a proposal to amend a portion of the copyright law but it is submitted to this Congress as a complete substitute, not only for the copyright law as written on the statute books but for the court decisions that have construed the rights that have arisen under our present law. That thing alone will have considerable to do with the question of whether or not an amendment offered is germane to the bill or to the section where it is proposed to offer the amendment. The subject we are considering under section 9, to which my amendment is offered, is the subject of assignment of copyright. It provides that the author or other person may assign or sell all or any portion of a copyright as if it were divisible—as if it were many things, instead of one thing as it is. The section in the bill proposes that every use to which a copyrighted article, composition, or other thing that is capable of being copyrighted may be put can be assigned. In other words, one man might buy the right to publish an article or a novel in a book form, another in a magazine form, and another for the purpose of dramatizing it, or some one may buy the right to whistle a copyrighted tune, and every conceivable use to which it may be put is being proposed in the question which we are now considering in the present bill. My amendment deals with that same proposition. It covers the same field. The present law provides for the assignment of copyrights in a very definite and carefully considered manner. It is proposed that we strike out this chimerical, indefinite, far-reaching, and indeterminable proposition proposed in the bill and insert something definite, tangible, and certain, and that is the present law.

The point of order raised is that this amendment is not germane. Anything that is germane to an orderly assignment of a copyright would be germane to this bill at this section, because this section is proposing an entirely new thing in this field. They say that there are other sections in the bill that will be considered that will cover the same ground that my amendment covers. I am offering this amendment with the proposal, if adopted, to strike out these inconsistent clauses as we reach them. I read now from section 777 of the rules of the House wherein it is stated that—

No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

However, we go on down and find under the precedents under that same section—

That an amendment germane to the bill as a whole but hardly germane to any one section may be offered at any appropriate place, with notice of motions to strike out the following section that it would supersede.

That is exactly the situation we have confronting us. As we reach those sections we will strike out those that are inconsistent with the plan that is proposed for assignments instead of the section of the bill that I am asking to strike out.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. BUSBY. I yield.

Mr. LAGUARDIA. Does not that last concession of the gentleman sustain the point of order made by the gentleman from Texas [Mr. LANHAM]?

Mr. BUSBY. Certainly not. How do we know what is in a bill that has not been read?

Mr. LAGUARDIA. I think there is a presumption of knowledge of what is in the bill when the gentleman offers the amendment.

Mr. BUSBY. I understand that, but I am offering this with the proposal to strike out the inconsistent provisions of the bill, which are covered by the amendments, as they are reached.

Mr. CHINDBLOM. Mr. Chairman, the only question before the Chair, in my humble opinion, is whether the amendment proposed by the gentleman from Mississippi [Mr. BUSBY] is, in whole or in part, germane to section 9, to which the amendment is offered. The fact that some of the things in the proposed amendment may be covered elsewhere further on in the bill has no bearing whatever upon the subject.

Mr. LANHAM. Will the gentleman yield?

Mr. CHINDBLOM. I yield.

Mr. LANHAM. I was not urging that. I simply pointed out that those sections running through to this section which deals with assignment and assignment of interest in copyrighted work were not germane, but in pointing out that they were not germane, that they had reference to other matters, I was also stating for information at what points in the bill they do occur.

Mr. CHINDBLOM. The gentleman at least convinced me that he thought there was some force in the argument that these matters are covered elsewhere. My point is that while the committee may have chosen to divide the subject of assignment of copyrights and considered one phase of the subject in section 9 and another phase in another section upon another page of the bill, if the Committee of the Whole House chooses, it may collect all of the matters at this point, provided only that the proposal is germane to

the general subject matter of section 9. The fact that a matter may be provided elsewhere in the bill does not render a proposal for a prior insertion of that matter into the bill subject to a point of order. The Committee of the Whole House on the state of the Union may choose where it desires matters to appear, provided the amendment offered is germane.

The CHAIRMAN. The Chair is informed by the Clerk that the RECORD is inaccurate in the matter of the amendment offered by the gentleman from Mississippi [Mr. BUSBY]. The Clerk hands to the Chair the text of the amendment as it was sent to the Clerk's desk by the gentleman from Mississippi. The amendment by the gentleman from Mississippi was, "to strike out all of section 9 on page 8, to strike out page 9, pages 10 and 11 down to and including line 15 on page 12, and insert in lieu thereof the following."

The Chair will call attention to the fact that the portions of the bill which it is sought to strike out have not been read.

Mr. CHINDBLOM. Let me say that I have argued upon what appears in the CONGRESSIONAL RECORD, and also upon the amendment as read by the Clerk a moment ago; and, as the Clerk read the motion of the gentleman, it did not contain any motion to strike out.

The CHAIRMAN. The Chair just read the text as sent to the Clerk's desk by the gentleman from Mississippi [Mr. BUSBY].

Mr. CHINDBLOM. If the RECORD is not correct, we had better start afresh and have the amendment as it was offered submitted for the information of the Committee of the Whole.

Mr. BUSBY. If the Chair will permit, I had several amendments prepared, and it is likely the RECORD clerk got hold of the correct one and printed it correctly, and this is a duplicate that got into the hands of the Clerk. That is the occasion for the error.

I ask unanimous consent, Mr. Chairman, to withdraw the amendment and offer the amendment as it should have been offered and should have been received by the Clerk. I have a copy of it in my hand. Let this be substituted for the proposed amendment, which was inadvertently handed to the Clerk.

The CHAIRMAN. The gentleman from Mississippi [Mr. BUSBY] asks unanimous consent to withdraw the amendment and to offer an amendment which the Clerk will report.

Mr. BUSBY. It covers the intention which I had in mind.

Mr. STAFFORD. Under the same conditions as the former amendment as to limitation of debate.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. BUSBY: On page 8, strike out all of section 9 on pages 8 and 9 and insert the the following:

"That copyright secured under this or previous acts of the United States may be assigned, granted, or mortgaged by an instrument in writing signed by the proprietor of the copyright, or may be bequeathed by will.

"That every assignment of copyright executed in a foreign country shall be acknowledged by the assignor before a consular officer or secretary of legation of the United States authorized by law to administer oaths or perform notarial acts. The certificate of such acknowledgment under the hand and official seal of such consular officer or secretary of legation shall be prima facie evidence of the execution of the instrument.

"That every assignment of copyright shall be recorded in the copyright office within three calendar months after its execution in the United States or within six calendar months after its execution without the limits of the United States, in default of which it shall be void as against any subsequent purchaser or mortgagee for a valuable consideration, without notice, whose assignment has been duly recorded.

"That the register of copyrights shall, upon payment of the prescribed fee, record such assignment, and shall return it to the sender with a certificate of record attached under seal of the copyright office, and upon the payment of the fee prescribed by this act he shall furnish to any person requesting the same a certified copy thereof under the said seal.

"That when an assignment of the copyright in a specified book or other work has been recorded the assignee may substitute his name for that of the assignor in the statutory notice of copyright prescribed by this act."

Mr. LAGUARDIA. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LAGUARDIA. I assume that the same point of order that was made is still pending against this amendment?

Mr. LANHAM. I renew the point of order against this amendment.

The CHAIRMAN. The gentleman from Texas [Mr. LANHAM] makes a point of order that the amendment is not germane.

Mr. BUSBY. The amendment that has been offered covers sections 9, 10, and 11, and the amendment is entirely in order if the rule be put into effect, that where an amendment is not germane to any particular section of the bill, but is germane to the bill as a whole, it can be offered to any appropriate section of the bill, with notice to move to strike out the sections that it will supersede.

I offer it with that end in view, fully confident that under the rules of the House, the amendment, curtailed as it is, and not as read from the original document, is entirely germane from start to finish.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. BUSBY. I yield.

Mr. CHINDBLOM. The gentleman has forgotten the statement he made a moment ago. Of course, the gentleman's real purpose is to offer a substitute for section 9, with notice that if it is adopted he will then move to strike out certain subsequent sections.

Mr. BUSBY. Surely; and that is what I said, or intended to say—sections 10 and 11.

Mr. CHINDBLOM. May I call attention to the fact that in the amendment now before the committee the gentleman from Mississippi has omitted the last two paragraphs of his former amendment, which I will concede may have been subject to a point of order; but I insist that the paragraphs which he has now submitted are not subject to a point of order as being repugnant to the rule of germaneness.

The CHAIRMAN (Mr. HOCH). The Chair is ready to rule. This bill provides a very general revision of the copyright law. It covers the whole subject matter of the present law in a very comprehenisve way. Section 9, to which the amendment has been offered, is a section dealing with the assignment of copyrights. The Chair is inclined to think that where a general revision of the law is contemplated, such as is proposed here, considerable latitude should be permitted under the rule of germaneness.

As originally offered, the Chair was of the opinion that the latter two paragraphs—as the gentleman from Illinois has just stated—which dealt with something entirely aside from the matter of assignment were not germane to a paragraph dealing with assignment.

However, while the amendment which has now been offered does extend, to a considerable degree, the provisions dealing with assignment, nevertheless it appears to the Chair to deal with the subject of the assignment of copyrights. For that reason the Chair thinks the amendment is germane to this paragraph and overrules the point of order.

Mr. CONNERY. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. Under the unanimous-consent agreement five minutes of debate is permitted and the Chair feels he should recognize the gentleman from Mississippi who offered the amendment.

Mr. BUSBY. The gentleman from Missouri made a unanimous-consent request that 10 minutes be given to myself and 10 minutes to the gentleman from Indiana [Mr. VESTAL] to discuss this measure before we proceeded with the consideration of this amendment. I wonder if that request is still pending or did the Chair dispose of it?

The CHAIRMAN. If the gentleman from Mississippi desires to renew that request, or anyone else desires to renew it, the Chair will put the request.

Mr. BUSBY. I renew it.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent that there be 20 minutes of debate upon this section, 10 minutes to be controlled by the gentleman

from Indiana [Mr. VESTAL] and 10 minutes by the gentleman from Mississippi [Mr. BUSBY]. Is there objection?

Mr. LaGUARDIA. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LaGUARDIA. We are in the Committee of the Whole and we can not control the time. Of course, the time is in the control of the Chair.

The CHAIRMAN. The Chair will put the unanimous-consent request as he understood it.

Mr. PARKS. Mr. Chairman, may I inquire how under the rules of the House we can have such unanimous consent? We are in the Committee of the Whole, with the control of the time in the hands of the Chair.

The CHAIRMAN. The time can be limited. Is the gentleman from Missouri present, so that the Chair may know exactly what his request is? The Chair understood his request to be as the Chair has stated it, and the Chair will hold that request in order.

Mr. VESTAL. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto be extended not for five minutes but for 20 minutes, and I am sure the Chair will recognize those who are for and against the amendment.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that all debate on this section and all amendments thereto shall be limited to 20 minutes. Is there objection?

Mr. CHINDBLOM. Mr. Chairman, reserving the right to object, will that include the five minutes already granted?

Mr. VESTAL. No; this request wipes that out.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none. The Chair will recognize the gentleman from Mississippi, who offered the amendment.

Mr. BUSBY. Mr. Chairman and members of the committee, we are taking up now the copyright law of this country with a view of writing a statute which will touch every person in our land. I took the time to go back and examine the circumstances under which our present 1909 copyright law was enacted, and I found that Mr. Currier, of New Hampshire, stated the situation in that time:

> This is a bill which affects every household in the country.

I am offering this amendment to this section because it strikes at the very foundation of things in a copyright way. The proponents of this legislation have come to Congress asking that the entire world be given to them because they say they produce mental works. They want every household in this country to become their contributors and every household in this country to pay tribute to them. This is the same monopoly of which Mr. Currier spoke when he said, on the 3d day of March, 1909:

> While we desired to give to the composer some compensation for such use of his music, we felt that there was great danger that unless that proposition was safeguarded a great musical trust would be formed. The preliminary steps in the formation of such a trust had already been taken. We have solved it in this way, and we have solved it, we believe, so as to be fairly satisfactory to both interests.

That is, to the public and to the copyright holder. However, by this provision in the bill they propose to divide a copyright—a thing which is necessarily one thing—into a thousand different entities, into as many entities as you can imagine, and permit each individual user to take off his part and say nothing about it until somebody has infringed on that part and then he will come in with a lawsuit. Then under our statutes there will be ascertained damages to the extent of $250; and they will continue to do that until there is established a music trust which will demand tribute from everybody in the land.

They say that this is necessary in order for our country to enter the International Copyright Union. I say that it is not necessary. I say that no provision in the Berne convention, the Berlin convention, or the Rome convention, all three of which I hold in my hand, requires any such thing as the provisions in this bill. They recommended, but, after all, you will find they all come back to this thought. In section 7 of the Rome convention, the most recent, it is provided that—

> In case this period—

That is, the 50-year period of protection, which we will come to directly—

> however, should not be adopted uniformly by all the countries of the union, its duration shall be regulated by the laws of the country where protection is claimed, and it can not exceed the terms fixed in the country of origin. The countries of the union will consequently not be required to apply the provisions of the preceding paragraph beyond the extent to which it agrees with their domestic law.

In other words, you could not make all of the countries of the world conform to the proposition that you must have uniform copyright laws. They can enter this union if they so desire, and enter it with whatever they have to bring to the union. Whatever laws are in existence in the United States are the laws under which the members of that union exercise their rights.

Ah, they tell you there are four things necessary. Automatic copyrights—we have permitted that without offering any amendment. That is in section 1 of the bill. This is with respect to the divisibility of copyrights, and I say this is not necessary. I say it could be very misleading to every user of copyright material and be destructive of the American interests that have to rely upon them.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that the gentleman may have one additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. BUSBY. I am objecting to this provision because it is not necessary. Nobody but the selfish interests who think they can use the American public to better advantage are coming in here and asking for this provision, and I make this statement and I hope the proponents of this bill will hear me. Not one letter has been written, not one editorial has been penned, not one article has been published in a magazine or newspaper but what, if you will bring to me—the article or the letter—I can point to you the selfish advantage that that individual hopes to obtain under this famous Vestal bill.

Is this not enough to challenge the attention of the Members of Congress to be watchful and careful, when we are about to wipe out the present law and write in sometning new, indefinite, and untried?

Mr. LANHAM. Mr. Chairman, I rise in opposition to the amendment.

It seems to me, ladies and gentlemen of the committee, that the gentleman from Mississippi has discussed almost everything except what is contained in this particular section to which he has offered the amendment.

The gentleman talks about monopoly. Of course, copyright is a monopoly, sanctioned by the highest law of this land, because it is provided for in the Constitution of the United States. It is no more a monopoly in the holding of property than we have in the holding of land.

But I wish to talk about this particular section and why the gentleman's amendment should be defeated. Now, what is divisible copyright and what does this section do? Take it in your own individual case and let us suppose you are Mr. A and you write a story. You sell this story to a magazine for a stipulated sum. The idea in that story is worth while. A producer of dramas sees it and says, "Here, I can take Mr. A's idea and make a dandy play," and he does so. The motion-picture people see it and say, "We can take Mr. A's idea and make a dandy motion picture." Now, what does this section provide? This section provides that in such a case the man who originates the idea may sell his magazine story to the magazine, that he may sell his dramatic rights to the producer of drama, and he may sell his motion-picture rights to the motion-picture producer.

Do you mean to say that an author who sells a story to a magazine for $50 or $100 should not be permitted for his

idea to get some part of the returns of those who exploit it in a dramatic or in a moving-picture way? This is all that divisible copyright means—the right of a man to contract with reference to his property for specific purposes, just as a man running a garage may rent a car one day for a pleasure trip, another day for a funeral, and another day for some other purpose, but the hirer could not keep his car from him indefinitely and for all these purposes if he only paid the owner for the original day.

Mr. BUSBY. Will the gentleman yield?

Mr. LANHAM. If I may first finish the remaining part of this section, I shall be pleased to yield.

Now, this is all that a divisible copyright is, and it is now practically in effect. This is simply a legalization of a trade practice, because in fact the authors do not give everybody wholesale rights in their works by the mere publication of them in a magazine.

There is a great advantage also in this section from another angle. Heretofore the bookman, the magazine man, the drama producer, or the motion-picture operator, when he has procured an assignment of a right, has had only an equitable right, which he could not enforce in actions in the courts unless the copyright owner were joined with him in the suits. Now, the copyright owner might be away in Europe or elsewhere, or he might be dead and have heirs scattered here and yonder. In lieu of that equitable right we prescribe in this section that the man who takes the assignment of a copyright shall have a legal right, and the right he buys in the copyright he may defend in actions in the courts without the necessity of joining the copyright owner with him. That is all that this section does, and that is the reason, in my judgment, the amendment of the gentleman from Mississippi should be defeated.

Mr. CONNERY. Mr. Chairman, I rise in opposition to the amendment.

Mr. BUSBY. Will the gentleman from Texas yield?

Mr. LANHAM. Yes; if my time has not expired.

Mr. BUSBY. The gentleman gave an illustration of the use of an automobile. I think the illustration is very apt. Is it not a fact that each one who occupies the automobile occupies it to the exclusion of everybody else when using it?

Mr. LANHAM. Yes; and they pay for it.

Mr. BUSBY. No one else can use it at the same time.

Mr. LANHAM. Suppose a magazine buys for publication my story or your story and pays for it; then, if a dramatic producer wants to put it into a play and make money on it, why should you or I not receive from that producer something for the use of it?

Mr. LAGUARDIA. According to the gentleman from Mississippi, he would protect the producer and the assignee, but leave the author out in the cold?

Mr. BUSBY. That is absolutely not so, and I wonder at gentlemen being so dumb as to understand it that way. [Laughter.]

Mr. CONNERY. Mr. Chairman, I would like to subscribe to the sentiments expressed by the gentleman from Texas [Mr. LANHAM]. Speaking on copyrights, I am going to give an example of what happens. You write a song, and you copyright the manuscript at the Congressional Library. You make arrangements with a music publisher in New York City, and he is going to pay you a half a cent or a cent royalty on that music. That music publisher in New York copyrights the sheet of music, and as soon as he sends it to the printer and has his name put on it, it no longer belongs to you who wrote the song; it belongs to the music publisher. When that song is sold in the 5 and 10 cent stores or anywhere else you will be entitled to collect your 1-cent royalty. Now, along comes the movie producer from Hollywood, and he is going to use the song of which you are the author, and you would like to sell him the song. The music publisher says, "Oh, no; that copyright belongs to me; you only have a copyright of the manuscript, but I will split 50–50 with you on what you get from the motion-picture producer."

Then Mr. Ziegfeld, George M. Cohan, Earle Carroll, or some other playright comes along and he wants to put it in his show. All right, you say, you will sell him the song, but the music publisher comes along and says, "Oh, no; but I will split 50-50 with you."

Mr. BEEDY. Will the gentleman yield?

Mr. CONNERY. Yes.

Mr. BEEDY. If the music publisher owns the copyright as a matter of fact, why is he so generous in offering to split 50-50 with the author?

Mr. CONNERY. That is a question. Probably it is because the music publisher feels that there is a sort of equitable interest in it for the author.

Mr. BLOOM. Will the gentleman from Massachusetts yield to me?

Mr. CONNERY. I yield.

Mr. BLOOM. The reason he is so generous is that he has only the right of publication of that song. Now, some one else wants the right to make a moving picture and/or use the title. The music publisher who owns the copyright will not give his consent unless he gets paid for it, and the song writer can not give his consent because the music publisher owns the copyright.

Now, if the gentleman from Massachusetts will pardon me further, I would like to say that this is no different than things are to-day. If I write a book and give the Saturday Evening Post the serial right or the magazine right, I must ask the Saturday Evening Post to transfer the copyright back to me after they have published it. It is all a matter of contract, so the author must go to the publisher of the newspaper or of the book and get that right assigned back to him. That is all this provides. The divisible copyright is no different to-day in trade practice than this bill. The only thing is that you give them that right, and there is no one opposing this right. Every author, every publisher, every newspaper man in this country who understands this copyright bill is in favor of it.

Mr. BEEDY and Mr. LAGUARDIA rose.

Mr. CONNERY. I have the floor, and I yielded to the gentleman from New York [Mr. BLOOM], because from his great experience he knows what he is talking about. He was in the business himself and knows all about it.

Mr. BEEDY. The gentleman takes the position that this bill as it is written simply legalizes what is the practice in the trade to-day.

Mr. CONNERY. Not only that but the writer of the story or the song, the product of his brain, will be given a right to get a profit from the music publisher, the movie producer, the phonograph-record producer, or others who desire to reproduce the work.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. CONNERY. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

Mr. BUSBY. How does the time stand, Mr. Chairman?

The CHAIRMAN. Four minutes remain. Is there objection to the request of the gentleman from Massachusetts?

Mr. BUSBY. I object.

Mr. CONNERY. Then I ask for one minute.

Mr. BUSBY. Well, I will give you fellows the time. You need it more than we do to sustain your position.

Mr. CONNERY. I thank the gentleman, but I think the House is pretty well satisfied that it is about time to give the author a little protection. The gentleman from Mississippi was speaking about monopoly. If he wants to kill monopolies, he will kill his own amendment to-day. Therefore I hope the amendment of the gentleman from Mississippi will be voted down.

Mr. BUSBY. Mr. Chairman, I ask for recognition for the remainder of the time.

The CHAIRMAN. The Chair will recognize some one else in support of the amendment, if anyone desires recognition, as the gentleman from Mississippi has already had the floor.

Mr. BUSBY. I ask unanimous consent that I may use the time in support of the amendment.

Mr. VESTAL. As a member of the committee I would like to have one or two minutes.

The CHAIRMAN. Three minutes remain. The gentleman from Mississippi asks unanimous consent to proceed for three minutes. Is there objection?

There was no objection.

Mr. BUSBY. I want Members to listen, and I will tell them the secret about this monopoly. I hold in my hand a copy of the opinion in a case of Witmark & Sons *v.* Pastime Amusement Co. (298 Fed.) In that case this supermonopoly sued a little fellow in South Carolina because a girl performed for 27 seconds from memory a piece of music. The result was that the Composers, Authors, and Publishers' League came along and said, "Pay us $250 and attorneys' fees and court costs and we will be satisfied." But he said no. The fact is, as the court points out, that all of these music writers are in a combine, and here is what they agreed to:

Whereas each member has severally agreed with other members and with the Performing Rights Society to execute such assignment:

Now, therefore, the undersigned, for good and valuable considerations, sells, assigns, transfers, and sets over unto the Performing Rights Society, its successor and successors, for a period commencing from the date hereof and continuing until January 1, 1936, the exclusive right of public performance for profit, in the United States and Canada, United Kingdom of Great Britain and Ireland, and Italy the music of each and every musical work which at the time of the date hereof belongs to the undersigned, or which hereafter and during the period ending January 1, 1926, shall be written, composed, or acquired by the undersigned.

Also I call attention to this provision:

All the profit, benefit, and advantage that shall or may arise from such exclusive performing rights hereby sold, assigned, transferred, and set over to the Performing Rights Society for such period, shall be held and enjoyed by the Performing Rights Society, subject to the articles of association of such Performing Rights Society.

Mr. LANHAM. What application has that to the section under consideration?

Mr. BUSBY. It has application to the whole bill.

Mr. BLOOM. It has nothing to do with the divisible copyright.

Mr. BUSBY. The proposition is this, that all copyright provisions are locked up in one thing, and if you permit them to split this up and divide a copyright, they will find more avenues through which they can reach out and make the public pay with this and that and the other proposition; like an automobile, copyright is but one thing; like a tree, it is but one thing, with the branches reaching out; or like any other indivisible thing. Treat it as one thing and you can keep track of it, but if you adopt the provisions of this bill you can not. If you keep the present law, it is not a burden to anyone.

Mr. VESTAL. Mr. Chairman, this amendment that is proposed by the gentleman from Mississippi is against the provision of the divisible copyright. You have heard it discussed by my colleague [Mr. LANHAM]. Of course, it only gives to the authors and composers a legal right which they now have as an equitable right, so that every man who buys a right in a copyright, if this bill should become a law, has a right to protect and defend that right which he paid for. This amendment ought to be defeated.

The CHAIRMAN. All time has expired. The question is on the amendment offered by the gentleman from Mississippi.

The question was taken; and on a division (demanded by Mr. BUSBY) there were—ayes 19, noes 97.

So the amendment was rejected.

The Clerk read as follows:

SEC. 10. Assignments, grants, licenses, and mortgages of copyright or of any separate right therein, or any other instrument or paper writing relating to or affecting a copyright or right therein, may be recorded in the Copyright Office at any time after execution. A failure so to record shall not affect the validity of any such instrument: *Provided*, That no unrecorded assignment, grant, license, mortgage, or other instrument shall be valid or of any effect against any previously recorded assignment, grant, license, mortgage, or instrument to a purchaser, licensee, or other transferee for value and without notice, whether such unrecorded instrument be prior in date of execution or not, and whether subsequently recorded or not. Such proviso, however, shall not apply to unrecorded instruments by which periodical and/or newspaper publication rights are assigned or conveyed; but if, in addition thereto, such instruments also assign or convey other rights, and/or refer or pertain in any way to any other rights, then such instruments to the extent of the provisions or agreements contained therein relating to such other rights shall be subject to such proviso.

After the effective date of this act, upon the purchase of a part, but not all, of the rights of the author in or under a copyright, unless the instrument assigning such rights by its terms expressly includes the right of first publication, the purchaser shall be deemed to have knowledge, at the time of such purchase, of the existence of such first publication right in or under such copyright, having priority as to time of publication over any right or rights so purchased: *Provided*, That rights of first publication shall be deemed to have expired by lapse of time as against a purchaser of any other rights in or under the same copyright if not exercised by commencement of publication within one year of the date of delivery of the entire copyright work to the purchaser of such right of first publication, unless within such period the purchaser of such right of first publication shall have recorded in the copyright office a notice or instrument of assignment signed by the author, or his agent duly authorized for the purpose, showing the name of the author, the name of the assignor if other than the author, the name of the assignee and the duration and general nature of such right of first publication. As between two or more innocent purchasers of right of first publication in the same copyright work, that one who shall have first recorded the notice or instrument of assignment as herein provided shall prevail, anything in this section 10 of this act to the contrary notwithstanding, and notwithstanding any provision hereinabove contained as to unrecorded instruments conveying periodical and/or newspaper rights: *Provided, however*, That for this purpose, where such notice or instrument of assignment is mailed by registered mail properly addressed to the copyright office in Washington, the date of such mailing shall be deemed the date of record. All assignments, grants, licenses, mortgages, and other instruments, notices or paper writings hereinabove referred to, when recorded in the copyright office, shall be indexed in the name of the author and the assignor, licenser, or mortgagor, and in the name of the assignee, licensee, and mortgagee, and under the title of the copyright work.

Mr. VESTAL. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. VESTAL: Page 12, line 1, strike out the word "and" at the end of the line and insert the word "or."

Mr. STAFFORD. Mr. Chairman, I rise in opposition to the amendment in order to inquire of the chairman of the committee what means are provided in the bill to determine in the case of automatic copyrights when the work of creation is really created. Heretofore, under our existing laws we have always required that the book or other work or composition shall be registered in the copyright office of the Library of Congress.

That is the beginning date of his protection. Now, it is intended to give the author the right upon creation, regardless of publication. How is the public at large to know when the automatic right of copyright begins?

Mr. LANHAM. May I say to the gentleman that it begins with the creation of the work.

Mr. STAFFORD. I know it does; but, how is the public to know when that is? Heretofore, under existing practice since the creation of the Government, the date of beginning of the copyright is at the time it is registered in the copyright office of the Library of Congress.

Mr. LANHAM. The gentleman is anticipating, perhaps, a section of this bill which deals with the term "copyright." The date of first publication is a very important thing under the present law, of course, because the copyright expires, if renewed, within 56 years from the first date of publication.

Under the pending bill the time when the copyright really begins to run dates from the death of the author, and not from the creation of the work. Consequently it is relatively unimportant as to when the work was created, unless in the case of an author who has died.

Mr. STAFFORD. Well, is it relatively unimportant to know that a copyright does not begin to run until the date of the death of the author? It begins to run from the date of the creation. How is the public at large to know that the copyright is running?

Mr. LANHAM. Will the gentleman yield?

Mr. STAFFORD. Yes. I am rising for information as to the practical operation of this automatic copyright.

Mr. LANHAM. How is the public at large to know that work is in existence until it is created?

Mr. STAFFORD. Under existing law they know it from the date it is registered in the copyright office in the Library of Congress, and the public has notice of that registration, and not until then has he any right to copyright.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. LAGUARDIA. The reason the date is fixed now is that the copyright runs for a definite term, while in this instance it is the property of the creator during his life, and the fixed term is from the date of his death, 50 years. In other words, it is for life plus 50 years.

Mr. STAFFORD. It may be a hundred years.

Mr. LAGUARDIA. No; it can not be.

Mr. STAFFORD. Oh, the gentleman is not acquainted with the terms of this bill. This bill gives the right of copyright to an author from the time it is created in his mind until the time of his death, then plus 50 years. If an author is 25 years of age when it was created, and he lives to be 75 years, he has 50 years of right while he is living, plus 50 years after his death.

Mr. LAGUARDIA. That is exactly what I said.

Mr. STAFFORD. I beg the gentleman's pardon, that is not what he said.

Mr. LANHAM. But, a determination of the state of creation is not important when he has a term of 50 years after his death and the time you begin to compute runs from his death.

Mr. STAFFORD. But how is the public to know? How is the public to know that the work has been created?

Mr. LANHAM. How is the public to know that the work has been created?

Mr. STAFFORD. Yes.

Mr. LANHAM. How does the public know that any work has been created?

Mr. STAFFORD. Why, by production.

Mr. LANHAM. That is the only way the public can know now. Not all works are copyrighted. Their existence is notice of their creation.

Mr. FREAR. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. FREAR. In the case of a patent, however, there is a specific way of knowing when it begins. There should be the same thing with a copyright. I agree with the gentleman.

Mr. STAFFORD. Oh, yes; but we have fixed rights as to the author. A man who is really an inventor and gives something to society has an exclusive right only for 17 years, predicated upon divulging to the public all the facts, making a full disclosure so the public at the end of the patent right might manufacture the article, then the inventor is entitled to his exclusive patent. Here it is proposed to disregard the fundamental law of the monopoly privilege, as to inventions, where the right is limited to 17 years only, and give the author or publishing house a monopoly privilege for maybe over 100 years. I am opposed to that extension of the monopoly to authors and publishers for 100 years.

Mr. LANHAM. Mr. Chairman, I rise in support of the amendment. In the first place, the gentleman does not draw a distinction between patents and copyrights, for which different terms are prescribed in our law, and for a very logical and substantial reason. The term for a patent is 17 years. Any invention which relates to industry has its usefulness and its applicability quickly determined. If it is not used quickly, it is not used. On the contrary, an author may create a work to-day which may not come to public notice until 25 or 30 years from now and then be very popular. I cite a very well-known instance in the history of English literature, Jane Austen, one of whose books in particular is now listed among the very best of the classics. Jane Austen wrote those classics when she was barely out of her teens. She was never appreciated in her day. She did not get the proper return from her works, but the time came when Jane Austen's works became popular because of their intrinsic worth and the public then began to appreciate them. There is that distinguishing difference between a patent and a copyright, one applying to industry and its usefulness being quickly determined, whereas a literary work of merit and value may not come into its own for many years.

Mr. FREAR. Will the gentleman yield?

Mr. LANHAM. I yield.

Mr. FREAR. The purpose of the recording of a patent is to give notice to the world. How is the world to know in regard to those which have been conceived in the mind of an individual and not yet given to the public? It is notice, as I understand.

Mr. LANHAM. Now, we have already passed the section with reference to automatic copyright, which provides that upon creation of the work the creator has an automatic copyright in that work.

Under the present law it is important to determine when a work is created, because the statutory time runs from the creation of that work. In this bill the statutory period when the copyright is to expire really begins to run from the death of the person. Consequently, the important thing to determine is the death of the person. That comes in a subsequent section. It is really not pertinent to this particular section, but since it has been injected I wanted to rise and try to clarify it.

Mr. CHIPERFIELD. Will the gentleman yield?

Mr. LANHAM. I yield.

Mr. CHIPERFIELD. A claims to be the author of a composition. B gets a copy of his composition. There is nothing on file in the copyright office in any way to tell who is the real author. B says "I am the author." A says "I am the author." There are infringements; there are conflicting claims; one demands a sum for his infringement; another demands a sum for his infringement. The one who settles with either of them settles at his hazard. Should there not be something to determine, prima facie, who is the real author of the composition?

Mr. LANHAM. And there will be, I will say to the gentleman from Illinois, for this reason, that while notice is not required, the mere fact that an innocent infringer can not be proceeded against because of the fact that there is no notice, will force every man to record his copyright and give the protecting notice. That is the true situation. The notice will be recorded just the same in order to protect a man's rights.

Mr. STAFFORD. Will the gentleman yield?

Mr. LANHAM. Yes.

Mr. STAFFORD. The gentleman cited the singular case of Jane Austen which, I believe, is referred to in the report and, I believe, the only one in history.

Mr. LANHAM. I do not think the gentleman ought to go that far.

Mr. STAFFORD. Can the gentleman cite any other cases?

Mr. BLOOM. Yes; I can. Take the case of the man who wrote the Stein Song. It lay idle for 25 years and has just become popular.

Mr. STAFFORD. The gentleman brings up the Stein Song, with which all Milwaukeeans are naturally familiar, but I would like to inquire whether, in the general run of affairs, the worth of a composition of music is not determined within a few years after it has been published?

Mr. LANHAM. I can not say so definitely as to music because I am not so familiar with music as I am with literature, but I call the gentleman's attention to the fact that the opera houses of the country are to-day producing more of the older operas than of modern musical compositions.

The CHAIRMAN. The time of the gentleman from Texas has expired. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. The Chair desires to say to the gentleman from Indiana that the Chair is informed by the Clerk that a committee amendment has been sent to the desk and has not been read.

Mr. VESTAL. Mr. Chairman, I offered an amendment striking out the word "and" and inserting the word "or" in line 1 on page 12.

The CHAIRMAN. The Chair is informed by the Clerk that there is an amendment at the Clerk's desk sent up by the committee.

Mr. VESTAL. I am withdrawing that amendment. Mr. Chairman, I offer a committee amendment.

The CHAIRMAN. The gentleman from Indiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment offered by Mr. VESTAL: Page 12, line 5, after the word "assignor" insert a comma, strike out the word "or," and after the word "licensor" insert the words "or mortgagor."

Mr. VESTAL. This simply makes the language conform with the language in section 10.

Mr. STAFFORD. Mr. Chairman, I ask for recognition in order to make an inquiry. During the prior consideration of this bill no debate was had as to section 8. It was read without debate, and it relates to the copyrighting of works of architecture. I rise to inquire whether under the existing copyright law architects have a right to copyright their plans and designs?

Mr. BLOOM. You can copyright anything now.

Mr. STAFFORD. You could, virtually, under the bill that was strongly contested before we adjourned, but ultimately was passed, and which fortunately is being opposed in the other body. Under that bill you can copyright any kind of design with reference to clothes, or anything else. You can copyright the design of the gentleman's spectacles.

Mr. BLOOM. You can send the Bible in to-day and copyright it.

Mr. STAFFORD. Well, under existing practice, I do not believe architects have the right to copyright their plans and designs, but you incorporate in section 8 a provision granting that right. I am seeking information as to whether under the existing law that can be done.

Mr. VESTAL. I think that can be done at the present time.

Mr. STAFFORD. I have seen from time to time, as other Members of the House may have seen, prints of plans and designs of homes, and yet it was never stated that those plans and designs were copyrighted.

Mr. HUDSON. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. HUDSON. Within the past month I saw a considerable exhibit of religious edifices and on those plans it was stated that they were copyrighted.

Mr. STAFFORD. I have examined publications containing various designs or plans of buildings, and while you may get a copyright on the arrangement of them in a book, I question whether under existing law we have ever recognized copyrights of plans and designs of buildings.

Mr. BLOOM. If it is original, why can you not?

Mr. STAFFORD. You are going to check architecture if you are going to prevent any architect from copying any of the masters or any other work for 100 years.

Mr. BLOOM. Not if it is in the public domain. The gentleman surely does not mean that.

Mr. STAFFORD. You take it out of the public domain under this provision.

Mr. BLOOM. No.

Mr. STAFFORD. It has always been under the public domain, but now you are taking it out of the public domain.

Mr. BLOOM. This law is not retroactive.

Mr. STAFFORD. You are making it now apply to such designs in the future, and that is what I am protesting against.

Mr. BEEDY. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. BEEDY. I will say to the gentleman that as a matter of law if you see a print of a design for a house and you proceed to build and use that design and print, whoever it was that designed that house can sue you for a commission for the use of it. All he has to do is to prove his authorship. That is well-established law, as I know, because I have been through it.

Mr. STAFFORD. I am very glad to have that information from the gentleman. Under the scope of this provision anyone who uses such a plan will be subject to punishment, and I do not think that is just.

Mr. BEEDY. I will say to the gentleman that is the substantive law as it now stands.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. BUSBY. Mr. Chairman, I will be glad to give the gentleman some information on that subject. I read from the opinion in the case of Baker *v.* Selden (101 U. S. 99), where the court said:

The difference between the two things, letters patent and copyright, may be illustrated by reference to the subjects just enumerated. Take the case of medicines. Certain mixtures are found to be of great value in the healing art. If the discoverer writes and publishes a book on the subject (as regular physicians generally do), he gains no exclusive right to the manufacture and sale of the medicine; he gives that to the public. If he desires to acquire such exclusive right he must obtain a patent for the mixture as a new art, manufacture, or composition of matter. He may copyright his book if he pleases; but that only secures to him the exclusive right of printing and publishing his book. So of all other inventions or discoveries.

The copyright of a book on perspective, no matter how many drawings and illustrations it may contain, gives no exclusive right to the modes of drawing described, though they may never have been known or used before. By publishing the book, without getting a patent for the art, the latter is given to the public.

You see, patent covers the art of architecture and copyright covers the description of the thing.

The fact that the art described in the book by illustrations of lines and figures, which are reproduced in practice in the application of the art, makes no difference. Those illustrations are the mere language employed by the author to convey his ideas more clearly. Had he used words of description instead of diagrams (which merely stand in the place of words), there could not be the slightest doubt that others, applying the art to practical use, might lawfully draw the lines and diagrams which were in the author's mind and which he thus described by words in his book.

The further illustration is given that if a man wants to write a treatise on a certain remedy he outlines the remedy and may copyright his description, but if he wants to preserve the formula he has to patent the formula and specify in his patent the ingredients that go into it.

So a copyright and a patent do not always run parallel in these things. Copyrights cover one thing, and the fact that the author of an architectural work sets out in his description a certain way for doing a thing does not prevent other architects from using the same lines unless we enact this bill and throw the whole situation in this country into confusion without a rudder or compass so no one will know where he is going and no one will know what to depend upon.

Mr. LAGUARDIA. Mr. Chairman, I move to strike out the last word.

The gentleman from Mississippi [Mr. BUSBY] unintentionally, I am sure, is leaving a wrong impression as to the effect of section 8 to which reference has been made. Why, gentlemen, just read section 8. It is a complete answer to what the gentleman from Mississippi has said.

Mr. BUSBY. If the gentleman will yield, I did not intend to discuss section 8.

Mr. LAGUARDIA. "The copyright of a work of architecture shall cover only," what?—

Its artistic character and its design and shall not extend to processes or methods of construction, nor shall it prevent the making, exhibiting, or publishing of photographs, motion pictures, paintings, or other illustrations thereof.

Why, gentlemen, the section is replete with negatives which answer every specific inquiry that has been made on the subject.

Mr. BLOOM. That is the law now.

Mr. LAGUARDIA. Yes.

Mr. BLOOM. I have the law before me and you can do the same thing under present law.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

Mr. VESTAL. Mr. Chairman, I offer another committee amendment, which I send to the desk.

The CHAIRMAN. The gentleman from Indiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment offered by Mr. VESTAL: Page 12, line 10, after the word "of," insert the letter "a," and in line 11 change the word "officers" to "officer."

The committee amendment was agreed to.

The Clerk read as follows:

TERM OF COPYRIGHT PROTECTION

SEC. 12. The term for which copyright is secured by this act shall be for the life of the author, if living, and for a period of 50 years after his death, except that where the author is not an individual, the term shall be 50 years from the date of completion of the creation of the work; and except that in the case of a work by joint authors the copyright shall terminate at the expiration of 50 years from the date of the death of the joint author who first dies, or shall exist during the life of the author who dies last, whichever period is longer: *Provided*, That where the work is based in whole or in part upon a previously existing work in which a longer copyright term may endure, then the copyright in said work shall endure for a term equal to that of said previously existing work, or for the term of 50 years aforesaid, whichever term is longer: *Provided further*, That the term of copyright shall not in any case exceed the term granted in the country of the origin of the work.

Mr. O'CONNOR of New York. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. O'CONNOR of New York: On page 12, line 17, after the figures "12," strike out all of the section and insert:

"That the copyright secured by this act shall endure for 28 years from the date of first publication whether the copyrighted work bears the author's true name or is published anonymously or under an assumed name: *Provided*, That in the case of any posthumous work or of any periodical, cyclopedic or other composite work upon which the copyright was originally secured by the proprietor thereof, or of any work copyrighted by a corporate body (otherwise than as assignee or licensee of the individual author), or by an employer for whom such work is made for hire, the proprietor of such copyright shall be entitled to a renewal and extension of the copyright in such work for the term of 28 years when application for such renewal and extension shall have been made to the Copyright Office and duly registered therein within 1 year prior to the expiration of the original term of copyright: *And provided further*, That in the case of any other copyrighted work, including a contribution by an individual author to a periodical or to a cyclopedic or other composite work, when such contribution has been separately registered, the author of such work if still living, or the widow, widower, or children of the author if the author be not living, or if such author, widow, widower, or children be not living, then the author's executors or, in the absence of a will, his next of kin, shall be entitled to a renewal and extension of the copyright in such work for a further term of 28 years when application for such renewal and extension shall have been made to the Copyright Office and duly registered therein within 1 year prior to the expiration of the original term of copyright: *And provided further*, That in default of the registration of such application for renewal and extension, the copyright in any work shall determine at the expiration of 28 years from first publication."

Mr. O'CONNOR of New York. Mr. Chairman, ladies and gentlemen of the committee, the amendment which I have offered is the exact language of the existing law. I propose to continue it instead of adopting this new provision as to the life of the copyright.

When this bill was brought before the House under a special rule of the Rules Committee, of which I am a member, on June 12, 1930, I called the attention of the House to what I believe is a most unusual and what might well be called a very questionable provision in this bill.

This bill as a whole may be necessary and good law, but I desire to call to the attention of the Members of the House, and particularly to the lawyers of this body, the provision in new section 12 which would give to a copyright owner sole, exclusive, and monopolistic rights to and in his production not only for his entire lifetime but for 50 years after. Such a provision is an innovation, to say the least. Such a period may total as much as 125 years. I wonder that the zealous advocates of this measure in the enthusiastic committee reporting it did not add "the period of gestation," which is usually included in laws relating to perpetuities. [Laughter.]

The Constitution of the United States, in Article I, clause 8, provides:

The Congress shall have power * * * to promote the progress of science and useful arts by securing for limited times to authors and inventors the exclusive right to their writings and discoveries.

In a number of cases it has been held that this power of Congress is confined to "useful arts" and "science," as mentioned in the Constitution. One might wonder if these "jazz songs" are either "science" or "useful art." The cases also hold that the primary consideration is the public interest—that the public may some day within "limited times" have free access to and use of these works of art and science. Would the duration of the world plus 50 years be a "limited time"?

Under the present law the public pay royalties on copyrights for a permitted total of 56 years. Now it is proposed to be extended to possibly 125 years or even a longer period of time. Why?

Ladies and gentlemen, you have heard, and will hear, a great deal about the imperative necessity of our Nation joining, before August of this year, the International Copyright Union, or what is sometimes called the Berne convention. It would seem that the fate of this country hung upon whether or not we pass this legislation so that we might enter that foreign union. In other words, the American Congress is being pushed to-day to pass legislation in accord—and almost verbatim—with the copyright laws of other countries. The only real reason that will be given for the rush is that if you do not extend the period of the life of the copyright we can not join this foreign union.

The other countries demand that we pass this legislation before they will take us into their "League of Nations" or whatever you care to call it. One might suggest we surrender our seats here and let the members of parliament of Berne, Berlin, and Rome enact this legislation.

For years I have listened to the arguments before the Rules Committee in behalf of this bill. It has been tossed around this House for eight or nine years. Up to last June, no one dreamed it had a chance of being considered seriously. As has been said here to-day, there has been probably more organized propaganda behind it than on any other bill except possibly a few exceptions. Of course, the women and the grocers and butchers who have written in its behalf do not comprehend its provisions.

Mr. COCHRAN of Missouri. Most Members of Congress do not know what it is about.

Mr. O'CONNOR of New York. Yes; probably not a dozen Members of Congress understand it, so highly technical are its provisions. It is natural that a revision of the general copyright be brought before Congress, say, once in a generation. But practically every argument I have heard pleading for the immediate passage of this legislation has referred to the dire need of our joining the Berne convention, and at once. It is called "emergency" legislation.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. O'CONNOR of New York. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. O'CONNOR of New York. I desire to submit to the Members of this House that any proposition to make the public pay royalties and deprive them of the free access to the inventive genius of America for such a long period of time as 125 years is a direct and unprecedented violation at least of the spirit of the Constitution, if it is not an illegal and invalid proposal in contravention of the provisions of the Constitution.

It has been said here to-day that copyrights and patents are not monopolies. Why, ladies and gentlemen, they are among the few monopolies recognized or permitted by our Government. Such an exclusive privilege as is given the patentee or copyright owner would not be legally possible were it not for the constitutional provisions and special legislation. Where will you find, for instance, in our laws relating to restraints on alienation of property, where will you find in our other laws relating to property rights or

privileges and such, tie-up and complete exclusive control for so long and definite period of time?

I submit that while the bill may be all right, as a whole, this provision as to the term of the copyright is its big, pernicious feature. My amendment restores the old law as it exists to-day. That law protects the copyright owner for a term of 28 years with the right to a renewal for another 28 years. Who should ask more? My amendment should be adopted, whether the countries across the Atlantic like it or not. We should continue to enact our own legislation without any dictation from abroad.

Mr. LANHAM. Mr. Chairman, I rise in opposition to the amendment. This is a feature of this bill about which there has been very much discussion and very much misunderstanding. I fear that even my good friend from New York [Mr. O'CONNOR] has misunderstood it somewhat He seems to predicate his opposition on two things, principally. First, that we must extend this term in order to get into the Berne convention. As a matter of fact, that is altogether unnecessary, because the length of term is not one of the requisites of entry into the Berne convention, and this section has nothing to do with the Berne convention or our eligibility to enter it. His other argument is that the public is going to pay a royalty for all these years. I think as a matter of fact, that this amendment is in the interest of the public financially, in the interest of the book buyer, and I think I can show you why. That arises out of the economy of a single printing, and I will show you what I mean by that. If you go down to the book-selling stores to-day you can find many modern and relatively recently copyrighted editions for sale for $1 each. Take Famous Trials of History, written by a great English jurist; take Wells's Outline of History; you can buy them for $1 each, but when you try to buy a similar edition of Benvenuto Cellini, or, coming down even to the days of Emerson's Essays or Thoreau's works, or most of the early writers of our country, you have to pay more than a dollar for each of them, although these works have long since passed into the public domain. Why? When they have gone into the public domain, any book-printing house may print and sell them, and the public has to pay for those many printings.

Why can you buy Wells's Outline of History for a dollar—a recently copyrighted book? It is because the MacMillan Co. has the sole right to print that book throughout the length of the term of the copyright, and by reason of that fact the book is printed but one time, and the initial and great cost of putting a book on the market is in the first printing. One company has control of it and you get the economy of a single printing. That is the reason you can buy to-day books that were recently copyrighted much more cheaply than you can buy many similar editions of books that have been in the public domain for a hundred or a thousand years.

Why extend this term to life and 50 years after death? I believe that the American author is entitled to just as much protection as any author in the world. I believe that the creative genius of this country has as much right to be fostered as the creative genius of any country in the world. This term of life and 50 years is the standard one throughout the world. Forty civilized countries are using it.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. LANHAM. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LANHAM. The exceptions which I now recall are Spain with 80 years, and Germany with 30 years. Why should not the American author be given the right abroad to sell his books with the same opportunity that the foreign author has? Why should we restrict his privilege? This is simply an effort to write into the law what is the standard world opinion to-day in the matter of copyrighted works. Let us suppose that we should pass away and leave to our children houses and lots. How long ought they to be allowed to take the income from those houses and lots? Is there any gentleman on the floor of this House who would rise and say that 50 years after he died, his children ought not to get any more income from his houses and lots? Why, just as long as they can rent them, you want those children who succeed you to have the right to enjoy the benefit that you gave them.

Mr. O'CONNOR of New York. The gentleman realizes, I am sure, that he is talking about property rights which have endured from the beginning of the world, as against copyright, which is a mere privilege or right from the Government, and not an inherent right at all.

Mr. LANHAM. Oh, the gentleman overlooks the fact that it has been judicially determined that copyrights are property rights. They are the creation of a man's brain instead of the creation of a man's hands, and they are entitled to protection. If one man labors all of his life in the commercial field and is thereby enabled to leave to his family houses and lots, and another man labors all of his life in the creative field, in literature or art, or music, or whatever it may be, and leaves to his children his copyrights, shall we say that the descendants of one man may enjoy the returns from his property forever, but hesitate to say that the descendants of the other man may enjoy the fruits of his ancestor's labors for 50 years after his death? Why discriminate so radically between the efforts of men who work in different fields?

One trouble in this country is that we spend so much of our time on the floor of this House and elsewhere in trying to protect the commercial interests of the country, looking to industry, looking to the financial things, while we let the creative, the cultural, and the esthetic wane and die, and in this connection I quote again those oft-spoken words of Goldsmith:

> Ill fares the land, to hastening ills a prey
> Where wealth accumulates and men decay.

Surely we are not asking too much for the American author when we say give him the same right that the other authors of the world are given in their respective countries. [Applause.]

Mr. O'CONNOR of New York. Mr. Chairman, will the gentleman yield?

Mr. LANHAM. Yes.

Mr. O'CONNOR of New York. The gentleman will admit that there would not be any such right at all except by virtue of our Constitution to protect the author.

Mr. LANHAM. That is true.

Mr. O'CONNOR of New York. Will the gentleman give the House some idea of what he thinks would be a limit of time within the provisions of the Constitution? In other words, how far would his committee dare to go in extending this right?

Mr. LANHAM. According to law, that is certain which may be made certain, and anything is limited which has a time fixed for a beginning and for an ending. This has a time fixed for the beginning, the creation of the work, and an ending, 50 years from the death of the author. That is certainly limited. If it is not limited, my friends, then practically all of the civilized world is enjoying in literary and esthetic and cultural lines an unlimited privilege.

Let me call to your attention the fact that to-day you are paying $5.50 at the box office in New York City and $7 at the ticket-selling agencies to see Lysistrata written by Aristophanes. You can go to plays and musical comedies that are successes, that were written last year or the year before, modern copyrights, and buy your ticket for a great deal less than that. How much of that money goes to Aristophanes?

Mr. LaGUARDIA. Will the gentleman yield?

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BUSBY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman and members of the committee, the gentleman from Texas is a very fluent speaker. I am always impressed with the indifference with which he waves aside a good argument made by somebody like the gentleman from New York or anybody else. He comes out and at once admits there is nothing to any argument that is not on his

side of the question, and he is like an old man in the community where I resided at one time, there was nobody but him and God who was certain to be right all the time.

My friend from Texas sweeps aside everything but his contention. I am going to show you in a few minutes what I think of some of the points he advances.

A New York publisher came to my office and brought a copy of Well's Outline of History and he brought the other book mentioned by the gentleman from Texas. They sell for $1 each. I paid $5 for the same book by Wells, but this publisher explains the reason he is selling these books now at a dollar. It is because they have sold all the $5 customers and the book has gone stale. They have the paper and the plates——

Mr. LANHAM. Will the gentleman yield?

Mr. BUSBY. No; I do not yield.

Mr. LANHAM. Would that not be true regardless of the length of time of the copyright?

Mr. BUSBY. The reason they are $1 now is because the publishers are catching the dollar customers, and the gentleman from Texas can not deny it.

Mr. LANHAM. Will the gentleman let me say in that regard——

Mr. BUSBY. I will yield.

Mr. LANHAM. The copyrights have not expired, of course, on any book that is printed, whether it is 28 years or 50 years, and you are going to catch the $5 customers first.

Mr. BUSBY. Is that all the gentleman wishes to say?

Mr. LANHAM. I mean to say it has nothing to do with the term of copyright.

Mr. BUSBY. It has a lot to do with the price. They sold up the $5 customers until they were all gone; they have the plates and the ink and the workmen and they turn these books out at a cost of a very few cents, then catch the next trade, which is the dollar trade, and that is the only reason for the reduction in price.

Now, as to the next proposition. You have all received a great many letters regarding this "50 years after the death of the author" provision, the term for which the copyright shall run. Many of those letters came from members of the Christian Science Church. I have a very high regard for the Christian Science Church and a very high regard for many of the members of that church, but they have been misled into asking you to maintain a monopoly on the textbook of their religion so that the publishing house that controls the publication of that may extend the copyright. Now, what is the situation? On June 4, 1875, Mrs. Mary Baker Glover, at that time, first copyrighted Science and Health With a Key to the Scriptures. In 1902 she extended that copyright. In 1917 the copyright was still extended for the remainder of the 56 years by Eddie Foster, a kinsman. The 56 years will expire on that copyright on the 4th day of June, 1931. So the publishing house writes to all parties, "Write your Congressmen reams of letters, lobby on the floor of Congress, do anything else you can to get the monopoly of the Christian Science Textbook extended not until June 4, 1931," which makes 56 years, but "50 years after the death of the author."

The author died on the 3d of December, 1910, and 50 years added to that will make it the 3d of December, 1960, that this monopoly will continue, instead of June 4, 1931, which was the original contract. Now, is not that a peculiar way to enact legislation, to bow down before a lot of letters written without any knowledge of the bill that come here just because they have a constituent's name signed to them? They do not understand that they are sealing up the source of distribution for the textbook of their religion. They are making it difficult for anybody to secure a copy of that textbook and thereby prevent the spread of the doctrines that they preach and teach to us. I do not think that kind of motive ought to be countenanced, and I do not think it will control many Members of this House.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. BUSBY. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. BUSBY. Now I want to say something about the other copyright law. A great deal has been said about the rights in foreign countries, and you applauded the gentleman from Texas, who speaks very smoothly on all occasions and eases over the rough places in such way so that we are all attracted to his argument.

In England the copyright period is 50 years after the death of the author. But after 25 years of that 50 years have expired, then any publisher can give notice to the copyright holder that he proposes to publish that work. He says, "You have had 25 years' exclusive control over it. During the next 25 years the public domain shall have some look in on the benefits that have been given to the world by your production. We will publish that and we will pay you a royalty on the common sale price for a period of time."

Now what is this situation in other countries? If it were applied to our own copyright act we would be in much better shape than we are now. Are we going to turn these copyright holders in to work on the American public under this International Copyright Union in a way that our authors can not go to foreign countries and deal with their people? Do you think it is fair that we should give them a greater advantage than they give to our authors?

Mr. BLOOM. Will the gentleman yield?

Mr. BUSBY. Yes; I yield for a question.

Mr. BLOOM. There is no difference in the Berne convention, which, of course, has nothing to do with this bill or this section, but whatever we give to them they give to us. Is not that right. In other words, if we give them 50 years they give us 50 years?

Mr. BUSBY. No. I can not yield further, but I will read it from the Rome convention, which is supposed to be the last revised effort of the United Copyright Holders of the World.

Mr. BLOOM. What section, please?

Mr. BUSBY. Section 7:

> The duration of the protection granted by the present convention comprises the life of the author and 50 years after his death. In case this period of protection, however, should not be adopted uniformly by all the countries of the union, its duration shall be regulated by the law of the country where protection is claimed, and it can not exceed the term fixed in the country of origin of the work. The countries of the union will consequently not be required to apply the provision of the preceding paragraph beyond the extent to which it agrees with their domestic law.

So you may give them everything, but our authors can not get anything more than the general law of the land provides.

Mr. BLOOM. Will the gentleman stand a correction? I do not think that article 7, which the gentleman read, is from the Rome convention. I have it here.

Mr. BUSBY. The trouble with the gentleman from New York is that he has one copy written in French and one in English, and he is trying to read the one in French, but he does not fully understand it. [Laughter and applause.] Now, may I proceed?

Mr. BLOOM. Will the gentleman allow a correction?

Mr. BUSBY. Not just now.

Mr. BLOOM. Just to correct the gentleman.

The CHAIRMAN. The gentleman declines to yield.

Mr. BEEDY. May I ask the gentleman a question?

Mr. BUSBY. Yes.

Mr. BEEDY. The gentleman has read to us what he says is an authentic copy of the last Rome convention. Is it?

Mr. BUSBY. Yes. It comes from the Library of Congress and it is certified.

Mr. BEEDY. What is the date of it?

Mr. BUSBY. The date of it is the 2d of June, 1928.

Mr. BEEDY. Have there been any subsequent conventions?

Mr. BUSBY. No.

Mr. BEEDY. The gentleman from New York has one bearing that same date.

Mr. BLOOM. I have the original convention.





Mr. BEEDY. The committee would like to know what that one is.

Mr. BUSBY. This is absolutely right and there is no question about it. I will be very glad to pass it over to the gentleman.

The CHAIRMAN. The time of the gentleman from Mississippi has again expired.

Mr. VESTAL. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 20 minutes.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that all debate on this section and all amendments thereto close in 20 minutes. Is there objection?

There was no objection.

Mr. BEEDY. Mr. Chairman, I rise in opposition to the amendment. Mr. Chairman and members of the committee, I have been unable to arouse in myself any feeling of alarm at the proposal to incorporate into law the protection of a man in his right for 50 years to the thoughts which he gives the world. At the outset, I think we ought to disabuse ourselves of the idea that there is anything of a monopolistic nature in a copyright. Possibly I may be able to help the committee see that there is a fundamental distinction between an invention and a copyright. When a man is granted a patent by the Government he has the exclusive control of that which his genius has produced. No additional rights can be obtained unless the original inventor or some other person perfects an improvement upon the original idea. An invention may be truly said to savor of monopoly. But not so in the case of a copyright. Again and again one man has conceived an idea; clothed that idea in language, and given it to the world; a generation goes by, and another person, unfamiliar with the fact that a man now gone had conceived a certain idea and had it published in book form, also conceives the same idea. The second individual also gives the thought to the world in book form. The first man could have had a copyright. Let us assume that the second man, with precisely the same idea, can prove that he did not know of the existence of the original book. He can come before a court and say, "This was my idea; I expressed it in my own way, and I ask for a copyright." He can have it. There is nothing in the nature of a copyright that can be said to savor of monopoly. Let us understand this once and for all.

The whole aim and purpose of copyright law is to protect the thoughts of man which he can give to the world either in language, in music, or in art. I myself can not see any reason why this great country of ours which, considering the years of its life, may be said to have given the world its fair share of the fruits of artistic and literary genius, should not protect its people of genius for the same term of years which the experience of older nations has proved to be wise.

I think nobody here should say that this country ought not to protect its people in the right to give the benefit of their thoughts to their heirs or vendees for at least the limited period of time set out in this bill. I subscribe heartily to the proposal to extend the period of protection for a term of years which coincides with the term of years which the experience of mankind in general has proved to be wise and fair. [Applause.]

Mr. CLARK of Maryland. Will the gentleman yield?

Mr. BEEDY. Yes; I yield.

Mr. CLARK of Maryland. I would say to the gentleman that what concerns me most about this section is whether the protection really goes to the producer, as the gentleman has said, or to the publisher. In other words, how many productions are really owned by the producer 28 years after their creation?

Mr. BEEDY. Of course, about all we can do is to give a man his original protection in that which he creates. If he is unable to perceive that it may be of such merit as would insure its life for 50 years and parts with it for a modest sum, that is his lookout. If a vendee of the author or original producer finds that the years have added value to his purchase, he may sell it again at an added price, and thus he and his vendee are protected. I see no objection to that.

Mr. CLARK of Maryland. But, as a matter of fact, does the gentleman know about what percentage of productions are still owned by the producers after 28 years?

Mr. BEEDY. I do not. But, if the gentleman will pardon me, as a matter of fact I was listening to a suggestion given me by the gentleman from Illinois [Mr. CHIPERFIELD], who is sitting in front of me, namely, that the author or original producer ought to be able to realize the value of that which he leaves behind as measured, for one thing, by the term of years within which his rights are protected by law. A right protected for 50 years after his death would naturally be worth more than one protected for only 28 years or 56 years.

The CHAIRMAN. The time of the gentleman from Maine has expired.

Mr. BLOOM. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I would like to explain just what the 28-year term means to the author and to the publisher.

I am going to give you real facts taken from a concrete case that happened in the last two or three weeks. A publisher secures a 28-year copyright. At the end of the twenty-seventh year some one is compelled to write to the register of copyrights in Washington and tell him that he wants to extend the time for 28 years; in other words, he wants a renewal.

Now, if I should write compositions and I should die and leave to my widow and my children only the income from these different compositions, remember that I must know the law and write to the register in Washington that I want to extend the term of the copyright. If I do not do this the Government takes away from me the only thing I have from which I may get an income to live; and for what purpose? Who benefits by it? It is my property or my widow's property, and if you are going to give such a right, whether it is a grant for 56 years or 28 years, or whatever the time may be, give this right at one time, and do not give it with a string attached or with formalities of various kinds attached.

Mr. CLARK of Maryland. Will the gentleman yield?

Mr. BLOOM. Yes.

Mr. CLARK of Maryland. Does the gentleman know what percentage of productions to-day are owned by the producers?

Mr. BLOOM. I am going to answer that question if the gentleman will first let me finish the thought I have in mind.

The Berne convention contains various provisions, and, remember, it is not a copyright convention. The word "copyright" in all the years that the Berne convention has been in existence has never been mentioned at any of the conferences. It is a convention for the protection of literary and artistic works or properties. It has nothing to do with copyrights. It is trying to do what we are trying to do to-day. It is trying to protect the author or the creator of these works and has nothing to do with anything else. The word "copyright" was invented in this country, and in no other country do they use it, with the exception of England.

Mr. Chairman, the correct idea is that whatever we give to them they give to us. If we give them a term of copyright of 10 years, they give us the same thing. If we give a copyright for 28 years, they give that to us. If we give a copyright for 50 years after the death of the author, then they give us the same thing.

We are receiving more in this way than we are giving, because to-day the number of people represented by the Berne convention is at least one billion. So please do not get the idea that we are doing something here in order to give them something. For 50 years we have been trying to enter the Berne convention. It was started 50 years ago by President Cleveland. It was recommended by President Cleveland in a

special message to this Congress, and it was also recommended by President Roosevelt in a special message to the Congress.

I was over there in 1928 and I stayed there all the time with Ambassador Fletcher, and I would like to read you a letter showing what Ambassador Fletcher has said with reference to entering this convention.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. BLOOM. Mr. Chairman, may I ask for five minutes more?

Mr. STAFFORD. Mr. Chairman, I would like to be recognized.

Mr. BLOOM. Then, Mr. Chairman, may I ask unanimous consent to proceed for two additional minutes?

Mr. STAFFORD. Mr. Chairman, reserving the right to object, how much time remains?

The CHAIRMAN. The Chair will state that the time has been limited to 20 minutes. Ten minutes have been consumed by those in opposition to the amendment.

Mr. STAFFORD. If the extension requested does not prevent a 5-minute speech in support of the amendment, I have no objection, but I would like to have some Member have five minutes in support of the amendment.

Mr. LUCE. Mr. Chairman, the time being so restricted, I am sorry to say that I shall have to object.

Mr. STAFFORD. Mr. Chairman, I rise in support of the amendment. There is no difference between an invention and a copyright. An inventor invents a device or process and then sells it to the public on a royalty. The author conceives something and then sells it to a publishing house on a royalty basis. So both are monopolistic in character. The Constitution so recognizes it and places both in the same category and prescribes that these privileges shall be for a limited time.

The gentleman from Texas seeks by sophistry to lead the House to believe that there is a difference. The Merriam Co., that publishes Webster's Dictionary—if the original copyright had not expired on the earlier editions would prevent other publishers from printing these editions which sell for $1.50 and $2, instead of the late editions that they sell at from $4 to $7. Let me call attention to the editions of English novels printed for Christmas gifts—Vanity Fair, David Copperfield, all of Dickens's works—where the term of the copyright has expired and any publishing house has the right to publish them according to the demand and sell them at popular prices without the payment of royalty to publishers or to the heirs or estate of the deceased author.

Now this is the very crux of the matter. This amendment does not in any wise affect our joining the Berne convention, It only says that we shall prescribe the time under which our own people have the right to secure a copyright.

To listen to the arguments of the gentleman from New York he would lead us to believe that the Americans are seeking some opportunity in Russia or Czechoslovakia or Yugoslavia to sell books, when we all know that all the foreign authors want is the American market of 125,000,000 people.

I protest that this is a strongly monopolistic bill which would permit a copyright of 125 years.

I am speaking for the masses. They say that the author has the inherent right to the productions of his own mind. I deny it. The Supreme Court has said that the right of devolution of property rights results entirely from legislation, and so in this matter it is for the Congress to determine how long we will give the author a monopolistic right to control his publication.

I say that we have prospered well under existing law, with a right to the monopoly for 28 years and a renewal of 28 years. Stick to it so that the general public may have the right to these publications when the period of copyright has expired. We know that the publishing houses generally and not the authors control the copyright. It is the publishing houses that want an absolute monopoly for 100 years or more. The benefits of this monopolistic privilege will go to the publishing houses and the public will be compelled for generations to pay a tribute to the extent of what the public is willing to pay for the book or composition.

Mr. LANHAM. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. LANHAM. I call the attention of the gentleman to the fact that the rights of the publishing houses are restricted rather than enlarged.

Mr. STAFFORD. They are enlarged by a term of 75 years longer under the provisions of this bill. That is why the publishing houses want it, and that is why they are back of it. They want this eternal privilege. I am not in favor of granting this monopolistic privilege to any publishing house, no matter how good the creation is, whether it be Shakespeare of Bunyan, or whatever it may be.

To-day the public generally has been profiting after the expiration of the 56-year term. Why should we take away that right of the public and postpone it so that the present generation and future generations shall never get the benefit of some of these popular works, other than at the price fixed by the exclusive publisher? The rights of the public should be considered. Tribute should not be paid for a century and more.

Mr. LUCE. I rise in opposition to the amendment. First, I repeat in substance what I said in the debate upon this matter last June. My personal interest in it is negligible, because no copyright of mine will ever be invaded by any publisher anywhere.

I am chiefly encouraged and inspired to take part in the debate through the fact that I have been brought into close association with Thorvald Solberg, who through the greater part of his active life had been register of copyrights, until he retired last spring, a man who probably knows more about the subject than any other human being in all the world. Our joining the International Copyright Union has been very close to his heart. He has labored for this in season and out of season; he has likewise labored to perfect the copyright law; and to him more than to anybody else is due the measure that is before us to-day. I bespeak of you respect for the judgment of this man, who knows more about this subject than any other living being. I also bespeak from you respect for the work of this committee. This is a long, technical bill.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. LUCE. I regret that I have not the time.

Mr. STAFFORD. I want to cite Mr. Solberg in opposition to that.

Mr. LUCE. The committee has labored long and earnestly over a difficult, technical proposition, which it is impossible to explain in full on the floor of the House. After a somewhat lengthy legislative experience, I feel warranted under such circumstances in advising every Member here to pay respect to the judgment of the committee that knows what it has brought before you, and to assume that, at least prima facie, it is right in its positions and its contentions. Remember, it is quite possible by many amendments to becloud an issue so that there will be doubt and hesitation on every hand. Let that not blind us to the nature of the main question here presented: Shall we join the International Copyright Union? For that alone the support of the bill would be worth while.

The gentleman from New York [Mr. O'CONNOR] asked if there is any other reason to vote for this particular section than the desire to join the International Copyright Union. I tell him yes. There is the desire to do equal justice by every man in this country—to allow the man who creates and who puts on paper the fruits of his creation to enjoy the profits of his labors, just as in the case of every other man who toils.

Mr. CLARK of Maryland. Mr. Chairman, will the gentleman yield?

Mr. LUCE. I have not the time. It is rightly said that the Constitution contemplates a "limited" period. The immediate issue is whether that limit shall be 56 years, as it is now, or a limit with an addition of 10 or 15 years on the average, in order to correspond with the views entertained by the rest of the world. That is the only issue at

the moment—an addition of 10 or 15 years on the average. Yet gentlemen talk about monopoly. I own a house. Have I a "monopoly" in that house? May I not enjoy that house during my lifetime without being labeled a monopolist? May my heirs not enjoy it after I am gone? All I ask for myself and for all others who labor with the pen is the right to the fruit of labor for a reasonable period. That reasonable period heretofore has been held to be 56 years. Is it necessary to say that 65 years or 70 years is outrageously long? Shall we let an addition of 12 or 15 years to the time at present specified wreck this whole bill and so destroy the arduous and long-protracted work of this committee? Shall we thwart the cherished hope of Mr. Solberg, who has brought here the benefits of his years of experience? I say no. I say that such a petty extension of ownership does not justify throwing at those of our people who choose to work with their brains the epithet, "monopolist." You would deny to no artisan, no carpenter, no mechanic, the fruit of the labor of his hands. Why deny the fruits of his labor to a man who works with his brain and gives hours, months, years of toil and study in an attempt to be in that way of service to his fellow men? Why vote that his children may late in life go penniless because some man has risen on the floor of this House and said that an extension of 12 or 15 years is monopolistic and outrageous?

The CHAIRMAN. The time of the gentleman from Massachusetts has expired. All time has expired. The question is on the amendment offered by the gentleman from New York.

The question was taken; and on a division (demanded by Mr. STAFFORD) there were—ayes 14, noes 71.

So the amendment was rejected.

Mr. STAFFORD. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 12, beginning with line 17, strike out all of the remainder of page 12 and in line 1 on page 13 down to the colon and insert in lieu thereof the following: "The term for which copyright is secured by this act shall be for the life of the author, and if he dies within 50 years from the date of completion of the creation of the work, then thereafter for a period of time to equal a term of 50 years from said date of completion, except that where the author is not an individual, the term shall be 50 years from the date of the completion of the creation of the work; and except that in the case of a work by joint authors, the copyright shall terminate at the date of the death of the joint author who dies first, unless he shall die within 50 years from the date of the completion of the creation of the work, in which event it is to terminate upon the expiration of 50 years from said date of completion of the creation of the work."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

Mr. STAFFORD. Mr. Chairman, I understand that debate is exhausted.

The CHAIRMAN. Debate is closed. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment was rejected.

ENGLAND, ARK.

Mr. PARKS. Mr. Chairman, I ask unanimous consent that my colleague from Arkansas [Mrs. OLDFIELD] be permitted to proceed for five minutes out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mrs. OLDFIELD. Mr. Chairman, ladies, and gentlemen, in view of the fact that a number of Members of this House and many on the outside have asked me if conditions in my State are really as serious as have been reported, I want to say that the situation is distressing and most grave, with cold, sickness, and actual starvation present in many sections. I know that you do not understand that the situation is as serious as it is. No one on the outside can understand how such ordinarily energetic and thrifty people could have reached that condition, but our people have suffered a repetition of disasters since the 1927 flood and they have become penniless by the thousands. I am sure you will agree with me that it is a national disgrace to permit any of our people to continue to suffer hunger in this land of plenty, but such is the case now in Arkansas, and something must be done and at once not only to save the people of Arkansas but to save our national honor also.

Some Members object to passing the $15,000,000 appropriation for food. They call it the dole system. Under ordinary conditions I also would oppose it, but under ordinary conditions Arkansas would not be compelled to make the appeal, but this is an extraordinary situation, and I feel that the end sought to be accomplished justifies any honorable means. We should act speedily on the Caraway amendment, as it may take a long time to get relief through the Red Cross by individual contributions.

There is no communism with us in Arkansas, I am proud to state. It is a matter of record that Arkansas has as few foreign-born citizens as any other State in the Union. They are truly and purely American, proud, long suffering, and forbearing, but please describe for me, if you can, the character of an individual classified as a man who would not call for aid when his babies are crying for bread. I have received letters from reliable sources stating that babies are being fed on turnips and turnip greens and without much seasoning. It makes me truly sick at heart to read from day to day of the terrible conditions in my home State, so I am making this appeal to you for prompt action in providing food to sustain life of the suffering thousands in Arkansas.

No one can accuse me of attempting to play politics. My only interest is the broad, unselfish, humanitarian interest that I know we all have when the facts are fully understood. I care not how the situation is met, but it must be alleviated, and that most speedily, otherwise disease and actual starvation will promptly remove the necessity for a delayed futile gesture. You may say, possibly, there are a few isolated cases, but I assure you that suffering is now general in my State. It has been said that the Red Cross is amply prepared and is now taking care of the needy. Do you think 2 cents per meal is enough to furnish sufficient food of any kind to sustain life and guard the health? This is the amount the Red Cross is furnishing per meal for each person. The Red Cross has stated it has not sufficient funds to give more, and I want to say in this connection that I am delighted that the President has made an appeal for contributions to the Red Cross for this purpose. While we have been sitting here idle and ignoring the plea for assistance for food thousands and thousands have been growing weaker day by day from hunger. Whether it is necessary to appeal for relief for the North, South, East, or West, I know that our people throughout the Nation will never stop to consider the mere location. They have never done so in a matter of this nature and I know they will respond in this instance.

COPYRIGHT LAW

The Clerk read as follows:

SEC. 13. In the case of any posthumous work, such period shall be 50 years from the date of the death of the author.

Mr. BUSBY. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman of the committee what beneficial purpose this section serves?

Mr. VESTAL. It does not serve any. I am willing for it to go out. It is redundancy.

Mr. BUSBY. I move that the section be stricken out.

The CHAIRMAN. The gentleman from Mississippi [Mr. BUSBY] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. BUSBY: Beginning in line 9, page 13, strike out all of section 13.

The amendment was agreed to.

The Clerk read as follows:

SEC. 14. The copyright subsisting in any work when this act goes into effect shall be continued at the end of the subsisting term until the expiration of 50 years beyond the author's death, and such continuation of the copyright to the extent of any extension over and above the term of 28 years subsisting on the date when this act takes effect and any renewal thereof registered prior to said date shall vest in the following persons: (a) If an application for renewal of the copyright shall have been duly registered prior to the date when this act takes effect, then such continuation shall vest in the person or persons who under the act heretofore in force were entitled to said renewal and extension of the copyright in such work; and (b) in all other cases such

continuation shall vest in the author, if living, and if the author be not living, then in the author's executors or testamentary trustees, as the case may be, or, if there be no such executors or trustees, in a duly appointed administrator with the will annexed, and, in the absence of a will, then in the administrators or other legal representatives of said author's estate: *Provided*, That where, prior to the date when this act takes effect, the author or, if he be not living, the person or persons who upon his death became entitled thereto shall have parted with any or all of the author's rights for the first term under the act heretofore in force, and shall have agreed to part therewith or shall have parted therewith for the renewal term under said act, on a royalty basis, the assignee or licensee of such right or rights shall be entitled thereto throughout the full term provided by this act, upon condition that he pay royalties at the agreed rate and in the agreed manner to the author, if living, or if dead, to the person or persons in whom the continuation of the copyright shall vest as above specified, during the full term provided by this act; but this proviso shall not apply unless the said assignee or licensee shall have substantially fulfilled his contract with said author and/or with the person or persons (if any) who succeeded to said author's rights: *Provided further*, That where, prior to the date when this act takes effect, there has been an outright purchase of any right or rights (for a lump sum paid and not on royalty) for said first term and the author or, if he be not living, the person or persons who upon his death became entitled thereto have agreed to part therewith or have parted therewith for said renewal term, the assignee or licensee of such right or rights shall be entitled thereto throughout the remainder of the term provided by this act upon performance by him of such conditions as may be determined by an agreement between the purchaser and the author, if he be living, or his assignees or representatives, if he be dead, entered into at least six months before the expiration of the subsisting term, or, in the absence of such agreement, as may be determined by a court of competent jurisdiction, as justice may require: *Provided further*, That in the case of any work the subsisting copyright of which was first secured by an employer for whom such work was made for hire or by a corporate body (otherwise than as assignee or licensee of the individual author) the copyright shall terminate 56 years from the date of first publication.

Mr. VESTAL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Indiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. VESTAL: On page 13, line 15, strike out the words "death and such" and insert the following: "death: *Provided*, That in no case shall copyright terminate before the expiration of 56 years from the date of first publication. Such."

Mr. VESTAL. This is simply not to lessen the term of copyright in existence under 56 years.

Mr. STAFFORD. As I understand the phraseology of this bill, where an author has taken out a copyright and he is still living, though 50 years have expired, he is entitled, under the provisions of this act, to another 50 years?

Mr. VESTAL. Fifty years from the date of the death of the copyright owner.

Mr. STAFFORD. Even though the original 50 years have expired?

Mr. VESTAL. Oh, no. We do not revive any work that is in the public domain; but any copyright that is in existence now we extend that copyright 56 years from the death of the author.

Mr. STAFFORD. I direct the attention of the gentleman to the following language in section 12:

The term for which copyright is secured by this act shall be for the life of the author, if living.

Mr. VESTAL. Yes.

Mr. STAFFORD. I thought if any author had taken out a copyright and it had expired he would still be entitled to the remaining term during his life and 50 years beyond.

Mr. LANHAM. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. LANHAM. This amendment is to take care of those cases in which the copyright now subsisting would be shortened by the passage of this bill, when, under the copyright they have, they are allowed a longer term.

Mr. STAFFORD. How can they be shortened under the terms of this bill?

Mr. LANHAM. I will explain. Suppose a man last year copyrighted a work and he dies this year, then his copyright would extend 50 years from the date of his death, for a total of 51 years; whereas under the date under which he copyrighted it last year he would be entitled to his copyright for 56 years.

Mr. VESTAL. That is the purpose of it.

Mr. STAFFORD. I agree that the gentleman is giving every consideration to the authors and that an additional five years should certainly be provided for, otherwise it would do a grievous wrong to the author or to the publishing house.

Mr. LANHAM. It does not increase the term of the copyright that the gentleman has under existing law.

Mr. STAFFORD. I see whereby grievous wrong would be done to a publishing house if this amendment were not adopted.

Mr. SNELL. I move to strike out the last word, Mr. Chairman, for the purpose of asking the chairman a question.

I have received a letter from a constituent this morning who wants this information. He says:

This proposed law was based on the theory of automatic copyright, which means that any literary or musical work may be copyrighted by its author without registration or notice of the copyright.

He feels that such registration or notice should be given to protect people throughout the country. Will the chairman please inform me what the situation is, and whether it is covered or not, and if my understanding is correct?

Mr. VESTAL. No. It is not covered. There is no notice of copyright under the automatic copyright, but we have inserted in this bill the innocent infringement clause. While it is not necessary for anyone to register their work, they will under the innocent infringement clause practically every one register, because if they do not do it they can not get damages. That is a formality that must be waived if we are to enter the Berne convention.

Mr. SNELL. This law says they shall be subject to heavy damages if they do infringe on this.

Mr. LANHAM. Will the gentleman yield?

Mr. SNELL. I yield.

Mr. LANHAM. As a matter of fact, the practice would be for every man to put a notice of copyright on his work, if it is of any importance, because only thereby is he protected against the innocent infringer.

Mr. SNELL. Then there is no obligation or opportunity for indictment——

Mr. LANHAM. No. Because the automatic copyright law permits copyright anyway, and that formality must be dispensed with in order to enter the Berne convention.

Mr. SNELL. Then how can you bring a proceeding against an innocent offender?

Mr. LANHAM. If there is no notice of copyright, then the one who infringes anything innocently may be only charged with the proper license fee during that time, but with no damages.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. SNELL. I yield.

Mr. CHINDBLOM. But such infringer will have to show that he is an innocent infringer?

Mr. LANHAM. Oh, absolutely.

Mr. CHINDBLOM. You will put everybody to the necessity of defending a proceeding against him?

Mr. LANHAM. Why, to be sure.

Mr. CHINDBLOM. Without any notice of the copyright; without any registration or notice of the copyright you will compel every person who may be an innocent infringer to defend himself against action, unless you amend the present law.

The CHAIRMAN. The gentleman from New York has the floor. To whom does the gentleman from New York yield?

Mr. SNELL. I yield to the gentleman from Mississippi [Mr. BUSBY].

Mr. BUSBY. On page 17 of the bill, section (d), the gentleman will find this language:

In any action for infringement of copyright in any work, if defendant prove that he was not aware that he was infringing or has been subjected to fraud or substantial imposition by any third person or persons other than one of said defendant's

employees, and in either case that such defendant has acted in good faith, the plaintiff shall not be entitled to any remedy against such defendant other than to recover an amount equivalent to the fair and reasonable value of a license, but not less than $50 or more than $2,500.

Mr. SNELL. That is whether he is an innocent infringer or not?

Mr. BUSBY. This is the innocent infringer. The other is $250 to $10,000, where he knows he is an infringer.

Mr. SNELL. That is not the information I understood the gentleman from Indiana to give me.

Mr. BUSBY. I am reading from the bill.

Mr. VESTAL. The language is:

The plaintiff shall not be entitled to any remedy against such defendant other than to recover an amount equivalent to the fair and reasonable value of a license, but not less than $50 nor more than $2,500.

Of course, if it is less than $50 there will be no suit.

Mr. SNELL. The bill makes it less than $50?

Mr. VESTAL. Yes. That is as to an innocent infringer who uses some work.

Mr. SNELL. It seems to me that is quite a fine on a fellow who accidentally uses some other man's work.

Mr. STAFFORD. I would like to ask whether under the terms of this act they will also be subject to the payment of the costs and attorneys' fees?

Mr. VESTAL. No.

Mr. LANHAM. The gentleman from New York will notice that this is a great reduction over the amount specified in the present law.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. SNELL. Mr. Chairman, I ask unanimous consent to proceed for two additional minutes.

The CHAIRMAN. Without objection it is so ordered.

There was no objection.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. SNELL. Yes.

Mr. LAGUARDIA. I think this will clear it up, that in the case of an innocent infringer, of course, he has had the benefit of it. Then, as the gentleman from Indiana has stated, the party infringed against has the right to recover an amount equivalent to the fair and reasonable value.

Mr. BURTNESS. Of what?

Mr. LAGUARDIA. Of the benefit derived; but it can not exceed $2,500.

Mr. SNELL. Then they would have to have a lawsuit over it every time?

Mr. LAGUARDIA. They do now.

Mr. SNELL. So that is not any change?

Mr. VESTAL. No change at all.

Mr. CHINDBLOM. Except that now everybody can find out what is copyrighted.

Mr. SNELL. While under the new bill you can not.

Mr. CHINDBLOM. You will never know.

Mr. LAGUARDIA. How can he make a copy if he does not know? He can not create it out of the air?

Mr. SNELL. There is no proof it is copyrighted.

Mr. LAGUARDIA. No; because it is automatic; and that is absolute proof.

Mr. BLOOM. He knows it does not belong to him.

Mr. VESTAL. May I say this to the gentleman from New York: The gentleman does not have his name on his automobile, yet I know it is his and I know it is not mine without the gentleman's name being put on it. I know what is mine, and when a man goes and takes something that does not belong to him, he knows it belongs to somebody else.

Mr. SNELL. There are a great many things that are not copyrighted, are there not?

Mr. VESTAL. Certainly.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. BUSBY. Mr. Chairman and members of the committee, I would like to say that the gentleman from New York [Mr. SNELL] has touched one of the hard places in the legislation we are now considering. At the present time we have a combination of music copyright holders who say they compose 80 per cent of all the music there is in the country. They have an individual who is at the head of their organization, and under contract he has transferred to him all of these compositions. They can not go into court; he is the only one who can go into court. That combination has a supermonopoly over all of these copyrights. They go out and find a man playing a Victrola record and they find the music from which the record is made has a copyright on it. It happens to be in a store, a barber shop, or somewhere else where the party runs a public business. Under the provisions of our present law the penalty is $250, whether innocent or not. Now, in such a case, a man is dickered with by the agent of this monopoly. This agent says to him, "Of course, the least we can recover is $250, attorneys' fees and costs, but if you will come across with just a part of that, $150 or $90, we will license you." So they have a license bureau set up, and they intend to use the $50 minimum proposition contained in this bill as a cudgel with which to club a fellow into submission and into making a payment on a thing which is copyrighted but for which he has already paid.

Mr. SNELL. Will the gentleman yield?

Mr. BUSBY. Yes.

Mr. SNELL. Under the present law, according to the gentleman's statement, they are notified about the copyright.

Mr. BUSBY. Yes.

Mr. SNELL. But that is not required under the proposed law.

Mr. BUSBY. That is right. They catch them blindly under the proposed law.

Mr. SNELL. I understood a while ago that there was no difference between this and the existing law.

Mr. BLOOM. There is no difference as regards the infringer.

Mr. BUSBY. I would like to go further and suggest that in no country do we find in the copyright law a combination such as this Composers, Authors, and Publishers' League given the power to fix the charges against innocent or intentional infringers. This power is placed in a board that stands between the public and the complaining party and this board adjusts the differences. But these folks in this city went out last year and said to a radio station here, "You pay us $2,000 and then if you chance to use any of our music it will be all right." This year they went back to that same broadcasting station and said, "You will have to pay us $5,000 this year because we have revised our schedule upward."

There is a gentleman that has a little moving-picture show that might or might not use their music, and there is a whole bunch of checks here that I will show you after a while, showing that they have "licensed," so to speak, this individual.

Under this clause where there is a minimum recovery or a statutory fixed penalty that goes to this league, and not by way of fine, they go out and dicker with the people whom they are oppressing, and there is nothing for the people who use music to do but come across, and every one of you has the same situation in your districts.

Mr. BLOOM. Will the gentleman yield just with reference to the price fixed? Does not the gentleman know that the price fixed for moving-picture theaters or any other theaters in the country is 10 cents a seat per year.

Mr. BUSBY. Ten cents a year is fixed arbitrarily by this organization and if you have 500 seats they say they will fix the price at $50. No matter how many people attend or how few people attend, they fix the price and there is no alternative for them except to pay it. If you are going to retain these minimum cudgels in the law of our country——

Mr. BLOOM. What does the moving picture get for the $50?

Mr. BUSBY. I can not go along arguing with the gentleman from New York [Mr. BLOOM] and the gentleman from Texas [Mr. LANHAM] on this side and at the same time discuss the bill with gentlemen on the other side of the House.

I only wanted to answer the question of the gentleman from New York [Mr. SNELL] by saying that this is an oppressive thing and the gentleman has touched the hard spot in this proposed law, and I hope the gentleman will examine into it further.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

ENGLAND, ARK.

Mr. GLOVER. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Arkansas rise?

Mr. GLOVER. Mr. Chairman, I rise for the purpose of asking unanimous consent that my colleague the gentlewoman from Arkansas [Mrs. WINGO] may have the Clerk read a telegram which she has just received from a friend of hers at England, Ark., on the same subject about which we had an address from the gentlewoman from Arkansas [Mrs. OLDFIELD] a moment ago. I ask that the telegram be read by the Clerk.

The CHAIRMAN. The gentleman from Arkansas asks unanimous consent that a telegram received by his colleague the gentlewoman from Arkansas [Mrs. WINGO] may be read by the Clerk. Is there objection?

There was no objection.

The Clerk read as follows:

ENGLAND, ARK., *January 12, 1931.*

EFFIEGENE WINGO:

Forty-three men drove up to our store, came in, and stated they have come for something to eat, and unless it was given they would take it. Ben asked them to have patience and told them he thought they would get food. They then went across street to mayor's office, where a crowd of four or five hundred gathered. They were assured that some arrangements would be made. There was no violence. The 43 men who started the drive were mostly customers of ours, and honest, hard-working men. Two hundred and sixty-seven families were fed that day. Fourteen hundred and forty-four families fed up to Saturday night last. Condition serious.

MRS. BEN HIGH.

COPYRIGHT LAW

Mr. VESTAL. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto do now close.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that all debate on this section and all amendments thereto do now close. Is there objection?

Mr. BUSBY. Mr. Chairman, reserving the right to object, I would like to say to the Chairman that there is a question I would like to have answered with regard to the provision as to the time a copyright is to extend, as contained in this particular section.

Under this reservation I will call attention to page 15, line 16, after the word "hire," "or by a corporate body—otherwise than as assignee or licensee of the individual author—the copyright shall terminate 56 years from the date of first publication."

This is with respect to corporations, as I understand it. Now, in line 19, page 12, the length of copyright is given as 50 years after the death of the author, except where the author is not an individual. If that is not a corporation, whom does the bill refer to?

Mr. LANHAM. Will the gentleman permit me to explain?

Mr. BUSBY. Yes. Let me finish by stating that the term then shall be 50 years. Is that an inconsistency?

Mr. LANHAM. It is not an inconsistency. The provision referred to by the gentleman on page 15, the pending section, relates to a subsisting work on which they would have 56 years from the date of first publication. The other relates to copyrights which shall take effect after the enactment of this measure. So, this provision has reference to subsisting works and not to works to be copyrighted under this proposed act. In other words, we do not take from them any rights they have under existing law.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The Clerk read as follows:

INFRINGEMENT OF COPYRIGHT AND REMEDIES

SEC. 15. If any person shall infringe the copyright in any work protected under the copyright laws of the United States, such person shall be liable—

(a) To an injunction restraining such infringement, except as otherwise provided in this act: *Provided, however,* That no temporary restraining order shall be issued which would prevent the publication of a newspaper or periodical: *And provided further,* That in case of a newspaper or periodical reproduction of a copyrighted photograph, no injunction shall issue.

(b) To pay such damages to the owner of the right infringed as he may have suffered due to the infringement, as well as all or such part of the profits which the infringer shall have made from such infringement as the courts may decree to be just and proper; and in proving profits the plaintiff shall be required to prove only sales, rentals, license fees, and/or any other revenue derived from any disposition of an infringing work, and the defendant shall be required to prove every element of cost which he claims.

(c) To pay, at the option of the owner of the right infringed, in lieu of actual damages and profits, such statutory damages as to the court shall appear to be just: *Provided,* That such statutory damages, in the case of an unauthorized dramatic performance, or of an unauthorized motion-picture exhibition with or without sound and/or dialogue, or the unauthorized performance for profit of a musical work, shall not exceed the sum of $10,000 nor be less than $250; and in the case of an unauthorized newspaper or periodical reproduction of a copyrighted photograph, shall not exceed the sum of $200 nor be less than $10; and in any other case shall not exceed the sum of $5,000 nor be less than $100; and such damages shall in no case be regarded as a penalty.

(d) In any action for infringement of copyright in any work, if defendant prove that he was not aware that he was infringing or has been subjected to fraud or substantial imposition by any third person or persons other than one of said defendant's employees, and in either case that such defendant has acted in good faith, the plaintiff shall not be entitled to any remedy against such defendant other than to recover an amount equivalent to the fair and reasonable value of a license, but not less than $50 nor more than $2,500: *Provided, however,* That this subsection shall not apply, in the event of registration of copyright or recordation of an instrument relating to or affecting the same or any right therein, prior to such defendant's entering into or upon the undertaking which results in such infringement, or if the work alleged to have been infringed be a published work published with authority from the copyright owner, if notice of copyright be affixed thereto; or if the work alleged to have been infringed be a dramatic work, other than a motion picture, if such work has had a first-class public production in the United States of America of at least one week in a town of not less than 100,000 population.

(e) In case of the infringement of any creation of an author (except a dramatico-musical or musical composition) by any person or corporation engaged solely in printing, binding, or manufacturing the same in printed form, where such infringer shall show that he was not aware that he was infringing and that he was acting in good faith, and that such infringement could not have been reasonably foreseen, the person aggrieved shall be entitled only to an injunction against future printing, binding, and manufacturing the same in printed form, and to the delivery up of all such printed, bound, and manufactured material, and shall not be entitled to any profit made by such infringer from his contract or employment to print, bind, or manufacture in printed form, nor to damages, actual or statutory, against such infringer: *Provided,* That in case such printer is also the publisher, distributor, or seller of such creation, or in partnership or regularly engaged in business with such publisher, distributor, or seller, or is in any wise directly or indirectly interested in the publication, distribution, sale, or exploitation of such creation (other than as derived solely from his contract or employment merely to print, bind, or manufacture the same in printed form) or in any profits to be derived from such publication, distribution, sale, or exploitation, then the person aggrieved shall be entitled to all the remedies provided by this act, and the immunity granted by this subsection (e) shall not apply: *Provided,* That any injunction against a newspaper publisher shall lie only against the continuation or repetition of such infringement in future issues of such newspaper, but not against the completion of the publication and distribution of any issue of such newspaper where actual printing of such issue has commenced; nor, where such actual printing has commenced, shall any order be granted to sequester, impound, or destroy the issue containing such infringing matter.

(f) In the event that any advertising matter of any kind carried by a newspaper or periodical shall infringe any copyright work, where the publisher of the newspaper or periodical shall show that he was not aware that he was infringing and that such infringement could not reasonably have been foreseen, the person aggrieved shall be entitled to an injunction only before actual work of manufacture of the issue has commenced and only against the continuation or repetition of such infringement in future issues of such newspaper or periodical, but shall not be entitled to any profit made by such publisher from his contract or employment to carry such advertising matter, nor to damages, actual or statutory, against him: *Provided, however,* That no injunction shall lie against the completion of the publication and distribution of any

issue of such newspaper or periodical containing alleged infringing matter where actual printing of such issue has commenced: *Provided further*, That this clause shall in no wise limit the remedies of the person aggrieved against the advertiser, advertising agency, or the person or corporation responsible for the infringement: *Provided further*, That if the publisher of the newspaper or periodical is in any wise interested in the commodity or subject matter advertised, or is the advertiser or advertising agency, or engaged in business with the advertiser or advertising agency, in such wise that the publisher is entitled to any profits or benefit from the sale of the subject matter advertised, or from the handling or placing of such advertising matter (other than profits derived by the publisher merely from his contract or employment to run such advertising matter in his newspaper or periodical), then the immunity granted by this subsection (*f*) shall not apply.

The following committee amendments were read and agreed to:

Page 15, line 25, strike out "section" and insert "act."
Page 16, line 2, strike out the word "daily," and after the word "newspaper" strike out the colon and the words "or periodical."
Page 19, line 15, strike out the word "actual."
Page 19, line 24, strike out "actual printing" and insert "work of manufacture."

Mr. VESTAL. Mr. Chairman, I move to strike out the last word. This section is based on section 25 of the present law and in many respects conforms to that section. The present law relating to infringement has been found impracticable and defective. It is unfair because it gives the successful plaintiff all the infringer's profits. This bill provides that only such profits as the court may decree shall be awarded to the plaintiff. In other words, under the present law all profits must go to the person infringed. Under this bill we have written that only that portion of the profits that shall be deemed proper by the court shall go to the man whose property is infringed.

In case a motion picture has been infringed we have raised it to $10,000, and no objection has been made by any motion-picture company.

In case of a copyright photograph the amount has been reduced to $10. We have reduced it to such an extent that no one would want to go to court for $10.

In all other cases the minimum has been reduced to $100.

In case of an infringement where there is no notice or no record of copyright, the infringer may pay nearly the entire value of the license. We placed the minimum amount at $50 and the maximum at $2,500. Under the present law the printer who had printed copyrighted material was held as an infringer, and this bill relieves him of damages which he would otherwise be subjected to. This is a wise provision of the bill, because it is impossible for a man who merely sets type to know that his customer has not purchased the material in good faith. Therefore he is relieved absolutely, and, in the same way, the newspapers and periodicals are relieved from the penalty of carrying advertised matter which may be an infringement when they are innocent that such advertising may be an infringement. These are the changes in the old law that we have put into this section, believing that it is much better than the old law, and I hope that the section will be adopted without amendment.

Mr. STAFFORD. Does not the gentleman believe that before a person should be mulcted in damages notice should be given that it is a copyrighted work? I have prepared an amendment which will cure that defect, which would entitle a person to damages only where notice has been given that the matter has been copyrighted. The proposed amendment I suggest is on page 16, line 6, after the word "pay," to strike out the words "such damages," and in line 7, after the word "infringed," insert the following:

If such owner shall have placed on such work the notice described in section 34 hereof, or shall also have obtained registration thereof under section 36 hereof, such damages.

What objection can there be by the person who has the right to exact damages that he shall be required to make an imprint of the fact of copyright or that it is registered?

Mr. VESTAL. I will ask the gentleman from Iowa [Mr. LETTS] to answer that.

Mr. LETTS. I call attention to this fact. Certainly the gentleman from Wisconsin would agree that where one would willfully and knowingly infringe he ought to pay damages?

Mr. STAFFORD. Oh, yes; that is taken care of in the following section.

Mr. LETTS. That is taken care of in the language of the bill, and before any court would assess damages and award the profits or any part of the profits the court would have to find that the infringement was willful.

Mr. STAFFORD. But the bill does not so prescribe. The bill prescribes a minimum of damages, whether the infringement is willful or not.

Mr. LETTS. We have divided that into two sections. If it is willful, then the court may assess all damages and may allow such part of the profits as the court finds is just and proper under the circumstances. But where it is unintentional——

Mr. STAFFORD. There you require the court to inflict a certain amount. I say before any amount should be inflicted the person having the copyright should imprint on his article notice to the public at large that a copyright is claimed,

Mr. LETTS. The gentleman will realize that even where one has used copyrighted works innocently, nevertheless he should be willing to pay as much as the reasonable charge for a license if he had applied for it.

Mr. STAFFORD. No; I can not go to that extent. The person who used it might not have wished to use it if he knew that it was copyrighted.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. MORTON D. HULL. Mr. Chairman, I move to strike out the last word to ask whether, under this bill, if it shall be enacted into law, the individual who acquires a right under it has a vested right which can not be taken away by subsequent act of Congress. Will an act of Congress hereinafter passed constitute due process of law so as to be able to shorten up the further period of special ownership of this right? Would it become a right that can not be modified by subsequent act of Congress? Does the right acquired under this bill or under any copyright law become a vested right in the individual when it once accrues so that it can not be modified so far as that owner is concerned by a subsequent act of Congress?

Mr. LANHAM. That relates to the general proposition of retroactive measures with reference to vested rights.

Mr. MORTON D. HULL. That is the question that I asked—whether this is a vested right.

Mr. LANHAM. Copyrights have been held to be property. This bill, for instance, in the extension of the term, makes this provision, that 28 years after the death of the author the right of contract reverts to those who succeed to the author's right, and for the remainder of the time a new agreement must be made, so that there is that extended privilege given in this bill now.

Mr. MORTON D. HULL. That does not answer the question. This bill gives the exclusive use of certain ideas in the form in which they are presented for a period of the author's life, and for the further period of 50 years for the benefit of his family. Can a subsequent Congress come in and modify the rights that have been acquired under this act?

Mr. LANHAM. Those rights would be determined by contract, would be determined by the court in accordance with the general principles of contract.

Mr. MORTON D. HULL. But it is not a contract so far as the individual is concerned. He acquires a copyright and he has the absolute right to do it under this law.

Mr. LANHAM. The gentleman means if his right is infringed?

Mr. MORTON D. HULL. Can the right be infringed by the act of Congress itself?

Mr. CHINDBLOM. Can Congress change it?

Mr. BEEDY. Mr. Chairman, if the gentleman will yield, unquestionably a right granted to a man for 50 years to protect his thoughts as expressed in writing or in any form of art is just as much a vested right as to pass title under the law to an individual to a piece of land, and no Congress

can afterwards come in with an act and infringe that right, because, in my opinion, it would be unconstitutional, just as much as it would be to divest a man of his title to real estate without compensation.

Mr. MORTON D. HULL. But when that provision was put into our Constitution with reference to taking property without due process of law, property had a definite meaning. It applied more particularly to lands and chattels and articles of that kind. The Constitution gave the right to Congress to create a new form of property.

Mr. BEEDY. And our courts have subsequently held that that was a property right.

Mr. MORTON D. HULL. That is the question I wanted answered.

Mr. LANHAM. I stated that, that the courts have held that copyrights are property.

Mr. BEEDY. This question is whether a subsequent Congress can modify this law if this shall become a law and cut down, for instance, the period from 50 years to 35 years—whether that would be constitutional. It would not be constitutional, I submit, as to the particular individual.

Mr. LANHAM. There would be no disposition to do it, just as in this bill we are not shortening the term of anyone who holds a copyright.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. CHINDBLOM. I rise in opposition to the pro forma amendment.

Mr. Chairman, I would like to propound a question to some member of the committee. We are met in these arguments constantly with references to literary copyrights. As for myself, that question is not involved. It is the effect of this bill, as the members of the committee well know, upon mechanical reproduction and broadcasting that particularly interests some of us. I want to ask this question: Under paragraph (d), on page 17, if I were down in southern Iowa and had a small broadcasting station under license from the Federal Radio Commission and a lady came in there and sang a song over that broadcasting station and it should transpire that she had violated a copyright, that she had no right to use that song, but she produced it over my instrument, under that law could not the owner of that copyright invoke paragraph (d) on page 17 and say that although I was an innocent infringer, did not know by whom the piece was copyrighted, but by reason of the fact that the performance had been given over my radio station, I would be subject to a recovery equivalent to a fair and reasonable license value, which should not be less than $50 nor more than $2,500?

Now, you speak of that "not less than $50" as a virtue, because nobody would ever ask for less than that. I think the effect of this provision is that such license fee must be at least $50, and can not be less than that. Now, would that be a violation?

Mr. LANHAM. Under the present law it is $250.

Mr. CHINDBLOM. Not such a violation, because now I can ascertain whether this music has been copyrighted. It is registered now and it is marked, and I can know whether it is music that is copyrighted; but after this law there will be no way in which I can know who has written or produced it. I will not know who the author is, and if the lady comes in and says she has a right to sing it, she will sing it.

Mr. LANHAM. The gentleman does not mean to say that in his section of the country the radio stations make no further investigation than that of what they put on the air?

Mr. CHINDBLOM. I said if I were the owner of a small broadcasting station in the country somewhere where I did not have the facilities which the large broadcasting stations have.

Mr. LANHAM. Then, as the operator of a broadcasting station out in the country somewhere you would have a contract by the year, permitting you to use all copyrighted music, and thereby you would not be subject to any penalty whatever.

Mr. CHINDBLOM. Does the gentleman from Texas attempt to write into this law the contract which the organization is to give to broadcasters?

Mr. LANHAM. Can the gentleman name a broadcasting station in the United States who has not a contract upon copyrighted work?

Mr. CHINDBLOM. The gentleman does not answer my inquiry by referring me to what exists now.

Mr. LANHAM. I am telling the gentleman what the practical situation is. They have contracts for the purpose of using copyrighted music. Otherwise they would be subject to this $50 license fee.

Mr. BUSBY. Will the gentleman yield?

Mr. CHINDBLOM. I yield.

Mr. BUSBY. The truth is that if a broadcasting station has a license, as this monopoly calls it, and a lady comes in and sings a song that is copyrighted and she does not have a license, she is still obligated to pay the $50, notwithstanding the station has a license.

Mr. CHINDBLOM. Well, is not the broadcaster liable as well?

Mr. BUSBY. The broadcaster is made fair weather, but the lady or a 2-piece string band, if it plays Turkey in the Straw under one of their renditions which is copyrighted, is liable to pay $50.

Mr. BLOOM. Will the gentleman yield?

Mr. CHINDBLOM. I yielded to the gentleman from Mississippi.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. CHINDBLOM. Mr. Chairman, I ask unanimous consent to proceed for two additional minutes in order that the gentleman from Mississippi [Mr. BUSBY] may conclude his answer to my question.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CHINDBLOM. I will ask the gentleman from Mississippi to complete his answer to my question.

Mr. BUSBY. The whole purpose is that the radio station has come to this organization headed by Gene Buck and Nathan Burkhan, and make fair weather with them. I told the committee a little while ago that all radio stations have that to do or they could not exist in the face of these statutory damages. They have to do it, as the gentleman says, but everybody who performs over that radio station after it has a license also has to make fair weather if they use copyrighted music.

Mr. CHINDBLOM. I was speaking of the little radio station in the small community, which made arrangements with this organization of which the gentleman speaks.

Mr. BUSBY. It does not make any difference how small they are, they get them all, and if they use anything that is copyrighted, then it is subject to these penalties, but it is impossible, under this bill, for anybody to give to the public domain, after this becomes a law, any literary production that is not copyrighted. I challenge you to deny that the public can receive at the hands of any person, a literary production that is not copyrighted after this bill becomes law, be it a songbook or what. The public is bound hand and foot, and that answers the other part of the gentleman's question.

Mr. LAGUARDIA. Mr. Chairman, I move to strike out the last word.

Mr. VESTAL. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 15 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

Mr. BUSBY. Reserving the right to object, I would like to explain to the gentleman from Indiana that in good faith I have an amendment striking out section (c) and an amendment striking out section (d), which deal with statutory damages, which are nothing more than fines to be paid to this organization.

Mr. VESTAL. Well, how much time does the gentleman want to discuss the amendments?

Mr. STAFFORD. Reserving the right to object, do you not realize that when you limit time a party is not privileged to discuss his amendment?

Mr. BUSBY. The gentleman from New York [Mr. SNELL] pointed out the trouble. I think we can let it run along for a little while at least.

Mr. VESTAL. Very well, Mr. Chairman. I withdraw the unanimous-consent request.

Mr. LaGUARDIA. Mr. Chairman, there have been repeated insinuations made during the present and previous discussion of this bill as to the standing and purpose of the American Society of Composers, Authors, and Publishers and some of their officers and personnel.

I thought that was completely answered by the gentleman from Texas [Mr. LANHAM] on July 2, 1930. It is manifestly unfair for these insinuations to continue when this organization is simply a professional organization, just like a bar association or a medical society, looking after their own interests, and they have every right in law, morals, or ethics to do so. [Applause.]

Statements have been made and names have been mentioned.

Mr. BUSBY. Will the gentleman yield?

Mr. LaGUARDIA. I refuse to yield.

Mr. BUSBY. I will prove everything I have alleged.

Mr. LaGUARDIA. The gentleman has referred to Mr. Gene Buck. I know Mr. Buck and have known him for a great many years. He stands very high in his city, he stands high in his profession, he stands high in his community, and I am proud to call him my friend. The gentleman referred to Mr. Burkhan. I know him. He is not my political friend. He is politically opposed to me and happens to be in the same territory I represent. Nevertheless, Mr. Burkhan's connection with this society has always been ethical, and it is beyond any criticism or any reproach. Why, gentlemen, John Philip Sousa, who enjoys the admiration and confidence of the American people, is the vice chairman of this organization. Another officer is the brother of a Member of this House, Oley Speaks, the brother of General SPEAKS, whom we all love and admire. It is hitting below the belt to make these insinuations.

Of the same nature is the Authors' League of America, which is sponsoring this bill. Among the members of this league are George Ade, Ring Lardner, Irvin Cobb, Booth Tarkington, Rex Beach, Augustus Thomas, Eugene O'Neill, Ellis Parker Butler, George Barr Baker, Octavus Roy Cohen, Mary Roberts Rinehart, Arthur Richman, Owen Davis, George Creel, Will and Wallace Irwin, O. O. McIntyre, George Kaufman, Marc Connelly, Floyd Gibbons.

This society was founded by the late Victor Herbert. Its former secretary was Charles K. Harris, who died two weeks ago, and Mr. Oley Speaks is now the secretary. The treasurer is Joe Young, and among its members I might mention George M. Cohan, Carrie Jacobs Bond, Mrs. Ethelbert Nevin, Jerome D. Kern, Irving Berlin, Sigmund Romberg, George Gerschwin, Harry Von Tilzer, Walter Donaldson, Raymond Hubbell, Mrs. Frank Stanton, Oscar Hammerstein, 2d, Otto Harbach, Rudolph Friml, Charles Wakefield Cadman, and Gilbert Sprons, every one of these composers well known all over the world.

This organization is simply seeking to protect its own interests, and it has a right to do so.

My attention was just called to this matter of arrangements. That is misunderstood entirely. There is no limitation upon the use of any piece of music that has gone into the public domain, but if you seek to use a particular arrangement, a different harmony, then, of course, if you want that particular arrangement you must respect the rights of the person who made the new arrangement. To reproduce a particular arrangement the infringer must have the score. He must have the music. There can not be an accidental reproduction of any particular arrangement.

Only yesterday some of you gentlemen may have listened to the concert from the Roxy Theater, in New York. If you did, you heard a new arrangement of the Blue Danube waltz, by Johann Strauss. That does not mean that no one can play the Blue Danube waltz, but if one desires to use that arrangement or if some one else should make an entirely different arrangement of the Blue Danube waltz, then, of course, that arrangement would be protected.

I have frequently heard arguments made on the floor of this House with regard to the question of property rights. It seems to me that all of these questions are aside from the real point, and that one who creates something out of his mind should have the same protection as one who invents a machine. [Applause.]

The last person in the world who should have anything to say as to monopoly is the Radio Corporation of America. [Applause.] Now, listen to this: Suppose the station which the gentleman from Illinois complains of uses a microphone or uses any of the little instruments that go into broadcasting. If they do, they have to pay a royalty to the Radio Corporation of America.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. LaGUARDIA. Not now. There is not a piece of machinery used in reproduction that is not covered by patents owned by one of the greatest monopolies in this country. The Radio Corporation of America is quite willing to license their instruments, license their patents, and collect their royalties, but if they use the creation of another's mind this Radio Corporation becomes the friend of the public and seeks to deny an author or composer of the same rights and benefit they enjoy on their patents.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CHINDBLOM. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for two additional minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CHINDBLOM. The gentleman made a comment upon my radio station. In the case of the microphone or any other part which has been patented and is owned by the Radio Corporation of America or anybody else, the whole world has notice as to the existence of that patent right and as to the ownership of that property, but here there will be no notice, there will be no registration, and there will be no method by which anybody can find out who is the owner of this automatic copyright. Nobody will know who has written a song and nobody will know whose rights you are violating if you should use that song. I say there ought to be some system of notice or registration as to the ownership of the copyright.

Mr. LaGUARDIA. The gentleman is too good a lawyer to make any such statement. What is the right given in a copyright? The right to make a copy, just as the name implies. Therefore, if I am a musician and I catch by air a composition made by another and I inadvertently use a few bars of the composition, I am not infringing; but if I get a sheet of music containing the gentleman's composition, then I can not copy that music and reproduce it and I ought to be restricted.

Mr. CHINDBLOM. I will say to my friend that the unfortunate thing is that the gentleman from New York is not going to be the judge or jury who will decide the issues in these cases.

Mr. LaGUARDIA. And if the gentleman will look up the decisions he will see the difficulty all plaintiffs have in establishing their rights in matters of infringement. In New York we repeatedly have cases which are thrown out of court.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. BUSBY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Mississippi offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BUSBY: Page 16, line 15, strike out section (c), comprising lines 15 to 25 on page 16 and lines 1 and 2 on page 17.

Mr. BUSBY. Mr. Chairman and gentlemen of the committee, you may not have much sympathy with my fight regarding this bill. I am sure it is difficult for us to always follow and differentiate and tell exactly why we do or do not do things in our votes on the floor of the House. I do not speak for any interests in particular. I am only interested in the welfare of the American public, and the American public is interested in one side of the proposition we are dealing with.

I am offering an amendment which seeks to protect the American public, and I ask your attention for the short time I shall speak on it.

Heretofore we have had in the law something that was not the law of England or any of the other countries that have granted copyright, which we call a statutory penalty. They have tried to make this respectable by saying at the end of the paragraph that it shall be "statutory damages," and not be regarded as a penalty.

What has this amounted to? On the most trivial occasion, my friends, for the most innocent using of copyrighted music, it has subjected the individual to the payment of a fine of $250 if he used music in connection with his place of business.

Now, this ought not to be. This is a fine, it is a cudgel that is being used by organizations to make people in your district and in mine and in every district of the United States pay them tribute that they are not entitled to. I am willing to leave all of the substantial remedies that are necessary for them to enforce their copyright. First, I am willing to give them an injunction. I am willing to give them the right to all of the profits made. I am willing to give them the right to whatever damages they may have suffered.

Now, in section 15 we begin with infringement remedies, and the first thing we provide for is an injunction, and the bill provides how this remedy may be invoked, and then such damages to the owner of the right infringed, as he may have suffered due to the infringement, as well as all such parts of profits which the infringer shall have made from such infringement as the court may decree to be just and proper; and it also provides for sales and rentals, all of which shall be paid over to him, and, of course, he would naturally recover his court cost.

I see members of this committee who are great lawyers. Tell me where else in a Federal statute you have a statutory damage ascertained that can be used as a leverage with which to extort money from the public. Nowhere else. If a man has a just cause, he can go into court and present his case. If he is entitled to recover anything, he can go into court and recover on the merits of his case.

Why, there are instances such as the Witmark case where a girl was employed to play an organ in an ordinary small movie house. She played by ear the chorus of a piece that took her only 27 seconds to perform, and the court said, in passing on this proposition:

> I am constrained under the law to give not less than $250 damages, court costs, and attorneys' fees, no matter how innocently it was done.

Now, are we striking out the provision here that is the intentional infringement that ranges from two or three hundred dollars up to $10,000? Why should not everybody go into court and present their claims and collect what is justly due them instead of giving them statutory-ascertained damages. Why not give them the damage that they have suffered, the damage they are entitled to? Why give them a damage like which there is no other such provision in all of the Federal statutes? Let us vote this out of the bill. [Applause.]

Mr. BLOOM. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, I would like to bring to the attention of the committee just how the radio people stand on this idea of paying a fee or a license. In order to get the real facts and to understand the position of the Radio Corporation, when the Berne convention was in Rome I wrote to different people, the radio people and the moving-picture people, to get their ideas about suggestions with respect to the Berne convention. On the 5th of May, 1928, the Radio Corporation of America, from the office of the general attorney, wrote me this letter:

RADIO CORPORATION OF AMERICA,
New York, May 5, 1928.

Hon. SOL BLOOM,
Rome, Italy.

MY DEAR MR. BLOOM: Such was the pressure and hurry of preparation for Mr. Sarnoff's journey to Europe that he did not have the opportunity to consider the memorandum concerning international copyright, dated London, March 16, 1927, and therefore I am writing you for him.

The article of the proposed text which seems to be of interest to radio companies is article 11 bis, which reads:

"(1) Authors of literary and artistic works shall enjoy the exclusive right of authorizing the communication of their works to the public by telegraphy, telephony, radiotelegraphy, or radiotelephony, or by any other similar means for transmitting sounds or pictures.

"(2) Artists who perform literary or artistic works shall enjoy the exclusive right of authorizing the broadcasting of their performance by any of the means referred to in the preceding paragraph."

I would like to say that we see no objection to the article as written and on the whole would be pleased to see it written into an international arrangement and accepted and applied as the law in the United States.

Expressing again the hope that you may have an interesting, instructive, and happy visit abroad, I am,

Cordially,

MANTON DAVIS.

This is from the general attorney of the Radio Corporation of America.

Now, I would like to explain the Authors, Composers, and Publishers' Association; and if I have the time, I will show you the difference between what they are doing in this country and what is being done abroad.

If you did not have the Authors, Composers, and Publishers' Association to-day you would be compelled to keep books with respect to every bit of music that is broadcast in this country, and you would be compelled to send out checks every month, perhaps, for 10 cents, or 20 cents, or $1.50. It would cost more to keep account of the copyright music that is broadcast to-day, if you did not have the Authors, Composers, and Publishers' Association, than what it is costing at the present time.

In France they keep an account of every song that is broadcast or sung and pay so much on each song; but under this arrangement, about 80 per cent of the authors, composers, and publishers go into this society, and you pay a certain sum for the use of everything copyrighted by this society or the members that belong to the society, and then you are through with it.

With respect to there being a monopoly, of course they come together as an organization, but if we did not have such an organization the cost would be a great deal more than it is at the present time.

Mr. CONNERY. Mr. Chairman, I would like to have the attention of my colleague, the gentleman from Illinois [Mr. CHINDBLOM], because I listened to his statement with reference to the small broadcasting station in his district, and, as I understood it, he did not want them to be held liable for something that was done by them without any notice.

I will ask the gentleman from Illinois: Has it ever occurred to him what would happen, under present law, if a printer who, we might say, was not exactly on the level, left the name of the copyright of the composition off of the publication, although 1,000,000 copies of the song or of the book had been printed?

The broadcasting station could say we received this without notice, we are an innocent purchaser for value received, and we can not be held liable under this. That could be done times innumerable.

In reference to the Association of Authors and Composers we have heard a great deal about monopoly. The reason that organization was established was to stop monopoly. Any man who has written a play or a song or a book knows that he was practically helpless when he was alone competing with the producer or with the publisher or whatever monopoly to which he was obliged to sell the product of his

labor, but the association can deal justly with the purchaser. They can clear up the atmosphere and the people all over the United States can be protected and the broadcasting people say they are justly treated.

I do not like to hear the association called a monopoly because it is far from being one. They are on the same line as the American Federation of Labor; they are protecting the workman in the product of his toil.

Mr. BUSBY. Will the gentleman yield?

Mr. CONNERY. I yield.

Mr. BUSBY. Does not the gentleman know that they are recognized as monopolists by the court?

Mr. CONNERY. That would not make them a monopoly because they are called a monopoly.

Mr. GIFFORD. Will the gentleman yield?

Mr. CONNERY. I yield.

Mr. GIFFORD. The gentleman seems to understand the bill very well. Here is a small restaurant or a hotel, and if they play a piece of copyrighted music, as I understand, they will be fined $250.

Mr. CONNERY. I was talking the matter over with the gentleman from Texas. I understand the provision in reference to little drug stores and restaurants. In the new law they make the penalty much less to take care of that situation, and it is in much better form in this bill than under the old law. The gentleman from Maine [Mr. SNOW] told of a case in Bangor where a small restaurant keeper was fined $250 under the present law. As I understand, there is an amendment which will make those conditions better than under the present law.

Mr. GIFFORD. As I understand, this has been interpreted that where an unauthorized performance is given they may be fined $250. Your amendment, as I understand it, simply says that they will not be fined unless there is evidence that the music was played in the restaurant for profit.

Mr. BEEDY. Mr. Chairman, I understand that there is now pending an amendment to section 15.

The CHAIRMAN. There is an amendment pending to strike out subsection c. The question is on the amendment.

The question was taken, and the amendment was rejected.

Mr. STAFFORD. Mr. Chairman, I offer the following amendment:

The Clerk read as follows:

Page 16, line 6, after the word "pay," strike out the words "such damages," and in line 7, after the word "infringed," insert "If such owner shall have placed on such work the notice described in section 34 hereof and shall also have obtained registration therefor under section 36 hereof, such damages."

Mr. STAFFORD. The proposed amendment is for the relief of innocent persons who use copyrighted works without knowledge that they have been copyrighted.

It compels the owner, seeking to recover damages, to either put on the copyrighted work an imprint, as is provided in section 34, or to make registration as is prescribed in section 36. I can not see any objection to it. The matter has been called to the attention of the House by the gentleman from New York [Mr. SNELL] in a letter which is addressed to him by a Senator. If you require an imprint under section 34 or registration under section 36, why should not you require this man who seeks damages to either make the imprint as provided in section 34, or give notice of registration as in section 36?

Mr. CONNERY. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. CONNERY. How is the owner going to prove against a radio corporation, if the printer leaves off that imprint?

Mr. STAFFORD. Oh, the owner of the copyright should see to it that the imprint is there.

Mr. CONNERY. But if a crook brings it in; what about it?

Mr. STAFFORD. Of course he runs that risk, but he should not hold an innocent purchaser to a claim for damages until there is this imprint. The publisher is his agent. The gentleman is not thinking of the public at all, but only of the author.

Mr. CONNERY. What about connivance between the radio corporation and the thief?

Mr. STAFFORD. The author would either have to register it or give notice.

Mr. LANHAM. My objection is this: That if you require that notice——

Mr. STAFFORD. As a condition precedent to the payment of damages.

Mr. LANHAM. If you require that, those are formalities which will prevent us from entering into the convention of Berne

Mr. STAFFORD. Oh, no. I have not studied the articles of the convention very closely, but I do not recall any such provision as that.

Mr. BEEDY. That is a question that I have been worried about. Here is a proposal that it seems to me is reasonable as a condition precedent to the recovery of damages in a case. Will that kind of a proposal, if we adopt it, prevent our becoming a member of the Berne convention? Or is it not a general provision when you come to the question of automatic copyrights?

Mr. LANHAM. Of course, it is a question of automatic copyright, but is it copyright automatic, if you require the formality of registration?

Mr. BEEDY. It is not for the purpose of securing the copyright, but for the purpose of recovering damages in a suit. If there is anyone on the committee who can clear this up, I should be very glad to hear from them. I should vote for this amendment, unless it keeps us out of the Berne convention.

Mr. LETTS. It can not be contended that a notice should be required unless it was before the damage had resulted, but I take it the gentleman's notion is that he must show that he gave notice prior to the infringement and incurring of the damages.

Mr. STAFFORD. The institution of the suit.

Mr. LETTS. If that is true, it destroys the idea of the automatic copyright.

Mr. STAFFORD. I can not see why it destroys the idea of automatic copyright. Automatic copyright arises, but the owner of the work in order to recover damages must follow up the prescribed conditions of this bill by either giving notice or registering. I think that is a reasonable requirement and I am surprised that the gentleman is opposed to it.

Mr. BUSBY. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. BUSBY. I think I can answer the question of the gentleman from Maine. I have in my hand copies of all three of the conventions, and I am sure that there is no provision in any of these conventions that would conflict with the idea presented in the gentleman's amendment; that is, that after a copyright has been secured, automatically, before an infringement action can be had against some one, the individual must be given at least some notice as provided in the amendment. It would not affect the automatic copyright or our entering into the Berne convention.

Mr. LAGUARDIA. I understand the gentleman's amendment would be simply a condition precedent to the recovery of damages.

Mr. STAFFORD. That is all.

Mr. CONNERY. Do I understand the gentleman's amendment calls for notice which must be given by the owner of a work if the purchaser is an innocent purchaser?

Mr. STAFFORD. Before the owner of the copyright has a right to recover of an innocent producer he must give notice as prescribed in this bill.

Mr. CONNERY. He must, through registration, give notice?

Mr. STAFFORD. Yes.

Mr. BLOOM. Would the gentleman consider this a formality or not?

Mr. STAFFORD. By no means a formality. It is the very essence of the right of the owner to recover damages. Certainly it is not a formality. Why should an innocent producer be mulcted in damages unless the owner exercises

the requirements under this act of filing notice with the register of copyrights, or registering it as provided in this bill. It is not a formality by any means.

Mr. BLOOM. Is it not a fact that the man who infringes has notice beforehand, because he knows that that property does not belong to him, and it is very easy for him to find out who the publisher is?

Mr. STAFFORD. By no means. It does not follow at all. A person may invade the rights of an author without any knowledge that he claims a copyright privilege.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. STAFFORD].

The question was taken; and on a division (demanded by Mr. STAFFORD) there were ayes 39 and noes 47.

Mr. STAFFORD. Mr. Chairman, I ask for tellers.

The CHAIRMAN. The gentleman from Wisconsin [Mr. STAFFORD] asks for tellers. All those in favor of taking this vote by tellers will rise and remain standing until counted. [After counting.] Eighteen Members have risen, not a sufficient number.

So tellers were refused.

So the amendment was rejected.

Mr. GIFFORD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. GIFFORD: Page 16, line 22, after the words "less than," strike out $250 and insert "$10."

Mr. GIFFORD. Mr. Chairman, I want to call to the attention of the House that in the matter of copyrighted photographs the minimum fine may be $250. The amendment would provide a minimum fine of $10. The beginning of the section reads:

To pay, at the option of the owner of the infringed, in lieu of actual damages and profits, such statutory damages as to the court shall appear to be just—

But it must not be less than $250. Are we going to allow a fine of $250 on the proprietor of some little eating house who, innocently, perhaps not knowing the law but willing to conform thereto, is found to have infringed it? Or in case where a few people are invited to the house, a little music furnished, and a small fee made for the entertainment? Even under such conditions it would technically be "music for profit." It is going altogether too far to have a fine of $250. Let us retain the minimum and let us get the maximum where it ought to be, but let the court have this chance to cut it from $250 down to $10.

Mr. LAGUARDIA. Does the gentleman's amendment refer only to the unauthorized reproduction of motion-picture exhibitions?

Mr. GIFFORD. No; I want it to apply to all of these small gatherings in the hotels or little eating places where they have a little music. Two hundred and fifty dollars is unreasonable, and if the court can determine $250, why make it a minimum of $250, which is altogether too much?

Mr. LAGUARDIA. I want to point out that the gentleman's amendment will not do what he seeks to do. The gentleman by his amendment has limited the fine to $10 for an unauthorized motion-picture exhibition. It makes no difference how small the theater is, he does not make the films himself, and when he gets the films he gets them with a license, so that the gentleman's amendment will not effect the results which he has in mind.

Mr. GIFFORD. I think it is plain, if you read this, that it does apply wholly to that:

Such statutory damages in the case of an unauthorized dramatic performance or unauthorized motion-picture exhibit with or without sound and/or dialogue, or the unauthorized performance for profit of a musical work—

And the court may well say that a little orchestra is hired for profit to bring in customers. I think we can readily say that we ought to protect our own people to the extent that this fine may be made much lower than $250, and I appeal to the House to vote for the amendment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Massachusetts [Mr. GIFFORD].

The question was taken; and on a division (demanded by Mr. GIFFORD) there were ayes 40 and noes 48.

Mr. GIFFORD. Mr. Chairman, I respectfully doubt the vote, and ask for tellers.

The CHAIRMAN. All those who favor taking this vote by tellers will stand and remain standing until counted. [After counting.] Fourteen Members have arisen, not a sufficient number.

So tellers were refused.

So the amendment was rejected.

Mr. STAFFORD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. STAFFORD: Page 16, line 16, after the word "infringed," insert "if such owner shall have placed on such work the notice described in section 34 hereof and shall also have obtained registration thereof under section 36 hereof."

Mr. LANHAM. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LANHAM. In what respect does this amendment differ from the amendment which the gentleman from Wisconsin offered formerly, and which amendment was voted down?

Mr. STAFFORD. Only that this applies to cases where the owner of the right infringed does not think he has a substantial right, but comes into court under the law, in lieu of actual damages, and asks for reimbursement in a sum that the court may determine, not less than $250 and no more than $1,000. In the other instance, paragraph (b), it related to a case where the owner proceeds against a person against whom he thinks he has a material cause of damage. The amendment is exactly the same except that it applies to those instances where the owner of a copyright can not prove substantial damages, and appeals to the discretion of the court, the judgment of the court, for statutory damages. In the former instance the vote was rather close, being 40 to 47. Under this paragraph above all others the owner should be required to have placed a notice of his copyright with the register of copyrights, or registered it with the register of copyrights before he is entitled to recover any damages.

I submit that there is more merit, more reason for it being here than in the other case. I can imagine where a Member might refuse to vote for it in the other instance but would willingly support it in this case where the owner can not prove substantial damages but must appeal to the judgment and discretion of the court to levy what he thinks will be some damages to reimburse him.

Mr. LANHAM. Was the amendment formerly offered to the same subsection?

Mr. STAFFORD. No. This amendment is now offered to subsection (c), and only applies to those cases where the owner of the copyright can not prove substantial damages but appeals to the court within the range of damages here prescribed. I say that for him to make a case of damages he should at least have given notice by imprinting that fact on the article which he claims to have copyrighted, or else the fact that it has been registered under the provisions of this bill.

Mr. CHINDBLOM. I move to strike out the last word, Mr. Chairman.

Mr. VESTAL. Will the gentleman yield?

Mr. CHINDBLOM. I yield.

Mr. VESTAL. Mr. Chairman. I ask unanimous consent that all debate on this amendment and all amendments thereto close in seven minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. CHINDBLOM. Mr. Chairman, I know that the committee is impatient to reach a conclusion upon this measure, but I wish we would stop for a moment to consider

just what we are doing. Paragraph (c) of this section provides for statutory damages. It is in the present law. In my opinion, it is of very doubtful propriety, even in the present law.

In ordinary cases in the use of property, not a special privilege granted by a statute, as is the right of copyright, but in the use of actual property owned by an individual, you have certain remedies for the protection of your rights. One is by injunction, as is provided in paragraph (a); another is by suit for actual damages, as provided in paragraph (b); but the law does not provide, the Congress of the United States does not provide, for an extraordinary remedy by way of statutory damages in the use of individual property of a citizen which he may have acquired in the course of his profession or his employment. Here is a special provision by act of Congress, and we provide statutory damages, which procedure means you do not have to prove that you suffered any loss at all. All you have to prove is infringement and you get at least $250 and you may get $10,000 in the cases mentioned. While it is said in the bill that these statutory damages should not be regarded as penalties, they are penalties in fact.

Even in case of statutory damages you are not entitled to notice of registration of the copyright. You have no way of ascertaining who is the owner of the alleged copyright you have infringed and for which statutory damages are provided.

Mr. Chairman, let us at least in the case of this extraordinary privilege, where statutory damages are granted for the violation of a special privilege, a special right, granted by act of Congress, provide for proper notice of the registration of a copyright to be given to a man who is charged with the violation of the law.

I think the amendment offered by the gentleman from Wisconsin [Mr. STAFFORD] ought to be accepted. I have not been in the position of seeking to obstruct this measure, although there are many things in it which I am sure, upon reflection, the members of this committee will want to have changed before this law is finally enacted, and these things refer particularly to matters other than what we might call the literary copyright. We have to-day the radio broadcasting systems involved in the copyright law, but they were not involved when the original law was adopted. The question of the use of the radio as involved here is for the benefit not only of the large broadcasting stations but of the small broadcasting stations throughout the country and for the great general public, which every evening of the week is entertained by the programs which are given over these stations. Most certainly we should not enact legislation here which will prove oppressive to this new form of popular entertainment, which is available to the rich and poor alike. [Applause.]

Mr. LETTS. Mr. Chairman, an infringer is a wrongdoer, while the owner of a copyright is the innocent sufferer. It is quite conceivable that the manufacturer of rolls or disks, or a publisher, or the operator of a broadcasting station has made extensive use of the production of a copyright holder, and yet that copyright owner is unable to prove the damages which he has suffered or to prove the amount of profits which have been made by the infringer. That is necessarily so oftentimes because all of the facts and circumstances that determine the amount of profit that has been made are in the hands and control of the wrongdoer. So it is quite proper that the innocent sufferer, as the copyright proprietor is in a case of that kind, should have the opportunity of making a selection of this kind and leave it with the court to say, under all the facts and circumstances that are before it, what is right and proper as between the parties.

Mr. LANHAM. Will the gentleman yield?

Mr. LETTS. Yes.

Mr. LANHAM. As a matter of practice, is it not true that those who take out copyrights will both record and give notice? Is not that the present practice and would not that be the practice in the future?

Mr. LETTS. Yes.

Mr. LANHAM. They will protect themselves in that way against infringement, but if we put it in here as a requirement, though it will be done in practice, I think it might militate against our entrance into the Berne convention, which says we must not have formality.

Mr. LETTS. The very idea of automatic copyright is that whenever a man creates a work that is entitled to be copyrighted, he is possessed of the copyright privilege as soon as it is accomplished.

Mr. STAFFORD. Will the gentleman yield?

Mr. LETTS. Yes.

Mr. STAFFORD. If, as stated by the minority leader of this committee, it will be the practice to record and also to file copyrights, then what possible objection can there be to an amendment to protect innocent users?

Mr. LETTS. Because the gentleman makes it a matter precedent to the recovery of damages, and that destroys the very idea of automatic copyright.

Mr. HOGG of Indiana. Will the gentleman yield?

Mr. LETTS. Yes.

Mr. HOGG of Indiana. The gentleman from Iowa is a distinguished jurist. I would like to inquire of him if he knows of a single statute in the State of Iowa which gives a similar right to that which this statute requires be given by every State in the Union.

Mr. LETTS. I am quite sure we have such statutes.

The CHAIRMAN. The time of the gentleman from Iowa has expired. All time has expired. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken; and on a division (demanded by Mr. STAFFORD) there were—ayes 28, noes 56.

So the amendment was rejected.

The Clerk read as follows:

SEC. 16. The infringer shall further be liable:

(a) To deliver up, on oath, to be impounded during the pendency of the action, upon such terms and conditions as the court may prescribe, all articles alleged to infringe a copyright or any right comprised therein;

(b) To deliver up, on oath, for destruction, as the court may order, all the infringing copies, records, rolls, and other contrivances or devices, as well as all plates, molds, matrices, or other means for making such infringing copies.

(c) In any action against publishers, distributors, or sellers of periodicals or newspapers for infringement of copyright, the plaintiff shall not be entitled to enjoin the alleged infringement as to any matter claimed to infringe such copyright when any part of such material has theretofore been included in any issue of such periodicals or newspapers upon which the work of manufacture has actually begun, or to sequester, impound, or destroy any issue containing such alleged infringing matter, or the means for publishing such issue except upon proof to the satisfaction of the court that the manufacture of the issue containing such alleged infringing matter, or the first installment thereof, was commenced with actual knowledge that copyright subsisted in the work alleged to have been infringed.

With the following committee amendments:

Page 20, line 15, strike out the word "The" and insert "Except as otherwise provided in this act, the."

The committee amendment was agreed to.

Page 20, strike out all of paragraph (c), beginning in line 25, page 20, and ending in line 12, page 21.

The committee amendment was agreed to.

Mr. BUSBY. Mr. Chairman, I move to strike out the last word. Gentlemen of the committee, as we move along on this bill I hope you will take notice of the fact that only the public is being hit by the provisions of the act we are approving. If you will refer to section 15, paragraph (e), you will find that the publishers are practically exempted. We go on to paragraph (f), and we find that newspaper advertisers, and so forth, are practically exempted. So it is throughout the entire bill. You want to watch the provisions of this bill in order to discover just what interests are asking for the enactment of this legislation. Why all of these newspaper editorials over the country? Why all of this demand made on you by editorial writers, who do not understand the subject of the copyright law? The leading dailies of the country have been putting forth certain individuals to write editorials on this subject, and the editorials show a lack of information on the part of the

editorial writers; you discover that as soon as you read the editorials. It is simply because they are given a "break" in this law. That is why they are in favor of the enactment of this law. Nobody has appeared here and asked you to support this legislation except some one who is going to get something out of it.

What is going to become of the great mass of people back in your district and in mine? I am taking the floor at this opportune time to call your attention to the inequity of the provisions that we are passing and to show how lightly they rest upon the shoulders of the interests that are asking for this legislation and how heavily they rest upon the shoulders of your constituents, who can not speak here except through you.

The pro forma amendment was withdrawn.

The Clerk read as follows:

SEC. 19. Any such court or judge thereof shall have power, upon bill in equity filed by any party aggrieved, including (but not by way of limitation) any person referred to in section 9 of this act, whether such person's rights were acquired heretofore or hereafter, to grant injunctions to prevent and restrain the violation of any right secured by this act, according to the course and principles of courts of equity, on such terms as said court or judge may deem reasonable. Any such injunction may be served upon the parties against whom it may be granted anywhere in the United States and its dependencies, and shall be operative throughout the United States and its dependencies and be enforceable by proceedings in contempt or otherwise by any court or judge having jurisdiction of the defendants.

Mr. VESTAL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Indiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. VESTAL: Page 22, line 25, after the word "injunctions," insert the words "except as provided in sections 15 and 17 of this act."

The amendment was agreed to.

The Clerk read as follows:

SEC. 20. The clerk of the court, or judge granting the injunction, shall, when required so to do by the court hearing the application to enforce said injunction, transmit without delay to said court a certified copy of all the papers in said cause that are on file in his office.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

I rise to inquire as to the need of this provision. I thought under the usual practice the clerk of the court would transmit the necessary papers to the court that would hear the injunction.

Mr. VESTAL. We have left in this bill the old law exactly, and I do not think it hurts anything to leave in this provision.

The pro forma amendment was withdrawn.

The Clerk read as follows:

SEC. 22. In all actions, suits, or proceedings under this act, except when brought by or against the United States, or any officer thereof, full costs shall be allowed, and the court may award to the prevailing party a reasonable attorney's fee as part of the costs.

Mr. BUSBY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Mississippi offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. BUSBY: Page 23, line 21, after the word "allowed," insert a period and strike out the remainder of line 21 and all of lines 22 and 23.

Mr. BUSBY. Mr. Chairman and members of the committee, section 22 simply provides that the defendant in an action, even though the damages be inconsequential, shall pay the lawyer's fee of the complainant. Let me read that to you so that you may understand it.

In all actions, suits, or proceedings under this act, except when brought by or against the United States or any officer thereof—

I do not understand what they mean by suit brought by or against the United States, because you can not sue the United States without its permission—

full costs shall be allowed, and the court may award to the prevailing party a reasonable attorney's fee as part of the costs.

I do not think it is right that we should enact a statute fixing statutory damages and then hire a lawyer for the party to get the statutory damages. This is one of the oppressive features of the present law and it ought to be stricken out.

If you are in favor of having your people pressed down with a cudgel that we call statutory damages and then hiring a lawyer for the other fellow to work on him with, then you will vote against this amendment. All I am seeking to do is to have the provision stricken out which provides them an attorney, in addition to the fact that we have already provided them with statutory damages.

I certainly hope you will vote for this amendment, and I submit the question to you.

Mr. VESTAL. Mr. Chairman, I only desire to say that this is a reenactment of present law and I hope the amendment will not be accepted.

Mr. BUSBY. Mr. Chairman and gentlemen of the committee, I hope to correct some of the evils of the present law as we go along, and that is no excuse for this remaining in the law if it is wrong, and you will see that it is wrong if you will examine it just a moment. We should make some corrections in the present law and leave as little evil in the proposition as possible and I ask you to vote for this amendment and let each party hire his own lawyer.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. BUSBY. Yes.

Mr. CHINDBLOM. If anyone has to bring a suit in a Federal court for damages to his property or to himself, does he get an allowance for attorney's fees?

Mr. BUSBY. He certainly does not. This is the only case I ever heard of.

Mr. CHINDBLOM. Here is a superdivine right granted by Congress itself if you give him attorney's fees.

Mr. LETTS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, it is almost a matter of common knowledge, it seems to me, that in many cases where there is a wrong and it is difficult to prove actual damages, about the only relief the innocent or injured party can have is to ask the court to allow him his attorney's fees.

If this amendment were to prevail it would not be possible to have the court grant such relief to any plaintiff, even in a case where the infringement was willful and vicious. Here the court may allow an attorney fee, but it is a matter wholly within the discretion of the trial court. I do not believe it will be abused.

Mr. BUSBY. If that is the present law in the case I just referred to, the court said that he was without discretion and must allow an attorney fee.

Mr. LETTS. This law does not read that way. We have the language before us, and you can not so construe it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi.

The question was taken; and on a division (demanded by Mr. BUSBY) there were 34 ayes and 49 noes.

Mr. PARKS. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. PARKS. I understood the Chair to say that there were 34 ayes and 49 noes. I make the point that no quorum is present.

The CHAIRMAN. The gentleman from Arkansas makes the point that no quorum is present. The Chair will count. [After counting.] One hundred and fourteen Members present, a quorum.

So the amendment was rejected.

The Clerk read as follows:

SEC. 23. In any action for infringement, where the plaintiff seeks an accounting of profits, or statutory damages, where any party shows that some third person or persons may claim to be entitled to said profits or statutory damages or some part thereof, by reason of alleged infringement of the same copyright or some right thereunder, or in case it shall appear to the satisfaction of the court that a complete determination can not be had in the absence of other persons claiming or having rights or interests in or under the copyright or some part thereof the court, on application of such party or on its own motion or on petition of such third person or persons, shall give notice to such person or persons of the

pendency of such action and permit him or them to appear therein, and may make such provision with reference to such profits or statutory damages by way of division or otherwise, and adjudicate the respective rights and interests of the several parties to the action as justice may require. The court may require that notice of pendency of the action be given in such manner as the court shall direct to any and all persons of record in the copyright office who may claim to be assignees or licensees or the owners or holders of any rights in or under the copyright in connection with which action may be brought, if the instruments under which such persons claim are registered in the copyright office, or if a claim to the copyright be so registered. The failure of any party directed to be brought in, to appear in the action or suit, or to participate therein, shall not delay the judgment to which the plaintiff is entitled nor debar the plaintiff from prosecuting his suit to a final determination nor from recovering profits or damages to which he may be entitled: *Provided*, That nothing herein contained shall in any way prejudice or delay the rights, if any, of the plaintiff to injunctive relief or any other remedy given under this act, other than for profits or statutory damages as aforesaid.

Mr. BUSBY. Mr. Chairman, I offer the following amendments.

The Clerk read as follows:

Page 23, line 25, after the word "or," strike out the word "statutory."

On page 24, line 2, after the word "or," strike out the word "statutory."

On page 25, line 7, after the word "or," strike out the word "statutory."

Mr. BUSBY. Mr. Chairman, I offer the amendment to make the bill more satisfactory. There is no such thing as statutory damage. There may be a statutory penalty, but there is no statutory damage. It would not weaken the section to strike out the word "statutory."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

SEC. 25. The orders, judgments, or decrees of any court mentioned in section 18 of this act arising under the copyright laws of the United States may be reviewed on appeal or writ of error in the manner and to the extent now provided by law for the review of cases determined in said courts, respectively.

Mr. BUSBY. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 25, under section 25, add a new section, as follows:

"It shall be unlawful for any copyright owner to contract, combine, or conspire with any other copyright owner or owners, either directly or through any agent or agents, to fix a price or royalty rate for the use of any copyrighted work, and any such act shall be a complete defense to any suit, action, or proceeding for any infringement of any copyright of such copyright owner.

"The several district courts of the United States are invested with jurisdiction to prevent and restrain violations of the provisions in the preceding paragraph contained."

Mr. BUSBY. Mr. Chairman, I desire to call the attention of the committee to the proposed amendment. It simply provides that it shall be unlawful for copyright owners to combine for the purpose of price fixing. That is a principle that goes through our entire system of Government. We have the Sherman antitrust law, but it does not apply to copyrights because the court has held that copyrights are intangible things, and therefore the individuals who own them can combine and create a monopoly and thereby hold up the public in any way they see fit.

That is the situation with regard to copyright owners. Think as little or as much of it as you please. The gentleman from New York [Mr. LAGUARDIA] a while ago took me to task because I had called in question that monopoly. I have nothing against the individuals who compose the monopoly, but it exists nevertheless. I know they have gone into territory and demanded of individuals money they were not entitled to under the law, and they have received that money and I am ready at any time to show where they got it. The courts said they have not that right, and yet they went out and scared the little individual through their monopoly and he came across. There was one instance in the district of the gentleman from Missouri [Mr. NELSON] in the case of a barber shop, where they collected $179 because that shop had received music over a radio. That can not be justified. Yet that individual can not protect himself against that kind of a crowd; they use the same attorneys all of the time.

They may get some local attorney, but the same general attorneys handle their business, and they get all of these fees that the court allows at the rate of $100 a lawsuit filed as provided in this bill. I am offering this amendment to prevent them from combining for the purpose of price fixing. If they are not permitted to get together and join for the purpose of price fixing well and good, but if you do not adopt this amendment, then they are free agents to do whatever they please with the American people, because their combination is from one coast to the other, and from Canada to the Gulf, and they work all of the territory.

Mr. CLARKE of New York. Mr. Chairman, will the gentleman yield?

Mr. BUSBY. Yes.

Mr. CLARKE of New York. I have been absent for a short time from the Chamber on important business, and would like to know whether the gentleman and the gentleman from New York [Mr. BLOOM] will be able to effect a reconciliation in respect to the Berne convention?

Mr. BUSBY. Mr. Chairman, I do not want to be diverted from my amendment in this way. It is worth while. It is the spirit of the Sherman antitrust law, and such a suggestion as that of the gentleman from New York ought not to divert the minds of the committee from a great question like this. We come in here and treat as trivial matters that touch every household. We say that we are fed up with debate and that we want to get through this business and go home but we do not pay any attention sometimes as to how we get through. I appeal to you to support this amendment and protect the American public.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi.

The question was taken; and on a division (demanded by Mr. PARKS) there were—ayes 24, noes 74.

Mr. PARKS. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Arkansas makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and five Members present, a quorum.

So the amendment was rejected.

The Clerk read as follows:

SEC. 26. Any person who willfully and for profit shall infringe the copyright in any work protected under the copyright laws of the United States, or who shall knowingly and willfully aid or abet such infringement, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment for not exceeding one year or by fine of not less than $100 nor more than $1,000, or both, in the discretion of the court: *Provided*, That no criminal proceeding shall be maintained under the provisions of this act unless the same is commenced within three years after the misdemeanor was committed and no civil proceeding unless the same is commenced within three years after the cause of action arose.

Mr. CLARK of Maryland. Mr. Chairman, I move to strike out section 26.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. CLARK of Maryland: Page 25, line 18, strike out all of section 26.

Mr. CLARK of Maryland. Mr. Chairman, I think we have gone far enough in imposing damages upon infringers under this bill. We now advance another step and propose to make such infringements criminal.

Mr. LANHAM. Mr. Chairman, will the gentleman yield?

Mr. CLARK of Maryland. Yes.

Mr. LANHAM. As far as the committee is concerned, the committee is not enamored of this provision. This is a provision of the present copyright law. We did not feel that as a committee we were authorized in eliminating that provision. It is purely a matter for the House as to whether they want to continue that provision or not.

Mr. CLARK of Maryland. Is the gentleman willing to consent to have section 26 stricken out?

Mr. LANHAM. If that be the will of the House, I am entirely willing.

Mr. CLARK of Maryland. I think we have gone far enough in this matter by the imposition of civil penalties, as they might be called.

Mr. LANHAM. So far as I have been able to learn, there have been very few prosecutions under this present statute.

Mr. VESTAL. Only three.

Mr. LANHAM. Only three, so far as I have been able to learn. The committee did not feel it was authorized in putting this out of the bill, inasmuch as it is part of the present law, but is entirely willing to abide by the judgment of the House.

Mr. LaGUARDIA. Is the criminal statute invoked to take care of cases where they willfully print and peddle on the streets infringements of copyrighted matter?

Mr. LANHAM. It is aimed, of course, more at cases of that sort, where there is a violation by those who are not responsible in civil damages.

Mr. LaGUARDIA. What does the gentleman from New York [Mr. BLOOM] say as to that?

Mr. BLOOM. They never prosecute in those cases except where the printer keeps on printing after they have taken the plates away.

Mr. ROMJUE. If they do not use the provision, why leave it in?

Mr. CLARK of Maryland. That is it exactly. I am inclined to think that if this bill becomes a law there will be an incentive to use this criminal provision.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Maryland.

The amendment was agreed to.

The Clerk read as follows:

MANUFACTURE AND IMPORTATION

SEC. 28. Except as in this act otherwise expressly provided, all copies of any copyright material which shall be distributed in the United States in book, pamphlet, map, or sheet form shall be printed from type set within the limits of the United States or its dependencies, either by hand or by the aid of any kind of typesetting machine, and/or from plates made within the limits of the United States or its dependencies from type set therein; or, if the text be produced by lithographic, mimeographic, photogravure, or photo-engraving, or any kindred process or any other process of reproduction now or hereafter devised, then by a process wholly performed within the limits of the United States or its dependencies; and the printing or other reproduction of the text, and the binding of said book or pamphlet, shall be performed within the limits of the United States or its dependencies. Said requirements shall extend also to any copyright illustrations within any book, pamphlet, or sheet, except where the subjects represented are located in a foreign country and/or illustrate any scientific or technical work or reproduce a work of art. Said requirements shall not apply to works in raised characters for the use of the blind, nor to works by authors who are nationals of a foreign country.

Mr. VESTAL. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Indiana [Mr. VESTAL] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. VESTAL: Page 26, lines 11 and 12, strike out the words "except as in this act otherwise expressly provided," change the small "a" in the word "all" to a capital, and after the word "material" insert the words "created by a citizen of the United States."

The amendment was agreed to.

Mr. VESTAL. Mr. Chairman, I offer an amendment, which I send to the desk.

The CHAIRMAN. The gentleman from Indiana [Mr. VESTAL] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. VESTAL: Page 27, after the word "dependencies," in line 1, strike out the remainder of section and insert in lieu thereof the following: "Said requirements shall extend also to any copyright illustrations, maps, or charts within any book or pamphlet, or in sheet form. Said requirements shall not apply to works in raised characters for the use of the blind."

The amendment was agreed to.

Mr. ARENTZ. Mr. Chairman, I move to strike out the last word.

I do this to ask a question of the gentleman from Indiana. The question in my mind is that if an American author with a copyright in England or in France prints a book in the United States, can he sell that under the copyright laws of France or England?

Mr. VESTAL. Can he sell the book?

Mr. ARENTZ. Can he sell the book?

Mr. VESTAL. Under this law; yes.

Mr. ARENTZ. You are putting in lines 6 and 7 because that is true in foreign countries and you want to make it international? It says:

Words by authors who are nationals of a foreign country do not have to print their books in the United States.

Mr. VESTAL. The reason we struck that out was because of the first amendment over in section 48. That was stricken out and put in here, "all copies of any copyright material created by a citizen of the United States." It is not necessary, then, to have the last line in this section.

The pro forma amendment was withdrawn.

The Clerk read as follows:

COPYRIGHT NOTICE, REGISTRATION OF CLAIMS TO COPYRIGHT, AND DEPOSIT OF COPIES

SEC. 34. No notice of copyright shall be required on any work copyrighted under this act, nor after this act goes into effect, as to works copyrighted under previous acts. The omission of such notice from any work shall not be taken as evidence that no copyright is claimed therein nor affect the validity of the copyright therein. Nevertheless, a legible notice of copyright or a notice with reference to any right included in the copyright in any work may be placed on copies of the work by the owner of the copyright or an assignee or licensee. Such notice shall, if applied in the case of a book or other printed publication, be placed upon its title page or the page immediately following, or upon any of the first 10, or the last 10 pages of text; or in the case of a contribution to a periodical, such notice shall be either placed as aforesaid or under the title or at the foot of the first page of said contribution; but any person who with fraudulent intent shall insert or impress any notice or copyright or words of the same purport in or upon any article in which copyright for the United States does not subsist shall be guilty of a misdemeanor, punishable by a fine of not less than $100 nor more than $1,000, and any person who shall knowingly issue or sell any article bearing such notice or words of the same purport when copyright in such article does not subsist in the United States shall be liable to a fine of $100.

Mr. BUSBY. I move to strike out the last word. I would like some information about section 34. I read that carefully, and it seems to me, in view of section 1 on page 1 and section 9 on page 8, that this is entirely unnecessary and meaningless. It provides that a man may put his name on a book showing that he owns a copyright, but if he does put it on it must be on certain pages.

Then further it provides another proposition which deals with some one wrongfully putting his name on a book. I would like some one to give me some information about the purpose of this.

Mr. LANHAM. If the gentleman will permit me to reply to his question, the purpose of this section is to make it possible for the author of a work to give notice, which he will desire to give; and the circumstances will make it practical for him to give in order for him to protect himself.

Mr. BUSBY. Why is he not required to give notice?

Mr. LANHAM. Because of the fact that such formality would be contrary to automatic copyright, the adoption of which is necessary for us to enter the convention of Berne.

Mr. BUSBY. May I ask the gentleman another question? Why does the gentleman keep talking about the Berne convention, when it has had two revisions, each of which is supposed to be better than the Berne convention?

Mr. LANHAM. I do not agree with the statement that they are better than the Berne convention. The reason I am talking about it is because, if we do not enter the Berne convention by the end of July of this year, we can not enter it under the Berlin convention of 1908 but must enter it under the Rome convention of 1928. If we enter under the Berlin convention of 1908, then no modification of the terms of that convention can be made to affect us against our will.



Mr. BUSBY. Please let me take a little bit of my own time.

Mr. LANHAM. I am simply answering the gentleman's question.

Mr. BUSBY. I want to know what advantage you get in the Berlin convention that you do not get in the newer, revised convention, which is supposed to be better than the old one.

Mr. LANHAM. Well, I do not think it is better than the old one. I am telling the gentleman that if we get in under the Berlin convention of 1908, then, in this copyright convention no amendment can be made, no restriction can be provided for, with which we shall have to comply unless we wish to comply.

But if we should go in under the 1928 convention of Rome, we will have to comply with any restrictions that are made.

Mr. BUSBY. Now, what is the gentleman speaking about? What sections of these conventions is the gentleman saying are better than the others?

Mr. LANHAM. We can not go into that very well in the space of five minutes. I am simply trying to tell the gentleman why it is desirable to go in under the Berlin convention of 1908, in response to the gentleman's inquiry. Our friend from New York, Mr. BLOOM, is an expert on the provisions of those conventions, and for an elaboration I will refer the gentleman to the gentleman from New York.

Mr. BUSBY. I will say to both gentlemen that I do not see one particle of advantage in the Berlin convention over the other, and all of these excuses that we ought to adopt such legislation and go in under the Berlin convention are mere piffle, so far as I see the situation.

Mr. O'CONNOR of New York. Will the gentleman yield?

Mr. BUSBY. Yes.

Mr. O'CONNOR of New York. And in the next breath the same gentleman will say that we are not adopting this legislation to get into these conventions, and when you are all through out of their own mouths they admit that the only purpose of this legislation is to join a foreign convention. Such an outrageous proposition was never put before the American Congress. [Applause.]

Mr. LANHAM. Such is not my contention. I want this copyright law for our own land, and for our own land primarily, and the object in passing it now is in order to take care of our own American authors and secure for them the rights to which they are entitled at home and abroad.

Mr. BUSBY. I want to say we are trading the American field to the foreigners in order to secure some foreign fields for our nationals.

Mr. LANHAM. I do not think so. I think we get a lot of the foreign field for ourselves.

Mr. BUSBY. And we are not entitled to it.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

The Clerk read as follows:

SEC. 36. The author or other owner of the copyright in any work or any right, title, or interest therein, may, if he so desires, obtain registration of a claim to copyright in such work or in any of the rights comprised therein, as the case may be, respectively, upon the deposit in the copyright office at Washington of an application accompanied by the registration fee provided by this act and one copy of the work in which or in connection with which copyright is claimed, or the identifying matter prescribed in section 38 of this act.

Registration of a claim to copyright, or of any right therein, shall inure to the benefit of the author as well as all persons claiming through him or under him, as the case may be.

The copyright office shall have no discretion to refuse to receive any application nor to refuse to register such work upon any application being made.

If any person other than the author of any work shall apply for registration under this section, he shall at the time of making said application record in the copyright office any instrument or instruments under which he claims ownership of such copyright or right or rights thereunder, except that if such copyright or right or rights were acquired or contracted for by such person or by any predecessor of his in interest, other than the author, prior to the date on which this act shall take effect, he may record in the copyright office in lieu of such instrument or instruments an affidavit setting forth the nature and extent of his ownership and the essential facts and circumstances upon which his claim to ownership is based: *And provided further*, That if a publisher of a newspaper or periodical shall apply for registration under this section of a claim to copyright in periodical and/or newspaper rights only in such newspaper or periodical, he may, in lieu of any instrument or instruments affecting serial rights, record in the copyright office an affidavit setting forth the essential facts and circumstances upon which his claim is based. For the purposes of this section, if an instrument of assignment or license establishing the nature and extent of the rights claimed be recorded as hereinbefore provided, no other contracts or agreements relating to such transfer, assignment, or license need be recorded.

Mr. BUSBY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Mississippi offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BUSBY: On page 35, at the end of line 24, strike out the period, insert a colon and the following: "*Provided*, That the copyright office shall be the sole judge of the sufficiency of the application and the preliminary acts required for registration."

Mr. BUSBY. Mr. Chairman, I wonder if the gentleman from Indiana caught the import of the amendment?

Mr. VESTAL. I think I did.

Mr. BUSBY. The bill provides that—

The copyright office shall have no discretion to refuse to receive any application or to refuse to register such work upon any application being made.

My position is that we should not seek to put the registrar or copyright office in the position of being dealt with except in a reasonable sort of way. I propose this amendment:

Provided, That the copyright office shall be the sole judge of the sufficiency of the application and the preliminary acts required for registration.

If he can not be the judge of the business we have entrusted him with and determine the sufficiency of the application and the preliminary steps to a registration, it seems to me he is in a poor position to execute the duties of the office to which he has been assigned.

Mr. VESTAL. He is an administrative officer and not a judicial officer.

Mr. BUSBY. I understand that; but the bill now provides that—

The copyright office shall have no discretion to refuse to receive any application nor to refuse to register such work upon any application being made.

While my amendment provides that the copyright office shall be the sole judge of the sufficiency of the application and the preliminary acts required for registration.

Mr. DYER. Would not the gentleman's amendment preclude any appeal from the action of the copyright office? Would not the gentleman's amendment give the copyright office absolute power without any appeal from the decision?

Mr. BUSBY. It does not make it as hard as it does the other way. I am trying to protect the copyright office, our agency, and it makes no particular difference to me.

Mr. DYER. I do not think the gentleman would favor giving absolute power to an executive of any kind without the right of appeal to the court, if such executive should make a mistake.

Mr. BUSBY. We are bound to assume he would be reasonable in his requirements as to the sufficiency of the application. It ought to be intelligible, and that is the only thing that I propose in the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi.

The amendment was rejected.

The Clerk read as follows:

SEC. 37. The form of application for registration shall state to which of the following classes the work to be registered belongs. The classes of works enumerated below are expressly recognized as subject matter of copyright, but the following specifications shall not be held to limit the subject matter of copyright; nor shall any error in classification in such application affect any right comprised in the copyright:

(a) Books, including composite and cyclopedic works, directories, gazetteers, and other compilations, abridgments, adaptations, and translations;

(b) Periodicals, and contributions to periodicals, including newspapers, and contributions thereto;

(c) Lectures, sermons, addresses, or other matter prepared for oral delivery;
(d) Dramatic compositions, dramatizations, and dramatico-musical compositions;
(e) Musical compositions;
(f) Maps;
(g) Works of art;
(h) Reproductions of a work of art, including engravings, lithographs, photo-engravings, photogravures, casts, plastic works, or copies by any other methods of reproduction;
(i) Drawings and plastic works of a scientific or technical character;
(j) Photographs;
(k) Prints and pictorial illustrations, including prints or labels for articles of manufacture and trade-union labels;
(l) Motion-picture photoplays, with or without sound and/or dialogue;
(m) Motion pictures other than photoplays, with or without sound and/or dialogue;
(n) Scenarios (so-called continuities) for motion pictures;
(o) Works of architecture, models, or designs for architectural works;
(p) Choreographic works and pantomimes, the scenic arrangement or acting form of which is fixed in writing or otherwise;
(q) Phonographic records, perforated rolls, and other similar contrivances, by means of which sounds may be mechanically recorded for purposes other than public performance, exhibition, or transmission: *Provided*, Anything to the contrary in this act notwithstanding, that the copyright in such phonographic records, rolls, and contrivances shall consist solely of the exclusive right to print, reprint, publish, copy, and vend said phonograph records, rolls, and contrivances, and that any such copyright and each and every right thereunder, shall be subject to each and every right of the owner of the copyright in any existing or previously existing work, written on said records, rolls, or other contrivances, at all times, in the absence of express contract to the contrary.
(r) Works not specifically hereinabove enumerated.

Mr. BUSBY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Mississippi offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BUSBY: On page 38, line 15, strike out all of paragraph (q) ending on page 39, line 3.

Mr. BUSBY. Mr. Chairman, I understand this amendment is not objectionable to the committee.

Mr. VESTAL. The committee has gone over this proposition and had an amendment to strike it out. We are perfectly willing that this amendment shall be agreed to.

Mr. STAFFORD. Will the gentleman yield?

Mr. BUSBY. I yield.

Mr. STAFFORD. In striking out paragraph (q), wherein do you correct any condition by reason of the omnibus clause (r), which includes works not specifically herein enumerated?

Mr. BUSBY. I really think that both of those sections ought to go out together.

Mr. VESTAL. I think the last one should remain.

Mr. STAFFORD. If the last one should remain, why strike out subparagraph (q)? The last paragraph is all-pervasive and covers everything imaginable. You are agreeing to strike out paragraph (q), relating to phonographic records, and if you are sincere in your desire why not strike out the omnibus clause which takes in everything? I do not think the gentlemen of the committee have allowed anything to escape them.

Mr. BUSBY. Mr. Chairman, I ask unanimous consent to modify my amendment by striking out subsection (r).

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent to modify his amendment in the manner indicated, and the Clerk will report the modified amendment.

The Clerk read as follows:

Mr. BUSBY asks unanimous consent to include in his amendment subsection (r).

The CHAIRMAN. Is there objection?

There was no objection.

The amendment was agreed to.

The Clerk read as follows:

SEC. 38. The copy deposited for registration may either be printed, typewritten, or be in legible handwriting if the work be a book, or a dramatic, musical, or dramatico-musical composition; a scenario of a motion picture; a lecture, sermon, or address, or the acting form of a choreographic work or a pantomime. For a photograph, there shall be deposited one print from the negative; for any work of art, or for a model or design for a work of art, or a drawing or plastic work of a scientific or technical character, or any work not particularly specified in this section, a photograph or other identifying reproduction; for a motion picture, the title, and a description or synopsis or prints sufficient for identification; for an architectural work, a photographic or other identifying representation of such work and such drawings as are necessary to identify it. For any work described in subsection (q) of section 37, a description of the work, together with a copy of any work recorded thereon.

Mr. BUSBY. Mr. Chairman, in order to make this section conform to the amendment that has just been adopted, I move to strike out, in line 20, all after the word "for" and all of lines 21 and 22.

The CHAIRMAN. The gentleman from Mississippi offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BUSBY: On page 39, beginning in line 20 with the word "for," strike out the remainder of line 20 and all of lines 21 and 22.

The amendment was agreed to.

The Clerk read as follows:

SEC. 41. Whenever any literary, dramatic, dramatico-musical, musical, or artistic work has been published in book form, it shall be obligatory upon the publisher, except as below provided, to make a deposit in the copyright office or in the mail addressed to the register of copyrights, Washington, D. C., within 30 days after the date of publication, of two complete copies of the best edition thereof then published, for the use of the Library of Congress. Registration for such work may be secured if such copies are accompanied by the application and remittance prescribed in section 36 of this act: *Provided, however*, That the deposit of copies required in this and the following two sections shall not be obligatory in case of any work whose author is a national of a foreign country which is a member of the International Copyright Union or any work which is protected by copyright in the United States under this act by reason of first publication in any country which is a member of the said union, unless and until such work, if it be a book, shall have been republished in the United States under an assignment of the copyright for the United States or under a license to print and sell such book in the United States.

Mr. VESTAL. Mr. Chairman, I offer a committee amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Indiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment: On page 40, line 15, after the word "book," add a comma and the words "pamphlet, map, or printed sheet."

Mr. STAFFORD. Mr. Chairman, I ask for recognition in opposition to the amendment.

As I read this section, it provides for registration of works of a literary character, and so forth, in the copyright office. Wherein does this provision affect the idea of automatic copyright which is carried in the fore part of the bill?

There has been much said here to-day that if we should require the owner of a book to place upon it the imprint that it is copyrighted, this would interfere with automatic copyright as provided in the bill. Here you are prescribing that it shall be registered. Wherein does this provision not interfere with automatic copyright?

Mr. VESTAL. It does not interfere with automatic copyright at all. This is for the use of the Library itself.

Mr. LANHAM. It does not provide for registration, but for deposit.

Mr. STAFFORD. But such deposit is notice to the world when it is deposited in the Library.

Mr. BUSBY. If the gentleman will yield, I want to ask the chairman or the ranking Democratic member of the committee whether or not it is possible for anyone to publish a book under the provisions of this act and yet leave the property in the public domain; that is, make the use of it free from the copyright?

Mr. LANHAM. I do not think so, except he could give permission for its use free.

Mr. BUSBY. Suppose I write a book and want the public to use it without any restriction, how would I do that under the provisions of this proposed copyright law?

Mr. BLOOM. May I answer that question?

Mr. BUSBY. Yes.

Mr. BLOOM. The idea is that if you print in that book or stamp on that music that permission is given to use the book or the sheet of music for any purpose whatsoever, then they will go on and use it.

Mr. BUSBY. Where is that provided for in this proposed law?

Mr. BLOOM. You do not have to have that. You would be giving notice in this way.

Mr. BUSBY. This law will make them subject to a fine if they do not do such things.

Mr. BLOOM. Not any more so than would be done now.

Mr. BUSBY. That does not answer the question at all.

Mr. STAFFORD. If a minister delivers a sermon and publishes it and does not put any such imprint upon it, then he is entitled to the copyright provisions of this bill even though he does not claim such copyright?

Mr. BUSBY. And even though he does not want such copyright. That is the kind of law we are enacting here.

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 42. That in the case of newspapers or other periodicals, one copy of each issue shall be deposited within 30 days after the date of publication for the use of the Library of Congress, which may be registered if accompanied by an application and remittance as provided in section 36: *Provided*, That if several editions of said newspapers are published on one day, a deposit of any one of said editions shall be in compliance with this section.

Mr. VESTAL. Mr. Chairman, I offer a committee amendment to section 42.

The CHAIRMAN. The gentleman from Indiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment: Page 41, lines 11 and 12, after the word "periodicals," insert the words "when registration is desired."

The committee amendment was agreed to.

Mr. BUSBY. Mr. Chairman, I move to strike out the last word. Does this section require the filing in the Library of Congress of copies of all the daily newspapers throughout the country?

Mr. LANHAM. I will say to the gentleman that it does not.

Mr. BUSBY. It says that in the case of newspapers or other periodicals one copy of each issue shall be deposited within 30 days after the date of publication for the use of the Library of Congress, which may be registered if accompanied by an application and remittance as provided in section 36.

Mr. LANHAM. But the committee amendment just adopted says that when the registration is desired they must send a copy in the case of such desired legislation. In other cases one would not be wanted.

Mr. BUSBY. As originally drawn it would reach the copy of every daily newspaper in the country.

Mr. STAFFORD. Why does that provision not extend to other publications? Why limit it to newspapers and periodicals?

Mr. BUSBY. Why not apply it to books?

Mr. LANHAM. Two copies of books are provided for in section 41.

Mr. BUSBY. Why not apply the exception to books?

Mr. LANHAM. The Library of Congress is for the purpose of disseminating information for the use of Members of Congress and for people who have access to it.

Mr. BUSBY. I understand all that, but when you make this exception, why not extend the same exception to books that you do to periodicals?

Mr. LANHAM. When you have a great library you ought to be able in that library to find any book published in America.

The Clerk read as follows:

SEC. 43. Should the copies called for by sections 41 and 42 of this act not be deposited as herein provided, the Librarian of Congress may at any time after the date of the default in depositing the work require the publisher of said work to make such deposit, and after the said demand shall have been made, in default of the deposit of a copy or copies of the work in the Library of Congress within three months from any part of the United States, except an outlying territorial possession or dependency of the United States, or within six months from any outlying territorial possession or dependency of the United States, the publisher of said work shall be liable to a fine of $100 and to pay to the Library of Congress twice the amount of the retail price of the best edition of the work, but failure to make such deposit shall not in any way affect the validity of the copyright in the said work.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. I take it that under the terms of this section if any person prints anything for private distribution and does not deposit it in the Library of Congress he is subject to a penalty. Am I wrong in that contention? The Chairman shakes his head to the effect no. For instance, if a minister prepares a sermon, prints it, and fails to deposit a copy in the copyright office within a certain time, he is guilty of a criminal offense. The section reads:

SEC. 43. Should the copies called for by sections 41 and 42 of this act not be deposited as herein provided, the Librarian of Congress may at any time after the date of the default in depositing the work require the publisher of said work to make such deposit, and after the said demand shall have been made, in default of the deposit of a copy or copies of the work in the Library of Congress within three months from any part of the United States, except an outlying Territorial possession or dependency of the United States, or within six months from any outlying Territorial possession or dependency of the United States, the publisher of said work shall be liable to a fine of $100 and to pay to the Library of Congress twice the amount of the retail price of the best edition of the work, but failure to make such deposit shall not, in any way, affect the validity of the copyright in the said work.

Mr. LANHAM. How could the Library enforce the deposit of these works?

Mr. STAFFORD. I know of a certain minister in this city that published a sermon for free distribution. If the minister does not provide the Library with a copy of that sermon he is guilty of an offense?

Mr. LANHAM. This provision only applies where the registrar of the copyright office requests it.

Mr. BUSBY. The amendment proposed and adopted by the gentleman from Indiana includes pamphlets and other things and would include sermons.

Mr. LANHAM. This only applies where the Library of Congress requires the author to make such deposit. In other words, if the Library of Congress wants a copy of a sermon I take it that the minister would be glad to furnish it.

Mr. STAFFORD. It makes it mandatory on any person to send a copy to the registrar of the copyright office, otherwise he is guilty of a criminal offense.

The Clerk read as follows:

SEC. 44. The United States postmaster to whom are delivered the articles to be deposited as provided in this act shall, if requested, give a receipt therefor and shall mail them, together with any application for registration of copyright and remittances and any accompanying papers, to the copyright office without cost to the copyright claimant.

Mr. STAFFORD. Mr. Chairman, I move to strike out section 44. I ask the attention of the committee for one moment. Is it proposed to extend the franking privilege to all persons who happen to write books?

Mr. DALLINGER. Mr. Speaker, I make the point of order. Section 44 has already been read and the gentleman seeks to amend section 44.

The CHAIRMAN. The Chair thinks the gentleman from Wisconsin was on his feet endeavoring to secure recognition just as the reading of section 44 was concluded. The point of order is overruled.

Mr. VESTAL. Mr. Chairman, we are simply reenacting the present law.

Mr. STAFFORD. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

SEC. 53. There shall be appointed by the Librarian of Congress a register of copyrights, at a salary of $8,000 per annum, and one assistant register of copyrights, at a salary of $6,000 per annum, who shall have authority during the absence of the register of copyrights to attach the copyright office seal to all papers issued from the said office and to sign such certificates and other papers as may be necessary. There shall also be appointed by the Librarian such subordinate assistants to the register as may from time to time be authorized by law.

Mr. DYER. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. DYER: Page 26, line 25, strike out "$8,000" and insert in lieu thereof "$6,000" and on page 47, line 2, strike out "$6,000" and insert "$4,000."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. VESTAL. Mr. Chairman, I do not think this amendment should be adopted. These are the present salaries received by these men. We are simply reenacting the present law.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri.

The amendment was rejected.

The Clerk read as follows:

SEC. 56. The register of copyrights shall make an annual report to the Librarian of Congress of all copyright business for the previous fiscal year, which report shall be printed promptly after the close of the fiscal year and also be printed in the annual report on the Library of Congress.

Mr. VESTAL. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Committee amendment: Page 48, lines 6 and 7, after the word "year" in line 6, strike out the remainder of the section.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

SEC. 59. The register of copyrights shall receive, and the persons to whom the services designated are rendered shall pay, the following fees: For the registration of a claim to copyright or rights therein under the provisions of this act, $2, which sum is to include a certificate of registration under seal: *Provided*, That in the case of any unpublished work registered under the provisions of section 10, the fee for registration with certificate shall be $1, and in the case of a published photograph the fee shall be $1 where a certificate is not desired. For every additional certificate of registration made, $1. For recording and certifying any written instrument provided for in sections 10 or 11 of this act, or for any copy of such assignment, grant, mortgage, or license, duly certified, if not over 300 words in length, $1; if more than 300 and less than 1,000 words in length, $2; if more than 1,000 words in length, $1 additional for each additional 1,000 words or fraction thereof over 300 words. For comparing any copy of an assignment with the record of such document in the copyright office and certifying the same under seal, $2. For indexing the transfer of the ownership of copyrighted works or of any right therein, 10 cents for each title of a book or other article, in addition to the fee prescribed for recording the instrument evidencing the same. For any requested search of copyright office records, indices, or deposits, $1 for each full hour of time consumed in making such search.

Mr. VESTAL. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 49, line 4, change the section number from 10 to 36.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. VESTAL. I offer the following amendment.

The Clerk read as follows:

Section 59, page 49, line 11, after the word "certified," strike out the remainder of line 11 and all of lines 12 to 16, including the word "words" in line 16, and insert in lieu thereof the following: "$1 for each copyright office record-book page or fraction thereof, up to five pages, and 50 cents for each such page or fraction thereof beyond five pages."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. CHINDBLOM. Mr. Chairman, I would like to know whether these fees apply to photographs.

Mr. VESTAL. This amendment is offered at the suggestion of the Register of Copyrights, so that the fees and registration in all cases shall be exactly alike, based on the same proposition.

Mr. CHINDBLOM. That means that there will be a same fee for registering photographs?

Mr. VESTAL. For recording and certifying any written instrument.

Mr. CHINDBLOM. Has the committee any views on the matter of copyrighting photographs? The automatic copyright, of course, includes photographs, and the control of the photograph is in the photographer, not in the person photographed.

Mr. STAFFORD. Oh, as I understand the phraseology of this bill, the right to the copyright is with the person who sits for the photograph, not with the photographer. That is my recollection of the reading of the bill.

Mr. VESTAL. The photographer has no right in the matter.

Mr. CHINDBLOM. At the present time the photographer who registers the photograph in the copyright office has the control of that photograph.

Mr. STAFFORD. Yes; under existing law, but I refer the gentleman to page 38.

Mr. CHINDBLOM. The word "photographs" is there, but it does not say as to who is the owner of the copyright.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana.

The amendment was agreed to.

The Clerk read as follows:

SEC. 60. A seal shall be provided and used in the copyright office and be the seal thereof, and by it all papers issued from the copyright office requiring authentication shall be authenticated.

Mr. VESTAL. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 50, line 1, strike out the words "provided and."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

ENTRY OF THE UNITED STATES INTO THE INTERNATIONAL COPYRIGHT UNION

SEC. 61. Copyright shall subsist in the work of alien authors by virtue of adherence to the International Copyright Union, signed at Berne, Switzerland, September 9, 1886, and revised at Berlin, Germany, November 13, 1908, and to the "additional protocol" to the said convention executed at Berne, Switzerland, March 20, 1914, as provided by this act, on and after the date on which the adherence of the United States to the convention creating an international union for the protection of literary and artistic works goes into force: *Provided, however*, That the duration of copyright in the United States shall not in the case of the work of any such alien author extend beyond the date at which such work has fallen into the public domain in the country of origin as defined by said convention: *And provided further*, That as to copyrights in works not previously copyrighted in the United States no right or remedy given pursuant to this act shall prejudice lawful acts done or rights in or in connection with copies lawfully made or the continuance of business undertakings or enterprises lawfully undertaken within the United States prior to the date of said proclamation, and the author or other owner of such copyrights or persons claiming under him shall not be entitled to bring action against any person who has, prior to such date, taken any action in connection with the exploitation, production, reproduction, circulation, or performance (in a manner which at the time was not unlawful) of any such work whereby he has incurred any substantial expenditure or liability.

Mr. LANHAM. Mr. Chairman, I offer the following amendment in order to get the name properly in the bill.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 50, strike out lines 7, 8, and 9, including the word "union," in line 9, and insert in lieu thereof the following:

"Copyright, as herein provided, shall subsist in the work of alien authors by virtue of adherence of the United States to the convention of Berne for the protection of literary and artistic works"; and on page 50, lines 14 and 15, strike out the words "convention creating an international union" and insert in lieu thereof the words "said convention of Berne." And on page 51, line 2, strike out the words "of said proclamation" and insert in lieu thereof the following: "on which the adherence of the United States to said convention of Berne for the protection of literary and artistic works becomes effective."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. STAFFORD. I rise in opposition to the amendment. I notice that in many places in the bill reference has been made to "The International Copyright Union," wherein the gentleman has now proposed amendments to have it conform to "the convention of Berne." In the earlier part of

the bill such amendments were made, but there are several other places in the bill where it has not been done.

Mr. LANHAM. Will the gentleman kindly specify?

Mr. STAFFORD. Well, I can not now designate them specifically, but in going through the bill there were other instances where the phrase "International Copyright Union" was referred to.

Mr. LANHAM. I do not recall any other than those to which attention has been called.

Mr. STAFFORD. Perhaps not.

Mr. LANHAM. Mr. Chairman, I ask unanimous consent to modify the amendment offered by me to include an amendment to the title of this section.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. The Clerk will report the modification to the amendment.

The Clerk read as follows:

Amendment offered by Mr. LANHAM to the committee amendment: In line 5, on page 50, after the second word "the," strike out "International Copyright Union" and insert in lieu thereof "convention of Berne for the protection of literary and artistic works."

The CHAIRMAN. The question is upon agreeing to the amendment offered by the gentleman from Texas.

The question was taken; and on a division (demanded by Mr. PARKS) there were ayes 73 and noes 1.

Mr. PARKS. Mr. Chairman, I object to the vote on the ground that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and forty-one Members are present, a quorum.

The amendment to the committee amendment was agreed to.

The committee amendment as amended was agreed to.

Mr. LANHAM. Mr. Chairman, I ask unanimous consent to return to section 41 for the purpose of offering an amendment to make that section conform in its verbiage to the amendment just adopted by the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. LANHAM: On page 41, line 3, strike out the words "International Copyright Union" and insert in lieu thereof "convention of Berne for the protection of literary and artistic works."

The amendment was agreed to.

The Clerk read as follows:

SEC. 65. That this act shall go into effect on the 1st day of April, 1931.

Mr. VESTAL. Mr. Chairman, I offer an amendment. On page 52, line 3, strike out "April" and insert in lieu thereof "July."

The CHAIRMAN. The gentleman from Indiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment: On page 52, line 13, strike out the word "April" and insert "July."

The amendment was agreed to.

Mr. TILSON. Mr. Chairman, I think a request should be made that the Clerk change the cross references where sections have been stricken out or the number changed.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The CHAIRMAN. The committee automatically rises under the rule.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HOCH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 12549) to amend and consolidate the acts respecting copyright and to permit the United States to enter the International Copyright Union, under the rule he reported the same back to the House with sundry amendments, adopted by the Committee of the Whole.

The SPEAKER. Under the rule the previous question is ordered on the bill and all amendments to final passage.

Is a separate vote demanded on any amendment?

Mr. LANHAM. Mr. Speaker, I demand a separate vote on the amendment offered by the gentleman from Indiana [Mr. HOGG] to section 1.

Mr. VESTAL. Mr. Speaker, I demand a separate vote on the amendment known as the Busby amendment to section 1, page 4, line 18.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

Mr. BUSBY. Mr. Speaker, may I ask what the attitude is with regard to proceeding further with the bill this afternoon?

Mr. VESTAL. The gentleman means whether or not we shall vote on the amendments this afternoon?

Mr. BUSBY. Yes.

Mr. VESTAL. Not if it will require a roll call.

Mr. BUSBY. A great many have asked me to insist on a roll call, and that is the reason I wanted to direct your attention to it. If we vote on the amendments they want a roll call, and I suggest we adjourn and carry the bill over until to-morrow.

Mr. VESTAL. Mr. Speaker, as the matter stands, the vote on the amendments will come the first thing to-morrow.

The SPEAKER. The vote on the first amendment will be in order immediately after the reading of the Journal and the disposition of matters on the Speaker's table, and then the vote on the second amendment.

Mr. VESTAL. And then on the passage of the bill?

The SPEAKER. Yes.

MESSAGE FROM THE PRESIDENT—PAYMENT OF FOREIGN CLAIMS (S. DOC. NO. 252)

The SPEAKER laid before the House the following message from the President of the United States, which was read and with the accompanying papers referred to the Committee on Foreign Affairs and ordered printed.

To the Congress of the United States:

I transmit herewith a report by the Secretary of State recommending the enactment of legislation for the following purposes:

I

For the relief of the widow, Raimunda Valladares de Calderon, and children of Justo Calderon, a native Nicaraguan, who was shot to death on January 30, 1930, by Chief Pharmacist's Mate Willie H. Williamson, United States Navy, who was serving as a second lieutenant in the Nicaraguan National Guard.

II

For reimbursement of Demetrio Valle, a Nicaraguan citizen, which arose from bombing operations of a United States Marine Corps airplane near Palsagua, Nicaragua, on or about April 11, 1929.

III

For reimbursement of Salvador Buitrago Diaz, owner of the newspaper La Tribuna, of Managua, Nicaragua, for damage done to his property by United States Marines on February 6, 1921.

IV

For reimbursement of Dr. Enrique Klinghoffer and Dr. Br. Rappoccioli for payment for professional services rendered and medical supplies furnished to Charles Stevens McReynolds, deceased, former major, United States Marine Corps.

V

For payment of a claim against the Navy Department in the sum of $1,500 United States currency transmitted to that department by the commander in chief, United States Asiatic Fleet, after a consultation with the American consul general at Shanghai regarding proper compensation in the circumstances in behalf of Ling Mau Mau, a citizen of China, for personal injuries received by him as a result of a collision between a Chinese junk on which he was aboard and the United States naval vessel *Whipple*, which occurred in the Whangpoo River on May 20, 1930.

VI

For payment of a claim of Miss Janet Hardcastle Ross, a Canadian citizen, for compensation for personal injuries resulting from the dropping of a dummy bomb by a United States Navy airplane near Coronado, Calif., on March 27, 1929.

VII

For payment of claims presented by the Governments of Great Britain and of Japan for reimbursement by the Government of the United States of its share in the expenses incurred by the Governments of Great Britain and of Japan in connection with the proposed deportation of enemy aliens from China to Australia during the World War.

VIII

To provide $15,000 for the expenses of the Fourth Pan American Commercial Conference to be held in Washington in 1931.

IX

Report and recommendation concerning a claim against the Navy Department in the sum of $15.59 United States currency in behalf of N. J. Moosa, a citizen of Great Britain, for reimbursement of expenses of medical services and hospital treatment incurred by him as the result of a collision at Shanghai, China, on September 13, 1928, between a United States Marine Corps truck and a broker's trap in which he was riding.

X

To provide $50,000 for the expenses of participation by the United States in the World's Grain Exhibition and Conference to be held in Canada in 1932.

The recommendations of the Secretary of State have my approval, and I request the enactment of legislation for the purposes stated in order that this Government may carry out the projects and meet the obligations outlined in the report.

HERBERT HOOVER.

THE WHITE HOUSE, *January 12, 1931.*

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to—

Mr. MONTET (at the request of Mr. SANDLIN) for four days, on account of his attendance at the flood-control meeting in Chicago.

Mr. FITZPATRICK, for an indefinite period, on account of illness in family.

Mrs. NORTON, for an indefinite period, on account of illness.

Mr. GARRETT, for 10 days, on account of illness.

Mr. BANKHEAD, for to-day and to-morrow, on account of important business.

ENROLLED BILL SIGNED

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 11201. An act to authorize a preliminary examination of the Fox River, Wis., for the purpose of flood control.

BILL PRESENTED TO THE PRESIDENT

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H. R. 11201. An act to authorize a preliminary examination of the Fox River, Wis., for the purpose of flood control.

ADJOURNMENT

Mr. VESTAL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 29 minutes p. m.) the House adjourned until to-morrow, Tuesday, January 13, 1931, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Tuesday, January 13, 1931, as reported to the floor leader by clerks of the committees:

COMMITTEE ON NAVAL AFFAIRS

(10.30 a. m.)

To authorize the construction of certain naval vessels. (H. R. 14688.)

COMMITTEE ON APPROPRIATIONS

(2 p. m.)

Independent offices appropriation bill.
District of Columbia appropriation bill.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

768. A letter from the Public Printer of the United States, transmitting report of an accumulation of papers which are not needed in the transaction of public business and have no permanent value or historical interest; to the Committee on Disposition of Useless Executive Papers.

769. A letter from the secretary of the United States Civil Service Commission, transmitting report of an accumulation of papers which are not needed in the transaction of public business and have no permanent value or historical interest; to the Committee on Disposition of Useless Executive Papers.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. SNELL: Committee on Rules. H. Res. 334. A resolution providing for the consideration of House Joint Resolution 447, a joint resolution making an appropriation to carry out the provisions of the public resolution entitled "Joint resolution for the relief of farmers in the drought and/or storm stricken areas of the United States," approved December 20, 1930; without amendment (Rept. No. 2232). Referred to the House Calendar.

Mr. SWING: Committee on the Public Lands. H. R. 13547. A bill to safeguard the validity of permits to use national-forest lands; with amendment (Rept. No. 2233). Referred to the House Calendar.

Mr. HAUGEN: Committee on Agriculture. H. R. 12479. A bill to coordinate the agricultural experiment-station work and to extend the benefits of certain acts of Congress to the Territory of Porto Rico; without amendment (Rept. No. 2234). Referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 16026) for the relief of George Lee Moreland; Committee on Military Affairs discharged, and referred to the Committee on Naval Affairs.

A bill (H. R. 15978) granting an increase of pension to Dora E. Hutchens; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HILL of Alabama: A bill (H. R. 16074) for the relief of the State of Alabama and certain former officers of the Alabama National Guard; to the Committee on Military Affairs.

By Mr. COOKE: A bill (H. R. 16075) to authorize the erection of a Veterans' Bureau hospital in the western part of the State of New York, in or near the city of Buffalo, and to authorize the appropriation therefor; to the Committee on World War Veterans' Legislation.

By Mr. MANLOVE: A bill (H. R. 16076) to amend the retirement act approved May 29, 1930; to the Committee on the Civil Service.

By Mr. TEMPLE: A bill (H. R. 16077) authorizing an appropriation for the payment of claims arising out of the occupation of Vera Cruz, Mexico, by American forces in 1914; to the Committee on Foreign Affairs.

By Mr. LEAVITT: A bill (H. R. 16078) to amend the act approved June 2, 1930, providing for a memorial to Theodore Roosevelt for his leadership in the cause of forest conservation; to the Committee on the Library.

By Mr. ACKERMAN: Concurrent resolution (H. Con. Res. 45) authorizing the issuance and sale of one billion 2-cent stamps in connection with drought relief; to the Committee on the Post Office and Post Roads.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREW: A bill (H. R. 16079) granting a pension to Lizzie E. Goodrich; to the Committee on Invalid Pensions.

By Mr. BACHARACH: A bill (H. R. 16080) granting a pension to Mary A. M. Lafferty; to the Committee on Pensions.

By Mr. BAIRD: A bill (H. R. 16081) granting a pension to Lillian Cornwell; to the Committee on Invalid Pensions.

By Mr. BRUMM: A bill (H. R. 16082) granting a pension to William Irving (with accompanying papers); to the Committee on Invalid Pensions.

By Mr. CARTER of Wyoming: A bill (H. R. 16083) for the relief of George W. Parkins; to the Committee on Claims.

By Mr. CHRISTGAU: A bill (H. R. 16084) granting a pension to Mary Tompkins; to the Committee on Invalid Pensions.

By Mr. COCHRAN of Pennsylvania: A bill (H. R. 16085) granting a pension to Emma V. Bateman; to the Committee on Invalid Pensions.

By Mr. FULLER: A bill (H. R. 16086) granting a pension to Harriet A. Davis; to the Committee on Invalid Pensions.

By Mr. GRANFIELD: A bill (H. R. 16087) authorizing the President to order Louis U. LaBine before a retiring board for a hearing of his case and upon the findings of such board to determine whether or not he be placed on the retired list with the rank and pay held by him at the time of his discharge; to the Committee on Military Affairs.

Also, a bill (H. R. 16088) for the relief of Myles McDonagh; to the Committee on Military Affairs.

By Mr. GREENWOOD: A bill (H. R. 16089) for the relief of William Byerly; to the Committee on Military Affairs.

By Mr. HARE: A bill (H. R. 16090) for the relief of Walter Couch; to the Committee on War Claims.

By Mr. HOOPER: A bill (H. R. 16091) granting a pension to Rhoda Burroughs (with accompanying papers); to the Committee on Invalid Pensions.

By Mr. JONES of Texas: A bill (H. R. 16092) granting a pension to Mary O. Jackson; to the Committee on Pensions.

By Mr. LEAVITT: A bill (H. R. 16093) granting an increase of pension to Fay B. Weekley; to the Committee on Invalid Pensions.

By Mr. LETTS: A bill (H. R. 16094) granting an increase of pension to Eliza E. Abbott; to the Committee on Invalid Pensions.

By Mr. McREYNOLDS: A bill (H. R. 16095) to authorize the appointment of Arthur F. Cooley as a warrant officer, United States Army, and place him on the retired list as a warrant officer; to the Committee on Military Affairs.

Also, a bill (H. R. 16096) for the relief of R. P. McCarter; to the Committee on Claims.

By Mr. MORGAN: A bill (H. R. 16097) granting an increase of pension to Sarah M. Beaumont; to the Committee on Invalid Pensions.

By Mr. MOUSER: A bill (H. R. 16098) granting an increase of pension to Margaret C. Lloyd; to the Committee on Invalid Pensions.

By Mr. PATMAN: A bill (H. R. 16099) granting a pension to Tom F. Taylor; to the Committee on Pensions.

By Mr. PURNELL: A bill (H. R. 16100) granting a pension to Pearl Morphew Sanders; to the Committee on Invalid Pensions.

By Mr. RICH: A bill (H. R. 16101) granting an increase of pension to Mary Jane Sherwood; to the Committee on Invalid Pensions.

By Mr. SPEAKS: A bill (H. R. 16102) granting a pension to Ella S. Weaver; to the Committee on Invalid Pensions.

By Mr. SPEARING: A bill (H. R. 16103) granting an increase of pension to Irma C. Manion; to the Committee on Pensions.

By Mr. STONE: A bill (H. R. 16104) granting a pension to Mary E. Godsey (with accompanying papers); to the Committee on Pensions.

By Mr. SWING: A bill (H. R. 16105) for the relief of certain stockholders of the Santa Ana Cooperative Sugar Co., of Santa Ana, Calif.; to the Committee on Claims.

By Mr. TILSON: A bill (H. R. 16106) granting an increase of pension to Nellie N. Taft; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16107) granting an increase of pension to Annie Sheridan; to the Committee on Invalid Pensions.

By Mr. WILLIAMSON: A bill (H. R. 16108) granting a pension to M. Cummins, otherwise known as Milton M. Cummins or Milton M. Cummings; to the Committee on Pensions.

By Mr. WOLVERTON of West Virginia: A bill (H. R. 16109) granting an increase of pension to Martha E. Lemmons; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8519. Petition of Bismarck Chapter, No. 96, the National Sojourners, urging Congress to withdraw Federal aid from schools and colleges having compulsory military training; to the Committee on Military Affairs;

8520. Petition of Industrial Club of St. Louis, urging an early amendment of the Volstead Act; to the Committee on the Judiciary.

8521. Petition of the Fleet Reserve Association, favoring the payment of the face value of the adjusted-compensation certificates as covered in House bill 3493; to the Committee on Ways and Means.

8522. By Mr. BLOOM: Petition of residents of New York State, urging the passage of House bill 7884, providing for the exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

8523. By Mr. BRUNNER: Petition of Edalene G. Shane of 3420 Ninety-ninth Street, Corona, N. Y., and 75 other residents of the second Queens Borough, New York district, favoring the passage of House bill 7884 for the exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

8524. By Mr. CARTER of Wyoming: Petition of M. E. Johnson and others, requesting the passage of House bill 7884; to the committee on the District of Columbia.

8525. By Mr. CRAIL: Petition of approximately 50 veterans of the National Military Home, California, requesting legislation authorizing the immediate payment of the World War veterans' adjusted-compensation bonus; to the Committee on Ways and Means.

8526. Also, petition of approximately 300 veterans of the National Military Home, California, requesting legislation authorizing the immediate payment of the World War veterans' adjusted-compensation bonus; to the Committee on Ways and Means.

8527. Also, petition of approximately 40 veterans of West Los Angeles, Calif., requesting legislation authorizing the immediate payment of the World War veterans' adjusted-compensation bonus; to the Committee on Ways and Means.

8528. Also, petition of certain veterans of Los Angeles, Calif., urging the passage of House bill 3493; to the Committee on Ways and Means.

8529. Also, petition of National Military Home, California, urging the passage of House bill 3493; to the Committee on Ways and Means.

8530. By Mr. CHRISTGAU: Resolution adopted by members of the Earl H. Neville Post, No. 1287, Veterans of Foreign Wars of the United States, Winona, Minn., in favor of full cash payment of all adjusted-service certificates; to the Committee on Ways and Means.

8531. By Mr. CULLEN: Petition of the Municipal War Veterans' Memorial Association of the City of New York (Inc.), urging the Government to give a proportional amount of positions in the Federal census, starting January 10, 1931, to war veterans of the United States military and naval forces; to the Committee on the Census.

8532. Also, petition of the American Federation of Labor, in its fiftieth annual convention, urging the passage of House Joint Resolution No. 334, introduced by Congressman REID of Illinois, to amend the radio act of 1927 by providing that the Federal Radio Commission shall assign three cleared-channel broadcasting frequencies to the Departments of Agriculture, Labor, and Interior, which shall be licensed to the radio stations recommended by the heads of those Government departments as being most representative of the labor, agricultural, and educational interests of the United States; to the Committee on the Merchant Marine and Fisheries.

8533. By Mr. DEMPSEY: Petitions of 106 residents of the fortieth (New York) congressional district, urging the passage of House bill 7884, providing for the exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

8534. By Mr. FENN: Petitions of residents of Hartford, Conn., and vicinity, favoring the passage of House bill 7884, prohibiting experiments on living dogs in the District of Columbia; to the Committee on the District of Columbia.

8535. By Mr. FINDLEY: Petition of certain World War veterans of Williamsburg, Ky., urging immediate cash payment of the adjusted-service certificates; to the Committee on Ways and Means.

8536. By Mr. GAVAGAN: Petition of William C. Paster and others, urging the passage of House bill 7884, for exemption of dogs from vivisection; to the Committee on the District of Columbia.

8537. By Mr. GLOVER: Petition of citizens of Hot Spring County, Ark., urging Congress to legislate regarding employment of persons of old age; to the Committee on the Judiciary.

8538. Also, petition of citizens of Desha County, Ark., protesting the drainage tax; to the Committee on Irrigation and Reclamation.

8539. By Mr. HUDSON: Petition of citizens of Wayne, Oakland, and Genesee Counties of the sixth district of Michigan, urging the passage of House bill 7884, for the exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

8540. By Mr. KVALE: Petition of Bricklayers, Masons, and Plasterers International Union, at the twentieth annual convention of the Minnesota State conference, resolving that the convention go on record as unanimously in favor of repealing the eighteenth amendment; to the Committee on the Judiciary.

8541. By Mr. MARTIN: Petition of sundry citizens of Bristol County, Mass., urging enactment of House bill 7884, for the exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

8542. By Mr. O'CONNOR of New York: Resolutions of sundry citizens of the city of New York, favoring the passage of House bill 7884; to the Committee on the District of Columbia.

8543. By Mr. SELVIG: Petition of American Legion Post, of Red Lake Falls, Minn., urging enactment of the bill providing for payment of adjusted-compensation certificates in cash to the veterans; to the Committee on Ways and Means.

8544. Also, petition of Obert J. Rustad and 59 others, residents of Hawley, Minn., urging the enactment of bill providing for the immediate payment of the face value of World War adjusted-service compensation certificates; to the Committee on Ways and Means.

8545. By Mr. WOLVERTON of West Virginia: Petition of Thomas B. McQuain, post adjutant, Post No. 42, Department of West Virginia, American Legion, Glenville, W. Va.; Stanley F. Dobbins, West Virginian disabled World War veteran, of Albuquerque, N. Mex.; and Meuse-Argonne Post, No. 573, Veterans of Foreign Wars, of Clarksburg, W. Va., urging Congress to take favorable action on proposed legislation to pay off the World War veterans' adjusted-compensation certificates; to the Committee on Ways and Means.

8546. Also, petition of the Clarksburg Drug Co., of Clarksburg, W. Va., by S. L. White, manager; H. Kalbitzer & Son, of Wheeling, W. Va., by H. C. Kalbitzer, manager; and Greer & Laing, of Wheeling, W. Va., by F. A. Ebeling, manager, urging Congress to take favorable action on the Capper-Kelly fair trade bill; to the Committee on Interstate and Foreign Commerce.

8547. Also, petition of Ervin Dorsey, vocational agricultural instructor, University High School, Morgantown, W. Va.; Truman Tolley, Bernard Ullom, C. W. Douglas, Everett Davis, and Wilson Randolph, of Grant District High School, Lost Creek, W. Va., urging Congress to take favorable action on the Capper-Reed bill to provide additional Federal funds for vocational education in trades, industries, and commerce in high schools; to the Committee on Education.

8548. By Mr. YATES: Petition of J. H. Wallovick, president American Rug & Carpet Co., 910 Michigan Boulevard South, Chicago, Ill., urging the defeat of any legislation tending to increase first-class postage rates; to the Committee on the Post Office and Post Roads.

8549. Also, petition of J. P. Mentzer, president Mentzer Bush & Co., Chicago, protesting the increase of first-class postage from 2 cents to 2½ cents per ounce; to the Committee on the Post Office and Post Roads.

8550. Also, petition of J. Klein & Sons, 3544–46–48 South Morgan Street, Chicago, Ill., urging Congress to defeat any legislation intended to increase the first-class postage rate; to the Committee on the Post Office and Post Roads.

SENATE

TUESDAY, JANUARY 13, 1931

(Legislative day of Monday, January 5, 1931)

The Senate met in executive session at 12 o'clock meridian, on the expiration of the recess.

The VICE PRESIDENT. The question is, Will the Senate advise and consent to the nomination of Edgar B. Brossard, of Utah, to be a member of the United States Tariff Commission for the term ending June 16, 1932? The Senator from Arkansas [Mr. ROBINSON] is entitled to the floor.

Mr. FESS. Mr. President, will the Senator from Arkansas yield?

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Ohio?

Mr. ROBINSON of Arkansas. I yield.

APPROVAL OF THE LEGISLATIVE JOURNAL

Mr. FESS. I ask unanimous consent, as in legislative session, for the approval of the legislative Journal for the calendar days of January 5 to 10, both inclusive.

The VICE PRESIDENT. Is there objection?

Mr. ROBINSON of Arkansas. May I ask the Senator the occasion for this unusual proceeding?

Mr. FESS. The Journal clerk desires it because of the amount of Journal work involved, which is held up until the legislative Journal is approved.

Mr. ROBINSON of Arkansas. What period does the request cover?

Mr. FESS. The 5th to the 10th of January.

Mr. ROBINSON of Arkansas. The Journal has not been read and approved in the meantime?

Mr. FESS. No.

Mr. ROBINSON of Arkansas. Why?

Mr. FESS. Because we are still in the legislative day of Monday, January 5.

Mr. ROBINSON of Arkansas. We have been in recess since that time?

Mr. FESS. Yes.

Mr. ROBINSON of Arkansas. I have no objection.

The VICE PRESIDENT. Is there objection to the request of the Senator from Ohio? The Chair hears none, and the legislative Journal for the period indicated is approved.

CALL OF THE ROLL

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. Does the Senator from Arkansas yield for that purpose?

Mr. ROBINSON of Arkansas. I do.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	Keyes	Shipstead
Barkley	George	King	Shortridge
Bingham	Gillett	La Follette	Simmons
Black	Glass	McGill	Smith
Blaine	Glenn	McKellar	Smoot
Bratton	Goff	McMaster	Steck
Brock	Goldsborough	McNary	Steiwer
Brookhart	Gould	Metcalf	Stephens
Broussard	Hale	Morrison	Swanson
Bulkley	Harris	Morrow	Thomas, Idaho
Capper	Harrison	Moses	Thomas, Okla.
Caraway	Hastings	Norbeck	Trammell
Carey	Hatfield	Norris	Tydings
Connally	Hawes	Nye	Vandenberg
Copeland	Hayden	Oddie	Wagner
Couzens	Hebert	Partridge	Walcott
Cutting	Heflin	Phipps	Walsh, Mass.
Dale	Howell	Reed	Walsh, Mont.
Davis	Johnson	Robinson, Ark.	Waterman
Deneen	Jones	Robinson, Ind.	Watson
Dill	Kean	Schall	Wheeler
Fess	Kendrick	Sheppard	Williamson

Mr. FESS. I was requested to announce that the Senator from North Dakota [Mr. FRAZIER] and the Senator from Oklahoma [Mr. PINE] are engaged in the Committee on Indian Affairs.

The VICE PRESIDENT. Eighty-eight Senators have answered to their names. A quorum is present.

ANNUAL REPORT OF THE PUBLIC PRINTER (S. DOC. NO. 236)

As in legislative session,

The VICE PRESIDENT laid before the Senate a communication from the Public Printer, transmitting, in compliance with law, his annual report to the Congress on the work of the United States Government Printing Office for the fiscal year ended June 30, 1930, and also for the last half of the calendar year 1930, which, with the accompanying report, was referred to the Committee on Printing and ordered to be printed.

CLAIM OF POTOMAC ELECTRIC POWER CO.

The VICE PRESIDENT laid before the Senate a communication from the Comptroller General of the United States, transmitting, pursuant to law, his report and recommendation concerning the claim of Potomac Electric Power Co., of Washington, D. C., against the United States, which, with the accompanying report, was referred to the Committee on Claims.

AFFAIRS OF INDIANS OF CATTARAUGUS, ALLEGANY, AND OIL SPRINGS RESERVATIONS, N. Y. (S. DOC. NO. 253)

The VICE PRESIDENT laid before the Senate a communication from the Comptroller General of the United States, transmitting a preliminary report on an audit made of the receipts and expenditures of the moneys arising from the leasing of oil, gas, and other lands and properties of the Indians on the Cattaraugus, Allegany, and Oil Springs Reservations, in the State of New York, made pursuant to Senate Resolution 248, of April 16, 1930, which, with the accompanying report, was referred to the Committee on Indians Affairs and ordered to be printed.

Mr. COPELAND. Mr. President, I ask unanimous consent that the report, which relates to Indians in the East, may be printed as a public document.

The VICE PRESIDENT. The report has been ordered printed and referred to the Committee on Indian Affairs.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate resolutions adopted by the City Council of Minneapolis, Minn., favoring the making of appropriations and the apportionments thereof needed for the vigorous prosecution of the project for a 9-foot channel in the upper Mississippi River, which were referred to the Committee on Commerce.

Mr. TYDINGS presented petitions of members of the Polish Mothers Club of the Young Women's Christian Association, and of sundry other citizens of Baltimore, Md., and also of Chambersburg, Pa., praying for the prompt ratification of the World Court protocols, which were referred to the Committee on Foreign Relations.

Mr. WALSH of Massachusetts presented petitions numerously signed by sundry citizens of Brockton, Mass., praying for the passage of legislation for the exemption of dogs from vivisection in the District of Columbia, which were referred to the Committee on the District of Columbia.

Mr. SIMMONS presented petitions numerously signed by sundry citizens of Statesville, Badin, Morganton, High Point, and Asheville, all in the State of North Carolina, praying for the passage of legislation for the exemption of dogs from vivisection in the District of Columbia, which were referred to the Committee on the District of Columbia.

Mr. WALCOTT presented petitions of sundry citizens of Hartford, Norwalk, Greenwich, Wethersfield, Glastonbury, Middlefield, West Hartford, Millidale, Fairfield, Shelton, Manchester, and Seymour, all in the State of Connecticut, praying for the passage of legislation for the exemption of dogs from vivisection in the District of Columbia, which were referred to the Committee on the District of Columbia.

He also presented the petition of the Norwalk (Conn.) Ministers' Association, praying for the passage of the so-called Wagner unemployment bill, which was ordered to lie on the table.

He also presented letters in the nature of petitions from the National Association of Letter Carriers, of Hartford, and the United National Association of Post Office Clerks, Branch No. 35, of New Haven, both in the State of Connecticut, praying for the passage of House bill 6603, to provide a shorter work week for postal employees, which were ordered to lie on the table.

He also presented a resolution adopted by the King's Daughters, of Durham, Conn., praying for the passage of House bill 9986, to provide for Federal supervision of motion pictures, which was referred to the Committee on Interstate Commerce.

He also presented the petition of members of Albert J. Breault Post, No. 1523, Veterans of Foreign Wars, of Putnam, Conn., praying for the passage of the bill (H. R. 3493) to provide for the immediate payment to veterans of the face value of their adjusted-compensation certificates, which was referred to the Committee on Finance.

He also presented papers in the nature of petitions from the department of international relations, League of Woman Voters, of Sprague; the New London County League of Women Voters; and the Bridgeport, New Haven, and Stamford sections of the National Council of Jewish Women, all in the State of Connecticut, praying for the prompt ratification of the World Court protocols, which were referred to the Committee on Foreign Relations.

REPORT OF POST OFFICES AND POST ROADS COMMITTEE

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, to which was referred the bill (S. 5365) to repeal section 7 of the postal act approved May 29, 1928, reported it without amendment and submitted a report (No. 1267) thereon.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MOSES:

A bill (S. 5670) granting a pension to Frank P. Card (with accompanying papers); to the Committee on Pensions.

By Mr. HALE:

A bill (S. 5671) granting a pension to Roy M. Osborne (with accompanying papers); to the Committee on Pensions.

By Mr. NORRIS:

A bill (S. 5672) granting a pension to Celia Kneller; to the Committee on Pensions.

By Mr. SHORTRIDGE:

A bill (S. 5673) for the relief of Philip Bender; to the Committee on Military Affairs.

By Mr. COPELAND:

A bill (S. 5674) for the relief of Valle & Co. (Inc.); to the Committee on Claims.

A bill (S. 5675) to amend the Code of Laws for the District of Columbia in relation to providing security against old-age want; to the Committee on the District of Columbia.

A bill (S. 5676) to extend the benefits of the employees' compensation act of September 7, 1916, to Mary Elizabeth O'Brien, a former employee of the United States Veterans' Bureau; to the Committee on Claims.

By Mr. SWANSON:

A bill (S. 5677) to authorize the Secretary of the Treasury to prepare and manufacture a medal in commemoration of the one hundred and fiftieth anniversary of the surrender of Lord Cornwallis at Yorktown, Va., and of the establishment of the independence of the United States; to the Committee on the Library.

By Mr. CAPPER:

A bill (S. 5678) granting an increase of pension to Adolia Bottsford (with accompanying papers); and

A bill (S. 5679) granting an increase of pension to Levenia E. Irwin (with accompanying papers); to the Committee on Pensions.

By Mr. WALSH of Massachusetts:

A bill (S. 5680) granting a pension to George E. Kenson (with accompanying papers); to the Committee on Pensions.

By Mr. HAYDEN:

A bill (S. 5681) to amend the Federal highway act approved November 9, 1921; to the Committee on Post Offices and Post Roads.

By Mr. REED:

A bill (S. 5682) to incorporate the American Gold Star Mothers; to the Committee on the Judiciary.

By Mr. BLAINE:

A bill (S. 5683) authorizing the Menominee Tribe of Indians to employ general attorneys; and

A bill (S. 5684) authorizing a per capita payment of $100 to the members of the Menominee Tribe of Indians of Wisconsin from funds on deposit to their credit in the Treasury of the United States; to the Committee on Indian Affairs.

By Mr. SIMMONS:

A bill (S. 5685) for the relief of Aubrey Clifton Payne (with accompanying papers); to the Committee on Claims.

By Mr. METCALF:

A bill (S. 5686) for the relief of Anna Ventrone; to the Committee on Claims.

By Mr. KING:

A bill (S. 5687) to amend sections 23, 25, and 28 of the act entitled "An act to amend and consolidate the acts respecting copyright," approved March 4, 1909, and for other purposes; to the Committee on Patents.

PETITIONS FOR CITIZENSHIP

Mr. COPELAND submitted an amendment intended to be proposed by him to the bill (H. R. 10672) to amend the naturalization laws in respect of posting of notices of petitions for citizenship, which was referred to the Committee on Immigration and ordered to be printed.

SARAH L. CARTER

Mr. WATSON submitted the following resolution (S. Res. 399), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the appropriation for miscellaneous items, contingent fund of the Senate, fiscal year 1930, to Sarah L. Carter, aunt of William H. Taylor, late a laborer of the Senate under supervision of the Sergeant at Arms, a sum equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

MARION S. BROWN

Mr. CARAWAY submitted the following resolution (S. Res. 400), which, with the accompanying papers, was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay out of the appropriation for miscellaneous items, contingent fund of the Senate, fiscal year 1930, to Marion S. Brown, widow of Joshua A. Brown, late the superintendent of construction under the direction of the Architect of the Capitol, a sum equal to one year's salary at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

SECURITIES ISSUED BY EDGE ACT BANK

Mr. FLETCHER. Mr. President, I ask that there be printed in the RECORD a brief which I hold in my hand bearing on some pending bills.

There being no objection, the brief was ordered to be printed in the RECORD, as follows:

MEMORANDUM IN SUPPORT OF SENATE BILLS 5264 AND 5266 AND HOUSE BILLS 15135 AND 15136

STATEMENT

[All italic throughout, whether in decisions or otherwise, is ours]

There have been introduced in the United States Senate by Senator DUNCAN U. FLETCHER and in the House of Representatives by Congresswoman RUTH B. PRATT the bills hereinbefore respectively designated by the applicable Senate and House Members. These bills propose amendments to section 25 (a) of the Federal reserve act and to paragraph 4, title 1, subtitle B, section 22 (b) of the revenue act of 1928, providing for the exemption from income taxes of income received from securities issued by a so-called "Edge Act bank" within the limits defined in said bills, namely, *to the extent that the income so derived is the specific distribution of interest and/or discount received on drafts, notes, accounts, or bills of exchange which have been created, drawn, or made in evidence of the purchase price and the terms of payment for commodities or articles produced within and exported from the United States of America, its Territories, or insular possessions.* The authority for such amendments is derived from clause 5 of section 9 of Article I of the Federal Constitution, which provides as follows:

"No tax or duty shall be laid on articles exported from any State."

The reason for the proposal of said amendments to each of the acts indicated is to provide specific exemption from income taxation of interest derived from securities issued by corporations engaged *solely* in foreign and international commerce *to the limited extent that such income is the redistribution of interest or discount received by such corporations on export bills, notes, or accounts which were made for the purpose of financing the actual exportation of articles produced or manufactured in the United States.*

We believe and we submit herewith the grounds for our belief that such amendments are justified:

1. In the light of the historical background for clause 5 of section 9 of Article I of the Federal Constitution;
2. On the grounds of public policy;
3. In view of adequate support in the decisions of the Federal courts and the United States Supreme Court.

I. HISTORICAL BACKGROUND

Historically, it is the fact that clause 5 of section 9 of Article I of the Federal Constitution was one of the compromises which entered into and made possible the adoption of the Constitution. The Northern States were engaged in one line of industry and the Southern States in an entirely different line of industry, and the several States, in ceding to the Federal Government the rights which that Federal Government was to enjoy, sought to place a restriction upon, and did, by clause 5 of section 9 of Article I of the Constitution, place a restriction upon the extent to which Congress could lay a tax or duty on articles exported from any State. By that restriction Congress was deprived of the right to lay any tax or duty on articles exported from any State. The words of the section are "no tax or duty."

The obvious purpose of the framers of the Constitution in making such provision was to encourage foreign trade and foreign commerce by prohibiting the imposition of any tax or burden thereon and likewise to insure that the citizens of every State should have absolute equality in enjoying exemption from any tax or duty upon articles exported by them from any State. Moreover, it was correctly assumed that by freeing export trade from tax burdens the cost of transacting such business would be lowered and the saving thus effected could be directly reflected in the selling price of American products in foreign markets.

Foreign commerce at the time of the adoption of the Federal Constitution was carried on by an individual or group of individuals acting jointly. It was either a personal or a partnership enterprise. It has expanded since that time until to-day the tremendous volume of foreign business requires the employment of an equally tremendous volume of capital. As in all modern industries, so in the promotion of export business the capital required for such enterprise has been obtained and must be obtained from a host of individual investors uniting their funds for a common venture. During the past decade it has become increasingly necessary for American exporters to grant credit to foreign purchasers of their goods in order to effect export sales. During that same period, in order to effectively compete, it has likewise been necessary for American exporters to grant longer terms of credit than the resident manufacturer would have granted to the foreign consumer.

The export document which evidences the terms of the sale (the price and terms of payment) is (a) the note or draft which accompanies, (b) the bill of lading, and (c) insurance papers, all of which are executed at the time the exportation takes place. The rate of interest or discount charged by the exporter and paid by the importer of American products in order to obtain the

credits which are a part of the sale is an important part of and enters into the purchase price for which the goods are sold. In the familiar c. i. f. billing it forms an integral and indistinguishable part of the "cost." Cost, in the case of foreign business as well as in the case of any business endeavor, is directly affected by the price which the producer of the commodity has to pay for money and the use of money. Anything which lessens the cost of money to the manufacturer or other producer lessens, in the same proportion, the cost of his product to him and the sale price which he must exact from another.

It is our contention that since American exporters are required to grant credit—and increasingly longer terms of credit—to foreign purchasers of their goods in order to effect export sales; that since the rate of interest or discount charged by the exporter and paid by the foreign importer of American products, in order to obtain the credits which are a part of the sale, constitute an important part of the purchase price for which the goods are sold and are reflected therein; therefore the imposition of a tax on income derived from funds procured for the purpose of financing the exportation of goods from the United States, to the extent that such income represents the distribution of interest and/or discount received on drafts, notes, accounts, or bills of exchange which have been created, drawn, or made in evidence of the purchase price and terms of payment for commodities or articles produced within and exported from the United States of America, its Territories or insular possessions, should be exempt from income tax, at least to the extent that such income is directly paid from the proceeds of such drafts, notes, etc.

We shall have occasion to refer to the case of Fairbank *v.* United States (1901) (181 U. S. 283) more extensively hereafter, but a portion of that decision so clearly sets forth the historical background that we quote therefrom at this point the following extracts:

At page 290 in said decision the court states that:

"The requirement of the Constitution is that exports should be free from any governmental burden. The language is, 'No tax or duty.' Whether such provision is or is not wise is a question of policy with which the courts have nothing to do. We know historically that it (referring to clause 5 of section 9 of Article I of the Federal Constitution) was one of the compromises which entered into and made possible the adoption of the Constitution. It is a restriction on the power of Congress; and as in accordance with the rules heretofore noticed, the grants of powers should be construed to give full efficacy to those powers and enable Congress to use such means as it deems necessary to carry them into effect, so, in like manner, a *restriction should be enforced in accordance with its letter and spirit and no legislation can be tolerated which, although it may not conflict with the letter, destroys the spirit and purpose of the restriction imposed.*"

The purpose of the constitutional restriction was to give protection against the imposition of any tax or duty and provide that *all exportation should be free from national burden.* Continuing its decision in Fairbank *v.* United States, the court said at page 292:

"This intent, although obvious from the information of the clause itself, is reenforced by the fact that in the Constitutional Convention Mr. Clymer moved to insert after the word 'duty' the words 'for the purpose of revenue,' but the motion was voted down. So it is clear that the framers of the Constitution intended not merely that exports should not be made a source of revenue to the National Government, but that the National Government should put nothing in the way of burden upon such exports. If all exports must be free from national tax or duty, such freedom requires not simply an omission of a tax upon the articles exported but also a freedom from any tax which directly burdens the exportation and, as we have shown, a stamp tax on a bill of lading which evidences the export is just as clearly a burden on the exportation as a direct tax on the article mentioned in the bill of lading as the subject of the export."

Attempts have been repeatedly made to do by indirection what one can not accomplish by direction. This was the attempt which was made in the Fairbank case. The specific question presented was the constitutionality of the law enacted by the Federal Congress providing for the affixing of a 10-cent stamp upon all bills of lading or receipts (other than charter parties) for any goods, merchandise, or effects to be exported from a port or place in the United States to any foreign port or place. Fairbank was convicted of having issued an export bill of lading upon certain wheat exported from Minnesota to Liverpool, England, without affixing an internal-revenue stamp, as required by the act. He was convicted and sentenced to pay a fine of $25. On his trial he contended that the act, in so far as it imposes a stamp tax on foreign bills of lading, is in conflict with section 9 of Article I of the Constitution of the United States. The United States Supreme Court, in reversing the lower court and remanding the case for a new trial after discussing the historical background of clause 5 of section 9 of Article I of the Federal Constitution and the authorities cited in connection therewith, said, at page 290:

"If, for instance, Congress may place a stamp duty of 10 cents on bills of lading on goods to be exported, it is because it has power to do so; and if it has power to impose this amount of stamp duty, it has like power to impose any sum in the way of stamp duty which it sees fit, and it needs but a moment's reflection to show that thereby it can as effectually place a burden upon exports as though it placed a tax directly upon the articles exported. It can, for the purposes of revenue, receive just as much as though it placed a duty directly upon the articles and it can just as fully restrict the free exportation, which was one of the purposes of the Constitution.

"The power to tax is the power to destroy. And that power can be exercised not only by a tax directly on articles exported but also and equally by a stamp duty on bills of lading evidencing the export."

And concluded its opinion with:

"We are of opinion that a stamp tax on a foreign bill of lading is, in substance and effect, equivalent to a tax on the articles included in that bill of lading, and therefore a tax or duty on exports and in conflict with the constitutional prohibition."

Still again, at page 295 of its decision, the court says:

"As the States can not directly interfere with the freedom of imports, they can not by any form of taxation, although not directly on the importation, restrict such freedom, Congress alone having the power to prescribe duties therefor. *In like manner the freedom of exportation being guaranteed by the Constitution, it can not be disturbed by any form of legislation which burdens that exportation.* The form in which the burden is imposed can not vary the substance. This was early laid down in Brown *v.* Maryland (12 Wheat. 419) (where an import-tax question was involved). In the course of his argument therein, Chief Justice Marshall used this illustration:

"'All must perceive that a tax on the sale of an article imported only for sale is a tax on the article itself. It is true the State may tax occupations generally, but this tax must be paid by those who employ the individual or is a tax on his business. The lawyer, the physician, or the mechanic must either charge more on the article in which he deals or the thing itself is taxed through his person. This the State has a right to do because no constitutional prohibition extends to it. So a tax on the occupation of an importer is in like manner a tax on importation. It must add to the price of the article and be paid by the consumer or by the importer himself in like manner as a direct duty on the article itself would be made. This the State has not the right to do because it is prohibited by the Constitution.'"

Numerous authorities might be cited which prohibit the imposition by the Federal Government of an indirect tax upon the exportation of products from any one of the United States, but we shall limit our discussion hereinafter in the portion of our brief devoted to authorities to United States *v.* Hvoslef (1915) (237 U. S. 7), which involved the tax upon charter parties, to Thames & Mersey Marine Insurance Co. (Ltd.) *v.* United States (1915) (237 U. S. 19), which involved the taxability of insurance policies which formed an integral part of the export papers, to A. G. Spalding & Bros. *v.* Edwards, Collector of Internal Revenue (1923) (262 U. S. 66), which involved the tax upon athletic goods manufactured solely for the purposes of export, and to the citation of several incidental cases in connection therewith.

II. PUBLIC POLICY

In Spalding *v.* Edwards (1923) (262 U. S. 66), discussed more fully infra, the Supreme Court held that:

"The fact that the law under which the tax was imposed was a *general* law touching *all* sales of the class and *not aimed specially at exports* would *not help the defendant* if in this case the tax was 'laid on articles exported from any State,' because that is forbidden in terms by the Constitution."

In Thames & Mersey Marine Insurance Co. (Ltd.) *v.* United States (1915) (237 U. S. 19), hereinafter discussed at greater length, the Supreme Court held that the constitutional prohibition against taxation applied to the "process of exporting" and not merely to any tax or duty upon the articles exported from any State, and said:

"The answer (to the question, 'What is the process of exporting?') must be found in the actual course of trade for exportation is a trade movement and the exigencies of trade determine what is essential to the process of exporting. The avails of exports are usually obtained by drawing bills against goods. * * * The requirements of exportation are reflected in the familiar 'c. i. f.' contract * * *."

It needs no argument to prove that the *actual course of American export trade* increasingly requires the granting of extended terms of credit. The cost of such credits is evidenced by the rate of interest or discount included in the *bill drawn against the exported goods*, and the effect of charging higher or lower rates for credit accommodations is directly reflected in the *familiar "c. i. f." contract*, a contract comprising, in fact, three elements—cost, insurance, and freight.

Congress recognised the public necessity for lowering the cost of making export sales by the enactment of laws to reduce marine insurance premiums charged during the World War; and since the war a procession of bills has passed through Congress granting ship subsidies which have been intended to reduce the cost of ocean freight.

The amendments now pending before Congress are intended to reduce the cost of granting those credits which are foremost among the exigencies of our export trade. So exigent, indeed, that in the case of heavy machinery and other articles entering into the fixed investment of foreign purchasers, payment for which is customarily made over a period of years, the export sale is made or lost, depending upon the rate of interest which the exporter must charge for the credit terms demanded by the purchaser.

It is common practice in commerce for the seller to pass on to the purchaser the cost of obtaining the credits required by the terms of sale. The exporter can not extend credit unless he can

obtain credit and Congress, in enacting section 25 (a) of the Federal reserve act, authorized the creation of corporations which are given the power to issue debentures, the proceeds of which shall be used for furnishing credits to exporters. Therefore, it follows that the rate of interest and discount paid by such a corporation in selling its debentures determines directly the rate of interest which it must charge the exporter who uses the credits so made available to finance his export sales.

In the Fairbank case (supra), the Supreme Court held that the principle of public policy announced by the framers of our Federal Constitution was, "*not merely that exports should not be made a source of revenue to the National Government, but that the National Government should put nothing in the way of burden upon such exports. If all exports must be free from national tax or duty, such freedom requires not simply an omission of a tax upon the articles exported, but also a freedom from any tax which directly burdens the exportation.*"

It may not be seriously contended that the cost of obtaining credit is not a burden upon the export sale which can only be made by the extension of credit. And, it is clear that by removing that burden from the source of the credit, the cost of credit is lightened and reduced, not only to the exporter, but to his foreign customer. It is for this reason that Congress has been asked to amend the revenue act and the Federal reserve act, so that those Edge Act banks which are created under section 25 (a) of the reserve act may issue debentures in aid of export trade under the most favorable terms as to interest and discount.

We submit that it is clearly the intention of the framers of the Constitution that Congress should not, by levying taxes or duties, increase the cost of making export sales. It is also clear that the cost of obtaining credit is an integral part of the purchase price paid by the foreign consumer of American goods. Therefore, it seems to us logically to follow that the interest or discount charged by the exporter and included in the terms of his export sale and evidenced by the bills drawn when the shipment goes forward, is not income upon which the National Government should lay any burden if our national taxes are to be imposed in a manner consistent with the public policy of our Government toward the process of exportation.

III. AUTHORITIES IN SUPPORT

The United States Supreme Court in United States *v.* Hvoslef (1915) (237 U. S. 7) had presented to it for review a judgment of the district court awarding a recovery against the United States for the amount paid as stamp taxes upon certain charter parties under section 25 of the war revenue act of June 13, 1898 (ch. 448, 30 Stat. 448, 460). In an extensive opinion written by Mr. Justice Hughes, the court states as follows:

"The question, then, is whether the tax, so far as it was laid upon charter parties, which was for the carriage of cargo from State ports to foreign ports, was a valid one. The constitutional provision that 'No tax or duty shall be laid on articles exported from any State' has been the subject of elaborate and authoritative exposition, and we need but to apply the principles of construction which have been settled by previous decisions.

"The prohibition relates only to exportation to foreign countries (Woodruff *v.* Parham, 8 Wall. 123; Dooley *v.* United States, 183 U. S. 151, 154, 162), and is designed to give immunity from taxation to property that is in the actual course of such exportation (Pace *v.* Burgess, 92 U. S. 372; Turpin *v.* Burgess, 117 U. S. 504; Cornell *v.* Coyne, 192 U. S. 418). This constitutional freedom, however, plainly involves more than mere exemption from taxes or duties which are laid specifically upon the goods themselves. If it meant no more than that, the obstructions to exportation *which it was the purpose to prevent* could readily be set up by legislation nominally conforming to the constitutional restriction, but in effect overriding it. *It was the clear intent of the framers of the Constitution that 'the process of exporting the products of a State, the goods, chattels, and property of the people of the several States, should not be obstructed or hindered by any burden of taxation.'* Miller on the Constitution, 592. It was with this view that Chief Justice Marshall in Brown *v.* Maryland (12 Wheat. 419), holding that a State tax on the occupation of the importer was a tax on imports and that the mode of imposing it merely varied the form without varying the substance, drew the comparison between the two prohibitions: 'The States are forbidden to lay a duty on exports, and the United States are forbidden to lay a tax or duty on articles exported from any State. There is some diversity in language, but none is perceivable in the act which is prohibited. The United States have the same right to tax occupations which is possessed by the States. Now, suppose the United States should require every exporter to take out a license, for which he should pay such tax as Congress might think proper to impose, would the Government be permitted to shield itself from the just censure to which this attempt to evade the prohibitions of the Constitution would expose it by saying that this was a tax on the person, not on the article, and that the legislature had a right to tax occupations?' * * * And in Almy *v.* California (24 How. 169), applying the same principle, the court said, by Chief Justice Taney, that 'a tax or duty on a bill of lading, although differing in form from a duty on the article shipped,' was 'in substance the same thing,' for 'a bill of lading or some written instrument of the same import' was 'necessarily always associated with every shipment of articles of commerce from the ports of one country to those of another.'"

Continuing his opinion, Mr. Justice Hughes reviews the case of Fairbanks *v.* United States (181 U. S. 283), hereinbefore referred to at length in Section I hereof, and states:

"Following this decision, it was held by the district court that the stamp tax on manifests of cargoes for foreign ports was invalid. These manifests were essential to the exportation. (New York & Cuba Mail S. S. Co. *v.* United States.) And while the case was determined in this court upon another ground, the correctness of this ruling as to the invalidity of the tax was conceded by the United States. (200 U. S. 488, 491.)

"Under this established doctrine we are of the opinion that the tax upon these charter parties can not be sustained. * * * We know of no ground upon which a different effect can be given to the explicit constitutional provision which denies to Congress the right to tax exportation from the States."

In Thames & Mersey Marine Insurance Co. (Ltd.) *v.* United States (1915) (237 U. S. 19), in reversing the judgment of the lower court, which upheld a stamp tax imposed upon marine insurance policies accompanying and entering into the make-up of the documents accompanying shipments to foreign countries, the Supreme Court, again speaking through Mr. Justice Hughes, says, at page 25:

"Is the tax upon such policies so directly and closely related to the 'process of exporting' that the tax is in substance a tax upon the exportation and hence within the constitutional prohibition? * * *

"The answer must be found in the actual course of trade, for exportation is a trade movement and the exigencies of trade determine what is essential to the process of exporting. The avails of exports are usually obtained by drawing bills against the goods. These drafts must be accompanied by the bills of lading and policies or certificates of insurance. It is true that the bills of lading represent the goods, but the business of exporting requires not only the contract of carriage but appropriate provision for indemnity against marine risks during the voyage. The policy of insurance is universally recognized as one of the ordinary 'shipping documents.' Thus, when payment is to be made in exchange for such documents, they are held to include not only a proper bill of lading but also 'a policy of insurance for the proper amount.' (Tamvaco *v.* Lucas, 1 B. & S. 185, 197, 206.) It is not sufficient to tender the bill of lading without the policy. (Benjamin on Sales, section 590. Note Hickox *v.* Adams, 34 L. T. N. S. 404.) The requirements of exportation are reflected in the familiar 'c. i. f.' contract—that is, at a price to cover cost, insurance, and freight—which has 'its recognized legal incidents, one of which is that the jobber fulfills his obligation when he has put the cargo on board and forwarded to the purchaser a bill of lading and policy of insurance, with a credit note for the freight, as explained by Lord Blackburn in Ireland *v.* Livingston (L. R. 5 H. L. 395, 408). * * * It can not be doubted that insurance during the voyage is, by virtue of the demands of commerce, an integral part of the exportation. The business of the world is conducted upon this basis. In illustration of this the appellant appropriately directs our attention to the recent act of Congress in establishing the War Risk Insurance Bureau, by which the Government itself undertakes to supply insurance against war risks in order to protect exports from the burden of excessive rates. (Act of September 2, 1914, c. 293, 38 Stat. 711.) In the report of the Committee of the House on Interstate and Foreign Commerce recommending the passage of the bill as an emergency measure reference is made to the fact that other nations were insuring the vessels and cargoes under their respective flags against war risks. (H. Repts. 63d Cong., 2d sess., Rept. No. 1112.) The bill itself recites that the foreign commerce of the United States 'is now greatly impeded and endangered' through the lack of such provision and that it is deemed 'nepessary and expedient that the United States shall temporarily provide for the export shipping trade adequate facilities for the insurance of its commerce against the risks of war.' This is a very clear recognition of the fact that proper insurance during the voyage is one of the necessities of exportation. * * * Such taxation does not deal with preliminaries or with distinct or separable subjects; the tax falls upon the exporting process.

"For these reasons we must conclude that under the established rule of construction the tax as laid in the present case was within the constitutional prohibition."

In A. G. Spalding & Bros. *v.* Edwards, Collector of Internal Revenue (1923) (262 U. S. 66), an action was instituted to recover the amount of taxes collected by duress under color of the war revenue act of October 3, 1917 (ch. 63, sec. 600 F., 40 Stat. 300, 316; Comp. Stats. 1918, sec. 6309–A). The plaintiff was a manufacturer of the goods in question and took the position that the tax was laid on articles exported from a State (New York) in violation of Article I, section 9, of the Constitution of the United States. Upon demurrer, the complaint was dismissed by the district court on the merits. In reversing the judgment, Mr. Justice Holmes, writing the opinion of the court, says:

"The fact that the law under which the tax was imposed was a general law touching all sales of the class and not aimed specially at exports would not help the defendant if in this case the tax was 'laid on articles exported from any State,' because that is forbidden in terms by the Constitution, Article I, section 9. (United States *v.* Hvoslef, 237 U. S. 116; * * * Crew Levick Co. *v.* Pennsylvania, 245 U. S. 292.)"

Additional authorities might be added, but we can see that they would serve no useful purpose. Selliger *v.* Kentucky (1909) (213 U. S. 200), for example, holds that a tax upon warehouse receipts for goods amounts, in substance and effect, to a tax upon the goods themselves. United States *v.* Allen et al. (1889) (39 Fed. 100), denies to the Federal Government the right to enforce a penalty on an export bond:

"Inasmuch as the Constitution of the United States forbids the exaction of a tax or duty upon any article of domestic production exported from any State and it is admitted or proved that this tobacco was exported and was landed in Antwerp, it would seem that if the money sued for be, in any part of it, a tax levied on the tobacco there can be no recovery in this suit."

United States *v.* New York & Cuba Mail Steamship Co. (1906) (200 U. S. 488), by its decision permitted the Government to retain a tax collected because it was a voluntary payment and not paid under protest, but it cited the Fairbank case, hereinbefore referred to, in which it was held that a tax on bills of lading was a tax on export and therefore void, and in the decision stated:

"The United States now concedes the correctness of this ruling."

See also Crew Levick Co. *v.* Commonwealth of Pennsylvania (1917) (245 U. S. 292), in which the constitutionality of a State tax on the business of selling goods in foreign commerce measured by a percentage of the entire business transacted is both a regulation of foreign commerce and an impost or duty on exports and is therefore void.

The only authority which has come to our attention which seemingly runs contrary to the authorities cited is that of Peck *v.* Lowe (1918), 247 U. S. 165, in which the United States Supreme Court was asked to decide whether the Constitution prohibited the operation of the revenue act upon the *net income* derived annually by a citizen engaged in export trade. While the decision of the court written by Mr. Justice Van Devanter holds that the income so derived was subject to tax, we submit that Justice Van Devanter's opinion expressly recognizes the propriety of the provision which Congress is now requested to make with respect to the taxability of interest on export debentures. The specific question before the court was the taxability of "*net income*," and the opinion states, at page 175:

"At most, exportation is affected only indirectly and remotely" (a direct admission that it is affected). "*The tax is levied after exportation is completed, after all expenses are paid and losses adjusted and after the recipient of the income is free to use it as he chooses.*"

Admittedly, the "net income" derived from an annual course of dealings in the export trade is remote from the exportation of each shipment of articles which entered into that trade; but the finance bills drawn to obtain the avails of each exportation are accompanied by the bill of lading and insurance documents evidencing each export sale. These three instruments are integral parts of the "customary c. i. f." transaction without which an exportation can not be made.

We submit, therefore, that the Peck case does not attempt to construe the public policy of our Government as declared by the framers of the Constitution. In fact, the Peck case points out that the income therein sought to be taxed is "*entire net income arising or accruing from all sources during the preceding calendar year*," and that had the tax been assessed against specific income upon which a tax was forbidden by the Constitution the decision would have been quite different. The specific income which we believe Congress may specifically exempt, consistent with the prohibition contained in the Constitution, is income that is *the redistribution through a trustee* to the holders of export debentures *of interest or discount received directly from export bills, notes, or accounts which were made for the purpose of financing the actual exportation of articles produced within and exported from the United States.*

Thus, the interest or discount which is sought to be placed in the tax-free class is removed not at all from the export transaction and, in the general practice under tax laws, the redistribution of the proceeds received therefrom through a trustee, like any other distribution of income which is originally tax free, should not result in changing the original quality of such income.

Assuming that the proposed amendments are consistent with the laws of the United States that a tax on income of this character would constitute a burden on the exportation of products, it is submitted that an Edge Act bank should be authorized to issue debentures which are secured by export goods, drafts, bills of exchange, etc., which are deposited with the trustee, together with an express assignment of all interest or discount received on such drafts, and that the interest and discount, when received by the trustee, should be paid out by him as interest on the debentures of the Edge Act bank without the imposition of any tax upon the recipient thereof.

Applying this reasoning to the principles of public policy which underlie the proposed amendments, it seems to us that it may be assumed that the draft or note which evidences the export sale is as much a part of the export transaction as are the articles which are exported. Also, that the credit extended by the exporter is an integral part of the purchase price and is a necessary element in the cost of the exported product. The rate of interest or discount charged by the exporter for the credit granted to the importer which enables him to purchase the goods is therefore also an integral part of the export transaction, and it seems to us that Congress may consistently apply the principles of public policy enunciated in the decisions quoted above, by removing the income-tax burden from the interest charged for such credits, thereby reducing the interest rate through the removal of burden.

We feel that it is necessary and desirable that some uniform method should be established for the practical application of the principles for which we herein argue, and it is for this reason that it is proposed in the amendments that Congress should recognize as tax free the interest received by the holders of debentures issued by corporations organized under section 25 (a) of the Federal reserve act, to the extent that such debentures are secured by export notes and bills receivable and the interest paid out on the debentures to the holders thereof is actually the redistribution of the interest which has been collected by the corporation on the export notes and bills which it has collected from the exporters themselves.

It was deemed advisable to introduce the amendments embodied in the bills hereinbefore enumerated, so that exemption from income-tax liability might be as explicit in the case of such income as is that income derived from securities issued under the provisions of the Federal farm loan act or the other sources specifically mentioned in subdivision 4 of section 22 (b) of the revenue act of 1928 and interest on bonds of privately owned joint-stock land banks under section 16 of the Federal farm loan act.

Respectfully submitted.

ROOSEVELT & O'CONNOR,
120 Broadway, New York, N. Y.
JOHN C. FARBER, *of Counsel.*

REPORTS OF NOMINATIONS

The Senate being in executive session,

Mr. PHIPPS, from the Committee on Post Offices and Post Roads, reported favorably sundry post-office nominations, which were placed on the Executive Calendar.

Mr. METCALF, from the Committee on Education and Labor, reported favorably the nomination of Luther Weedin, of Washington, to be commissioner of immigration at the port of Seattle, Wash., which was placed on the Executive Calendar.

EDGAR B. BROSSARD

The Senate being in executive session,

The VICE PRESIDENT. The pending question is, Will the Senate advise and consent to the nomination of Edgar B. Brossard, of Utah, to be a member of the United States Tariff Commission for the term ending June 16, 1932? The Senator from Arkansas is recognized.

Mr. ROBINSON of Arkansas. Mr. President, the attention of the Senate is asked for a few moments in order that some circumstances which appear to me relevant should be presented in connection with the pending nomination of Mr. Brossard to be a member of the United States Tariff Commission. The record which has relation to his fitness and qualifications is very voluminous. It can not be stated or reviewed within a few minutes, and to adequately present the subject so as to bring before the Senate all of the factors which in my opinion justify a rejection of the nomination would require more time than I feel justified in claiming, considering the condition of the business of the Senate and the relative importance of the subjects and measures to be considered.

In order to make clear some of the phases of the issue, let it be recalled that among the primary purposes of creating a United States Tariff Commission was to minimize the influence of the lobby, to conform rate making to more scientific standards, and to stabilize, if possible, business conditions by, in so far as it might prove possible, taking the tariff out of politics. It might be interesting, but in my judgment it would not be profitable at this stage of the debate, to attempt to discuss exhaustively the relation of these topics to the pending nomination. It is sufficient to recall that almost from the beginning of the history of the country the tariff has presented issues of great consequences both from a political and economic standpoint. Many political contests have been fought and elections lost or won over what constitute the sound principles to be applied in the enactment of tariff laws.

The history of the operation of the United States Tariff Commission scarcely justifies the hope upon which it was founded. We all recall that during the enactment of certain tariff laws by the Congress, particularly including the Payne-Aldrich Act, and even down to more recent periods, interests directly affected by tariff rates exerted every possible influence within their power to control the action of the committees and of the Congress. It does not seem necessary to go in detail into the operations of the tariff lobby. Manifestly, under our system of government those who are interested in legislation have the right to express their views and their conclusions concerning proposed measures. It is the secret influences, those which can not be justified in the open, and which from time to time are regarded as having prevailed

during the history of tariff legislation, that are to be condemned and to be prevented, if that be possible.

The manner in which the Tariff Commission has operated during the last 8 or 10 years has been so disappointing and unsatisfactory to those who are especially interested in a study of its work that within the last few months a reorganization of the commission has been accomplished, on the theory that the old commission as constituted during comparatively recent periods had been inefficient and incompetent; that it had tended in some instances and through some of its members to represent special rather than general public interests; and that its processes and proceedings as a whole had been calculated to destroy public confidence in the commission as an institution designed to conserve the welfare and serve the interests of the people.

No better illustration of the breakdown of the Tariff Commission is to be found than in connection with what is known as the flexible provision of the tariff law. It was intended, as I think history shows, as a kind of shock absorber. If one had the opportunity to go into the subject fully, I believe it could be proved that the purposes of the originators of the flexible provision were twofold: First, political; and second, economic. It was asserted by one of the framers of the provision at least that the adoption of some elastic tariff-making plan was necessary in order to prevent political reactions of such far-reaching consequence that administrations from time to time might be swept out of power and new agencies of government placed in control.

It was said by no less an authority on the tariff than the Senator from Utah [Mr. SMOOT] and by the then Senator from North Dakota, Mr. McCumber, who was chairman of the Finance Committee when the tariff act of 1922 was before the Senate, that the primary purpose of the flexible provision was to permit reductions in rates that probably, if not unquestionably, would prove too high; that when the settling down time came, following the disturbance incident to the World War, many of the rates in the act of 1922 would require alteration, for the most part downward; that that result could best be accomplished by a scientific body so bipartisan in character as to be nonpartisan in its operations; and that if such an arrangement were effected we should have scientific tariff laws which would be just and fair, and politicians and statesmen would have to look about for other subjects for their political controversies.

To the surprise of the Senator from Utah and the then Senator from North Dakota the flexible tariff provision did not prove so important as they had anticipated. It became an instrument for raising rather than reducing rates, since those interested in increased rates are better situated to bring their cases before the commission and had the facilities and resources for submitting the proof to sustain their causes. Seldom were attempts at reductions made under the flexible provision, and in those cases, for the most part, the commodities affected were of relative unimportance. Two or three times since the adoption of the flexible plan, when kindred subjects have been under consideration during the last few years, while on the floor I have referred to the action taken by the Tariff Commission in the controversy involving live bobwhite quail imported from Mexico into the United States. In that case the commission, after great deliberation and profound scientific effort, solemnly reached the conclusion that it costs considerably more to grow live bobwhite quail in the United States than it does south of the Rio Grande; and, in consequence of that very comprehensive and important conclusion, recommended to the President of the United States that increased duties be imposed, and the President solemnly put into effect the far-reaching decision referred to. Similar conclusions and recommendations were made in connection with paintbrush handles and some forms of feedstuffs, and perhaps a few relatively unimportant chemicals.

But it might be said that, even if the act did not operate in the manner its authors expected, even if it did prove to be a method for increasing rates which in some instances were regarded by many as already too high, that does not constitute just ground for complaint so long as the decisions of the commission have been founded in fact and just reason, and not subversive of the public interest but rather promotive of that end.

There have been some very important cases under the flexible provision considered by the United States Tariff Commission. Perhaps the most important case that ever came before it was the one case which broke down the confidence of the Congress and the public in a large measure in either the ability or the disposition of the Tariff Commission to perform the very important duties intrusted to it by the Congress under the law. To attempt a history of the sugar case in all its details would be somewhat irrelevant to the purposes of my remarks further than to show that in my opinion the disrepute that came to the Tariff Commission as a result of the breakdown of its efforts in the sugar case was attributable, in part at least, to the proceedings and methods and the acts of the nominee whose name is now presented to the Senate of the United States for confirmation.

Operations under the Tariff Commission proved surprisingly slow in important cases. Before the facts were gathered and conclusions reached and recommendations made the situation, in many instances, changed so completely as to make the conclusions and recommendations, in some degree at least, inapplicable to the facts existing at the time when the changed rates under the flexible provision were put into effect. This question has been discussed in the Senate within recent months. The record of last summer is full of instances of the delay on the part of the Tariff Commission in the cases that were important. It is no part of my purpose here and now to enter into an analysis of those cases or the cause for that tardiness and delay. It is spoken of solely for the purpose of giving emphasis to the fact that if the United States Tariff Commission is to conserve a material part of the end for which it was created, if it is to prove a political and economic shock absorber, only men of impartiality, men of frankness and of unquestioned ability ought to constitute its membership.

I make the assertion—and it is an assertion, like a great many others that one makes from conviction, that is so involved in controversy that it is difficult to establish conclusively—that the breakdown or threatened breakdown of the United States Tariff Commission, resulting in a recent reorganization, resulting in prolonged clashes, controversies, and, I might say, scandals, requiring a reorganization, was brought about largely by bad appointments to the commission. I do not use the term "bad" in the sense that the members of the commission were dishonest or corrupt, but in the sense that they did not possess the impartiality, the high merit, and capacity for the performance of the duties of commissioner that the responsibilities imposed by the statute required.

It is not a pleasant thing to one who has served long in public life, and formed acquaintances with public men, to feel compelled to criticize their methods and their motives, but I feel that in order to understand this issue fully it is necessary to comprehend just what has brought about the necessity for reorganizing the commission and for attempting to revise or to repeal the flexible provision in the tariff law.

In the first place, just about the time the sugar case came before the commission men who had the reputation of being lobbyists were selected for membership. They were nominated by the President and confirmed by the Senate in the usual process. The evidence shows that one of them, who for many years largely dominated the commission, was closely connected with a high protective tariff organization in the New England States, and no doubt in the honest performance of his duties in that connection had acquired a bias or a prejudice touching tariff subjects which made it impossible for him to be impartial in the sense that I am now expressing my opinion as to what should be the qualifications of a commissioner. Another had been down here to Congress from time to time, representing as agent interests that sought special benefits under the tariff law. He had a perfect right to accept the employment. He was what we

term a "lobbyist"; and that does not imply any more than the term usually implies. It implies that he had the status of one who seeks to control legislation for the interests of his client or his employer.

There resulted in the commission a situation that in some of its aspects was quite amusing. I see my friend the Senator from Pennsylvania [Mr. REED] smiling, and I am sure the Senator from Wisconsin [Mr. LA FOLLETTE] will also be amused when we recall what was happening just about the time a special committee of the Senate was selected to look into the Tariff Commission with a view to determining the causes of its breakdown or threatened breakdown, and the remedies that might be suggested to enable it to function in the manner intended by the act of 1922.

We found that there were two groups in the commission that in common parlance might be termed factions. One of them was headed by the chairman of the commission, Mr. Marvin, supported by Mr. Burgess, and backed up, as I think, largely by one who later became a member of the commission, one who was a member of the commission at the time of the investigation—the gentleman whose name is now before the Senate for confirmation. On the other side were Commissioners Lewis and Costigan, both Democrats, and Commissioner Culbertson, who is a Republican.

Mr. SMOOT. Mr. Costigan was not a Democrat at that time.

Mr. ROBINSON of Arkansas. The Senator from Utah is right. I said Mr. Costigan is a Democrat because he is now a Democrat; but at the time of his appointment he was appointed as a Republican, and he was allied with the Republican Party at that time.

Mr SMOOT. That is true.

Mr. ROBINSON of Arkansas. He was a leader of one of the very powerful groups in the Republican Party. Another member of the commission who had been appointed as a Democrat was at the time of the investigation, or during a portion of the time involved in the investigation, not functioning because of disqualifications or alleged disqualifications. I refer to Mr. Glassie, who has since gone off the commission.

The relationship between the two groups to which I have referred became bitterly hostile. Mr. Dennis came on the commission as a Democrat, and he became allied—as he himself said in his testimony—with what, for convenience, I shall call the Costigan group.

The Costigan group, consisting of Mr. Costigan himself and Mr. Lewis and Mr. Culbertson, believed—there is no doubt that they believed it—that the other members of the commission were not fairly discharging their duty; that they were making a deliberate effort, assisted by Mr. Brossard, to break down the administration of the flexible provision. In consequence, the conditions grew more tense; and it would be difficult for me now, after the lapse of even only a few years, to bring back to the consciousness of the Senate what was actually occurring in the commission as a result of the division of the commission into these two groups on the basis to which I have referred. The commission could not function. The personal relationship of the members became strained.

That condition was especially subversive of the public interests if we hold to the theory that the duties of a Tariff Commission are in their nature impartial, quasi judicial. I do not use these terms in any technical sense. I know that the Tariff Commission is called a fact-finding body; but since in every important case it reaches conclusions and makes recommendations based upon its facts, its duties are in a considerable measure judicial. If the influence of the lobby, if the selfish and unfair influences that operated under the old system, before the commission was created, are to be minimized, that end can be accomplished only by refusing to place on the commission those who permit themselves and their powers to be prostituted to the purposes of selfish interests, in contradistinction to the general public welfare.

We all remember the case of Mr. Lewis. His term expired. He was given a new appointment, but was required to sign a letter of resignation contemporaneous with his new appointment, so that if the appointing power became displeased in any particular with his conduct as a commissioner his resignation at once might be accepted. It is to the credit of Lewis that he walked out of the White House with his head up, and refused to submit to a humiliation of that nature.

Lewis was a Democrat, Culbertson was a Republican. As I remember, he was from Kansas, strongly sponsored by the Senators from that State, including the Vice President of the United States, Mr. Curtis. Culbertson, while the sugar case was in its tensest condition, was threatened with removal from office because at night he had gone to Georgetown University and delivered some law lectures before the pupils of that institution, on the theory that the law requiring him to give his entire time to the performance of his duties, he could not deliver lectures and receive compensation for it, even at night, while remaining a commissioner. But Culbertson, with admirable tenacity, held to his purpose. He refused to yield. He thought he was doing his duty. No one can read the record of the testimony, in my judgment, and say that he had joined Republican Costigan and Democratic Lewis for the purpose of doing an evil thing.

These two factions in the commission, if I may call them that, proceeded with their labors, and it was during this time that Mr. Brossard performed his services in connection with the sugar report. He had the status of an expert, had been assigned in charge of the cost of sugar-beet production, and without doubt made elaborate investigations.

The conditions surrounding the sugar case became a national scandal. Both factions made a report. That is what I think actually happened. The Costigan group, composed of three—Costigan himself, Lewis, and Culbertson—made a finding the effect of which would have been to reduce the tariff duty on sugar very materially. The basis of their finding was questioned by the Marvin group, and Mr. Brossard, in connection with Mr. Turner and Mr. Fox, worked diligently 10 days or 2 weeks, almost constantly, in assembling the data and in compiling and preparing the draft report which Mr. Marvin and Mr. Burgess were to sign, and which they did sign, with the qualification I am soon to suggest.

During that period those three men were working under tension. The sugar case had been before the country since 1922, and that, as I remember, was in the summer of 1924. Two years, or almost that length of time, had come and gone, and still no report, the commission wrangling constantly over the subject, members of the commission sometimes almost doing personal violence to one another. It was under those conditions that the Marvin-Burgess report was prepared.

The Senator from Pennsylvania yesterday was reported as saying that Mr. Brossard had nothing whatever to do with that; that he testified to that effect both before the select committee and before the Committee on Finance of the United States Senate, and in a technical sense it is entirely true, but in that fair sense in which I think this matter should be regarded, his testimony constituted an effort to cover up the fact that he was aligned with that faction in the commission which was accused by fellow commissioners, constituting the majority of the commission, with being mere representatives of special interests and lobbyists.

Much of the testimony has already been read. I can not claim the time of the Senate to review the record in detail. It is full of contradictions, both in the testimony of Mr. Brossard himself, as I see it, and impliedly in the testimony of Mr. Fox.

It is said here that Mr. Fox never interpreted the motive of Mr. Brossard as questionable when the latter went to him and said, "I think we ought to get our facts straight and agree on what our testimony is going to be," or substantially that. It is said here that Mr. Fox disavowed recently before the Finance Committee that he had any intention of charging Mr. Brossard with having corruptly or improperly sought to influence him as to what his testimony should be. Of course, it may be borne in mind that Mr. Fox is a subordinate employee of the commission. He was at the time of his testimony before the special committee, and he was at the time of his testimony before the Finance Committee. It should also be borne in mind that if Mr. Fox had testified

that he construed Mr. Brossard's procedure as an effort to unfairly and improperly influence him in his testimony, either Mr. Brossard would have to resign from the Tariff Commission, or steps would be taken to expel Mr. Fox from his position. It is inconceivable that a subordinate employee would charge his superior with an act of that nature and then harmonious relations continue within the body which they were both seeking to serve.

I do not say that either committed perjury. I apply to the testimony of both the ordinary rules which govern in arriving at the credibility of witnesses, and I assert now that while the testimony is contradictory, as pointed out by the Senator from Pennsylvania [Mr. REED] yesterday, and as anyone can easily point out, there runs through this testimony a statement of facts which are conclusively shown to be true, that is, that Mr. Brossard, after his first appearance before the special committee of the Senate, of which the Senator from Pennsylvania [Mr. REED], the Senator from Wisconsin [Mr. LA FOLLETTE], and I were members, when he disavowed any knowledge of or connection with the majority report, the report which their opponents said was prepared by the lobbyists and tools of the special interests on the commission, he was very unhappy and uneasy about the matter, and he began to do just what anyone else would have done under the same circumstances, prepare to bolster up his statement of facts before the committee with the testimony of a witness whom he knew to be in a position to contradict it. He went to Fox time after time, as this evidence shows, and repeatedly said that he thought they ought to get the facts straight, and he wanted to know what was in the files that showed, in contradiction of his testimony before the committee, that he had had part in the preparation of the Marvin-Burgess report, the instrument which was called on its face the draft report.

Why was he concerned with Fox's testimony? Why was he concerned at that juncture with what the files showed? Why did Fox, if the proceeding was an entirely usual one, do a thing he never did before or since, that is, each time Mr. Brossard approached him, make a written memorandum of what Brossard said? The plain implication ran through all the memoranda that Brossard was trying to influence him in the testimony he should give before the select committee.

I do not care whether you are a lawyer or just possessed of ordinary experience in human affairs, you have the extraordinary circumstance of Mr. Brossard appearing before the committee, making his statement, and then a condition arising in the committee which made the issue of whether Mr. Brossard had been frank and truthful in his testimony, then Mr. Brossard going to the witness who might be in a position to contradict him and saying, "Let us get our facts straight. I had nothing to do with drafting that report. You drafted it," Fox telling him over and over again, "No; we met for 10 days, day and night, and every time but twice, often working all night; you were there with us working, too, on the draft report."

Does anybody want me to read the testimony upon which I rely to justify that statement? It is quite detailed in the record, and, as I have said before, there are statements from various witnesses that seem contradictory; but this fact can not be questioned, that Brossard went time and again to a subordinate employee of the commission, and the refusal of that subordinate employee to accuse his superior of a corrupt motive is taken by some as conclusive evidence that the motive is unquestioned.

Mr. COPELAND. Mr. President——

The PRESIDING OFFICER (Mr. FESS in the chair). Does the Senator from Arkansas yield to the Senator from New York?

Mr. ROBINSON of Arkansas. I yield.

Mr. COPELAND. Does the Senator refer to the testimony before the Finance Committee, as found on pages 283 and following?

Mr. ROBINSON of Arkansas. I am referring to the testimony before the select committee as a whole. I will also refer to some testimony before the Finance Committee.

Mr. COPELAND. I find on page 283 of the volume I hold in my hand various memoranda were inserted in the record. I take it the Senator is referring to this part of the testimony.

Mr. GLASS. Mr. President, will the Senator yield?

Mr. ROBINSON of Arkansas. I did not hear the conclusion of the statement of the Senator from New York.

Mr. COPELAND. I find on page 283 and following pages, where, before the committee investigating the Tariff Commission, under questions from Senator LA FOLLETTE, Mr. FOX inserted in the record various memoranda. Are those the statements to which the Senator is referring?

Mr. ROBINSON of Arkansas. I will read a portion of the testimony. I read from page 1020 of the record:

Senator LA FOLLETTE. Mr. Brossard, did you see any of the drafts of the minority opinion in the sugar report made under section 315 at any time before it was transmitted to the President?

Mr. BROSSARD. The drafts of the complete report?

Senator LA FOLLETTE. The drafts of the minority opinion?

Mr. BROSSARD. I saw parts of it; yes, sir.

Senator LA FOLLETTE. What parts did you see?

Mr. BROSSARD. Well, I do not remember just now. I submitted some statements to the chairman and to Commissioner Burgess, which I offered for the record the other day, Senator LA FOLLETTE.

Senator LA FOLLETTE. Will you read my question?

(The reporter read as follows:)

"Senator LA FOLLETTE. Mr. Brossard, did you see any of the drafts of the minority opinion in the sugar report made under section 315 at any time before it was transmitted to the President?"

Mr. BROSSARD. I saw the drafts and knew what they were, Senator LA FOLLETTE, but I did not read the completed final report.

He was asked by myself at page 985:

Did you participate in the sugar report?

Mr. BROSSARD. No.

Chairman ROBINSON. I do not mean the sugar-beet report. I mean the sugar report proper.

Mr. BROSSARD. Did I participate in the sugar report?

Chairman ROBINSON. Yes.

Mr. BROSSARD. I considered some of the data; yes, sir; with respect to the cost of production of sugar beets.

Senator REED. Were you a commissioner at that time?

Mr. BROSSARD. No, sir.

Senator REED. Did you join in the report that went to the President as a commissioner?

Mr. BROSSARD. No, sir. No, sir. I had nothing to do with that.

Senator REED. That is what Senator ROBINSON meant.

Mr. BROSSARD. I did not know what the Senator meant.

Chairman ROBINSON. Which report did you concur in, the majority or the minority report, in your opinion or conclusion? You were associated with the preparation of the report, were you not, or at least with the summarization of the data?

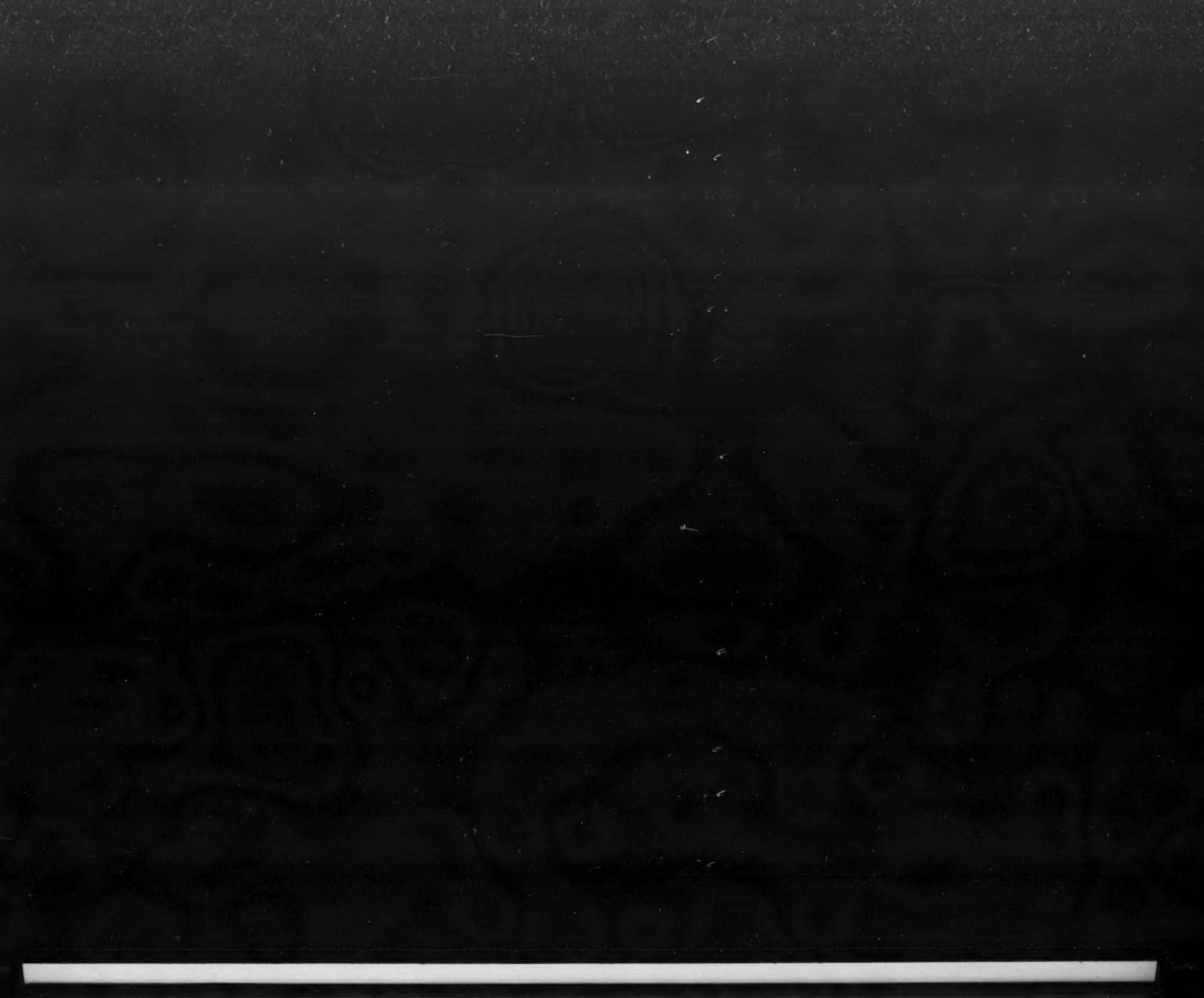
Mr. BROSSARD. No, sir. I did not have anything to do with it.

It will be found that all through his testimony he avowed that he had no knowledge whatever of the Marvin-Burgess report; that he had had no part whatever in the preparation of it; that he had not been present when it was considered by Mr. Turner and Mr. Fox; and that he had nothing whatever to do with it. When he went to Fox and tried to get Fox to testify to that, Fox thought it important enough to make memoranda about it. Here is one of them:

While in Doctor Brossard's office on other matters he remarked that he was trying to get the facts straight in regard to his connection with sugar, and as he could see it he had nothing to do with it except advise upon agricultural costs; that I had furnished all the ideas and that Dean Turner had dictated them, and that he had been consulted in regard to agricultural costs and had advised thereon. That as to the preparation of the report which was revised by Commissioners Marvin and Burgess, he thought it advisable that he and I should both have the same facts, that we had the fact straight in regard to sugar.

Anyone who is accustomed to passing upon the credibility of witnesses, if he believes Fox's statement and believes Fox is not misrepresenting the facts, will be driven to the conclusion that Brossard was uneasy about his testimony already given to the select committee and was trying to frame up for Fox to support him in his declaration that he had had nothing to do with the matter.

If I chose to take the time, I could read a great many passages in which the same thing occurs, Brossard going to Fox, Fox making a memorandum, out of the ordinary course for him to pursue, of what Brossard said, but always implying that Brossard's suggestions were to get him to testify to something different from the way in which he remembered it. I can not reach any other conclusion than that.





Now, as to the other proposition raised by the Senator from Indiana [Mr. WATSON] at the hearing before the Finance Committee just recently. All the while since 1926 or 1927 when this testimony was given before the select committee Fox had been serving as a subordinate to the Tariff Commission of which Mr. Brossard was a member. Recently, just a few days ago, they sent for Fox and asked him these questions:

The CHAIRMAN. Mr. FOX, did Mr. Brossard ever try to influence you in relation to your testimony before that select committee on investigation of the Tariff Commission?

That is a question which would have been easily and fully answered by yes or no. But what was Mr. Fox's answer?—

I do not know just how to answer that question.

Now make the most of it. Even when before the Committee on Finance Mr. Fox did not know how to answer the question as to whether Mr. Brossard had tried to influence him. I continue with the answer:

I do not know just how to answer that question. We discussed the matter; but I think that Doctor Brossard knew and the rest of the commission knew that I was not one to be easily influenced. I did not take it as any evidence of an attempt to influence me.

The CHAIRMAN. Did Doctor Brossard tell you at any time to testify to anything different from what you wanted to testify to or did testify to?

Mr. FOX. Oh, no, indeed.

The CHAIRMAN. Did he suggest anything to you in relation to your testimony?

Mr. FOX. Oh, no.

Senator SHORTRIDGE. That settles the whole matter. Why waste any more time on this matter?

Senator HARRISON. Let him state all the facts in regard to Brossard's testimony before the select committee, and the memoranda made by him in regard to it.

Mr. FOX. Well, the facts, very briefly, are that Doctor Turner, who was my superior officer, and I, and Doctor Brossard—

Now listen to this—

sat for 10 days preparing the minority report.

Even after the Finance Committee had called Fox before them, Fox, with the knowledge that he was a subordinate and that his head might go, said that "for 10 days Turner, Brossard, and I worked day and night preparing the minority report," and yet Brossard said, "I never had a thing to do with it, and now Fox recollects it just as I recollect it. Can't we get the facts straight? Look in the files and see what papers show that I did have a part in it." Fox, knowing what the facts were, made memorandum after memorandum and there could have been but one reason for his doing so and that was that he realized that he was in peril and wanted to make sure that he recollected the transactions correctly.

There is much more testimony to the same effect and there are many more statements that could be read, but I do not feel justified in taking the time of the Senate to read them.

The statement is now made that after all Brossard had a perfect right to do the things he did do and that there was no occasion for secrecy about it, but I have pointed out the fact that the country was then filled with the murmurings of a scandal, a great scandal in which three members of the commission, two Republicans and one Democrat, charged the other members virtually with such failure of performance of duty as to constitute a gross neglect and gross disregard of the public interest.

Under those circumstances Brossard contributed to the preparation of what is known in the record as the "draft report." Oh, yes; Messrs. Marvin and Burgess changed it, but there is no fact or recital of facts in the draft report that is contravened in the final report. They took the work of Brossard, Fox, and Turner, and made it substantially their report. The conclusions varied. The majority report, sponsored by Costigan, Lewis, and Culbertson, recommended a very material reduction in the sugar rates. The draft report found that the facts justified an increase; but for reasons stated in it, the difficulty connected with making it accurate made no recommendation for an increase. Then when Messrs. Marvin and Burgess got that draft report they went the limit and actually recommended an increase in the rates on sugar, and there happened just what they expected would happen. The President said: "This commission is in a row. Its members do not agree. Three members make one finding and one recommendation, and two other members make a different finding and a different recommendation. I will not do anything. I will pigeonhole the whole business, shut it out from the public, and no one shall know the course this matter has taken during the two years it has been under consideration by the Tariff Commission."

But the select committee procured and published the report itself, the draft report, and the minority report actually signed by Messrs. Marvin and Burgess. There is no one in this forum who will say that the record of that case is one in which the Tariff Commission can take pride. There was absolute secrecy until 1927. The public were not told what the findings were, what the conclusions and recommendations were. They were left in doubt. Of course, the newspapers always have published many stories, but the whole sugar case, the way it was handled before the commission, and the conclusion of it, impeaches the effectiveness of the old commission. Three members that made the majority report believed they were doing their duty and acted with great courage and resolution in the face of the most powerful pressure that was ever brought by superiors to bear upon subordinates in office. They made their findings in what they believed the fair interest of the public.

The point is, without regard to details of the particular transaction to which I have been referring, that this man is not qualified, in the high sense of the term, for the impartial performance of the duties of a tariff commission. That opinion is entertained by some of the great, unbiased, and unprejudiced minds of the country. What did Doctor Taussig say? He expressed the opinion that Mr. Brossard ought not to have been appointed. What did Culbertson say? "I am humiliated that Brossard should be appointed to succeed me." It will be remembered that the whole political influence of the Nation, or so much thereof as was necessary, was applied to get rid of Culbertson, and there was found for him a diplomatic position in a remote part of Europe. He was told, "You always wanted to be a diplomat." Quite naturally he said, "Certainly." No doubt in his own thought he said, "I am not much longer to be a tariff commissioner." So he was sent to Rumania. Lewis was removed from the commission because he would not sign a letter of resignation at the time of his appointment. Burgess went because he could not face the public scorn. Marvin has gone largely because of the reactions against the course he took in that case and the methods that he pursued. Brossard comes as his chief supporter and backer. I will ask the Senate to hear the testimony of one of those commissioners whom the Senate confirmed only on yesterday on that subject. I refer to Mr. Dennis.

Mr. COPELAND. Mr. President, from what page is the Senator from Arkansas about to read?

Mr. ROBINSON of Arkansas. I now read from page 132, as follows:

Mr. DENNIS. I make this statement, and I am prepared to back it up as we go on, that the law—

Meaning the flexible provision—

has been miserably administered, and it has been administered in the particular way it has for a purpose, and I am charging to-day that it has been the deliberate purpose of the majority members of this commission to break down the workings of the flexible tariff law.

Senator LA FOLLETTE. When you refer to the majority members, to whom do you refer?

Mr. DENNIS. I refer, of course, to Chairman Marvin and his associate, Mr. Glassie, on the commission, backed up by the two recent Republican appointees, Mr. Brossard and Mr. Baldwin.

Mr. Dennis was then and is now a member of the commission. Omitting a part of the testimony and the question, further on he said:

Mr. DENNIS. I was innocent about this thing for about five months. Last October, affected by the skepticism of a skeptical age, I ceased to believe in Santa Claus. Up to that time I had

faith, and I have faith still, in the purposes of the flexible tariff. Since that time I have had absolutely no faith in the administration of the flexible tariff by the commission as at present constituted.

I have already shown that he related that change of opinion to Chairman Marvin and his support by Commissioner Brossard. On page 134, quoting from Mr. Dennis, we find this statement:

In the first place, it has broken down through the bias of the chairman of the commission. He has been unfair in the administration of this act, and he has to back him up in his unfairness three members of the commission.

I now turn to page 206, where it will be found that Mr. Dennis went to the President of the United States and objected to the appointment of Mr. Brossard. I will quote his language:

Senator LA FOLLETTE. Doctor Dennis, when you were first suggesting your objections to the President against Mr. Brossard's appointment, did you mention the name of Senator SMOOT to the President?

Mr. DENNIS. Give me a moment to think about that. I believe I did; yes.

Senator LA FOLLETTE. In what connection?

Mr. DENNIS. In the connection that Mr. Brossard had been publicly represented as a protege of Senator SMOOT's. As I recall it, the President's reply was, "So much the better; I have no objection to him on that account." I did not feel that a man should go on the commission as a representative of any particular interest. I do not believe Mr. Brossard is a representative of any particular interest. I acquit him entirely of having any interest, financial, political, or otherwise, in the beet-sugar industry of this country, and that is why I took up the defense of Mr. Brossard when he was assailed after his appointment as having been put on the commission to represent the beet-sugar interests.

Then this occurred:

Chairman ROBINSON. May I ask him a question in that connection?

Senator LA FOLLETTE. Surely.

Chairman ROBINSON. At the time you advised the President about the selection of Mr. Brossard, did you or did you not say to him that you did not believe Mr. Brossard ought to be selected for two reasons: First, because of his alleged former connection with Senator SMOOT; and, second, because of his alleged connection with or interest in the sugar industry?

Mr. DENNIS. I did; yes, sir.

Chairman ROBINSON. And what did the President say in reply to that?

Mr. DENNIS. Mr. Chairman, I am on delicate ground when I begin to repeat what the President said.

So the questioning was not further pursued.

Mr. Costigan's opinion is set forth in a letter to myself written on November 28, 1930. Senators may make any criticism of Mr. Costigan they think fair, but, in my judgment, he is the best-informed man on tariff matters in the United States, and, in addition to that, he has the courage of his convictions; neither presidential nor senatorial or other influence can control him in the exercise of his functions as a public officer. He was recently, on November 4 last, elected to the Senate of the United States. So strongly is he convinced that Mr. Brossard is a "bad actor," from the standpoint of the public interest as it relates to the duties of the Tariff Commission, that he wrote me a letter asking to have the nomination postponed until he shall come into the Senate or to try to secure its rejection. This is the letter he wrote:

DENVER, COLO., *November 28, 1930.*

Hon. JOSEPH T. ROBINSON,
United States Senate, Washington, D. C.

DEAR SENATOR ROBINSON: In view of the approaching responsibility facing Senators of confirming or rejecting nominations for the reorganized Tariff Commission, the unpleasant task apparently devolves upon me of indicating my strong conviction that the public interest will not be served by the confirmation of Commissioner Brossard.

Doctor Brossard was for some years one of my colleagues on the Tariff Commission. During that time, and before while acting as an employee of the commission in its agricultural work, he displayed a biased mind and subserviency to outside interests which shocked those of his colleagues who seriously accepted their impartial governmental duties. In addition his testimony before the Senate investigating committee, of which you were chairman, was inexcusably evasive and disingenuous.

My own judgment concerning Doctor Brossard's qualifications and public services was expressed before that investigating committee under oath in 1926–27, and later in my letter of March 14, 1928, tendering my resignation as a tariff commissioner.

That letter was printed in the RECORD on yesterday.

Lapse of time has not changed it. Doctor Brossard must share with former Commissioners Marvin, Burgess, and Glassie, and certain other persons, responsibility for the well-nigh universal discredit of the Tariff Commission, which was responsible for its present reorganization. It follows that he should not now be made a member of the new body.

One of the incorruptible and best-informed Washingtonians, who is intimately in touch with the Tariff Commission, and has been ever since my departure, wrote me on November 14, 1930, as follows:

"You can hardly realize some of the transactions which have occurred since your departure, or the level to which conditions here had fallen before the recent reorganization. You can well understand that conditions are still far from what they should be or can be until further eradication can be accomplished."

Here let me say that I have some doubt as to the propriety of inserting in the RECORD that statement from an anonymous resident of Washington, but I give it because I am publishing the entire letter of Mr. Costigan to myself. Concluding the letter, Mr. Costigan says:

I regret feeling impelled to write thus with respect to Doctor Brossard, because my personal relations with him have been agreeable. My concern over his possible reconfirmation is based solely on the public interest. Ordinarily I might have felt disposed to pass by the present situation without comment. However, my recent election to the Senate impresses me as calling for this advance word to you, with whom I hope to have the honor of being associated in the Seventy-second Congress. I venture to suggest the rejection of Doctor Brossard's name, or, if that is unlikely, the postponement of confirmation until the next Congress assembles. During that period he will be under probation, and I shall then be glad to discuss publicly and in detail the reasons for my conviction that confirmation should be denied.

With highest personal regards, believe me,
Yours sincerely,

EDWARD P. COSTIGAN.

Mr. President, I have shown the Senate that it is the judgment of men like Doctor Taussig, Mr. Culbertson, Mr. Costigan, and Mr. Dennis that Mr. Brossard ought not to be a Tariff Commissioner. Three of these men have served on the commission with him. Mr. Dennis is a brilliant man and, I believe, a great economist. He takes the position that Brossard's appointment will not be helpful; Culbertson expressed humiliation that Mr. Brossard should succeed him, and Mr. Costigan has just expressed himself in the letter which I have read. Are the opinions of men like Doctor Taussig, Mr. Culbertson, Mr. Dennis, and Mr. Costigan entitled to consideration in matters like this?

This issue involves a question of public importance. It involves vitally, as I believe, the issue whether the United States Tariff Commission reorganization is to be effective. It may not be effective, anyway. The task of the commission is a very great and difficult one. It ought to be composed only of men who are impartial and just. The effort is, as far as possible, to eliminate politics from the commission by requiring that not more than three shall be members of the same political party. The attempt ought to be to secure the services of men who are above reproach in character, who are unbiased and impartial, and whose record discloses capacity and disposition to disregard extraneous influences and perform duty within the letter and spirit of the law.

I apologize to the Senate for having taken so much time.

Mr. SCHALL. Mr. President, I desire to ask the Senator from Arkansas whether the committee had before it Dean Turner and the stenographers in reference to Doctor Brossard's testimony?

Mr. ROBINSON of Arkansas. I do not believe that either was called.

Mr. SCHALL. I should think, if there was any opinion that Doctor Brossard's statement was incorrect, that it could have been disposed of conclusively by calling Dean Turner and the stenographers, as Dean Turner and the stenographers are the only witnesses on earth who had the knowledge to straighten out any alleged discrepancies between the testimony of Doctor Brossard and Doctor Fox.

Mr. ROBINSON of Arkansas. I believe at that time that Doctor Turner was probably out of the country. At one time he was absent when I sought to secure his attendance. The only controversy about the facts is, first, with respect to the part that Doctor Brossard took in preparing the

minority report; and, second, with respect to his efforts to make an arrangement with Doctor Fox to corroborate him in his testimony.

Mr. SCHALL. As I remember the testimony, Doctor Fox expressly states at least twice that Doctor Brossard at no time attempted in any way to influence him in his testimony.

Mr. President, in behalf of the farmers, of agriculture and all its scores of ramifications of Minnesota, in behalf of Doctor Brossard's many friends among the faculty of the University of Minnesota and the students and graduates thereof, and in behalf of myself, I wish to take a moment to bring whatever influence I may have to the support of my friend Doctor Brossard.

In Minnesota we have several beet-sugar factories and thousands of sugar-beet farmers. I am sure that these farmers feel that they are entitled to the protection in their business that other businesses secure under our protective-tariff system, and that none of them would condemn Doctor Brossard for presenting their side of the controversy; and I am sure that the farmers in general of Minnesota will give their hearty support to Doctor Brossard, whose whole life has been spent on the farm or in studying how to make the farm more profitable. That is the kind of men that agriculture needs on the Tariff Commission.

Doctor Brossard understands the conditions of agriculture of Minnesota, and he and Dr. John Lee Coulter will well represent the interests of agriculture for the midwest and western part of our country. In my opinion, it would be a great misfortune for agriculture to have the Senate fail to confirm Doctor Brossard's appointment, and therefore lose one of the six seats in the commission, alongside Doctor Coulter, who has already been confirmed. The President, by these two appointments, has shown exceptional wisdom, for the nominees are both eminently qualified by experience and unusual education in the economics of agriculture. The selection of Doctor Brossard to be a member of this important body can not help but receive the support of all those who are interested in making the Tariff Commission a really scientific, fact-finding, research body. The President is to be congratulated upon the reappointment of Doctor Brossard.

Doctor Brossard's selection is a recognition of the excellent training he received in economics, agricultural economics, and other courses at the University of Minnesota, and is also an honor to the institution. He took his master's and doctor's degrees at the University of Minnesota in agricultural economics and farm management in 1917 and 1920, respectively, and assisted in agricultural extension work in Minnesota in 1916–17, and was on the faculty of the university again during 1918–19. His high scholarship is shown by his selection to the honorary fraternities of Phi Kappa Phi and Alpha Zeta.

Born and raised on an Idaho cattle ranch, he knows at first hand the problems of agriculture. His undergraduate studies were completed at the Utah State Agricultural College in 1911. He then spent three years in study and travel in Europe, where he learned the economic, industrial, agricultural, social, and political problems of western European countries. After returning to the United States he was employed for two years by the United States Department of Agriculture and the Utah State Agricultural College to demonstrate to farmers systems of farm accounting and profitable farm management. For this purpose surveys were made in Utah and Illinois. Such training and experience was a good background for the work later undertaken at the University of Minnesota, which put the finishing touches on the foundation for his future rise in his chosen profession of economics.

Since his graduation at Minnesota, Doctor Brossard's native ability, rugged honesty, and hard work have won rapid advancement for him. In September, 1919, Doctor Brossard accepted the position as head of the department of agricultural economics and farm management of the Utah State Agricultural College, and was also in charge of the Utah Agricultural Experiment Station investigations in agricultural economics and farm management, where he remained for four years and did excellent work.

In September, 1923, he became an economist on the staff of the United States Tariff Commission, and in July, 1925, was appointed a member of the Tariff Commission by President Coolidge. His two years as economist for the Tariff Commission and his five and one-half years as a member of the commission gave him an opportunity to demonstrate his ability and to render the valuable services that won his recent reappointment by President Hoover to membership on the new commission.

The University of Minnesota congratulates the President on the selection of this type of men for such important Government positions, and is watching now to see what the Senate of the United States is going to do about confirmation.

I shall vote for the confirmation of Doctor Brossard because he is preeminently qualified for the job, and I hope my colleagues here in the Senate will do their duty and do likewise.

I have known Doctor Brossard for probably 10 years quite intimately. He is a real human being, a just man, a square man, a man of integrity; and I am sure that no one who knows him would think for a moment that he would deliberately mislead an individual, much less a Senate committee. I do not believe—and I have heard read the testimony—that there is anything inconsistent in the answers which Doctor Brossard made to the questions propounded to him.

Doctor Brossard is a modest man. He would be very loath to claim credit, even where it was due him, however much he might feel that his ideas had been adopted in another's language.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield to me for just a moment?

Mr. SCHALL. Yes.

Mr. ROBINSON of Arkansas. I wish to state that my first recollection about Doctor Turner, and the failure to have him testify, is confirmed. He was absent at the time we sought to secure him, and he was not a witness.

I thank the Senator for yielding to me. My first statement was correct.

Mr. SCHALL. I repeat that Doctor Fox says that at no time was there any attempt to influence him as to his testimony, but merely the comparing of opinion to refresh the memory of both as to what had actually transpired.

Doctor Brossard, as I said a moment ago, is a modest gentleman. If Doctor Brossard came to one of you Senators, or you sent for him when you were preparing a speech or a report, and at your invitation, because you knew him to be an expert in the matter, sat down in conference with you and made suggestions, and then went out and said that he had written your speech or report, or that he gave you the ideas that prompted your speech or report, you would be inclined to resent that claim. So Doctor Brossard might have felt that he had only helped by suggestions or handing in written data for their use, which was the truth, when he answered that he had nothing to do with the writing of the draft.

The Senator from Arkansas a few moments ago read testimony of Doctor Fox stating that it took him, Doctor Turner, and Doctor Brossard 10 days to prepare the draft. I remember in another place of Doctor Fox's testimony where he avers that it was a hectic time and that they worked day and night; that Doctor Turner did all the dictating and that he, Doctor Fox, was responsible for all the figures; that Doctor Brossard was not there several times during the day, and he never records him as being there at night; from which it is a very proper conclusion that Doctor Brossard only casually dropped in to be of service as he might, or furnish to them any written data that he happened to have, through his investigations. It would not stretch the imagination very much to understand that Doctor Brossard might feel, since he had no decision in the final draft and was not responsible for it, that he had had nothing to do with it except, as he said, to furnish some data from his investigations. Copies of the written data he had furnished to

Dean Turner and Doctor Fox, Doctor Brossard offered to the committee when they were examining him, and it is recorded that the chairman, Senator ROBINSON, did not at that time think he wanted it. Later on such written data were put into the record and came entirely through the hands of Doctor Brossard to the committee. If Doctor Brossard made any oral suggestions to Dean Turner and Doctor Fox, it is not so recorded in the testimony of Doctor Fox. It is therefore not unnatural that Doctor Brossard should feel, in his modesty, that he had nothing to do with the writing of the draft. He may have felt this since the conclusions of that opinion did not in many respects correspond to his own ideas and the data he had given them had been used to contort his own opinions.

I submit to any man who wants to be fair that Doctor Brossard's answers to those questions do not go to his integrity; and any man who knows Doctor Brossard knows that he has nothing to conceal. There must be a motive for a man attempting to conceal. There is no motive here. The material that Doctor Brossard submitted does not agree with the report. It would seem to me that to turn down a man of the ability of Doctor Brossard, a man especially equipped for the very position to which the President has nominated him, would be a great mistake and injustice.

Brossard was born on the farm and raised there, and his life has been spent acquiring knowledge as to how to improve the farm. He is an admirable selection for this particular position, and I hope the Senate will see its way clear to confirm him.

Mr. SHORTRIDGE. Mr. President, the opening remarks of the Senator from Arkansas [Mr. ROBINSON] were very thoughtful and to me very interesting. His review of the reasons which caused the Congress to enact the so-called flexible section of the tariff act of of 1922 was timely and accurate.

I have heretofore said that originally I was not particularly enamored of or impressed with the necessity for that section in the tariff act. Others, doubtless wiser, favored it, and it was incorporated in and became a part of the act of 1922.

The duties of the Tariff Commission, as contemplated by those who favored that section, were accurately stated by the Senator from Arkansas. Of course, the law called for commissioners of character, of intelligence, of physical and mental ability, to investigate and to find certain facts applicable to the subject matter—namely, whether or no certain ascertained facts called for a raising or a lowering of a given rate as fixed in the act.

The tariff act of 1922 fixed certain rates of duty on imported articles coming into competition with certain American-produced articles of agriculture, of manufacture, of mining. It was thought and argued by Members of Congress and by others that changing conditions here and abroad might call for a change in the rates of duty in the act of 1922; and it was argued with persuasive force that the commission, made up of incorruptible and capable men, could ascertain the facts showing changed conditions here and abroad, and suggest to the President of the United States that a given rate might wisely be raised even 50 per cent of the rate fixed in the act or lowered to that extent, in order to carry out the policy of the law. Under that law the President was not required to approve or disapprove the finding or the conclusion of the commission, as reported to him; he was given the power to exercise his judgment as to whether a given rate should be raised any per cent up to 50 per cent or lowered similarly.

We come now to consider the present law and the duties of the commission and the President in carrying out that law.

There is a material difference between the existing and the former law. The commissioners now investigate, ascertain certain findings of facts, reach certain conclusions, and report those findings of fact and conclusions to the President, and he may not exercise a discretion to differ from them as to the extent of raising or lowering of a given rate, in the way he could under the former law. He can either approve or disapprove those findings or conclusions of the Tariff Commission; approve or disapprove.

Mr. President, it is not my purpose to deliver a philippic or pronounce a eulogy; nor is it my purpose to indulge in passion or to tear one to tatters, to very rags. It is my immediate purpose, however, to call the attention of the Senate, and perhaps of the country, to the fact that we are confronted with the immediate proposition of confirming or rejecting a gentleman of character and ability, against whom nothing has been said, unless it be remarks here touching his impartiality in the investigating of a given question.

I content myself, therefore, by saying that this nominee before us is a gentleman of good character; second, a gentleman of ability; third, a gentleman who has conscientiously rendered valuable service to our country; and if he possesses those qualities and has that record, is he not peculiarly fitted to serve on this commission?

In his absence I spoke of the senior Senator from Arkansas [Mr. ROBINSON], for whom I entertain very high respect. That he is a great advocate, powerful in presenting his views, has been made manifest for many years, and I repeat myself, now that he is in the Chamber, to say that his review of the reasons for setting up this commission, and the history of the operations of the commission, were to me very interesting and very enlightening.

Being what has been called a protective-tariff man, I have taken a very deep interest in that subject, and as a member of the Finance Committee in the framing of the present law it was my duty to pay particular attention to that subject. Therefore, as for me, I am considering whether Doctor Brossard measures up to the stature of a man who should be on that commission; whether if we continue him there he will render the service which we are entitled to have him perform.

Mr. President, I suppose it will be admitted here on all hands that, as to the subject of the tariff, Doctor Brossard is what may be termed an "expert." I attach no particular meaning to that word, other than this, that an expert with respect to a tariff question is one who has studied the question and who is capable of gathering facts and reaching an intelligent conclusion based upon those facts. I suppose that an expert upon any subject of art, of science, of economics, is one who knows something about the subject. Yesterday there was insistent demand for "experts on the Tariff Commission," and there was certain opposition to one nominee who was said not to be an expert on the tariff question. With me the word is not particularly persuasive one way or the other, but since many gentlemen yesterday urged upon us that we should appoint only "experts," I am wondering how they can oppose this nominee, who confessedly is an expert of approved ability. In the minds of these gentlemen yesterday the words of an "expert" might have stood against the world: Now lies he here, and none so poor to do him reverence.

Mr. President, much, and I think too much, has been said concerning a certain report or draft of a report, which was formulated and either put out as originally drafted or corrected and then issued. I think it is utterly immaterial; it is entirely irrelevant to the question before us.

I can not but express my surprise that Senators of learning and experience should devote so much time to this so-called draft or final report, be it what it was. Was it a crime to participate in the preparation of that report? Is anyone who participated or furnished data in its drafting to be adversely criticized for doing so?

Ah, but my friend from Arkansas says that when Doctor Brossard was questioned concerning that report or its preparation he was disingenuous, or was hesitating, or was seeking to conceal his part in its drafting. I submit that there is nothing in the record which justifies condemning Doctor Brossard or adversely criticizing him for testimony he gave, or that there is anything in his testimony which adversely reflects upon him.

Those of us who have had some experience in the examining of witnesses in the courts, those of us who have looked

over court records, know that you may not and you must not in justice condemn a witness because of one answer when later on he qualifies or fully explains. A fair reading of this testimony given by Doctor Brossard should convince any impartial mind that he had nothing to conceal, nothing to qualify, nothing to hide; but answered, as he thought, responsively to every question propounded to him.

I turn from that report as having little or no bearing upon the matter which we could consider. Many may not be able to read the long record of testimony taken before the committee, but those who may read the record of this day's proceedings should be told, as I tell them, that in the giving of his testimony Doctor Brossard was frank and full, explanatory of all his actions in respect to the subject matter of the inquiry.

With almost microscopic eye my friend the distinguished Senator from Arkansas magnifies a word or an atom into the size of Mount Whitney. I am prompted to express my doubt as to whether he has even convinced himself, much less others, that Doctor Brossard was attempting to commit perjury, or did commit perjury, or was ashamed of anything he did. He was not committing perjury, he did not commit perjury, he was not ashamed of anything he did.

Mr. President, I am familiar with the record of Doctor Brossard, and others are deeply interested in that record. Whether we be protective-tariff men in the Republican sense or protective-tariff men in the Democratic sense; whether we believe in protection for protection, or whether we believe in imposing tariff duties for revenue only, with incidental protection—in a word, whether we believe in a thorough American protective-tariff system, to build up American agriculture, American mining, and American manufacture, or whether we be of the contrary view, is for our present consideration utterly immaterial. Is the man to be placed on the commission a man of character, a man of intelligence? That is the question.

That commission has certain duties to perform. The commission is not a legislative body. It does not legislate. A lot of vague notions—I could otherwise characterize them—are thrown out by certain gentlemen and by some of those up yonder in the Press Gallery in respect to the duties of the Tariff Commission. That is not a legislative body. Do I expect the country to accept that statement because it comes from my poor lips? No. But when the Supreme Court of the United States, made up of nine great jurists, men who in private life may be Republicans, others who may be Democrats—when the Supreme Court of the United States tells us that the flexible tariff provision, section 336 of the present law, is not a delegation of legislative power, I am inclined to think that the people of the United States accept that decision.

Therefore it is childish, if not foolish, further to contend that we have delegated our legislative power, that we have abdicated, that we have resigned, that we have abandoned our duty by enacting section 336 of the tariff act. No! Sooner or later the country will understand, if they do not now understand, that the Tariff Commission is a fact-finding body, that its members are governed by specific law, that the law tells them what they shall do—no more, no less. Hence I must express respectful surprise that the thought is still in anyone's mind that we have abandoned our legislative function and delegated to some commission the power to legislate for the American people.

I wish to say, however, that if Doctor Brossard is a protective-tariff man, if he does believe in what I believe to be the genuine American doctrine to assist American labor on the farm, in the mine, in the factory, he does not fall in my estimation. But whether he be a protective-tariff man, of that belief, or not, such is his character, such is his ability that he will perform his duty as it is laid down in the law.

Mr. President, I hold in my hand many letters and telegrams in the nature of indorsement of Doctor Brossard coming from gentlemen and associations of character who know his record and who call upon me and others to confirm him, to the end that he may serve the interests of the country on the Tariff Commission. I invite attention to a letter from a well-known public man of California, Mr. Marshall Hale, in which he says:

> Mr. Brossard has done splendid work as a member of the United States Tariff Commission because he understands the need of the tariff on the products of the soil. He is the only western representative on the Tariff Commission—

That is a fact which I would ask the Senate to remember—

> He is the only western representative on the Tariff Commission, and I hope you will be able to interest all the western Senators in his behalf so that the Senate will approve of his appointment.

I hold in my hand a letter addressed to Mr. Hale by Mr. Ben S. Allen, secretary of the Growers Tariff League, a western organization. In this letter the writer says:

> GROWERS TARIFF LEAGUE,
> *San Francisco, December 22, 1930.*
>
> MR. MARSHALL HALE,
> *Chairman Republican State Central Committee,*
> *Care of Hale Bros. (Inc.), Market and Fifth Streets,*
> *San Francisco, Calif.*
>
> DEAR MR. HALE:
>
> * * * * * * * *
>
> E. B. Brossard comes from Utah. Early in the history of the Tariff Commission he was employed by that body as agricultural economist and conducted a number of investigations and did research work for the commission involving California commodities. He, therefore, has a wide knowledge of agricultural conditions and the tariff needs of our various crops. Later, under President Coolidge, he was appointed a member of the United States Tariff Commission, a post which he has since held, being reappointed to the reorganized commission by President Hoover.
>
> * * * * * * * *
>
> We who have been in touch with the tariff situation as it affects California commodities feel that Mr. Brossard for two outstanding reasons will make an excellent commissioner: First, he is the only representative of the West, and, secondly, he has had ample training for the position and is thoroughly familiar with those cases likely to appear before the commission in which we have a direct interest.
>
> * * * * * * * *
>
> We feel that an indorsement at this time from you to our own Senators and to any of your fellow chairmen who may be interested in advancing the cause of tariff will help in securing Mr. Brossard's confirmation.
>
> Yours faithfully,
>
> BEN S. ALLEN, *Secretary.*

In a letter addressed to me by the secretary of the Growers Tariff League, Mr. Allen, is an interesting statement, but rather than take the time of the Senate to read the entire letter I will ask that it be incorporated in the RECORD.

The PRESIDING OFFICER (Mr. HATFIELD in the chair). Without objection, it is so ordered.

The letter is as follows:

> GROWERS TARIFF LEAGUE,
> *San Francisco, December 10, 1930.*
>
> HON. SAMUEL M. SHORTRIDGE,
> *Senate Office Building, Washington, D. C.*
>
> DEAR SENATOR: The members of this organization, who are very much interested in adequate tariff protection for western-soil products, are quite concerned that Mr. E. B. Brossard should be confirmed as a member of the United States Tariff Commission.
>
> It was my privilege, as secretary of the Growers Tariff League, to put Mr. Brossard in touch with a number of individuals and groups interested in various agricultural commodities requiring tariff protection when he made a visit to this section of the country two years ago.
>
> They all testified that they found Mr. Brossard keenly interested in their problem and well informed regarding the tariff needs of western agriculture.
>
> They also stated that when Mr. Brossard was agricultural economist for the commission he proved himself able and fair in handling the various cases which he investigated.
>
> It seems to me that he is exactly the type of commissioner we ought to have, since western interests are none too heavily represented on the commission. In the opinion of our members it would be a mistake to fail to confirm the nomination of Mr. Brossard.
>
> Your help in this matter will be very much appreciated.
>
> Yours faithfully,
>
> BEN S. ALLEN, *Secretary.*

Mr. SHORTRIDGE. And now, Mr. President, to those present or called away in the performance of their senatorial duties I wish to say at this juncture that agriculture is very deeply interested in the tariff problem. It affects every State in the Union, certainly the great State of Arkansas, certainly my own great State, and I want that

commission to listen sympathetically to the pleadings of those directly interested in agriculture in respect to the facts concerning it, all to the end that the policy of the law shall be carried out. In other words, I do not want a commissioner who will scoff or sneer at or treat lightly the farmer who appears before that body presenting his views, whatever they may be, whether it be to raise or to lower a given rate. I say that for the reason that every great agricultural society of the far West has made known its views in regard to the character and the ability and the fitness of the proposed commissioner.

Mr. COPELAND. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from New York?

Mr. SHORTRIDGE. With pleasure.

Mr. COPELAND. Is not the Senator unduly distressed over the matter which he has just presented? In the event Mr. Brossard is not confirmed by the Senate would not the President appoint another commissioner who possesses all the qualifications, the kindliness, and friendliness to agriculture that Mr. Brossard possesses?

Mr. SHORTRIDGE. No, Mr. President; I am not distressed. Of course, if we do not confirm this gentleman, the President, I know, will seek to appoint some one else equally qualified. I remember how the distinguished, learned, sleepless senior Senator from New York fought and pleaded and succeeded in getting an increase in tariff rates on certain products of his great State of New York, and in seeking those increased tariff duties I gladly, though perhaps weakly, stood by his side, and he was right then, and he is right to-day, I assume, in being glad that he succeeded, perhaps assisted a little bit by myself.

Mr. COPELAND. Mr. President, will the Senator further yield?

Mr. SHORTRIDGE. I yield.

Mr. COPELAND. I confess that in this particular matter I am distressed. I would much prefer to vote for Mr. Brossard if I could be convinced that it is the proper thing to do. But I do wish to make reply for a moment to what the Senator just said with a view to expressing a thought I have had in my mind for a long time. If the Senator prefers that I should not take his time, I shall not interrupt him.

Mr. SHORTRIDGE. I think perhaps I had better proceed.

Mr. COPELAND. Very well, but it has to do with the very question raised by the Senator as to what our attitude should be toward raw sugar. That is the system of protection about which the Senator is always talking—the protection of raw products.

Mr. SHORTRIDGE. I do not wish to be personal, and the records of this body will disclose that I never have imputed wrong motives to any Senator, be he upon one side of the so-called hostile aisle or not. I know that Senators are men of character, I know that they are men of intelligence, and I know that their motives are good. When I differ from them it may be with great regret, but in differing or commenting upon their vote, I am not ever to be understood as reflecting upon them adversely.

Mr. President, I hold in my hand a letter from Mr. T. C. Tucker, of the California Almond Growers Exchange, and I beg to invite the attention of Senators to some of his words:

CALIFORNIA ALMOND GROWERS EXCHANGE,
San Francisco, Calif., December 10, 1930.

Hon. SAMUEL M. SHORTRIDGE,
Senate Office Building, Washington, D. C.

DEAR SENATOR: I understand that opposition has developed among the minority Members of the Senate to the confirmation of Mr. E. B. Brossard to the United States Tariff Commission.

It is our experience that Mr. Brossard is thoroughly familiar with the tariff needs of western agriculture, and particularly of the many commodities in California requiring protection. Some time ago he made a visit to this State, in which he spent all of his time familiarizing himself with the tariff needs of California agriculture; also, during the time when he was agricultural economist for the commission he was in charge of investigations including a number of California commodities and proved himself a capable and fair investigator. It seems to me that he is exactly the type of commissioner we ought to have, and since western and California interests are none too heavily represented on the commission, I feel that it would be a mistake to fail to confirm the nomination of Mr. Brossard.

Your help in this matter will be very much appreciated by the undersigned.

Yours very truly,

T. C. TUCKER, *Manager.*

For the information of the Senate I now read a telegram coming from John Lawler, general manager of the Poultry Producers of Central California. Of course, when I speak of the interests of agriculture, I include many industries. I include the poultry industry; I include the wool industry; I include the cattle industry; I include, as, of course, should be understood, all the products of the farm, the field, and the forest—agriculture in its broad terms. The telegram from Mr. Lawler reads:

We understand opposition has developed to the confirmation of Brossard on Tariff Commission. We believe his appointment should be confirmed, as he is a western man with knowledge of western conditions. Any support you can consistently give him will be appreciated.

I also read a telegram from Mr. W. P. Wing, secretary of the California Wool Growers' Association:

We all count on you to support Edgar B. Brossard's appointment to the Tariff Commission. Best wishes.

I am very sure Mr. Wing knew what I would do; but it was proper for him to advise me of the desire of his association. They know how I stand on the tariff question. I certainly shall support Mr. Brossard's appointment.

I now read a telegram, Mr. President, from the California Cherry Growers' Association, the members of which are interested in a question which is now to be taken up by the Tariff Commission for consideration, namely, the question as to the tariff duties on maraschino cherries. Neither California nor any State in this Union can compete with Italy in their production. The rates on maraschino cherries fixed in the tariff law should be raised, and the facts will prove that they should be raised. I want a Tariff Commission that will listen to evidence and find the facts. The metewand—a word I took the liberty of using yesterday which the reporters did not grasp—the metewand by which these questions are determined appears in the law. I want that metewand used in ascertaining the facts. I want the American man and woman to be protected from the deadly competition which comes to them from abroad; not that I hate any nation on earth or hate any man on earth, but I want to look after, guard, protect the interest of my country, your country, our country.

I know that attitude may provoke argument; it may invite reply; but I know that the men, women, and children of California who are engaged, for example, in the poultry industry can not compete with China. China is sending into this country dried, powdered, and frozen eggs, competing with our legitimate poultry industry. Our poultry industry can not survive that competition. The same is true of a hundred farm products, as every intelligent Senator must realize. I do not wish legislation which will incite reprisal. I am perfectly willing for Italy to pass any law which she thinks will benefit her people. I am perfectly willing to have France adopt any tariff system which she thinks will be for the benefit of that classic land. I am perfectly willing for Great Britain, or for Germany, or for Belgium, or for Sweden, or for any of the European nations to enact any law in respect to tariffs which they think will be of benefit to their people.

Looking across the Pacific I am perfectly willing that China shall adopt any tariff system or that Japan shall adopt any tariff system which either of those countries severally thinks will be of benefit to its respective people. What I am standing for here and shall stand for elsewhere is that we should think first, last, and forever of American men, women, and children, all to the end that they may have employment; that they may prosper; that a little of God's sunshine may flood their hearts.

In connection with that thought also, I want to stop immigration to this country of types of labor which interfere with our own people. That is why I am opposed to such

immigration, and I hope the Senate will soon consider the subject. That is why I am opposed to the further coming of Filipino laborers into the United States. It would be better for the Filipinos themselves to stay at home; it certainly would be better for us if they should remain at home; and I turn aside here, which I may do without doing great violence to the rules of this body, to say that I hope we will speedily give independence to the Philippine people.

The telegram from the California Cherry Growers' Association is as follows:

Particularly interested in Brossard's confirmation. He is the one western man who understands needs of West. Is able and fair; type that should compose commission. Request you use every effort to secure confirmation.

Now I invite attention to a letter from the California Packing Corporation, which I will read:

Understanding that Mr. Edgar B. Brossard, whom President Hoover has appointed to the Tariff Commission, has always looked with favor upon the proper protection to California industries, we hope that you may see your way clear as a Member of the Senate to approve his appointment.

I read the following telegram from Mr. C. O. Hoober, of the Calipatria growers:

Calipatria Pea Growers are vitally interested in make-up of Tariff Commission. We are particularly desirous that E. B. Brossard be confirmed. Anything that you can do in this matter will be appreciated.

I digress to say, Mr. President, that none of these gentlemen, none of these associations, needs to apologize for these expressions. They are interested, and rightly so, and, believing that this nominee is a man of character and ability, they are urging us in the manner in which they express themselves to confirm his nomination. They are not to be censured for making known their views and wishes. This is a republic; it is democratic-republican in form, and the poorest, the humblest, the most ragged man walking the streets, if he be an American citizen, has a right to address you, Mr. President, or me or any other Senator and express himself concerning his own welfare or the welfare of his country.

I read a telegram from Mr. R. L. Adams, referred to in a preceding letter:

I can personally vouch for Brossard's understanding of and interest in our western agriculture. Consider his retention on Tariff Commission highly desirable.

I wish the Senate to hear what Mr. John E. Pickett, editor of the Pacific Rural Press, known to me and to my colleague to be an intelligent and a fine, upstanding American, says of Mr. Brossard:

Our farm paper believes that he has been a tower of strength for western farmers and would like to see him confirmed for the Tariff Commission.

I beg to add that John P. Pickett is the editor of the Pacific Rural Press, a publication of high character, representing in a sense immediately the farmers of this country, a publication widely circulated throughout the whole United States and qualified to speak for the farmers of America.

I call the attention of Senators to a letter which comes to me from the Pacific Agricultural Foundation (Ltd.), an organization made up of hundreds of farmers engaged in all branches of agriculture. Addressing me, they say:

It is very important that western agriculture be represented on the United States Tariff Commission. We would like very much, therefore, to have you use your influence to secure the approval of President Hoover's appointment of Mr. E. B. Brossard as member of the United States Tariff Commission.

Mr. President, I have read but a few of the many letters and telegrams of like character coming to me indorsing Mr. Brossard, asking for his confirmation, giving reasons for so asking, and urging me and calling upon the Senate to continue him in this labor.

I said a moment ago that I never indulge in personalities in the sense of trying to impute wrong motives or improper conduct to any man whose great State has commissioned him to be a Member of this body; but if it be said, as I fear it has been thought, that Mr. Brossard is perhaps a little too watchful of, a little too wedded to the interests of agriculture, while I think he is a protectionist theoretically, yet I am convinced that he would do his duty under the law, and it does not lower him in my estimation if he be a champion of agriculture. By "agriculture" I mean that industry in all its branches. It would not lower him in my esteem or judgment if it were charged against him that he was peculiarly interested in the great mining industries of our country. It would not lower him in my esteem if it were charged against him that he was peculiarly interested in the great, multifarious manufacturing industries of our country; for I hold to the doctrine that if we would have the farm prosperous we must have the city prosperous, and if the city is to be prosperous the farm must prosper; and closely related to city and farm comes in the great mining industry, so important to many of our States directly, and indirectly helpful and beneficial to all the people of the country.

In other words, no nation can be prosperous relying entirely upon one industry; and if we would put our people to work we should seek to multiply and diversify industries, all to the end that we could manufacture, raise, produce all that is necessary for our people.

I say it would not lower this gentleman in my esteem or my judgment if he were charged with being perhaps a little bit too enthusiastic as a tariff man; and why do I say that? It is because he is not legislating. We have not delegated legislative power to that commission or to the President. That commission is charged with finding facts, and making those findings upon the basis of competent and relevant evidence.

The distinguished Senator from Mississippi [Mr. HARRISON], as quoted, expresses the thought that the tariff duties in the present law are too high, "iniquitous" is a word attributed to him. I want to ask him or any other Senator who comes from the cotton-growing States, if the tariff duty on long-staple cotton is too high. Never did I see that learned and distinguished Senator show more of statesmanship, more of ability to plead a just cause than when, in the Senate committee and on this floor and in conference, he stood up for a tariff on long-staple cotton of 7 cents a pound, as the legislature of that great State of Mississippi had urged; and my recollection is that a joint resolution was passed by the Legislature of Mississippi, the house being almost unanimous and with only one dissenting vote in their State senate, asking for an even higher duty on long-staple cotton than my friend and I and others were able to secure.

Mr. HARRISON. Mr. President——

Mr. SHORTRIDGE. I yield to the Senator from Mississippi.

Mr. HARRISON. If the Senator's question is over, I am ready to respond and answer it.

Mr. SHORTRIDGE. I did not expect the Senator immediately to answer.

Mr. HARRISON. I want to answer it now.

Mr. SHORTRIDGE. I know the Senator's ability to answer; but he may answer yes or no.

Mr. HARRISON. No; I never answer the Senator yes or no. I did not intend to speak any more; but I will take the floor in response to the Senator's remarks after he concludes.

Mr. SHORTRIDGE. Mr. President, seeing my friend from Mississippi, I was led to make comment touching his and my attitude in regard to the tariff on long-staple cotton. It was not for the purpose of embarrassing him or developing any acrimonious debate, for I undertook to compliment him; and if I was feeble in so doing, I wish more maturely to say that, in my judgment, the Senator from Mississippi never performed a wiser act than when he championed the proposition of placing a tariff on long-staple cotton, which was on the free list. As he pointed out so persuasively and convincingly, and as I attempted in poorer fashion to state, we could not compete with Egyptian cotton coming from that country when, for example, the year before there had come in some 315,000 bales of that type of cotton to com-

pete with the cotton of like quality from Mississippi and from Arkansas and Texas and California and from certain other of our States.

The point of my remark in singling out Mississippi was, and I hope is, that even though Mr. Brossard is what may be called a thorough protective-tariff man, it does not disqualify him for performing his duty on this commission. I do not know the attitude of the two Senators from Montana; but certainly they can not oppose Mr. Brossard upon that ground that he is a protectionist, for, with their thoroughness and ability, they argued in favor of an increase of the tariff on manganese ore, and they were right in so doing.

Mr. HARRISON. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. HATFIELD in the chair). Does the Senator from California yield to the Senator from Mississippi?

Mr. SHORTRIDGE. I do.

Mr. HARRISON. May I say to the Senator from California that I do not think there is any opposition on the ground that Mr. Brossard is a protectionist. The Senator will recall that Doctor Coulter stated what his views on the tariff were. He was a protectionist. Generally, Republicans are protectionists. That is not the opposition to Mr. Brossard at all.

Mr. SHORTRIDGE. I hear the Senator; but I also know what is being said—if not immediately here, elsewhere—to this effect:

Mr. Brossard is charged with being such a protectionist as to make him prejudiced in carrying out an inquiry or an investigation, or in arriving at facts or making findings of fact and reaching certain conclusions, which must, of course, in turn be passed on to the President for his approval or disapproval. But however it is concealed or veiled—I do not say purposely—the thought has gone forth that Doctor Brossard is such an intense believer in the protective-tariff doctrine as would make him partial or prejudiced in the performance of his duty as a commissioner.

I might proceed and point out here how this learned Senator and that, during the consideration of the tariff bill, repeatedly, and I think rightly, stood up for an increase of tariff duties. I shall be pardoned, and I know he will not take offense, when I call attention to the fact that the scholarly Senator from Oklahoma [Mr. THOMAS] made a gallant fight for an adequate tariff on crude petroleum and certain of its by-products. Again and again, with the facts before him, he pleaded, and I feebly assisted him, for adequate tariff duties to be placed upon petroleum and its by-products; and I am with him to-day in favor of this Congress, at this session, putting an adequate tariff on imported petroleum, coming here this day in hundreds of thousands of barrels from Venezuela.

I was surprised at the vote of certain of my Republican colleagues in the matter. The Senator from Oklahoma urged again and again, and the record is here, that a tariff be placed upon that foreign imported article, which comes in competition with the oil of Oklahoma and of Texas and of California and of other of our States. It should have been put on. I hope this Congress will put it on.

Right here I invite the learning of the Senate to this consideration: I claim that a bill can be introduced here in the Senate for regulating commerce, placing a duty upon imported petroleum, even though there be, incidentally, some revenue coming in to the Government. At the very earliest moment I propose to address myself to that subject and cite the Constitution and authorities applicable to what I have just stated—that we here in the Senate may introduce, consider, and pass a bill to regulate commerce in respect of this article, even though incidentally there be some revenue derived therefrom should the bill pass, as I think it should pass, the House and be approved by the President, become a law. In a word, we need not wait until the House of Representatives shall introduce or pass such a bill for such purpose.

I could go through this tariff law and point out again and again how my respected friends on the other side urged and pleaded for added and adequate protection for American industries.

Take the great and beautiful State of Florida, made up of fine American citizens, with its splendid Senators here before us. Does anybody contend that the two learned Senators from Florida were going contrary to the welfare of the United States when they urged a tariff on many of the great products of their State? Personally, I would have stood with them if not one of those products had been raised in California.

Addressing the distinguished Senator from Oklahoma [Mr. THOMAS], I would stand with him to-day, to-morrow, and forever on the tariff question with respect to oil if not one barrel or gallon were produced in California, because I claim to be an American, and I take a lively interest in the welfare of Oklahoma, as I do in the welfare of Florida. If we did not raise a bushel of potatoes in California, I would stand with the Senator from Maine [Mr. HALE], who pleaded for an increase in the tariff on potatoes, and we gave that increase.

I could weary the Senate by going through this law and showing that where a given State had an industry the Senators from that State, with rare exceptions on this side or the other, favored an increase, certainly opposed a decrease, of the rate of duty on that industry; and I say this in praise of them. But it would, perhaps, serve no present good purpose.

Mr. HARRISON. Mr. President, will the Senator yield?

Mr. SHORTRIDGE. I yield.

Mr. HARRISON. The Senator has told in a very eloquent way how he would stand with these different gentlemen for protection on this article and that. Would he stand with the distinguished Senator from Nevada for a tariff on silica?

Mr. SHORTRIDGE. Yes; I would. I may have faltered and made a mistake once or twice when the present tariff law was under consideration. But, to be entirely frank, I do not recall the facts in respect to that article.

Mr. HARRISON. If the Senator wants me to enliven and refresh his recollection, I will tell him what happened.

Mr. SHORTRIDGE. The Senator may do so later on.

Mr. HARRISON. Not now?

Mr. SHORTRIDGE. Perhaps it would be better when I am through. I am not in the least bit embarrassed, however.

Mr. HARRISON. The Senator is never embarrassed about anything.

Mr. SHORTRIDGE. No; I am not, because I know my intentions are right.

Mr. HARRISON. That was just an exceptional case, when the Senator was at loggerheads with the distinguished Senators from Nevada.

Mr. SHORTRIDGE. No; they are both my friends.

Mr. HARRISON. At that time the Senator did not want protection on silica.

Mr. SHORTRIDGE. Homer nodded occasionally, and, perhaps, I was asleep.

Mr. HARRISON. California was a little bit interested in that proposition.

Mr. SHORTRIDGE. Oh, no. But to be serious——

Mr. BINGHAM. Mr. President, the Senator was with the Senator from Mississippi on long-staple cotton, if I remember correctly.

Mr. SHORTRIDGE. Was I with the Senator from Mississippi? We can not probably with propriety reveal what went on in the conference. Does anybody doubt where I stood?

Mr. HARRISON. Mr. President, since the Senator from Connecticut has asked a question similar to the one the Senator from California just propounded, will not the Senator from California now let me answer the question?

Mr. SHORTRIDGE. Meaning which question?

Mr. HARRISON. The Senator asked the Senator from California about long-staple cotton, and it was that to which I was going to address myself.

Mr. SHORTRIDGE. I think the Senator could answer it in one monosyllable.

Mr. HARRISON. If I can answer it in one monosyllable, will not the Senator give me two or three?

Mr. SHORTRIDGE. If this be of any interest to history—and I suppose two or three hundred years from now history will take note of what is now going on.

Mr. HARRISON. I think I can answer the question while the Senator is again propounding it.

Mr. SHORTRIDGE. Very well; answer.

Mr. HARRISON. May I say to the Senator that I have not been for free trade, and I am not now for free trade. Of course, when I make that assertion the distinguished Senator from Utah smiles; I do not know why. I voted for tariffs on sugar which were quite high. I can not go quite as high as the Senator from California and the Senator from Utah can go, but I have gone quite high on that tariff. My colleagues on this side have gone quite high in fixing the rates. I voted, throughout the consideration of the present tariff law, for many high rates. I stand for the principle, as did my colleagues all stand for the principle, that we believed in imposing such duties as would equalize the differences between the costs of production here and abroad.

Mr. SHORTRIDGE. Precisely.

Mr. HARRISON. I voted for a tariff on cotton. Some wanted the rate to go as high as 27 cents a pound. I would not agree to that. I voted with the Senator for 7 cents a pound. When Mr. Brossard came before the Finance Committee while we were considering this nomination, he stated that he was for a tariff on long-staple cotton. I think the Senator from California may have asked him the question, and he will recall that at that time I told Mr. Brossard that if, on an investigation of the facts, it could be ascertained that the tariff on cotton was too high, I hoped they would recommend a reduction of it. I want to see the cotton industry treated as every other industry is treated. Does not the Senator think that is a fair conclusion?

Mr. SHORTRIDGE. I certainly do.

Mr. HARRISON. And does not the Senator think I so voted, even though I was not a protectionist?

Mr. SHORTRIDGE. But the unhappy thing about the Senator's record is that when it came to the passage of the bill, the Senator voted against the passage of the bill.

Mr. HARRISON. Yes; because it was 99 per cent wrong.

Mr. SHORTRIDGE. I say it was 99 per cent right, and where it was wrong the rates were not high enough. That is my position.

Now finally, much of this discussion has rolled around the subject of sugar, as though there were something evil, something that was to be avoided, when we think of sugar.

I remember the great German, Claus Spreckels, the great sugar king, as he was once called, coming as a poor lad from Germany to Charleston, S. C., where the dearest friend of my life was born, and I remember how Claus Spreckels, coming from Charleston to California, was perhaps among the very earliest who sought to develop the beet-sugar industry in the United States. He returned to Germany. He brought scientists from Germany to the United States, and out to California. He spent money and time in the study of soil and related matters to the end that we might develop the raising of sugar beets in the United States. I knew him and loved him. He was a great and a good man. My recollection of his kindness to me evokes emotions too deep for words. The work of the father was carried on by the sons and by other Californians, and the sugar-beet industry became a great industry, which needed and needs tariff protection.

According to some gentlemen, to take an interest in that great industry is to be questioned. The great State of Michigan is represented here by two upstanding, thoroughbred American Senators, and there is a great sugar-beet industry in that State. Is there anything wrong, is there anything questionable when Michigan asks for an appropriate tariff on sugar?

The great State of Louisiana is vitally interested in this industry. Is there anything wrong or to be questioned when the two Senators from Louisiana stand here and ask for protection and encouragement of the cane-sugar industry of that State?

The State of Wyoming is deeply interested in beet sugar, as are the great States of Colorado and Utah. So are the people of my own imperial State. Is there anything wrong or questionable or un-American when the people of those States ask for adequate protection on the great beet-sugar or cane-sugar industry?

Not one of those States can compete with Cuba without a tariff imposed on sugar produced there and imported here. I understand that right now certain gentlemen interested in Cuban sugar are circumventing and practically nullifying the present law by turning the sugar of Cuba into liquid form, bringing it in in liquid form, and then causing the water to be removed, thereby evading and defeating the rates now fixed in the law. If the law, as the Supreme Court has decided, does not give relief, we must amend the law and give protection to the sugar industry of the United States.

I conclude by expressing the earnest hope expressed by the Senator from Minnesota [Mr. SCHALL], that the great farming interests of this country, agriculture in its broadest sense, the middle States of the Union and the far Western Pacific States, shall have a member on the Tariff Commission, familiar and sympathetic with the interests of the West, mining, and agriculture, as well as manufacturing. And no man has been submitted to us who possesses greater ability to serve the country than Mr. Brossard, concerning whom I have perhaps taken too much of the time of the Senate.

Mr. President, I ask permission to have printed as a part of my remarks various letters from which I have quoted.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

SAN FRANCISCO, CALIF., *December 11, 1930.*

Senator SAMUEL SHORTRIDGE,
Senate Office Building:

We understand opposition has developed to the confirmation of Brossard on Tariff Commission. We believe his appointment should be confirmed, as he is a western man with knowledge of western conditions. Any support you can consistently give him will be appreciated.

JOHN LAWLER,
General Manager Poultry Producers of Central California.

SAN FRANCISCO, CALIF., *December 16, 1930.*

Senator SAMUEL M. SHORTRIDGE,
Senate Office Building, Washington, D. C.:

We all count on you to support Edgar B. Brossard's appointment to the United States Tariff Commission. Best wishes.

W. P. WITTE,
Secretary California Woolgrowers' Association.

SAN FRANCISCO, CALIF., *December 12, 1930.*

Hon. SAMUEL M. SHORTRIDGE,
United States Senate, Washington, D. C.:

Particularly interested in Brossard's confirmation. He is the one western man who understands needs of West. Is able and fair type that should compose commission. Request you use every effort to secure confirmation.

CALIFORNIA CHERRY GROWERS' ASSOCIATION.

SAN FRANCISCO, *November 26, 1930.*

Hon. SAMUEL SHORTRIDGE,
Senate Building, Washington, D. C.

SIR: Understanding that Mr. Edgar B. Brossard, whom President Hoover has appointed to the Tariff Commission, has always looked with favor upon the proper protection to California industries, we hope that you may see your way clear, as a member of the Senate, to approve his appointment.

Respectfully,

CALIFORNIA PACKING CORPORATION,
By A. M. LESTE, *Vice President.*

CALIPATRIA, CALIF., *December 16, 1930.*

Hon. SAMUEL M. SHORTRIDGE,
Senate Office Building, Washington, D. C.:

Calipatria pea growers are vitally interested in make-up of Tariff Commission. We are particularly desirous that E. B. Brossard be confirmed. Anything you can do in this matter will be appreciated.

CALIPATRIA GROWERS,
By C. O. HOOSER.

SAN FRANCISCO, CALIF., *December 14, 1930.*

Hon. SAMUEL M. SHORTRIDGE,
United States Senate:

I can personally vouch for Brossard's understanding of and interest in our western agriculture. Consider his retention on Tariff Commission highly desirable.

R. L. ADAMS.

SAN FRANCISCO, CALIF., *December 11, 1930.*

Hon. SAMUEL M. SHORTRIDGE,
United States Senate Building, Washington, D. C.:

Our farm paper believes Brossard has been a tower of strength for western farmers and would like to see him confirmed for the Tariff Commission.

JOHN E. PICKETT,
Editor Pacific Rural Press.

PACIFIC AGRICULTURAL FOUNDATION (LTD.),
San Jose, Calif., December 13, 1930.

Senator SAMUEL M. SHORTRIDGE,
Washington, D. C.

DEAR SENATOR: It is very important that western agriculture be represented on the United States Tariff Commission.

We would like very much, therefore, to have you use your influence to secure the approval of President Hoover's appointment of Mr. E. B. Brossard as a member of the United States Tariff Commission.

Sincerely yours,

FRED J. HART.

CALIFORNIA ALMOND GROWERS EXCHANGE,
San Francisco, Calif., December 18, 1930.

Hon. SAMUEL M. SHORTRIDGE,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I have for acknowledgment your telegram, reading: "Matter mentioned in your December 10 letter is receiving careful consideration. Thank you for giving me benefit of your views."

Mr. Brossard, knowing well the problems of the West, an outstanding economist, and one in whom we have great faith and know to be fair, is, in our opinion, desirable material for the United States Tariff Commission.

Anything that you can do to bring about his confirmation will be very much appreciated by the farmers, who are so dependent upon tariff and fair and understanding treatment at the hands of the United States Tariff Commission.

With the season's best wishes, I am,

Sincerely yours,

T. C. TUCKER, *Manager.*

MESSAGE FROM THE HOUSE

As in legislative session,

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the House had disagreed to the amendments of the Senate to the joint resolution (H. J. Res. 447) making an appropriation to carry out the provisions of the public resolution entitled "Joint resolution for the relief of farmers in the drought and/or storm stricken areas of the United States," approved December 20, 1930; requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. WOOD, Mr. CRAMTON, Mr. WASON, Mr. BYRNS, and Mr. BUCHANAN were appointed managers on the part of the House at the conference.

RELIEF OF FARMERS IN THE DROUGHT AND STORM AREAS

Mr. JONES. I ask, as in legislative session, that the action of the House be laid before the Senate.

The PRESIDING OFFICER (Mr. HATFIELD in the chair) laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the joint resolution (H. J. Res. 447) making an appropriation to carry out the provisions of the public resolution entitled "Joint resolution for the relief of farmers in the drought and/or storm stricken areas of the United States," approved December 20, 1930, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. JONES. I move that the Senate insist upon its amendments, agree to the conference asked by the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. JONES, Mr. SMOOT, and Mr. HARRIS conferees on the part of the Senate.

EXECUTIVE MESSAGES

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

RELIEF OF DROUGHT SITUATION

Mr. CONNALLY. Mr. President, the Senator from California [Mr. SHORTRIDGE] has spoken very eloquently in behalf of agriculture. He is always eloquent, and never so eloquent as when he speaks in behalf of the farmer. I congratulate him. He has heretofore demonstrated his title to eminence in favor of a protective tariff, and to-day he has again vindicated that fine record. I was moved by his pointing out with so much vividness how the farmers without an adequate tariff have to compete with the pauper labor of other lands, but I am hoping to-day to enlist the assistance of the Senator from California in behalf of the farmers in another respect.

It is difficult for the farmer to compete with the pauper labor of other lands, but it is much easier for him to make a successful fight against that character of competition than it is against storms and drought and flood and the elements. It is hard for the farmer to overcome an act of God, when nature fails to respond to his efforts to cultivate the soil, when the rains are scant and scarce, when the dews fail to fall, and when the sun parches what little vegetation there is on the face of the earth. So while we are struggling here to-day over the momentous question of whether Mr. Brossard shall have a job and whether his pay shall start to-morrow or the following day, I want to invite the attention of the Senator from California [Mr. SHORTRIDGE] and other leaders on the other side of the Chamber to the fact that people in the United States are starving to-day.

I invite the attention of the Senator from Oregon [Mr. MCNARY], who is one of the leaders on the floor of the Senate and who is chairman of the great Committee on Agriculture and Forestry and who has for years been a leader in behalf of agriculture—and I pay tribute to him for so doing. I remind him and the Senator from California that some of the farmers for whom the Senator from California has been pleading so eloquently and voting so strongly to protect against the ravages of the Chinese and the Japanese—that there are beating at the very doors of the farmers themselves in many sections of the country enemies more dangerous than the Chinese and the Japanese—and I refer to hunger, want, starvation. I appeal to these leaders to ask the powers that be in the Government to release the stranglehold which they have on another body in order that the conferees on the drought relief bill, just announced during the eloquent address of the Senator from California, may agree to the amendment of the Senate to appropriate an insignificant sum to help feed men and women who have undertaken to make a livelihood, who have prosecuted with diligence and with industry and with labor the pursuit of agriculture, and who, through no fault of their own, but only through the displeasure of the elements, of powers over which they have no control, are now reduced to want and penury.

Mr. President, I dislike to lay before the Senate and the country the distressing conditions that exist in portions of my own State. I take no pride in unfolding to the world the fact that many of my constituents are reduced to a condition in which they must appeal to their Government for something with which to sustain life. I want to call attention briefly, and I shall consume only a little time of the Senate, to telegrams and letters which I have received asking the Congress to unlock the legislative chambers, to exert a little of the efficiency of which certain portions of the Government boast, in order to get action on the drought-relief measure while we may.

I read a letter from a prominent citizen and banker of Texas:

> We have in our county approximately 800 farmers who have reached their road's end in waiting for this help.

They are referring, of course, to the drought-relief legislation.

> They are very grateful for what they feel is coming and are as patient as possible to be under present conditions. They can not put up their lands and are struggling in every way possible to get something to eat until this relief comes. We are spending the greater part of our time consoling them as best we can and encouraging them in every way we can.

Mr. President, what I want to suggest to the Senate is that these men, who own their own homes in many cases, are not floaters, are not drifters, are not idlers, are not "bums" accustomed to filling the bread lines and begging for food because they are unwilling to work. They have never before been objects of Red Cross charity. They are men with homes, but frequently with their homes already pledged for all they will bear. What good is a home when there is no food in the home and no way of sustaining life?

I read a telegram from the chamber of commerce of a large and ordinarily prosperous county in a different section of the State than the one from which I have just quoted:

One thousand two hundred families in various sections of this county in dire need. No money to finance crops or buy food. Have no security outside of prospective crops and can not borrow. Local charity organizations short of funds. Think Congress should take action to relieve distress.

Here is a letter from an individual farmer with whom I have been in correspondence about this matter. This reflects the reaction that the policy which has heretofore been pursued of making loans for buying feed and seed and material things for animals and refusing it to human beings is creating throughout the country:

I can not approve of a loan like this. Here is what I object to. If the farmer can borrow money enough only to buy feed and seed, and mortgage all he has, stock and crops for 1931, then how is he to feed his family?

Here is a plain, blunt citizen. He is not experienced in the finesse of legislative procedure. He is not obsessed with the idea that the administration must triumph over the Senate in the matter of what they call giving out a dole. This man, when he sits in the midst of his family, is not spending much of his time wondering whether or not the chairman of the Rules Committee or the chairman of some caucus is able to stand up and resist the efforts of the Senate. What he is concerned with is, "Where am I going to get some food for my wife and children?" Let me suggest to Senators and the leaders of the administration that these are reactions which their constituents as well as mine are going to exhibit on this subject.

I have another telegram of similar import from still another county:

At a meeting of the farmers, bankers, and business men of ——— County to-day application was made for extension of Federal drought relief—

And they implore me to get their county included in the drought area. Here is a letter from another prominent citizen and banker:

It is a tragedy to sit still and know that many helpless men, women, and children are actually hungry. Then the matter of granting feed relief seems so absurd, as if to say an animal is worth saving, but that a man who is not only animal but spiritual shall be let starve. What a sense of humor!

These are some of the sentiments which the citizens of the country in this critical and desperate situation are beginning to entertain about these professed measures of relief. They are beginning to see the grim, the ghastly, yea, the almost deathly humor of this little game of politics being played here. Some one has said that somebody has been trafficking with human misery.

O Mr. President, who is it that is trafficking with human misery, engaged in a little political play, in order to demonstrate before the country whether the administration may humiliate and defeat the Senate because the Senate wants to grant an almost insignificant sum for loans for the purpose of buying food? Trafficking in human misery! Let me suggest to the Senate that human misery is already being suffered by people in many States of the Republic while, for weeks, this legislation has been locked up without going to conference through false legislative pride, through political arrogance, through a little vain desire to strut through the press as being the one who has triumphed in this grim struggle over whether men and women shall eat to-day or die to-morrow.

The people are not unaware of the situation. Here is a telegram from another county in another section of my State:

Our people trust you to exert every effort to retain food provision in the drought-relief measure. Need is urgent. Many in the drought district depend on dairy products; and present prices are little, if any, above cost of production, practically eliminating this source.

That is from the chairman of the county relief committee of that county. Here is a letter from another banker:

To make a long story short, the $45,000,000 which is to be distributed will be nothing but a dole as the farmers have no security whatever. Our negroes are starving, and what is going to become of them and the poor white people, God only knows.

The manager of the chamber of commerce of another county wires me that the drought-relief loan ought to be made available at once.

Within the last few days the head of the Red Cross has appealed to the President to make a public appeal to the country for $10,000,000 additional, which he expects to dole out to the people as beggars, as mendicants, as paupers. They must look to charity. The authorities of the Red Cross until within the last few days were claiming that its resources were adequate and that it was taking care of all worthy cases. The fact now develops that the Red Cross admits its failure to realize the true situation.

The situation to-day is an admission by the administration that they need $10,000,000 more. How are we going to get it? We are going to go out and make a campaign and beg and plead with the people to give of their generosity and out of their bounty. It is going to take time, and while we are engaged in that campaign people may starve. Is the Government of the United States so poor, is it so indifferent to its own citizens that it admits their needs, admits the necessity of funds to sustain life, but that out of its largess, out of its own Treasury, it will not give a cent, but is going to beg its citizens to go down in their pockets and contribute to the cause?

I want to stress the fact that the farmers are not beggars. They are independent men. When conditions are normal, when the seasons are anything like normal they are able to maintain themselves and their families. But here is a drought, an act of God for which they are not responsible. Is our great Government going to play politics while its citizens are in distress and in want?

Mr. President, imagine the scene as it will appear to citizens in distress when this agency shall have been set up. Here is the loan agent of the Government, with money from the Treasury of the United States. Here is an applicant who says, "I want to borrow some money with which to make a crop in 1931." The agent replies, "Well, my friend, have you a mule?" "Yes." "Well bring him up; the Government will lend you money to feed your mule." But the applicant says, "O Mr. Government Agent, I have also a child." "Well, I am sorry," says the Government agent; "I will loan you money to feed your mule, but I will not loan you money to feed your child."

Mr. President, why is not money loaned to feed a mule just as much a dole as would be money loaned to feed a wife and children? It is said money loaned for the latter purpose is a dole. Well, if that be a dole, then it is also a dole to loan money to feed hogs and chickens and cows and mules and horses.

If that statement can be challenged, I should like any Senator now to rise up and challenge it. If it be a dole to loan money to feed human beings, I assert it is also a dole to loan it to feed animals. That goes unchallenged. Then where is the argument that doles are against orderly constitutional government; that it is unconstitutional to feed a child, but it is the ideal of political philosophy and of efficient administration to feed a mule? What is there about a Government dollar that makes it a desirable medium of exchange with which to buy corn and feed to increase the nourishment of a mule, while it is to be refused to feed a human being, made in our own image, and a future citizen, if not a present citizen, of the United States of America?

Mr. President, what is preventing this appropriation being made? It is false pride; it is stubbornness; it is obstinacy—obstinacy of the kind that is not excelled by the obstinacy of the mule, for whose comfort and benefaction the Government is willing to unlock its coffers.

Mr. BROOKHART. Mr. President——

The PRESIDING OFFICER (Mr. JOHNSON in the chair). Does the Senator from Texas yield to the Senator from Iowa?

Mr. CONNALLY. I yield.

Mr. BROOKHART. I notice by the newspapers that the Red Cross has called for a $10,000,000 charity fund to relieve the present situation. I also notice in the newspapers an item relative to some $83,000,000 of profits of the Standard Oil Co. of New Jersey, the greatest profits obtained by that organization in all its history, and that, too, in a year of great business depression. I should like to ask the Senator from Texas if it would not be wiser to tax that excess income to the extent of $10,000,000, since it rightfully belongs to the people anyway and was wrongly taken from them, than it would be to call on the people to raise by private contribution $10,000,000 for charity?

Mr. CONNALLY. I shall say to the Senator from Iowa that while I might agree with him in that proposition, I am not willing to wait for the raising of any more taxes from anybody. We now have the money in the Treasury, and I am willing to vote for its appropriation. I hope the leaders on the other side of the Chamber, I hope that the Presiding Officer of the Senate—the Vice President himself, who sits in the Cabinet meetings—will carry back the message to the Cabinet that the Senate is in earnest about this matter. I hope that he will urge, with his counsel and his advice, that the administration is pursuing a niggardly, narrow, mean, and low policy in adhering to the stubborn stand which it has taken in this matter.

Mr. BROOKHART. Mr. President——

Mr. CONNALLY. I yield to the Senator from Iowa.

Mr. BROOKHART. I do not mean that we should delay the appropriation of the money, but we could replace it in the Treasury by imposing a tax upon those excess profits in a way that would do justice to the situation in the United States. I agree with the Senator's idea of haste in making the appropriations, so far as that is concerned.

Mr. CONNALLY. Let me say to the Senator from Iowa, I can not see any reason if it is wise and sound when the income of an individual reaches a certain point that he should be taxed progressively and geometrically on the amount above the minimum exemption, that a corporation should be allowed exemption from taxation on its profit after its profit shall have reached a reasonable amount or percentage. I agree with the Senator from Iowa to that extent.

Now, Mr. President, I want to make an appeal in order that it may go into the RECORD. I am making an appeal to the "higher ups." I am not making an appeal to the men who merely record the votes. Somebody in this administration, somebody in this Government, has control of the power that is either going to grant this $15,000,000 loan fund or is going to deny it. Senators, understand what I mean. There are certain bosses, there are certain individuals who by the mere expression of their will can either accomplish this result or can defeat it.

Mr. CARAWAY. Mr. President, will the Senator from Texas yield to me?

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Arkansas?

Mr. CONNALLY. I yield.

Mr. CARAWAY. I was merely going to suggest that this may be the trouble: In to-day's newspaper I see that the Whitney estate has secured a tax refund of $16,966,258. That is, more than is asked for a million people who are starving is given back to one estate.

Mr. CONNALLY. I thank the Senator from Arkansas. Senators, in the last few months the press has carried accounts of refunds of income taxes mounting into many millions of dollars. In other words, corporations paid what they thought ought to be paid; afterwards they made "a motion to reconsider" and obtained refunds from the Treasury Department amounting to millions. The Government has plenty of money to make refunds of taxes, but it holds up its hands in horror at the prospect of a loan to relieve human suffering.

I want to appeal to the senior Senator from Ohio [Mr. FESS], the chairman of the Republican National Committee. If the chairman of the Republican National Committee would but tell the leaders of his party that this loan ought to be granted, we know that it would be granted. The Senator, however, apparently is just as deaf to my appeal as he no doubt will be to the appeals of the hungry and the starving.

I appeal to the administration; I appeal to the leaders in another branch of Congress who have the power—whether they are entitled to it or not, nevertheless, they possess it—by a word to have this appropriation granted.

It is now in conference; the Senate has appointed conferees within the hour, and they will meet the conferees on the part of the House. Mr. President, you know and I know and everyone else knows that unless the hearts of the men who are running this Government in the Senate, in another body, and in the executive department are absolutely closed to the appeal of human suffering; unless their blood has become congealed and yields no response to the wails from the drought-stricken sections, they would pass the word along the line and this appropriation would be granted.

Mr. President, I make this appeal to-day not in a partisan spirit. I am appealing to men because they are men; I am appealing to them not because they are politicians; I am appealing to them not because they happen to hold public place and power. It is true that they do, but I am appealing to them not to let pride, not to let political arrogance, not to let the desire to strut through the pages of the newspapers as victors in this particular contest with the Senate blind them to these scenes of desolation and close their hearts to these cries of suffering.

Mr. HEFLIN. Mr. President, several days have gone by since the Senate passed the drought relief bill, including in its provisions an appropriation of $15,000,000 to feed starving men, women, and children. The failure to secure action on that bill in another body is inexcusable and indefensible. The people out in the States are anxiously awaiting for the proposed aid to come to them. I have a telegram here received last week addressed to me, which I will read:

LINEVILLE, ALA.

Thanks and congratulations for your brave fight for drought relief. If we ever needed help, we need it now.

JOHN R. MCKEAN,
Chairman Local Relief Committee.

Mr. President, the amount which the Senate proposed to appropriate is not large when it is considered that thousands of people in many different States are really in distress. "Bugs" Baer has likened the amount which the Red Cross is giving to those in distress to a situation where a sardine would be fed to a whale. That will give some idea as to the adequacy of the amount when the great demand and the fearful amount of suffering throughout the country are taken into consideration.

I congratulate the Senator from Texas [Mr. CONNALLY]. He has made a strong appeal to the Senate, and whoever reads his speech will be impressed with the idea that there are some here who are fighting for the relief of people in distress, many of whom in various sections are close to starvation.

Mr. President, I read from the stock market report of yesterday a notice about the cotton market. Cotton is produced in the area where people are suffering not only by the thousands but by the hundreds of thousands and even by millions:

NEW YORK, January 12 (special).—The cotton market ruled somewhat easier to-day, partly due to the action of securities—

That is the stock exchange—

and partly to unfavorable reports on consumption. After prices had held not far from Saturday's closing figures for several hours,

pressure was increased, and weakness in the stock market carried the list off 10 points or more with a loss of 8 to 14 points on the day.

Day after day I have brought to the attention of the Senate the evils of the stock exchange. It is the greatest single evil in the country. I want to say again that I am not seeking to abolish the exchange, unless we find that we can not regulate it. I want the exchange, I repeat, to be permitted to sell outright stocks, shares, securities, and bonds. I want the people who are interested in these things to have a place where they can go and buy them or go and sell them. But, Mr. President, when rules and regulations are permitted that will allow the exchanges to sell fictitious stock in unlimited quantities—watered stock, if you please—by the millions and the billions, I declare to the Senate and the country that it is simply outrageous and criminal.

Where there are 5,000 shares of a concern, let us say, they ought not to be permitted to sell more than 5,000 shares; but they are permitted to sell a million shares when only 5,000 are in existence. If any man or woman out in the States goes and mortgages property that he or she does not own they are convicted and sent to the penitentiary. If any man or woman out in the States sells property that he or she does not own they are convicted and put in the penitentiary. Yet on the stock exchange every day they are selling in unlimited quantities that which they do not own, that is not in existence, and that they can not deliver to save their souls; and the Senate is as silent as the tomb upon the subject!

When, I ask, are Senators going to become interested in this question? How long will it be until every Senator here, especially every Senator who is a member of the Judiciary Committee, will get busy looking to the regulation of these stock exchanges?

I have a letter from a gentleman in New York, received to-day, in which he says:

MY DEAR SENATOR: Perhaps, as an old Park Row newspaper man, I can suggest something of importance regarding your attitude toward the New York Exchange.

Through the thoughtfulness of our fine Hon. BERTRAND SNELL, I receive daily the CONGRESSIONAL RECORD. To my personal knowledge in the street, the New York Stock Exchange has upon several occasions openly and publicly admitted itself to be a menace to our Nation, and a threat to the economic and social welfare of the American people, in this way: It voluntarily closes its doors during war or panic. You have the facilities to learn days and dates and causes for these scared closings of doors to storms which the Exchange itself has invited. The rest I cheerfully leave to your wit and your reason.

Sincerely,

HARRY M. YATES.

Mr. President, we know that he has told the truth about the matter. When a crisis comes the stock exchange closes its doors. Why? Because it is not safe to let them continue to operate. In war times we pull down the curtain over their miserable activities. If a panic comes—and it is frequently produced by their unlawful activities—the stock exchanges close. But here we are, permitting the Exchange to run every day, reaching its deadly tentacles out in every direction. Not only is it robbing men and women by the thousands who are feeding their earnings of a lifetime into that machine every day, but it is reaching out and fastening its tentacles around the neck of the cotton business of the United States, and the daily report tells us that the cotton market fell because of bad conditions on the stock exchange. Then turn and read of what is happening in the West. The wheat price breaks because of what happened on the stock exchange. Business of every kind is being held up because of what is happening on the stock exchange.

Listen. Here is a letter from Royal Barry Wills, of Boston, Mass., addressed to a Mr. Brown, who made inquiries of the architects over New England as to conditions in their profession. Here is just a line or two telling the story there:

In response to your letter of November 12, I should say that approximately a quarter of a million dollars' worth of work has been held up due to the condition of the stock market.

ROYAL BARRY WILLS.

Here is another letter addressed to Mr. Brown:

MR. A. S. BROWN.

MY DEAR MR. BROWN: We subscribe most sincerely and heartily to the sentiments contained in your circular letter of the 11th relative to definite action being taken by the New York Stock Exchange toward eliminating excessive short selling at a time like this. We have had this on our mind for a good many months, and felt that something definite should be done at once.

This letter is signed by Mr. Boyce, president.

Here is another one addressed to Mr. Brown from Boston:

Your circular letter received in regard to the amount of work held up at present due to the condition of the stock market, and in regard to this matter wish to state that at present I have at least $500,000 of work held in abeyance until the present conditions improve.

ARTHUR F. GRAY.

Here is another letter addressed to Mr. Brown from Worcester, Mass.:

In reply to your circular letter under date of November 12 regarding the amount of work held up in this office because of conditions prevailing in the stock market, will say that we have approximately $500,000 of such projects at this time.

That is signed by Harry L. Meacham, consulting architect.

Mr. President, I shall have to ask my friends on the left to take their conversation out in the hall at the rear of the Vice President's chair, if they persist in carrying on their conversation.

The PRESIDING OFFICER. Senators will please observe order.

Mr. HEFLIN. I know how delightful it is to them to talk to each other, and I do not like to interrupt them, but I should like for them not to interrupt my speech. I am really trying to help millions of American people who are in distress; and I am talking about an evil that a great many Senators here are afraid to attack, and would like to have it pass by, and not be compelled to vote on it at all if they could help it. That, however, has no application to my charming friends on my left.

Here is another letter from Dover, N. H., addressed to Mr. Brown:

In reply to your letter of November 12, will say that there is at least $275,000 worth of work held up in my office on account of conditions of securities and present conditions. This work is public buildings and business blocks.

J. EDWARD RICHARDSON.

Here is another one addressed to Mr. Brown. This is from Lynn, Mass.:

Replying to your letter of November 12, will state that I have two projects which are held in abeyance at this time by reason of unsatisfactory conditions in the stock market. One building will cost $100,000 and the other, a residence, $10,000.

Owners will proceed with the erection of above structures when prices of securities are more satisfactory than obtains at this time.

This is signed by Penn Varney.

Here is another letter addressed to Mr. Brown from Burlington, Vt.:

I believe that your statement regarding the bear movement on Wall Street is causing to great extent the present business depression is correct. I trust that every effort will be made in the stock market to stop bear action, which I firmly believe will cause renewed activity in the building industry.

FRANK LYMAN AUSTIN,
Architect.

Here is another letter from Boston, Mass., addressed to Mr. Brown:

Answering yours received November 13, 1930, we regret to say that out of a total of $1,170,000 of work in four jobs, all except about $100,000 of it is held up awaiting improved financial conditions in the securities market.

JOHN H. BICKFORD & SON.

I have another one here from Boston addressed to Mr. Brown:

Confirming our conversation on the telephone, I believe that there is at least a million dollars' worth of work held up in this office because of the condition of the stock market.

Such an estimate can not be completely accurate, but I believe it to be approximately true.

This is signed by Philip Wadsworth.

Here is another letter addressed to Mr. Brown by a company doing business in Boston and in New York:

In reply to your inquiry of November 12, I approximate that at least $2,000,000 of construction projects which our clients have had in contemplation would proceed in the immediate future, providing there should be an improvement in business conditions as affected by the stock market.

That is signed by A. G. Monks.

Another one to Mr. Brown from Boston, Mass.:

In answer to your letter of November 12, would advise that in looking over my prospective work I can say that over $2,000,000 worth of work has been held up on account of the condition of the stock market.

EDWARD B. STRATTON.

Another one from Boston, addressed to Mr. Brown:

We have given consideration to your letter of November 12 concerning the present-day market conditions as affecting the building industry, and believe that we can say conservatively that $2,200,000 worth of work is being held up in our office on account of the prevailing stock-market conditions.

This is signed by Adden, Parker, Clinch & Crimp.

Here is another addressed to Mr. Brown:

I would advise you that because of unsettled conditions, very largely due to violent fluctuation in the stock market, there is a considerable quantity of work in this office postponed until a later date. Our clients have advised us that * * * as soon as the stock market becomes stabilized and securities sell from day to day at their true worth they will go on with some of these projects. The total of such work is in the neighborhood of a million and a half dollars.

I next invite the attention of the Senate to a letter addressed to Mr. Brown by R. W. Foote:

According to our best belief there is about one and one-quarter million dollars worth of work held up which would be in our office if conditions you mention were rectified.

He was referring to the New York Stock Exchange. Another letter from Boston which was addressed to Mr. Brown reads:

As nearly as we are able to assess the situation, we should say that between a million and a half or two million dollars worth of work in our office is held up by abnormal conditions, largely, in our opinion, due to the condition of the stock market. We are not in a position at the present time to state positively that it would not exceed the above amounts.

Signed by R. C. Henry.

Mr. President, here is another letter addressed to Mr. A. S. Brown, jr.:

Confirming the writer's conversation with you this morning as to the effect of the general market depression on building construction, we think there can be no question in the mind of anybody connected with the building trades and construction work in general that the constant dropping of values of stocks and other securities as represented by the market reports from day to day is having a very discouraging effect on new building work and creating a depressed state of mind among builders contemplating new construction that is extremely disquieting, to say the least.

He goes on to say:

We have in mind also certain hospital and other institutional projects where securities have been left through bequests for the construction of new buildings and where the selling of such securities of this kind at their present depreciated prices is causing a decided handicap and in some cases postponement of building operations; and, of course, in such cases these buildings are badly needed for the housing and care of patients.

The injury caused by the present market conditions as far as business and speculative building are concerned has been tremendous, and at the present time we are receiving very few inquiries regarding contemplated construction of this sort.

COOLIDGE, SHEPLEY, BULFINCH & ABBOTT.

Here is another letter from Winthrop, Mass., addressed to Mr. Brown:

There is one job in Boston valued at about $130,000 and two others within 20 miles of Boston, the two valued at about $210,000, that have been held up by the owners on account of the stock market. One has been started and then stopped; the other two have been estimated.

Another letter from Boston, Mass., addressed to Mr. Brown, says:

Replying to your inquiry by phone in relation to whether any part of our anticipated development work had been delayed by the collapse in the stock market beginning in October, 1929, we are able to state without prejudice that our entire first unit of construction, the actual cash outlay in connection with which will amount to substantially $38,000,000 for materials and labor alone, plus a very substantial land cost, has been practically indefinitely delayed in regard to domestic financing.

So, it appears from this letter alone that $38,000,000 worth of projects are held up, Mr. President, by reason of the activities of the New York Stock Exchange.

The banking houses which were aggressively seeking the handling of the necessary financing for the project up to the very day of the above referred to stock-market collapse have not since that time deigned to even communicate with us.

Just see, Mr. President, what a deadly effect the outrageous and unlawful operations of the New York Stock Exchange are having upon building-construction work throughout the New England States.

Another letter addressed to Mr. Brown reads:

I have noticed with interest your communications with Mr. Whitney, of the New York Stock Exchange. In my opinion, there is nothing that is so destructive to the business mind in the metropolitan area as the stock market. When the market is up many feel "bullish," whereas the same people when the market is off—or an equal number, at least, or more—feel depressed. If they would spend the same amount of time studying their business that they do in scanning the stock sheets, I think we would all be better off.

The stock exchange should be a place where a person who desires to sell or buy his stock should always be free to do so, but it shouldn't be made a place to gamble in. When a few men of power can sit down and put out a line of "sells" and can later on put out through other channels a line of "buys" and directly affect the market by a considerable amount, there is something wrong.

I think if the Government taxed sales on the stock exchange by at least 1 per cent we would find stock-exchange prices well representative of value, for no manipulator could very well afford to pay 2 points on a buy-and-sell transaction. He would think twice before he sought to depress or advance any particular stock. A tax of 1 per cent, I think, would largely eliminate pool operations, and that is something we ought to prevent. Of course, I realize the stock exchange would not look with any degree of favor upon any such tax, but I believe the tax would act as a governor on a motor and prevent any undue speed for a decline or for a rise and that the values would then be more typical of what they actually should be. In other words, the sales would be more of a line of investment rather than one of sheer speculation.

That letter is signed by Ralph W. Jordan.

Mr. President, in a moment I shall yield the floor and permit the Senate to proceed with other executive business; but I want to impress upon the Senate that in the interest of legitimate business in every State of the Union it is necessary to do something to curb the outrageous and dangerous activities of the New York Stock Exchange. Why is it that the exchange in New York can not be run as is the London exchange? We never hear of panics on the London exchange. Why is that? It is because on the London exchange there is no speculation on margin with settlements due every day. Speculation on margin is permitted, but settlements are required to be made only once in two weeks. I submit that in such a period of time people can get their bearing; they can know what is going on, and they can get out if they see some wildcat scheme has been cooked up for the purpose of enriching some and impoverishing others. That, however, is not possible where settlements have to be made each day. When the manipulators on the New York Stock Exchange lure people in, boost stocks and other securities, and then fling them on the market, the excitement is so great that the victims, required to settle almost immediately, are swamped and, when night comes, by the thousand they go out empty handed and broke.

It is a money-making thing for those who operate the exchanges, it is true; but it is a deadly game for men and women throughout this Nation who have saved up money for years and years and years, and now they are being lured into this place where they are losing this money.

Mr. President, if we should appoint a committee to go around the country and get at the truth, we would find that most of these banks that are breaking have been speculating on the New York Stock Exchange. I know of some tremendous institutions that have fallen by the way; and I believe—I do not know it—that stock gambling is the cause of it. Our savings banks, into which men and women were putting their money by the hundreds of thousands and even by the millions, keeping that money for old age, for a rainy day,

have been lured into the stock market by these fascinating propagandists on the New York Stock Exchange who are boosting stocks and saying "J. Pierpont Morgan's house is behind this stock," and "Somebody else is behind this other stock. It can not lose. It is bound to win." These people say, "Well, I have been saving this money. If I can go in there and invest it and make a few thousands, it will be very nice." It is the old story over again of "Walk into my parlor, said the spider to the fly"; and they go in, but they never come out as they went in. They come out empty handed.

Mr. President, day after day, week after week, month after month, and year after year, this exchange is operating. Who is going to regulate it? What will the Senate do? We have it in our power to regulate it. They can not hide behind the claim that it is purely and wholly a State institution. It is not, because, as one man, writing to me, said, their wires run into every State in the Union. They use the telephone, they use the telegraph wires, they use the mails for carrying on their propaganda, luring people into that gambling institution. It is an interstate affair; and Congress can regulate it and ought to regulate it.

Mr. President, some of the Senators were not in the Chamber when I reminded them what the report from the cotton market yesterday said. The price of cotton broke because of activities on the stock exchange. Every day we read that the price of wheat has fallen because of something that happened on the stock exchange. Then it is true that the stock exchange overshadows and controls everything. It is the deadly influence in the market place in every State in the Union; and what are we going to do about it? Are we afraid to tackle this problem? Are we going to permit it to continue to operate as it is operating; or are we going to bring it to judgment, and lop off these things that are dangerous, that are gambling propositions pure and simple?

Mr. President, no man who loves legitimate business can oppose my bill. If you will pass my bill limiting the interest rate on call money, and make it so low that the banks out in the States will send no more money to New York to be used on the stock exchange, you will go a long way to curb this evil. If you do away with speculating on margins, you will finish the job. That is simple. Fix the interest rate so low that the banks will quit sending money to the New York Stock Exchange; do away with speculating in margins; and then you will have a real stock market, where if I want to go and buy shares in the Pennsylvania Railroad Co. I can do it, buy them outright, pay for them, take them home, and lock them up; and if in the future I want to take them back and put them on the market and sell them, I can do that. I am not seeking to interfere with that phase of trading on the stock exchange; but I am seeking to lop off, strike down, and destroy the gambling features of the stock exchange.

People have no right to speculate in fictitious stock, in stuff that does not exist, in stuff that can not be delivered.

Another point—I have made this before, but it frequently happens that it is necessary to make points a hundred times to get them into the heads of all. That is this:

If you own shares of stock in a concern, and any person goes on the stock exchange and lists them for sale without your consent, you can prosecute him and put him in the penitentiary, because you do not want your stock speculated in. You have not listed it for speculation on the stock exchange; and the person who would dare do that would be guilty of an offense, and you can convict him and punish him. But see what happens with the farmers. All over the South they do not want their cotton speculated in. They are protesting daily against it. They are asking their representatives here to vote for a measure that will prevent speculation in cotton; and I voted to do it. Then what are these speculators doing? They go up on the exchange and sell, not 14,000,000 bales, the size of the crop, but fifteen or twenty times 14,000,000 bales. They sell hundreds of millions of bales of cotton on the cotton exchange. It is not actual cotton. It is merely the name of cotton.

The cotton farmer may be holding his cotton. He may say, "I can not afford to sell my cotton at the present price. I am going to keep it off the market, hoping that the price will rise, and after a while I may get a price that will yield a profit." Then, what does the gambler say? "Hold your cotton; hold it to your heart's content. How much have you?" "I made a million bales," maybe. "I am going to go on the exchange and sell 10,000,000, 20,000,000, and more." We can not prosecute him. Oh, no! He is sheltered. He is protected.

Mr. President, the Senate owes it to the men who produce this stuff which helps to clothe the world to give them a fair deal in the market place. If the farmer does not want his cotton speculated in, it ought not to be speculated in. I have suggested a measure here which will require, before cotton can be speculated in at all, that those who produce it must sign a statement expressing their willingness that whatever amount they make shall be speculated in upon the cotton exchange.

It is not hard to get a measure through here to loan money to shipbuilders to build up a great shipbuilding interest for themselves. That is not hard—oh, no!—but it is hard to get anything done for the masses of the people.

Mr. President, I am not going to detain the Senate longer; but I am going to insist that the Judiciary Committee bring out this bill and give the Senate a chance to vote on it. The New York Stock Exchange must be curbed. Rules and regulations must be laid down that will confine its activities to legitimate business. Nobody can defend a stock exchange which, whenever a crash comes on, kills the cotton exchange and kills the wheat exchange, and every other business is injuriously affected by it. Nobody can defend it. I want to get that bill upon the floor of the Senate, and have the roll called and see how many Senators here are willing to vote to limit the rate of interest on call money and prevent speculation in fictitious stuff, watered stock, in the marginal transactions now permitted on the New York Stock Exchange.

ORDER OF BUSINESS

The Senate being in executive session,

Mr. McNARY. Mr. President, I express the hope at this time that we may have a vote on the pending nomination, as I think the discussion is exhausted.

Mr. McKELLAR. Mr. President, before the Senator asks for a vote, I hope he will yield to me to suggest the absence of a quorum. I promised some Senators who are not present that I would do that.

Mr. McNARY. I was going to do that.

Mr. HARRISON. Mr. President, has all debate closed on the other side?

Mr. McNARY. Yes; all debate is closed so far as I am able to ascertain, and I hope there will be a vote before 4 o'clock, when I must attend a meeting of a conference committee on Muscle Shoals.

EVERETT R. DOOLITTLE

Mr. McKELLAR. Mr. President, I will ask the Senator to yield to me long enough to ask unanimous consent that the name of Everett R. Doolittle, nominated to be postmaster at Madison, Tenn., be withdrawn and recommitted to the Committee on Post Offices and Post Roads.

Mr. McNARY. I yield for that purpose.

The PRESIDING OFFICER. Without objection, the name will be withdrawn and recommitted to the Committee on Post Offices and Post Roads.

Mr. HEFLIN. Mr. President, I want to say, before the absence of a quorum is suggested, that I understand we are about to have a vote on the conference report on Muscle Shoals.

Mr. McNARY. No; not on that conference report. I stated a moment ago that it was my great desire to attend a conference on the Muscle Shoals question at 4 o'clock, and that it was my desire to have a vote on the pending nomination before I left for that purpose.

Mr. HEFLIN. I have no objection to that.

Mr. McNARY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	Keyes	Sheppard
Barkley	Frazier	King	Shipstead
Bingham	George	La Follette	Shortridge
Black	Gillett	McGill	Simmons
Blaine	Glass	McKellar	Smith
Bratton	Glenn	McMaster	Smoot
Brock	Goff	McNary	Steiwer
Brookhart	Goldsborough	Metcalf	Stephens
Broussard	Hale	Morrison	Thomas, Idaho
Bulkley	Harris	Morrow	Thomas, Okla.
Capper	Harrison	Moses	Trammell
Caraway	Hastings	Norbeck	Vandenberg
Carey	Hatfield	Norris	Wagner
Connally	Hawes	Nye	Walcott
Copeland	Hayden	Oddie	Walsh, Mass.
Couzens	Hebert	Partridge	Walsh, Mont.
Cutting	Heflin	Phipps	Watson
Dale	Howell	Pine	Wheeler
Davis	Johnson	Reed	Williamson
Deneen	Jones	Robinson, Ark.	
Dill	Kean	Robinson, Ind.	
Fess	Kendrick	Schall	

The VICE PRESIDENT. Eighty-five Senators having answered to their names, there is a quorum present.

EDGAR B. BROSSARD

Mr. WALSH of Massachusetts. Mr. President, I should like to make a few observations with reference to this matter before the vote is taken. I not only want to discuss very briefly the matter at present under consideration, but as well what has taken place in this Chamber in the last few days. I do this because of propaganda in the country at the present time, the object of which is to put the Senate in an unfavorable light.

I want to read from a letter which is typical of several which have come to me and to other Senators, and which re-echo sentiments which have been expressed in the press. This letter reads:

> DEAR SIR: As one of your constituents, I appeal to you to do your part in stopping this child's play in the Senate over the employment or nonemployment of some subordinates in one of the departments of our Government. We certainly have some of the greatest questions of all times facing us, and it is certainly disgusting, regardless of politics, to see a crowd of grown men wasting the time of their employers, the people of the country, discussing things which, in any well-organized business, would be delegated to the office manager.

We have all seen sentiments of that character expressed not only in private communications but in the press.

I would like to state my position about the differences between the President and the Senate, which have been greatly exaggerated. Any person in this country who is not aware of the fact that there are two political philosophies in this country militantly combating with each other is not familiar with the real political struggle in the United States. One of those political philosophies called liberal has led to the enactment of legislation by the Congress to regulate and to curb the excesses and the greed of so-called predatory interests that control public utilities in this country.

The line-up is unmistakable. On the one hand are those ultraconservatives whose philosophy of government is the definite protection of property and property rights. The other group consists of those men and women who believe that the first duty of government is to serve the general public interest and that the serving of the public interest requires at this stage of American economic life the curbing of self-seeking financial interests who control agencies that are charged with an important public interest. In other countries these utilities are owned and operated by the government. Here we permit private financial interests to own them subject to Government regulation.

The fact of the matter is that there is a strong feeling in the Senate and throughout the country that in recent years there has been what practically amounts to nullification of some of our laws regulating public service and other corporations by officials of these commissions, who do not adequately guard the public interests and who in some cases are subservient to the interests they were supposed to regulate.

This is the difference arising, and it is an honest difference. The President selects who he thinks will make a good commissioner. Certain Senators believe that because of an appointee's environment, associations, and connections with the particular interests his service on the commission would be of questionable value. Hence there is bound to be an honest difference of opinion. I submit that difference of opinion does not justify the inference that Senators are actuated by other than conscientious motives. Indeed, it is often easier and more cowardly to confirm all appointees. If we have sharp differences of opinion here, it is the fault of democratic and representative government. No one yet desires a dictatorship, where to question an official's judgment on five or six important appointments of the hundreds made is disloyalty.

If I am correct in that statement of the division of political thought in this country, I want to ask in all candor how any man who believes in liberal, progressive government in the United States can sit silent in this Chamber and vote for the confirmation of men to commissions to regulate the special vested interests that operate public utilities when he knows, or has reason to know, that because of their environment, their association, and their philosophy they will not regulate effectively in the public interests the corporations they are appointed to regulate. How can we who believe it our first duty to protect the public rights permit the nullification of our regulatory laws by lax enforcement?

How can it be expected but that there must be a sharp division of opinion, not personal, not reflecting upon the President, not disagreeing with the President's good intentions, but a firm, sincere purpose upon the part of men entertaining different political views to stand and fight for those views? How can it be otherwise but that we will find in different nominees different political philosophies, find in some nominees a background, an environment, and a conviction which may embarrass them in the performance of their duties on these commissions in the public interest?

Indeed, the President himself at the outset of his administration foresaw that, for he sent us the names of those who vouched for the men he nominated, those who stood behind them, realizing that it was essential for Senators, who pass upon nominations, to know something of the political philosophy, especially of those nominated to regulatory bodies, where the only conflict is a conflict between intrenched privilege, on the one hand, and, on the other hand, the rights of the common, average man, who asks nothing from his Government except to be left alone and to be free from exploitation.

Must we refuse to protest when the legal rights of the everyday citizen is being curbed by administrative officials who are subservient to those whose rights conflict with the public?

Now, as to the issue of the other day on the Power Commission appointees. There may have been some technical differences about the procedure and the legal right to take the procedure proposed, but the real issue was a fight on the floor of the Senate, perhaps mistakenly, if you reach that conclusion, to seek to protect the Federal Power Commission from being delivered into the hands of those whom some honestly, though again perhaps mistakenly, feared would use the power that Congress had just given the commission under a strong regulatory law to permit the exploitation of the people rather than to protect adequately the public interest.

Here is the issue again on this very question now before us with the pending nominee, with this exception: The law creating the Tariff Commission makes it clear that the President shall have the right to name Republicans who represent his own political philosophy. It makes it also clear that the President must name Democrats who represent the Democratic political philosophy on the tariff question. This obligation is defined by law.

So far as this particular nominee's political philosophy is concerned, so far as he may be dominated and controlled by the sugar interests, I raise no question. The President has the right to name on the Tariff Commission Republicans dominated and controlled by special tariff interests if he sees fit to do so. He has no right, however, to name Democrats who will serve vested interests, and especially excessive tariff





protectionists as Democrats on that commission without expecting opposition.

But there arises in this case another issue, and that is the official integrity of the official named. I must say that after hearing all the evidence and seeing the witnesses, observing their appearance, observing the manner in which they replied to questions, observing their conduct on the witness stand, which, after all, is often much more helpful in reaching a judgment than reading the record in printed form; after witnessing the proceedings before the committee I have reluctantly reached the conclusion that the nominee lacks, or at least I have doubt as to his official, not his personal, integrity. Having that doubt, I choose to give the people of the country the benefit of it; and I therefore must vote against the confirmation of this nominee.

Mr. HARRISON. Mr. President, just before the vote is taken on this nominee I would like to have inserted in the RECORD the record vote on the question of increasing the sugar tariff, which appears on page 4780 of the permanent RECORD of March 5, 1930, being the yea-and-nay vote on that question.

The VICE PRESIDENT. Without objection, it is so ordered.

The vote referred to is as follows:

[From the CONGRESSIONAL RECORD, p. 4780, March 5, 1930]

The VICE PRESIDENT. The question now is on the amendment proposed by the Senator from Utah [Mr. SMOOT] to the amendment made as in Committee of the Whole, which will be reported for the information of the Senate.

The CHIEF CLERK. On page 121, strike out paragraph 501 and insert:

"PAR. 501. Sugars, tank bottoms, sirups of cane juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope not above 75 sugar degrees, and all mixtures containing sugar and water, testing by the polariscope above 50 sugar degrees and not above 75 sugar degrees, 1.7125 cents per pound, and for each additional sugar degree shown by the polariscope test 0.0375 of 1 cent per pound additional, and fractions of a degree in proportion."

Mr. MCKELLAR. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. CONNALLY (when his name was called). On this vote I have a special pair with the Senator from Wyoming [Mr. KENDRICK]. I have been endeavoring to secure a transfer of that pair, but have been unable to do so. Were the Senator from Wyoming present, he would vote "yea," and if I were permitted to vote I should vote "nay."

Mr. GLENN (when his name was called). For the last few days during the necessary absence of the junior Senator from South Carolina [Mr. BLEASE], I have had a general pair with him. That general pair still subsists, and I therefore refrain from voting.

Mr. OVERMAN (when his name was called). I have a general pair with the senior Senator from Illinois [Mr. DENEEN]. I transfer that pair to the senior Senator from Minnesota [Mr. SHIPSTEAD] and vote "nay."

Mr. LA FOLLETTE (when Mr. SHIPSTEAD'S name was called). I desire to announce the unavoidable absence of the senior Senator from Minnesota [Mr. SHIPSTEAD] and to say that if he were present he would vote "nay."

Mr. SIMMONS (when his name was called). I have been released from my general pair with the senior Senator from Massachusetts [Mr. GILLETT] upon this vote, and I vote "nay."

Mr. TYDINGS (when his name was called). On this vote I have a pair with the senior Senator from West Virginia [Mr. GOFF]. I transfer that pair to the senior Senator from Massachusetts [Mr. GILLETT] and vote "nay."

The roll call was concluded.

Mr. SHEPPARD. I wish to announce that the Senator from Pennsylvania [Mr. REED] and the Senator from Arkansas [Mr. ROBINSON] have a general pair between them, and that they are detained by attendance on the naval conference at London.

The result was announced—yeas 47, nays 39, as follows:

Yeas—47: Ashurst, Baird, Bingham, Broussard, Couzens, Dale, Dill, Fess, Fletcher, Frazier, Goldsborough, Gould, Greene, Grundy, Hale, Hastings, Hatfield, Hayden, Hebert, Howell, Johnson, Jones, Kean, King, McCulloch, McNary, Metcalf, Moses, Nye, Oddie, Patterson, Phipps, Pine, Ransdell, Schall, Shortridge, Smoot, Steiwer, Sullivan, Thomas of Idaho, Thomas of Oklahoma, Townsend, Trammell, Vandenberg, Walcott, Waterman, and Watson.

Nays—39: Allen, Barkley, Black, Blaine, Borah, Bratton, Brock, Brookhart, Capper, Caraway, Copeland, Cutting, George, Glass, Harris, Harrison, Hawes, Heflin, Keyes, La Follette, McKellar, McMaster, Norbeck, Norris, Overman, Pittman, Robinson of Indiana, Robsion of Kentucky, Sheppard, Simmons, Smith, Steck, Stephens, Swanson, Tydings, Wagner, Walsh of Massachusetts, Walsh of Montana, and Wheeler.

Not voting—10: Blease, Connally, Deneen, Gillett, Glenn, Goff, Kendrick, Reed, Robinson of Arkansas, and Shipstead.

So Mr. SMOOT'S amendment to the amendment, made as in Committee of the Whole, was agreed to.

The VICE PRESIDENT. The question is, Will the Senate advise and consent to the nomination of Edgar B. Brossard, of Utah, to be a member of the United States Tariff Commission for the term ending June 16, 1932?

Mr. HEFLIN. Let us have the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. BRATTON (when his name was called). I have a pair with the senior Senator from Idaho [Mr. BORAH]. I understand that if present he would vote "yea." If permitted to vote, I would vote "nay" on this question. In the circumstances I withhold my vote.

Mr. METCALF (when his name was called). I have a general pair with the Senator from Maryland [Mr. TYDINGS], who is absent. If I were permitted to vote, I should vote "yea."

Mr. GLASS (when Mr. SWANSON'S name was called). My colleague the senior Senator from Virginia [Mr. SWANSON] is unavoidably absent from the Senate. He is paired with the junior Senator from Colorado [Mr. WATERMAN]. Were my colleague present and not paired, he would vote "nay."

Mr. SHEPPARD (when Mr. TYDINGS'S name was called). I wish to announce that the senior Senator from Maryland [Mr. TYDINGS] is necessarily detained on official business.

Mr. WAGNER (when his name was called). I transfer my pair with the junior Senator from Missouri [Mr. PATTERSON] to the senior Senator from Iowa [Mr. STECK] and vote "nay."

Mr. PHIPPS (when Mr. WATERMAN'S name was called). My colleague the junior Senator from Colorado [Mr. WATERMAN] is unavoidably absent. As already announced, he has a pair with the senior Senator from Virginia [Mr. SWANSON]. If my colleague were present and not paired, he would vote "yea."

The roll call was concluded.

Mr. MCKELLAR (after having voted in the negative). I have a general pair with the junior Senator from Delaware [Mr. TOWNSEND]. In his absence I transfer that pair to the senior Senator from Nevada [Mr. PITTMAN] and let my vote stand.

I desire to announce that my colleague the junior Senator from Tennessee [Mr. BROCK] is unavoidably detained from the Senate on official business. On this question he is paired with the senior Senator from Louisiana [Mr. RANSDELL].

Mr. FESS. I desire to announce that the Senator from Maine [Mr. GOULD] has a general pair with the Senator from South Carolina [Mr. BLEASE]. If the Senator from Maine [Mr. GOULD] were present and permitted to vote, he would vote "yea."

Mr. SHEPPARD. I wish to announce that the senior Senator from Louisiana [Mr. RANSDELL] is necessarily out of the city.

I also wish to announce that the senior Senator from Iowa [Mr. STECK] is necessarily detained from the Senate on official business.

Mr. FESS. I wish to announce that the Senator from Washington [Mr. JONES] is detained in committee.

The roll call resulted—yeas 45, nays 36, as follows:

YEAS—45

Ashurst	Glenn	Kendrick	Schall
Bingham	Goff	Keyes	Shortridge
Broussard	Goldsborough	King	Smoot
Capper	Hale	McNary	Steiwer
Carey	Hastings	Morrow	Thomas, Idaho
Couzens	Hatfield	Moses	Trammell
Dale	Hawes	Norbeck	Vandenberg
Davis	Hayden	Oddie	Walcott
Deneen	Hebert	Partridge	Watson
Fess	Howell	Phipps	
Fletcher	Johnson	Reed	
Gillett	Kean	Robinson, Ind.	

NAYS—36

Barkley	Bulkley	Cutting	Glass
Black	Caraway	Dill	Harris
Blaine	Connally	Frazier	Harrison
Brookhart	Copeland	George	Heflin

La Follette	Norris	Shipstead	Wagner
McGill	Nye	Simmons	Walsh, Mass.
McKellar	Pine	Smith	Walsh, Mont.
McMaster	Robinson, Ark.	Stephens	Wheeler
Morrison	Sheppard	Thomas, Okla.	Williamson

NOT VOTING—15

Blease	Gould	Pittman	Townsend
Borah	Jones	Ransdell	Tydings
Bratton	Metcalf	Steck	Waterman
Brock	Patterson	Swanson	

The VICE PRESIDENT. On this question the yeas are 45 and the nays 36. So the Senate advises and consents to the nomination of Edgar B. Brossard. The clerk will report the next business on the calendar.

EUGENE MEYER

Mr. WATSON. The confirmation of Eugene Meyer to be a member of the Federal Reserve Board has been made the special order immediately following the confirmation of the members of the Tariff Commission. To-morrow the hour of 12 o'clock is fixed as the time for a special order for the reconsideration of action heretofore taken on Senate bill 4750, to authorize alterations and repairs to certain naval vessels. Suppose we start to-day on the Meyer nomination and continue with it until to-morrow.

The VICE PRESIDENT. The unanimous-consent agreement affecting the motion to reconsider would take precedence to-morrow, and when that matter shall be disposed of, action on the confirmation of Mr. Meyer will follow.

Mr. WATSON. That is my understanding, but I wanted that definitely understood so that Senators would know what the procedure would be.

Mr. PHIPPS. I wish to suggest that there are a number of nominations of postmasters on the calendar, and I was wondering if we could not get unanimous consent that they be now considered.

The VICE PRESIDENT. The nominations on the Executive Calendar will be considered in their order.

LINCOLN DIXON

The Chief Clerk announced the nomination of Lincoln Dixon, of Indiana, to be a member of the United States Tariff Commission for the term expiring June 16, 1931.

The VICE PRESIDENT. The question is, Will the Senate advise and consent to the nomination? [Putting the question.] The ayes have it, and the nomination is confirmed. Is there objection to the notification to the President of the confirmation of the members of the United States Tariff Commission?

Mr. LA FOLLETTE and Mr. ROBINSON of Arkansas. I object.

The VICE PRESIDENT. Objection is heard. The clerk will state the next business on the calendar.

ORDER OF BUSINESS—POST-OFFICE NOMINATIONS

The Chief Clerk announced the nomination of Eugene Meyer, of New York, to be a member of the Federal Reserve Board, to which office he was appointed during the last recess of the Senate, for the unexpired term of 10 years from August 10, 1928.

Mr. PHIPPS. Mr. President, I inquire if we can not now, out of order, take up the consideration of nominations of postmasters?

The VICE PRESIDENT. It can be done by unanimous consent.

Mr. PHIPPS. I ask unanimous consent that we take them up for consideration, with one exception.

The VICE PRESIDENT. The Senator from Colorado asks unanimous consent that the Meyer nomination be temporarily laid aside and that the Senate proceed to the consideration of nominations of postmasters.

Mr. PHIPPS. There is one exception that I wish to make.

Mr. McKELLAR. I have no objection; but I want to make an exception, too—the case of Everett R. Doolittle, Madison, Tenn.

Mr. PHIPPS. What is the number?

Mr. McKELLAR. That is No. 476.

Mr. PHIPPS. That may be reserved, and also Calendar No. 502, Charles R. Wareham, of Kearney, Nebr. With those two exceptions, I ask unanimous consent to take up the nominations of postmasters at this time.

Mr. ROBINSON of Arkansas. Mr. President, pending the request, I make no objection to the request of the Senator from Colorado, but think it well to ask that the nominations be held until the expiration of the 2-day period; and in the meantime, if there are other exceptions that Senators desire to make from this omnibus confirmation order, a motion to reconsider can be made, and, I take it, would be consented to by the Senator from Colorado.

Mr. PHIPPS. I will say to the Senator that I have not contemplated asking that the President be notified. I merely ask for the confirmation at this time of the postmasters on the calendar, with the exception of the two that have been reserved.

Mr. ROBINSON of Arkansas. I know of no case, outside of the two that have been reserved, that should be reserved.

Mr. PHIPPS. I know of none.

The VICE PRESIDENT. Without objection, the two nominations will be reserved; and, without objection, the balance of the nominees for postmasters will be confirmed.

ORDER OF BUSINESS

Mr. McKELLAR. Mr. President, I may say here, before I go to something else, that the Doolittle nomination has been rereferred to the committee already.

Mr. President, I send to the desk a telegram that I have received from the Press-Scimitar this morning, and I ask that it be read.

The VICE PRESIDENT. Does the Senator desire that done in executive session?

Mr. McKELLAR. I would rather have it done in legislative session; but I desire to make some remarks about it.

The VICE PRESIDENT. The Chair is advised that at the conclusion of the last regular legislative session the Interior Department appropriation bill was pending. The Chair would hold that that would be the pending business in case the Senate returns to the consideration of legislative business.

Mr. WATSON. Mr. President, it is not desired that we shall proceed with the consideration of legislative business to-night. After consultation with Senators, I have changed my mind about that. I understand that there are some other confirmations that are desired. If that be true, I should like to have them brought up at this time.

Mr. GEORGE. Mr. President, I was about to inquire whether the Senate was ready to proceed to the consideration of the other nominations on the Executive Calendar.

The VICE PRESIDENT. The Senator from Tennessee has the floor.

Mr. McKELLAR. Yes; I do not want to be taken off my feet. I have something that I want to say, whether it is in legislative session or in executive session, but I am perfectly willing to yield to anyone.

DROUGHT RELIEF

The Senate being in legislative session,

Mr. McKELLAR. Mr. President, I ask that the telegram I send to the desk be read.

The VICE PRESIDENT. The clerk will read.

The legislative clerk read as follows:

MEMPHIS, TENN., *January 12, 1931.*

Senator K. D. McKELLAR,
Senate Office Building, Washington, D. C.:

In behalf of thousands of farmers in drought-hit districts of Arkansas, Mississippi, and Tennessee who are pleading for aid for their hungry families, Press-Scimitar requests you use every effort to secure immediate passage of sixty million drought relief bill.

MEMPHIS PRESS-SCIMITAR.

Mr. McKELLAR. Mr. President, I desire to say very briefly in this connection that on December 20, before the Christmas holidays, I offered the following amendment to the agricultural marketing bill:

To provide for carrying into effect the provisions of the act for the relief of farmers in the drought and storm stricken areas passed by the Congress December 20, 1930, and sent to the President, including the necessary expenditures authorized therein, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $45,000,000, which amount shall be available immediately upon the signing of said relief of farmers act by the President.

So that it is seen that immediately upon the passage of the farm relief bill, or the drought relief bill, as it is called, I offered an amendment actually to appropriate the money. That amendment was voted down, and I want to call attention to how it happened to be voted down.

The chairman of the Committee on Appropriations, as appears on page 1295 of the CONGRESSIONAL RECORD, had this to say:

I hardly believe that the amendment of the Senator from Tennessee should be put on this bill. We have been held in session a long time to-day in order to get through. I am not interested in getting through so as to have a vacation next week, in so far as I am individually concerned. I have to be here anyway and be at work just as much whether the Senate is in session or not. But I do not believe that we ought to put an amendment onto this bill. I think we ought to vote this money or refuse to vote it, one way or the other, without change. As I said, I think we are safe in assuming that the $45,000,000 under the drought-relief program will be provided by Congress just as rapidly as it can be used by the Department of Agriculture.

Upon that statement a majority in the Senate voted down my amendment, which would have provided for the immediate appropriation of the $45,000,000 which had been authorized.

I want my constituents, at any rate, to know that I undertook in every way in the world to get the money appropriated at the time. It ought to have been appropriated at the time, and it could have been appropriated at the time, and this delay, in my judgment, would have been avoided if the chairman of the Committee on Appropriations and his associates who voted that amendment down had agreed to the amendment. Since Congress has reassembled, and has been in session now for more than a week, we have been in a constant state of turmoil about the appropriations, and we have not appropriated the money yet. No relief has been granted yet. At all events, I want to assure my constituents and others who are interested in the matter that it is not my fault, because I offered an amendment to take care of the situation.

Mr. President, I ask that there be read from the desk a letter on the general subject.

The PRESIDING OFFICER (Mr. COUZENS in the chair). Without objection, the clerk will read.

The legislative clerk read as follows:

CAMDEN, TENN., *January 11, 1931.*

Hon. KENNETH MCKELLAR,
Senate Office Building, Washington, D. C.

MY DEAR SENATOR: There is much suffering in this (Benton) county, and in my estimation much need for some immediate relief from the Red Cross if it can be obtained. I do not know just what action should be taken, but I feel sure if the facts were all known there would be immediate relief furnished to the unfortunate ones here whose actual want for food and clothing is grave. I know of some families whose children are barefooted and naked; no books for school and no bread to eat.

Every merchant in this town, I feel, will join in on relief as much so as they can and a work is being done by Mr. Howell and others that is worthy, but many merchants are toppling in the balance of failure and some have already gone down; one bank, the People's Union, has closed its doors and no adequate relief can be given by our local citizens.

Very truly yours,

OSCAR L. SMITH.

P. S.—I've written the Red Cross to know what to do, and can, if it will help, furnish a petition with every business man, minister, county official, and city official on it.

Mr. McKELLAR. Mr. President, I publicly call the attention of the Red Cross to this matter, and I want to say that while I have not the slightest doubt that the Red Cross is doing all it can, is doing everything possible, I do not think the Government is doing what it should do to relieve human suffering in this country. I think it is neglecting its duty.

I recall that during my career in the Congress, covering nearly 20 years, we have constantly made appropriations to feed the starving in every land in the world, all the way from Russia to Japan, to Cuba, and to South America. Wherever there was human suffering the American Government has come forward and furnished bread and meat for those who were hungry. We have done that in a generous and a splendid manner, and it seems to me that now that our own people are suffering from hunger, Congress ought to do its full duty, and ought to provide meat and bread for those who are hungry. We need not talk about the cause of the condition; the cause is immaterial in this aspect of the case; but at this time we ought to ascertain the facts and ought to furnish those who are hungry with bread and meat.

INTEREST RATE ON LOANS TO SHIPBUILDING COMPANIES

Mr. VANDENBERG. Mr. President, the parliamentary situation since the recess has precluded any possibility of bringing House bill 7998, to amend subsection (d) of section 11 of the merchant marine act of June 5, 1920, as amended by section 301 of the merchant marine act of May 22, 1929, to the attention of the Senate, although I think the Senate is now in complete agreement respecting it.

I may say that this bill would relieve the Shipping Board from the necessity of lending money to shipbuilders at 1⅞ per cent, and would require that loans for that purpose hereafter should be at a minimum of 3½ per cent. The Treasury and the Shipping Board are very eager to be relieved from the necessity of making loans at the lower rate. I think there is no disagreement on the subject. The Committee on Commerce is unanimous.

The only objection offered to the bill was offered by the junior Senator from Utah [Mr. KING] and the senior Senator from Tennessee [Mr. MCKELLAR]. I have since conferred with those Senators, and I think they now see the situation in a different aspect, and realize the importance and the necessity for early action.

I may say further that the particular reason of the need for early action is that a substantial number of these loans are now pending. I think they amount to about $3,000,000, and the loans must be made for a period of 20 years, under the law as it now reads, at 1⅞ per cent, that being the lowest rate of current yield on any Government security, whereas if this amendment to the law can be perfected, loans can not be made at a rate lower than 3½ per cent.

The junior Senator from Utah [Mr. KING] not only does not object to this measure now, but he urged me this afternoon to seek the Senate's consent with the least possible delay.

Mr. McKELLAR. Mr. President, if the Senator will yield to me, I just want to say that I have never at any time interposed any objection to his bill.

Mr. VANDENBERG. That is correct.

Mr. McKELLAR. What I did was to propose an amendment, which has been pending for probably nearly a year, and the Senator felt that he could not accept that amendment. I think the Senator's bill ought to pass. I have always told him that. I think there is a condition which ought to be corrected, and which ought to be corrected right away, and that view has led me to withdraw my amendment.

I am not expressing any discontent with my amendment; I would very much prefer that the Senator should accept it and that it should be adopted, but I understand the legislative situation, and I am making no complaint of the Senator about that. I think his bill ought to pass, and I hope it will pass as soon as possible.

Mr. VANDENBERG. The Senator correctly states his position, as I understand it.

Mr. ROBINSON of Arkansas. Mr. President, the Senate committee apparently proposed a number of amendments to the bill.

Mr. VANDENBERG. I may say to the Senator that the bill as it came to us from the House did not touch this pertinent and important point at all. It merely sought to redefine the period of construction during which the rate of interest in the lower bracket applies. After the bill reached us we discovered upon our part that these loans were being made at this rate of interest, which Congress never contemplated when it passed the act in the first instance. Hence the question now impends in the form of these amendments.

Mr. ROBINSON of Arkansas. The real issue in the bill, then, as the Senator states it, grows out of the proposed amendment.

Mr. VANDENBERG. That is correct.

The PRESIDING OFFICER. The Chair suggests that the bill be read, if the Senate is to consider it.

Mr. VANDENBERG. I think the bill has been amended and is now ready for passage. I ask unanimous consent for the present consideration of the bill.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill.

The pending amendment of the committee was, on page 2, line 21, after the word "any," to insert the word "calendar," so as to read "three months in any calendar year."

The amendment was agreed to.

Mr. COPELAND. Mr. President, as I understand it, the amendment on page 2, line 15, to insert the words "*Provided, however,* That on all contracts hereinafter entered into the interest rate shall be," was agreed to.

Mr. VANDENBERG. That amendment was agreed to in the Senate.

Mr. COPELAND. Otherwise I am in full sympathy with the bill.

The next amendment was, on page 2, line 22, after the word "operated," to insert the words "exclusively and under enrollment," and on line 23, after the word "any," to insert the word "calendar."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

EXECUTIVE MESSAGES REFERRED

The Senate being in executive session,

Messages in writing from the President of the United States, submitting nominations, were referred to the appropriate committees.

EXECUTIVE CALENDAR

Mr. GEORGE. Mr. President, I want to inquire of the Senator from Indiana whether it is the purpose to take up the other nominations on the calendar.

Mr. WATSON. My understanding is that we are to go right on with the other nominations.

Mr. GEORGE. Very well.

FEDERAL POWER COMMISSION

The legislative clerk proceeded to read sundry nominations to the Federal Power Commission.

The PRESIDING OFFICER. Those will be passed over.

DEPARTMENT OF COMMERCE

The legislative clerk read the nomination of James Walter Clift to be examiner in chief, United States Patent Office.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. WALSH of Montana. Mr. President, what disposition was made of the Federal Power Commission nominations?

The PRESIDING OFFICER. They went over at my request.

Mr. WALSH of Montana. Are we proceeding under unanimous consent?

The PRESIDING OFFICER. No; but we usually put such nominations over if any Senator so requests. If the Senator desires to recall that order, the Chair will bring the nominations back for consideration. I did not assume that we wanted to take them up this evening, so I asked that they go over.

Mr. WALSH of Montana. It being so late in the afternoon, I shall not object to the nominations going over.

THE JUDICIARY

The legislative clerk read sundry nominations in the judiciary.

The PRESIDING OFFICER. Without objection, the nominations are confirmed. That completes the Executive Calendar.

BUSINESS BEFORE THE SENATE

Mr. WATSON. Mr. President, by unanimous consent we agreed that to-morrow the bill to authorize alterations and repairs of certain naval vessels should be taken up, and that it should remain before the Senate, except by unanimous consent, until Friday at 4 o'clock, when it should be voted on. I have made diligent inquiry among Senators, and I find nobody who wants to talk on that subject to-morrow. Under those circumstances, unless somebody does desire to speak on the matter to-morrow, I shall ask unanimous consent the first thing to-morrow to set aside the unanimous-consent order and permit the Meyer nomination to be taken up.

Mr. McKELLAR. The Senator is not making that request now?

Mr. WATSON. No; I am merely serving notice, so that everybody may act with that in mind.

Mr. ROBINSON of Arkansas. The Senator does not mean to set aside the unanimous-consent agreement?

Mr. WATSON. No, not at all; but to lay it aside temporarily.

Mr. JONES. Mr. President——

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Washington?

Mr. WATSON. Certainly.

Mr. JONES. We have a conference report on the relief bill, a disagreement, of course, and I want to get that disposed of as soon as possible.

Mr. WATSON. I take it that ought to supplant everything else, if the Senator will bring it before the Senate to-morrow.

Mr. JONES. Yes; I think it is of a privileged character and probably would be considered without displacing or setting aside the unanimous-consent agreement. It would come ahead of that agreement, if necessary.

Mr. KING. Mr. President, will the Senator from Indiana yield?

Mr. WATSON. Certainly.

Mr. KING. I understand that the Senator from Iowa [Mr. BROOKHART] intends to speak on the so-called naval bill and desires to take considerable time.

Mr. WATSON. I am informed he desires to speak not only on that measure, but on the Meyer nomination also.

Mr. KING. I would not want to have consideration of the naval bill postponed if he desires to speak upon that subject.

Mr. WATSON. Not at all, but I am informed that he is more anxious to speak on the Meyer nomination.

Mr. KING. Very well.

RECESS

Mr. WATSON. As in legislative session, I move that the Senate take a recess until 12 o'clock noon to-morrow.

The motion was agreed to; and the Senate (at 5 o'clock p. m.) took a recess until to-morrow, Wednesday, January 14, 1931, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 13 (legislative day of January 5), 1931

UNITED STATES MARSHAL

Albert W. Harvey, of Vermont, to be United States marshal, district of Vermont. (He is now serving in this position under an appointment which expired December 21, 1930.)

COLLECTORS OF CUSTOMS

Joseph C. Swann, of Wedowee, Ala., to be collector of customs, collection district No. 19, with headquarters at Mobile, Ala. (Reappointment.)

Frank M. Hume, of Portland, Me., to be collector of customs, collection district No. 1, with headquarters at Portland, Me. (Reappointment.)

COMMISSIONER OF IMMIGRATION

Anna C. M. Tillinghast, of Cambridge, Mass., to be commissioner of immigration at the port of Boston, Mass.

POSTMASTERS

ALABAMA

Lillie C. Hays to be postmaster at Abbeville, Ala., in place of L. C. Hays. Incumbent's commission expires January 17, 1931.

Margaret E. Stephens to be postmaster at Attalla, Ala., in place of M. E. Stephens. Incumbent's commission expires January 17, 1931.

William L. Power to be postmaster at Blountsville, Ala., in place of W. L. Power. Incumbent's commission expires January 17, 1931.

John M. Stapleton to be postmaster at Foley, Ala., in place of J. M. Stapleton. Incumbent's commission expires January 17, 1931.

Addie M. Cannon to be postmaster at Mount Vernon, Ala., in place of A. M. Cannon. Incumbent's commission expires January 17, 1931.

Thomas F. Adams to be postmaster at Ragland, Ala., in place of G. C. Adams, deceased.

John R. Harris to be postmaster at Wadley, Ala., in place of J. R. Harris. Incumbent's commission expires January 29, 1931.

ARIZONA

Burl A. Willmoth to be postmaster at Wickenburg, Ariz., in place of B. A. Willmoth. Incumbent's commission expired December 20, 1930.

ARKANSAS

William B. Owen to be postmaster at Alma, Ark., in place of W. B. Owen. Incumbent's commission expired January 5, 1931.

Leon E. Tennyson to be postmaster at Arkadelphia, Ark., in place of L. E. Tennyson. Incumbent's commission expires January 28, 1931.

Hiram S. Irwin to be postmaster at Clarendon, Ark., in place of H. S. Irwin. Incumbent's commission expires January 28, 1931.

James S. Burnett to be postmaster at Clinton, Ark., in place of J. S. Burnett. Incumbent's commission expired January 5, 1931.

Edgar H. Finch to be postmaster at Crossett, Ark., in place of E. H. Finch. Incumbent's commission expires January 22, 1931.

Dennis M. Lee to be postmaster at Flippin, Ark., in place of D. M. Lee. Incumbent's commission expires January 28, 1931.

Randolph M. Jordan to be postmaster at Fordyce, Ark., in place of R. M. Jordan. Incumbent's commission expires January 28, 1931.

William B. Pape to be postmaster at Fort Smith, Ark., in place of W. B. Pape. Incumbent's commission expired January 5, 1931.

George H. Rule, jr., to be postmaster at Lonoke, Ark., in place of G. H. Rule, jr. Incumbent's commission expires January 22, 1931.

Dennis M. Townsend to be postmaster at Mena, Ark., in place of D. M. Townsend. Incumbent's commission expires January 28, 1931.

CALIFORNIA

Edward J. Lewis to be postmaster at Compton, Calif., in place of C. E. Wood, resigned.

George B. Tantau to be postmaster at Exeter, Calif., in place of G. B. Tantau. Incumbent's commission expired January 10, 1931.

Frederick Weik to be postmaster at Glendora, Calif., in place of Frederick Weik. Incumbent's commission expired January 4, 1931.

Frank L. Powell to be postmaster at Lemoore, Calif., in place of F. L. Powell. Incumbent's commission expired January 10, 1931.

Kathleen M. Fleming to be postmaster at Lincoln, Calif., in place of K. M. Fleming. Incumbent's commission expired December 21, 1930.

Carrie V. Stoute to be postmaster at Saratoga, Calif., in place of C. V. Stoute. Incumbent's commission expired January 5, 1931.

COLORADO

Agnes M. Ward to be postmaster at Bennett, Colo., in place of A. M. Ward. Incumbent's commission expires January 17, 1931.

Gerald H. Denio to be postmaster at Eaton, Colo., in place of G. H. Denio. Incumbent's commission expires January 17, 1931.

Frederick H. Leach to be postmaster at Idaho Springs, Colo., in place of F. H. Leach. Incumbent's commission expired December 14, 1930.

CONNECTICUT

William J. Reel to be postmaster at Canaan, Conn., in place of W. J. Reel. Incumbent's commission expired December 21, 1930.

Howard J. Stanclift, jr., to be postmaster at New Hartford, Conn., in place of H. J. Stanclift, jr. Incumbent's commission expired December 13, 1930.

William G. Mock to be postmaster at New Milford, Conn., in place of W. G. Mock. Incumbent's commission expires January 17, 1931.

Hervey W. Wheeler to be postmaster at Newtown, Conn., in place of H. W. Wheeler. Incumbent's commission expired December 13, 1930.

W. Gardiner Davis to be postmaster at Pomfret Center, Conn., in place of W. G. Davis. Incumbent's commission expires January 17, 1931.

Norman C. Kruer to be postmaster at Shelton, Conn., in place of N. C. Kruer. Incumbent's commission expires January 25, 1931.

George L. Benedict to be postmaster at Winsted, Conn., in place of G. L. Benedict. Incumbent's commission expired December 21, 1930.

Dorothy S. Phillips to be postmaster at Woodmont, Conn., in place of H. R. Kellogg, resigned.

DELAWARE

Ebe H. Chandler to be postmaster at Dagsboro, Del., in place of E. H. Chandler. Incumbent's commission expired December 21, 1930.

FLORIDA

Ninnian A. Little to be postmaster at Grand Island, Fla., in place of N. A. Little. Incumbent's commission expires January 28, 1931.

Herbert E. Ross to be postmaster at Jacksonville, Fla., in place of H. E. Ross. Incumbent's commission expired December 22, 1930.

Mary E. Edwards to be postmaster at Lloyd, Fla. Office became presidential July 1, 1930.

Annie B. Locke to be postmaster at Titusville, Fla., in place of A. B. Locke. Incumbent's commission expired December 18, 1929.

Thomas H. Milton to be postmaster at Trenton, Fla., in place of T. H. Milton. Incumbent's commission expired January 5, 1931.

Benjamin F. Hargis to be postmaster at Umatilla, Fla., in place of B. F. Hargis. Incumbent's commission expires January 28, 1931.

GEORGIA

Edward B. Miller to be postmaster at Calhoun, Ga., in place of E. B. Miller. Incumbent's commission expired May 7, 1930.

IDAHO

Louis W. Thrailkill to be postmaster at Boise, Idaho, in place of L. W. Thrailkill. Incumbent's commission expired January 6, 1931.

Claude A. McPherson to be postmaster at Wilder, Idaho, in place of C. A. McPherson. Incumbent's commission expires January 25, 1931.

ILLINOIS

Evelyn E. Weber to be postmaster at Amboy, Ill., in place of E. E. Weber. Incumbent's commission expires January 18, 1931.

James H. Truesdale to be postmaster at Bunker Hill, Ill., in place of J. H. Truesdale. Incumbent's commission expires January 28, 1931.

Merle C. Champion to be postmaster at Byron, Ill., in place of M. C. Champion. Incumbent's commission expires January 28, 1931.

Thomas F. Olsen to be postmaster at De Kalb, Ill., in place of T. F. Olsen. Incumbent's commission expires January 28, 1931.

Henry W. Schwartz to be postmaster at Dupo, Ill., in place of H. W. Schwartz. Incumbent's commission expires January 14, 1931.

Harry S. Farmer to be postmaster at Farmer City, Ill., in place of H. S. Farmer. Incumbent's commission expires January 18, 1931.

Peter H. Conzet to be postmaster at Greenup, Ill., in place of P. H. Conzet. Incumbent's commission expires January 18, 1931.

Bertha Harvey to be postmaster at Griggsville, Ill., in place of Bertha Harvey. Incumbent's commission expired December 14, 1930.

John A. Dausmann to be postmaster at Lebanon, Ill., in place of J. A. Dausmann. Incumbent's commission expires January 18, 1931.

Walter W. Ward to be postmaster at Maroa, Ill., in place of W. W. Ward. Incumbent's commission expires January 28, 1931.

Benjamin S. Price to be postmaster at Mount Morris, Ill., in place of B. S. Price. Incumbent's commission expires January 18, 1931.

John Lawrence, jr., to be postmaster at O'Fallon, Ill., in place of John Lawrence, jr. Incumbent's commission expires January 18, 1931.

Robert H. Christen to be postmaster at Pecatonica, Ill., in place of R. H. Christen. Incumbent's commission expires January 14, 1931.

Charles L. Tanner to be postmaster at Saunemin, Ill., in place of C. L. Tanner. Incumbent's commission expires January 18, 1931.

James W. Maddin to be postmaster at Sheldon, Ill., in place of W. A. Bussert, deceased.

William F. Hemenway to be postmaster at Sycamore, Ill., in place of W. F. Hemenway. Incumbent's commission expires January 18, 1931.

INDIANA

Charles O. Krise to be postmaster at Auburn, Ind., in place of M. E. Garrett, deceased.

John N. Wright to be postmaster at Edwardsport, Ind., in place of M. A. Barr. Incumbent's commission expired January 29, 1930.

William A. Carson to be postmaster at Glenwood, Ind. Office became presidential July 1, 1930.

Hattie M. Craw to be postmaster at Jonesboro, Ind., in place of H. M. Craw. Incumbent's commission expires January 22, 1931.

Garrett W. Gossard to be postmaster at Kempton, Ind., in place of G. W. Gossard. Incumbent's commission expires January 22, 1931.

Jesse E. Harvey to be postmaster at Markle, Ind., in place of J. E. Harvey. Incumbent's commission expires January 22, 1931.

Ralph W. Gaylor to be postmaster at Mishawaka, Ind., in place of R. W. Gaylor. Incumbent's commission expires January 22, 1931.

Thomas J. Jackson to be postmaster at New Albany, Ind., in place of T. J. Jackson. Incumbent's commission expires January 15, 1931.

Earl O. Whitmire to be postmaster at Paoli, Ind., in place of Z. I. Moore. Incumbent's commission expired February 23, 1930.

Lee Herr to be postmaster at Tell City, Ind., in place of Lee Herr. Incumbent's commission expires January 15, 1931.

Orville B. Kilmer to be postmaster at Warsaw, Ind., in place of O. B. Kilmer. Incumbent's commission expires January 22, 1931.

IOWA

Frank B. Moreland to be postmaster at Ackley, Iowa, in place of F. B. Moreland. Incumbent's commission expired January 5, 1931.

William G. Wood to be postmaster at Albia, Iowa, in place of W. G. Wood. Incumbent's commission expired December 21, 1930.

Jesse A. Barnes to be postmaster at Brooklyn, Iowa, in place of J. A. Barnes. Incumbent's commission expires January 18, 1931.

Henry C. Haynes to be postmaster at Centerville, Iowa, in place of H. C. Haynes. Incumbent's commission expired January 5, 1931.

John F. Schoof to be postmaster at Denver, Iowa, in place of J. F. Schoof. Incumbent's commission expires January 18, 1931.

Albert R. Kullmer to be postmaster at Dysart, Iowa, in place of A. R. Kullmer. Incumbent's commission expired January 5, 1931.

Benjamin S. Borwey to be postmaster at Eagle Grove, Iowa, in place of B. S. Borwey. Incumbent's commission expired January 5, 1931.

Lewis H. Mayne to be postmaster at Emmetsburg, Iowa, in place of L. H. Mayne. Incumbent's commission expires January 28, 1931.

George F. Monroe to be postmaster at Fairbank, Iowa, in place of G. F. Monroe. Incumbent's commission expired January 5, 1931.

Charles A. Frisbee to be postmaster at Garner, Iowa, in place of C. A. Frisbee. Incumbent's commission expired January 7, 1931.

Guy A. Whitney to be postmaster at Hubbard, Iowa, in place of G. A. Whitney. Incumbent's commission expired January 5, 1931.

Smiley B. Hedges to be postmaster at Kellerton, Iowa, in place of S. B. Hedges. Incumbent's commission expires January 28, 1931.

George Banger to be postmaster at La Porte City, Iowa, in place of George Banger. Incumbent's commission expired January 5, 1931.

Maurice E. Atkins to be postmaster at Milton, Iowa, in place of M. E. Atkins. Incumbent's commission expires January 28, 1931.

Raymond S. Blair to be postmaster at Parkersburg, Iowa, in place of R. S. Blair. Incumbent's commission expired January 5, 1931.

Willis G. Smith to be postmaster at Rock Rapids, Iowa, in place of W. G. Smith. Incumbent's commission expired January 7, 1931.

August Rickert to be postmaster at Schleswig, Iowa, in place of August Rickert. Incumbent's commission expires January 28, 1931.

Baty K. Bradfield to be postmaster at Spirit Lake, Iowa, in place of B. K. Bradfield. Incumbent's commission expired January 7, 1931.

Linn L. Smith to be postmaster at Webb, Iowa, in place of L. L. Smith. Incumbent's commission expired January 5, 1931.

KANSAS

Frank H. Hanson to be postmaster at Haddam, Kans., in place of F. H. Hanson. Incumbent's commission expires January 18, 1931.

David W. Naill to be postmaster at Herington, Kans., in place of D. W. Naill. Incumbent's commission expired January 6, 1931.

William R. Waring to be postmaster at Hope, Kans., in place of W. R. Waring. Incumbent's commission expires January 18, 1931.

Austin Kimzey to be postmaster at Howard, Kans., in place of Austin Kimzey. Incumbent's commission expired December 14, 1930.

Gordon K. Logan to be postmaster at Kirwin, Kans., in place of G. K. Logan. Incumbent's commission expires January 18, 1931.

Joseph A. Trudell to be postmaster at Morganville, Kans., in place of A. M. McLavy, resigned.

Winifred Hamilton to be postmaster at Solomon, Kans., in place of Winifred Hamilton. Incumbent's commission expires January 28, 1931.

William A. Walt to be postmaster at Thayer, Kans., in place of W. A. Walt. Incumbent's commission expired December 13, 1930.

Lee Mobley to be postmaster at Weir, Kans., in place of Lee Mobley. Incumbent's commission expired December 13, 1930.

Nettie M. Cox to be postmaster at Wellington, Kans., in place of N. M. Cox. Incumbent's commission expires January 18, 1931.

KENTUCKY

Carey C. Compton to be postmaster at Benham, Ky., in place of B. A. Rasnick, removed.

Gertrude Stuteville to be postmaster at Bonnieville, Ky. Office became presidential July 1, 1930.

David C. Hopper to be postmaster at Russell Springs, Ky., in place of C. F. Dunbar, deceased.

Thomas H. Hickey to be postmaster at Williamsburg, Ky., in place of E. F. Davis, removed.

LOUISIANA

Howard G. Allen to be postmaster at Dubach, La., in place of H. G. Allen. Incumbent's commission expires January 15, 1931.

Edward J. Sowar to be postmaster at Norwood, La., in place of E. J. Sowar. Incumbent's commission expires January 15, 1931.

Leslie M. Hill to be postmaster at Pitkin, La. Office became presidential July 1, 1930.

Alexander E. Harding to be postmaster at Slidell, La., in place of A. E. Harding. Incumbent's commission expires January 28, 1931.

Myrtle K. Abell to be postmaster at Welsh, La., in place of M. K. Abell. Incumbent's commission expires January 28, 1931.

MAINE

Wilford E. Slater to be postmaster at Dexter, Me., in place of A. R. Page, resigned.

Cecil E. Sadler to be postmaster at Limerick, Me., in place of C. E. Sadler. Incumbent's commission expires January 17, 1931.

Jessie E. Nottage to be postmaster at Solon, Me., in place of J. E. Nottage. Incumbent's commission expired January 6, 1931.

Harry M. Robinson to be postmaster at Warren, Me., in place of H. M. Robinson. Incumbent's commission expired January 6, 1931.

MARYLAND

H. Vincent Flook to be postmaster at Boonsboro, Md., in place of H. V. Flook. Incumbent's commission expires January 21, 1931.

William L. Whittington to be postmaster at Crisfield, Md., in place of W. L. Whittington. Incumbent's commission expires January 22, 1931.

George M. Evans to be postmaster at Elkton, Md., in place of G. M. Evans. Incumbent's commission expires January 21, 1931.

Charles M. Jones to be postmaster at Rockville, Md., in place of W. B. Burdette, deceased.

Howard J. Fehl to be postmaster at Smithsburg, Md., in place of H. J. Fehl. Incumbent's commission expired January 10, 1931.

Ethel V. Van Fossen to be postmaster at Walkersville, Md., in place of E. V. Van Fossen. Incumbent's commission expired January 10, 1931.

Henry J. Norris to be postmaster at Whiteford, Md. Office became presidential July 1, 1930.

MASSACHUSETTS

John C. Angus to be postmaster at Andover, Mass., in place of J. C. Angus. Incumbent's commission expires January 29, 1931.

Joseph E. Herrick to be postmaster at Beverly, Mass., in place of J. E. Herrick. Incumbent's commission expires January 18, 1931.

John B. Rose to be postmaster at Chester, Mass., in place of J. B. Rose. Incumbent's commission expired January 10, 1931.

Charles E. Goodhue to be postmaster at Ipswich, Mass., in place of C. E. Goodhue. Incumbent's commission expires January 18, 1931.

John H. Baker to be postmaster at Marlboro, Mass., in place of J. H. Baker. Incumbent's commission expires January 18, 1931.

William Stockwell to be postmaster at Maynard, Mass., in place of William Stockwell. Incumbent's commission expired January 10, 1931.

Robert M. Lowe to be postmaster at Rockport, Mass., in place of R. M. Lowe. Incumbent's commission expires January 29, 1931.

Albert Pierce to be postmaster at Salem, Mass., in place of Albert Pierce. Incumbent's commission expires January 18, 1931.

Elizabeth M. Pendergast to be postmaster at West Acton, Mass., in place of E. M. Pendergast. Incumbent's commission expires January 29, 1931.

James F. Healy to be postmaster at Worcester, Mass., in place of J. F. Healy. Incumbent's commission expires January 29, 1931.

MICHIGAN

Adam B. Greenawalt to be postmaster at Cassopolis, Mich., in place of A. B. Greenawalt. Incumbent's commission expired January 7, 1931.

Bert A. Dickerson to be postmaster at Constantine, Mich., in place of B. A. Dickerson. Incumbent's commission expired January 7, 1931.

Henry Bristow to be postmaster at Flat Rock, Mich., in place of Henry Bristow. Incumbent's commission expires January 29, 1931.

Henry F. Voelker to be postmaster at Ionia, Mich., in place of H. F. Voelker. Incumbent's commission expired December 14, 1930.

Etta R. DeMotte to be postmaster at Memphis, Mich., in place of E. R. DeMotte. Incumbent's commission expired December 21, 1930.

Ira J. Stephens to be postmaster at Mendon, Mich., in place of I. J. Stephens. Incumbent's commission expires January 18, 1931.

Ida L. Sherman to be postmaster at Pullman, Mich., in place of I. L. Sherman. Incumbent's commission expires January 14, 1931.

MINNESOTA

Anthony C. Klee to be postmaster at Aitkin, Minn., in place of A. C. Klee. Incumbent's commission expired January 10, 1931.

Nelse Monson to be postmaster at Belview, Minn., in place of Nelse Monson. Incumbent's commission expires January 15, 1931.

Bertha Finch to be postmaster at Butterfield, Minn., in place of Bertha Finch. Incumbent's commission expires January 15, 1931.

Fred G. Fratzke to be postmaster at Janesville, Minn., in place of F. G. Fratzke. Incumbent's commission expired January 10, 1931.

Kenneth S. Keller to be postmaster at Kasson, Minn., in place of K. S. Keller. Incumbent's commission expires January 15, 1931.

Charles F. Wolfe to be postmaster at Kellogg, Minn., in place of C. F. Wolfe. Incumbent's commission expired January 10, 1931.

George M. Tronsrue to be postmaster at Long Prairie, Minn., in place of A. D. Day. Incumbent's commission expired March 11, 1930.

Louis A. Muckelberg to be postmaster at Millville, Minn., in place of L. A. Muckelberg. Incumbent's commission expired December 17, 1930.

Edward F. Koehler to be postmaster at Mound, Minn., in place of E. F. Koehler. Incumbent's commission expired December 18, 1929.

Walter Peltoniemi to be postmaster at New York Mills, Minn., in place of Walter Peltoniemi. Incumbent's commission expired January 10, 1931.

Floyd H. McCrory to be postmaster at Rockford, Minn., in place of F. H. McCrory. Incumbent's commission expires January 15, 1931.

Jonas W. Howe to be postmaster at Stewartville, Minn., in place of J. W. Howe. Incumbent's commission expires January 15, 1931.

MISSISSIPPI

Ella H. Byrd to be postmaster at Parchman, Miss. Office became presidential July 1, 1930.

MISSOURI

Melvin J. Kelley to be postmaster at Annapolis, Mo., in place of M. J. Kelley. Incumbent's commission expires January 15, 1931.

Howard H. Morse to be postmaster at Excelsior Springs, Mo., in place of E. S. Swafford. Incumbent's commission expired December 11, 1930.

Frank A. Stiles to be postmaster at Rockport, Mo., in place of F. A. Stiles. Incumbent's commission expires January 15, 1931.

William H. Roster to be postmaster at St. James, Mo., in place of W. H. Roster. Incumbent's commission expires January 15, 1931.

Emanuel S. Lawbaugh to be postmaster at St. Marys, Mo., in place of E. S. Lawbaugh. Incumbent's commission expires January 14, 1931.

MONTANA

Edwin Grafton to be postmaster at Billings, Mont., in place of Edwin Grafton. Incumbent's commission expires January 15, 1931.

Robert H. Michaels to be postmaster at Miles City, Mont., in place of R. H. Michaels. Incumbent's commission expires January 15, 1931.

NEBRASKA

Earl S. Murray to be postmaster at Bloomington, Nebr., in place of E. S. Murray. Incumbent's commission expires January 15, 1931.

William H. Willis to be postmaster at Bridgeport, Nebr., in place of W. H. Willis. Incumbent's commission expired July 2, 1930.

George T. Tunnicliff to be postmaster at Burwell, Nebr., in place of L. J. Hummel, removed.

Kathrene Patrick to be postmaster at Ericson, Nebr., in place of Kathrene Patrick. Incumbent's commission expired January 10, 1931.

Thomas Pierson to be postmaster at Overton, Nebr., in place of J. A. Schleef, deceased.

Roscoe Buck to be postmaster at Springview, Nebr., in place of Roscoe Buck. Incumbent's commission expires January 28, 1931.

NEW HAMPSHIRE

Lena K. Smith to be postmaster at Lancaster, N. H., in place of L. K. Smith. Incumbent's commission expired January 6, 1931.

NEW JERSEY

Benjamin Elwell to be postmaster at Bridgeton, N. J., in place of R. G. Riggins, resigned.

Ada E. Holmes to be postmaster at Sayreville, N. J., in place of A. E. Holmes. Incumbent's commission expired January 10, 1931.

NEW MEXICO

Maude W. Lenfestey to be postmaster at Aztec, N. Mex., in place of M. W. Lenfestey. Incumbent's commission expired January 11, 1931.

Cassius G. Mason to be postmaster at Hagerman, N. Mex., in place of C. G. Mason. Incumbent's commission expired June 21, 1930.

NEW YORK

George W. Unger, sr., to be postmaster at Atlanta, N. Y., in place of A. C. Stanton, deceased.

Wright B. Drumm to be postmaster at Chatham, N. Y., in place of W. B. Drumm. Incumbent's commission expired January 6, 1931.

Wilbur S. Oles to be postmaster at Delhi, N. Y., in place of W. S. Oles. Incumbent's commission expired January 6, 1931.

John L. Mahalish to be postmaster at Hillburn, N. Y., in place of J. L. Mahalish. Incumbent's commission expired January 6, 1931.

William D. Walling to be postmaster at Hudson Falls, N. Y., in place of W. D. Walling. Incumbent's commission expired January 10, 1931.

John R. Baldwin to be postmaster at Livingston Manor, N. Y., in place of J. R. Baldwin. Incumbent's commission expired January 6, 1931.

Franklin H. Sheldon to be postmaster at Middleport, N. Y., in place of F. H. Sheldon. Incumbent's commission expired January 6, 1931.

Scott E. Gage to be postmaster at Morris, N. Y., in place of S. E. Gage. Incumbent's commission expired January 6, 1931.

Raymond M. Darling to be postmaster at Northport, N. Y., in place of R. M. Darling. Incumbent's commission expired December 11, 1930.

Charles W. Nash to be postmaster at Point O'Woods, N. Y. Office became presidential July 1, 1930.

William Sanford to be postmaster at Savona, N. Y., in place of William Sanford. Incumbent's commission expired January 6, 1931.

George F. Hendricks to be postmaster at Sodus, N. Y., in place of G. F. Hendricks. Incumbent's commission expired January 6, 1931.

George Anderson to be postmaster at Thornwood, N. Y., in place of George Anderson. Incumbent's commission expired January 10, 1931.

Clarence R. Stone to be postmaster at Valley Cottage, N. Y., in place of C. R. Stone. Incumbent's commission expired December 11, 1930.

Arthur F. Crandall to be postmaster at Wappingers Falls, N. Y., in place of A. F. Crandall. Incumbent's commission expired January 6, 1931.

Gertrude M. Ackert to be postmaster at West Park, N. Y., in place of G. M. Ackert. Incumbent's commission expired December 11, 1930.

NORTH CAROLINA

George M. Baker to be postmaster at Bakersville, N. C., in place of M. L. Wilson, resigned.

James E. Correll to be postmaster at China Grove, N. C., in place of J. E. Correll. Incumbent's commission expired January 10, 1931.

Walter G. Petree to be postmaster at Danbury, N. C. Office became presidential July 1, 1930.

Mrs. Ezra Wyatt to be postmaster at Hobgood, N. C., in place of Mrs. Ezra Wyatt. Incumbent's commission expires January 15, 1931.

Otis P. Brower to be postmaster at Liberty, N. C., in place of O. P. Brower. Incumbent's commission expired January 10, 1931.

Sion D. Johnson to be postmaster at Pittsboro, N. C., in place of S. D. Johnson. Incumbent's commission expired June 28, 1930.

David Smith to be postmaster at Whiteville, N. C., in place of David Smith. Incumbent's commission expired January 10, 1931.

NORTH DAKOTA

Frank W. Lovestrom to be postmaster at Adams, N. Dak., in place of F. W. Lovestrom. Incumbent's commission expired December 10, 1930.

Ollie M. Burgum to be postmaster at Arthur, N. Dak., in place of O. M. Burgum. Incumbent's commission expired December 17, 1930.

Maude I. Burbeck to be postmaster at Cathay, N. Dak., in place of C. C. Bohrer, resigned.

Ben Amundson to be postmaster at Coleharbor, N. Dak., in place of J. W. Vogel, resigned.

August M. Bruschwein to be postmaster at Driscoll, N. Dak., in place of A. M. Bruschwein. Incumbent's commission expired December 16, 1930.

Harry M. Pippin to be postmaster at Halliday, N. Dak., in place of H. M. Pippin. Incumbent's commission expired January 6, 1931.

David J. Holt to be postmaster at La Moure, N. Dak., in place of D. J. Holt. Incumbent's commission expired December 16, 1930.

George T. Elliott to be postmaster at Leonard, N. Dak., in place of G. T. Elliott. Incumbent's commission expired December 17, 1930.

John V. Kuhn to be postmaster at Richardton, N. Dak., in place of J. V. Kuhn. Incumbent's commission expired January 5, 1931.

Ida R. Green to be postmaster at Sanish, N. Dak., in place of J. P. Breslin, resigned.

Grace M. Anderson to be postmaster at Selfridge, N. Dak., in place of G. M. Anderson. Incumbent's commission expired January 6, 1931.

Minnie Alexander to be postmaster at Sherwood, N. Dak., in place of Minnie Alexander. Incumbent's commission expired January 6, 1931.

OHIO

Annie Turvey to be postmaster at Amsterdam, Ohio, in place of Annie Turvey. Incumbent's commission expired December 17, 1930.

Mabel T. Hunter to be postmaster at Avon Lake, Ohio, in place of V. T. Dunlap, resigned.

Herbert Newhard, sr., to be postmaster at Carey, Ohio, in place of Herbert Newhard, sr. Incumbent's commission expired January 10, 1931.

Howard B. Kurtz to be postmaster at Conneaut, Ohio, in place of H. B. Kurtz. Incumbent's commission expired January 10, 1931.

Maude H. Scott to be postmaster at Newcomerstown, Ohio, in place of C. L. Hartline, deceased.

John W. Mathias to be postmaster at New Philadelphia, Ohio, in place of T. S. Hephinger. Incumbent's commission expired March 16, 1930.

Arthur G. Williams to be postmaster at Perrysburg, Ohio, in place of A. G. Williams. Incumbent's commission expired January 10, 1931.

Fern G. Chase to be postmaster at Archbold, Ohio, in place of R. V. Chase, resigned.

OKLAHOMA

William J. Pattison to be postmaster at Collinsville, Okla., in place of B. H. Buchanan, deceased.

Lloyd D. Truitt to be postmaster at Helena, Okla., in place of L. D. Truitt. Incumbent's commission expires January 15, 1931.

Nellie E. Vincent to be postmaster at Mutual, Okla., in place of N. E. Vincent. Incumbent's commission expires January 15, 1931.

Warden F. Rollins to be postmaster at Noble, Okla., in place of W. F. Rollins. Incumbent's commission expired December 10, 1930.

OREGON

Adam H. Knight to be postmaster at Canby, Oreg., in place of A. H. Knight. Incumbent's commission expired January 10, 1931.

Annie S. Clifford to be postmaster at Molalla, Oreg., in place of A. S. Clifford. Incumbent's commission expired January 10, 1931.

PENNSYLVANIA

John D. Moll to be postmaster at Bernville, Pa., in place of J. D. Moll. Incumbent's commission expired April 10, 1928.

Henry Bourns to be postmaster at Ellsworth, Pa., in place of Henry Bourns. Incumbent's commission expired January 6, 1931.

Henry W. Redfoot to be postmaster at Fredonia, Pa., in place of H. W. Redfoot. Incumbent's commission expired December 11, 1930.

Herbert H. Park to be postmaster at Gibsonia, Pa., in place of H. H. Park. Incumbent's commission expired July 2, 1930.

Frank W. Lacey to be postmaster at Laceyville, Pa., in place of G. M. Johnson. Incumbent's commission expired March 7, 1928.

George Nuckid to be postmaster at Lyndora, Pa., in place of George Nuckid. Incumbent's commission expired January 4, 1931.

Samuel H. Bubb to be postmaster at McClure, Pa., in place of S. H. Bubb. Incumbent's commission expires January 15, 1931.

Augustus J. Cornely to be postmaster at Nanty Glo, Pa., in place of A. J. Cornely. Incumbent's commission expired January 21, 1930.

Foston W. Eicher to be postmaster at Portage, Pa., in place of F. W. Eicher. Incumbent's commission expired December 21, 1930.

Milton T. Stewart to be postmaster at Rockwood, Pa., in place of H. A. Miller, removed.

Milton H. Vanness to be postmaster at Rummerfield, Pa. Office became presidential July 1, 1930.

Frederick M. Adam to be postmaster at Temple, Pa., in place of F. M. Adam. Incumbent's commission expired January 10, 1931.

Sara B. Coulter to be postmaster at Wampum, Pa., in place of S. B. Coulter. Incumbent's commission expires January 15, 1931.

Nathaniel B. Klinedinst to be postmaster at York, Pa., in place of E. S. Brooks, resigned.

SOUTH DAKOTA

Charles H. Hess, jr., to be postmaster at Blunt, S. Dak., in place of C. H. Hess, jr. Incumbent's commission expired May 12, 1930.

Marcia Ford to be postmaster at Hill City, S. Dak., in place of Marcia Ford. Incumbent's commission expired December 17, 1930.

TENNESSEE

Alvin M. Stout to be postmaster at Greenfield, Tenn., in place of A. M. Stout. Incumbent's commission expires January 24, 1931.

Mattie S. Luther to be postmaster at Madisonville, Tenn., in place of M. S. Luther. Incumbent's commission expired December 20, 1930.

Robert O. Greene to be postmaster at Troy, Tenn., in place of R. O. Greene. Incumbent's commission expires January 24, 1931.

TEXAS

William A. Gatlin to be postmaster at Lakeview, Tex., in place of W. A. Gatlin. Incumbent's commission expired December 13, 1930.

Jason J. Moy to be postmaster at Sourlake, Tex., in place of J. J. Moy. Incumbent's commission expired December 11, 1930.

Hubert D. Boyd to be postmaster at Southland, Tex., in place of H. D. Boyd. Incumbent's commission expired January 10, 1931.

John B. Graham to be postmaster at Waxahachie, Tex., in place of W. G. McClain, removed.

UTAH

John E. Chadwick to be postmaster at American Fork, Utah, in place of J. E. Chadwick. Incumbent's commission expires January 21, 1931.

VERMONT

Frank E. Howe to be postmaster at Bennington, Vt., in place of F. E. Howe. Incumbent's commission expires January 15, 1931.

Lewis S. Richardson to be postmaster at Chester Depot, Vt., in place of L. S. Richardson. Incumbent's commission expires January 22, 1931.

Charles F. McKenna to be postmaster at Montpelier, Vt., in place of C. F. McKenna. Incumbent's commission expires January 22, 1931.

Orrin H. Jones to be postmaster at Wilmington, Vt., in place of O. H. Jones. Incumbent's commission expires January 15, 1931.

VIRGINIA

Haynie S. Robertson to be postmaster at Blackstone, Va., in place of H. S. Robertson. Incumbent's commission expired January 10, 1931.

William S. Sparrow to be postmaster at Onley, Va., in place of W. S. Sparrow. Incumbent's commission expires January 29, 1931.

Manley W. Carter to be postmaster at Orange, Va., in place of M. W. Carter. Incumbent's commission expires January 29, 1931.

Morgan B. Hobbs to be postmaster at Rose Hill, Va., in place of M. B. Hobbs. Incumbent's commission expires January 15, 1931.

Jacob H. Furr to be postmaster at Waynesboro, Va., in place of J. H. Furr. Incumbent's commission expires January 21, 1931.

WASHINGTON

Mabel M. Risedorph to be postmaster at Kent, Wash., in place of C. O. Merideth. Incumbent's commission expired June 8, 1930.

Robert E. Gordon to be postmaster at Silverdale, Wash. Office became presidential July 1, 1930.

WEST VIRGINIA

E. Chase Bare to be postmaster at Alderson, W. Va., in place of E. C. Bare. Incumbent's commission expires January 17, 1931.

Marye H. Cooper to be postmaster at Elbert, W. Va., in place of A. A. Drinkard, resigned.

Homer B. Lynch to be postmaster at Gormania, W. Va., in place of H. B. Lynch. Incumbent's commission expires January 22, 1931.

Claude W. Harris to be postmaster at Kimball, W. Va., in place of C. W. Harris. Incumbent's commission expires January 17, 1931.

Claude S. Randall to be postmaster at Shinnston, W. Va., in place of C. S. Randall. Incumbent's commission expired March 18, 1930.

Harry R. Adams to be postmaster at Spencer, W. Va., in place of H. R. Adams. Incumbent's commission expires January 25, 1931.

Curtis K. Stem to be postmaster at Weirton, W. Va., in place of C. K. Stem. Incumbent's commission expires January 17, 1931.

WISCONSIN

William W. Winchester to be postmaster at Amery, Wis., in place of W. W. Winchester. Incumbent's commission expires January 21, 1931.

Otto C. Nienas to be postmaster at Camp Douglas, Wis., in place of O. C. Nienas. Incumbent's commission expires January 14, 1931.

Grant E. Denison to be postmaster at Carrollville, Wis., in place of G. E. Denison. Incumbent's commission expires January 21, 1931.

Imogene Croghan to be postmaster at Cascade, Wis., in place of Imogene Croghan. Incumbent's commission expires January 14, 1931.

Edwin H. Jost to be postmaster at Cleveland, Wis., in place of E. H. Jost. Incumbent's commission expires January 14, 1931.

Clara M. Johnson to be postmaster at Ettrick, Wis., in place of C. M. Johnson. Incumbent's commission expires January 18, 1931.

Ferdinand A. Nierode to be postmaster at Grafton, Wis., in place of F. A. Nierode. Incumbent's commission expires January 22, 1931.

William Kotvis to be postmaster at Hillsboro, Wis., in place of William Kotvis. Incumbent's commission expires January 14, 1931.

Lewis M. Smith to be postmaster at Jefferson, Wis., in place of L. M. Smith. Incumbent's commission expires January 21, 1931.

Gilbert J. Grell to be postmaster at Johnson Creek, Wis., in place of G. J. Grell. Incumbent's commission expires January 21, 1931.

Charles R. Roskie to be postmaster at Montello, Wis., in place of C. R. Roskie. Incumbent's commission expires January 21, 1931.

George W. Taft to be postmaster at Necedah, Wis., in place of G. W. Taft. Incumbent's commission expires January 18, 1931.

Charles S. Brent to be postmaster at Oconomowoc, Wis., in place of C. S. Brent. Incumbent's commission expires January 14, 1931.

Orris O. Smith to be postmaster at Pardeeville, Wis., in place of O. O. Smith. Incumbent's commission expires January 21, 1931.

Henry F. Delles to be postmaster at Port Washington, Wis., in place of H. F. Delles. Incumbent's commission expires January 14, 1931.

Elmer E. Haight to be postmaster at Poynette, Wis., in place of E. E. Haight. Incumbent's commission expires January 22, 1931.

Emil Klentz to be postmaster at Reeseville, Wis., in place of Emil Klentz. Incumbent's commission expires January 21, 1931.

Cora L. Schultz to be postmaster at Rio, Wis., in place of C. L. Schultz. Incumbent's commission expires January 22, 1931.

Margaret E. Glassow to be postmaster at Schofield, Wis., in place of M. E. Glassow. Incumbent's commission expires January 18, 1931.

Hilary L. Haessly to be postmaster at Theresa, Wis., in place of H. L. Haessly. Incumbent's commission expires January 21, 1931.

Hall L. Brooks to be postmaster at Tomahawk, Wis., in place of H. L. Brooks. Incumbent's commission expires January 14, 1931.

Oscar C. Wertheimer to be postmaster at Watertown, Wis., in place of O. C. Wertheimer. Incumbent's commission expires January 21, 1931.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 13 (legislative day of January 5), 1931

MEMBERS OF THE UNITED STATES TARIFF COMMISSION

Edgar Bernard Brossard for the term expiring June 16, 1932.

Lincoln Dixon for the term expiring June 16, 1931.

EXAMINER IN CHIEF, UNITED STATES PATENT OFFICE

James Walter Clift to be examiner in chief, United States Patent Office.

UNITED STATES CIRCUIT JUDGES

Joseph C. Hutcheson, jr., to be United States circuit judge, fifth circuit.

Samuel H. Sibley to be United States circuit judge, fifth circuit.

CIRCUIT JUDGE, TERRITORY OF HAWAII

Daniel H. Case to be circuit judge, second circuit, Territory of Hawaii.

UNITED STATES DISTRICT JUDGES

Carroll C. Hincks to be United States district judge, district of Connecticut.

Randolph Bryant to be United States district judge, eastern district of Texas.

UNITED STATES ATTORNEY

Philip H. Mecom to be United States attorney, western district of Louisiana.

UNITED STATES MARSHAL

Francis M. McCain to be United States marshal, western district of Kentucky.

DISTRICT ATTORNEY OF THE CANAL ZONE

Joseph J. McGuigan to be district attorney of the Canal Zone.

POSTMASTERS

ALABAMA

Marion F. Boatwright, Ashville.
Levi A. Knapp, Auburn.
Harry C. Peterson, Robertsdale.
Albert N. Holland, Scottsboro.

ALASKA

Wilkie T. Pinkerton, Fairbanks.
Oren F. Hill, Hyder.
Elizabeth D. De Armond, Sitka.

ARIZONA

Edward J. Huxtable, Douglas.

COLORADO

David P. Saunders, Brush.
James G. Jardine, Frederick.
Olie Thorson, Glenwood Springs.
Frank L. Alexander, Ovid.

CONNECTICUT

Guy M. Bartlett, Andover.
Harry N. Prann, Centerbrook.
Irving S. Cook, Higganum.
Anthony Hansen, North Windham.
W. Frank Smith, Wallingford.

DELAWARE

Stanley S. Stevens, Delaware City.

IDAHO

Joseph S. Cooper, Carey.

INDIANA

Martha T. Dunn, Bargersville.
Benjamin F. Pitman, Bedford.
Donas E. Denny, Cloverdale.
Charles M. Woodfill, Greensburg.
John C. Hinshaw, Westfield.

KANSAS

Philip F. Grout, Almena.
Joseph B. Dick, Ellinwood.
Edmond Houdyshell, Pawnee Rock.

KENTUCKY

John G. Leak, Franklin.
Frank C. Wilson, Fredonia.
Harlan M. Hatfield, Glendale.
Della McDaniel, Horse Cave.
Nancy E. Sergent, Shonn.
John S. Jones, West Point.

MICHIGAN

Henry W. Boyle, Bark River.
Hiram L. Dawson, Ellsworth.
Helen B. Martin, Indian River.
Charles L. Meach, Lakeview.
Walter G. Rogers, Lansing.
Ada E. Gibbs, Mancelona.
Alberta Montpas, Powers.
Cameron E. Rose, Walled Lake.
William R. Bryce, Yale.

NEBRASKA

John C. Rollins, Indianola.
Iva V. Clampett, Naponee.
Elmer G. Watkins, Orleans.
George W. Harding, Ralston.
Mary E. McBeath, South Sioux City.

NEW HAMPSHIRE

Blanche B. Pineo, Center Ossipee.
Willard C. Fogg, Lincoln.

NEW YORK

Lewis H. Miller, Accord.
Ivan G. Howe, Belmont.
Henry Gibson, Cornwall.
Mildred E. Monroe, Croghan.
John G. Cochrane, Darien Center.
Hans C. Hansen, Fishers Island.
LeRoy Krom, High Falls.
R. D. Rider, Medford Station.
Charles W. Fletcher, Montour Falls.
George A. Gardner, Newfield.
Lawrence D. Carr, Petersburg.
John A. Page, Phelps.
William T. Binks, Rome.
John A. Maybee, St. James.
George B. Sample, Schaghticoke.
Dexter S. Slack, Speculator.
Burton A. Fradenburg, Standfordville.
Frank Davis, Stone Ridge.
Victor J. Banfield, Van Etten.
William S. Elwyn, Woodstock.

NORTH DAKOTA

Robert E. Hurly, Foreman.
Nels D. Nelson, Milnor.

OHIO

Ralph I. Wolf, Coolville.
Frank G. Winterringer, Hilliards.
James M. Leatherman, Hoytville.
Howard J. Swearingen, Kensington.
Frank R. Jackson, Nelsonville.
Joseph M. Collins, Springfield.
Dora D. Doughty, Walbridge.
Duane G. Keener, West Salem.

OREGON

Roy C. Hale, Echo.
Irwin D. Pike, Grass Valley.
Edward W. VanHorn, North Portland.
Russell H. Sullens, Prairie City.

PENNSYLVANIA

Edward F. Poist, McSherrystown.

RHODE ISLAND

Mabel J. W. Carton, Little Compton.

TENNESSEE

Samuel N. Barr, Baxter.
Myrtle E. Hambright, Charleston.
John D. Taff, Dandridge.
John V. Allmon, Gleason.
Robert H. Thompson, Rockwood.
Marvie L. Tipton, Townsend.
Gaston H. Rhodes, Whiteville.

TEXAS

Joseph H. Wright, Byers.
John C. Gee, Call.
William F. Stuart, Canutillo.
William A. White, Cleveland.
Lillian W. White, Clint.
Jean Teel, Devine.
Carrie E. Netz, Edcouch.
Charles E. Hart, Fort Stockton.
Charles A. Duck, Greenville.
Sallie E. St. Jacque, Higgins.
Valcor G. Pringle, Jasper.
George Rice, Jayton.
William F. Moore, Kemp.
James W. McBee, Lavernia.
John L. Dillon, Leonard.
Charlie N. Hooser, Maypearl.
Arthur A. McNiel, Moody.
Joseph Wren, Normangee.
William T. Henderson, Odessa.
Douglas P. Rounds, Rio Hondo.
Fannie Stieber, Rocksprings.
Mary A. Haskell, Stockdale.
Burna H. Cain, Thrall.
Thomas D. Coupland, Winters.

UTAH

Arza C. Page, Payson.
Josephine H. Day, Woods Cross.

VIRGINIA

Denton T. Walthall, Alberta.
Charles E. Nash, Amonate.
Robert P. Dickenson, Dante.
E. Pearl Smith, Dublin.
John N. Coffman, Edinburg.
S. Clyde Bliss, Farmville.
Samuel G. Allen, Front Royal.
John W. Ketron, jr., Lebanon.
Mathew B. Hammitt, Pocahontas.
Robert S. Bowers, Timberville.
Roy M. Cleek, Warm Springs.

WEST VIRGINIA

Charles E. Davis, East Rainelle.
Nora V. Roberts, Glenville.
Homer Fogg, Lost Creek.
John W. Fortney, Lumberport.
Louis Knakal, Widen.

WYOMING

Mayme A. Jackson, Osage.
Thomas B. Wright, Riverton.
William O. Braley, Upton.

HOUSE OF REPRESENTATIVES

TUESDAY, JANUARY 13, 1931

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Direct us, O Lord God, to do that which befits us and to do it with cheerfulness and courage; thus by high endeavor we shall realize our best aspirations. Cleanse the very thoughts of our hearts, so that obedience to the laws of truth and justice shall not be just conformity to a healthy, patriotic devotion to the needs of our country. With Thee every weakness can be made strength and every hindrance an inspiration. Thy promises to us are so condescending, tender, and so merciful. They are as wide as humanity and as deep as sin and as true as the oath of the Almighty. Verify them unto us this day in the name of Christ, our Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

MINORITY VIEWS

Mr. TUCKER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing minority views which I submitted from the Committee on the Judiciary involving the doctrine of petty offenses.

Mr. RAMSEYER. Mr. Speaker, reserving the right to object, is this the filing of minority views or a request to have minority views printed in the RECORD?

Mr. TUCKER. This is a request to have this report printed in the RECORD.

Mr. RAMSEYER. Who signs the minority views?

Mr. TUCKER. They are signed by me and concurred in by the gentleman from New York [Mr. LAGUARDIA].

Mr. RAMSEYER. Just the two?

Mr. TUCKER. Yes.

Mr. RAMSEYER. I have no objection.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. TUCKER. Mr. Speaker, under the leave to extend my remarks in the RECORD, I submit the following minority views from the Committee on the Judiciary involving the doctrine of petty offenses:

[House Report No. 1699, part 2, Seventy-first Congress, second session]

TO AMEND SECTION 541 OF THE UNITED STATES CODE

Mr. TUCKER, from the Committee on the Judiciary, submitted the following minority views (to accompany H. R. 10341):

[Omit matter within brackets and insert the part printed in italic]

A bill to amend section 541 of the United States Code, being section 335 of the Criminal Code

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section [541 of the United States Code, being section] 335 of the Criminal Code [(March 4, 1909), chapter 321, paragraph 335; thirty-fifth Statutes, page 1152 [)], (*sec. 541, title 18, U. S. C.*) be amended to read as follows:

"'All offenses which may be punished by death or imprisonment for a term exceeding one year shall be deemed felonies. All other offenses shall be deemed misdemeanors: *Provided,* That all offenses [not involving moral turpitude,] the penalty for which does not exceed confinement in a common jail, without hard labor for a period of six months, or a fine of not more than $500, or both, shall be deemed to be petty offenses; and all such petty offenses may be prosecuted [before the United States commissioner, as may now or hereafter be provided by law,] upon information or complaint.'

"Amend the title so as to read: 'A bill to amend section 355 of the Criminal Code'."

The object of this bill is most commendable, to relieve the burden upon the district courts of the United States in the trial of petty offenses under the prohibition law upon information or complaint. To relieve the court of these burdens and the intricacies involved, of indictments, grand juries, etc., is much to be desired, and I heartily agree with the object of the bill.

The defect in the bill, to my mind, is its definition of a petty offense. Surely to the ordinary man or woman in the country a fine of $500 and imprisonment in jail for 6 months can not be regarded as "petty," and this may be the punishment under this bill for one who sells a drink or transports it to a friend.

What constitutes a petty offense? Is it determined entirely by the nature of the offense? Is it dependent alone upon the act of Congress in declaring that such and such a thing is a petty offense? How is its pettiness determined? How ought it be determined? We think the petty offense must be determined by two conditions, (1) the nature and character of the offense, and (2) by the punishment which the conviction of such offense carries. If the violation of a town ordinance that prohibits a man from crossing a street at a certain point carries with it a capital punishment can that be regarded as a petty offense? Can the name change the character of the offense any more than the devoted young wife awaiting day by day the coming of her first child, anxious to give him the name of his father, can change the girl baby that arrives to a boy baby by calling him John instead of Sallie? No, it is not the name; it is the character, the nature of the offense that determines, partly at least, whether it be petty or infamous, but if it is found under this rule that a trifling, petty offense in description carries with it later punishment in the penitentiary or jail, or any deprivation of liberty, the offense is changed at once from a petty offense to a criminal offense with the emphasis upon its criminality. In other words, the nature and character of the offense and the punishment must together determine the grade of the offense.

Judge Brewer, in Schick *v.* United States, supra (195 U. S. 68), well states the doctrine:

"The truth is, the nature of the offense and the amount of punishment prescribed rather than its place in the statutes determine whether it is to be classed among serious or petty offenses, whether among crimes or misdemeanors."

In this bill the petty offenses are described as those that may be punished by a fine of $500 or confinement in jail for six months, or both. How can such punishment in the bill accord with the declaration that these offenses are petty? The boy at the dance, or the girl at the dance, that is caught with a thimble of whisky on them may go to jail for six months and be required to pay a fine of $500. The farmer who may take a tablespoonful of whisky or brandy to a dying neighbor may be put in jail for six months, serving from April to October, and pay a fine of $500; will he rejoice with untold joy as he rests in jail from seedtime to harvest when told by his counsel not to fret for he was convicted only of a petty offense? To make the punishment under this bill suitable to the offenses charged there should be no imprisonment in the punishment, and this is more clearly seen from the fact that these petty offenses, which are recognized by our Government, at common law, were tried without a jury because not regarded as crimes; but where the punishment results in imprisonment in the penitentiary or jail under our American system it can not be claimed the offense is petty. Judge Harlan in Schick *v.* United States (195 U. S. 95), states the doctrine finely:

"And, perhaps, all will agree that the constitutional injunction [the trial of all crimes, except cases of impeachment, shall be by jury, Art. III sec. 2] applies with like force to such misdemeanors as by statute are punishable with imprisonment, and that a circuit or district court of the United States is without jurisdiction, under a plea of not guilty, no jury being impaneled, to try any crime against the United States involving life or liberty. The consent of the accused in such a case certainly can not confer upon the court authority to try the crime in a mode inconsistent with the one prescribed by the law."

How can any offense be deemed petty that may deprive a man of his liberty for six months by imprisonment in jail, even a common jail? No time in jail is needed to make the offense infamous, for the clank of the jail door as it closes upon him is enough to make a man of right feeling realize that such an offense means infamy. The nature of the offense and the punishment provided must be properly correlated; there is a natural interdependence between the two that can not be disregarded. To the ordinary man there is nothing small (petty) about a fine of $500, nor can he be deprived of his liberty for 6 months and be consoled by the assurance that if his offense had not been "petty" he might have had 12 months in the penitentiary. No "petty offense" should be punished by imprisonment.

HENRY ST. GEORGE TUCKER.

I concur in above conclusions.

F. H. LAGUARDIA.

ORDER OF BUSINESS

Mr. GARNER. Mr. Speaker, I would like an opportunity, if I may, to query the gentleman from Connecticut [Mr. TILSON] concerning a report in the newspaper this morning, and in order that I may be accurate I will read it:

After a day of long, heated debate, Republican Leader TILSON charged, off the floor, that the Democrats were conducting an adroit filibuster, cleverly concealed, against the bill.

Now, Mr. Speaker, I want to ask the gentleman if he made that statement.

Mr. TILSON. Oh, I may have made some such remark in the corridors of the Capitol somewhere. I do not recall now.

Mr. GARNER. Well, was there any basis of fact for that statement?

Mr. TILSON. I thought the filibuster was rather cleverly conducted. [Laughter.]

Mr. GARNER. Mr. Speaker, I do not think it is fair to this side of the House, and I do not think there is a single

Member on that side of the House who believes it is fair, for the majority leader to give an interview to the Associated Press to the effect that there was a concealed filibuster in the House of Representatives on yesterday by the Democratic organization.

Mr. TILSON. Oh, I gave no interview.

Mr. GARNER. Or by any Democrat. I want the gentleman from Connecticut to name the Democrats that conducted a filibuster on yesterday. If I recall correctly, Mr. Speaker, and I have been here quite a little while, there were two Democrats who took a prominent part yesterday. One of them was the gentleman from Mississippi [Mr. BUSBY], who, I think, was conducting a conscientious opposition to the bill and I could not see a thing in the nature of a filibuster; and the other was my colleague from Texas [Mr. LANHAM], who was doing his best to promote the passage of that bill.

Mr. TILSON. I thoroughly agree with the last statement.

Mr. GARNER. Outside of these two gentlemen I do not know anything about any kind of attempt to take up the time of the House. If it constitutes a filibuster for the gentleman from Mississippi [Mr. BUSBY] to oppose the bill as he did yesterday, or if it constitutes a filibuster for the gentleman from Texas [Mr. LANHAM] to try to promote the legislation, then we certainly had a filibuster; otherwise, I say the statement had not any basis in fact, in my opinion.

Mr. TILSON. Mr. Speaker, if the gentleman will refresh his memory, or if he will look at the RECORD this morning, although I have not examined it, I am sure he will find that the point of no quorum was made over and over again by a gentleman on his side when, upon a count by the Chair, it was proved there was no ground whatever for making such point. Is not this the fact?

Mr. GARNER. That was not made against this bill. That was made by one individual on this side of the House because the gentleman refused him consent to address the House.

Mr. TILSON. It was made while this bill was pending.

Mr. BUSBY. I would like to say to the gentleman from Connecticut [Mr. TILSON], since I took a prominent part in offering reasons why changes should be made in the bill, that the whip on the Republican side of the House, the gentleman from Indiana [Mr. VESTAL], the chairman of the committee who had charge of the bill, kept the Republicans on the floor all the time by telephoning their offices, and I made no attempt at all to keep the Democrats on the floor, and no Democrat, so far as I know, but myself, who was opposing the bill took any part in it.

I think it is a rank injustice to me to make this allegation and send it out through the Associated Press, and I want to assure the gentleman there is no foundation of fact or semblance of foundation of fact for any such statement by the majority leader.

Mr. TILSON. If the gentleman will yield a moment, I had no idea of impugning the gentleman's motives in his opposition to the bill; but his own statement now to the effect that the whip on the Republican side had to busy himself all day to keep the Republican Members on the floor in order to maintain a quorum proves my contention. The gentleman himself admits that he made no effort whatever to keep the minority Members here to do their part in furnishing a quorum.

Mr. BUSBY. That is no admission at all.

Mr. TILSON. It is an important admission.

Mr. BUSBY. The trouble about it is, this bill was rammed through yesterday by propaganda without rhyme or reason, and that is the only thing there is to it.

Mr. LaGUARDIA. If the gentleman will permit, there was as much propaganda from the slot-machine people and the mechanical-reproduction people as from any other source.

Mr. BUSBY. I have only asked for appropriate time on that or any other measure to present proper amendments for the consideration of the House, and there was no action of mine yesterday that suggested a filibuster.

Mr. TILSON. I think the facts in regard to the presence of a quorum alone fully justify all that I said. [Applause.]

Mr. BUSBY. They do not justify any statement of the kind sent out yesterday by the majority leader, the gentleman from Connecticut.

DISBURSEMENTS FOR VETERANS AND THEIR DEPENDENTS FISCAL YEAR 1930

Mr. CLARKE of New York. Mr. Speaker, I ask unanimous consent to insert in the RECORD a copy of a letter from General Hines, Administrator of Veterans' Affairs, addressed to me, containing useful and instructive information.

Mr. CRAMTON. Will the gentleman yield?

Mr. CLARKE of New York. Certainly.

Mr. CRAMTON. Does the letter give any explanation of the tremendous and unprecedented delays that are now occurring in all branches of the former Bureau of Pensions?

Mr. CLARKE of New York. Unfortunately, not; but it does give information regarding expenditures for the last year in the Veterans' Bureau and the Pension Bureau in detailed form such as I think the Members have never had before.

Mr. CRAMTON. Some of us would be very much interested in finding out what the real reason is for delay.

The SPEAKER. Is there objection?

There was no objection.

Mr. CLARKE of New York. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following letter received by me from General Hines, Administrator of Veterans' Affairs:

JANUARY 12, 1931.

Hon. JOHN D. CLARKE,
House of Representatives, Washington, D. C.

DEAR SIR: In reply to your letter of January 2, 1931, requesting information regarding disbursements made by the United States Government for soldiers, dependents, care, hospitalization, etc., you are advised that the disbursements made during the fiscal year 1930 are as follows:

1. Disbursements made by the United States Veterans' Bureau:

Compensation	$199,229,268.09
Insurance—	
Term	122,768,894.22
United States Government life (paid from premiums received from ex-service men)	24,677,347.60
Adjusted-service certificates (matured by death of veterans)	20,131,368.75
Adjusted service and dependent pay	3,130,214.35
Medical and hospital services	32,185,206.37
Hospital facilities and services (construction)	8,241,384.73
Administrative (includes printing and binding)	41,739,295.59
Miscellaneous	47,642.47
Total	452,150,622.17

The above disbursements are for the administration and relief of the ex-service men of the World War, with the exception of the hospitalization of veterans of other wars as authorized in section 202, paragraph 10, of the World War veterans' act.

2. Disbursements made by the Pension Bureau for soldiers:

Administrative	$1,272,203.23
Medical examinations	328,502.10
Field investigations	143,187.66
Pensions for veterans and dependents of Civil War and Spanish-American War	209,535,654.67
All other wars, including Regular Establishment	9,667,886.15
Total	220,947,433.81

In addition to the disbursements made by the United States Veterans' Bureau for medical and hospital services and hospital facilities, the following has been disbursed by the Bureau of National Homes for the care and hospitalization of veterans:

Operation and maintenance	$10,790,974.14
Construction	1,600,021.56
Aid to States	524,728.00
Total	12,915,723.70

Very truly yours,

FRANK T. HINES, *Administrator.*

ADDRESS BY HON. SAMUEL B. PETTENGILL, OF INDIANA

Mr. BYRNS. Mr. Speaker, I ask unanimous consent to extend my remarks by printing in the RECORD a radio ad-

dress delivered by Hon. Samuel B. Pettengill, a Member elect from the State of Indiana, on the 6th of October last.

The SPEAKER. Is there objection?

There was no objection.

The address is as follows:

WHERE WOULD LINCOLN STAND TO-DAY?

We wage this contest without apology for the average man and the average woman living in the average American home. The time has come to again consider the case of the average man, the producer of property, rather than property itself. As Lincoln said in 1859, "We are for both the man and the dollar; but in case of conflict the man before the dollar." Both should be treated fairly, but there must be a just balance struck between them. We submit that during the past decade the Government at Washington has been more concerned with the rights of property than with the rights of man; too much dominated by the North Atlantic seaboard, too little concerned with the dwellers beyond the Alleghenies.

There is here no slightest hostility to wealth, honestly acquired. It is, in fact, in defense of property that I speak, for property is safe only when sufficient goes into the wage envelope and the farmer's wallet to buy the products of field and factory. The greatest good for all is the greatest good for one.

A political campaign, my friends, is in the nature of a joint debate. In fact, it would be a great thing for politics if it were actually a joint debate, the opposing spokesman appearing on the same platform at the same time before the same audience. It would be an enormous gain, if we could somehow deflate politics, if we could bring the bubbles of bunk in contact with the sharp point of an honest question that must be answered then and there in front of the audience. The greatest individual contest for a seat in Congress in American history was the Lincoln-Douglas joint debate of 1858. In the few weeks it lasted it did more to clarify the mind of America upon the great issue of slavery than the millions of words which had been said previously. If politicians were more interested in clarifying the thought of the public than in obscuring it they would welcome the joint debate to-day.

The last great liberal movement in America began, my friends, as a protest against the Payne-Aldrich tariff of 1908 and carried through Wilson's first term. Then the attention of the Nation was diverted from domestic problems to the Armageddon overseas. At the end of the war we were weary of fighting either with swords or with pens. The American impulse was to find a job, liquidate our debts, salvage the war. All that the Republican national administration offered was a return to normalcy. It was a do-nothing decade.

Periodically a few promises were made, and periodically they went to political protest. Meantime, while the antitrust laws were gathering dust, enormous combinations, mergers, and chains were enveloping America. Immense fortunes were made; wealth concentrated in the hands of the few. The farmers were told to speak with a "small voice," and the wage earners, largely stimulated by the tremendous expansion of the automobile industry, were swept along in the parade. Billions of credit were placed at the disposal of speculators and the bulls went to market.

Warning voices were raised, but they were scoffed at in the highest places. The band played on. The party in power, drunk with self-esteem, promised an unending prosperity. Finally the crash came. We awoke from our dream. We awoke and found that nothing had been done by the party responsible for the Government to let the air from the bubble until it had burst in ruin over countless thousands of homes. We found that while the bulls were going to market the cows were going dry.

We are once more face to face with reality. We are at the beginning of a new decade. The forces of liberalism are once more at work. We are asking the Grand Old Party to tell us where is the full dinner pail. We are asking if Senator WATSON'S tariff speech, which he wrote 20 years ago, is applicable to the new position America now finds herself in as a great creditor and exporting nation. We are asking, finally, what the party in power proposes to do for the average man.

National and international readjustments are going to be made in the next decade, in the next quarter century, to keep pace with our industrial development. There are in the making new programs with which to direct this age of machinery. We must restore the American farm; stabilize prosperity; prevent unemployment by developing world trade; rebuild purchasing power on farm and factory; and we must do all these things, not in terms of party advantage for party's sake, but in terms of our entire destiny as a nation.

I would like to spend this evening talking things over with my Republican friends. I speak to those countless thousands of men and women who never expect to get, or desire to have, the spoils of office, but whose prime interest is and always will be in parties only as instrumentalities for promoting the common welfare. With them a political party is only a means to an end—not the end itself. These men and women I think of as Lincoln Republicans. With them principles are more important than labels, and country more precious than party.

I should like to demonstrate to them, if I can, that their principles are essentially the same as mine. To them I address this question: Where would Lincoln stand to-day? It is time—high time—that Republicans by principle and Democrats by conviction got together and made common cause against the common foe.

If the Republican Party had remained true to the teachings of its founders, there would be little need of a Democratic Party. It is only because the Republican Party has become the party of privilege that there is a real need for a party which is true to the traditions of the founders of both. Lincoln said: "I stand with anybody that stands right. I stand with him while he is right, and I part with him when he goes wrong." It is the one great benefit of the 2-party system in this country that when one party has ceased to stand for the general welfare the independent members of that party are not helpless, but have it in their power to put an end to that misrepresentation by turning to the opposition. It is the independent voter, not the extreme partisan, for whose suffrage all political campaigns are waged. It is he or she who really controls the destiny of this Nation. And I regard it as a good omen in the sky that more and more men and women refuse to worship a label, but stand for men and principles. I regard that tendency as due in large part to the extension of suffrage to women. They are individualists. They refuse to stand hitched. To that extent it is in their power to supply the vital, purifying agency behind government.

When the Republican Party was first organized in 1856 it was composed in large part of free-soil Democrats—men who left their party because they believed it had become dominated by an oligarchy committed to the extension of slavery.

The battle cry of the Republican Party in its first campaign was "Free land, free men, and Frémont." It took its name "Republican" from the name by which the Democratic Party was known when Jefferson, Madison, and Monroe won their great victories. One of its distinguished founders said at the time:

"There is not a plank in our platform which does not conform to the principles of Jefferson, the man who, of all others, has ever been regarded as the true representative of the Republican Party of this country. * * * We stand, sir, upon his doctrines and we fight for his principles. We are coming to take possession of this Government, to administer it for the whole country, and shall suffer monopolists neither of the North or South to control its administration and so shape its action as to subserve the interests of the aristocratic few."

This clear statement of Democratic principles made by a Republican in 1856 was sufficient justification for thousands of Democrats to leave their party and join the party of Lincoln. It is a platform upon which sound Democrats and sound Republicans can both stand to-day, as they both stood then. It is the platform upon which I stand.

In public utterances Lincoln often extolled the principles of Jefferson. His immortal Gettysburg Address is shot through with the living fire of democracy. When he breathed the hope that "these dead shall not have died in vain," and that "government of the people, for the people, and by the people shall not perish from the earth," he was simply restating in different words Jefferson's preamble of the Declaration of Independence. The principles for which Lincoln lived and died are essentially the same as those for which Jefferson and his fellow patriots in their day were glad to pledge "their lives, their fortunes, and their sacred honor."

Only a year before Lincoln's election, April 6, 1859, he said:

"Soberly, it is now no child's play to save the principles of Jefferson from total overthrow in this Nation. The principles of Jefferson are the definitions and axioms of free society. And yet they are denied and evaded, with no small show of success. One calls them 'glittering generalities.' Another bluntly calls them 'self-evident lies.' * * * These expressions, differing in form, are identical in object and effect—the supplanting of the principles of free government and restoring those of classification and caste. * * * They are the vanguard, the miners and sappers of returning despotism. We must repulse them or they will subjugate us."

To-day, as in 1859, it is no "child's play to save the principles of Jefferson from total overthrow." These principles still remain the definitions and axioms of free society, but who among Republican leaders is trying to administer government "for the whole country"? Who, now, among Republican leaders is struggling against "monopoly"? Who is battling to save Government from "subservience to the interests of the aristocratic few"? Only a few insurgents out here in the West whose republicanism is now challenged, with unconscious irony, by the henchment of privilege. The Republican leaders are heretics. They have forsworn the faith of the fathers.

What are some of the principles of Jefferson which Lincoln held are the axioms of a free society?

First, a government that shall "restrain men from injuring one another" but "leave them otherwise free to regulate their pursuits of industry and shall not take from the mouth of labor the bread that it has earned." Until 1776 Jefferson had seen that man had been the victim of government in every country in the world. He thought that one of the best things that government could do was to get off men's backs. He foresaw the wonderful development of this country, its railroads, telegraph, telephone, automobiles, electrical machinery, labor-saving devices, its researches of science, its discoveries in the field of medicine, its art and architecture, all that has built our civilization, and knew that they could spring only from the initiative of the individual, not from the guidance of bureaucrats.

Second, "I believe," he said, "that the States can best govern over home concerns and the General Government over foreign ones. I wish, therefore, to see maintained that wholesome distribution of power established by the Constitution for the limitation of both, and never see all offices transported to Washington." State rights, not on account of jealous regard for the State as such, but because the States can "best govern." This sentiment

was reechoed only the other day by the Chief Justice of the United States Supreme Court. As our civilization grows in complexity it has become and will no doubt continue to become necessary to add to the powers of the General Government. The Interstate Commerce Commission, to fix the freight and passenger rates of interstate commerce, and the Federal Radio Board are examples. But, except in matters that pertain to the effective functioning of the National Government itself, such as the power to tax, it is my firm judgment that the expansion of Federal power should proceed on the general principle that it should supplement the rights and powers of the States, not supersede or supplant them. Whenever we depart from this principle we depart from the path of good government. As far as is humanly possible government should be close to those governed. Anyone who has ever had occasion to take up a tax matter with his township assessor and has also had to cross half the continent to take up an income-tax question with an unknown clerk at Washington, will appreciate the real value of maintaining that "wholesome distribution of power" which Jefferson speaks of.

As patriotism (that is, the false claim of patriotism) is the "last refuge of a scoundrel," so, using Lincoln's great name as a shibboleth, and in the shadows cast by his gigantic figure, the forces of privilege are at work. From Lincoln to Grundy the distance is as great as that between a "certain rich man" and Lazarus in the bosom of Abraham. Between them "there is a great gulf fixed." But when one goes from the grave at Monticello to the shrine at Springfield it is as if one were visiting the same God's acre where all his forebears sleep.

When the high tide of the Confederacy broke against the guns of Gettysburg and Lincoln knew that the Emancipation Proclamation was soon to be made good, did he think that the struggle for free government would end with the liberation of the slave? No. In a letter written a short time before his assassination he said:

"I see in the near future a crisis approaching that unnerves me and causes me to tremble for the safety of my country. As a result of the war corporations have been enthroned and an era of corruption in high places will follow. The money power of the country will endeavor to prolong its reign by working upon the prejudices of the people until all wealth is aggregated in a few hands and the Republic is destroyed. I feel at this moment more anxiety for the safety of my country than ever before, even in the midst of war. God grant that my suspicions may prove groundless."

Has his prophecy come true? "Corporations enthroned." Consider Grundy. "Corruption in government." It is not necessary to do more than mention it. "Wealth concentrated in the hands of the few." Turn to page 156 of the last World's Almanac and count the number of men in America who report incomes in excess of a million dollars a year. A generation ago a man whose estate had a gross worth of a million dollars was something of a phenomenon. To-day we have at least 500 men whose incomes each year are a million or more dollars. And then there are supermillionaires. The other day we read the statement of Mr. Gerard that 64 men control this Nation of 120,000,000 human beings.

As another leaf in the wind I call your attention to an article on Presidential Prosperity in Harpers Magazine for August. The author points out how the Government at Washington blew the bubble of stock-market speculation to the bursting point. Over and over again he gives the dates and quotes the words of Mr. Mellon, Secretary of the Treasury, for the inflation of paper values. Whenever doubt was expressed that the orgy of speculation had gone too far, that it was time to reef sail, Mr. Mellon would issue a statement that the foundations of business were sound, that interest rates would remain low, that brokers' loans were not too high. Even the silent man in the White House found his tongue and became articulate when it seemed necessary to give a boost to the bulls. I quote a few sentences from the article:

"The trouble with Mr. Mellon has been that he was a stock-market-minded financier and not a statesman. * * * The Chief Executive had voluntarily assumed the job of acting as wet nurse to a wild and unjustifiable speculation and had led the American people to take colossal risks." And then we see this sentence: "In a few months of the great bull market the Mellon family was reported by the New York Times to have made $300,000,000 by the rise in price of two of their stocks alone"—Aluminum and Gulf Oils.

My friends, I submit to you that it is a prostitution of government for the Secretary of the Treasury, or the President, to use the prestige of his great office to blow the bubbles of stock speculation and thus lead thousands of innocent people directly to their destruction, and indirectly, through the losses incurred, throw a wet blanket over the whole area of business and industry. We never saw such concern in Washington when farm values out here in the West were vanishing by the billions. No reassuring statements came from the White House at that time. I submit that it is not the business of Washington to be a tipster's bureau for stock gamblers.

So much for Lincoln's prophecy of the concentration of wealth and privilege seizing the reins of government. Where would he stand to-day if alive? Would he be with Grundy telling the American Congress that "the special interests I represent contributed so much to the last campaign fund I am here to collect the consideration," or would he be out on the stump speaking in behalf of the farmer, the wage earner, and the business man, who having faith in the promises made in his name, have heretofore voted the Republican ticket? As he abandoned the Whig Party in 1856, would he not repudiate Republican leadership to-day?

I propose, my friends, Democrat and Republican, to make this campaign upon the fundamental principles which actuated the lives of the founders of both great parties. Whether you turn to Jefferson's first inaugural or to Lincoln's words at Gettysburg; whether you call it "old fashioned democracy" or "old fashioned republicanism" is a matter of no importance to me. As Edmund Burke once said to the British Parliament, "I shall place my feet in the tracks of my forefathers where I can neither wander nor fall." These truths are old, but so is the Sermon on the Mount. "Equal rights for all, special privileges for none." What is that but the application in the field of government and politics of the words of the Galilean, "Do unto others as ye would that they should do unto you." These words seem sometimes threadbare. I hope they will always be so—threadbare because they are in daily use; because neither men nor nations can live without them.

I submit to your candid consideration, therefore, my Republican friends, that the crowd which now dictates the policies at Washington are not the followers of Lincoln. They are the political heirs of Alexander Hamilton. Hamilton boldly, and I suppose honestly, stood for government by the few and for the few. Fearful of the people, he would place the reins in the hands of the moneyed classes alone. He held that government must be in "strong hands," to use his words. He was the Andrew Mellon of his day. He spoke of the people as "a great beast." What kind of a beast he did not say. Possibly the Moses of New Hampshire knew—he speaks of us out here in the West as "wild jackasses." Lincoln believed in the common people, and said that "God must be very fond of them, for He made so many of them." On the other hand Hamilton believed that every effort of workingmen to improve their condition should be prosecuted as criminal conspiracy. Hamilton would make manufacturing the chief end of domestic policy. He had little sympathy for the man on the farm. He would not have believed in placing agriculture on an economic equality with industry. He was opposed to popular suffrage. He would permit only men of wealth to vote on election day. He did not believe that "governments derive their just powers from the consent of the governed." He would have repudiated Lincoln's burning words that no man is wise enough or good enough to govern another man without that man's consent. Hamilton stood for the State. Lincoln stood for the man. Hamilton stood for power. Lincoln stood for liberty. Hamilton believed in kings. He would have placed a crown on the head of Washington. If his ideas had prevailed, the present incumbent of the White House would be King Herbert the First—possibly the last.

Hamilton was the foe of Jefferson; Lincoln was the follower of Jefferson. Hamilton was an aristocrat. Lincoln was a democrat in the noblest sense of that great word. The Republican Party of to-day is republican in name only. It is the party of Hamilton; it is not the party of Lincoln.

My friends, we are all of us members of the same crew, on the same ship, sailing the same short voyage. And we of the Democratic faith hold that every man and every woman and every little child is entitled to his chance at happiness; to a few brief hours in the sun. Jefferson and Lincoln believed that every human soul is "very dear to God," and in the pursuit of happiness, stands equal, not only before the law, but before the lawmaker. They believed that the log cabin is the equal of the palace. They believed that the humblest man has an equal right with every other man to choose his governors, to have an equal voice in determining the conditions of life in which he shall toil for his daily bread.

They had not seen, and at the end of the World War we have not yet seen the muse of history point to a single nation that has long endured the enormous concentration of wealth and power in a few hands as the result of the favors of the Government. They held, and we hold, that the democratic State, which stands on a broad base like the pyramids, not on the apex of a favored class, is the only State where either property or man can hope to be safe. We protest, therefore, against the purchase of legislation with campaign contributions. We object to placing government upon the auction block.

And so to-night I ask you this question: Where would Lincoln, the son of the prairies, the child of Kentucky, the lad of Indiana, and the tall, gaunt man of Illinois—where would Lincoln stand to-day?

Let me remind you once more of his noble words, "I stand with anybody that stands right. I stand with him while he is right, and I part with him when he goes wrong."

LEAVE OF ABSENCE

Mr. MOORE of Virginia. Mr. Speaker, I ask unanimous consent for leave of absence for my colleague [Mr. BLAND], on account of illness.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. CROSSER. Mr. Speaker, I ask unanimous consent for leave of absence of the gentleman from Ohio [Mr. UNDERWOOD], on account of illness in his family.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The SPEAKER. The Chair desires to state to gentlemen that the proper way to ask leave of absence is by filing the written application at the desk. The Chair prefers that method.

VETERANS' RELIEF

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the veterans' relief, and to insert an analysis of the bills for veterans' relief made by the American Legion.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, at the request of the American Legion, and with the consent of the House, I am inserting below the Legion's analysis of the veterans' bill now pending before the Committee on World War Veterans' Affairs, and known as H. R. 15621, which was introduced by the chairman of the committee at the Legion's request.

I am particularly interested in subdivisions (c) and (e) of section 200, as outlined in this analysis, for the reason that they are among the chief provisions of my own bill, H. R. 15431, which I have introduced to try to correct some of the injustices of the bill hastily passed by the House last year. That bill placed the World War veterans on a much lower scale of pay than that accorded veterans of other wars with similar disabilities and left the widows and orphans out entirely. These injustices should be corrected without delay.

The American Legion's analysis of H. R. 15621, which is based upon resolutions adopted at the Boston convention last October, is as follows:

SEC. 5. (a) Prevents the Director of the Veterans' Bureau from denying home treatment to a disabled veteran who leaves a hospital against medical advice.

(b) Requires the director to rotate the members of the bureau's rating boards.

SEC. 19. (a) Allows court action on insurance claims based upon uncollected compensation at the time of the veteran's death or total permanent disability.

(b) Privilege of court action on insurance granted where director fails or refuses to act upon a claim within six months.

(c) Authority granted to confess judgment in insurance suits which the Government does not believe can be successfully defended.

SEC. 30. Permits the attorney of a veteran to have access to Government records concerning his client's insurance suit.

SEC. 200. (a) Restoration of conclusive presumption of soundness and presumption of service connection for insurance purposes as well as for compensation.

(b) Chronic and constitutional diseases presumed of service origin where developing prior to January 1, 1925.

(c) World War disability pension rates increased to Spanish-American War rates.

(d) Provision made for apportionment of disability allowance where veteran is living apart from his dependents.

(e) Pensions provided World War widows and orphans on same basis as now are provided for the widows and orphans of Spanish-American War veterans.

(f) Permanent total ratings for insurance purposes shall be used for disability allowance purposes without further medical examination.

SEC. 201. (Subdivision 2)—Compensation payments shall be resumed to a widow whose subsequent marriage has been dissolved by either death or divorce, not the result of her own misconduct.

SEC. 201. (Subdivision 6)—Time limit extended to July 2, 1941, in which a marriage may occur and make the widow eligible to compensation if otherwise entitled to it.

SEC. 202 (subdivision 1). Dependency of parents presumed to exist at age of 60.

SEC. 202 (subdivision 3). The same dependency allowances provided for permanently disabled veterans as now paid temporarily disabled veterans.

SEC. 202 (subdivision 4). Payments under the disability rating schedule made effective as of June 7, 1924 (date of enactment), instead of January 1, 1926.

SEC. 202 (subdivision 7). (a) Requiring the director to revert back to the general counsel's decisions in cases of statutory awards for arrested tuberculosis instead of accepting the Comptroller General's reversals of these.

(b) Temporary total disability rating granted for active tuberculosis.

SEC. 202 (subdivision 10). (a) Veterans suffering from disabilities which have not been connected with service, to use the bureau's out-patient facilities.

(b) Hospitalization of sick and disabled veterans is made mandatory upon the director, regardless of the service connection of the disability.

(c) Hospital allowances provided for the dependents of veterans, regardless of the service connection of the disability.

(d) Dental treatment and prosthetic appliances authorized to persons eligible to hospitalization on out-patient basis.

SEC. 205. Service connection shall not be broken after the death of a veteran.

SEC. 301. (a) Extension authorized for 5-year convertible Government term insurance policies.

(b) Extension of conversion date of war risk insurance policies from July 2, 1927, to July 2, 1932.

SEC. 304. Reinstatement of Government life insurance permitted any veteran suffering from service-connected disabilities who is not permanently and totally disabled.

SEC. 305. Revival of insurance permitted beneficiaries who have become permanently and totally disabled subsequent to July 2, 1927, on the same basis as those who became permanently and totally disabled prior to that date.

SEC. 312. Substandard insurance policies provided for disabled veterans where not permanently and totally disabled.

SEC. 500. (a) Where the recovery under an insurance suit is $5,000 or less the attorney for the successful party may be awarded a fee of 15 per cent.

(b) In an appeal on an insurance suit an additional 5 per cent may be allowed for legal services on behalf of the plaintiff.

(c) Insurance judgments shall allow 6 per cent on payments in arrears.

(d) In a successful insurance suit the costs shall be assessed against the Government.

THE COPYRIGHT LAW

The SPEAKER. When the House adjourned yesterday the previous question was ordered on the House bill 12549. Separate votes had been asked on two amendments. The other amendments were agreed to. The Clerk will report the first amendment.

The Clerk read as follows:

Substitute amendment offered by Mr. BUSBY: Page 3, line 23, after the word "purposes," strike out the period and insert a colon and the following words: "*Provided*, The reproduction or rendition of a musical composition by or upon a coin-operated machine, or on parts of instruments serving to reproduce mechanically the musical work, shall not be deemed a public performance for profit unless a fee is charged for admission to the place where such reproduction or rendition occurs."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. STAFFORD) there were—45 ayes and 115 noes.

Mr. BUSBY. Mr. Speaker, I object to the vote on the ground that there is no quorum present.

The SPEAKER. The gentleman makes the point that no quorum is present. The Chair will count. [After counting.] Two hundred and fifty-five Members present, a quorum.

Mr. BUSBY. Mr. Speaker, I ask for the yeas and nays.

The question of ordering the yeas and nays was taken; 15 Members rose, not a sufficient number, and the yeas and nays were refused.

So the amendment was rejected.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 4, end of the amendment, after the word following line 13, insert the following: "It shall be unlawful for any copyright owner to contract, combine, or conspire with any other copyright owner or owners, either directly or through any agent or agents, to fix a price or royalty rate for the use of any copyrighted work upon parts of instruments serving to reproduce the same mechanically, and any such act shall be a complete defense to any suit, action, or proceeding for any infringement of any copyright of such copyright owner."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. BUSBY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BUSBY. I would like to inquire in regard to the status of the bill. The gentleman from Indiana spoke of an amendment he proposed to change the effective date of the bill from July to June. I would like to know if that amendment has been adopted?

Mr. CHINDBLOM. Let me suggest that there could be unanimous consent to instruct the engrossing clerk to make that change. There are many features of legislation in the



bill with which I am not in accord, but I am willing to get the bill in the shape that the gentleman wants it.

Mr. VESTAL. Through inadvertence in offering the amendment the word "July" instead of "June" was used. I ask unanimous consent that the effective date may be June instead of July.

The SPEAKER. The gentleman from Indiana asks unanimous consent to change the date from July to June. Is there objection?

Mr. BUSBY. Under the circumstances I object.

Mr. STAFFORD. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. STAFFORD. Most assuredly.

The Clerk read as follows:

Mr. STAFFORD moves to recommit the bill to the Committee on Patents with instructions to report the same back to the House forthwith with the following amendment:

Strike out all of section 12 down to the proviso on page 13, line 1, and insert in lieu thereof the following:

"The term for which copyright is secured by this act shall be for the life of the author, and if he dies within 50 years from the date of completion of the creation of the work, then thereafter for a period of time equal to a term of 50 years from said date of completion, except that where the author is not an individual the term shall be 50 years from the date of the completion of the creation of the work; and except that in case of a work by joint authors the copyright shall terminate at the date of the death of the joint author who dies first, unless he shall die within 50 years from the date of the completion of the creation of the work, in which event it is to terminate upon the expiration of 50 years from said date of completion of the creation of the work."

Mr. VESTAL. Mr. Speaker, on that I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and on a division (demanded by Mr. STAFFORD) there were—ayes 26, noes 165.

So the motion to recommit was rejected.

The SPEAKER. The question is, Shall the bill pass?

The question was taken; and on a division (demanded by Mr. STAFFORD) there were—ayes 185, noes 34.

So the bill was passed.

On motion of Mr. VESTAL, the motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. VESTAL. Mr. Speaker, I offer the following motion to amend the title, which I send to the desk and ask to have read.

The Clerk read as follows:

Amend the title by striking out the words "International Copyright Union" and inserting "Convention of Berne for the Protection of Literary and Artistic Works."

The SPEAKER. The question is on agreeing to the motion.

The motion was agreed to.

DROUGHT RELIEF

Mr. SNELL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 334, which I send to the desk and ask to have read.

The Clerk read as follows:

House Resolution 334 (Rept. No. 2232)

Resolved, That immediately upon the adoption of this resolution the joint resolution (H. J. Res. 447) entitled "Joint resolution making an appropriation to carry out the provisions of the public resolution entitled 'Joint resolution for the relief of farmers in the drought and/or storm stricken areas of the United States,' approved December 20, 1930," with Senate amendments thereto, be, and the same hereby is, taken from the Speaker's table to the end that all Senate amendments be, and the same are, disagreed to and a conference is requested with the Senate upon the disagreeing votes of the two Houses.

Mr. SNELL. Mr. Speaker, this resolution which has just been presented needs no explanation. It has for its purpose the sending of this drought-relief proposition to conference by the most direct course possible. It does exactly what the chairman of the Committee on Appropriations [Mr. WOOD] has tried to do by unanimous consent on at least three or four occasions. It takes no rights away from any Member of the House. Under the provisions of this rule after it is agreed to if anybody desires to instruct the conferees he has the right to do it. This is the direct, usual, and natural way of sending a bill to conference when you can not do it by unanimous consent. Does the gentleman from New York desire any time?

Mr. O'CONNOR of New York. I would like to have 20 minutes.

Mr. SNELL. I yield 20 minutes to the gentleman from New York [Mr. O'CONNOR].

Mr. O'CONNOR of New York. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. GARNER].

Mr. GARNER. Mr. Speaker, ladies and gentlemen of the House, I asked for these five minutes in order to make a suggestion to the gentleman from New York [Mr. O'CONNOR] and Members on this side of the House as well as on the Republican side. I favor this rule. I would like to see the bill sent to conference, but I would like to have the House granted the privilege of considering the Senate amendment. The only object I have is to call attention to the fact that we can send this bill to conference within the hour or at least within two hours, at the latest, if we be permitted to consider the Senate amendment and permit the House an opportunity to express itself thereon.

Mr. SNELL. Mr. Speaker, will the gentleman yield?

Mr. GARNER. Yes.

Mr. SNELL. Is there not a definite opportunity for the House to express its opinion on the Senate amendment by a motion to instruct the conferees?

Mr. GARNER. Certainly not. One Member alone has the privilege of making a motion to instruct the conferees. There are 50 men on the floor of this House——

Mr. SNELL. Oh, the gentleman wants 50 motions made to instruct, does he?

Mr. GARNER. Mr. Speaker, I ask not to be interrupted in that way.

The SPEAKER. The gentleman from Texas has been recognized and has the floor.

Mr. GARNER. There are 50 men on the floor of this House who would like to amend the Senate amendment, or concur in it, and you can not do that by a motion to instruct the conferees.

If you will vote down the previous question and amend the rule, provide that the House have the right and privilege of considering the Senate amendment, then you would do the intelligent thing. You would not have a gag rule. It would no longer be a gag rule. It would be an orderly procedure in which you would send the bill to conference with an opportunity on the part of the House to express itself upon the Senate amendment. The gentleman from New York [Mr. LAGUARDIA] has given notice that he is going to offer a motion to instruct the conferees. Only one motion can be made to instruct the conferees, whereas, if the bill be considered in the House as the ordinary procedure is, then the House would have an opportunity to perfect the Senate amendment, or to concur in it.

I suggest to the Democrats, if I may, the propriety of voting down the previous question; then, if we are outvoted in that particular, when the rule comes up for consideration, to vote for the rule, because that is the only way that we can get this bill to conference. We want it to go to conference, but we would like to have the privilege of expressing our opinion on the Senate amendment by offering either to concur in it or to concur in it with an amendment.

Mr. CRISP. Mr. Speaker, will the gentleman yield?

Mr. GARNER. Yes.

Mr. CRISP. Is it the gentleman's idea, then, if the previous question is voted down, to offer an amendment under the rule providing for the immediate consideration of the resolution under the rules of the House, thus giving the House an opportunity to consider the Senate amendment, and then send the bill to conference?

Mr. GARNER. I thank the gentleman from Georgia [Mr. CRISP] for stating it so succinctly and clearly, as he usually does. He is one of the best parliamentarians, if not the best, in the House of Representatives. [Applause.]

All we want is a fair opportunity to consider this amendment, and immediately or within two hours at the latest this bill will be in conference, with a fair opportunity for the House to express itself. But the gentleman from New York [Mr. SNELL] and his organization does not want the House of Representatives to express itself. If they did, they would not have brought in this kind of a rule. They would provide in the rule itself that the House would have the privilege of each Member having an opportunity to consider this amendment in an orderly way, the way the rule is intended, and the way the people who elected you expect you to consider legislation, rather than to come here and cut off every opportunity.

I hope the previous question will be voted down and we will have an opportunity to amend the rule. [Applause.]

Mr. O'CONNOR of New York. Mr. Speaker, this special rule is just another evidence of accomplishing by the power of a majority organization what could not be done in a parliamentary body if it were left to exercise its free will. The country has been led to believe during the past week, by reason of the debates which have been reported in the CONGRESSIONAL RECORD, that the addition of this $15,000,000 to the drought relief resolution would be left open for amendment on the floor of this House. Gentlemen on the other side of the House stated that the Rules Committee would hold hearings at which Members interested in adding an amendment to provide for some relief in the cities could be heard and submit their case to the Committee on Rules.

Mr. SNELL. Will the gentleman yield?

Mr. O'CONNOR of New York. I yield.

Mr. SNELL. Who made such a statement?

Mr. O'CONNOR of New York. I do not recall that the gentleman from New York [Mr. SNELL] made the statement.

Mr. SNELL. No; and I do not think the gentleman recalls anybody making any such definite statement on the floor of the House.

Mr. O'CONNOR of New York. Oh, yes; I do. If my recollection is correct, the chairman of the Committee on Appropriations tried to console the gentleman from New York [Mr. LAGUARDIA] by stating that he and other Members could appear before the Rules Committee and be heard in behalf of the people in the cities.

Now, what happened? The Rules Committee was suddenly called in executive session, and this rule was brought in here. It cuts off any possibility of amendment. If, when the resolution containing this $15,000,000 for food for farmers returns from conference, an amendment is offered providing for some relief to the people in the cities, for which relief some of the Members from the metropolitan areas have argued for several weeks, that amendment will be held out of order.

First, the administration is against this $15,000,000 addition for food for the farmers in distress, and, secondly, they are more violently opposed to any relief for the suffering in our cities.

No one deplores more than I do the growth of any geographical bloc in this country. We already have a farm bloc that is gnawing at the floors of the Treasury, but if this administration continues to be concerned only with the welfare of the farmer, you may see what you have not yet got in this Congress—a "city bloc." The "city mouse" will vie with the "country mouse" in boring into the Treasury. If you continue to have concern only for a minority of the people in this country and keep on taking, probably illegally, probably in contravention of our Constitution, money from the Treasury for their needs—if you keep on draining the Treasury in behalf of this farming minority, you will build up an unfortunate situation in this country, and we shall see "bloc" form of government, which confronts other countries. Although I come from the largest city in the world, I should deplore the formation of any city bloc in our Government. I entreat you not to make such a situation necessary, even as a measure of self-protection.

It has been just called to my attention, Mr. Speaker, that the assurance that was given to the House and to the country that this matter of city relief would be considered by the Rules Committee, and free and open opportunity given to present the matter in this House, was given by the gentleman from Indiana [Mr. WOOD], the chairman of the Committee on Appropriations, as reported on January 10, 1931, page 1940 of the CONGRESSIONAL RECORD.

Now, that is what the country believed. Again we have the old gag rule here to shut off all debate, to prevent real deliberation on this most important subject which is now pending in this House.

Mr. RAMSEYER. Will the gentleman yield?

Mr. O'CONNOR of New York. Yes, I yield.

Mr. RAMSEYER. The gentleman stated a moment ago that an amendment which the gentleman from New York [Mr. LAGUARDIA] intended to offer would not be in order because not germane, so the only thing that is left in the bill that is in controversy at all is the Senate amendment for $15,000,000 to be loaned to the farmers in the drought and storm stricken areas to buy food.

Mr. O'CONNOR of New York. I said the gentleman's amendment would be ruled out of order.

Mr. RAMSEYER. Well, if it is going to be ruled out of order on the ground that it is not germane, what would the gentleman gain by having this amendment of the gentleman from New York [Mr. LAGUARDIA] considered in the Committee of the Whole or in the House as in Committee of the Whole? What could he discuss or get before the Committee of the Whole that he can not embody in and discuss in a motion to instruct conferees? That is what I am getting at, and I should like to have the gentleman answer my questions directly.

Mr. O'CONNOR of New York. I do not believe it is beyond parliamentary possibility, even at this late date, if you propose to provide relief for the farming communities of this country, to work out a plan to provide some relief for the cities of the country.

Mr. RAMSEYER. How could it be worked out in this bill if it is not germane?

Mr. O'CONNOR of New York. If the pending resolutions for relief were brought here under a fair rule, it could be opened up for debate and amended to meet the needs of the entire country, but when you shut the door in advance, nobody can penetrate it under the existing rules of this House.

Mr. RAMSEYER. The door is not shut in advance. The gentleman concedes that the LaGuardia amendment would not be germane and evades answering my questions.

Mr. O'CONNOR of New York. I yield five minutes to the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Speaker, ladies and gentlemen of the House, the gentleman from Iowa asked what could be done.

Mr. RAMSEYER. I should like to have the gentleman tell the House.

Mr. SABATH. I will gladly do so if the gentleman will give me a chance to explain what the committee could do. The Rules Committee, in lieu of this rule, could bring in a rule making in order a motion to concur in the Senate amendment with an amendment; that would give the Members a chance to vote on the proposition of amending the Senate amendment and making a motion in order that would make this fund available to the urban-suffering people to the same extent as it is applicable now to the farmers.

Mr. RAMSEYER. Does the gentleman suggest a rule that would make in order something that is not germane and apply it only to one thing?

Mr. SABATH. Yes, and which has been done frequently, as the gentleman well knows, so as to circumvent the technicalities of the rules of the House. I have answered the gentleman.

Mr. RAMSEYER. If so, then the gentleman would gag the House to that extent?

Mr. SABATH. No; I would not. I would free the membership from the tyrannical rules, which the gentleman has often in years gone by viciously attacked. Under that proposition the House would have the right and the privilege of voting on a question which I know a majority of the

Members of the House, if left alone, are desirous of voting upon, namely, making the appropriation applicable to the city people, who are just as hungry and who are suffering as much as the farmers. I honestly believe a majority of the Members of the House, if given an opportunity, would be liberal enough to vote favorably on such an amendment.

Mr. O'CONNOR of New York. Will the gentleman yield?

Mr. SABATH. Yes; I will yield to the gentleman.

Mr. O'CONNOR of New York. The gentleman probably understood, like myself, that an opportunity would be afforded for Members to appear before the Rules Committee and ask that this amendment for city relief be made germane. It could have been made germane under a rule from the Rules Committee if there was to be any question raised about it, just the same as amendments were made germane in the McNary-Haugen bill and other farm-relief measures. On those occasions the Rules Committee brought in special rules making certain matters germane which would otherwise have been ruled out on points of order.

Mr. SABATH. There is no question about that and the gentleman from New York is right. This rule gives us nothing, and it deprives Members of the rights and privileges to which they should be entitled. To my mind, Mr. Speaker and gentlemen, the old days of Cannonism gave the membership much greater privileges than this rule gives, and much greater privileges than we are enjoying at the present time.

Mr. ABERNETHY. Will the gentleman yield?

Mr. SABATH. Yes. My time is limited, but I will yield to the gentleman, but only for a brief question.

Mr. ABERNETHY. This is even worse than filibustering, is it not?

Mr. SABATH. I agree with the gentleman.

Now, Mr. Speaker and gentlemen, I want to bring home to you this fact: That for each man who is suffering on the farms there are at least 10 men who are suffering and who are in want in the cities. [Applause.] There are thousands of small property owners who are about to be evicted, who can not meet their obligations, who can not pay their mortgages, and they are being thrown out of their little homes and are in need of food. That, in a measure, does not apply to the farmers. They at least have their homes and they have roofs over their heads; but that is not true of hundreds of thousands of city people and thousands of coal miners out of work throughout the United States.

In all justice I feel this House should have the privilege and should have the right of voting upon this question. Under this rule the House is powerless because, as the gentleman from New York has stated, the gentleman from New York [Mr. LAGUARDIA] will make one motion and it must be a germane motion. Unless it is such he will be ruled out of order, and for that reason I am against the rule, because it does not accomplish anything, knowing that the motion of the gentleman from New York will be ruled out of order. Consequently, the rule brought in will only accomplish what the gentleman from Indiana has tried to do, namely, sending the bill to conference and depriving the membership of the right to instruct the conferees to agree to the amendment with an amendment to make the appropriation available to aid the city people as well as farmers. It is to be regretted that you who are responsible for these deplorable conditions and undisputed famine in the cities refuse to listen to the appeals of the unfortunate and hungry people of our land.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. SNELL. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. LAGUARDIA].

Mr. LAGUARDIA. Mr. Speaker and gentlemen of the House, I am from the city, and I want to assure the gentlemen who represent rural districts that those of us who live in cities are in sympathy with the plight in which their people find themselves. I am making an effort to-day to cooperate with you in every possible way. [Applause.]

The motion which I intend to make, if recognized for that purpose, will be found on page 2005 of yesterday's RECORD, and I believe it is germane.

Now, just one word, and in that word I want to address myself to my colleagues from the rural districts and to enlist their sympathy, as we sympathize with them. I ask them to cooperate with us.

No doubt all of you read in the Sunday papers the fact that the President of the United States has made an appeal for Red Cross contributions. Since the appeal has been made you have heard from the president of the Red Cross to the effect that it is intended to spend all of these funds in the rural districts. Let me tell you how this money is going to be raised. The quota for New York State to be raised for the $10,000,000 fund for the Red Cross is $2,640,000, of which $1,766,000 will be collected in my city. The quota for Massachusetts is $792,000; for Illinois, $1,076,000; for Pennsylvania, $1,840,000; for California, $738,000; and for New Jersey, $520,000. So that six States will contribute $7,606,000 of the $10,000,000, and the Red Cross does not expect to spend any of the money in the six States I have named.

Now, gentlemen, I submit that if you are in favor of the distribution of food that you give me an opportunity to present my motion. It only goes this far—to instruct the conferees to concur in the Senate amendment providing for food distribution with an amendment eliminating all limitations as to classes, occupations, or residence of persons entitled to receive the food provided for in said Senate amendment. That would give an opportunity for the conferees of this House to get together with the Senate conferees, increase the amount, if necessary, and come in with a provision permitting the distribution of food without limitation as to classes, occupation, or residence. That would take care of the needy unemployed in the cities.

I want to submit to every fair-minded man in the House that if you provide food relief for the rural districts you can not in conscience, in good morals, or in law deny the same relief to the unfortunates of the cities. [Applause.]

This is what Colonel Woods, the chairman of the National Unemployment Committee, said in New York last Sunday in a public address:

> It is not the fault of the people who are out of work that they are out of work. If a derangement of an economic system which they are not responsible for puts them in a position where they can not earn an honest living, the system of which they are a part must assume its share of responsibility in mitigating this distress.

And here is the opportunity, gentlemen. If you provide loans for seed, for fuel, and for feed, and if the situation has so grown since that time that you are compelled to add this food provision, then I appeal to you, in the spirit of cooperation, vote with me in the motion which I hope to make to-day.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. O'CONNOR of New York. Will the gentleman yield?

Mr. LAGUARDIA. I will, if the gentleman yields me time.

Mr. O'CONNOR of New York. Mr. Speaker, I yield the gentleman one minute. How does the gentleman expect to get over the hurdle that this bill only applies to certain drought-stricken areas in the United States?

Mr. LAGUARDIA. I have eliminated that by saying—

> Eliminating all limitations as to classes, occupations, or residence.

Mr. O'CONNOR of New York. But the bill itself, of course, applies to drought-stricken areas.

Mr. LAGUARDIA. If the gentleman will look on page 2005, he will see that in my motion I have sought to eliminate that restriction.

Mr. O'CONNOR of New York. I hope the gentleman has eliminated it.

Mr. SABATH. It is also restricted to farmers.

Mr. LAGUARDIA. Yes; but that is classed as an occupation.

Mr. BURTNESS. How about the provision with reference to loans?

Mr. LAGUARDIA. We will take care of that in conference. I know that I have to keep my amendment germane,

but this will at least give them an idea of what we want done. [Applause.]

Mr. SNELL. Mr. Speaker, I have been presenting these rules on the floor here for several years and the Democrats have made exactly the same argument against every rule that has ever been presented, but the argument to-day is the lamest of any one they have ever presented.

Now, let us look at this situation and take the argument that the gentleman from Texas [Mr. GARNER] has presented. Let us see where you would get under his argument. He advised you to vote down the previous question and stated it would give the House some opportunity to consider this whole subject.

If the matter of distribution of food in the cities is not germane in a motion to instruct conferees, I would like to have the gentleman from Texas or any other gentleman on that side of the House tell me how if it was not germane to the subject under discussion we could have a vote on it this afternoon, and I yield to the gentleman for that purpose.

Mr. GARNER. I did not make any statement about its being germane.

Mr. SNELL. That was the effect and purpose of the gentleman's remarks when he was asking the House to vote down the previous question.

Mr. GARNER. No; it was not. The gentleman has asked me a question and if he will yield I would like to answer it.

Mr. SNELL. I yield, of course.

Mr. GARNER. All I asked and all that any other Member of this House ought to ask is a fair opportunity to express himself under the rules of the House. Why do you not give the Members on your side of the House a free opportunity to express themselves? There are gentlemen over there who would like to express themselves on this question.

Mr. SNELL. There is nothing in this rule to prevent it. We do not change any general rules in this respect.

Mr. GARNER. Why does not the gentleman give them an opportunity to express themselves under the rules of the House?

Mr. SNELL. We are giving you the freest opportunity possible. We have in the past brought in rules with some limitations attached. I admit that, but there is not a limitation attached to the rule that we have brought here to-day. It is a Democratic rule adopted years ago, and gives all the opportunity to the House to express itself that is possible.

Mr. O'CONNOR of New York. Will the gentleman yield?

Mr. SNELL. Certainly.

Mr. O'CONNOR of New York. The gentleman will admit, will he not, that the Rules Committee could have made a provision germane that would provide for relief for those suffering distress in our cities?

Mr. SNELL. Why, certainly, I admit that we could have done it, but that would not have been the normal and natural way to proceed, and your side of the House would certainly have found fault with any such rule as that. I am presenting you a rule that is absolutely the normal and natural way and the shortest way to get this bill to conference, and that is what the people on that side of the aisle have stated they want. I have given you that opportunity, and are you going to take it or delay as you have on two other occasions?

Mr. O'CONNOR of New York. When the gentleman brought in the McNary-Haugen bill and other farm-relief measures, he did the "unusual" and made certain amendments germane which would not otherwise have been germane.

Mr. SNELL. Yes; and we were sorry for it afterwards. If you vote down the previous question you will not get anywhere this afternoon, and I assure you that. However, if you order the previous question you will get some action on the matter this afternoon, and the resolution will go to conference.

Mr. O'CONNOR of New York. Is not the gentleman interested at all in the distress of the people in our cities?

Mr. SNELL. Mr. Speaker, I move the previous question.

Mr. GARNER. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 214, nays 143, answered "present" 1, not voting 73, as follows:

[Roll No. 12]

YEAS—214

Ackerman	Dunbar	Ketcham	Selberling
Adkins	Dyer	Kiefner	Selvig
Allen	Eaton, Colo.	Kinzer	Shaffer, Va.
Andresen	Eaton, N. J.	Knutson	Shott, W. Va.
Andrew	Elliott	Kopp	Shreve
Arentz	Ellis	Korell	Simmons
Bachmann	Erk	Lambertson	Simms
Bacon	Estep	Langley	Sloan
Baird	Esterly	Lankford, Va.	Smith, Idaho
Barbour	Evans, Calif.	Lea	Snell
Beck	Fenn	Leavitt	Snow
Beedy	Finley	Leech	Sparks
Beers	Fish	Lehlbach	Speaks
Blackburn	Fitzgerald	Letts	Sproul, Ill.
Bohn	Fort	Loofbourow	Sproul, Kans.
Bolton	Foss	Luce	Stafford
Bowman	Garber, Okla.	McClintock, Ohio	Stalker
Brand, Ohio	Garber, Va.	McCormick, Ill.	Stone
Brigham	Gibson	McLaughlin	Strong, Kans.
Britten	Gifford	Maas	Strong, Pa.
Brumm	Goodwin	Manlove	Summers, Wash.
Burdick	Goss	Mapes	Swanson
Burtness	Graham	Martin	Swick
Campbell, Pa.	Hadley	Menges	Swing
Carter, Calif.	Hall, Ill.	Merritt	Taber
Carter, Wyo.	Hall, Ind.	Michener	Temple
Chalmers	Hall, N. Dak.	Miller	Thatcher
Chase	Halsey	Moore, Ohio	Thurston
Chindblom	Hardy	Morgan	Tilson
Chiperfield	Hartley	Mouser	Timberlake
Christopherson	Haugen	Murphy	Tinkham
Clague	Hess	Nelson, Me.	Treadway
Clancy	Hickey	Nelson, Wis.	Turpin
Clark, Md.	Hoch	Newhall	Underhill
Clarke, N. Y.	Hogg, Ind.	Niedringhaus	Vestal
Cochran, Pa.	Hogg, W. Va.	Nolan	Vincent, Mich.
Cole	Holaday	O'Connor, Okla.	Wainwright
Colton	Hooper	Palmer	Wason
Connolly	Hope	Peavey	Watson
Cooke	Houston, Del.	Pittenger	Welch, Calif.
Cooper, Ohio	Hudson	Pratt, Harcourt J.	Welsh, Pa.
Coyle	Hull, William E.	Pritchard	White
Craddock	Irwin	Purnell	Whitley
Crail	Jenkins	Ramey, Frank M.	Wigglesworth
Cramton	Johnson, Ind.	Ramseyer	Williamson
Crowther	Johnson, Nebr.	Ransley	Wolfenden
Dallinger	Johnson, Wash.	Reece	Wolverton, N. J.
Darrow	Johnston, Mo.	Reed, N. Y.	Wolverton, W. Va.
Davenport	Jonas, N. C.	Rich	Wood
Denison	Kading	Robinson	Woodruff
De Priest	Kahn	Rogers	Wyant
Dickinson	Kelly	Sanders, N. Y.	Yates
Doutrich	Kendall, Ky.	Schafer, Wis.	
Dowell	Kendall, Pa.	Sears	

NAYS—143

Abernethy	DeRouen	Igoe	Palmisano
Allgood	Dickstein	James, N. C.	Parks
Almon	Dominick	Jeffers	Parsons
Arnold	Doughton	Johnson, Okla.	Patman
Aswell	Douglas, Ariz.	Johnson, Tex.	Patterson
Ayres	Doxey	Jones, Tex.	Pou
Black	Drane	Kennedy	Prall
Blanton	Drewry	Kerr	Ragon
Bloom	Edwards	Kvale	Rainey, Henry T.
Box	Ealick	LaGuardia	Ramspeck
Boylan	Evans, Mont.	Lanham	Rankin
Brand, Ga.	Fisher	Lankford, Ga.	Rayburn
Briggs	Frear	Larsen	Reilly
Browning	Fuller	Lindsay	Romjue
Brunner	Fulmer	Linthicum	Rutherford
Buchanan	Gambrill	Lozier	Sabath
Busby	Garner	Ludlow	Sanders, Tex.
Byrns	Gasque	McClintic, Okla.	Sandlin
Campbell, Iowa	Gavagan	McCormack, Mass.	Schneider
Cannon	Glover	McDuffie	Sinclair
Cartwright	Goldsborough	McKeown	Somers, N. Y.
Celler	Granfield	McMillan	Spearing
Christgau	Green	McReynolds	Steagall
Clark, N. C.	Greenwood	McSwain	Sullivan, N. Y.
Cochran, Mo.	Gregory	Mead	Sumners, Tex.
Collier	Griffin	Milligan	Tarver
Collins	Hall, Miss.	Montague	Taylor, Colo.
Condon	Hancock, N. C.	Mooney	Tucker
Connery	Hare	Moore, Ky.	Vinson, Ga.
Cooper, Tenn.	Hastings	Moore, Va.	Warren
Cooper, Wis.	Hill, Ala.	Morehead	Whittington
Cox	Hill, Wash.	Nelson, Mo.	Wingo
Crisp	Howard	O'Connor, N. Y.	Woodrum
Cross	Huddleston	Oldfield	Wright
Crosser	Hull, Tenn.	Oliver, Ala.	Yon
Davis	Hull, Wis.	Owen	

ANSWERED "PRESENT"—1

Oliver, N. Y.

NOT VOTING—73

Aldrich	Bell	Butler	Corning
Auf der Heide	Bland	Cable	Culkin
Bacharach	Browne	Canfield	Cullen
Bankhead	Buckbee	Carley	Dempsey

Dorsey	Hoffman	Michaelson	Stobbs
Douglass, Mass.	Hopkins	Montet	Sullivan, Pa.
Doyle	Hudspeth	Norton	Taylor, Tenn.
Driver	Hull, Morton D.	O'Connor, La.	Thompson
Englebright	James, Mich.	Parker	Underwood
Fitzpatrick	Johnson, Ill.	Perkins	Walker
Free	Johnson, S. Dak.	Pratt, Ruth	Watres
Freeman	Kearns	Quin	Whitehead
French	Kemp	Reid, Ill.	Williams
Garrett	Kunz	Rowbottom	Wilson
Golder	Kurtz	Seger	Wurzbach
Guyer	McFadden	Short, Mo.	Zihlman
Hale	McLeod	Sirovich	
Hancock, N. Y.	Magrady	Smith, W. Va.	
Hawley	Mansfield	Stevenson	

So the previous question was ordered.

The following pairs were announced:

Mr. Buckbee (for) with Mr. Oliver of New York (against).
Mr. Aldridge (for) with Mr. Williams (against).
Mr. Hawley (for) with Mr. Cullen (against).
Mr. Free (for) with Mr. Bankhead (against).
Mr. Hopkins (for) with Mr. Wilson (against).
Mr. Bacharach (for) with Mr. Montet (against).
Mr. Magrady (for) with Mr. Douglass of Massachusetts (against).
Mr. Corning (for) with Mr. Browne (against).
Mr. Short (for) with Mr. Mansfield (against).
Mrs. Ruth Pratt (for) with Mrs. Norton (against).
Mr. Englebright (for) with Mr. Underwood (against).
Mr. Golder (for) with Mr. Dorsey (against).
Mr. Hale (for) with Mr. Carley (against).
Mr. Johnson of Illinois (for) with Mr. Canfield (against).
Mr. McFadden (for) with Mr. Auf der Heide (against).
Mr. Johnson of South Dakota (for) with Mr. Kemp (against).
Mr. Reid of Illinois (for) with Mr. Garrett (against).
Mr. Perkins (for) with Mr. Driver (against).
Mr. French (for) with Mr. Quin (against).
Mr. Kurtz (for) with Mr. Stevenson (against).
Mr. McLeod (for) with Mr. Sirovich (against).
Mr. Stobbs (for) with Mr. Smith of West Virginia (against).
Mr. Kearns (for) with Mr. Bell (against).
Mr. Sullivan of Pennsylvania (for) with Mr. Kunz (against).
Mr. Guyer (for) with Mr. O'Connor of Louisiana (against).
Mr. Culkin (for) with Mr. Fitzpatrick (against).

General pairs:

Mr. Taylor of Tennessee with Mr. Bland.
Mr. Wurzbach with Mr. Whitehead.
Mr. Freeman with Mr. Hudspeth.
Mr. James of Michigan with Mr. Doyle.

Mr. OLIVER of New York. Mr. Speaker, if I were not paired, I would have voted "no."

The result of the vote was announced as above recorded.

Mr. SNELL. Mr. Speaker, I ask for a vote on the rule.

The SPEAKER. The question is on agreeing to the resolution.

Mr. GARNER. And on that, Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 352, nays 4, answered "present" 3, not voting 72, as follows:

[Roll No. 13]

YEAS—352

Abernethy	Byrns	Crowther	Freeman
Ackerman	Campbell, Iowa	Dallinger	French
Adkins	Campbell, Pa.	Darrow	Fuller
Allen	Cannon	Davis	Fulmer
Allgood	Carter, Calif.	Denison	Gambrill
Almon	Carter, Wyo.	De Priest	Garber, Okla.
Andresen	Cartwright	DeRouen	Garber, Va.
Arentz	Chalmers	Dickstein	Garner
Arnold	Chase	Dominick	Gasque
Aswell	Chindblom	Doughton	Gavagan
Ayres	Chiperfield	Douglas, Ariz.	Gibson
Bachmann	Christgau	Doutrich	Gifford
Bacon	Christopherson	Dowell	Glover
Baird	Clague	Doxey	Goldsborough
Barbour	Clancy	Drane	Goodwin
Beck	Clark, Md.	Drewry	Goss
Beedy	Clark, N. C.	Driver	Graham
Beers	Clarke, N. Y.	Dunbar	Granfield
Blackburn	Cochran, Mo.	Dyer	Green
Blanton	Cochran, Pa.	Eaton, Colo.	Greenwood
Bloom	Cole	Eaton, N. J.	Gregory
Bohn	Collier	Edwards	Griffin
Bolton	Collins	Elliott	Hadley
Bowman	Colton	Ellis	Hall, Ill.
Box	Condon	Erk	Hall, Ind.
Boylan	Connolly	Estick	Hall, Miss.
Brand, Ga.	Cooke	Estep	Hall, N. Dak.
Brand, Ohio	Cooper, Ohio	Esterly	Halsey
Briggs	Cooper, Tenn.	Evans, Calif.	Hancock, N. C.
Brigham	Cooper, Wis.	Evans, Mont.	Hardy
Britten	Cox	Fenn	Hare
Browning	Coyle	Finley	Hartley
Brumm	Craddock	Fish	Hastings
Brunner	Crail	Fisher	Haugen
Buchanan	Cramton	Fitzgerald	Hess
Burdick	Crisp	Fort	Hickey
Burtness	Cross	Foss	Hill, Ala.
Busby	Crosser	Frear	Hill, Wash.
Hoch	Lozier	Pittenger	Stone
Hogg, Ind.	Luce	Pou	Strong, Kans.
Hogg, W. Va.	Ludlow	Prall	Strong, Pa.
Holaday	McClintic, Okla.	Pratt, Harcourt J.	Sullivan, N. Y.
Hooper	McClintock, Ohio	Pritchard	Summers, Wash.
Hope	McCormack, Mass.	Purnell	Sumners, Tex.
Hopkins	McCormick, Ill.	Quin	Swanson
Houston, Del.	McDuffie	Ragon	Swick
Hudson	McKeown	Rainey, Henry T.	Swing
Hull, William E.	McLaughlin	Ramey, Frank M.	Taber
Hull, Tenn.	McMillan	Ramseyer	Tarver
Hull, Wis.	McReynolds	Ramspeck	Taylor, Colo.
Igoe	McSwain	Rankin	Taylor, Tenn.
Irwin	Maas	Ransley	Temple
James, N. C.	Manlove	Rayburn	Thatcher
Jeffers	Mapes	Reece	Thurston
Jenkins	Martin	Reed, N. Y.	Tilson
Johnson, Ind.	Mead	Reilly	Timberlake
Johnson, Nebr.	Menges	Rich	Tinkham
Johnson, Okla.	Merritt	Robinson	Treadway
Johnson, Tex.	Michener	Rogers	Tucker
Johnson, Wash.	Miller	Romjue	Turpin
Jonas, N. C.	Milligan	Rutherford	Vestal
Jones, Tex.	Montague	Sanders, N. Y.	Vincent, Mich.
Kading	Mooney	Sanders, Tex.	Vinson, Ga.
Kahn	Moore, Ky.	Sandlin	Wainwright
Kelly	Moore, Ohio	Schafer, Wis.	Warren
Kendall, Ky.	Moore, Va.	Schneider	Wason
Kendall, Pa.	Morehead	Sears	Watres
Kennedy	Mouser	Selberling	Watson
Kerr	Murphy	Selvig	Welch, Calif.
Ketcham	Nelson, Me.	Shaffer, Va.	Welsh, Pa.
Kiefner	Nelson, Mo.	Shott, W. Va.	White
Kinzer	Nelson, Wis.	Shreve	Whitley
Knutson	Newhall	Simmons	Whittington
Kopp	Niedringhaus	Simms	Wigglesworth
Lambertson	Nolan	Sinclair	Williamson
Langley	O'Connor, N. Y.	Sloan	Wingo
Lanham	O'Connor, Okla.	Smith, Idaho	Wolfenden
Lankford, Ga.	Oldfield	Snell	Wolverton, N. J.
Lankford, Va.	Oliver, Ala.	Snow	Wolverton, W. Va.
Larsen	Oliver, N. Y.	Somers, N. Y.	Wood
Lea	Owen	Sparks	Woodruff
Leavitt	Palmer	Speaks	Woodrum
Leech	Palmisano	Spearing	Wright
Lehlbach	Parks	Sproul, Ill.	Wurzbach
Letts	Parsons	Sproul, Kans.	Wyant
Lindsay	Patman	Stafford	Yates
Linthicum	Patterson	Stalker	Yon
Loofbourow	Peavey	Steagall	Zihlman

NAYS—4

Black	Connery	Huddleston	LaGuardia

ANSWERED "PRESENT"—3

Howard	Kvale	Sabath

NOT VOTING—72

Aldrich	Dempsey	Johnson, Ill.	Perkins
Andrew	Dickinson	Johnson, S. Dak.	Pratt, Ruth
Auf der Heide	Dorsey	Johnston, Mo.	Reid, Ill.
Bacharach	Douglass, Mass.	Kearns	Rowbottom
Bankhead	Doyle	Kemp	Seger
Bell	Englebright	Korell	Short, Mo.
Bland	Fitzpatrick	Kunz	Sirovich
Browne	Free	Kurtz	Smith, W. Va.
Buckbee	Garrett	McFadden	Stevenson
Butler	Golder	McLeod	Stobbs
Cable	Guyer	Magrady	Sullivan, Pa.
Canfield	Hale	Mansfield	Thompson
Carley	Hancock, N. Y.	Michaelson	Underhill
Celler	Hawley	Montet	Underwood
Corning	Hoffman	Morgan	Walker
Culkin	Hudspeth	Norton	Whitehead
Cullen	Hull, Morton D.	O'Connor, La.	Williams
Davenport	James, Mich.	Parker	Wilson

So the resolution was agreed to.

The following additional pairs were announced:

General pairs until further notice:

Mr. Aldrich with Mr. Williams.
Mr. Hawley with Mr. Cullen.
Mr. Free with Mr. Bankhead.
Mr. Bacharach with Mr. Montet.
Mr. Magrady with Mr. Douglass of Massachusetts.
Mr. Browne with Mr. Corning.
Mr. Short of Missouri with Mr. Mansfield.
Mrs. Ruth Pratt with Mrs. Norton.
Mr. Englebright with Mr. Underwood.
Mr. Golder with Mr. Dorsey.
Mr. Hale with Mr. Carley.
Mr. Johnson of Illinois with Mr. Canfield.
Mr. McFadden with Mr. Auf der Heide.
Mr. Johnson of South Dakota with Mr. Kemp.
Mr. Reid of Illinois with Mr. Garrett.
Mr. Kurtz with Mr. Stevenson.
Mr. McLeod with Mr. Sirovich.
Mr. Stobbs with Mr. Smith of West Virginia.
Mr. Kearns with Mr. Bell.
Mr. Sullivan of Pennsylvania with Mr. Kunz.
Mr. Guyer with Mr. O'Connor of Louisiana.
Mr. Culkin with Mr. Fitzpatrick.
Mr. Perkins with Mr. Wilson.
Mr. Buckbee with Mr. Bland.
Mr. Davenport with Mr. Whitehead.

Mr. James of Michigan with Mr. Hudspeth.
Mr. Underhill with Mr. Celler.
Mr. Johnston of Missouri with Mr. Doyle.

The result of the vote was announced as above recorded.

Mr. LAGUARDIA. Mr. Speaker, I present the following motion to instruct the conferees.

The Clerk read as follows:

Mr. LAGUARDIA moved that the House conferees be instructed to concur in the Senate amendment providing for food distribution with an amendment eliminating all limitations as to classes, occupation, or residence of persons entitled to receive the food provided for in said Senate amendment.

Mr. SNELL. Mr. Speaker, I make a point of order against the amendment. I make the point of order first that the gentleman is trying to do by indirection what he would not be allowed to do by direction under the rules of the House.

Secondly, under section b, Rule XVI, a specific subject may not be amended by a provision general in nature, even when of the class of the specific subject is referred.

The gentleman from New York has presented a very carefully and cleverly worded amendment.

Now, let us see what the exact situation is. The proposition before the House in the Senate amendment is that we shall lend money to buy food for farmers in the drought and storm stricken areas of the United States, a specific subject, at a specific place, and a specific lot of people.

If the amendment of the gentleman from New York was adopted, he would remove all restrictions, and instead of having a specific proposition before us of lending money for the purpose of buying food to a specific people, he would remove all these limitations, and his amendment provides for the distribution of food to all people in any part of the United States. In other words, he changes it over from a specific proposition to a general subject, in a general way, which is directly in opposition to the rules of the House.

There are several decisions on this well-recognized rule of the House that you can not do by indirection that which would not be allowed to do by direction. The gentleman from New York has sought by eliminating a number of words to accomplish exactly the same thing that he could have accomplished by direction, but by direction it would be subject to the rule of germaneness, and the gentleman recognizes that fact, that his intended amendment would not be germane as a simple amendment in committee.

If I remember correctly there was practically the same proposition before the House last winter, when the gentleman from Michigan, Mr. HOOPER, was in the chair. He made a decision, and it was bolstered up by several decisions made previously, that where an amendment eliminates certain words in the text of the bill, changing the whole proposition from a specific proposition to a general one, it is not germane. I believe there is also a decision by the present Speaker that is exactly along this same line.

On these grounds, Mr. Speaker, I contend that the amendment offered by the gentleman from New York is not germane and should not be considered at this time.

Mr. LAGUARDIA. Mr. Speaker, I desire to be heard on the point of order. The gentleman from New York frankly states that it is extremely difficult to argue against my motion to instruct.

In the first place, what is before the House? A proposition to send an appropriation bill to conference, and the Speaker will admit, I am sure, that a motion to instruct the conferees is entitled to greater latitude than an amendment which would be offered to an appropriation bill before the House for consideration.

The gentleman states that I am seeking to do indirectly what I could not do directly. I am sure the gentleman is in error as to that, because the only proposition before us is sending the resolution to conference, and all I am doing is the only thing I can do directly—to move to instruct under the present parliamentary situation. So much for the matter of direct action.

The gentleman from New York [Mr. SNELL] says that I can not change one specific provision by adding another. On that the point of order will be decided. I call the attention of the Chair to the very provisions of the bill. It refers to areas, not to any one specific area. It is in the plural, not in the singular. Then, who are the people to be benefited? Is it one class of people? No. The bill refers to two classes of persons, to those in the drought area and to the people in the storm-stricken area. If this were an appropriation for one person in one area, then the argument presented by my colleague from New York might be tenable, but the doors have been opened here under the precedents of the House, because it refers to various areas and to two classes of stricken people, the storm-stricken and the drought-affected people. The decisions on the point are numerous. I concede that where a bill provides relief for one person an amendment providing relief for another person is not germane under the decisions, and where the relief applies to one class an amendment making it applicable to a second class is not germane under the decisions; but, at the risk of becoming tiresome, I repeat that the provisions here apply to various areas in various States spread all over the United States, some contiguous and some quite distant from each other, so that so far as the locality and my amendment eliminating locality are concerned I am clearly in order under the decisions. As to the classes of people, we have the drought-afflicted class and the storm-afflicted class. Here, again, we have two classes, and under the decision I can so amend as to make the benefits applicable to another class in the cities.

I call the attention of the Chair to a decision on May 8, 1902, which is the leading decision on the question of germaneness, in respect to adding to specific provisions of a bill, where Mr. James T. Lloyd, of Missouri, raised a question of order to an amendment adding another Territory to a bill admitting several Territories into statehood. The Chair there held:

If this were a bill for the admission of Oklahoma Territory alone as a State, there would be no doubt as to the position taken by the gentleman from Missouri being correct, and an amendment to admit some other Territory as a State would not be in order; but this is a general bill covering three different Territories, and an amendment as suggested by the gentleman from Alabama to admit Alaska as a State would be in order under this bill.

We have exactly the same proposition in this bill now before us. It relates to various areas in many States and to two distinct classes of people. I call the attention of the Speaker to another decision, a bill regulating "oleomargarine and imitation dairy products," where an amendment, including "imitation butter," was offered and held germane on February 11, 1902, to be found on page 487 of Volume V of Hinds' Precedents. I also call the Speaker's attention to still another ruling. A ruling made by Mr. Chairman Sherley, of Kentucky, where he held that adding articles on the free list to the free-list section of a tariff bill was germane, because there was more than one article on that free list. That extended the scope of the provision and meets the objection raised by my colleague from New York [Mr. SNELL]. I submit that my whole point here and my justification for the instructions I seek to give to the conferees is that the bill before us applies to more than one area and to more than one class of beneficiaries and hence an amendment extending the areas to the cities and adding another class, the unemployed, is germane under the rules and precedents. My motion to instruct the conferees would permit them to work out in this bill a provision which will carry out the wishes of the House if my motion is agreed; under the rules and precedents I submit that the motion is germane.

The SPEAKER. The Chair is prepared to rule. The Chair agrees with the gentleman from New York [Mr. SNELL] that the motion of the gentleman from New York [Mr. LAGUARDIA] is very ingeniously drawn and in the opinion of the Chair has great merit, but that can not be considered by the Chair in determining the point of order. The Chair must disagree with the gentleman from New York [Mr. LAGUARDIA] in his general proposition that conferees have broader powers than the House itself has; in other words, that the House may instruct conferees to do a thing which the House could not do itself. The Chair thinks that motions to instruct conferees stand on exactly the same basis and

must be dealt with in the same way as motions to recommit to a committee with instructions, and that if the House can not authorize a committee to do that which the House itself can not do, it follows that it can not instruct conferees to do that which the House can not do.

The motion of the gentleman from New York is that the House conferees be instructed to concur in the Senate amendment providing for food distribution, and so forth. What is that Senate amendment?—

That the Secretary of Agriculture is hereby authorized for the crop of 1931 to make advances of loans to farmers in the drought and storm stricken areas where he shall find that an emergency for such assistance exists, for the purchase of food under such terms as may be prescribed by the Secretary of Agriculture.

The motion of the gentleman from New York is not directed against the bill as a whole, but only to that one amendment, which the Chair has just read, which is specifically limited to farmers in the drought and storm stricken areas. The gentleman from New York desires to broaden that to the extent that it would prevail in cities where there are no drought or storm stricken areas and no farmers. The last decision on the general subject of whether a motion to broaden a specified area is germane was made by the present occupant of the chair on April 2, 1930. A bill was under consideration which provided, among other things, that actions brought against a carrier should only be in a State through or into which the carrier operates a line of railway. An amendment was offered proposing in addition that such action might be brought in the district or State where the railroad maintained an agent, and the Chair held that that was not germane, because it broadened largely the area in which the proposition was supposed to operate.

The Chair thinks that the motion of the gentleman from New York seeks to do exactly the sort of thing which the present occupant of the chair has held to be illegal, and the Chair is constrained to sustain the point of order made by the gentleman from New York [Mr. SNELL].

Mr. McCLINTIC of Oklahoma. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. McCLINTIC of Oklahoma. The Chair having held that the gentleman's motion is out of order, does the rule permit the offering of another motion to instruct?

The SPEAKER. The rules permit, at this stage, one motion that is in order.

Mr. McCLINTIC of Oklahoma. Mr. Speaker, I move that the House conferees be instructed to concur in the Senate amendment.

The SPEAKER. The gentleman from Oklahoma [Mr. McCLINTIC] moves that the House conferees be instructed to concur in the Senate amendment. The question is on the motion of the gentleman from Oklahoma.

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. McCLINTIC of Oklahoma. Mr. Speaker, I demand a division.

Mr. PARKS. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 135, nays 215, answered "present" 1, not voting 80, as follows:

[Roll No. 14]

YEAS—135

Abernethy	Collins	Finley	Hill, Wash.
Allgood	Condon	Fisher	Howard
Arnold	Cooper, Tenn.	Frear	Huddleston
Aswell	Cooper, Wis.	Fuller	Hull, Tenn.
Ayres	Cox	Fulmer	Hull, Wis.
Blanton	Craddock	Gambrill	Igoe
Box	Crisp	Garner	James, N. C.
Boylan	Cross	Gasque	Jeffers
Brand, Ga.	Crosser	Gavagan	Johnson, Okla.
Briggs	Davis	Glover	Johnson, Tex.
Browning	DeRouen	Goldsborough	Jones, Tex.
Busby	Dominick	Granfield	Kennedy
Byrns	Doughton	Green	Kerr
Campbell, Iowa	Doxey	Greenwood	Kvale
Cannon	Drane	Gregory	Lambertson
Cartwright	Drewry	Hall, Miss	Langley
Christgau	Driver	Hancock, N. C.	Lanham
Clark, N. C.	Edwards	Hare	Lankford, Ga.
Cochran, Mo.	Ezlick	Hastings	Lea
Collier	Evans, Mont.	Hill, Ala.	Lindsay
Linthicum	Nelson, Mo.	Rainey, Henry T.	Spearing
Lozier	O'Connor, N. Y.	Ramspeck	Steagall
McClintic, Okla.	Oldfield	Rankin	Stone
McCormack, Mass.	Oliver, N. Y.	Rayburn	Sullivan, N. Y.
McDuffie	Owen	Romjue	Sumners, Tex.
McKeown	Palmisano	Rutherford	Tarver
McMillan	Parks	Sabath	Taylor, Colo.
McReynolds	Parsons	Sanders, Tex.	Vinson, Ga.
McSwain	Patman	Sandlin	Warren
Mead	Patterson	Schafer, Wis.	Whittington
Milligan	Peavey	Schneider	Woodrum
Montague	Prall	Sinclair	Wright
Moore, Ky.	Quin	Somers, N. Y.	Yon
Moore, Va.	Ragon	Sparks	

NAYS—215

Ackerman	Doutrich	Kelly	Selberling
Adkins	Dowell	Kendall, Ky.	Selvig
Allen	Dunbar	Kendall, Pa.	Shaffer, Va.
Andresen	Dyer	Ketcham	Shott, W. Va.
Andrew	Eaton, Colo.	Kinzer	Shreve
Arentz	Eaton, N. J.	Knutson	Simmons
Bachmann	Elliott	Kopp	Sloan
Bacon	Erk	Korell	Smith, Idaho
Baird	Estep	LaGuardia	Snell
Barbour	Esterly	Lankford, Va.	Snow
Beck	Evans, Calif.	Leavitt	Speaks
Beedy	Fenn	Leech	Sproul, Ill.
Beers	Fish	Lehlbach	Stafford
Black	Fort	Letts	Stalker
Blackburn	Fuss	Loofbourow	Strong, Kans.
Bohn	Freeman	Luce	Strong, Pa.
Bolton	French	Ludlow	Summers, Wash.
Bowman	Garber, Okla.	McClintock, Ohio	Swanson
Brand, Ohio	Garber, Va.	McLaughlin	Swick
Brigham	Gibson	Maas	Swing
Britten	Gifford	Manlove	Taber
Brumm	Goodwin	Mapes	Taylor, Tenn.
Brunner	Goss	Martin	Temple
Buchanan	Graham	Menges	Thatcher
Burdick	Griffin	Merritt	Thurston
Burtness	Hadley	Michener	Tilson
Campbell, Pa.	Hall, Ill.	Miller	Timberlake
Carter, Calif.	Hall, Ind.	Mooney	Tinkham
Carter, Wyo.	Hall, N. Dak.	Moore, Ohio	Treadway
Chalmers	Halsey	Morehead	Tucker
Chase	Hancock, N. Y.	Morgan	Turpin
Chindblom	Hardy	Mouser	Underhill
Chiperfield	Hartley	Murphy	Vestal
Christopherson	Haugen	Nelson, Me.	Vincent, Mich.
Clague	Hess	Newhall	Wainwright
Clancy	Hickey	Niedringhaus	Wason
Clarke, N. Y.	Hoch	Nolan	Watres
Cochran, Pa.	Hogg, Ind.	O'Connor, Okla.	Watson
Cole	Hogg, W. Va.	Palmer	Welch, Calif.
Colton	Holaday	Pittenger	Welsh, Pa.
Connery	Hooper	Pou	White
Connolly	Hope	Pratt, Harcourt J.	Whitley
Cooke	Hopkins	Pritchard	Wigglesworth
Cooper, Ohio	Houston, Del.	Purnell	Williamson
Coyle	Hudson	Ramey, Frank M.	Wolfenden
Crail	Hull, William E.	Ramseyer	Wolverton, N. J.
Cramton	Irwin	Ransley	Wolverton, W. Va.
Dallinger	Jenkins	Reece	Wood
Darrow	Johnson, Ind.	Reed, N. Y.	Woodruff
Dempsey	Johnson, Nebr.	Reilly	Wurzbach
Denison	Johnson, Wash.	Rich	Wyant
De Priest	Jonas, N. C.	Robinson	Yates
Dickinson	Kading	Rogers	Zihlman
Dickstein	Kahn	Sanders, N. Y.	

ANSWERED "PRESENT"—1

Oliver, Ala.

NOT VOTING—80

Aldrich	Davenport	Johnson, S. Dak.	Pratt, Ruth
Almon	Dorsey	Johnston, Mo.	Reid, Ill.
Auf der Heide	Douglas, Ariz.	Kearns	Rowbottom
Bacharach	Douglass, Mass.	Kemp	Sears
Bankhead	Doyle	Kiefner	Seger
Bell	Ellis	Kunz	Short, Mo.
Bland	Englebright	Kurtz	Simms
Bloom	Fitzgerald	Larsen	Sirovich
Browne	Fitzpatrick	McCormick, Ill.	Smith, W. Va.
Buckbee	Free	McFadden	Sproul, Kans.
Butler	Garrett	McLeod	Stevenson
Cable	Golder	Magrady	Stobbs
Canfield	Guyer	Mansfield	Sullivan, Pa.
Carley	Hale	Michaelson	Thompson
Celler	Hawley	Montet	Underwood
Clark, Md.	Hoffman	Nelson, Wis.	Walker
Corning	Hudspeth	Norton	Whitehead
Crowther	Hull, Morton D.	O'Connor, La.	Williams
Culkin	James, Mich.	Parker	Wilson
Cullen	Johnson, Ill.	Perkins	Wingo

So the motion was rejected.

The Clerk announced the following additional pairs:

Additional general pairs:

Mr. Nelson of Wisconsin with Mr. Bland.
Mr. James of Michigan with Mr. Almon.
Mr. Morton D. Hull with Mr. Douglas of Arizona.
Mr. Parker with Mr. Larsen.
Mr. Cable with Mr. Doyle.
Mr. Kiefner with Mr. Hudspeth.

On the vote:

Mr. Williams (for) with Mr. Aldrich (against).
Mr. Cullen (for) with Mr. Hawley (against).
Mr. Bankhead (for) with Mr. Free (against).
Mr. Montet (for) with Mr. Bacharach (against).
Mr. Douglass of Massachusetts (for) with Mr. Magrady (against).
Mr. Browne (for) with Mr. Corning (against).
Mr. Mansfield (for) with Mr. Short of Missouri (against).
Mrs. Norton (for) with Mrs. Ruth Pratt (against).
Mr. Underwood (for) with Mr. Engelbright (against).
Mr. Dorsey (for) with Mr. Golder (against).
Mr. Carley (for) with Mr. Hale (against).
Mr. Canfield (for) with Mr. Johnson of Illinois (against).
Mr. Auf der Heide (for) with Mr. McFadden (against).
Mr. Kemp (for) with Mr. Johnson of South Dakota (against).
Mr. Garrett (for) with Mr. Reid of Illinois (against).
Mr. Stevenson (for) with Mr. Kurtz (against).
Mr. Sirovich (for) with Mr. McLeod (against).
Mr. Smith of West Virginia (for) with Mr. Stobbs (against).
Mr. Bell (for) with Mr. Kearns (against).
Mr. Kunz (for) with Mr. Sullivan of Pennsylvania (against).
Mr. O'Connor of Louisiana (for) with Mr. Guyer (against).
Mr. Fitzpatrick (for) with Mr. Culkin (against).
Mr. Wilson (for) with Mr. Perkins (against).
Mr. Whitehead (for) with Mr. Davenport (against).
Mr. Oliver of Alabama (for) with Mr. Buckbee (against).
Mr. Bloom (for) with Mr. Hoffman (against).
Mrs. Wingo (for) with Mr. Crowther (against).
Mr. Celler (for) with Mr. Johnson of Missouri (against).

Mr. BLOOM. Mr. Speaker, I desire to vote.

The SPEAKER. Was the gentleman present and listening when his name was called?

Mr. BLOOM. I was not, Mr. Speaker.

The SPEAKER. The gentleman does not qualify.

Mrs. WINGO. Mr. Speaker, I desire to vote "aye." I had been present, but was just called outside for a moment.

The SPEAKER. The gentlewoman does not qualify.

The result of the vote was announced as above recorded.

On motion of Mr. TILSON, a motion to reconsider the vote by which the motion was rejected was laid on the table.

The SPEAKER. The Chair appoints the following conferees: Messrs. WOOD, CRAMTON, WASON, BYRNS, and BUCHANAN.

DEPARTMENTS OF STATE AND JUSTICE AND THE JUDICIARY AND DEPARTMENTS OF COMMERCE AND LABOR APPROPRIATION BILL

Mr. SHREVE, from the Committee on Appropriations, by direction of that committee, submitted a report on the bill (H. R. 16110) making appropriations for the Departments of State and Justice and for the Judiciary and for the Departments of Commerce and Labor for the fiscal year ending June 30, 1932, and for other purposes (Rept. No. 2255), which was read the first and second time and, with the accompanying report, referred to the Committee of the Whole House on the state of the Union and ordered printed.

Mr. BYRNS reserved all points of order.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate insists upon its amendments to the joint resolution (H. J. Res. 447) entitled "Joint resolution making an appropriation to carry out the provisions of the public resolution entitled 'Joint resolution for the relief of farmers in the drought and/or storm stricken areas of the United States,' approved December 20, 1930," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon and appoints Mr. JONES, Mr. SMOOT, and Mr. HARRIS to be the conferees on the part of the Senate.

The message also announced that the Vice President had appointed Mr. SHIPSTEAD and Mr. FLETCHER members of the joint select committee on the part of the Senate as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of useless papers in the Government Printing Office.

The message also announced that the Vice President had appointed Mr. DALE and Mr. MCKELLAR members of the joint select committee on the part of the Senate as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of useless papers in the United States Civil Service Commission.

ARMY APPROPRIATION BILL

Mr. BARBOUR. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 15593) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1932, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 15593) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1932, and for other purposes, with Mr. TILSON in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15593, which the Clerk will report by title.

The Clerk read the title of the bill.

The Clerk read as follows:

Regular supplies of the Army: Regular supplies of the Quartermaster Corps, including their care and protection; stoves required for the use of the Army for heating offices, hospitals, barracks, and quarters, and recruiting stations, and United States disciplinary barracks; also ranges, stoves, coffee roasters, and appliances for cooking and serving food at posts in the field and when traveling, and repair and maintenance of such heating and cooking appliances; authorized issues of candles and matches; for post bakery and bake-oven equipment and apparatus; for ice for issue to organizations of enlisted men and offices at such places as the Secretary of War may determine, and for preservation of stores; authorized issues of soap, toilet paper, and towels; for the necessary furniture, textbooks, paper, and equipment for the post schools and libraries, and for schools for noncommissioned officers; for the purchase and issue of instruments, office furniture, stationery, and other authorized articles for the use of officers' schools at the several military posts; for purchase of commercial newspapers, market reports, etc.; for the tableware and mess furniture for kitchens and mess halls, each and all for the enlisted men, including recruits; for forage, salt, and vinegar for the horses, mules, oxen, and other draft and riding animals of the Quartermaster Corps at the several posts and stations and with the armies in the field, for the horses of the several regiments of Cavalry and batteries of Artillery and such companies of Infantry and Scouts as may be mounted, and for remounts and for the authorized number of officers' horses, including bedding for the animals; for seeds and implements required for the raising of forage at remount depots and on military reservations in the Hawaiian, Philippine, and Panama Canal departments, and for labor and expenses incident thereto, including, when specifically authorized by the Secretary of War, the cost of irrigation; for the purchase of implements and hire of labor for harvesting hay on military reservations; for straw for soldiers' bedding, stationery, typewriters and exchange of same, including blank books and blank forms for the Army, certificates for discharged soldiers, and for printing department orders and reports, $5,403,711.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. There has been a drastic cut in this appropriation for regular supplies of the Army, from $11,393,000 to $5,400,000 plus, more than a $6,000,000 cut. I wish the chairman of the subcommittee would explain the reason for this drastic cut.

Mr. BARBOUR. This decrease is due to the fact that we have transferred from this item certain projects which were formerly carried here and which are now carried under barracks and quarters, consisting principally of fuel, electric service, and transportation, which amount to something over $5,600,000. Then there is a reduction on account of the reduced cost of forage and the fewer animals to be foraged in the next fiscal year.

Mr. STAFFORD. If it were not for that transfer to other items this amount would not be so greatly reduced.

Mr. BARBOUR. It would be practically the same.

The pro forma amendment was withdrawn.

The Clerk read as follows:

No money appropriated by this act shall be expended for the hire, operation, maintenance, or repair of any motor-propelled vehicle which shall be employed wholly or in part for personal,

social, or similar uses, except such use as is prescribed by order for transporting children of Army personnel to and from school, and Army personnel in connection with the recreational activities of the Army.

Mr. McKEOWN. Mr. Chairman, I move to strike out the last word and I ask unanimous consent to proceed out of order.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent to proceed out of order. Is there objection?

There was no objection.

Mr. McKEOWN. Mr. Chairman and gentlemen of the committee, on yesterday there was inaugurated as Governor of the State of Oklahoma one of the most remarkable characters in national and State politics, William H. Murray, commonly known among his friends as "Alfalfa" Bill Murray. He was formerly a Member of this House and served with a number of gentlemen now Members of the House. He is a peculiar man in many respects, but he is an honest man. He spent seven years in Bolivia in an endeavor to establish an American colony there, but his property was taken away from him by the Bolivian Government and he returned to Oklahoma in August, 1929. In 1930, without any personal fortune and with scarcely any funds at all, he entered the race for governor of that great State against men who are millionaires. He swept that State in the primary election and was elected governor of that State by the greatest majority of any governor in the history of the State.

Mr. Murray's campaign was one that appealed not only to the farmers but to the business men of the State. His campaign was based upon the program of reduction in taxes; that is to say, a fair system of taxation to all alike. He proposes and expects to bring about a reduction in taxation upon visible property and a fair tax upon invisible property. His illustration in that campaign was unanswerable. He said: Here are four sons. The father gives them $5.000. One buys a farm; one buys a stock of goods; one spends his $5,000 in educating himself as a lawyer and the other spends $5,000 in educating himself as a physician. They all commence life together. The farmer's farm is assessed at about $3,000 and the merchant's merchandise at about $3,000. The lawyer has about $500 worth of books and the doctor about $500 worth of surgical instruments on the list for taxation. When they are prosperous, under the State laws of Oklahoma the lawyer and the doctor, if they make a sufficient income, will pay a small income tax, and the farmer and the merchant pay their taxes; but when there comes a period of depression and the doctor and the lawyer make little, if any, money, they do not pay any tax at all, yet the farmer and the merchant still pay their taxes, whether they make any money or not. Upon that platform and upon that proposition he has been elected governor of that State.

In view of the excessive taxes in the several States, it will be of interest to all the States to note the progress this man makes upon that platform.

So we Oklahomans wish him well, and I am sure that the people of these several States, who are now taxed to the very limit, will be glad to see him succeed.

Mr. SLOAN. Will the gentleman yield?

Mr. McKEOWN. I yield.

Mr. SLOAN. So the gentleman is supporting his own "Bill"?

Mr. McKEOWN. I am.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. McCLINTIC of Oklahoma. Mr. Chairman, I move to strike out the last two words, and I ask unanimous consent to speak out of order.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent to speak out of order. Is there objection?

There was no objection.

Mr. McCLINTIC of Oklahoma. Mr. Chairman and gentlemen of the committee, a few minutes ago I made a motion that the House concur in the Senate amendment to the drought relief bill. The Senate amendment, if adopted into law, would have provided relief in the way of food for a number of sections of the country where the people are in a destitute condition.

Since making that motion I have received a telegram from the two largest daily papers in my State that are independent when it comes to political affiliations, and I am going to ask unanimous consent in my time that this telegram may be read into the RECORD.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

OKLAHOMA CITY, OKLA., *January 13, 1931.*

Representative J. V. McCLINTIC,
House Office Building:

Want to urge you continue your fight for Government appropriation of $15,000,000 for emergency relief for human beings. Political aspect of President Hoover's Red Cross appeal for $10,000,000 is obvious; public is thoroughly aware this call is made now in effort to defeat measure in Congress; this appeal is going to communities all over the land, which are already groaning under their own burdens of local relief. For example, Red Cross expects to call upon Oklahoma City to raise $25,000. We are now studying whether local emergency-relief campaign for $50,000 additional will be sufficient for our local needs and are stopped by contemplation of additional fund for National Red Cross. We shall take this attitude; we know it is going to require minimum of $40,000 to care for destitute human beings within our reach in Oklahoma City until April 1. Until we raise this money we do not propose to raise one dime for National Red Cross appeal. We think John Barton Payne's statement to Congress last week ridiculous in view of his sudden about face when urged by President in effort to clear legislative jam to avoid extra session; the Government had $100,000,000 for Belgium relief for human beings, but seems to be scared to death of helping our own people to extent of $15,000,000.

WALTER M. HARRISON,
Daily Oklahoman and Oklahoma City Times.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. McCLINTIC of Oklahoma. I will be glad to yield.

Mr. CHINDBLOM. Does the gentleman feel any disposition to acquiesce in the statement of that telegram that the appeal of the Red Cross and the President's joining in that appeal at this time are political?

Mr. McCLINTIC of Oklahoma. I am rather inclined to take this statement as the average attitude of a great many communities in the United States with respect to obtaining aid through the instrumentality of the Red Cross or subscribing funds for this purpose.

Mr. CHINDBLOM. I may say that I am satisfied the gentleman is entirely wrong. I think the people of this country have a different opinion of the Red Cross and of the President of the United States, and I may say also of that former distinguished Chicagoan, the Hon. John Barton Payne, who served with distinction as one of the judges of our State courts that he has a reputation of the highest order for veracity and character and integrity. [Applause.]

Mr. McCLINTIC of Oklahoma. I want to say in reply to the gentleman that I have never cast a single reflection upon the Red Cross.

Mr. CHINDBLOM. But this telegram does.

Mr. McCLINTIC of Oklahoma. This telegram corroborates a statement that has been published in the Washington papers with respect to the attitude of the Red Cross in a controversy of this kind, and I simply said I thought that this telegram would probably reflect the attitude of certain sections of the United States, having in mind that a great many citizens who would like to help the Red Cross are not financially able to do so and for that reason I doubt if the Red Cross will receive the same kind of responsive returns that they have received in the past when they make a request at this time, having in mind that this is a responsibility of the Government and that it would be better for the Government to shoulder the responsibility and take care of the situation rather than try to tax a community that is already overtaxed in trying to take care of local conditions.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. McCLINTIC of Oklahoma. Mr. Chairman, I ask unanimous consent that I may proceed for three more min-

utes in order that I may at least attempt to answer the gentleman, who has been very courteous.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. CHINDBLOM. Will the gentleman permit another observation?

Mr. McCLINTIC of Oklahoma. I will be pleased to yield.

Mr. CHINDBLOM. I am interested and concerned relative to this reflection upon Judge Payne, not because of any personal relationship with him or any political affiliation with him, I will say to the gentleman, for, as is well known, Judge Payne is a Democrat. He was a member of President Wilson's Cabinet as Secretary of the Interior and was chairman of the United States Shipping Board by appointment of President Wilson, and he should not be assailed by anybody in the United States in the great work which he is now doing as the head of the American Red Cross.

Mr. McCLINTIC of Oklahoma. I want to say in reply to the gentleman that I do not care to cast any reflection upon Judge Payne or anybody else, but what I have said is true. Various communities throughout the United States are not financially able to meet their quotas, and having this in mind, they are first going to take care of local conditions, because they realize that these people are at their doors begging and asking for help, and unless they get help they will assume an attitude that will not be very healthful for the communities in which they reside.

Mr. LaGUARDIA. Will the gentleman yield?

Mr. McCLINTIC of Oklahoma. I will be glad to yield to the gentleman from New York.

Mr. LaGUARDIA. I put into the RECORD this morning a statement showing that under the quotas by which the Red Cross is to raise the $10,000,000 which the gentleman refers to, New York, Massachusetts, Illinois, Pennsylvania, California, and New Jersey are supposed to contribute $7,606,000 of the total $10,000,000, and they do not expect to give any relief to any section of the States I have mentioned. Surely this will show that the burden is going to come on the Red Cross fund the same as it will come on the $40,000,000 we appropriated to-day—from people who will get nothing from that fund.

Mr. McCLINTIC of Oklahoma. The statement contained in this telegram only referred to the attitude of a section of the country that is in dire distress because of a very serious situation, and the gentleman can not blame those people for first making the statement they are going to take care of their own hungry before they contribute any money to take care of any other situation, and they have this thought in mind. It has been reported there is now in the treasury of the Red Cross some $300,000,000, and if this statement is true, then neither Mr. Payne nor any other person connected with the Red Cross has the right to go out and ask these communities to contribute money when they are in a position where they can not take care of their own hungry people.

Mr. LaGUARDIA. It seems to me when you take five States and raise $7,606,000 and have 43 other States that are expected to raise $2,400,000, that the 43 States have no complaint.

Our kick is that we are paying the greater portion of the Red Cross fund and the greater portion of the taxes when we have needy people and can not get relief.

Mr. McCLINTIC of Oklahoma. The gentleman from New York may be correct and his State may have been assessed an amount that is entirely too high. I am in full sympathy with him and voted with him to get some aid for those who reside in his district or in his city who are in need of help. I regret exceedingly that my motion to instruct the House conferees to accept the Senate amendments was rejected by a pretty near solid party vote; however, I am appreciative of the fine support given by the Democratic Members.

Mr. DICKSTEIN. Mr. Chairman, I rise in opposition to the pro forma amendment and ask unanimous consent that I may proceed out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BARBOUR. Mr. Chairman, I move that all debate on this paragraph and all amendments thereto close in five minutes.

The motion was agreed to.

NATHAN STRAUS

Mr. DICKSTEIN. Mr. Chairman, ladies and gentlemen of the House, the Jewish people of the United States have to record another loss in the space of but a few months. After the death of Louis Marshall, the statesman and diplomat, we now mourn the passing of Nathan Straus, the great philanthropist. In the annals of American philanthropy there have been but few characters like him, and in the story of alleviation of human misery he had no peer or equal. His whole life was devoted to the interests of those less fortunate than himself, and his aim and purpose of existence was to bring a ray of sunshine to those whose existence was but a dreary commonplace.

Nathan Straus was one of nature's noblemen. Born in comparative poverty but by his own efforts rising to a leading position in the world of business and exemplifying by his life that spirit of love for humanity which we like to associate with those born with obligations. The French have a term, "noblesse oblige," to denote the obligation placed upon the man who is a nobleman by birth and therefore must of necessity take care of those who are below him in social station. We have no nobility in this country, and therefore the only true nobility is that of character and accomplishment. In any other country in the world Nathan Straus would by his philanthropies earn for himself the proud title of a nobleman. In this country we will accord him all the honors which nobility demands.

It was a life of usefulness and of service which has come to an end and we can only be poorer by the loss of Nathan Straus. His loss is irreparable and his personality irreplaceable. The breadth and depth of the service of Nathan Straus to humanity is a generous attitude and friendly disposition. His sturdy defense of the poor and lowly and his ready eagerness to respond to the care and suffering, no matter from what quarter it might come, irrespective of race, religion, nationality, or color, made him a world-wide figure in philanthropy.

Nathan Straus was born in Rhenish Bavaria on January 31, 1848, the son of Lazarus and Sara Straus. He had two brothers, Isidor and Oscar. Isidor, a great merchant, lost his life when the steamship *Titanic* went down after striking an iceberg on her maiden trip. Oscar S. Straus, once ambassador to Turkey, a Cabinet member, and recipient of honors at the hands of six Presidents, from Cleveland to Wilson, died of heart disease on May 3, 1926.

Nathan Straus was the eldest of the sons, and when his father came to this country in 1854, the boy, despite his tender years, was already assuming the rôle of big brother. The Straus family settled in Talbottom, Ga. At first the father peddled his wares on the Georgia plantations and later he set up a store in Talbottom. When it began to succeed, the father sent for his wife and the young sons. The Straus family was the only Jewish group in the small village. Thus they attended now and then the Baptist Church and their home became the headquarters for the old-time circuit-riding preachers, who looked with something akin to awe upon the elder Straus as one who could translate literally from the original of the Old Testament.

Mr. WRIGHT. Will the gentleman yield?

Mr. DICKSTEIN. I yield.

Mr. WRIGHT. I want to state that the father of Nathan Straus settled in a county in my district. And he started business as a pack peddler.

Mr. DICKSTEIN. The Civil War ruined the family and with the savings swept away, they moved to New York City. The father went into business as L. Straus, importer of pottery and glassware and Nathan Straus entered Packard's Business College. Shortly after he was graduated he married Lina Gutherz, and in April, 1927, the couple, rich in

memories, celebrated the fifty-second anniversary of their marriage. After his marriage Nathan Straus joined his father—Isidor having already done so—and the firm became L. Straus & Sons, both young men acting as salesmen. In 1923, the philanthropist bought the business and Nathan Straus & Sons (Inc.), with State Senator Nathan Straus, jr., as president, came into being.

On St. Patrick's Day, 1874, Nathan Straus walked into the highly successful department store founded by Rowland Hussey Macy, under the firm name of R. H. Macy & Co. Mr. Straus had under his arm two fine porcelain plates. Mr. Macy was interested and the upshot was that the basement of the store was rented to the Straus firm. Nathan and Isidor Straus bought the store in 1887. After his brother's tragic death Nathan Straus in 1914 gave up all connection with R. H. Macy & Co.

In 1888 the brothers established a china department in the Brooklyn department store then known as Wechsler & Abraham. The brothers were invited to enter the firm in 1893, and after they had acquired Mr. Wechsler's interest the firm became Abraham & Straus. The firm was incorporated in 1920, but it was not until 1925 that Mr. Straus, who had not been active in the business for some time, retired as chairman of the board.

So much for the outer facts of Nathan Straus's life, but, above all the success as a man of business and his achievements elevating himself from comparative poverty to affluence and riches, Nathan Straus had always before his mind the goal of the purpose of his life, which was the alleviation of human misery. Through all his business years his philanthropic spirit had been at work and as far back as 1892 he had the conception of establishing milk stations for infants.

Thereafter, for 30 years or more, he maintained at his own expense, a laboratory and distribution system to provide the poor with milk, and thousands of infants' lives were saved every year by this noble work of Nathan Straus. Not only in this country did Nathan Straus establish milk stations. As his idea spread, Mr. Straus organized milk stations in Germany, Palestine, Cuba, the Philippines, and other places throughout the world. It must be borne in mind that at the time of the establishment of the first milk station in New York City pasteurization of milk was in its infancy and none of the large distributing companies practiced pasteurization in their plants. It was only after Nathan Straus demonstrated the value of pasteurization of milk for infants that the large distributing companies adopted the system of purifying the milk sold on the market by the process of pasteurization.

As a matter of fact, America has become the pioneer in the work of pasteurization of milk for human consumption largely and almost exclusively through the efforts of Nathan Straus. Nor was that all.

While the idea was a novel one, Nathan Straus encountered opposition from many sources, by fair means or foul, seeking to undermine his work and discredit him in the public eye. It was then that Nathan Straus's wife, Lina, who died recently—only a few months before her husband—gave the encouragement to Nathan Straus to continue his noble work and not to let up in his efforts. It was she who added her noble cooperation to the untiring efforts of Nathan Straus, and with her aid the relief given to the children of the poor became the noblest monument of Nathan Straus's life.

In recent years Nathan Straus became seriously interested in the work of rehabilitation of the ancient Jewish homeland of Palestine, and he was pouring out his money lavishly and unstintingly into the development, both economic and social, of that ancient land of the Jews. Nathan Straus became intimately identified with the effort to make Palestine a healthy country to live in, and most of the medical foundations which have done such noble work in Palestine are due to the indefatigable work of Nathan Straus. Palestine, in the words of the Psalmist, would be turned again into a land of milk and honey.

They that sow in tears shall reap in joy. (Psalm 126.)

Nathan Straus did not believe in making only the Jews of Palestine reap the benefit of his unselfish work, but all creeds and races, inhabitants of the country, shared in the benefits of Nathan Straus's noble experiment. Where the country was desolate and there was not a dwelling to be found, due to the continued pouring out of funds he was able to establish splendid structures, wonderful hospitals, memorable works of art, and all that was necessary for the uplift of the individual and the health of the races. Nathan Straus saw to it that his benefactions were given to those who were mostly in need of them. He saw to it that every cent spent for the noble causes which he had espoused was spent where it would do most good. Out of the abundance of his wealth he was pouring out his treasures lavishly with but one aim in view, and that was the betterment of those for whose benefits these large sums were spent.

He did not live to enjoy his wealth by way of spending it on himself, but he felt that the greatest duty a man of wealth owes is to the community and his fellow men, and by giving unstintingly he will do more for the satisfaction of his own sense of justice than he would by accumulating great wealth.

Not long before his death he said:

> What you give in health is gold;
> What you give in sickness is silver;
> What you give after death is lead.

This saying epitomizes more than anything else the philosophy of Nathan Straus's life and the noble theory upon which his benefactions were founded.

He would distribute all his wealth in his lifetime, for he felt with his own personal supervision of the distribution of the funds contributed by him he could do much more than by establishing foundations after his death, which necessarily would have to be directed by others who would not perhaps give the same sympathy to the projects dearest to the heart of Nathan Straus. Nathan Straus believed not only in giving but also in sharing his gifts, thus following the noble precepts of our own great poet James Russell Lowell, who in one of his noblest works says:

> Not what you give, but what you share;
> For the gift without the giver is bare.

It is not enough to spend your money, but behind every cent that goes out of the treasury of the great philanthropist there is a beating human heart which watches its expenditure, so that it may benefit the one for whom it is intended and bring sunshine into a world of gloom.

Nathan Straus was typically the individualist philanthropist—the man who personally felt with those for whose relief his money was so generously spent.

And when at this time we are pausing in our labors to record the death of Nathan Straus, may I be permitted to add a note of my personal feeling of grief at this catastrophe which has overtaken the American people.

In my office I have a photograph of Nathan Straus, facing me when I do my day's labors, with the words "Your friend, Nathan Straus," inscribed thereon. It is not merely an expression on the part of the dear deceased, but it represents what Nathan Straus truly was to me—a friend. A friend in the noblest sense of the word; one who was ever ready to give me his counsel and his advice on matters of social and public policy. I learned a great deal both from the life of Nathan Straus and from the living example of my association with him. Whenever it was my good fortune to bring me in contact with Nathan Straus I would leave his presence enriched with experience in appreciation of human contacts and in love for my fellow men. Nathan Straus was one of those noble characters whose very touch was inspired, whose every word was a spurring-on to better and fuller activity on behalf of one's fellow men, whose nobility of character was so apparent to anyone who would gaze on his features that the very contact with him would make one a better man.

> His life was gentle; and the elements
> So mix'd in him that Nature might stand up
> And say to all the world, "This was a man."
>
> (Julius Cæsar, Act V, scene 5.)

Nathan Straus is in a better world now, removed from the turmoil of daily life, and is "sleeping with his fathers" in the words of our Bible.

May his soul rest in peace. [Applause.]

ARMY APPROPRIATION BILL

The Clerk read as follows:

None of the funds appropriated in this act, unless expressly made available for the purpose, shall be used for the purchase or exchange of motor-propelled freight-carrying or passenger-carrying vehicles for the Army, except those that are purchased solely for experimental purposes, in excess of the following quantities and costs per vehicle delivered and completely equipped, including the value of a vehicle exchanged: 14 truck chassis at $7,200, 22 truck chassis at $4,250, 76 truck chassis at $2,800, 27 truck chassis at $1,750, 24 passenger-carrying vehicles at $2,000, 7 such vehicles at $600, and 110 motor cycles at $300: *Provided*, That during the fiscal year 1932 the cost of transportation from point of origin to the first point of storage or consumption of supplies, equipment, and material in connection with the manufacturing and purchasing activities of the Quartermaster Corps may be charged to the appropriations from which such supplies, equipment, and material are procured.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. I want to inquire as to the status of automobile trucks now in possession of the Army. At the close of the war there was a surplusage occasioned by the purchase of a large number of trucks by the Government for war purposes. Great numbers were dumped upon the different departments—the Agricultural Department and the Post Office Department—and I am curious to ascertain whether there is any surplus of that old war material still left.

Mr. BARBOUR. Yes; there is quite a little left. On November 1, 1930, the Army possessed 5,938 cargo trucks and chassis, all but 183 of which were war-purchased equipment. Of the total number on hand, 3,805 were being operated, and 543 were classed as serviceable or economically repairable. The requirement total as recently determined by a board of staff officers is 4,945.

Mr. STAFFORD. I am seeking information as to the number of trucks on hand that are performing no service at all.

Mr. BARBOUR. Not serviceable?

Mr. STAFFORD. I mean serviceable but not in use.

Mr. BARBOUR. Unserviceable and uneconomically repairable, 1,590. Serviceable or economically repairable, 543. These are all cargo trucks or chassis.

Mr. STAFFORD. Can the gentleman give any estimate of the number of serviceable trucks of war origin not in use?

Mr. BARBOUR. Five hundred and forty-three trucks or chassis and 3,882 motor vehicles of all kinds, serviceable or economically repairable but not operated. They are getting rid of the unserviceable as fast as they can. It would cost more to put them in running order than they would be worth.

Mr. STAFFORD. Or to transport them to where they might be used?

Mr. BARBOUR. Yes.

Mr. STAFFORD. Mr. Chairman, I withdraw the pro forma amendment.

Mr. CHINDBLOM. Mr. Chairman, I move to strike out the last word and ask unanimous consent to proceed out of order.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed out of order for five minutes. Is there objection?

There was no objection.

Mr. CHINDBLOM. Mr. Chairman, in the current Congressional Directory at the bottom of page 287 under the heading, Department of the Treasury, will be found the following line:

Government actuary—Joseph S. McCoy, Beltsville, Md.

Mr. McCoy passed away suddenly on Friday of last week. He may not have been known generally to the membership of the House, but to the present and former members of the Committee on Ways and Means of the House and the Committee on Finance of the Senate he was a well-known figure. He was the most reliable authority, not only in the Government service but probably in the United States, upon statistics relating to the taxation system of our country. I recall frequent instances when it became necessary to have estimates as to the probable result of proposed legislation for tax purposes. Mr. McCoy showed an astounding intuition, almost an uncanny foreknowledge, of the effect of such proposed legislation. He was in the service of the Government for many years—a quiet, retiring man—who upon several occasions refused to accept more remunerative positions tendered to him elsewhere than in the Government service. He left, mourning his death, his family and other relatives, and I am sure the entire House joins in extending to them our deepest sympathy and condolence in the bereavement and loss which they have sustained. I think it very fitting that the record of this House should show this brief mention of the services of this capable, patient, hardworking, and always courteous public servant. [Applause.]

The Clerk read as follows:

HORSES, DRAFT AND PACK ANIMALS

For the purchase of draft and pack animals, $82,500; for the purchase of horses within limits as to age, sex, and size to be prescribed by the Secretary of War for remounts for officers entitled to public mounts, for the United States Military Academy, and for such organizations and members of the military service as may be required to be mounted, and for all expenses incident to such purchases (including $120,000 for encouragement of the breeding of riding horses suitable for the Army, in cooperation with the Bureau of Animal Industry, Department of Agriculture, including the purchase of animals for breeding purposes and their maintenance), $235,620; in all, $318,120.

Mr. TREADWAY. Mr. Chairman, I move to strike out the last word and ask unanimous consent to proceed for five minutes out of order.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. TREADWAY. Mr. Chairman, it may seem somewhat presumptuous for a Member of this House, not representing a metropolitan district where large financial institutions are centered, to criticize the chairman of the board of the Chase National Bank, Mr. A. H. Wiggin, who, in yesterday's press, is reported as having made a statement to his board of directors and stockholders, which I judge was widely quoted in the press not only of this country but of Europe, in respect to the financial situation at the present time. I personally entirely disagree with the findings of that gentleman as to the possibility of the restoration of business conditions and a revival of foreign trade. Stripped of its verbiage, he practically says three things: First, he advocates a reduction in tariff rates; second, a reduction in the wage scale paid in the United States; and third, a reduction of the debt owing this country by foreign countries.

First, as to a reduction of the tariff rates, let me say that to the best of my recollection no rate in the act of 1930 was touched except at the request and solicitation of American manufacturers or producers. Where an existing rate was not criticized, the Ways and Means Committee did not give consideration to it. Therefore, when a business man like Mr. Wiggin makes the statement that he objects to existing tariff rates, he should be specific in his instances rather than general in his criticism. At the insistence of President Hoover a practical and suitable flexible tariff provision was inserted in the bill, and if Mr. Wiggin can specify particular places where mistakes have been made in the act, an opportunity is afforded him for the correction by application to the Tariff Board. He should specify wherein the act of 1930 unduly raises the rates. As a matter of fact, there is a general raise of 3 per cent in the whole act.

Next, Mr. Wiggin says that we should reduce the wages in this country. This country believes in the American standards of living, and in order to retain them we must pay American rates of wages. He wants the wages of others reduced, but I do not see in his statement any reference to doing away with the pay or salary of people in positions such as he holds, which permits residents of Park Avenue to go to Newport in the summer time and to Palm Beach in the winter, riding in Rolls Royce automobiles. He wants a change in the wage scale of American workmen, and if that change is made, it means that our workmen must live on a parity with their foreign competitors. That is not what America wants to have done.

Third, Mr. Wiggin wants a reduction or wiping out of the foreign debt owed this country. That argument was worn threadbare when the settlements were made with foreign countries, and Members who remember the argument of that great man, Mr. Burton, of Ohio, can readily agree with me that we are not anxious, nor will we, as an American Congress, vote to remove the debt owed this country by foreign countries. We made liberal settlements with those countries, and we are going to stand by them. In conclusion there is a cablegram in this morning's paper that England approves of Mr. Wiggin's attitude, as I have no doubt she does, and says that he had only altruistic motives. I maintain that his motives are selfish, in that he represents Americans who have invested large sums in foreign securities, and his motive is to have the balance of trade favorable to foreign countries in order that the money that he has asked American citizens to send abroad for the purpose of investment there may bring better returns to them. That is un-American and I for one object to the type of interview Mr. Wiggin, the chairman of the Chase National Bank board, has broadcast throughout the land. [Applause.]

In further answer I ask unanimous consent to be permitted to insert a brief extract from the statement recently made by the Assistant Secretary of Commerce, Mr. Julius Klein.

The CHAIRMAN. Is there objection?

Mr. KENNEDY. I object.

Mr. EATON of Colorado. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Colorado [Mr. EATON] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. EATON of Colorado: Page 22, line 6, after the word "including" in parentheses, strike out "$120,000" and insert in lieu thereof "$132,500."

Mr. COLLINS. Mr. Chairman, I was on my feet to make a point of order on that language.

The CHAIRMAN. The gentleman's point of order comes too late.

Mr. COLLINS. No, indeed. I was on my feet at the time the gentleman from Massachusetts [Mr. TREADWAY] rose, and I have been on my feet almost continuously since then.

Mr. STAFFORD. But there has been debate on the paragraph.

The CHAIRMAN. Has the gentleman from Mississippi [Mr. COLLINS] an amendment to offer, or is the gentleman making a point of order?

Mr. COLLINS. I am making a point of order.

The CHAIRMAN. On the entire paragraph?

Mr. COLLINS. No. I am making a point of order to the amendment which the gentleman from Colorado is offering, because there is no authorization in law for the carrying of the item.

Mr. EATON of Colorado. That is not a point of order to the amendment.

The CHAIRMAN. Will the gentleman from Mississippi please state his point of order?

Mr. COLLINS. I make a point of order against the gentleman's amendment.

The CHAIRMAN. On what ground?

Mr. COLLINS. On the ground that there is no authorization of law for breeding operations at all.

This item has been carried yearly in the appropriation bill, but there is no authorization.

Mr. STAFFORD. Mr. Chairman, I make the point of order that the point of order comes too late. It is a novel question that is presented to the present occupant of the chair for decision. As I understand the parliamentary procedure, when this paragraph was read the gentleman from Massachusetts [Mr. TREADWAY] moved to strike out the last word and then asked unanimous consent to proceed out of order. Whether that was debate or not, I do not recall that it has ever been passed upon by any occupant of the chair. However, no point of order was made. The gentleman might have proceeded with debate without asking to have the privilege of discussing the paragraph out of order, and if some Member had then called him to order it would have been too late to have made the point of order.

The CHAIRMAN. As the Chair understands it, the point of order is made not against the paragraph, but against the amendment as offered by the gentleman from Colorado.

Mr. STAFFORD. Oh, no.

Mr. COLLINS. That is right. No debate on the item has been had.

Mr. STAFFORD. The point of order is made to the matter included in the parenthesis. The gentleman from Colorado [Mr. EATON] offers an amendment only to increase the amount. Certainly that is not the point of order which the gentleman from Mississippi intended to make.

The CHAIRMAN. The gentleman from Mississippi states he is making a point of order against the amendment.

Mr. STAFFORD. A point of order against increasing the amount is not in order.

The CHAIRMAN. The Chair overrules the point of order.

Mr. EATON of Colorado. The Army horse-breeding plan was initiated in 1921 with an appropriation of $250,000. This was reduced the following year to $150,000 annually, at which figure it remained until the fiscal year 1931, when it was further reduced to $132,500. The pending Army appropriation bill again reduces the appropriation for breeding to $120,000.

By successive reductions in overhead expenditures, lessening yearly the average cost of maintenance of stallions, it has been possible systematically to expand Army breeding operations until at present some 680 stallions are available to breeders. This number by no means supplies the demand for stallions, as there are now on hand applications for hundreds of approved breeders. To fill these applications requires an annual increment in the number of stallions at stud. The normal wastage of stallions is about 10 per cent of the total number on hand. The current appropriation of $132,500 admits of a small annual increment in the number of serviceable stallions in addition to the replacement of losses.

To reduce this appropriation by $12,500 to $120,000, as proposed, will, however, wipe out the margin required for increasing the usefulness of the breeding plan, abruptly stop its expansion, and seriously disappoint those breeders who have been waiting, in their turn, for the assignment to them of the stallions requisite to carrying on the growing production of riding horses.

In the present status of agriculture this would seem to be an undesirable blow at an important branch of the livestock industry.

As a matter of information in connection with this, I ask unanimous consent to have printed in the RECORD a statement of the Remount Association showing the names and distribution of the stallions throughout the United States.

The CHAIRMAN. The gentleman from Colorado asks unanimous consent to extend his remarks in the manner indicated. Is there objection?

There was no objection.

The matter referred to is as follows:

[The Remount, May–June, Part II, Vol. II, No. 3]

DISTRIBUTION OF REMOUNT STALLIONS, BY STATES, FOR THE 1930 BREEDING SEASON UNDER THE PLAN FOR THE ENCOURAGEMENT OF THE BREEDING OF LIGHT HORSES, AUTHORIZED BY CONGRESS AND OPERATED BY THE REMOUNT SERVICE, QUARTERMASTER CORPS, UNITED STATES ARMY, IN COOPERATION WITH THE AMERICAN REMOUNT ASSOCIATION

All stallions are thoroughbreds unless otherwise specified.

Each line contains the following information: Name of stallion, year foaled, sire, dam's sire, height, weight, name of agent, and agent's address.

ARIZONA

Barzin (Arab), ch. 1926, Rehal—Bazrah—Rodan. 14–2; 780. Col. J. E. Thompson, Phoenix.

Delmor, br. 1921, Delhi—Morion—Helmet. 15–3; 1150. E. S. Wickersham, Amado.

Faris (Arab), ch. 1924, Rizvan—Balkis 2d—El Hassan. 15–2; 825. F. A. Bailey, Grand Canyon.

Firedog, b. 1924, Under Fire—Avis—Ballot. 16; 1000. F. C. Kimble, Apache.

Granary, b. 1926, The Finn—Garner—Radium. 15–3½; 1050. W. R. Bourdon, Silver Creek.

Langley (Morgan), ch. 1918, Hugo—Eudora—General Gates. 14–2½; 1000. B. J. Colter, Springerville.
Melvin (Morgan), ch. 1919, Scotland—Sunflower Maid—Headlight Morgan. 15–1½; 1000. J. M. Flake, Snowflake.

CALIFORNIA

Cerulean, ch. 1923, Broomstick—Sky Blue—All Gold. 16–1; 1300. William Davey, San Miguel.
Claude M, ch. 1921, Enfield—Sassy—Joe Terry. 15–2½; 1125. F. H. Huffman, Alturas.
Conversation, b. 1926, Leonardo II—Edna Stack—Olambala. 15–3½; 1100. S. D. Sinton, Shandon.
Curland, ch. 1920, Golden Maxim—Eva K—The Friar. 15–2; 980. H. G. Vincent, Glennville.
Dark Eagle, b. 1925, Star Hawk—Breathing Spell—Dark Ronald. 15–3½; 1075. Veranus Ellinwood, Sonora.
Gun Rock, ch. 1914, Rock Sand—Gun Fire—Hastings. 16; 1200. C. E. Howell, Davis.
Hi Chick, br. 1927, High Time—Rock Pocket—Ogden. 15–3; 1000. R. E. Jack Company, Cholame.
Marse Mouse, ch. 1915, Marse Abe—Miss White Mouse—Bright Phoebus. 15–3; 1150. Harry Balfe, Clovis.
Nicolett, ch. 1926, Colonel Vennie—Conowingo—The Commoner. 15–3; 1000. J. H. McClelland, Standish.
Oman (Arab), br. 1926, El Sabok—Ana—Armida. 14–1½; 765. R. C. Force, Livingston.
Pizarro, b. 1916, Bona Rosa—Beck—John O'Gaunt. 15–3; 1100. G. C. Long, Paynescreek.
Stambul (Arab), gray, 1926, El Sabok—Mordfa———. 14–1½; 745. R. C. Force, Livingston.

COLORADO

Allen's Choice, ch. 1922, Malamont—Great Dolly—Great Heavens. 15–2; 1000. G. E. Anderson, Gunnison.
Bet Mosie, b. 1919, North Star 3d—Santa Anna 2d—Martagon. 15–3¼; 1075. J. J. Gauld, Colorado Springs.
Blue Coat, gr. 1920, Clydebridge—School—Nabot. 15–½; 1000. R. W. Lewis, Colorado Springs.
Combustor, b. 1921, Hand Grenade—Rural Delivery—Mortlake. 15–2; 1050. J. Whittingham, Cimarron.
Cruzad, b. 1923, Cruzados—Famosa—Palo Alto. 15–2½; 1150. J. N. Wyman, Meeker.
Danby, b. 1922, Star Master—Lady Algy—Ormondale. 15–3½; 1000. W. H. Gray, Norwood.
Dark Friar, b. 1918, Sweep—Minnie Adams—Cesarion. 15–2½; 1100. Curtis Brothers, Sedalia.
Desperate, br. 1911, St. Frusquin—Donnetta—Donovan. 16–2; 1250. R. W. McDonald, Glenwood Springs.
Eton Rambler, ch. 1916, Steadfast—Cyclamen—Cyllene. 16–3; 1200. A. E. Buchanan, Sterling.
Father Rock, ch. 1924, Friar Dixon—Grecian Maid—Borgia. 15–½; 960. Allyn Cole, Lamar.
Flowerful, br. 1920, Ypsilanti 2d—Boquet—Kinley Mack. 16; 1050. H. R. Lemon, Breen.
Fredericktown, b. 1921, Pennant—Gentlewoman—Sain. 15–2; 1100. J. F. White, Coalmonts.
Hall Mark, ch. 1920, Sand Marsh—Clarice—Knight of the Thistle. 16–2; 1200. Edgar Maxey, Lamar.
Hampson, ch. 1925, Peter Quince—Margaret Hampson—Nasturtium. 15–3; 1050. R. D. Salisbury, Craig.
Husband, ch. 1923, Wormleighton—Daisy Platt—Marta Santa. 15–2½; 1000. J. H. Blandford, Steamboat Springs.
Janissary (Arab), ch. 1915, Jahil—Nessa—Hauran. 15; 1000. G. W. Howard, Yampa.
Jouette, b. 1917, McGee—Muff—Ingoldsby. 15–2½; 1000. Ralph Brooks, Castle Rock.
King Plaudit, br. 1916, Plaudit—Wild Thistle—Knight of the Thistle. 16; 1150. Arthur Wilbur, Meeker.
Michael Kenna, ch. 1924, Pataud—Belle Ring—Flammarion. 16–1¼; 1150. Marx & Wheeler, Lamar.
Menes, b. 1923, Landgraf—Moire—St. Saulge. 15–2½; 1050. J. C. Mann, La Rand.
Monte Carlo, b. 1925, Polymelian—Irish Sweep—Sweep. 15–2½; 1050. Wilbur Thomas, Cornish.
My Boy Friend, ch. 1925, Out and Gone—Fan Tan—Fitz Herbert. 16–½; 1050. C. J. Moynihan, Montrose.
Nawfal (Arab), b. 1922, Nafia—Numara—Sotamm. 14–3; 870. R. P. Lamont, jr., Larkspur.
Neffaj (Arab), sor. 1919, Mahmet—Mariam—Abu Zeyd. 14; 860. H. W. Steadman, Meeker.
Old Smuggler, b. 1922, Golden Maxim—Yankee Tree—Yankee. 15–3½; 1100. Ray Slane, Gunnison.
Sands of Time, ch. 1916, Beach Sand—Alma K.—Conrad. 16; 1100. R. W. Johnson, Elbert.
Saranan, ch. 1924, Kalitan—Gold Maid—Nasturtium. 15; 1035. A. McLennan, Simla.
Waif (Arab), b. 1926, Nejdran, jr.—Saaida. 14–3¼; 800. H. W. Gossard, Craig.
Wave of Eire, b. 1919, Greenback—Cliodna—Best man. 15–¼; 1000. H. K. Linger, Hooper.
Wyoming, ch. 1915, Bryn Mawr—Star of the West—Montana. 15–2½; 1050. Blayney Ranch, Granby.

CONNECTICUT

Free Hand, ch. 1921, High Time—Amanuensis—The Scribe. 15–3; 1000. Samuel Russell, jr., Middletown

FLORIDA

Nor'easter, ch. 1924, North Star III—Bunchy—Llangwn. 16; 1050. M. A. Milam, Miami.
St. Allan, b. 1917, Bridge of Allan—St. Aelwens—Chaucer. 16–0; 1250. T. N. Carlton, Wauchula.

HAWAII

Lord Brighton, ch. 1916, Ballot—Miss Crittenden—Royal Flush III. 15–2½; 1100. W. F. Dillingham, Island of Oahu.
Pianada, b. 1927, Planet—Perada—Adalid. 15–1; 880. John T. Moir, jr., Koloa, Kauai.
Planet, blk. 1918, Zeus—Black Silk—Ornament. 15–2; 1025. Harold Rice, Paia, Maui.
Quince Bud, b. 1922, Peter Quince—Maeva—Electioneer. 15–2½; 1200. C. A. Baggott, Lihue, Kauai.
Rodgers, b. 1916, Sweep—Lardella—Lackford. 15–2; 1075. A. W. Carter, Kamuela.
Roi Donovan, br. 1911, Roi Herode—Miss Donovan—Donovan. 16; 1075. A. W. Carter, Kamuela.
Stockwell, ch. 1916, Ballot—Janice—Midlothian. 15–2; 1100. C. Brewer & Company, Kapapala Ranch.
Tamiami Trail, ch. 1924, Argosy—Engercide—Meleager. 16–½; 1125. R. K. von Holt, Kohala.

IDAHO

Adamad, b. 1920, Adalid—La Madre—Cruzados. 16; 1100. E. J. Therkildsen, Pocatello.
Baggage King, ch. 1923, Blind Baggage—King Belle—King Olympian. 15–2½; 1050. Alexander Watson, Gooding.
Billy Reed, br. 1912, Akbar—Mabel Reed—Victory. 15–3; 1250. Ben Wood, Boise.
Clansman, b. 1919, Uncle—Katrine—Disguise. 15–3; 1100. M. M. Jacobs, Boise.
Duto, ch. 1927, Dunlin—Grotto—Trap Rock. 15–2½; 950. Robert J. Gill, Boles.
Galantman, b. 1919, Superman, Galanta—Wm. the Third. 15–2; 960. Chuck Davis, Horseshoe Bend.
Hidden Rock, ch. 1924, Trap Rock—Divination—Horoscope. 15–1½; 850. Arthur Butler, Bliss.
Lord Vargrave, ch. 1922, Polymelian—Berrill's Image—Berrill. 15–3; 1050. Ed. Ostner, Boise.
Plodder, br. 1916, Borgia—La Calma—Tiger. 15–2; 1150. Leo Fifield, Idaho Falls.
Roscommon, b. 1918, Belloc—Rosslare—Sempronius. 16–2; 1085. Joseph R. Black, Bruneau.
Social Star, br. 1918, Brummel—Glad Smile—Dr. MacBride. 15–3; 1150. Lou J. Farber, Weiser.
Stepson, ch. 1916, Uncle—Katrine—Disguise. 16–1; 1150. D. V. Hagenbarth, Spencer.
The Condor, ch. 1919, Hesperus—Narcotic—Mortlake. 15–3; 1200. Rollin Showell, Stone.
Thorndown, b. 1919, Rivoli—Erzaike—Bona Vista. 13–3½; 1050. S. A. Trude, Ashton.

ILLINOIS

El Dinero 2d, ch. 1913, Uncle—Herodia—Adam. 16–1; 1425. Thos. E. Wilson, Chicago.

INDIANA

Banco, ch. 1926, Black Servant—Betty Beal—North Star III. 15–3; 975. Carl T. Zody, Franklin.

IOWA

Betelgeuse, ch. 1922, North Star III—Tranid—Voter. 15–2; 1050. Walter A. Lynn, Grundy Center.
Plumb Square, b. 1920, Simon Square—Auburn Hill—John O'Gaunt. 16; 1100. Jas. Devin, Des Moines.
Romanesque (M), ch. 1921, Red Oak—Mariah K.—Headlight Morgan. 15–2½; 1200. C. F. Bailey, Maquoketa.

KANSAS

Admiral Bayly, br. 1919, Disguise—Sea Air—Pirate of Penzance. 15–3; 1100. Will J. Miller, Topeka.
Blithewood, b. 1924, War Call—Turn Turtle—Garry Herrman. 16; 1200. Elmer Brown, Halstead.
Borderland, blk. 1922, St. Rock—Continent—Ogden. 15–3; 1050. O. S Lee, Altamont.
Candy Stick, ch. 1922, High Noon—Schoolgirl—Whisk Broom 2d. 15–2; 1050. E. C. Robbins, Belvidere.
Douglas S., b. 1914, Sir Huon—Victoria B—Bob Miles. 15–2; 1000. J. A. Vickers, Wichita.
Dry Moon, b. 1918, Olambala—Honeymoon—Matchmaker. 15–2½; 950. W. D. Rorick, Johnson.
Dude Hudson (Morgan), br. 1908, Fred Hudson—Velma—Dude. 15; 1100. Fred O'Daniel, Westmoreland.
Escovar, br. 1916, Sweep—Valeureuse—Orsini. 16–1; 1250. Mark E. Mollett, Arkansas City.
Flag of Truce, br. 1920, Jim Gaffney—Maltha—Ogden. 15–3; 1050. George Taylor, Minneola.
General Haig, b. 1916, Dick Welles—My Fair Kentucky—Ingoldsby. 16–1; 1150. S. E. Good, Hardtner.
Glen de Jarnette (Morgan), ch. 1916, De Jarnette—Frances—Black Dan. 15–½; 1050. A. N. Wellington, Hallowell.
Gordon Russell, br. 1910, Marchmont—Tokalon—Tammany. 15–3½; 1100. R. C. Adams, Mound City.
Home Sweet Home, ch. 1914, Ballot—Homespun—Hanover. 16; 1175. Henry Woodworth, Dodge City.
Humboldt, b. 1920, Atheling II—Celesta—Sempronius. 15–3; 1150. Dick Moody, Kinsley.
Ironwood, b. 1924, Assagai—Mint Hill—Mint. 15–3; 1125. Henry Brunner, Onaga.
John S. Mosby, ch. 1922, Sea King—Puff—Ballot. 15–3; 1020. Bert Hamilton, Fort Scott.

Karachi, b. 1922, Light Brigade—Madras—Ben Brush. 15–2; 1100. George Sharp, Liberal.

Liberal Lad, b. 1926, Falkirn—Zora H—Frisco System. 15–½; 950. Jim Parker, Council Grove.

Linsley (Morgan), ch. 1918, General Gates—Sunflower Maid—Headlight Morgan. 15–1; 1180. Elmer Brown, Halstead.

Natchez, ch. 1911, Ormicant—Chartreuse—Charaxus. 15–3; 1050. F. A. Dickson, Kansas City.

Peace Penn, b. 1924, Peace Pennant—Mirka—Peter Quince. 16–2½; 1100. T. S. Moffett, Kansas City.

Rabbas (Arab), b. 1921, Sinbad—Remin—Berk. 15; 1000. Dr. W. O. Tucker, Wamego.

Raphia, b. 1924, Rabelais—La Greice—Helicon. 16; 1050. Dan D. Casement, Manhattan.

Roband (Morgan), b. 1921, Red Oak—Birdie K—Headlight Morgan. 15; 1050. Thos. T. Counter, Oberlin.

Simon Gallop, b. 1915, Galloping Simon—Gavosa—Orme. 16–1; 1200. Wes Staatz, Junction City.

Suburban, b. 1921, Vindex—Rural—Moharib. 16–1½; 1250. John Bloom, Medicine Lodge.

Sully, ch. 1922, Jim Gaffney—Bramble Bush—Celt. 15–3; 1050. Elba J. Steele, Grigston.

Swanton (Morgan), b. 1925, Bennington—Carolyn—Ethan Woodbury. 15; 1000. Clyde Gardner, Alma.

Swing Loose, ch. 1916, Broomstick—Courage—Hamburg. 15–3½; 1250. W. D. Rorick, Johnson.

KENTUCKY

Barabbas, ch. 1924, North Star III—Bandello—Kingston. 16; 1125. Hugh Gregory, Springfield.

Brown Sugar, b. 1922, Brown Prince II—Sweet Alice—Flying Dutchman. 10–½; 1150. A. H. Platt, Varsailles.

Zeus, b. 1906, Adam—Shaft—The Pepper. 16–2; 1300. W. M. Williams, Hopkinsville.

Zeus the Second, b. 1923, Zeus—Sweet Pea—Ivan the Terrible. 15–3; 1100. J. B. Ritter, Temple Hill.

Son, br. 1925, Son-in-Law—Isauria—Cicero. 16–½; 1150. P. & B. Hdqrs., Lexington.

Selim, br. 1920, Sain—Rezia—Meddler. 16; 1150. Brice Leech, Glasgow.

LOUISIANA

Doc Horn, ch. 1921, Flying Squirrel—Debutante—McGee. 16; 1075. F. E. Girard, Lafayette.

Madrenor, b. 1922, Norito—La Madre—Cruzados. 15–3; 1000. Forest J. Bordelon, Plaucheville.

MARYLAND

Batonnier, b. 1921, Cudgel—Sou—Hastings. 15–2; 1100. J. Eric Powell, Bethesda.

Caro, ch. 1924, Comrade—Carolle—Nimbus. 16; 1050. Andrew B. Berger, jr., Clinton.

MASSACHUSETTS

Swordsman, br. 1924, Chicle—Wendy—Peter Pan. 16–1½; 1200. John B. Brainerd, Amherst.

MICHIGAN

Bulse, ch. 1913, Disguise—Nethersole—Tournament. 16; 1250. J. W. Wright, Birmingham.

Derring Step, ch. 1921, Derring Doe—True Step—Handsome. 15–1; 1000. W. S. Wing, Three Rivers.

MINNESOTA

Air Chief, ch. 1926, Pluvious—Risponde—Marta Sanda. 15–2; 1120. Robt. A. Rice, Minneapolis.

Kitcat 2d, b. 1922, Sky Rocket—Cat Cleugh—Wolf's Crag. 16; 1150. F. E. Murphy, Minneapolis.

Trevisco, ch. 1914, Tredennis—The Test—John O'Gaunt. 16; 1250. Worrell Clarkson, St. Paul.

MISSOURI

Brilliant Cast, ch. 1921, North Star 3d—Macaroon—Marco. 16–¾; 1175. Wm. B. Weakley, Clarksville.

Dark Jest, b. 1923, Black Jester—Ninette—Bayardo. 16–1; 1100. Byron Spencer, Kansas City.

Despot, ch. 1922, Flittergold—Detine—Trap Rock. 15–3; 1125. Fleet Mount Farms, Allentown.

Highland Lad (Morgan), ch. 1912, Scotland—Marguerite—White River. 15–3; 1150. J. C. Thornburg, Galt.

Pictin, rn. 1923, Wigstone—Altha—Bridge of Allan. 15–2; 1025. C. A. Malsbury, Joplin.

Rep, br. 1918, Picton—Enchantress 2d—Collar. 15–2; 1050. Wilbur Freet, Fairfax.

Richmond's Choice (Saddlebred), br. 1910, Rex Peavine—Diana Mason—King Richard. 15; 1000. Homer F. Teter, Jacksonville.

Rococo, b. 1918, Marathon—Miss Lida—Ogden. 15–3; 1100. Phil Sale, Gentry.

Scamp, br. 1919, Son-in-Law—Campanula—Chaucer. 15–3; 1150. H. M. C. Low, Kansas City.

Scat, b. 1924, Chicle—Sketchy—Peter Pan. 16–1½; 1140. W. M. Drennon, Kansas City.

Tiger Gloss, ch. 1923, Runnymead—Pourquoi—Star Shoot. 16–1; 1050. G. S. Tiffany, St. Louis.

Tom McTaggart, b. 1914, Chuctanunda—Toplash—Top Gallant. 15–3; 1150. Dr. Van H. Bond, Hornersville.

MONTANA (WEST-CENTRAL ZONE)

American Eagle, ch. 1915, The Manager—Star Cat—Star Shoot. 15–2½; 1000. Joe Brown, Birney.

Ashby, b. 1921, Mediator—Golden Meteor—St. Savin. 15–¼; 900. F. Dunning, Ashland.

Canyon, ch. 1919, Harmonicon—Welsh Maid—Llangwm. 15–3½; 1000. J. P. Hedges, Ekalaka.

Do or Die, br. 1922, Light Brigade—Lady Vulcain—Vulcain. 15–½; 1000. T. Cantwell, Ashland.

Durham, b. 1923, Durbar—La Cagoule—Cheri. 15–3½; 1000. F. Parkins, Lee.

Figuration, br. 1918, Rogon—Figent—Hastings. 15–1½; 1000. W. Brewster, Birney.

Glentilt, b. 1920, Ecouen—Glorita—Ajax. 15–3; 1100. Fred King, Otter.

Gus Kruse, ch. 1917, Rogon—Nellie Fritz—Andrew Mack. 15–2; 1000. W. Lewis, Broadus.

Jasper, b. 1925, Craigangower—Sard—Ben Brush. 15–2½; 1000. L. G. Irion, Coalwood.

K of K, ch. 1915, Glasgerion—Mrs. K—Americus. 15–3; 1225. U. S. L. S. Experiment Station, Fort Keogh.

Rey de Los Angeles, b. 1924, Adalid—Feranda—Rey el Santa Anita. 14–3¾; 900. A. J. Irion, Olive.

Rigolo, b. 1924, Rire Aux Larmes—Sibola—Rapid Water. 15–3; 1000. A. E. Brown, Birney.

Rodan (Arab), ch. 1906, Harb—Rose of Sharon—Hadban. 15–1½; 900. W. Scott, Ridge.

Roly, b. 1912, Golden Maxim—Lotawanna—Trenton. 15–3; 1125. J. A. Ramer, Coalwood.

San Marcus, ch. 1917, Sweeper 2d—Lady Nell—Mordant. 16–1; 1100. A. J. Irion, Olive.

Saratoga, b. 1912, Ogden—Unsightly—Pursebearer. 15–3; 1185. L. Dunning, Ashland.

Secret Greetings, b. 1918, Luke McLuke—Zahra—Mazagan. 16–2; 1250. L. Dunning, Ashland.

Sir Charles, br. 1922, Peter Pan—Chulita—Kingston. 16–1; 1100. E. F. Marsh, Nibbe.

Sir Stuart, b. 1923, War Cloud—Sweetheart II—Oversight. 16–1; 1100. W. B. Spear, Kirby.

War Plume, blk. 1916, Star Shoot—Courtplaster—Sandringham. 15–2½; 1100. Tom Reavis, Decker.

MONTANA (WESTERN ZONE)

Czardom, b. 1916, Royal Realm—Zoara—Matchmaker. 15–2; 950. Charles L. Anderson, Missoula.

Delarious, ch. 1925, Hilarious—Marie T—Ogden. 16; 1200. J. Bland Catlett, Sula.

Duke of Lancaster, ch. 1915, John O'Gaunt—Tamanamass—Grey Legg. 15–3; 1100. Fred Lewis, Browning.

El Pennant, br. 1927, War Pennant—El Amiga—Rey el Santa Anita. 15; 995. G. W. Noffsinger, Kalispell.

Guilsborough, b. 1922, Diadumenos—Clare House—Weathercock. 16; 1000. Forrest R. Stone, Browning.

Merchant Marine, br. 1918, Friar Rock—Dorothy Gray—Hamburg. 16; 1075. Forrest R. Stone, Browning.

Oley, b. 1924, Polymelian—Oleaster—Hastings. 15–2; 1000. Forrest R. Stone, Browning.

Parmelee, ch. 1924, Polymelian—Fluzey—Fair Play. 15–3; 1000. Forrest R. Stone, Browning.

Plenipotentiary, br. 1927, Planet—Appolita—Sir Appleby. 15–3; 1035. G. W. Noffsinger, Kalispell.

Robert Mandel, ch. 1924, Belloc—Gilt Edge—Cunard. 15–3½; 1000. Forrest R. Stone, Browning.

Recall, ch. 1922, Argonne—Expectancy—Borgia. 15; 860. J. A. McAllister, McAllister.

Rockledge, ch. 1922, Half Rock—Mazda—Toddington. 15–2½; 1000. J. E. Shaw, Wisdom.

Rosin (Morgan), blk. 1920, Red Oak—Sunset Morgan—Chief Morgan. 15–1; 1056. A. M. Moore, Marion.

Sungleam, b. 1919, Hesperus—Lady Aritta—Emp. of Norfolk. 16–½; 1200. Albert Theton, Ennis.

Tantris (E. Pruss.), ch. 1924, Trinidad—Thalia—Irrivosch II. 16; 1350. E. C. Miller, Norris.

Winning His Way, b, 1925, Rameau—Salvatoron—Nealon. 15–2½; 1100. Forrest R. Stone, Browning.

NEBRASKA

Battersea, ch. 1920, Mont d'Or—Sunflower—Rock Sand. 16; 1200. Albert Lewis, Harrison.

Cockney, ch. 1921, Great Britain—L'Avenir—Rabelais. 16; 1150. Floyd Lotspeich, Bingham.

Fitzgibbon, br. 1919, Huon—Rosslare—Sempronius. 16–½; 1210. Remount Depot, Fort Robinson.

Friar's Cowl, b. 1924, Friar Dixon—Initiate—Borgia. 15; 1000. T. F. Arnold, Merriman.

Frizzle, ch. 1911, Biniou—Frizette—Hamburg. 15–3; 1150. C. J. Abbott, Hyannis.

Hootch, ch. 1922, Polymelian—Home Bird—Thrush. 15–2; 1050. W. M. Anderson, Cody.

John White, br. 1922, The Finn—Adelaide Royer—Sain. 15–3; 1175. G. L. Payton, Taylor.

Jupiter, ch. 1920, Ormondale—One Star—Star Shoot. 15–2; 1050. D. L. Rogers, Harrison.

Laska, br. 1924, Meridian—Dancing Maid—Assagai. 15–2; 1020. Wm. M. Greathouse, Whitman.

Mad River, b. 1909, Ethelbert—Goldie Cad—Longfellow. 16; 1150. Remount Depot, Fort Robinson.

Marmaduke, ch. 1921, Boots and Saddles—Mae C—Golden Maxim. 15–1; 1000. Wm. Crouse, Hyannis.

Marse Hughes, ch. 1911, Marse Abe—Miss Whitemouse—Bright Phoebus. 16; 1175. C. J. Abbott, Hyannis.

Mentada, ch. 1927, Mentor—Hermada—Adalid. 15–3; 1085. Remount Depot, Fort Robinson.

Mentor, ch. 1906, Blackstock—Meta—Onondaga. 16–1; 1160. Remount Depot, Fort Robinson.
Montserrat II, br. 1919, Coriander—Monossa—Acclaim. 16; 1150. A. F. Bates, Halsey.
Oakridge (Morgan), b. 1917, Red Oak—Roxanna—Rocky Mountain. 15–1; 1050. C. J. Abbott, Hyannis.
Orient (Morgan), b. 1921, Troubadour—Gertrude. 15–1; 1075. J. L. Chamberlain, North Platte.
Paavo, blk. 1923, The Finn—Pianutess—Pianudes. 15–3; 1120. Remount Depot, Fort Robinson.
Pines Emblem, br. 1920, Black Pie—May Peep—Peep o'Day. 16; 1000. Ed. Huffman, Hyannis.
Ray Jay, b. 1919, Assagai—Romange—Polymelus. 15–3; 1150. F. G. Snyder, Broadwater.
Snap Dragon II, b. 1915, Fritz Herbert—Mistress Penn—Hampton. 15–3; 1025. Harry Minor, Hyannis.
Southern Cross, br. 1919, Luke McLuke—Pamphyle—Robert le Diable. 16; 1140. Remount Depot, Fort Robinson.
Survivor, ch. 1924, Trompe le Mort—Rosaleen—Mont d'Or. 15–3; 1000. J. S. Mainard, Mitchell.
Tangara, br. 1922, Light Brigade—Tanagra—Ben Brush. 16–1; 1200. W. M. Anderson, Cody.

NEVADA

Adalito, br. 1920, Adalid—Nellita—Cruzados. 15–1; 1000. G. Schoer, Wells.
Adevo, b. 1920, Adalid—El Cheva—Rey el Santa Anita. 15–2; 1050. Don Maestretti, Austin.
Burke's Boy, br. 1923, George Smith—Eleusinia—Isidor. 15–3; 1000. Ruth Wiseman De Remer, Wells.
Charles B. Hall, br. 1925, Donnaconna—Fritter—Dick Finnell. 15–2; 920. R. M. Steele, Wells.
Desmond's Day, br. 1913, Desmond—Palmy Days—Trenton. 16; 1200. Seneca Weeks, Wells.
Dewey (Morgan), b. 1910, General Gates—Mrs. Culvers—Harrison Chief. 15–1; 1050. Clark Ringling, Winnemucca.
Fullon, ch. 1920, Friar Rock—Miss Borgia—Mortlake. 15–3½; 1000. R. T. Anderson, Metropolis.
Our Watch, b. 1924, On Watch—Zaza—Hessian. 16–1; 1050. O. F. Boles, O'Neil.
Rey El Pleasanton, ch. 1915, Rey Hindoo—Margie D—Golden Garter. 16–1; 1300. Henry Garat, Whiterock.
Rifle Shooter, b. 1913, Star Shoot—Babble—Leonatus. 15–2; 1125. Walter Glaser, Halleck.
Right on Time, b. 1920, Jack Atkin—Susan Lenox—Hendsel. 15–3; 970. Samuel Davis, Hobson.
Sandhurst, br. 1922, Johren—Sandria—Sandringham. 16–1; 950. E. R. Marvel, Battle Mountain.
Sporting King, b. 1925, Sporting Blood—Grace King—Judge Wright. 15–3; 1050. C. A. Sewell, Owyhee.
White Shield, ch. 1912, St. Maxim—Louise Wood—King Eric. 15–2½; 1200. Lee Hylton, Jiggs.

NEW HAMPSHIRE

Ribal (Arab), ch. 1920, Berk—Rijma—Rijm. 14–3½; 998. W. R. Brown, Berlin.

NEW JERSEY

Acropolis, ch. 1927, Short Grass—Grecian Bend—Blues. 15–3; 1000. Edward C. Rose, Trenton.
Gems to Let, ch. 1924, Parisian Diamond—Letty Lind—Quanteck, 16–0¾; 1100. A. L. Haskell, Red Bank.
Tallwood, b. 1923, Campfire—Pixy—Peter Pan. 15–2½; 1040. Thos. J. Macauley, Farmingdale.

NEW MEXICO

Bachelor's Bliss, blk. 1914, Tredennis—Lady Black—Le Noir. 15–2; 1050. J. A. Black, Santa Rosa.
Bahka (Arab), ch. 1921, Mahon—Badine—Kadi Keny. 14–2½; 925. J. C. Prude, Hope.
Balustrade, b. 1916, Hanbridge—Oriental Queen—Greenan. 15–2; 1030. J. V. Tully, Glencoe.
Botanic, b. 1923, Braxted—Auctioneering—Le Blizon. 16–1; 1100. Dean Johnson, McGaffey.
Chappaqua Junior, ch. 1914, Chappaqua—Yrsula—Anchorite. 15–3½; 1200. I. K. Westbrook, Crown Point.
French Canadian, ch. 1920, Pataud—Phantom Light—Disguise. 15–3; 1000. C. M. O'Donel, Bell Ranch.
Gadar (Arab), ch. 1920, Abu Zeyd—Guemura—Segario. 14–1; 900. F. W. Lee, Albuquérque.
Half Pint, b. 1922, Spanish Prince II—Norumbega—Star Shoot. 15–3; 1100. Ed Springer, Cimarron.
H. T. Waters, ch. 1921, Polymelian—Lady Winsome—Meddler. 16; 1100. M. P. Renfroe, Fort Sumner.
Judicial, ch. 1923, McGee—Bonny Doon—Prince of Melbourne. 16; 1050. F. W. Hartley, Miera.
Keen Eye, ch. 1925, Eyebrow—Kena—Bealberg. 15–1½; 1050. G. F. Billings, Roswell.
La Orb, ch. 1920, Orb—La Luz—Lieber Karl. 16; 1100. T. P. Talle, Vermejo Park.
Lucky D, blk. 1927, All Gold—Montrose Belle—Pataud. 16–1; 1100. T. J. Sutherland, Roswell.
Madder Music, br. 1924, Leonardo II—Helen Marie—Stalwart. 16–¼; 1000. Hiram Dow, Roswell.
Man of Honor, b. 1915, Deering—Miss Cornet—Peter McCue. 15–3; 1000. E. E. Joy, Elk.
Meredith (Morgan), ch. 1919, Sealskin—Helen Gates—General Gates. 14–3; 900. E. W. Williams, Clovis.
Mustard Seed, b. 1919, Peter Quince—Alaike—Ben Brush. 15–2; 1100. J. H. Minnick, Cimarron.
Planter, ch. 1922, Sir Martin—Mallard—Star Shoot. 15–3; 1000. D. C. Reynolds, Logan.
Punjab, br. 1923, Brown Prince II—American Beauty—Uncle. 15–2½; 1100. F. C. De Baca, jr., Bueyeros.
Pyx, br. 1917, Pataud—Okitau—Pianudes. 15–3; 1050. J. H. Minnick, Cimarron.
Reno Alve, ch. 1925, Honolulu Boy—Ogeechee—Gaylad Jr. 15; 950. W. S. Crousen, Colfax.
Rob, ch. 1919, Orb—Panlita—Panmure. 16–½; 1100. J. H. Minnick, Cimarron.
Royal Jester, blk. 1917, Black Jester—Primula II—St. Denis. 15–1½; 1000. L. A. Kirk, Crown Point.
Rumpelmayer, br. 1925, Dark Ronald—Rollingmuhle—Ard Patrick. 15–3½; 1050. J. M. Shelton, Alamogordo.
Rustam (Arab), ch. 1922, El Bulad—Rhua—Haleb. 14–2; 900. N. Luciani, Raton.
Sam Frank, br. 1919, Honeywood—Lady Trinity—Star Shoot. 15–3; 1100. N. W. Myrick, Ricardo.
Shillelagh II, b. 1917, Irish Lad—Artless—Hamburg. 15–2½; 1000. W. H. Driggers, Santa Rosa.
Sitar (Arab), ch. 1920, Sinbad—Simawa—Rustem. 14–2½; 900. V. Culberson, Silver City.
Tiff, ch. 1923, Hessian—Dispute—Friar Rock. 15–2; 1000. J. R. Jenkins, Carono.

NEW YORK

Alumeur, b. 1911, Meddler—Strike-a-Light II—Donovan. 16–½; 1110. Genesee Valley Breeding Association, Avon.
Brumado, ch. 1916, Maintenon—Brume—Prestige. 16–2½; 1220. Genesee Valley Breeding Association, Avon.
El Sabok (Arab), ch. 1916, El Jafil—Narkeesa—Anaseh. 15–1½; 900. Barron G. Collier, Pocantico Hills.
Gold Bug, b. 1921, Broomstick—Golden Rod—All Gold. 15–2; 1070. N. Y. N. G. Breeding Farm, Huntington, L. I.
Hamilkar (E. Prus.), ch. 1920, Haselhorst—Hirtensage—Fischerknabe. 16–1; 1110. Lewis Hirshon, Goldens Bridge.
Joe Marrone II, ch. 1921, Glencairn—Ringling—Fatherless. 15–3; 1150. Sqn. A. Armory, N. Y. N. G., New York City.
Laplander, blk. 1922. The Finn—Black Swan—Herbert, 16; 1065. The Jockey Club, Glen Head, L. I.
Lough Foyle, b. 1911, Lochryan—Cannera—Senanus. 16; 1300. Genesee Valley Breeding Association, Avon.
Northcliff, ch. 1919, Sea King—Doris—Ogden. 16–½; 1075. Genesee Valley Breeding Association, Avon.
Red Mulligan, ch. 1920. Little Dutch—Cloistress—Carlton Grange. 16; 1150. Donald Armstrong, Syracuse.

NORTH CAROLINA

Double Cross, ch. 1919, Superman—Olevia—Ornus. 16–1; 1130. J. E. Condrey, Scotland Neck.

NORTH DAKOTA

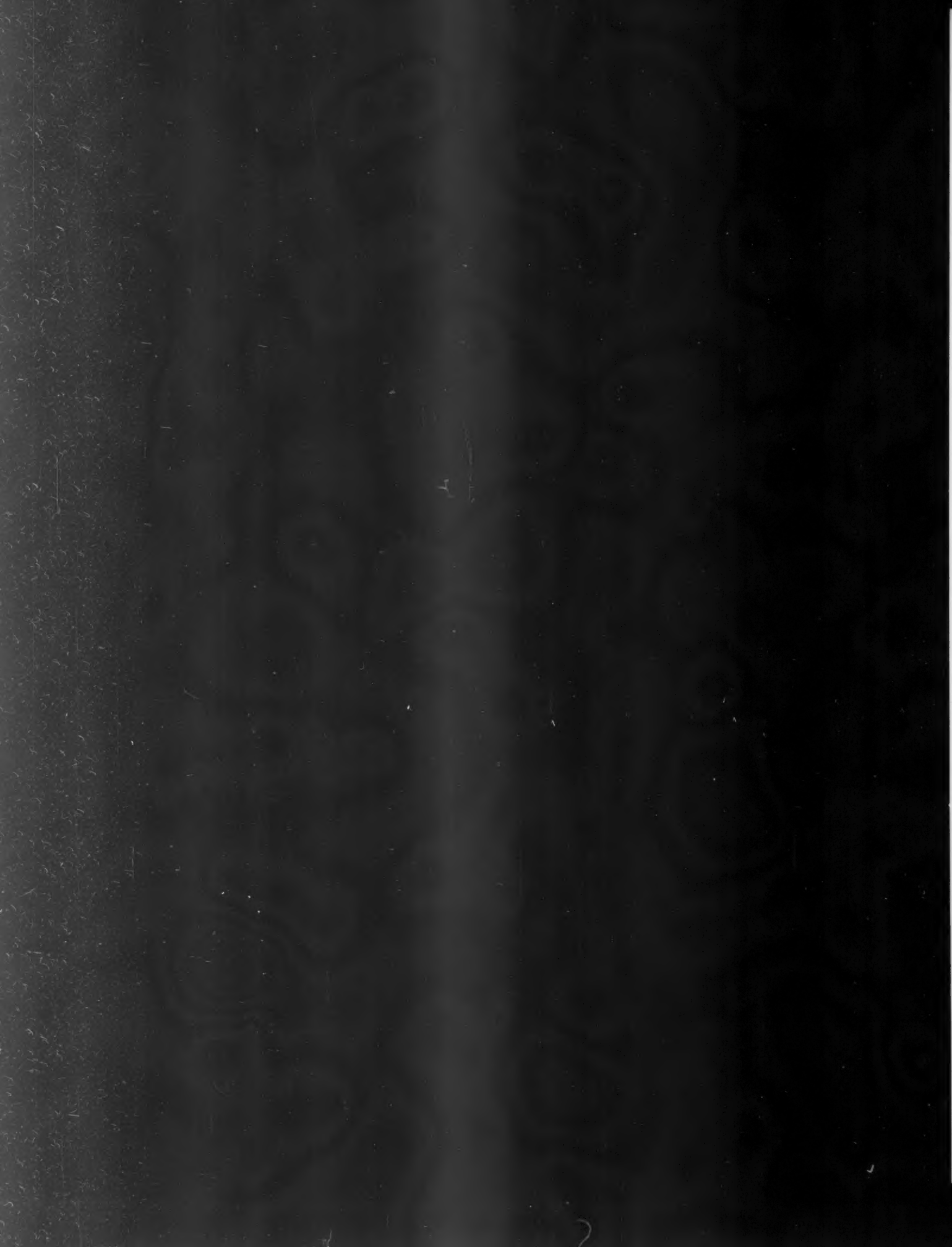
Battle Cry, b. 1921, War Call—Beetle Bug—Sweep. 15–3; 1100. Standing Rock Indian Reservation, Fort Yates.
Beachcomber, br. 1911, Rock Sand—Fairy Slipper—St. Serf. 16–3; 1350. Standing Rock Indian Reservation, Fort Yates.
Captain Mosie, b. 1926, Bet Mosie—Benny Daugherty—Capt. Daugherty. 15–2; 1050. Standing Rock Indian Reservation, Fort Yates.
Douai (Morgan), b. 1921, Dot—Daisy K—Headlight Morgan. 15; 1100. J. W. Neuens, Medora.
Fun Maker, b. 1922, Spur—Jest—Ben Brush. 15–3; 1100. Standing Rock Indian Reservation, Fort Yates.
Harbinger, br. 1924, Eternal—Grace Harban—Duke of Ormonde. 15–1; 1000. Standing Rock Indian Reservation, Fort Yates.
Ganawood, ch. 1924, Ganadore—Fernwood—Bard of Hope. 15–3; 1100. Standing Rock Indian Reservation, Fort Yates.
Kind Man, b. 1924, Paragon 2d—Mable Strauss—Uncle. 15–2; 1100. J. W. Neuens, Medora.
Lad O'Mine, b. 1922, Torchbearer—Sly Wink—Mordant. 15–3; 1100. R. G. Montgomery, Cogswell.
Semper, b. 1922, Alvescot—Semprite—Sempronius. 16; 1100. Standing Rock Indian Reservation, Fort Yates.

OHIO

Better Still, ch. 1919, North Star III—Sweet Alice—Flying Dutchman. 15–2; 1100. John W. Miliet, Cincinnati.
Magic Orb, ch. 1925, Flying Orb—Magic Bird—Marcoval. 15–2; 1070. Julius Fleischmann, Blue Ash.
The Bohemian, br. 1918, Jim Gaffney—Kittenish—Roquelaure. 16–1; 1180. E. S. Thacher, Columbus.

OKLAHOMA

Alex Jr., ch. 1923, Ballot—Bronzewing—Stalwart. 15–½; 1120. Jos. Lessert, Ponca City.
Bachelor's Honor, ch. 1925, Bachelor's Double—Bayora—Bayardo. 15–3½; 1080. M. H. Derdeyn, Pernell.
Barracuda, ch. 1919, Trap Rock—Balancoire—Ethelbert. 15–1½; 1000. B. G. Rogers, Grand.
Barrier, b. 1920, Madman—Elasticity—Aeronaut. 15–2½; 1120. G. H. Jones, Walters.
Beau Geste, ch. 1924, Omar Khayyam—Sand Dune—Rock Sand. 15–3½; 1000. W. B. Core, Hominy.
Belcross, blk. 1921, Rock View—Sainville—Sain. 15–2; 1000. J. C. Jacks, Grand.
Bit Bolder, ch. 1919, Cunard—Winning Widow—Mexican. 16–2½; 1200. A. A. Drummond, Hominy.



Brave Bob, br. 1922, Grand Parade—Lady Eager—Eager. 16; 1110. Harry Clark, Boise.

Captain Relay, b. 1925, Relay—Pearl Arnold—Capt. Arnold. 15–2; 900. J. G. Salisbury, Vici.

Clean Gone, b. 1916, Olambala—Lizzie Gilman—Fonso. 15–3; 1120. H. T. Jarvis, Fairfax.

Docod, ch. 1916, Voorhees—Love of Gold—Goldfinch. 15–1; 1000. Roy Woodman, Gould.

Eagle Chief, br. 1926, Krippen—Verdun Belle—Dr. Root. 15–2; 1000. John J. Harris, Cushing.

El Chedal, ch. 1923, Adalid—El Cheva—Rey el Santa Anita. 15–3; 1000. P. E. Anderson, Anadarko.

Feuerbach (East Prus.), br. 1924, Rembrandt—Fabula—Versucher. 16–1; 1250. T. C. Chapman, Selling.

Flitlow, ch. 1921, Flittergold—Loriotta—Lochryan. 16–1¼; 1230. L. C. Giles, Norman.

Gay Ronald, b. 1921, Gay Crusader—Port Sunlight—Sundridge. 15–3; 1050. E. D. Dubois, Gracemont.

Greencomber, blk. 1922, Beach Comber—Elsie Green—Bowling Green. 15–3½; 1120. H. O. Dubois, Gracemont.

Honolulu Boy, ch. 1915, Salvation—Zorita—Cerito II. 15–3; 1090. J. D. Thomas, Arnett.

John Hager, ch. 1921, Beaverkill—Rose Ring—Hippodrome. 15–3, 1000. R. M. Williams, Grand.

Lafe M, b. 1920, John A. Scott—Pearl Mosher—Uncle Henry. 16–1; 1150. Joe Watson, Wynona.

Lamp, ch. 1923, Adalid—Mary Josephine—Transvaal. 15; 1030. J. O. Kuyrkendall, Atoka.

Laurentian II, ch. 1916, St. Amant—Caroline Roche—Carbine. 15–3¼; 1060. R. E. Baker, Berlin.

Lidalo, b. 1922, Adalid—Nellita—Cruzados. 15–2½; 1160. R. L. Donelson, Burbank.

Lion d'Or, ch. 1916, Heno—Aile d'Or—Capt. Hancock. 16; 1250. Raymond Smith, Guymon.

Lord Meise, b. 1923, Ormondale—Margaret Meise—Star Shoot. 15–2; 1000. Reno Q. M. Depot, Fort Reno.

Luchsinger, b. 1915, Dan Gold—Miss Sayre—Sayre. 16–¼; 1100. W. M. Pursley, Rush Springs.

Martello, ch. 1921, Martinet—Hostility—St. Blaise. 15–1; 1050. W. A. Carlisle, Cherokee.

Military System, br. 1916, Poor Boy—Maud Annie—Evicted. 15–2; 1100. Nelson J. Sisson, Cleo Springs.

North Pole, ch. 1922, North Star III—Mixed Color—Hastings. 15–3, 1000. Chas. L. Reed, Alva.

Optimist, br. 1921, Tracy le Val—Optimo—Willonyx. 16–1½; 1200. Reno Q. M. Depot, Fort Reno.

Otiro, b. 1922, Norito—Reina de Hampton—Sir Hampton. 15–2; 1110. Wm. Francis, Elk City.

Over Lord, ch. 1924, Superman—Gloucester—Glorifier. 16–1; 1215. Reno Q. M. Depot, Fort Reno.

Over There, br. 1916, Spearmint—Summer Girl—Sundridge. 16–½; 1175. Reno Q. M. Depot, Fort Reno.

Pastoureau, br. 1916, Flint Rock—Prickley Pear—Persimmon. 15–3; 1025. Fred Graves, Pawhuska.

Pogonip, b. 1922. Atheling II—Orange Blossom—Joe Carey. 16; 1200. S. J. Cole, Gate City.

Prince Hermis, ch. 1910, Hermis—Crimea—Algerine. 15–2; 1050. Reno Q. M. Depot, Fort Reno.

Rambling Brook, ch. 1921, Clysmic—Annie Olin—Nanki Pooh. 15–¾; 1000. Henry F. Polson, Wilburton.

Recluse, b. 1913, Von Tromp—Isolation—George Kessler. 16–1; 1100. R. E. Boggess, Ochelata.

Recommendation, br. 1920, Atheling II—Compose—Honeywood. 16–1; 1100. Ike Conner, Lawton.

Reno Aleck, ch. 1925, Trial by Jury—Chantlette—Chant. 15–1; 1000. Frank Alton, Claremore.

Reno Bay, b. 1926, Capt. Ray—Flora McGinn—Gold Heels. 15; 1050. W. A. Bannister, Sentinel.

Reno Commander, ch. 1927, Reidalid—Repat—Wax Taper. 15; 950. A. & M. College, Stillwater.

Reno Commodore, b. 1927, Sharnbrook—Marjorie—Mignon—Bard of Hope. 15–2½; 1000. J. L. Crotser, Kingfisher.

Rickety, ch. 1914, Broomstick—Queen of Hearts—Hamburg. 16–½; 1100. Reno Q. M. Depot, Fort Reno.

Sirdar, b. 1925, Sweep—Dark Lantern—Disguise. 15–2; 1000. T. C. Chapman, Selling.

Skald, ch. 1924, Adlford—Musk—Myram. 15–3½; 1050. E. D. Mabey, Dunlap.

Slipalong, ch. 1918, Ballot—Hazzazn—Cunard. 16–2; 1150. C. S. Thomas, Lawton.

Starray, ch. 1924, Henrie—Sudha—Fashion Plate. 15–3; 1020. Westheimer & Daube, Ardmore.

The Roll Call, ch. 1919, Lough Foyle—Beth Stanley—Golden Maxim. 15–3; 1050. F. M. Burks, Weatherford.

Tim O'Brien, ch. 1924, Sir John Johnson—Bettie Louise—Uncle. 15–2; 1000. Chas. W. Flint, Tulsa.

Voormel, blk. 1918, Voorhees—Formella—Brutus. 15–3; 1050. Geo. H. Hallock, Regnier.

Young Martin, ch. 1922, Sir Martin—His Sister—Uncle. 16–1; 1125. C. D. Shupe, Buffalo.

OREGON

Bludgeon, ch. 1925, Cudgel—Lady Lys—Sunstar. 15–3; 1050. Homer Bidwell, North Powder.

Captain Donan, blk. 1922, Moss Fox—Crestwood Girl—Transvaal. 15–1½; 1000. Herbert Thompson, Pendleton.

Havana Boy, b. 1921, Spearmint—Sacred Ibis—Gallinule. 15–2½; 1000. Joseph Thompson, Hereford.

Magistrate (Morgan), ch. 1919, Sealskin—Folly—Bennington. 15–¾; 870. Scott Conley Davis, Watson.

Meteorite, ch. 1914, Star Shoot—Hamburg Belle—Hamburg. 15–3; 1090. H. H. Trowbridge, John Day.

Policeman Day, ch. c. 1924, Johren—Last Night—Ultimus. 15–2; 1040. Scott Conley Davis, Watson.

Saga Fow, blk. c. 1926, Sweep—Miss Jasbo—Waterboy. 15–1½; 1000. Frank Houston, Millican.

Sam Tangle, br. 1917, Flotsam III—Tangle II—Merman. 15–2; 1025. Linn Holcomb, Richland.

Swing Knight, ch. 1924, Swing Loose—Dora Knight—Beknighted. 15–2; 1075. R. M. Harkness, Sisters.

Umbrella, ch. 1923. Trap Rock—Shade—Bryn Mawr. 15–3; 1050. R. J. Stanbro, Prairie City.

Uncas, b. 1916, Wyeth—Codex—Wadsworth. 15–3¾; 970. C. E. Boor, Ironside.

PENNSYLVANIA

Bah's Boy, ch. 1920, Ecouen—Fille-de-Guerre—Ajax. 16–¾; 1040. E. B. Chase, Radnor.

Destreza, br. 1923, J. F. Crowley—Blooming Posey—St. Savin. 16; 1125. A. Hunter Willis, Erie.

Fitzrue, ch. 1930, Fitzwilliam—Mary Street—Onondaga. 16–2; 1205. E. C. Deubler, Newtown (Bucks County).

Khalifa, b. 1924, Light Brigade—Madras—Ben Brush. 15–3; 1000. Gilbert Mather, West Chester.

Mellifont, b. 1911, St. Brendan—Meldhre—Enthusiast. 16–1; 1100. R. L. Montgomery, Villanova.

Mizar, b. 1919, Dick Welles—Milky Way—Star Shoot. 16–2; 1100. Milton G. Potter, Dalton.

Out the Way, br. 1915, Peter Pan—Sweepaway—Wild Mint. 16–1; 1290. David B. Sharp, Berwyn.

Plato II, br. 1918, Polymelus—Mesange—Persimmon. 16–2½; 1100. Wm. J. Clothier, Phoenixville.

PORTO RICO

Ghayr (Arab), gr. 1924, Astraled—Guemura. 14–2½; 800. Central Aguirre Sugar Co., Central Aguirre.

SOUTH CAROLINA

Muldoon, br. 1922, Cataract—Ophelia W.—Bryn Mawr. 15–2½; 1100. H. H. Coleman, Switzerland.

SOUTH DAKOTA

Bone Dry, b. 1917, Beachcomber—Melton Mowbray—Melton. 16–2; 1300. O. Balo, Spearfish.

Brilliant Jester, br. 1917, Black Jester—Lady Brilliant—Sundridge. 15–3; 1100. Pierre Polo Club, Pierre.

Broad Silk, ch. 1925, Bondage—Biddy McGee—McGee. 15–3; 1100. Hans Fogh, Strool.

Colonel Rivers, ch. 1922, Alvescot—Himera—Goldcrest. 16–1; 1200. Hans Fogh, Strool.

Dinter (E. Prus.), ch. 1924, Diebitsche—Morena—Mortemer. 16; 1180. Clyde Jones, Hermosa.

Denny, Cooney, blk. 1925, Sweep—Hindoo-Dress—Delhi. 16; 1050. Pierre Polo Club, Pierre.

Don, b. 1926, Mustard Seed—Kaffir Queen—Kaffir. 15–3; 1070. Henry Brickley, Hermosa.

Drowsy Waters, br. 1922, Cataract—Bronsewing—Stalwart. 15–3; 1150. Pierre Polo Club, Pierre.

Dr. Swartz, b. 1923, Sweep—Toucanet—Vulcain. 15–2; 1100. Pierre Polo Club, Pierre.

Esperalid, b. 1924, Adalid—Esperito—Norito. 15–1; 1000. Pierre Polo Club, Pierre.

Fahid (Arab), ch. 1923, Sargon—Balkis 2d—El Hassen. 15–1; 950. A. E. Himman, Rapid City.

Gamli, br. 1917, Myram—Bustler—Eager. 16–1; 1200. Pierre Polo Club, Pierre.

Gebhat Al Nour (Arab), br. 1923, Sidi—Hazen. 14–3; 950. Pierre Polo Club, Pierre.

Hidalgo, br. 1922, Spanish Prince 2nd—Minuet—Olambala. 15–2; 1000. Pierre Polo Club, Pierre.

Madalid, br. 1923, Adalid—La Madre—Cruzados. 15–1; 1075. Art Shoemaker, Hermosa.

Mark Master, br. 1922, Luke McLuke—Yermilia—Jack Atkin. 15–3; 1100. Mackey Bros., Buffalo.

Midnight Watch, blk. 1925, On Watch—Roll On—Fairy King. 15–3; 1025. Mackey Bros., Buffalo.

Needle Gun, ch. 1922, Under Fire—Stitch in Time—Dalhousie. 16; 1125. E. A. Young, Dewey.

Pharaoh, br. 1908, Meddler—Hatasoo—Albert. 15–3; 1050. Henry Brickley, Hermosa.

Robbia Della (Morgan), blk. 1921, Red Oak—Bonnie B—The Admiral. 15–2; 1100. C. I. Towne, Leslie.

Sidereal, ch. 1919, Star Shoot—Old Squaw—Adam. 15–2; 1000. Pierre Polo Club, Pierre.

Skyraker, ch. 1916, Willonyx—Mountain Jewel—Cyllene. 16–3; 1300. A. B. Tyler, Pierre.

The Dictator, b. 1919, Dodge—Lipstick—Sunflower 2d. 15–3; 1050. John Aaberg, Hot Springs.

War Note, ch. 1916, Spanish Prince 2nd—Sun Maiden—Sundridge. 15–3; 1075. A. C. Frame, Reliance.

TENNESSEE

Beau Galant, b. 1924, Light Brigade—Baffle—Peter Quince. 16–½; 1150. Col. Luke Lea, Nashville.

TEXAS

Anticipate, b. 1917, Plaudit—Antipathy—Ornament. 15–2; 1100. Paterson & Rieck, Roosevelt.

Avondale, ch. 1923, Belloe—Arogance—Golden Maxim. 15–2½; 1100. Howard C. Smith, Mason.

Baalbec, b. 1922, Troutbeck—Istar—Von Tromp. 15–3; 1020. D. W. Snyder, Corpus Christi.

Baltus, b. 1926, Polygnotus—Bouton de Nacre—Bachelors Button. 15–½; 950. Ed Rachel, Falfurrias.

Bat 'Em Out, ch. 1923, James P. Silo—Bartender II—Boxinter. 15–2½; 1000. J. H. Burson, Silverton.

Bazigha (Arab), ch. 1919, Abu Zeyd—Butheyna—Seyal. 14–2; 800. W. A. Wurzbach, jr., San Antonio.

Berkeley Square, ch. 1923, Sir Berkeley—Orbyna—Orby. 15–2½; 1000. L. S. McDowell, Big Spring.

Bernie Harding, ch. 1925, The Wanderer—Virginia Flannery—Bryn Mawr. 15–2; 1100. H. C. Barnes, Andrews.

Billy McLaughlin, br. 1918, Wrack—Lady Elite—Order. 16; 1100. C. M. Wilkinson, Menard.

Bin Maxey (std.), b. 1919, Judge Maxey—Maggie Bingen—Bingen. 15–2; 1100. J. H. Minnick, Foard City.

Birley, M. C., ch. 1924, North Star III—Busy Signal—Cunard. 15–2½; 1000. Frank Clark, Johnson City.

Black Bug, br. 1923, Norito—Brown Bee—Toddington. 15; 1000. A. C. Hoover, Ozona.

Blue Bull, gr. 1923, Louie—Osage Lass—Sais. 16; 1100. Pitchfork Land & Cattle Co., Spur.

Bob Humphrey, ch. 1925, Crimper—Queen Blonde—Free Lance, 15–1½; 1000. T. J. Caldwell, Houston.

Bonnie Jack, b. 1921, Wrack—Mary's Aunt—Star Shoot. 15–1; 1000. J. W. Gibbons, Richland Springs.

Bonnie Wrack, b. 1926, Bonnie Jack—Frances P.—Cunard. 15–½; 950. A. R. Henderson, Vancourt.

Boone's Knoll, br. 1922, Brown Prince II—Macaroon—Marco. 16–1½; 1125. B. W. Floyd, Midland.

Buck Garrett, ch. 1922, Rickety—Lucky Miss—Campus. 15–3; 1050. W. C. Lawhon, Sherwood.

Buck's Smile, b. 1922, Gold Enamel—Smiling Buck—Smile. 15–2; 1065. T. A. Bond, Sonora.

Bull Dog Tenacity, br. 1921, North Star III—Biscuit Tortoni—Mauvezin. 16–1; 1270. Mayfield & Caldwell, Sonora.

Buzz Saw, br. 1921, Meridian—See Saw II—Fitzherbert. 15–3½; 1100. G. C. Asher, Menard.

Cabalerro, br. 1923, Cruzados—Letty Ree—Jim Gaffney. 15–1; 1075. Dick Sampson, Clairemont.

Capt. Bridges, ch. 1924, Setback—Flo Harbrave—Dr. Bailey. 15–1; 1000. T. J. Brownson, Whitsett.

Capt. Costigan, ch. 1920, Vandergrift—Bastante—Oddfellow 15–3; 1170. J. M. Waddell, Odessa.

Capt. Kinnarney, b. 1921, Dick Finnell—Idle Day—Peep O'Day. 15–3¾; 1000. W. A. Cooper, Langtry.

Capt. Menard, ch. 1923, Conboy—Argent—Singleton. 15–3; 1150. Cecil Walston, Menard.

Capt. Montgomery, b. 1926, Convoy—Sadie Montgomery—Walking John. 15–2½; 1050. Neal Gearreald, Stephenville.

Capt. Whitehead, b. 1918, Tad H—Deerfoot—Alvescot. 14–3; 850. Jack Brown, Truscott.

Carthage, ch. 1922, Archaic—Rockwater—Laureate. 15–2; 1000. Tom Nance, Midland.

Celtney, br. 1919, Jim Gaffney—Irish Queen—Bearcatcher. 16; 1135. Jim Harkey, Fort Stockton.

Centimeter, b. 1918, Meelick—Regen—Margrave. 15; 875. Sid Moffett, Dilley.

Charibury, ch. 1922, Tad H—Marion S—Albula. 15–1; 1100. H. N. Roach, Shamrock.

Charles Robinson, b. 1925, Thunderstorm—Mable Clarkson—Allowmaise. 16–1⅛; 1100. Chas. H. Featherston, Wichita Falls.

Cheikh Barre, ch. 1922, Prince Chimay—Bairam—Masque. 15–3½; 1050. Frank Henry, Cross.

Chester Park, b. 1925, Top Hat—Babette—Heno. 15–3½; 1000. D. C. Reynolds, Dalhart.

Chevachie, b. 1924, Adalid—El Cheva—Rey el Santa Anita. 15–1; 1100. M. L. Jernigan, Goldthwaite.

Chipping Norton, b. 1922, Tad H—Clover Night—Cloverton. 15–1¼; 1050. Pat Lee, Ozona.

Crossfire, ch. 1923, Hourless—Crossways—Octagon. 15–3½; 1000. McIntyre Bros., Fort Stockton.

Daedalus, ch. 1915, Aeronaut—Princess Chic—Potomac. 15–3; 1075. H. W. Davis, Clairemont.

Dalajo, b. 1925, Daedalus—Lady Johnson—Dr. Root. 15–1; 1000. R. E. Thompson, Stinnett.

Dennydance, ch. 1919, Judge Denny, jr.—Flying Dance—Farandole. 15–½; 1000. Len M. Mertz, San Angelo.

Diego, b. 1926, Setback—Novice Girl—Dr. Bailey. 15–2½; 1050. J. W. Garner, Rankin.

Doctor Howard, ch. 1918, Handsell—Grace Navarre—Henry of Navarre. 15–2; 950. Geo. L. Aldwell, San Angelo.

Duplicate, b. 1923, C. Brown—Nora Daly—Duke Daly. 15; 1000. D. T. Jones, San Angelo.

Dwarf, br. 1921, Setback—Dolly Hayman—Crighton. 15–1; 950. Zeno Jones, Catarina.

El Bardo, b. 1922, Adalid—Bardolita—The Bard. 15–1; 1050. T. M. Pyle, Longfellow.

Eliminator, b. 1915, Sunstar—Marian Hood—Martagan. 16; 1060. C. B. Daniels, Newcastle.

Elm, ch. 1922, Rosturtium—King Belle—King Olympian. 14–3; 975. Alley Mayes, Big Lake.

Elmendorf, b. 1915, Ballot—Discipline—Greenan. 15–3; 1100. Bierschwale Bros., Comfort.

Esquire, b. 1918, Meridian—Daruma—Solitaire II. 15–3½; 1100. Geo. R. Whitehead, Del Rio.

Esteem, br. 1923, Huon—Admiration—Ogden. 16–2; 1125. Frank Baker, San Antonio.

Fayette C, ch. 1915, Fayette—Rose Queen—Kingston. 14–2; 960. C. M. Caldwell, Abilene.

Fighting Joe, br. 1927, Dunlin—Pearl III—Flint Rock. 15–1; 950. L. P. Bennett & Sons, Plains.

Fleeting Time, ch. 1923, Last Coin—British Fleet—Great Britain. 15–3; 1000. W. M. Moore, San Saba.

Foregone, ch. 1924, Foreground—Anita—Voorhees. 15–3½; 1100. Barnett & Davidson, Jayton.

Gay Comet, b. 1921, Sunstar—Wayward—Irishman. 15–3½; 1120. John W. Reese, Floresville.

Golden Laurel, b. 1924, Bay d'Or—Lady Sylvia—Prince Palatine. 15–2½; 1000. J. P. Anderson, Luther.

Goldic II, ch. 1920, Goldic—Dakota Girl—Electioneer. 15–2½; 1000. J. W. Short, jr., Bandera.

Gonzalo, br. 1917, Bard of Hope—Fenchetta—Alvescot. 15–2½; 1100. Blackstone & Slaughter, San Angelo.

Gordon Wells, b. 1925, Gordon Russell—Zadie Wells—Cameron. 15; 1000. Jack Young, Midland.

Grey Eagle, gr. 1915, Grey Leg—Memoria II—Melton. 15–2½; 1120. Shirley & Offield, Crowell.

Hadrian, b. 1916, Free Lance—Semprite—Sempronius. 16–1½; 1150. J. M. Corder, Sanderson.

Hendrick, br. 1922, George Smith—Auriesville—Clifford. 15–2½; 1150. Joe M. Vander Stucken, Sonora.

Here's Hoping, b. 1922, Bard of Hope—Tantalize—Meddler. 16; 1050. Scott & Hopper, Falfurrias.

Hickory, b. 1919, Hermis—Lou Hazel—King Regent. 15–2½; 1000. Eugene Mayfield, Aspermont.

High Star, b. 1923, North Star III—Haute Roche—Rock Sand. 15–3½; 1000. Lester E. Sikes, Pandora.

Highwayman, br. 1923, Prince Pal—Holdup—Plaudit. 15–2½; 1050. J. W. Scott, Vega.

Itinerant, b. 1925, Meridian—The Busybody—Meddler. 16; 1000. Thos. H. Owen, Baird.

J. Garfield Buell, ch. 1915, Martinet—Mrs. Annie—St. Blaise. 15–2½; 1080. G. R. White, Brady.

Kempland, b. 1918, Mont d'Or II—Reveries—Rabelais. 15–3; 1000. Fleet Coates, Ozona.

King O'Neill II, ch. 1921, Huon—Duchess of Savoy—Uncle. 15–3½; 1050. Myrl Jowell, Midland.

Legal, b. 1916, Hilarious—Responsful—Meddler. 16; 1125. J. A. Bunton, Rio Frio.

Licht Alberich, b. 1921, Fels—Laverna—Pioneer. 15–2; 1000. Ross Bros. & Barton, Fort Worth.

Leontes, b. 1920, Alvescot—Jerda—Sempronius. 15–3½; 1050. Rollie C. Bless, Hondo.

Libyan, Sands, br. 1913, Rock Sand—Linda Stone—Hanover. 16–½; 1075. Jim Harkey, Fort Stockton.

Lingard, b. 1923, Black Toney—Wayward Lass—Sir Dixon. 16; 1120. B. L. Kone, Encinal.

Little Red, ch. 1917, Dr. Root—Princess Cunard—Cunard. 15; 900. E. B. Kincaid, Sabinal.

Long Bug., ch. 1925, Long Tongue—Beetle Bug—Sweep. 15–1; 1000. J. H. Minnick, Foard City.

Louie, br. 1915, Senseless—Anne Boleyn—Pipistrello. 16; 1150. B. B. McCutcheon, jr., Fort Davis.

Major Cullum, b. 1924, Setback—Kitty Frank—Jack Point, 15–1; 1000. Greer & Geesey, Wellington.

Major Wood, ch. 1921, Marwood—Jerusha—Sir Walter. 14–3; 950. G. J. Henshaw, Sanderson.

Master Gould, b. 1916, First Chip—Gracie Gould—Register. 15–1¼; 1180. J. E. Gibbons, Richland Springs.

Mayor House, br. 1916, Hanbridge—Helma S—Cesarion. 15–3; 1000. Rocky Reagan, Beeville.

Mickey Free, b. 1923, Polymelian—Athlone—Charles O'Malley. 15–3; 1000. B. B. Ingham, Ozona.

Midnight Chief, ch. 1923, Swing Loose—Dora Knight—Beknighted. 15–3; 1000. A. C. Hoover, Ozona.

Mint Cat, b. 1916, Catmint—Arlette—Robert le Diable. 16; 1125. W. W. McCutcheon, Fort Davis.

Mock Orange, b. 1917, Lonawand—Orange Lilly—Willith the Third. 15–3; 1050. L. S. Munger, Buffalo Gap.

Moon Magic, br. 1922, Torchbearer—Mirka—Peter Quince. 16–¼; 1050. H. B. Duncan, Burnet.

Mordear, ch. 1925, Morvich—Dear Maria—Ambassador 4th. 15–3; 1000. Louis Danz, Johnson City.

Morganatic, b. 1922, His Majesty—Marie Odile—Star Shoot. 15–3; 1000. J. F. Hutchins, Pierce.

Mr. Pepp, br. 1922, Luke McLuke—Dividend—Ingoldsby. 16; 1065. E. M. Hall, San Angelo.

Mutiny, b. 1920, Wrack—Desirous—Hamburg. 16–½; 1100. W. D. Casey, Toyah.

Namtro, b. 1921, DeGrey—Candy—Yankee. 16–½; 1130. Everett Bell, Crowell.

Naughty Boy II, ch. 1923, Lemonora—Mademoiselle Mai—Oppressor. 16; 1050. Robt. J. Kleberg, jr., Kingsville.

Nelombo, ch. 1923, Nimbus—Naturalization—Simonian. 15–3; 1030. John H. Oliver, San Saba.

Niwad (Arab), br. 1921, Janissary—Najine—Garaveen. 14-2½; 960. Oscar Appelt, San Angelo.

No Knox, ch. 1926, Setback—Our Kitty—Bro. Compton. 15-2; 1100. J. R. Hewitt, San Angelo.

North America, ch. 1925, North Star III—Viva America—McGee. 16-¾; 1050. C. F. Cox, jr., Marathon.

Nuyaka, ch. 1920, Dick Finnell—Annie Williams—Lazzarone. 16-¾; 1050. C. F. Cox, jr., Marathon.

Oakwood (Morgan), b. 1921, Troubadour of Willowmoor—Folly—Bennington. 15-2; 1100. T. B. Caldwell, jr., Mount Pleasant.

Oklahoma Tom, br. 1920, Dr. Root—Oklahoma—Chant. 15; 950. Jack Brown, Truscott.

Pablo, ch. 1921, Glencairn—Caraquet—Bryn Mawr. 16; 1200. W. H. Taylor, Pontotoc.

Palmist, b. 1923, Golden Sun—Palmella—Lemberg. 16-½; 1080. Frank B. Eadie, Benchley.

Panover, ch. 1925, Panhandler—Fringe—Frizzle. 15-2; 1000. Forrest C. Whitehead, Del Rio.

Piegan, b. 1926, Polymelian—Jacoba—Jack Atkin. 15-1¾; 1000. Frank Ingram, Midland.

Pot O'Gold, br. 1926, Pagan Pan—Rainbow Division—Stalwart. 15-1; 1000. Franklin Bros., Christine.

Pride of India, b. 1916, Delhi—Dominoes—Domino. 16-½; 1175. Joe Howell, Wimberley.

Ragman, b. 1924, McGee—Sweepings—Sweep. 15-2½; 1000. J. J. Koonsman, Snyder.

Rashid (Arab), b. 1922, Sidi—Ramin—Berk. 14-3; 910. Frank P. Wood, Victoria.

Relay, b. 1919, Assagai—Doll—Sir Geoffrey. 15-2½; 1085. R. S. Waring, San Angelo.

Ridgway, br. 1925, Wrack—Whizz Bang—Sunstar. 15-2½; 1000. Henry W. Schlittler, jr., Graham.

Rig Veda, b. 1922, Yverdon—Ravigote—Childwick. 15-3½; 1000. B. C. Hendrick, Odessa.

Robespierre (Morgan), ch. 1920, Red Oak—Bessie C.—The Admiral. 15-½; 1000. Jim B. Hamilton, Normangee.

Rosario II, b. 1922, Faucheur—Rosanne—Saint Ange 3rd. 15-3; 1030. Hartley Easley, Crowell.

Royal Ease, gr. 1926, Royal Canopy—Lazy Lady—Sea King. 15-3; 1000. J. H. Minnick, Foard City.

Run Dor, b. 1924, Runflor—Lady Dorinet—Colinet. 15-2; 1000. Pfefferling Bros., San Antonio.

Runflor, ch. 1918, Runnymede—Handsome Florry—Handsome. 15-2; 1050. W. L. Fisher, Marfa.

Runningwild, ch. 1921, Olambala—Sunburst—Banastar. 16-1½; 1100. Mrs. Phil C. Griffin, Goldsboro.

Sangan, ch. 1923, Long Tongue—Repentant—Migraine. 15-2; 1025. W. R. Davis, Sterling City.

S. Bryce Wing, b. 1922, Till Johnson—Kickapoo Lass—Deutschland. 15-1; 1000. S. S. Millspaugh, Ozona.

Shilling, ch. 1917, Seth—Alice Commoner—The Commoner. 15-2; 1020. Hugh Buie, Beeville.

Sign of Time, ch. 1926, Champlain—Sister Emblem—Ballot. 15; 900. W. B. Johnson, Crowell.

Silhouette, ch. 1922, James P. Silo—Bartie—Valeat. 15-2½; 1080. Joe Stocks, Tankersly.

Slice, b. 1922, Spanish Prince II—Watermelon—Watercress. 16-1; 1075. Bud Bennett, Dalhart.

Soldier True, ch. 1923, Trap Rock—Federal Girl—Ultimus. 16-1; 1100. J. M. Treadwell, Menard.

Sunny Jim, b. 1918, Friar Rock—Lucy M—Hamburg. 16; 1050. J. P. Miller, Coleman.

Teeke, ch. 1926, Setback—Novice—Dr. Bailey; 15-1; 1000. A. D. Dodson, Snyder.

Thaine, ch. 1922, Big Boy—Blanche Ring—Madalo. 15-1½; 1020. Eugene H. Linthicum, Barnhart.

Theo Dunman, b. 1918, Meelick—Kitty Smith—Jack Point. 15-2; 1050. John P. Lee, Tankersly.

The Pine, b. 1924, Cudgel—Audience—Sir Dixon. 15-3½; 1050. Reid Bros., Fort Davis.

The Tramp, br. 1921, The Finn—Kate Adams—Martinet. 15-3½; 1050. S. D. Harmon, Alpine.

Till Johnson, br. 1917, Orbicular—Rose of Jeddah—Cesarion. 15-1½; 1175. J. E. Henderson, jr., San Angelo.

Tom Green, br. 1921, Atkins—Nairn—Sidney Lucas. 15-1½; 1050. Pat Webb, Crosbyton.

Top O' The Morn, b. 1925, Roderick II—Child of Dawn—Strephon. 15-3; 1000. G. W. White, Tuscola.

Tornado Wheel, b. 1924, Balance Wheel—Babe Bemish—Phelan Dorlan. 15; 1000. J. B. Chilton, jr., Encinal.

Toyland, ch. 1923, Peter Pan—Lucrative—Mordant. 16; 1020. J. E. Renfroe, Menard.

Vioto, b. 1922, Norito—Cheviota—Rey el Santa Anita. 15-½; 1100. J. L. Custer, Spofford.

Westerman, br. 1918, Ildrim—Supposition—Sir Dixon. 15-2½; 1000. Mrs. Gertrude Pursley, Jayton.

Yankee Star, br. 1919, Star Shoot—Yankee Lady—Yankee. 15-3; 1000. J. C. Penn, Mercury.

Zonite, br. 1924, Donnacona—Zonia—Blarney. 15-2½; 1000. Dickie Bros., Woodson

UTAH

Achill, b. 1920, Achtoi—Belle Isle—Sunder. 15-3; 1050. Archer Huff, Spanish Fork.

Adalid, ch. 1910, Amigo—Lady Diamond—Emp. of Norfolk. 15-3; 1150. R. L. Fenton, Parowan.

Aldeano, b. 1924, Al Bloch—Edith Inez—Jack Point. 15-2; 1060. H. C. Perkins, Blanding.

Ben Royal, ch. 1915, Flis—Rosebud III—Rosewater. 15-3; 1150. C. W. Bailey, Escalante.

Blue Fire, b. 1924, Underfire—Blue Bail—Hastings. 15-3; 1050. W. R. Probert, Ibapah.

Canmore, b. 1920, Marathon—Canice—Bridge of Canny. 15-3; 1150. J. W. Smoot, Deseret.

Canmore, jr., b. 1925, Canmore—Drucy B—Chaffinch. ??-?; 1185. Bert Snow, St. George.

Clever Seth, b. 1921, Seth—Pickaniny—Cesarion. 15-3; 1100. Hyrum Walker, Farmington.

Cragsman, b. 1920, Lomond—Bleasdale—Martagon. 15-2½; 1000. D. N. Murdock, Hebert City.

Dr. Henry, ch. 1922, Marse Henry—My Nurse—David Tenny. 15; 1000. R. L. Fenton, Parowan.

Edgewater, ch. 1925, Rapid Water—Alberta H—Handspring. 15-3½; 1000. A. P. Spilsbury, Cedar City.

Elisha Lee, ch. 1923. Delhi—Lady Britain—the Commoner. 15-3; 1190. George Henderson, Joseph.

Eminent, ch. 1921, the Manager—Little Daughter—Ogden. 15-2; 1070. Charles Redd, La Sal.

Fasching, b. 1925, Dark Ronald—Falada—Captivation. 15-2½; 1000. Hugh Colton, Vernal.

Funny Face, ch. 1924, Short Cut—Glen Grier—Glenthorn. 15; 1000. Reed W. Warnick, Pleasant Grove.

Grazer, b. 1924, Grosvenor—Willaisa—Willonyx. 15-1½; 925. Arthur Lightner, Minersville.

Hardwood, br. 1923, Broomstick—Duckshot—Gallinule. 15-3; 1050. Elmer Carling, Fillmore.

Hermis Kemble, ch. 1919. Prince Hermis—Fanny Kemble—Sempronius. 15-3; 1050. John Rogerson, Panguitch.

Irish King, ch. 1923, Irish Exile—Alessia—Doctor Leggo. 15-3; 1050. Alex Findlay, Kanab.

J. G. Bickel, b. 1922, Alvescot—Marna—Sempronius. 16; 1050. Francis N. Mortenson, Ephraim.

Kangaroo, b. 1915. Fling Rock—King's Favorite—Hanover. 15-2¾; 1050. T. B. Parker, Richfield.

Leather Breeches, ch. 1925, Damrosch—Peep O'Dawn—Peep O'Day. 16-1½; 1150. Wm. Roylance, North Ogden.

Lieutenant Hixon, ch. 1916, Borghesi—Polandia—St. Sympharien. 15-2; 1100. J. H. Singleton, Gandy.

Mac Lean, b. 1921, Meelick—Dona Hamilton—Donald A. 16; 1050. J. Leo Seely, Mount Pleasant.

Manulani, br. 1924, Frolic—Waipuna—Harvester. 15-½; 1000. R. E. L. Kenner, Manti.

Marse Henry, br. 1913, Ben Brush—Nun's Cloth—Melton. 16; 1200. S. L. Aiken, Castle Dale.

Multnomah, br. 1913, Bearcatcher—Marcia A—St. Carlo. 15-3; 1150. Ernest Warburton, Etna.

Nigahdar (Arab), b. 1920, Rodan—Nanda—Garaveene. 15; 1000. L. A. Stookey, Clover.

Oxalic Jess, ch. 1915, Collector Jessup—My Nurse—David Tenny. 15; 1100. Travus Olsen, Rochester.

Padraic, ch. 1917, Belloc—Anna Patricia—Ormondale. 15-2½; 1050. B. Grant, Honeyville.

Pas De Calais II, ch. 1919, Bachelor's Double—Hot Water Bag—Mackintosh. 16; 1000. Vern Allred, Roosevelt.

Pirate Chief, br. 1925, Brigand—Hadfield—Fariman. 15-3½; 1025. Dr. L. D. Stewart, Payson.

Sailing B., b. 1918, Trap Rock—Pecadillo—Hastings. 15-2½; 1150. Earl Snow, Orangeville.

Sasper, b. 1921, Master Robert—Miss Cynthia—Joe Carey. 16-3; 1000. Jess Barton, Greenville.

Stone Bell, b. 1921, Wigstone—Bella H—Ballot. 15-3; 1000. F. Marion Guymon, Huntington.

The Tailor, ch. 1924, Atwell—Lady Colonist—Africander. 15-2½. Remount stable awaiting assignment.

Tilrite, ch. 1925, Meteorite—Tillie Brille—Rightful. 15-3; 1000. D. H. Livingston, Delta.

VERMONT

Walhalla, b. 1924. Verwood—Walkyria—Charles O'Malley. 15-2½; 900. Augustus Van Cortlandt, jr., Brandon.

VIRGINIA

Angel Jim, ch. 1906, Tarquin—Guiliana—Ragotsky or Loudun. 16; 1045. For depot use. Front Royal Q. M. Depot.

Ben Gow, b. 1915, Neil Gow—Friction—St. Gris. 16-½; 1200. Otto Furr, Middleburg.

Body Guard, b. 1920, Golden Maxim—Melisande—Disguise. 16; 1025. G. A. Randolph, North Garden.

Botanical, ch. 1926, North Star III—Bed of Roses—Cunard. 16-1; 1080. C. T. Field, Lee Hall.

Breast Plate, ch. 1923, Olambala—Sunburst—Banastar. 16-1¼; 1000. T. W. Utterback, Markham.

Brian Boy, gr. 1922, Royal Canopy—Corveno—Laveno. 16; 1145. B. G. Ray, Happy Creek.

Cannon Shot, br. 1921, War Shot—Purer—Sir Dixon. 16-2; 1140. S. L. Larrabee, Warrenton.

Cant Kost, b. 1916. Cantilever—Koster Girl—Gonsalvo. 16-1; 1100. M. M. Washington, Nokesville.

Captain Hershler, b. 1917, The Manager—Fleeting Fashion—Hamburg. 16-½; 1170. O. B. Dowden, Orleans.

Dan IV, ch. 1918, Ex Voto—Deihadarra—Chatillon. 16-2; 1210. For depot use. Front Royal Q. M. Depot.

Dark Demon, b. 1924, Son-in-Waw—Milva—Gost. 16–2; 1200. Sam Clatterbuck, Dayton.

Devil Dog, b. 1917, Darley Dale—Mountain Fringe—Atlas. 16; 1000. J. E. Keyser, Flint Hill.

Gratteur, drk. br. 1923, Macdonald II—Galatee—Fourire. 16–1; 1150. C. E. Wisecarver, Berryville.

Gray Falcon, rn. 1926, Caligula—Griseldis—Hannibal. 16; 1080. C. O. Iselin, jr., Middleburg.

Half Rock, ch. 1912, Rock Sand—Half Sovereign—Hastings. 16–0; 1120. C. W. Byers, Fort Defiance.

Haphazard, b. 1923, Escoba—Kaskaskia—Yankee. 16–1¼; 1130. C. B. Payne, Culpeper.

High Hand, br. 1920, Fair Play—Haute Roche—Rock Sand. 16; 1070. H. C. Willis, Rapidan.

His Majesty, b. 1910, Ogden—Her Majesty—His Highness. 15–2½; 1070. Albert Shaw, jr., Sterling.

J. G. Denny, br. 1921, Jusqu'au Bout—Mary Michaels—Lissak. 16; 1050. Claiborne Wilcox, Providence Forge.

Job, b. 1922, Sans le Sou—Jenny III—Simonian. 16–2½; 1140. F. M. Humphreys, Phillamont.

Kilter, ch. 1923, Johren—Guess Again—All Gold. 16–1; 1060. John F. Taylor, Staunton.

Le Pierre de Tanville, b. 1921, Verwood—Philosophy—Bay Ronald. 16–1; 1120. For depot use. Front Royal Q. M. Depot.

Lough Swilly, bl. 1916, Lough Foyle—Bleachers—Kinley Mack. 16–1½; 1225. Albert Shaw, jr., Sterling.

Louverne, b. 1921, Rabelais—Gloria—Ajax. 16–2; 1105. For depot use. Front Royal Q. M. Depot.

Magic Silence, ch. 1918, Magic II—Mum—Freemason. 16–2½; 1300. H. W. Herring, Nokesville.

Master Hand, b. 1919, Ballot—Shuck H—Jean Bereaud. 15–3¼; 1000. J. M. Jett, Nineveh.

Mc Donno, b. 1921, McGee—Donna Mamona—Yankee. 16–1; 1160. M. C. Hazen, Nokesville.

Modesta, b. 1922, Ralph—Bonnie Kate—Loyalist. 16; 1075. Harry C. Stuart, Elk Garden.

Mr. Kirkwood, br. 1924, Squander—Segurola—Runnymede. 16–1; 1100. T. S. Holtzclaw, Hampton.

Navigator, b. 1923, Broomstick—Aister Cress—Watercress. 15–3½; 1000. H. O. Lyne, Orange.

Repulse, ch. 1922, Spanish Prince II—Soria—Ogden. 16–1; 1000. H. E. Furr, Aldie.

Sebastian, b. 1926. Wrack—Brumellini—Sea Sick. 16; 1000. C. C. Fernsell, Decca.

Silver Rock, ch. 1922, Friar Rock—Lady Bedford—Ogden. 16–1; 1070. Marine Barracks, Quantico.

Soggarth Aroon, b. or br. 1920, Bard of Hope—Running Vine—Transvaal, 15–3¾; 1100. W. E. Keister, Fairfax.

Spanish Gold, b. 1924, Spanish Prince III—Bright Gold—Golden Maxim. 16; 1100. C. J. Miller, jr., Washington.

Starset, ch. 1924, Star Hawk—Set Square—Simon Square. 16–1½; 1050. David Allen, Berryville.

Tchad, br. 1916, Negofol—Toia—Railleur. 16–2½; 1250. J. D. Blair, Richmond.

Tim McGee, ch. 1915, McGee—Cheek—Hawkswick. 16; 1050. Allen C. Pierson, Appomattox.

Xylon, gr. 1912, Grey Plume—Lady Marie—Petrarch. 16–½; 1100. For depot use. Front Royal Q. M. Depot.

WASHINGTON

Gayly, ch. 1921, Transvaal—Airey—Bryn Mawr. 15–2½; 1000. W. M. Farron, Harrah.

Glen Oak, b. 1926, Whisk—Hasty Maid—Hastings. 15–3½; 1100. Ross Woodard, Loomis.

Poultney, br. 1916, Bryn Mawr—Galgris—St. Gris. 15–3; 1025. Dr. W. M. Baker, Sprague.

Sarko, br. 1921, Voorhees—Egeria—Clifford. 15–2; 1100. J. J. Crawford, Yakima.

WEST VIRGINIA

Danger Rock, ch. 1912, Rock Sand—Delusion—Meddler. 16–1½; 1165. Charles Roy, Bridgeport.

Point Blank, ch. 1922, Ten Point—Praline—Bassetlaw. 15–3; 1130. Ralph Bentz, Martinsburg.

Star Hampton, ch. 1916, Star Shoot—Dorothy Hampton—Royal Hampton. 15–2½; 1100. Dr. B. L. Traynham, Sweet Springs.

WISCONSIN

Huffaker, b. 1913, Dick Welles—Outwai—Ornus. 16–3; 1250. Dewar Bros., Hancock.

WYOMING

Adanor, ch. 1922, Adalid—Norette—Norito. 16–1; 1100. C. D. Huyler, Wilson.

Bellini, br. 1920, Chouberski—Basse Terre—Omnium II. 15–3; 1000. J. C. Scott, Jackson.

Bud MacDougal, ch. 1918, Trap Rock—Run of Luck—Wagner. 15–1½; 1075. S. Snyder, Painter.

Bushnell Lad, b. 1915, St. Amant—Allumette—Matchmaker. 15–3¼; 1100. F. W. Foss, Diamond.

Checko, b. 1921, Ormondale—Checkers—Ogden. 16–1; 1175. J. Berger, Oshoto.

Chief Lally, b. 1915, King James—Rossiare—Sempronius. 15–3½; 1150. W. M. Spear, Sheridan.

Delaware, b. 1916, Ormondale—Livonia—Star Shoot. 16; 1250. C. D. Carey, Cheyenne.

Election, b. 1914, Ballot—Sadie S—Charaxus. 15–3; 1050. C. A. Allison, Gillette.

Elite, br. 1919, Dandy Rock—Golden Meteor—St. Savin. 15–2; 1000. M. T. Cox, Cheyenne.

Elkwood, blk. 1916, Elkhorn—Emma—Contestor. 15–3; 1150. A. L. Spurlock, Alcova.

Ferados, b. 1923, Cruzados—Fernada—Rey el Santa Anita. 15–1; 1000. Tom Sun, Rawlins.

Fort Keogh, ch. 1923, Achievement—Appolita—Sir Appleby. 15–½; 950. Gus Nylen, Orin Junction.

Friar Dixon, b. 1919, Friar Rock—Queen Dixon—Sir Dixon. 15–1; 1000. J. T. Gratiot, Dubois.

Historicus, br. 1922, Belloc—Arrogance—Golden Maxim. 15–2½; 1000. C. P. Berry, Recluse.

Irish Dancer, ch. 1917, Celt—Ballet Girl—St. Leonards. 15–3¾; 1100. Mrs. Hazel O'Reilly, Horse Creek.

Jack Stuart, br. 1915, Valens—Sweet Sauce—Sir Geoffry. 16–½; 1050. J. B. Kendrick, Sheridan.

Kalirice, br. 1925, Kalitan—Louie Grice—Bryn Mawr. 15–2; 1100. E. H. Morrison, Diamond.

Last Call, b. 1925, War Call—Oh Pie—Nick. 15–½; 950. J. B. Okie, Lost Cabin.

Lucknow, br. 1919, Luke McLuke—Carena—Grey Leg. 16–1; 1125. Lem Carmin, Douglas.

Luke Dillon, ch. 1917, Luke McLuke—Frances Dillon—The Commoner. 15–1; 1100. C. D. Carey, Cheyenne.

Lynchburg, br. 1909, The Scribe—Rose Washington—Faustus. 16; 1100. H. Fullmer, Sheridan.

Majority, br. 1920, Ballot—Centrella—Bryn Mawr. 16–1; 1100. R. Nicholas, Sheridan.

Olin K, ch. 1924, Glencairn—Vena Fair—Fair Play. 15–2½; 1025. C. L. Byrne, Piedmont.

Poppycock, br. 1917, Durbar—Teetotum II—The Bard. 16–¾; 1050. C. Johnson, Alcova.

Red Tomahawk, b. 1925, Assagai—Forbid—Honeywood. 15–3¾; 1050. K. McDonald, Arminto.

Rolling Rock, b. 1921, Sandbar—Edith B—Contract. 15–2; 1000. R. D. Carey, Careyhurst.

Sargon (Arab), ch. 1915, Segario—Najine—Garaveen. 14–1¾; 970. J. T. Gratiot, Casper.

Senator Knox (Morgan), ch. 1917, Knox Morgan—Senata—Senator 15–½; 1080. C. F. Shumaker, Casper.

Socialist, br. 1923. Kwang Su—La Marseillaise—Fowling Piece. 16–1; 1150. J. Elliott, Cheyenne.

Son of Fortune, ch. 1922, Guy Fortune—Category—Cesarion. 14–3¾; 1000. J. H. Foxton, Glendo.

Suppliant, b. 1921, Everest—Pliant—The Commoner. 16–1; 1100. A. M. Brock, Buffalo.

The Greek, b. 1923, Achievement—Grecian Maid—Borgia. 15–½; 900. Dr. J. R. Hylton, Douglas.

Underwriter, br. 1919, Disguise—Agnes Velasquez—Velasquez. 16; 1050. F. Horton, Buffalo.

Zeus Laddie, b. 1922, Zeus—Edna Collins—The Commoner, 16–¼; 1100. Dr. J. R. Hylton, Douglas.

Summary of results obtained from the operation of the remount horse breeding plan since its inception in 1921 up to and including December 31, 1929

Year	Amount appropriated	Amount expended	Value of stallions and brood mares purchased	Value of stallions and brood mares donated	Value of stallions and brood mares produced at remount depots	Stud fees collected	Stallions at stud	Mares bred	Foals produced	Estimated value of foals
1921	$250,000	$176,271	$93,742	$112,500	----------	$3,710	159	4,100	2,460	$418,200
1922	150,000	133,728	41,039	28,500	----------	15,355	219	6,800	4,080	693,600
1923	150,000	106,347	31,137	30,750	----------	23,100	236	7,500	4,500	765,000
1924	150,000	146,245	60,639	45,000	----------	22,520	277	8,700	5,220	887,400
1925	150,000	145,348	52,876	20,250	$4,500	40,410	306	9,900	5,940	1,009,800
1926	150,000	149,383	70,268	18,000	15,750	30,495	352	11,800	8,260	1,404,200
1927	150,000	149,546	74,054	18,000	6,000	24,903	454	12,800	8,960	1,523,200
1928	150,000	148,414	76,372	13,500	6,000	26,150	527	14,800	10,360	1,761,200
1929	150,000	149,407	89,275	12,750	18,000	21,355	580	17,400	12,180	2,070,600
Total	1,450,000	1,297,691	589,502	299,250	50,250	207,498	----------	93,800	61,960	10,533,200
Yearly average	161,111	144,188	65,500	33,250	5,583	23,055	349	10,422	6,884	1,170,355

BREEDING ZONES

Eastern (headquarters: Remount purchasing and breeding headquarters, Federal Building, Lexington, Ky.): Includes the States of Alabama, Connecticut, Delaware, Florida, Georgia, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia. (Note.—Virginia is under the jurisdiction of commanding officer, quartermaster depot, Front Royal, Va.)

Southern (headquarters: Remount purchasing and breeding headquarters, Fort Reno, Okla.): Includes the States of Arkansas, Louisiana, Mississippi, Oklahoma, Texas.

Central (headquarters remount purchasing and breeding headquarters, New York Life Building, Kansas City, Mo.): Includes the States of Illinois, Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, Wisconsin.

West-central (headquarters remount purchasing and breeding headquarters, Colorado Springs, Colo.): Includes States of Arizona, Colorado, New Mexico, Montana (except as indicated under western zone), and Wyoming.

Western (headquarters remount purchasing and breeding headquarters, Fort Douglas, Utah): Includes the States of California; Idaho; counties of Lincoln, Flathead, Teton, Sanders, Mineral, Missoula, Powell, Lewis and Clark, Ravalli, Granite, Jefferson, Beaverhead, Silver Bow, Madison, Broadwater, and Gallatin in Montana; Nevada; Oregon; Utah; and Washington.

Horse-breeding statement

Fiscal year	Total appropriated	Total expended	Stallions and brood mares purchased			Stallions and brood mares donated			Stallions and brood mares produced			Stud fees collected
			Number		Value	Number		Value	Number		Value	
			Stallions	Mares		Stallions	Mares		Stallions	Mares		
1921	$250,000	$176,271	110	----------	$93,742	75	----------	$112,500	----------	----------	----------	$3,210
1922	150,000	132,728	53	----------	41,039	19	----------	28,500	----------	----------	----------	15,355
1923	150,000	105,347	42	----------	31,127	17	7	20,750	----------	----------	----------	23,109
1924	150,000	140,245	73	48	60,639	22	16	45,000	----------	----------	----------	22,530
1925	150,000	145,348	54	29	52,876	13	1	20,250	6	----------	$4,500	40,410
1926	150,000	149,385	84	25	70,398	11	2	18,000	9	12	15,750	30,495
1927	150,000	149,546	85	29	74,054	11	2	18,000	6	2	6,000	24,903
1928	150,000	148,414	85	30	76,372	8	2	13,500	5	3	6,000	26,150
1929	150,000	149,407	97	56	89,275	7	3	12,750	10	14	18,000	21,355
1930	150,000	149,636	93	56	89,121	7	1	11,250	7	16	17,250	13,703
Total	1,600,000	1,447,327	776	263	678,623	190	34	310,500	43	47	67,500	221,201
Average	160,000	144,733	78	26	67,862	19	3	31,050	4	5	6,750	22,120

Fiscal year	Number of stallions at stud	Number of mares bred		Foals secured			Number of stallions disposed of	Number of stallions on hand at end of year
		Per stallion	Total	Number	Per cent	Value, at $170 each		
1921	159	26	4,100	2,460	60	$418,200	2	183
1922	219	21	6,800	4,080	60	693,600	18	237
1923	236	33	7,500	4,500	60	765,000	11	285
1924	277	31	8,700	5,220	60	887,400	30	350
1925	308	32	9,900	5,940	60	1,009,800	37	386
1926	382	31	11,800	8,260	70	1,404,200	28	462
1927	454	28	12,800	8,960	70	1,523,200	42	522
1928	527	28	14,800	10,360	70	1,761,200	52	568
1929	544	28	15,000	[1] 10,500	[1] 70	[1] 1,785,000	62	620
1930	[1] 620	[1] 30	[1] 18,600	[1] 13,020	[1] 70	[1] 2,213,400	77	660
Total	----------	----------	110,000	73,300	----------	12,461,000	359	----------
Average	373	29	11,000	7,330	66	1,246,100	36	426

[1] Estimated; complete data not yet available.

Mr. BARBOUR. Mr. Chairman, I rise in opposition to the amendment.

In reply to the statement of the gentleman permit me to say that the amount of the Budget estimate for this activity was reduced from $132,500 to $120,000. The committee believes that the activity can be carried on the same as it has been with $120,000, and if that can not be done and it is determined later on that they will need $12,500 more, or any part of $12,500, they can come in and get it in a deficiency appropriation. We believe it can be carried on for the amount recommended, and therefore we reduced the estimate $12,500.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. BARBOUR. I yield.

Mr. CHINDBLOM. This item has been carried in other appropriation bills before in exactly the same language?

Mr. BARBOUR. Yes.

Mr. COLLINS. Will the gentleman yield?

Mr. BARBOUR. I yield.

Mr. COLLINS. Supplementing what the gentleman from California says, when General Cheatham, the Quartermaster General, testified before the subcommittee he stated that he was considering recommending $100,000 for this activity instead of $120,000 as recommended by the committee.

Mr. EATON of Colorado. Will the gentleman yield?

Mr. COLLINS. Not now. I will yield when I have concluded my statement. General Cheatham said he was considering recommending $100,000 because $100,000 was all that was necessary to stabilize this activity and produce 20,000 colts per year. He said further that 700 stallions was all the Army needed in order to produce these 20,000 colts. The committee has recommended $20,000 more than the Army asked, more than General Cheatham thought was necessary. The committee has provided for 800 stallions instead of 700 stallions. So I can see no reason for anxiety on the part of certain Members of the House. There exists no good reason for the Congress to provide a larger appropriation for breeding purposes than the War Department itself thinks is necessary.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Colorado [Mr. EATON].

The amendment was rejected.

Mr. SLOAN. Mr. Chairman, I move to strike out the last word.

I ask unanimous consent to proceed for five minutes out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Nebraska [Mr. SLOAN]?

There was no objection.

Mr. SLOAN. A short time ago to-day the distinguished gentleman from Oklahoma [Mr. MCCLINTIC] presented an impressive telegram signed by two of the leading newspapers of that great State, in which, among others, there appeared a remarkable statement. Speaking for the people of that great State, which I understand has more millionaires than

any other agricultural State in the Union, and referring to an attempt to raise funds for the great Red Cross movement for all of the Nation, that telegram stated, "We do not propose to raise one dime for National Red Cross appeal."

I never understood that the Red Cross was bounded in its benefits and its charities by State lines, any more than hunger or suffering is confined to municipal limits. So far as our part of the great agricultural West and part of the Corn Belt instead of the "oil ring" is concerned, our State, without especially criticizing Oklahoma, expects to meet every request, every appeal, the great Red Cross movement shall make for the Nation, including ourselves. Nebraska is not asking for any relief of any character. We are glad this year Providence has been kind to us, rewarding our industry and thrift. But whether kind or unkind, Nebraska instead of refusing to raise funds for the National Red Cross will meet any appeal that great organization will make, whether for separate States or for the Nation.

I come from a district that is without a millionaire, and yet its per capita wealth is as high as almost any district in the United States. I come from a State almost devoid of millionaires. But whatever our burden may be, in our weakness and limited wealth we expect to move on with Illinois and New York and contribute to the relief of those unfavored this year our full share of the Red Cross demands. [Applause.]

The pro forma amendment was withdrawn.

Mr. DUNBAR. Mr. Chairman, I move to strike out the last word.

I wish to speak with reference to the statements made by the gentleman from Massachusetts [Mr. TREADWAY] pertaining to the three plans advocated by the president of the Chase National Bank of New York for the restoration of business. The gentleman stated that the president of the Chase National Bank of New York said that prosperity could be restored by three methods, one, the reduction of wages, second, a reduction of the tariff, and third, a reduction of the international debt.

He made some reference to England's desire that there be a readjustment of our debts with European countries. I have nothing to add to what the gentleman said except this: That if any of the European governments have any reason to object to the settlements we made with European countries that country is Great Britain. It is the only one of all the European countries that has settled its debts in accord with the high principles of integrity and righteousness. [Applause.]

Mr. JOHNSON of Oklahoma. Will the gentleman yield?

Mr. DUNBAR. Yes.

Mr. JOHNSON of Oklahoma. Can the gentleman give us the figures as to just how much the foreign governments owe the United States at this time, including interest?

Mr. DUNBAR. I can give the figures approximately—$11,000,000,000, and of that amount England owes approximately $4,000,000,000, France $4,000,000,000, and Italy between $2,000,000,000 and $3,000,000,000.

Mr. JOHNSON of Oklahoma. I think the gentleman will find that on a 4 per cent interest basis the foreign governments' cancellation covering a period of proposed payment will amount to more than $10,700,000,000.

Mr. DUNBAR. Their debt to-day is approximately $11,000,000,000.

Mr. HASTINGS. Will the gentleman permit me to say that counted on a 4¼ per cent basis, that is, if we had charged foreign governments the 4¼ per cent they agreed to pay instead of the amount they actually do pay, we remitted to them in interest $10,705,000,000.

Mr. DUNBAR. I think we remitted to them pretty nearly everything they owed us, possibly with the exception of Great Britain.

But let me tell about Great Britain, and then I will dwell a little bit upon what the gentleman from Oklahoma has said. In our settlement with Great Britain she agreed to pay the entire amount of the debt she owed us, which was between $4,000,000,000 and $5,000,000,000. She agreed to pay us the entire amount of the principal and, in addition to that, she agreed to pay us for 10 years 3 per cent interest; thereafter to pay 3¼ or 3½ per cent interest. That was to proceed for a period of 52 years, at which time she would have paid us interest at the rate of 3 and 3½ per cent on every dollar that she borrowed from us, as well as the entire amount of the principal.

I will state that we receive annually about $200,000,000 from foreign governments on the amount of the principal and interest of their debts, and approximately three-fourths of that money comes from Great Britain. We do not get a cent from France, and I do not believe we are getting anything from Italy.

Mr. HASTINGS. For the first 10 years we get nothing, and the next 5 years it is one-eighth of 1 per cent.

Mr. DUNBAR. That is what I was about to observe—that it was one-eighth of 1 per cent. It then gradually increases until 40, 50, or 60 years from now the difference on what the interest paid and what the interest would have amounted to at 3 and 3½ per cent is credited to the principal, so that at the end of that time she will not have paid us, had we agreed to cancel the debt at the end of 62 years, more than about 1½ per cent interest on her money.

Take the case of France. We could have canceled our indebtedness with France and said this: You need not pay us one dollar of the principal you owe us, which is $4,025,000,000, or was, but you pay us 2 per cent interest on that amount for 62 years and we will call everything square. That is all the settlement with France amounts to.

The settlements with other countries are planned on the same sort of a scheme. Then, in addition to that, they are permitted to refund their interest. There is one country, I think Rumania, that owed us $44,000,000 when the settlement was made in 1926, and she agreed to settle at the rate of 3 per cent interest and pay all of her principal, covering a period of 62 years, but she can refund her interest or postpone the payment of her interest; and, my friends, it is an actual fact that although Rumania claims to have made a settlement with the United States, that in 1940 she will actually owe us more money than she owed us when the debt was supposed to have been settled. In 1940 Rumania will owe the United States $51,000,000 instead of $44,000,000 as in 1926.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. DUNBAR. Mr. Chairman, I ask unanimous consent to proceed for two additional minutes.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent to proceed for two additional minutes. Is there objection?

Mr. BARBOUR. Mr. Chairman, I am not going to object to the gentleman's request for two additional minutes, but from now on I am going to object to these speeches out of order. The committee has been in session about an hour, and 38 minutes of that time has been used in speeches out of order. If we are going to get anywhere with the bill, we must read it. I am not going to object to the gentleman's request, but I will object hereafter.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DUNBAR. Rumania will owe us an increased indebtedness of $7,000,000, and the settlements with other countries, as far as principal is concerned, have been postponed for 20, 30, 40, or 50 years, by which time most of them will be out of existence and we will never get a dollar of the principal. In the meantime they pay us a small amount of money for interest, which amounts to practically nothing.

But what I wanted to impress upon the Members of this House was this: That Great Britain is the only country in all the world that has discharged her debt in accord with business theories, financial integrity, and business principles.

I sometimes think that our settlements with foreign countries should be revised and that Great Britain should be given more favorable consideration. Why should she pay three-fourths of all the money that is paid to us on account of our foreign debts? I do not believe that outside of Great Britain we will ever collect more than 10 per cent of the

amount of money they owe us; and I would not give them 5 per cent for all we will collect of the amount of their indebtedness.

The CHAIRMAN. The time of the gentleman from Indiana has again expired.

The Clerk read as follows:

For construction and installation at military posts, including the United States Military Academy, of buildings, utilities, and appurtenances thereto, including interior facilities, necessary service connections to water, sewer, gas, and electric mains, and similar improvements, all within the authorized limits of cost of such buildings, as authorized by the acts approved February 18, 1928 (45 Stat. 129), May 26, 1928 (45 Stat. 748), February 25, 1929 (45 Stat. 1301), June 18, 1930 (46 Stat. 781), and July 3, 1930 (46 Stat. 1014), including also the engagement, by contract or otherwise, of the services of architects, or firms, or partnerships thereof, and other technical and professional personnel as may be deemed necessary without regard to requirements and restrictions of law governing the employment and compensation of employees of the United States, to be available immediately, $20,638,990, of which $95,000 shall be available for the construction of night-flying lighting systems and $109,173 for transportation expenses incident to construction herein provided for on account of the Air Corps, and of which not to exceed $2,773,000 shall be available for the payment of obligations incurred under the contract authorizations for these purposes carried in the War Department appropriation act for the fiscal year 1931: *Provided*, That of the amount herein appropriated $1,500,000 shall be payable from the military post construction fund created by section 4 of the act approved March 12, 1926 (U. S. C., title 10, sec. 1597), and $19,138,990 shall be payable out of the general fund of the Treasury: *Provided further*, That the Secretary of War is authorized to enter into contracts for the purposes specified in the foregoing acts, to an amount not to exceed $3,000,000, in addition to the appropriation herein made.

Mr. HASTINGS. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the subcommittee in charge of the bill with reference to the amount of $20,638,990 carried on page 23 of this bill. On July 3, 1930, there was enacted a law to authorize appropriations for construction at military posts, and for other purposes—Public No. 534—and one of the items in that bill provided for an operations building of $5,000 at Hatbox Field, Muskogee, Okla. I see by reference to the hearings, page 724, that $5,000 of this particular amount is allocated to an operations building at Hatbox Field, Okla., and I have taken this time to ask the chairman if I am correct in believing that this $5,000 for Hatbox Field is included in this particular amount that I have called attention to, and for an operations building.

Mr. BARBOUR. The information given to the committee is that $5,000 is included for the operations building at Hatbox Field.

The pro forma amendment was withdrawn.

The Clerk read as follows:

BARRACKS AND QUARTERS AND OTHER BUILDINGS AND UTILITIES

For all expenses incident to the construction, installation, operation, and maintenance of buildings, utilities, appurtenances, and accessories necessary for the shelter, protection, and accommodation of the Army and its personnel and property, where not specifically provided for in other appropriations, including personal services, purchase and repair of furniture for quarters for officers, warrant officers, and noncommissioned officers, and officers' messes and wall lockers and refrigerators for Government-owned buildings as may be approved by the Secretary of War, care and improvement of grounds, flooring and framing for tents, rental of buildings, including not to exceed $900 in the District of Columbia, provided space is not available in Government-owned buildings, and grounds for military purposes and lodgings for recruits and applicants for enlistments, water supply, sewer and fire-alarm systems, fire apparatus, roads, walks, wharves, drainage, dredging channels, purchase of water, disposal of sewage, shooting galleries, ranges for small-arms target practice, field, mobile, and railway artillery practice, including flour for paste for marking targets, such ranges and galleries to be open as far as practicable to the National Guard and organized rifle clubs under regulations to be prescribed by the Secretary of War, for furnishing heat and authorized allowance of quarters for officers, enlisted men, and warrant officers, including retired enlisted men when ordered to active duty, contract surgeons when stationed at and occupying public quarters at military posts, officers of the National Guard attending service and garrison schools, and for recruits, guards, hospitals, storehouses, offices, the buildings erected at private cost, in the operation of the act approved May 21, 1902 (U. S. C., title 10, sec. 1346), and buildings for a similar purpose on military reservations authorized by War Department regulations; for sale to officers, and including also fuel and engine supplies required in the operation of modern batteries at established posts, $15,865,913, of which $1,414,292 shall be available immediately: *Provided*, That not more than $16,000 of the appropriations contained in this act shall be available for rent of offices outside the District of Columbia in connection with work incident to the assurance of adequate provision for the mobilization of matériel and industrial organizations essential to war-time needs: *Provided further*, That this appropriation shall be available for the rental of offices, garages, and stables for military attachés: *Provided further*, That not exceeding $4,100,000 shall be available immediately for the procurement and transportation of fuel for the service of the fiscal year 1932: *Provided further*, That no part of the funds herein appropriated shall be available for construction of a permanent nature of an additional building or an extension or addition to an existing building, the cost of which in any case exceeds $20,000: *Provided further*, That the monthly rental rate to be paid out of this appropriation for stabling any animal shall not exceed $15.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph largely for the purpose of inquiring of the chairman of the committee as to the meaning of the phrase on page 25, lines 4 and 5?—

For sale to officers, and including also fuel and engine supplies required in the operation of modern batteries at established posts, $15,865,913, of which $1,414,292 shall be available immediately.

What is the subject of sale to officers; certainly not the buildings?

Mr. BARBOUR. This oppropriation provides for the purchase of certain supplies; and there are certain supplies of various kinds that are sold, as I understand, to officers through the commissary. They are permitted to buy their gasoline for operating their private automobiles, and pay for it, and they buy it from the Army in this way.

Mr. STAFFORD. The phrase then is a general one and extends the privilege of purchasing to the officers as to any of the supplies enumerated.

Mr. BARBOUR. Yes. They may purchase them for their personal use.

Mr. STAFFORD. As it stands here the language is almost meaningless and is certainly hard to understand. It is somewhat incongruous inasmuch as it provides " for sale to officers " and then does not say what is for sale.

Mr. BARBOUR. The language covers all the articles in question that an officer might want for personal use. Under this language they can buy a certain amount of these articles which they may sell to the officers; for instance, gasoline.

Mr. STAFFORD. Would not the placement of this clause restrict the officers to the purchase of fuel and engine supplies?

Mr. BARBOUR. No; I do not think so.

Mr. STAFFORD. What is the antecedent subject or what is the subsequent related provision?

Mr. BARBOUR. There are two or three pages of language put together here to provide for these various things, repairs to buildings and grounds and sewers and fire alarm systems and rifle range matériel and then the purchase of certain supplies.

Mr. STAFFORD. The gentleman will agree that it could be expressed in a more elegant way and with better phraseology.

Mr. BARBOUR. I am inclined to agree with the gentleman from Wisconsin; yes.

Mr. STAFFORD. I was really in doubt as to its applicability at this particular place and did not know just what it meant.

Mr. BARBOUR. I think as it stands now in this particular place the phraseology could be improved.

Mr. STAFFORD. Oh, there is no question about its being improved. Whether it has any meaning here at all I think is open to grave question.

Mr. Chairman, I withdraw the reservation of a point of order.

Mr. BARBOUR. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from California offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. BARBOUR: Page 24, line 20, after the word " and," insert the words " light for the."

The amendment was agreed to.

Mr. BARBOUR. Mr. Chairman, I offer an amendment, on page 25, line 2, to strike out 21 and insert in lieu thereof 31.

The CHAIRMAN. The gentleman from California offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. BARBOUR: Page 25, line 2, after the word "May," strike out "21" and insert in lieu thereof "31."

The amendment was agreed to.

Mr. COLLINS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Mississippi offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. COLLINS: Page 25, line 25, before the period, insert the following: "*Provided further*, That no part of the funds herein appropriated shall be available for the purchase of furniture that is made wholly or partly of wood not grown in the United States."

Mr. COLLINS. Mr. Chairman, this amendment is one that would require the War Department in its purchase of wooden furniture to purchase furniture made out of native American woods. If you read the specifications for furniture drawn up by the War Department, you will find that they require the furniture to be made largely out of African or Honduras mahogany. This amendment would require them to use native American woods rather than foreign woods.

This War Department furniture item is the largest furniture order that the business of the country has an opportunity to bid on. Therefore our lumber industry is intensely interested in having an opportunity to supply the materials out of which the furniture is made.

Native American woods, like birch, gum, walnut, oak, and maple, make just as good furniture as mahogany, and they are just as durable.

Gum, walnut, and maple when given a mahogany stain make beautiful furniture, and an expert can not tell the difference between it and mahogany. There is no reason, therefore, to use African or Honduras mahogany except that it is generally regarded as the "spiffier" kind of furniture.

These furniture woods are not raised in any section of the country to the exclusion of others. Birch is grown in Wisconsin, Michigan, Maine, New York, Vermont, New Hampshire, West Virginia, Pennsylvania, Tennessee, North Carolina, and other States.

Gum is grown in Louisiana, Mississippi, Arkansas, Alabama, Texas, South Carolina, Tennessee, Georgia, North Carolina, Virginia, and other States.

Maple is grown in Michigan, Wisconsin, West Virginia, Pennsylvania, New York, Indiana, Ohio, Tennessee, Vermont, Arkansas, and other States.

Oak is grown in Arkansas, Tennessee, Louisiana, West Virginia, Mississippi, Virginia, Kentucky, Alabama, Missouri, Texas, Pennsylvania, North Carolina, Indiana, Ohio, Georgia, and other States.

Walnut is grown in Iowa, Kansas, Ohio, Indiana, Missouri, Illinois, Kentucky, and other States.

The adoption of this amendment will benefit our own lumber industry and give it a large lumber order that otherwise it would not receive. The greatest depression in this country is in the lumber industry, and this amendment ought to be adopted to help it, and I hope the gentleman from California will accept it.

Mr. GOSS. Will the gentleman be willing to include metal uniform buttons and other things of that kind in his amendment instead of confining it simply to furniture?

Mr. COLLINS. I shall later on introduce another amendment covering the articles mentioned by the gentleman and many others not mentioned by him.

Mr. LAGUARDIA. Let me say that I have an amendment that I will offer when you will have an opportunity to vote on that proposition. I want to state to the gentleman that butter and most of the dairy products used by the Army in Panama comes from Australia. I will offer an amendment and give the committee an opportunity to vote on it.

Mr. COLLINS. I shall follow this amendment with another one including the articles the gentleman has referred to.

Mr. BARBOUR. Mr. Chairman, I rise in opposition to the amendment because I do not think it is a good thing to write into an appropriation bill. The gentleman from New York and the gentleman from Connecticut have indicated how far this thing might go and that there may be no limit to it. There is no need of a limitation written into the bill. We expect the department to spend this money in an economical way. We expect them to get as much as they can for every dollar.

I believe that the War Department should have the same right to purchase materials and supplies as any private institution would have or that any private individual would have. I am as much in favor as anyone can be of buying our American products in preference to foreign products, but there are many things that are bought abroad in the ordinary and regular way. I do not think that we should hamper the activities of the War Department by an amendment of this kind.

Mr. KETCHAM. Mr. Chairman, will the gentleman yield?

Mr. BARBOUR. Yes.

Mr. KETCHAM. Will the gentleman state what the policy of the War Department is when, for instance, two articles of equal merit are offered to it, one of which is produced in a foreign country and one of which is produced here, so far as the purchase of those articles is concerned? Do they take into consideration the matter of price and show preference to the foreign article where the price is better? Is price a determining factor?

Mr. BARBOUR. Yes; I think that has something to do with it. I have a letter here from the Secretary of War opposing an amendment of this kind. Somewhere in the letter he states, as I recall, that wherever it is possible for them to do so they buy the American-made article, but there are many things which he lists that they have to buy abroad.

Mr. KETCHAM. The gentleman is aware that the sentiment of the House will be overwhelmingly in favor of the purchase of American products wherever possible.

Mr. BARBOUR. That is my understanding of the policy of the War Department to-day.

Mr. KETCHAM. What can this House do not only to make gentlemen appreciate that but to make the War Department appreciate it, so that it will not be necessary to limit them as this amendment proposes to do?

Mr. BARBOUR. In this long letter of the Secretary of War the statement is made that that is just what they do now.

Mr. GOSS. Mr. Chairman, will the gentleman yield?

Mr. BARBOUR. Yes.

Mr. GOSS. I understand that the War Department in submitting requests for bids has to allow the contract to go to the lowest bidder, regardless of whether the material is manufactured in this country or abroad, and those two instances to which I referred a moment ago happened to affect my particular district, as doubtless as the butter and oleomargarine did the district of the gentleman from California the other day. I, for one, would like to join in seeing to it that we all get the benefit of this in forcing the War Department to buy their goods from United States manufacturers.

Mr. BARBOUR. Here is what the Secretary of War says on that point:

The Army is required by law to purchase its supplies from the lowest responsible bidder, and can give preference to articles of domestic origin only when price and quality are equal. Many of the items purchased by the Army are no doubt imported, and a number of articles manufactured in the United States contain components of raw materials grown or produced in foreign countries.

The Secretary of War says that that is the law, that they can give preference to articles of domestic origin only when price and quality are equal.

Mr. GOSS. I observed the other day when we passed the amendment on this same bill about using butter on the table in the Army, instead of oleomargarine, that that seemed to create a precedent for the use of American-made products.

Hence my request in this amendment. I do not see the difference between excluding oleomargarine and including butter and excluding the products of the gentleman from Mississippi and others of us interested in the products of our particular districts.

Mr. BARBOUR. Butter and oleomargarine are domestically produced articles.

Mr. GOSS. They might not be.

Mr. BARBOUR. I think as a matter of fact they are.

Mr. COLLINS. Of course, the gentleman knows that the other amendment that I have in mind will include all articles.

Mr. GOSS. I did not realize that.

Mr. TABER. Mr. Chairman, I offer the following substitute for the amendment offered by the gentleman from Mississippi, which I send to the desk.

The Clerk read as follows:

Substitute by Mr. TABER: In lieu of the matter contained in the Collins substitute insert the following:

"None of the appropriations in this act shall be available for the purchase for use within the continental limits of the United States of any raw materials not produced within the continental limits of the United States or any articles or supplies containing materials or manufactured of materials not produced within the continental limits of the United States, except (1) articles produced or supplies purchased for experimental purposes; (2) crude rubber and components of ammunition or of mixed metals not procurable within the United States; and (3) as may be authorized expressly by law."

Mr. COLLINS. Mr. Chairman, I accept that amendment.

Mr. STAFFORD. I reserve the point of order on the amendment.

Mr. TABER. I ask the gentleman to make the point of order.

Mr. STAFFORD. I make the point of order that it changes existing law.

The CHAIRMAN. The form of the amendment is a negative limitation, referring only to the appropriations in this act.

Mr. STAFFORD. If the present occupant of the chair wants to go to the extreme limit of negativing existing law under the form of a limitation, then I have done my part.

The CHAIRMAN. The gentleman is aware that Congress can always negative existing law by refusing to appropriate to carry it out, and apparently that is all this limitation does.

Mr. STAFFORD. There are many decisions holding to the contrary, although the trend of decisions of the later occupants of the chair is as the present occupant of the chair has stated.

The CHAIRMAN. The Chair overrules the point of order.

Mr. TABER. Mr. Chairman, in connection with that substitute, I believe that every reasonable objection of the Secretary of War is met with the exceptions which are provided in that limitation.

Mr. SNELL. Will the gentleman yield for a question?

Mr. TABER. I yield.

Mr. SNELL. Have you gone into this carefully to be absolutely sure you would not get into trouble by putting such a limitation on an appropriation bill? I am in favor of doing what you want to do, as far as it can be done consistently; but when you put a blanket limitation like that it is a serious proposition and you should be absolutely sure you are not going to get into trouble before the year is over.

Mr. COLLINS. We have checked up on that carefully, and that amendment will not do any injury whatever to the War Department.

Mr. TABER. I can not see how it could do any possible damage.

Mr. BLACK. What about purchasing the necessary drugs for the Army?

Mr. TABER. When they are not procurable in the United States they can be bought abroad.

Mr. BARBOUR. I have a letter from the Secretary of War directed to the amendment which the gentleman from New York [Mr. TABER] has offered. That language was in the bill when it came before the entire Committee on Appropriations, and the committee struck it out. I refer to the language now offered by the gentleman from New York [Mr. TABER]. When that language was in the bill the Secretary of War was asked what the effect of it would be on the activities of the War Department, and I have a letter in reply and think it would be probably as enlightening right now as anything on the subject.

Mr. SNELL. I think the gentleman should read it.

Mr. BARBOUR. Mr. Chairman, I ask unanimous consent that the Clerk read this letter from the Secretary of War on the language contained in the amendment offered by the gentleman from New York [Mr. TABER].

There was no objection.

The Clerk read as follows:

WAR DEPARTMENT,
Washington, December 31, 1930.

Hon. H. E. BARBOUR,
House of Representatives.

DEAR MR. BARBOUR: The following information is furnished in compliance with your letter of December 20, 1930:

You asked to what extent the War Department buys articles and supplies abroad for use within the continental limits of the United States.

There is inclosed herewith a list of the items bought abroad by the supply services of the Army during the past two years. It will be noted that, with minor exceptions, all of the items purchased abroad were obtained either for research and development work or because they were not obtainable in the United States.

You asked further in what respect the Army would be adversely affected if the War Department were prevented by law from purchasing any raw materials or manufactured articles from foreign sources for use within the continental limits of the United States.

If the War Department were prevented from buying any articles or materials abroad in time of peace, research and development work would be seriously handicapped. It is essential that our Army keep continuously abreast of the development of military equipment in foreign countries in order that our equipment may be designed to meet foreign equipment in battle, if necessary, and to insure that the United States Army is prepared to utilize new developments in military weapons. There are numerous developments in military matériel in all parts of the world through the use of which the design of our own matériel may be advanced. The purchase of developed designs abroad saves much costly research and development in this country, and permits us to use foreign development as a starting point for our own advancement. In time of war it is necessary to purchase abroad certain strategic items not available in sufficient quantities in the United States. A list of such materials is furnished herewith.

The foregoing information pertains solely to supplies purchased abroad from foreign dealers. It does not apply to articles and supplies purchased in the United States which have been imported from abroad and sold by American dealers. The Army is required by law to purchase its supplies from the lowest responsible bidder, and can give preference to articles of domestic origin only when price and quality are equal. Many items purchased by the Army are no doubt imported and a number of items manufactured in the United States contain components or raw materials grown or produced in foreign countries. It would be impossible to ascertain the quantities of such items purchased as often the origin of the article is unknown.

Should a law be passed which would prevent the purchase in the United States of articles grown or produced abroad, the cost of maintaining the Army would be considerably increased. Also many items and raw materials are not produced or grown in this country in sufficient quantities to satisfy domestic consumption. Were the War Department restricted in its source of supply in these items it would be compelled to pay a premium to secure its requirements.

Due to difficulties which would be encountered in tracing the origin of materials or components or ingredients of articles manufactured in the United States, a bill designed to prevent purchase by the Army of articles of foreign origin would be very difficult of enforcement. Of course, you realize that any bill which limited the source of supply of the Army would necessarily have to be set aside in time of war.

Sincerely yours,

PATRICK J. HURLEY, *Secretary of War.*

Mr. TABER. Mr. Chairman, I think it is apparent from the reading of that letter that the amendment does not go to the point of preventing the War Department from doing practically everything they say they want to do under the letter which they have sent in. He says they want to go into experimental work and buy experimental orders of things that are produced abroad by other armies in other countries. There is absolutely nothing in this amendment which prevents that. In fact, it is expressly excepted. Also metals or components of ammunition that are not produced in the United States, or crude rubber, are excepted from the operations of the amendment. It does not seem to me

that it goes so far as to embarrass the Army in its proper operations. It does protect the American producer. There has been a great deal of trouble about protecting the American producer in the Army's purchases.

I believe the substitute should be adopted.

Mr. BARBOUR. Mr. Chairman, as I understand the reading of the amendment, it would have the effect that if the War Department undertook to buy anything manufactured in this country it would have to first determine whether that article had some ingredient or some element that had been imported from a foreign country. Think of the position in which that would place the War Department. The amendment expressly prohibits the use of any of this money for any manufactured article in the manufacture of which is used some article imported from abroad.

I think the letter of the Secretary of War is absolutely clear that an amendment of this kind would be cumbersome and would hamper the activities of the Army. I do not object to the purpose of this amendment. The purpose is to buy everything that possibly can be in this country and buy things that are manufactured here. The War Department should do that as far as it can within the law, but this shows the danger of trying to provide for a matter of this kind by a limitation on the appropriation. That is a question that should be gone into as a matter of legislation, and gone into fully, and it should first be determined just what the effect of it will be.

Mr. HOUSTON of Hawaii. Mr. Chairman, I offer an amendment to the substitute by striking out, wherever it occurs, the word "continental."

The CHAIRMAN. The Delegate from Hawaii offers an amendment to the amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by the Delegate from Hawaii [Mr. HOUSTON]: Strike out in line 2, in line 4, and in line 6 of the substitute the word "continental."

Mr. STAFFORD. Will the gentleman yield?

Mr. HOUSTON of Hawaii. I yield.

Mr. STAFFORD. The purport of the gentleman's amendment would allow articles from the Philippines, like palm oil, to be used?

Mr. HOUSTON of Hawaii. No, sir.

Mr. STAFFORD. Why not?

Mr. HOUSTON of Hawaii. That is not a part of the United States in accordance with various and sundry laws that have been passed. It would only provide for the United States proper and the incorporated Territories—Alaska and Hawaii.

Mr. O'CONNOR of New York. Will the gentleman yield?

Mr. HOUSTON of Hawaii. I yield.

Mr. O'CONNOR of New York. Does the gentleman mean that the department could not buy Cuban sugar?

Mr. HOUSTON of Hawaii. I do not know as to that. I do not know whether that would come within the provision of what is available.

Mr. STAFFORD. They would be compelled to buy beet sugar or Hawaiian sugar. Of course, I do not think anyone contends that the Hawaiian sugar planters are in distress at the present time, when their pockets are overflowing with money.

Mr. O'CONNOR of New York. Sugar and rubber would be some of the important things.

Mr. HOUSTON of Hawaii. I do not yield any further at this time, Mr. Chairman.

We produce, under the system of this Government, both sugar and pineapples, both of which are used in the Army ration. Pineapples, of course, are not grown within the continental areas of the United States at the present time in quantities and canned. They are grown, of course, in Florida. I admit that. We want ourselves to have exactly the same restrictions in Hawaii with respect to this particular suggested amendment as you are placing upon yourselves in continental United States. It would be a calamity as far as the United States is concerned if 900,000 tons of sugar which is shipped to San Francisco for refining could not be used under the terms of this substitute.

Mr. LAGUARDIA. Mr. Chairman, regardless of what the attitude of the Appropriations Committee may be, let the RECORD show what the real situation is. This matter has come up before. I raised this question a few years ago in regard to the food supplies for the Army stationed in the Canal Zone. I just want the farmers to know that while we in the cities must pay high prices for food products by reason of the tariff and other artificial stimulation of prices the American Army in the Canal Zone obtains all of its butter, eggs, and meat from New Zealand and Australia. A few years ago I obtained the figures and put them in the RECORD. I offered an amendment similar to the amendment which is now before the committee, and the Governor of Panama was called up and asked how much it would cost. He figured the difference in the prices, and because it would cost a little more money the department did not go along. I submit to you dairy farmers, to the truck farmers, to my friend from Maine who is interested in potatoes, and those who are interested in supplies generally, that the American Army and the War Department should at least set a good example and use American products. [Applause.]

I will say to my colleague from Hawaii that I was raised on an Army post in Arizona, but I never saw a pineapple there—canned or otherwise. I suppose they are feeding the soldiers pineapples since they introduced the institution of hostesses, about which the gentleman from Mississippi [Mr. COLLINS] is such an authority. [Laughter.] But pineapples are good, wholesome food, and I am glad to know they are being fed to the soldiers. I am not disparaging Hawaiian pineapples. I know they are fine.

Mr. HOUSTON of Hawaii. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. HOUSTON of Hawaii. For the Army in Hawaii they buy New Zealand butter and New Zealand mutton, as well as many other articles which can be produced in America. [Applause.]

Mr. LAGUARDIA. Now, gentlemen, who is the chairman of this subcommittee? A distinguished gentleman from California. When we had the tariff bill before us he wanted every little hazelnut sold in this country branded "Made in California"; he wanted every fig branded "Made in California"; and he wanted every date branded "Made in California"; yet here we find the gentleman from California ready to feed the American Army on articles produced in Australia and New Zealand.

Mr. BARBOUR. I want to say to the gentleman that I voted for every tariff rate that was proposed in that bill. Can the gentleman from New York, who is now so interested in American products, show such a good record?

Mr. LAGUARDIA. I am consistent.

Mr. BARBOUR. The gentleman should not be uncertain about my attitude on the tariff or American products, because I went the limit in that bill.

Mr. LAGUARDIA. I know the gentleman went the limit to protect American producers, and he should now be ready to go the limit again for the producers who supply these fine and luscious California products to the American Army.

Mr. BARBOUR. If the gentleman will permit, I am advised that more than a year ago Secretary of War Good issued a regulation putting into effect practically what the gentleman is now contending for and that they encountered certain difficulties that made it necessary to rescind the order.

Mr. LAGUARDIA. It was the cost.

Mr. BARBOUR. What I am getting at is this: I favor as strongly as anyone the use of American products by the Army, but this is not the way to legislate in regard to a thing of that kind.

Mr. LAGUARDIA. This amendment is the proper way to reach it.

Mr. BARBOUR. I am attempting to suggest that we should study this proposition and see what effect it will have, and if we can buy these products in the United States without interfering or conflicting with the activities of the Army I am just as much in favor of doing so as is the gentleman from New York.

Mr. LaGUARDIA. I spoke about this proposition a few years ago, I believe, in general debate. The Governor of the Panama Canal was called up about it, and the reason the proposition was defeated—and it is no secret now—was because of the additional cost it would entail on the Army. However, I say that when we are spending $334,000,000 for military activities and when we have constant and repeated complaints that we have a food surplus, we should use up some of this surplus, and in that way attempt to bring down prices in the cities.

I appeal to the farmers in this body. I see the gentleman from Kansas, the gentleman from Illinois, and the gentleman from Iowa present, and the rest of the farmer friends. Now is your opportunity, and I ask all of you gentlemen to stand for American products, so that we may feed some of these fine American products to the American Army. Come along now. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. McSWAIN. Mr. Chairman and members of the committee, I am satisfied that we all sympathize with the purpose behind the substitute amendment offered by the gentleman from New York [Mr. TABER]. The only objection that is made is that it may prove difficult of enforcement, or that its enforcement might hamper the administration of the War Department.

Mr. McKEOWN. Will the gentleman yield for a question?

Mr. McSWAIN. For a question; yes.

Mr. McKEOWN. I want to ask the gentleman why it is that they buy all their beef from some of the other countries instead of buying domestic beef?

Mr. McSWAIN. I am sorry I can not answer that question; but I am in favor of the amendment because it would either make them buy their beef and their butter and their potatoes and their other supplies in the United States, or a year from now they will be able to give us a good reason why they do not. In other words, no very serious complications or no very serious difficulties or impediments can arise under the operation of this amendment in one year. If such difficulties do arise, the consequences can not in one year be very far-reaching or very serious; and if we can be convinced that we have made a mistake, we can very easily correct it in the next session of Congress by making other exceptions.

As I heard the amendment read, my belief is it covers every class of exceptions that exist, but it may be they can show us that it does not. However, in these times of peace the War Department can not be dangerously handicapped or seriously impeded in its operation by this effort to promote the consumption of American-produced and American-processed supplies, and for this reason I am going to favor and support the amendment.

Mr. O'CONNOR of New York. Will the gentleman yield?

Mr. McSWAIN. I yield.

Mr. O'CONNOR of New York. Does the gentleman know whether any foreign war establishment buys any of its goods—like army shoes, or anything of that kind—in this country?

Mr. McSWAIN. I am sorry I can not answer that question. I would like to know that, too.

Mr. O'CONNOR of New York. Can the gentleman from California or the gentleman from New York answer that question as to whether the war establishments of foreign nations buy any of our goods, like shoes or flour or commodities, of that kind?

Mr. TABER. They may buy a little flour or they may buy some shoes somewhere, but not to any substantial extent.

Mr. O'CONNOR of New York. Of course, if they do, then we are just continuing this isolation to which we are so prone these days.

Mr. TABER. Mr. Chairman, I simply want to say that personally I have no objection to the amendment offered by the Delegate from Hawaii.

The CHAIRMAN. The question is on agreeing to the amendment to the substitute offered by the Delegate from Hawaii.

The amendment to the substitute was agreed to.

The substitute as amended was agreed to.

The CHAIRMAN. The question is on agreeing to the amendment as amended by the substitute.

The question was taken; and on a division (demanded by Mr. STAFFORD) there were—ayes 62, noes 13.

So the amendment as amended by the substitute was agreed to.

The Clerk read as follows:

For waste, oil, motor and pump repairs, sewer pipe, cement, brick, stone, supplies, and personal services, $6,690; for two-thirds of said sum, to be supplied by the United States, $4,460.

Mr. WATSON. Mr. Chairman, I move to strike out the last word.

We have had quite a discussion relative to buying foreign articles, and I have had several interviews with the Budget upon this subject which has been so well discussed here.

I have noticed that under this language cement, brick, and sewer pipe are to be purchased. These articles can be imported and are imported into the United States and can be sold, especially within 100 miles of the seacoast, cheaper than they can be purchased in the United States, and I want to know if under the contracts which are now made for the purposes stated in this paragraph, foreign cement or brick from Belgium or sewer pipe from Belgium enter into the making up of such contracts, unless the statement is made when the contracts are let that these materials may not be purchased abroad. If this is not done, they will probably be purchased outside of the United States, because they are a great deal cheaper there. Does the gentleman know whether the contracts specify American products?

Mr. BARBOUR. No; I do not know. But in view of the amendment that has just been adopted I do not think in the future they will use foreign products.

Mr. WATSON. We have been talking a great deal about food so far.

Mr. BARBOUR. The amendment refers to all supplies and materials and would seem to cover everything. I think the amendment just adopted will require them to use American cement and bricks and everything else. By the way, I thought the gentleman's committee took care of this in the tariff act.

Mr. WATSON. We did not provide enough tariff.

Mr. BARBOUR. I recall voting on something that I thought was going to cure the situation the gentleman complains of.

Mr. WATSON. Our tariff is so small that it does not prevent the importation of cement, sewer pipe, and brick, and therefore there is a temptation for the contractors to buy these commodities unless it is otherwise specified.

Mr. BARBOUR. I think the gentleman from New York can assure his neighbor from the State of Pennsylvania that he will be absolutely protected under the amendment just adopted.

Mr. TABER. Will the gentleman yield?

Mr. WATSON. I yield.

Mr. TABER. The language of the amendment was that nothing should be purchased with the appropriations in this act, and so forth, and it was not limited to that particular paragraph but covered the whole bill.

Mr. WATSON. The gentleman thinks it would cover this item?

Mr. TABER. In my opinion, it would.

Mr. WATSON. Then it would have to be put in the specifications, otherwise there would be a great temptation for the contractor to buy sewer pipe, brick, and cement at a lower price than they could be purchased in the United States.

Mr. TABER. Yes.

The Clerk read as follows:

CONSTRUCTION AND REPAIR OF HOSPITALS

For construction and repair of hospitals at military posts already established and occupied, including all expenditures for construction and repairs required at the Army and Navy Hospital at Hot

Springs, Ark., and for the construction and repair of general hospitals and expenses incident thereto, and for additions needed to meet the requirements of increased garrisons, and for temporary hospitals in standing camps and cantonments; for the alteration of permanent buildings at posts for use as hospitals, construction and repair of temporary hospital buildings at permanent posts, construction and repair of temporary general hospitals, rental or purchase of grounds, and rental and alteration of buildings for use for hospital purposes in the District of Columbia and elsewhere, including necessary temporary quarters for hospital personnel, outbuildings, heating and laundry apparatus, plumbing, water and sewers, and electric work, cooking apparatus, and roads and walks for the same, $580,180.

Mr. GLOVER. Mr. Chairman, ladies, and gentlemen, I move to strike out the last word.

The item contained in this bill which has just been read by the Clerk, for the construction and repair of hospitals, contains an appropriation for the construction of the Army, Navy, and veterans' hospital at Hot Springs National Park, Ark.

During the last session of Congress we passed a bill introduced by myself for the construction and repair of this great hospital. I was informed by the War Department a few days ago that if this appropriation were made available now that the construction of this great building could commence within three or four months. I made this known to the committee and appealed to the committee to make this appropriation available immediately, and I feel that I would be ungrateful to this committee if I should not express to them my appreciation for the fact that they have made the appropriation immediately available so that construction work can begin within a short time on this great hospital at Hot Springs National Park, Ark.

You will remember that this is to be a general hospital for the Army, Navy, and veterans and that a million and fifty thousand dollars has already been provided through the Veterans' Bureau, and this $450,000 appropriated in this bill makes the sum total of $1,500,000.

The hospital as it stands now was built more than 50 years ago. It is not fireproof, and in fact is hazardous to try to carry the many people that go there. The capacity of the hospital will be 400 beds, and in case of an emergency can take care of almost that many more patients if the space were used in the new building as is now being used in the old.

It will be, when constructed, a fireproof building and modern in every way. There is no hospital or other agency of the United States Government that has been so helpful to mankind as has this great hospital. In this hospital many people can be treated and cured with the curative waters of Hot Springs National Park, that might not be cured elsewhere. I have seen patients brought to this hospital that could not walk, suffering from rheumatism, and had to be carried on a stretcher, that within six weeks after applications of the waters at Hot Springs could walk unsupported by anyone.

Not only will the passage of this bill make immediately available the funds for the construction of this building to be helpful for the sick and suffering but we have a condition now in Arkansas that is very deplorable, and many people are out of work on the account of the drought that was suffered last year, the like of which has not been known in our day. With the building of this great building for humanity it will help and relieve to some extent the condition of the unemployed.

I again thank the chairman and the committee as a whole for their very kind consideration of us in this matter and in making this fund immediately available so that this work may proceed to completion at an early date.

Mr. BARBOUR. Mr. Chairman, I wan to say on behalf of the committee that they are very grateful to the gentleman from Arkansas for his kind words.

Mr. KETCHAM. Mr. Chairman, I rise in opposition to the pro forma amendment. Mr. Chairman and members of the committee, in view of the splendid remarks made by the gentleman from Arkansas [Mr. GLOVER], commending the liberality of the Government in the matter just passed, it might be of interest to the committee if I made a little additional contribution showing the liberality of the United States toward Arkansas in other directions. I do this because of some considerable criticism from Arkansas sources toward the Government of the United States and toward those in responsible positions in the Government.

In 1930 the United States received from Arkansas in the way of internal revenue the sum of $3,156,507.

The current appropriations to be expended in Arkansas, showing the liberality of the United States Government, run something like this: Public roads, under general appropriations, $2,780,000; current relief, roads, $1,388,000; vocational board, $149,000; rehabilitation, $16,000; college, experiment station, extension service, tuberculosis, and so forth, $486,000.

The postal deficit—that is, the difference between what we received and what we spent in Arkansas—in 1930 was $1,323,817.

Through the Veterans' Bureau we expend for compensation in the State of Arkansas, $2,900,339; making a total Arkansas expenditure of $9,043,156. For your information I will sum up the whole thing, so that you may have the complete picture. I am doing this simply because I want you to actually know the kindly attitude of the United States Government toward the State of Arkansas, which now comes to us with such urgent appeals.

After having enumerated various items of annual contribution that we have made to the State of Arkansas, and having stated the sum of money that we have received in return, I am sure all will be glad to know what the balance is. The balance is against the United States and in favor of the State of Arkansas; that is, the difference between what we have received and what we have or will have given is the sum of $5,886,446. We received $3,156,710 and expend $9,043,156. And, may I say in further explanation that by no means is this a complete picture of the splendid way in which the United States contributes to the State of Arkansas. Very substantial sums of Federal money are spent in that State for pensions to other than World War veterans, for flood relief, for hospitals, for park service, for public buildings, and for other purposes. In view of this substantial interest of the United States in Arkansas, I sincerely hope that others of her statesmen may follow the example of our colleague [Mr. GLOVER] and occasionally say a kind word for the United States and those in responsibility in its government. [Applause.]

Mr. McKEOWN. Mr. Chairman, will the gentleman yield?

Mr. KETCHAM. Yes.

Mr. McKEOWN. Where did the gentleman receive his figures? I have been trying for two years to get figures from the Government as to how Oklahoma and the United States stand.

Mr. KETCHAM. I may say that it took me less than two hours by telephone and by reference to the reports of the Secretary of the Treasury.

Mr. McKEOWN. Will the gentleman be kind enough to see whether he can get the figures as to Oklahoma, because I can not.

Mr. GLOVER. Mr. Chairman, will the gentleman yield?

Mr. KETCHAM. Yes.

Mr. GLOVER. I am glad indeed to have the information which the gentleman has furnished and I am glad to state to the gentleman that all of this has come about recently and that for many, many years we have had nothing of that kind.

Mr. KETCHAM. Mr. Chairman, I can hardly accept that statement. I checked up only for the year 1930, but I am sure if I had gone over a period of years I would find that the United States has been nearly as generous to the great State of Arkansas as the figures for 1930 indicate. Having had some small part in making some funds available to Arkansas I certainly appreciate the generous reference of our colleague, Mr. GLOVER, and I say to him that I am going to continue the favorable attitude I have always assumed about such matters—and this in spite of all of the things that have been said here and in other places in criti-

cism of all those who have a part in making the appropriations possible. [Applause.]

The Clerk read as follows:

In all, $2,739,006.

Mr. DYER. Mr. Chairman, I move to strike out the last word for the purpose of asking permission to have inserted in the RECORD at this place a letter from the Secretary of War furnishing information touching the cost to the United States, provided in this and in similar bills, for the Military Establishment in reference to the Philippine Islands. I made an effort to obtain some information touching this from the chairman of the subcommittee the other day, and this is a much fuller explanation than I was able to get. I ask unanimous consent to have the letter inserted in the RECORD at this place.

The CHAIRMAN. Is there objection?

There was no objection.

The letter referred to is as follows:

WAR DEPARTMENT,
Washington, January 10, 1931.

Hon. L. C. DYER,
House of Representatives.

DEAR MR. DYER: Further reference is made to your letter of January 5, 1931, in which you ask to be advised as to the amount of money appropriated by Congress for military purposes that is made necessary by the continued control of the Philippine Islands by the United States and to other data as to transportation costs, etc.

In reply you are advised that the latest data compiled in reference to the cost of maintaining the Philippine Island garrison for the fiscal year 1930 is believed to include in its scope the information requested by your letter. As noted below, it also includes certain items, the charging of which to continued control of the Philippine Islands by the United States is at least questioned.

The garrison in the Philippine Islands for the year mentioned was as follows:

United States troops:	
Officers	510
Warrant officers	67
Enlisted men	4,190
Total	4,767
Philippine Scouts:	
Officers	91
Enlisted men	6,500
Total	6,591

The total estimated cost of maintaining that garrison (except as stated below) was $11,169,738. This amount does not include the cost of the Army Transport Service now inadequate and which would have to be maintained even were United States control over the Philippine Islands discontinued for transporting men and supplies pertaining to the Hawaiian and Panama Canal Department activities due to increased requirements by the reason of the fact that the tour of service for officers in these departments has recently been reduced from a three-year to a two-year period.

Based upon the premise that the American troops (Regular Army), consisting of 567 officers and warrant officers and 4,190 enlisted men, would be retained in the Army for distribution and service in the Hawaiian and Panama Departments and the United States, where their services are much needed to fill existing vacancies and to complete the fifth increment of the Air Corps 5-year program, leaves the question which you have presented to the consideration of the cost of maintaining the Philippine Scout garrison in the Philippine Islands.

The cost of paying and maintaining a United States soldier is practically twice as much as it costs to maintain a Philippine Scout soldier. Computation therefore shows that of the $11,169,738 used to maintain that garrison in 1930, $7,091,597 is directly attributable to the United States soldiers, this leaves $4,078,141 reflecting an approximate estimate of how much less it would be necessary to appropriate annually for military purposes in the event the Philippine Islands should pass from under the control of the United States. This amount, however, excludes from consideration what the expense might be to the United States in discharging the Philippine Scouts and closing out moral obligations that certainly exist to a faithful native force consisting of approximately 91 officers and 6,500 enlisted men whose average service to the Government would now doubtless approximate 20 years each.

The exact total of the expenses that the Government pays in transporting officers and men of the Army from stations in the United States to the Philippine Islands and return to stations in the United States is not readily available, but it can be stated that no really substantial saving could be made in Army transportation costs due to reasons stated in paragraph 4 above.

The preparation of this paper has necessarily been hastened in order that it may serve your purpose and should be regarded merely as an estimate under premises stated, but it is hoped that it will give you the information that will serve your purpose in connection with the Army appropriation bill for the fiscal year 1932 now being considered by the House of Representatives.

Sincerely yours,

PATRICK J. HURLEY,
Secretary of War.

Mr. DYER. Mr. Chairman, upon this subject, recently, the Committee on Territories and Insular Affairs of the Senate of the United States, through one of its Members, Senator HAWES, submitted a report upon a bill touching the ultimate independence of the Philippine Islands. It gives some very valuable information and is a most excellent statement of the whole situation, touching our duty and obligations to the people of the Philippine Islands and the wishes of the people of those islands as to independence and whether they have established a stable government and of their ability to maintain it. The report of the distinguished Senator is so able and clear that I wish to incorporate it as my own views, in the main, on this very important matter. I ask unanimous consent to extend my remarks in the RECORD to make a résumé of the facts brought out by the report of Senator HAWES in connection with the bill which he reported to the Senate.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. DYER. Mr. Chairman, even those who oppose early independence for the Philippines admit that the present dubious status of the islands should not be permitted to continue.

The initiative of the Filipino is hampered by his status. The development of 114,000 square miles of island area is being handicapped, and certain manufacturing possibilities are being dwarfed because of the general uncertainty.

American capital, doubtful of the future, declines to enter the islands. Foreign capital, with no voice whatever in the settlement of the problem, will not invest there. Under such conditions satisfactory economic progress is impossible.

The reasons are manifest. The Filipino is neither a citizen of the United States nor is he a citizen of a free country. A Malayan by race, an oriental geographically and by tradition, a foreigner under certain of our statutory provisions, the Filipino has had 30 years of existence as a pseudo American. Living 7,000 miles from our western coast, on 7,000 islands in the Far East Pacific, these 13,000,000 people, thrown by a great war into the protective arms of a western nation, find themselves, after a generation, to be in law and in fact neither Americans nor foreigners.

This uncertainty can be removed only if and when Congress shall adopt one of the following courses:

First. Granting immediate independence.

Second. Setting a date in the distant future when independence shall be granted.

Third. Creating what might be termed a colonial form of government for the future retention of the Philippines.

Fourth. Incorporating the Philippines as one or more States of the American Union.

One of these solutions should be adopted by Congress. The Filipino representatives ask for immediate independence, although they realize the difficulties of reconstruction and readjustment. They would rather suffer the hardships of an immediate dissolution of ties which bind them to the United States than continue in the disastrous uncertainty. They prefer any hardship to the possibility of their remaining forever a subject people.

As to the second proposal, the mere setting of a date for future independence of the islands gives the Philippine people no opportunity to express their views. Furthermore, it is manifest from the hearings that the fixing of a deferred date for Philippine independence is regarded as a plan to make impossible the ultimate granting of such independence. The Secretary of State, in proposing a long period of time for Philippine independence, very frankly stated he cherished the hope that at the end of that period both the Philippines and the United States would decide to continue their relationship.

If the date of independence were set for some time in the remote future the economic ties and commercial considerations that meanwhile will have grown up will militate against any possible future relinquishing of American sovereignty. I shall not discuss at length in this report the proposal to form a colonial government for the Philippines, as I consider this repugnant to the pledges we have through our Executives and in statutory law dealing with the Philippines.

It is insinuated that the Philippine people do not actually desire independence and that their leaders do not really favor it, and yet, in reply to this propaganda, there comes from the entire press of the Philippines, from all classes of its population, from its school children and its public officials, from the representatives of its political parties, majority and minority, a demand for independence.

Not a single witness can name 10 Filipinos who do not favor independence. The business organizations of the islands, their national conferences, their educators, their government officials, their economists have all declared for independence. The Philippine press, the Philippine public, the Philippine pulpit, the Philippine school, and Philippine industries seem, so far as we can ascertain, to be unanimous in the demand that the United States redeem its pledges to grant to these people the sovereignty to which they aspire.

Only a few months ago the first Philippine independence congress was held in Manila. More than 3,000 delegates from all over the islands, representing the whole people, including the Mohammedan Filipinos, met to deliberate on the question of independence. They discussed the different phases of the Philippine problem with particular reference to the economic consequences and political responsibilities which independence entails. With full knowledge of such consequences and responsibilities the congress approved resolutions strongly urging independence at an early date.

This unanimity of opinion in the Philippines contrasts strikingly with the differences among colonial Americans. We were not without many prominent tories during the struggles of our patriots for independence.

In the Philippines, however, from the venerable Aguinaldo down to the child in the primary-school room, we have not been able to find a Filipino, living in his own country, who is not in favor of Philippine independence.

In the face of this attitude on the part of 13,000,000 Filipinos, it would seem that they are entitled to a statement from the Congress of the United States as to what their future status shall be.

I recognize the commercial phases of our contact with the Philippines and that consideration which is due those interests in relation to the whole subject. I have arrived at my conclusions on the basis of a broader view than merely trade relationship. It is idle to assume that the interests of manufacturers and others have no bearing upon this issue. It would be equally absurd to argue that the Philippine question should be determined solely from the viewpoint of consideration for the Philippines.

We must not forget American interests and American welfare. But having obtained all the facts in relation to our trade with the Philippines, I find rather a powerful argument for some immediate disposition of the Philippine question than a reason to decide the matter of Philippine independence from the standpoint of either exporter or importer.

I have the data with respect to the importations of raw materials and manufactured products from the Philippines into the United States, and I have investigated the exports of America to the Philippine Islands, but I shall not discuss individually these items of trade relationship.

It is pertinent, however, to state that the growing free exchange of products between the islands and the United States, if permitted to go on at the present rate of increase, will tend to develop a commercial relationship strong enough later to submerge every other consideration in the problem of Philippine independence.

When we took over the Philippines in 1898 the islands sent most of their exports—more than one-half—to Europe. In 1900 more than 55 per cent of the total exports of the Philippines went to European countries. From 1900 to 1908 the United States received 32 per cent of Philippine exports. But in 1909, when free-trade relationship was established, the United States received more than 42 per cent of Philippine exports. In 1927 more than 74 per cent of Philippine exports came into the United States. The growing trade relationship is manifest in these figures. It is equally manifest in the fact that 62 per cent of all foreign products consumed in the Philippines are received from the United States. The tariff wall surrounding the Philippines protects American products and manufactures against all competition.

The total trade of the islands in 1928 was approximately $290,000,000. The imports to the islands were approximately $134,000,000; the exports $155,000,000.

In 1928 the island imports from the United States were $84,000,000, and exports to the United States $115,000,000. Thus about 69 per cent of the foreign trade of the islands was with the United States.

It is evident that if this trade relationship is permitted to continue, increasing the number and strength of commercial ties between the two nations, the time will rapidly come when a change in the status of the Philippines, however desirable it may be from a national, military, or humanitarian standpoint, will mean economic ruin to the Philippines themselves and an unquestionable detriment to Americans.

It is my belief that instead of resolving the Philippine question on the basis of commerce, the conclusion to be drawn is that the whole problem must be settled as quickly as its importance permits, and this growing relationship between Americans and Filipinos be given a permanent foundation.

As far as the Philippines are concerned, it is with reason they maintain that the disruption of present relationships now will subject them to hardships which they can more readily endure at present than at some future date when their economic dependency will be greater.

I desire to call attention to the fact that there is an organized medium of opposition to Philippine independence in the United States, namely, the Philippine-American Chamber of Commerce of New York. It is composed of American business men having trade relations with the Philippine Islands. The membership list discloses that of its 80 members all but 22 are residents of New York and only 2 reside in Manila. A fund was raised by this organization to oppose Philippine independence. They circularized the press of the United States and business organizations and Members of Congress. They reached almost the entire press of America by letters and pamphlets prior to the hearings before your committee, when these various bills came under discussion. It is perfectly natural that this propaganda on the part of those with commercial interests has had its effect upon the recipients of this literature.

The attitude of this organized hostility is unfortunate in that it may be misunderstood and may tend to encourage reprisals harmful to American trade. We have in our colonial history signal incidents that revealed the resentment of our own people under similar circumstances. The Filipinos will naturally not be friendly to the "yard of cloth" argument against their national aspirations.

In America there is one element of our national life which is now receiving attention from Congress and which has appealed to Congress to change conditions with respect to the Philippines. The American farmer has an interest in the disposition of this important question.

Representatives of the American Farm Bureau Federation, the National Grange, and other farm organizations have expressed their concern in this particular problem, and though they do not demand any unduly rigorous action on the part of Congress against the Filipino people, whom our Government committed itself to serve, they asked that consideration be given to their interests. They say that in the 1,000-mile stretch of islands in the Philippines there was an area equal to the combined area of the States of New York, Connecticut, Massachusetts, New Jersey, and Vermont.

They claim that in this 114,000 square miles of territory there are vast agricultural areas, capable of great development and production, and that 80 per cent of the imports of

products from the Philippine Islands into the United States to-day consists of farm products, while only 20 per cent of the exports of the United States to the Philippines is farm products. Since perhaps not more than one-seventh of the area of the Philippines is developed to-day, these figures give some idea of the extent to which the farmer in America has an interest in the competition from Philippine products.

It may be well to mention at this point that while the agricultural imports from the Philippines are increasing, the United States is at the same time developing irrigation systems with the object of converting to agricultural purposes vast areas of lands in our own western country. All of this new acreage in America is being brought into competition with the farmers who are here to-day. In his present financial condition the American farmer's interest in Philippine exportations of agricultural products is not to be forgotten or ignored, especially when he is being urged to reduce his acreage and production.

I cite another element in our domestic life, the American Federation of Labor, representing the millions of working men and women of the United States. These representatives of labor cite the matter of Philippine immigration, pointing out that our exclusion laws against certain oriental nations do not apply to the Philippines, that workers from these islands come into America directly or by way of the Hawaiian Islands and elsewhere, and that already there have been disturbances in the United States due to the growing number of Philippine laborers whose hire can be obtained at prices far below the standard wages of American workmen and women.

The average daily wage scale in the islands is from 50 to 75 cents a day for field laborers, and for industrial labor an average of $1 a day.

While wages and the standard of living in the islands is from 200 to 300 per cent higher than that obtaining in other oriental countries, it is far below the American standard which, under the present arrangement, must confront Philippine competition.

The interests of union labor, which for 32 years has been advocating Philippine independence, can not be overlooked in disposing of the Philippine question.

Congress has demonstrated that it will not subject the 13,000,000 Filipinos to the rigors of our exclusion act, to our trade barriers, or to other handicaps placed upon the foreigner while these people are held within the jurisdiction and under the protection of American sovereignty. No foreign nation excludes its colonials from its own domain, nor can America initiate such a policy with propriety.

Again, therefore, considering those questions of economics not related to the Filipinos themselves, but wholly American questions, it is not necessary to decide the Philippine status in favor of one or the other, but it is desirable to solve the Philippine problem for the future in the interest of all these elements of our American life.

While the interests of the American farmer, of the worker, and of the manufacturer should be protected, this protection should come from a constructive settlement of the whole problem from which the complaints arise and not through piecemeal legislation. Such legislation can only result in ill feeling and leave the main cause of the trouble untouched.

We can not, however, blind ourselves to the fact that there is a definite, well-organized movement in America to bring action along the lines of the respective interests affected by the present anomalous conditions. So it would seem to be our duty to take action now on the broader problem, lest at some future date, in emergency or excitement, we might find ourselves applying to these people exclusion laws, tariff barriers, or coastwise-shipping restrictions which in common justice we should not apply against them while they remain under our flag.

In 1898 when, as a result of the Spanish-American War, we took over the Philippine Islands, we found an unstable government set up under Spanish domination existing under so-called colonial jurisdiction.

Under Article III of the protocol, signed at Washington in August, 1898, we provided:

> The United States will occupy and hold the city, bay, and harbor of Manila pending the conclusion of a treaty of peace which shall determine the control, disposition, and government of the Philippines.

The treaty by which Spain ceded to the United States "the archipelago known as the Philippine Islands," was signed at Paris on December 10, 1898. The beginning of civil government in the Philippine Islands under American sovereignty, as distinguished from purely military administration, dated from the appointment by President McKinley in March, 1900, of what is known as the Taft Philippine Commission.

We separated the executive, judicial, and legislative branches. The commission took over the legislative powers. The judicial powers were to be exercised by the courts established through legislative action of the commission, and the authority to exercise the executive powers was continued in the commander of the military forces of the United States. On June 21, 1901, the President issued an order transferring from the military governor to the president of the commission the authority to exercise the executive powers. On July 4, 1901, the late Chief Justice Taft was made civil governor of the Philippine Islands.

Under the act of July 1, 1902, the existing government was continued and the act placed the seal of legislative approval upon the governmental organization. The Philippine Commission was the sole legislative body for the islands. Section 7 of this act authorized and directed the taking of a census and provided that two years after this census a general election should be held for the choice of delegates to a popular assembly for the islands. The census was taken in 1903 and the Philippine Assembly established in 1907.

In 1916 Congress passed what is known as the Jones law, the present organic act of the Philippine Islands. By this act Congress has given to the Philippines practically all the power that can be granted to them short of complete sovereignty. In accordance with this act, the President of the United States appoints the Governor General, the vice governor, who is also the secretary of public instruction, the chief justice, and the eight associate justices of the supreme court, the auditor, and the deputy auditor.

Congress and the Governor General may review and nullify the acts of the Philippine legislative bodies.

The Philippines have been transformed from an impotent colonial possession, with doubtful efficiency of government, to a people largely handling their own affairs, under the supervision of a few American officials.

Are the Filipinos ready for self-government; can they maintain a stable self-government?

In the Jones Act previously referred to will be found the following preamble, which is a part of our statutory law, and which has laid down the policy we have pursued in our relations to the islands since 1916, as follows:

> Whereas for the speedy accomplishment of such purpose it is desirable to place in the hands of the people of the Philippines as large a control of their domestic affairs as can be given them without, in the meantime, impairing the exercise of the rights of sovereignty by the people of the United States, in order that by the use and exercise of popular franchise and governmental powers they may be better prepared to fully assume the responsibilities and enjoy all the privileges of complete independence.

It is pertinent to inquire whether, under the Jones Act, the Philippine people are exercising all of the functions of government with the exception of sovereignty.

In this connection the following must be considered:

The Philippine people elect the Philippine Senate of 22, 2 members being appointed to represent the non-Christian. They also elect 86 members of the house, 9 being appointed to represent the non-Christian Provinces. This bicameral body enacts the domestic laws for the Philippine people.

There are only three high executive officials in the Philippine Islands who are not Filipinos. One of these is the Governor General, appointed by the President; another is the vice governor, who is secretary of public instruction; and the third is the auditor. The deputy auditor is a Filipino. Of the high judicial officials (the chief justice and eight associates—nine in all), the chief justice and three of the associate justices are Filipinos.

The governors and members of the provincial boards of the 39 regularly organized Provinces, and all members of the legislature from these Provinces, are Filipinos elected by the people.

In the 9 specially organized Provinces 5 governors are appointed and 4 elected. Of these 9, 6 are Filipinos and 3 Americans.

From the beginning of American occupation the 900 municipal governments of the islands have been administered practically exclusively by elected Filipinos.

According to the report of the director of civil service of the Philippine Islands, there were, on December 31, 1928, only 494 Americans in the civil personnel of the Philippine government, while 19,606 Filipinos were permanently employed under the civil service. Of the 494 Americans 293 were in the teaching service.

There are 30,000 teachers in 8,000 public schools in the Philippines. Of these teachers only 293 are Americans. The schools are scattered throughout the islands.

Out of the 13,000,000 population there are more than 1,100,000 enrolled in the public schools alone. There are private colleges and universities in the islands. Some of these institutions are as old as our oldest universities.

It is significant that public order in the Philippines is maintained with unusual vigor and success by what is known as the constabulary, or insular police force. This force is composed of 6,331 Filipinos as enlisted men. Of the 398 officers 375 are Filipinos.

The Wood-Forbes report on this particular subject states that the Filipinos "are naturally an orderly and law-abiding people," and further that "the constabulary has proved itself to be dependable and thoroughly efficient." The Secretary of War testified that "excellent general conditions of order have existed for over 25 years in the Philippines."

Attention is called at this point to the fact that on the entrance of the United States into the World War the Philippines organized a force and offered it to the United States for service.

At the last election more than 1,000,000 Filipinos voted, notwithstanding each voter is required under the Philippine laws to possess certain electoral qualifications. From 80 to 95 per cent of the registered voters actually vote.

In connection with the holding of elections we have at least one noted authority (the Wood-Forbes report) which says:

> Interest in the election was widespread and election day passed without any serious disturbance. There was a general wide acceptance by the minority of the results of the popular vote.

There are only two political parties in the Philippines, the majority and minority parties, whose differences are on domestic problems. They are in agreement as to Philippine independence.

The present government is substantially a popular government. The elected representatives of the people legislate for the whole country. Executive functions are administered through the different departments at the head of each of which, with the exception of the department of public instruction, is a Filipino secretary. These secretaries are appointed by and with the advice and consent of the Philippine Senate after each general election, upon recommendation of the leaders of the party in power, from the members of the party which commands a majority in the legislature. The executive departments function under the direction of the secretaries of departments subject to the power of supervision and control of the Governor General.

The Philippine government has been self-supporting since the establishment of civil government in the islands. The only expenses incurred by the American Government are those in connection with the United States Army stationed in the Philippines. The Philippine government has been and is in a sound financial condition. Its income is in excess of its expenditures for the present necessary activities of the island government.

The Philippines have a stable government currency based on the gold standard. The circulation is about ₱130,000,000.

The net bonded indebtedness of the government at the end of the year 1928 was ₱175,237,000, for which there were accumulated sinking funds amounting to over ₱43,000,000. This indebtedness is below the total debt limit fixed by Congress. Besides, this indebtedness will be reduced during the current year by ₱12,000,000, already set aside by the legislature for the redemption of bonds which are redeemable at the option of the government during this year.

A further analysis of financial operations of the government will be found in the budget for 1930 submitted by the Governor General.

Joined with the argument that there is some doubt as to the ability of the Filipinos to manage their own affairs is the frequently asserted statement that there exists a diversity of tribal interests, antagonisms, and prejudices which would militate against the maintenance of a stable government. The facts do not bear out the statement.

The late Chief Justice Taft in 1914, testifying before the Senate, said:

> There is a racial solidarity among them (the Filipinos), undoubtedly. I can not tell the difference between an Ilocano and a Tagalog or a Visayan—to me all Filipinos are alike.

Former Governor General Forbes says:

> Racially the Filipino is a Malay and throughout the islands the bulk of the population is sufficiently similar in type to indicate no great difference in origins.

While there are many dialects in the Philippines, just as there are in all oriental countries, there are but three basic dialects, the Tagalog, the Ilocano, and the Visayan. There are three other important dialects, but the testimony was that it was a simple matter for the people to have a speaking knowledge of two or three of these dialects.

Moreover, as the result of the teaching of English in the islands for more than 30 years, a great number of the Filipinos, regardless of their groups or their dialects, speak the English language, which is rapidly becoming a common language throughout the islands, especially among the younger generation. English has been the official language of the government for many years.

In one of the Latin American States of South America nearly 100 dialects are spoken; in Mexico there are estimated 59 dialects, and it is hardly necessary in order to negative the contention that language differences are a bar to independence to indicate the numberless dialects of China, which have persisted for thousands of years and which in that country render the inhabitants on one side of a stream wholly unable to talk with inhabitants on the opposite side of the stream. The old countries of Europe are not free from linguistic differences. In Bulgaria there are Bulgarians, Turks, Rumanians, and Greeks. Three languages are spoken in Switzerland. In Hungary, Magyars, Slovaks, and Germans use their respective languages, and in other countries of the world there are similarly diversified peoples of distinct racial stock.

In the Filipino delegations which have appeared before Congress several sections of the islands and various groups of the people were represented. Yet they had common media of communication and expression.

By itself the mere differences in language would hardly be a bar to national aspirations for independence.

In connection with the fact that there are 8,000 schools in the Philippine Islands it is significant to note that in Siam, with a population estimated at 9,000,000, there are 5,600 schools; in Peru, with an estimated population of 6,147,000, there are 3,486 schools; in Venezuela, with a population of 3,029,000, there are 857 schools, excluding special and higher schools and primary schools with an enrollment of 73,000.

Statistics indicate that a minimum estimate of literacy in the Philippines is something above 40 per cent, measured by the American standard. The percentage of illiteracy in Mexico is 62 per cent, in Siam 79 per cent, in Venezuela 72 per cent—taking countries at random for this analysis.

The number of pupils in the public schools of the Philippines in 1904 was 227,500. In 1928 there were 1,111,500 enrolled.

In 1930, according to the budget figures, 28 per cent of the total Philippine revenues was set aside for education. The percentage of school children in the public schools in the Philippines, exclusive of private-school children, compared to population, is 9.26 per cent; while in Korea, according to the Japan Yearbook, 1929, page 677, it is 2.7 per cent; in the Dutch East Indies it is 3 per cent; and in French Indo-China 1 per cent, according to the figures of G. Angoulvant in Les Indes Neerlandaises, Volume I, page 312.

We accept the percentage of literacy in the Philippines as 40 per cent in order to make its comparison conservative. However, the Philippine census of 1918, Volume II, pages 53, 54, and 58, gives the percentage of literacy as 49.2 per cent in that year. The Philippine representatives claim more than 60 per cent of literacy. They hold that full credit is not given to those who are literate in certain dialects and that sufficient allowance is not made for the increased school facilities and larger annual expenditures for education since 1918.

I desire to discuss particularly one frequently made statement, namely, "That the existence or nonexistence of adequate preparation for complete independence can be established with finality only by an actual test."

So long as the United States exercises that supervision, control, and authority over the affairs of the Philippine government under the present organic act, a categorical decision as to the Filipino people's capacity or incapacity for independent government can not be made. It is argued, therefore, that to grant such a test would "involve an advance decision" with respect to the "very question for the ultimate determination" of which the test would prove a guide.

Whatever may have been our Government's influence in the matter, the fact is that noted authorities have complimented the Philippine governmental agencies upon their efficiency and capacity and have commented as well upon the widespread participation of the people in the elections held in connection with governmental functions.

There is no evidence to indicate that permanent stable government is or will be menaced by racial or tribal differences. No one criticizes the manner in which the Philippine government is being managed by Filipinos and the intelligence manifested by those in charge of Philippine domestic affairs.

President Wilson, in connection with the maintenance of a stable government in the Philippines, said:

> Allow me to call your attention to the fact that the people of the Philippine Islands have succeeded in maintaining a stable government since the last action of the Congress in their behalf, and have thus fulfilled the condition set by the Congress as precedent to a consideration of granting independence to the islands.
>
> I respectfully submit that this condition precedent having been fulfilled, it is now our liberty and duty to keep our promise to the people of these islands by granting them the independence which they so honorably covet.

Under the present system of government the Filipinos have assumed and exercised the essential functions of administration subject only to the reserved power of the Governor General. The valuable experience acquired by the Filipinos under their present government should fully capacitate them to discharge the functions of an independent government.

Governor General Stimson in his report for 1928, after detailing the work of the Philippine Legislature, said:

> The record of legislation produced was highly creditable.

In addition to demonstrating their capacity to administer the affairs of government, we are not without evidence that the Philippine people have acquired a reasonable degree of appreciation of the Anglo-Saxon concept of individual rights. Even before the operation of American influence on the islands there was set up by the people in their own constitution for the Philippine republic a guaranty of individual rights. Thirty years of the application of the American Bill of Rights can not but have had a salutary influence in furthering these concepts.

The judiciary is well organized and efficient and there is "a wide-awake public opinion and an ever-vigilant bar maintained with healthy interest in the courts, which is the best guarantee of a sound and impartial judiciary."

There are 28 district judges in the islands and 25 auxiliary judges. In addition thereto there are 865 justices of the peace. All but two of the judges of the courts of first instance are Filipinos.

As to public roads, the statement of a Governor General is:

> There are more miles of improved roads in the islands to-day—I know what it is in Luzon—than in the whole continent of South America, outside the cities; and that is true all through the Archipelago. (October, 1929.)

There are three trunk-railroad systems and 13,000 kilometers of first-class roads.

There is a system of postal communication and interisland shipping communication.

There is substantial or convincing testimony to the effect that in the island of Mindanao, in Sulu, and in Palawan, where the Moro population centers, there is a combined population of 1,175,210, but that this part of the Archipelago is not inhabited wholly by Mohammedan Filipinos or Moros, and that there are living in this area of 44,700 square miles 536,726 Christians and 205,000 Pagans. The Moros number 423,200, or but 4 per cent of the population of the islands, and occupy only 21 per cent of the land area of the islands where they are found and only 8 per cent of the Archipelago as a whole.

These Moros belong to the same racial blended stock as do other Filipinos, the Malays, that they are sending their children to the public schools of the islands, that they pay their taxes, and that they unite in the demand for Philippine independence.

The adoption by the Moros in the fourteenth and fifteenth centuries of the Mohammedan religion resulted in a diversity between them and the other Filipinos in certain characteristics, customs, and traditions. There is similar diversity of customs in certain of the other groups and there is some difference in the matter of religion. It would hardly be fair, however, to set up as a bar to independence the theory that our release of the Philippines would endanger the Christian religion in the islands, since the Christian religion was established in the islands for more than 300 years prior to our occupation of them, and 91 per cent of the population is Christian.

The question of Philippine independence in its relation to the Orient in general has been investigated, but as the result of such inquiry no fundamental reason is found for refusing independence to the Filipino people because of correlated oriental problems.

We have the 3-party agreement or treaty which limits our fortification of the islands as a matter of defense. In the absence of fortifications precluded by this treaty, no naval or army authority will deny that the Philippine Islands could not be held against a strong enemy for any reasonable length of time.

To attempt to fortify the Philippines for defense, if we hold them for the future, would require a change in the treaty which now regulates our military and naval operations in the Pacific. There is serious doubt as to their utility to us in the event of armed conflict. They probably would be a liability so long as the 3-power treaty is operative.

It has been asserted that a foreign nation would hesitate to engage this country in conflict at the present time because of the ultimate disaster which such a war would mean to such aggressor. But admitting that no foreign power at the present time has any designs upon these islands or any desire to take them, there is still a possibility that they may involve us in disputes with a foreign power.

In their present state of preparedness the Philippine Islands would be useless as a post of defense. The army personnel in the islands at present is limited to some 4,000 Regular Army men and to some 6,400 Philippine Scouts. There is also limited equipment.

These islands, once they were captured, it is generally agreed, could hardly be retaken by us for at least two years,

and then only at the cost of an immense amount of money in war expenditures and after the loss of hundreds of thousands of lives of American sailors and soldiers. These islands lie within 30 hours' sailing from the Asiatic coast; they are practically part of Asia, as much so, in fact, as Cuba is a part of the American Continent, and they are 21 days' sailing, by the fastest ships, removed from the Pacific coast of the United States.

The 3-party treaty with Japan was a far-reaching decision and leaves the Philippine Islands, so far as the Army and Navy of the United States are concerned, in an unprotected condition which can not be changed while this treaty remains in effect.

The only possible expansion of military preparedness in the islands would be that effectuated in the mobile military forces of the islands. But to extend the mobile military force to the point of adequate defense would require from sixty to eighty thousand trained men, or a body nearly as large as the standing Army of the United States.

One theory advanced is that to grant Philippine independence might disturb the peace of the Orient by inspiring in other peoples there a desire to free themselves from European control. It is asserted that the granting of independence to the Philippines will stimulate a desire for independence on the part of these other dependencies. To give weight to such a theory would be to recognize an unsound philosophy or policy repugnant to the very best traditions of our Nation. We are proud that our experiment in self-government has been imitated by all the nations in South America and by many of the nations of Europe. The finest pages of our history are those recording the conflicts that have followed our own departure from colonial dependency.

We entered the Orient as the protectors of a downtrodden people and later assumed to guide them to the level of occidental civilization. That occidental civilization finds its highest expression in national independence.

At this date of our supremacy over the Philippines, 30 years after our occupation of the islands, to assert that our granting their freedom would be unwise because of the stimulus it would give to other nations cherishing like hopes, is to validate a theory which will have but little weight with real Americans.

We can hardly justify a course which began with the object of establishing a democracy in the Orient and which is to end in colonial control.

As will be verified by current events, there are eastern colonies now endeavoring to assert their aspiration for national identity and moving toward independence, wholly without regard to our attitude in the matter of the Philippine Islands. Our presence in the Orient in these instances has not deterred desires for national self-expression.

Furthermore, our treatment and disposition of the Philippine Islands will largely be the measure by which the Orient will weigh our international honesty. We are told that our retention of the Philippine Islands has a beneficial effect on our intercourse and trade with the Orient. But there is no evidence to conclude that a continuation of our sovereignty over the Philippines will be conducive to oriental friendship. If the Philippine people, actuated by the statements of our executives and by the promises and pledges made in our statutory law, demand, as they do, their independence, and we deny them that independence, it is not likely that our attitude will present a favorable aspect in the Orient.

As time goes on and we retain the Philippine Islands in complete sovereignty, it is scarcely probable that the oriental conception will credit us with those altruistic principles in which we take great national pride. The result may reverse what the advocates of retention now call our strategic position for trade in the Orient.

The holding of the Philippines for mere trade advantage in the Orient seems one-sided in its application, for the reason that while the Philippines offer to the United States a development of foreign trade, the status in which the Philippines find themselves is not conducive to the development of their own foreign trade. It must be recalled that while their trade with the United States increases, their markets in the Orient are narrowed.

The treaties and laws incident to our occupation of the Philippines did not provide for the ultimate freedom of the Philippines. But to-day it would seem hardly necessary, after all the discussion that has been had on this subject, to offer proof that we have promised to these people their ultimate sovereignty.

The preamble of the Jones Act passed by Congress is a specific pledge that we are preparing the Philippines for independence. Following is the language of the preamble to that act:

> Whereas it was never the intention of the people of the United States in the incipiency of the war with Spain to make it a war of conquest or for territorial aggrandizement; and
>
> Whereas it is, as it has always been, the purpose of the United States to withdraw their sovereignty over the Philippine Islands and to recognize their independence as soon as a stable government can be established therein.

But in addition to this act, Presidents Taft, Roosevelt, and Wilson have at various times made statements indicative of a similar policy. President Harding commended "the Philippine aspirations to independence and to complete self-sovereignty." President Roosevelt declared in a message to Congress in 1908:

> I trust that within a generation the time will arrive when the Filipinos can decide for themselves whether it is well for them to become independent.

The "generation" suggested by President Roosevelt will have passed when independence, under this bill, will have been granted. The new 30-year advocates now seek postponement for another generation.

When the late Chief Justice Taft was Secretary of War in 1904, he said:

> When they (the Philippine people) have learned the principle of successful popular self-government from a gradually enlarged experience therein, we can discuss the question whether independence is what they desire, and grant it * * *.

In the instructions of President McKinley to the first Philippine commission, he expressed the hope that the Philippine people would receive its members as bearers of "the richest blessings of a liberating rather than a conquering nation."

Again President McKinley said:

> The Philippines are ours not to exploit but to develop, to civilize, to educate, to train in the science of self-government.

In 1913, President Wilson, in a message to the Philippine people, said:

> Every step we take will be taken with a view to the ultimate independence of the islands and as a preparation for that independence.

And in a message to Congress in the same year he declared:

> We must hold steadily in view their ultimate independence and we must move toward the time of independence as steadily as the way can be clear and the foundations thoughtfully and permanently laid.

If there be any doubt left that the ultimate purpose of the United States in its legislation with respect to the islands has been to prepare them for independence, it should be removed by the fact that in the 30 years in which we have held the Philippines we have not attempted to incorporate them.

By the operation of our own laws we have set up what must be a temporary government in that we have continued the administration of certain of the affairs of the Philippines in the War Department. We have left the general supervision of the Philippine government to the War Department. We have provided that the Governor General report annually to some official designated by the President of the United States, and that official is not the Secretary of the Interior, the Secretary of the Treasury, or the Secretary of State, but the Secretary of War. The plain implication is that our tenure of the Philippines is temporary in character.

There are some who attempt to ignore the formal commitment and promise of independence to the Filipino people in the Jones Act. They attempt to persuade the Congress not only that this declaration is of no binding force, legal or moral, but go so far as to assert that no promise of independence or commitment to that policy has every been authoritatively declared.

The mere fact that such declaration of policy was made in the preamble of the act and not in the body of the act itself does not in any way lessen its validity. Whether a part of the law or not, the declaration constitutes a definition of national policy formally made by the only authority possessed of the power to make such declaration. The debate which took place in both Houses of Congress on the Jones Act reveals the importance which was accorded by the Congress to this enunciation of national purpose. It was considered by all those who participated in its enactment as the most important part of the act. The wording of the title of the act indicates that such declaration was its most important aim. The contention that this declaration of policy is of no binding force because any subsequent Congress can repeal or alter it is hardly persuasive. While that declaration remains unaltered and unchanged every reason of national honor compels its fulfillment.

We will not in this report discuss the constitutionality of an act of Congress withdrawing sovereignty over the Philippine Islands. This point is greatly overemphasized by certain interests and the attack on the right of Congress to alienate the Philippines comes exclusively from those opposed to independence.

In the records of the Congress there are able, carefully prepared, and comprehensive briefs sustaining the constitutionality of such an act of Congress.

The Attorney General of the United States in 1924 stated that Congress had the power to grant complete independence to the Philippines, and Justice Malcolm, of the Supreme Court of the Philippines, is of the same opinion.

It is urged that while the governmental machinery of the Philippines is practically all in the hands of Filipinos, a great influence is exerted by the American Government through the power of veto in the Governor General and in Congress, and through the supervision by American officials who are holding certain important positions.

The loss of this guiding influence would undoubtedly be of consequence to the Philippine people. There is little doubt that the reins of government could not be shifted to Philippine officials without some disturbing effects. There would be, in the event of our withdrawal, certain increases in the cost of government to the Philippine Islands. There would be, for instance, the cost of consular service and maintenance of diplomatic machinery. There would be the cost of coast and geodetic survey and perhaps an increase in the cost of maintaining insular police. The application of our trade barriers would result in some diminution of income to the Philippines, but such diminution would largely depend upon the methods pursued by the Filipino government in the development of markets elsewhere than in the United States.

Those who are in control of Philippine affairs in the islands to-day, however, are keenly alive to all these possibilities as are Americans.

The Philippine leaders have weighed in dollars and cents the costs of independence. The significant and logical argument with which they reply, however, is that the future will not relieve them of this responsibility of reconstruction but will, on the contrary, aggravate the difficulties of reconstruction.

The next 15, 20, or 30 years will bring about conditions in the Philippines under which the separation of the islands from the United States would be attended by even more serious consequences to the Philippine people and to the United States than could possibly result from independence at this time.

This is not an American thought on the subject of separation. It is the frankly admitted statement of the Filipinos. The difficulty of reconstruction for the Filipinos was not conceived first by Americans, but was long since carefully examined and recognized by the Filipinos themselves.

It is urged that the Philippines would also find difficulty in their future financial operations. The Philippine representatives are thoroughly conversant with the conditions which will probably have to be met in the financing of future island developments. But the Filipinos feel that in all such financing, if the relationship of the islands with the United States is friendly, the handicaps of such financing will be largely diminished. And they point to smaller republics in financing through friendly relations with America as indicative of the soundness of their views on this subject.

As to the future stability of the bonds now outstanding against the Philippine Islands, there are many ways in which payment could be guaranteed to the bondholders. It is hardly necessary to discuss such problems of finance as may be met through refunding or outright assumption which may be agreed upon.

Another handicap to Philippine stability is presented in the fear that there may be in the Orient certain overcrowded nations who would populate the sparsely settled rich territory of the Philippines with an influx of alien population. The Philippines can have their own immigration laws to protect them from such invasion. The passage of such laws and their enforcement, it would seem, would take care of the situation.

From the foregoing, the following conclusions may be drawn:

First. That it is the policy of the American Government to free rather than retain the Philippines.

Second. That the Philippine people are justified in their plea for independence at this time.

Third. That the Philippine people have made remarkable strides in the path of self-government.

Fourth. That at the present time, the Philippine people are conducting, except in a few instances, the affairs of government.

Fifth. That the Philippine people are keenly alive to the untoward eventualities of independence.

Sixth. That the Philippine people, realizing serious hardships may result from independence and from the loosening of the ties that now bind them to American sovereignty, prefer to risk these hardships at the present time, when they are confident of their ability to endure them, than at a remote date when the hazards of separation from the American Government would be so great as either to threaten disaster or to preclude their independence.

Seventh. That, so far as the interests of Americans are concerned in Philippine trade, it will be more simple to grant independence at an early date than when their interests have a deeper and more far-reaching contact with the Philippines.

Eighth. That at the present time the conditions existing in the Philippines and the uncertainty of the future status of these islands is operating to dwarf their initiative, handicap their agricultural and industrial development, hamper their efforts to obtain investments of foreign capital, and militate against their enjoying the full possibilities of their economic development.

Ninth. That there are important elements, both American and Philippine, whose interests demand some action on the part of Congress in the settlement of this national uncertainty.

Tenth. That the action of the American Government in relation to the Philippines will determine America's prestige in the Orient.

Eleventh. That the Philippine Islands, of doubtful advantage at the present, from a purely trade standpoint, have little or no utility in times of war, and might even become a burden and a threat to us in the event of our embroilment with certain powers.

Twelfth. That proposals to postpone the date for the granting of Philippine independence for any great number of years will result in the expansion of certain economic ties

which may ultimately make impossible the granting of independence.

Thirteenth. That no selfish motives of commercial advantage or expansion should interfere with the redemption of our pledges to these people.

Fourteenth. That the Philippine people are unanimous in their demand for early and complete independence.

The United States owes a solemn duty to the Philippine people—the duty of an honest declaration of our future intent. If we have decided to retain these islands under some form of colonial government, we should be frank enough to proclaim it. We should not further encourage national aspirations to ultimate independence on the part of the Philippine people if we are ourselves opposed to their independence.

If the delay of independence for 30 years is for the purpose of defeating independence, we should say so frankly.

Mr. BLACK. Mr. Chairman, I move to strike out the last word for the purpose of asking a question of the chairman of the committee. Does the gentleman know whether or not there have been any appreciable increases in the appropriations for seacoast defenses since the Washington Disarmament Conference of 1922?

Mr. BARBOUR. No. I would say, if anything, they have been gradually decreasing. They are carried along from year to year with very little change. Mostly the appropriations have been for upkeep. They have added some things in the way of searchlights and antiaircraft guns of the more modern type.

Mr. BLACK. And long-range guns?

Mr. BARBOUR. They are installing some long-range guns. There are two 16-inch guns that are about ready to be installed in Hawaii and will be installed there, and there are four 16-inch guns that have been installed at Panama.

Mr. BLACK. How about antiaircraft guns at New York?

Mr. BARBOUR. We are purchasing new antiaircraft guns, but whether they are allocated to New York the committee could not say. That is a matter for the War Department to determine.

Mr. BLACK. And searchlights?

Mr. BARBOUR. We are purchasing searchlights, and adding to the supply.

Mr. BLACK. Are the men in charge of the seacoast defenses satisfied with the conditions?

Mr. BARBOUR. I have not heard any complaint from them.

Mr. BLACK. Every now and then we see criticisms in the press in respect to the adequacy of our seacoast defenses.

Mr. BARBOUR. There is a decided difference of opinion among military men as to whether our seacoast defenses and the big guns that we have had in this country for a good many years are now adequate. A great many people contend that the Air Corps is the best seacoast defense that we can possibly have. Others say that we should have both the big guns and aircraft. Others will say that mines are better than seacoast guns. Therefore, we have been carrying along all three of them—mines, seacoast defenses, and aircraft—and we hope if any emergency should arise that one, if not all, of them will be effective against the enemy.

The pro forma amendment was withdrawn.

The Clerk read as follows:

AIR CORPS, ARMY

For creating, maintaining, and operating at established flying schools and balloon schools, courses of instruction for officers, students, and enlisted men, including cost of equipment and supplies necessary for instruction, purchase of tools, equipment, materials, machines, textbooks, books of reference, scientific and professional papers, instruments, and materials for theoretical and practical instruction; for maintenance, repair, storage, and operation of airships, war balloons, and other aerial machines, including instruments, materials, gas plants, hangars, and repair shops, and appliances of every sort and description necessary for the operation, construction, or equipment of all types of aircraft, and all necessary spare parts and equipment connected therewith, and the establishment of landing and take-off runways; for purchase of supplies for securing, developing, printing, and reproducing photographs in connection with aerial photography; improvement, equipment, maintenance, and operation of plants for testing and experimental work, and procuring and introducing water, electric light, and power, gas, and sewerage, including maintenance, operation, and repair of such utilities at such plants; for the procurement of helium gas; salaries and wages of civilian employees as may be necessary, and payment of their traveling and other necessary expenses as authorized by existing laws; transportation of materials in connection with consolidation of Air Corps activities; experimental investigation and purchase and development of new types of aircraft, accessories thereto, and aviation engines, including plans, drawings, and specifications thereof, and the purchase of letters patent, application for letters patent, licenses under letters patent, and applications for letters patent; for the purchase, manufacture, and construction of airships, balloons, and other aerial machines, including instruments, gas plants, and appliances of every sort and description necessary for the operation, construction, or equipment of all types of aircraft, and all necessary spare parts and equipment connected therewith; for the marking of military airways where the purchase of land is not involved; for the purchase, manufacture, and issue of special clothing, wearing apparel, and similar equipment for aviation purposes; for all necessary expenses connected with the sale or disposal of surplus or obsolete aeronautical equipment, and the rental of buildings, and other facilities for the handling or storage of such equipment; for the services of not more than four consulting engineers at experimental stations of the Air Corps as the Secretary of War may deem necessary, at rates of pay to be fixed by him not to exceed $50 a day for not exceeding 50 days each and necessary traveling expenses; purchase of special apparatus and appliances, repairs and replacements of same used in connection with special scientific medical research in the Air Corps; for maintenance and operation of such Air Corps printing plants outside of the District of Columbia as may be authorized in accordance with law; for publications, station libraries, special furniture, supplies and equipment for offices, shops, and laboratories; for special services, including the salvaging of wrecked aircraft, $31,679,635: *Provided*, That not to exceed $3,806,211 from this appropriation may be expended for pay and expenses of civilian employees other than those employed in experimental and research work; not exceeding $2,510,377 may be expended for experimental and research work with airplanes or lighter-than-air craft and their equipment, including the pay of necessary civilian employees; not exceeding $300,000 may be expended for the production of lighter-than-air equipment; not less than $15,296,231 shall be expended for the production or purchase of new airplanes and their equipment, spare parts, and accessories; and not more than $6,000 may be expended for settlement of claims (not exceeding $250 each) for damages to persons and private property resulting from the operation of aircraft at home and abroad when each claim is substantiated by a survey report of a board of officers appointed by the commanding officer of the nearest aviation post and approved by the Chief of Air Corps and the Secretary of War: *Provided further*, That the sum of $240,800 of the appropriation for Air Corps, Army, fiscal year 1929, shall remain available until June 30, 1932, for the payment of obligations incurred under contracts executed prior to July 1, 1929: *Provided further*, That none of the money appropriated in this act shall be used for the purchase of any airplane ordered after the approval of this act which is equipped or propelled by a Liberty motor or by any motor or airplane engine purchased or constructed prior to July 1, 1920.

Mr. TABER. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from New York [Mr. TABER] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. TABER: Page 32, line 12, strike out "$31,679,635" and insert in lieu thereof "$31,479,635"; and on page 32, line 16, strike out "$2,510,377" and insert in lieu thereof "$2,310,377."

Mr. BARBOUR. Mr. Chairman, I ask unanimous consent, in view of the fact that this amendment will probably require considerable discussion, that we pass over this paragraph of the bill for the present and return to it to-morrow or the next day the bill is taken up, and that for the time being we proceed to read some of the paragraphs following the Air Corps paragraph.

The CHAIRMAN. The gentleman from California asks unanimous consent that in the consideration of the bill in the Committee of the Whole House on the state of the Union this paragraph may be passed over for the present. Is there objection to the request of the gentleman?

Mr. COLLINS. Reserving the right to object, how far does the gentleman propose to read to-night?

Mr. BARBOUR. I think we might go on until 5 o'clock or a few minutes after, because the following paragraphs I do not think are in any way controversial and we might read several pages.

Mr. COLLINS. I have no objection to continuing until 5 o'clock or 5.15, but I do not want to go as far as these civilian organization items.

Mr. BARBOUR. No. I thought we might go on now and read some of the pages following the Air Corps item.

Mr. COLLINS. With the understanding that we will not go as far as the civilian organizations, I do not object.

Mr. LAGUARDIA. Reserving the right to object, the paragraph is passed for all purposes as if it had not been read?

Mr. CRAMTON. Oh, no. There can be no points of order to it.

Mr. TABER. It will be pending, with the amendment offered.

Mr. BARBOUR. Should we fix the time for debate on this amendment now or to-morrow?

Mr. WRIGHT. Why can not some hour be agreed upon?

Mr. TABER. It can be fixed as soon as we consider the bill again in Committee of the Whole House.

Mr. BRIGGS. Is it the intention to rise at about 5 o'clock?

Mr. BARBOUR. I thought we might rise about that time.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read as follows:

ENGINEER OPERATIONS IN THE FIELD

For expenses incident to military engineer operations in the field, including the purchase of material and a reserve of material for such operations, the rental of storehouses within and outside of the District of Columbia, the operation, maintenance, and repair of horse-drawn and motor-propelled passenger-carrying vehicles; for the execution of topographic and other surveys and preparation and reproduction of maps for military purposes, and for research and development of surveying by means of aerial photography and in field reproduction methods; for services of surveyors, survey parties, draftsmen, photographers, master laborers, clerks, and other employees to Engineer officers on the staffs of division, corps area, and department commanders, and such expenses as are ordinarily provided for under the appropriation for "Engineer depots," $216,752, of which $117,590 shall be available immediately and remain available until December 31, 1932: *Provided*, That so much of this appropriation as is necessary to provide facilities for engineer training of troops may be expended for military construction work of a temporary character at camps and cantonments and at training areas for training purposes only.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. I notice in comparison with last year's appropriation act that act carried a separate item at this point for military surveys and maps, providing for the execution of topographical maps and other similar work. Has that work been continued in consolidation with some other item, or has that character of work been discontinued?

Mr. BARBOUR. It was merged with this item. That is one of the mergers which I discussed in the general discussion of the bill, bringing together parts of the bill that are more or less related and which have heretofore been in separate places in the bill. It comes under the work of the Corps of Engineers, anyway, so we transferred it to the engineers. It is $118,000.

The pro forma amendment was withdrawn.

The Clerk read as follows:

REPAIRS OF ARSENALS

For repairs and improvements of ordnance establishments, and to meet such unforeseen expenditures as accidents or other contingencies may require, $1,012,281, of which amount there shall be available immediately not to exceed $105,000 for the replacement and improvement of steam-power-plant equipment at Springfield Armory, Springfield, Mass., and not to exceed $65,000 for the improvement of the water-distributing system at Watertown Arsenal, Watertown, Mass.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. I assume that the committee has likewise, in the paragraph carried in last year's act, provided for ammunition-storage facilities and transferred that activity to some other part of the bill?

Mr. BARBOUR. That, I understand, is all appropriated for. There was a program for munition storage, and we have been appropriating for that for one or two years past. All of the money necessary at this time has been appropriated, although I understand they may come in at some future time and ask for a small additional amount which may be necessary to complete the storage.

Mr. STAFFORD. It was my impression that the provision for storage of ammunition at Hawaii had not been completed.

Mr. BARBOUR. The storage has not been completed, but the appropriation has been made for it.

Mr. STAFFORD. An adequate appropriation has been made to provide for the entire project for storing ammunition at Hawaii?

Mr. BARBOUR. The entire sum covered by the authorization up to this time has been appropriated, and that is the reason it is not carried in the bill this year.

The pro forma amendment was withdrawn.

The Clerk read down to and including line 19, page 43.

Mr. BARBOUR. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TILSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 15593) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1932, and for other purposes, and had come to no resolution thereon.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to—

Mr. MANSFIELD, for three days, on account of illness.

Mr. CULLEN, for an indefinite period, on account of illness.

DROUGHT RELIEF

Mr. WOOD presented a conference report on the joint resolution (H. J. Res. 447) making appropriations to carry out the provisions of the public resolution entitled "Joint resolution for the relief of farmers in the drought and/or storm stricken areas of the United States," approved December 20, 1930, for printing under the rule.

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the House joint resolution (H. J. Res. 447) making an appropriation to carry out the provisions of the public resolution entitled "Joint resolution for the relief of farmers in the drought and/or storm stricken areas of the United States," approved December 20, 1930, having met, after full and free conference have been unable to agree.

WILL R. WOOD,
LOUIS C. CRAMTON,
EDWARD H. WASON,
JOSEPH W. BYRNS,
J. P. BUCHANAN,
Managers on the part of the House.

W. L. JONES,
REED SMOOT,
WM. J. HARRIS,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the House joint resolution (H. J. Res. 447) making an appropriation to carry out the provisions of the public resolution entitled "Joint resolution for the relief of farmers in the drought and/or storm stricken areas of the United States," approved December 20, 1930, have been unable to come to any agreement on such Senate amendments.

WILL R. WOOD,
LOUIS C. CRAMTON,
EDWARD H. WASON,
JOSEPH W. BYRNS,
J. P. BUCHANAN,
Managers on the part of the House.

PERSONAL STATEMENT

Mr. McDUFFIE. Mr. Speaker, at the request of my colleague [Mr. BANKHEAD], who is unavoidably absent to-day, I beg to say that had he been present to-day when we considered the rule sending to conference the drought relief legislation, he would have voted against the previous question, for the rule, and for the motion to instruct the conferees.

DR. RICHARD BARTHOLDT AND WORLD PEACE—HIS BOOK FROM STEERAGE TO CONGRESS

Mr. McSWAIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD in reviewing a recent book by Dr. Richard Bartholdt, who was for 22 years a Member of this House, entitled "From Steerage to Congress," and also to include a brief sketch of his life and public services.

The SPEAKER. The gentleman from South Carolina asks unanimous consent to extend his own remarks in the manner indicated. Is there objection?

There was no objection.

Mr. McSWAIN. Mr. Speaker, in his book, Among the Peace-Makers, published in 1907, Hayne Davis, a native of South Carolina, says:

> On the wide horizon of world politics we can see no man who has done more during the past years to promote the cause of peace and narrow the area of war than Richard Bartholdt. He has determined the conduct of nations; he has profoundly influenced public sentiment, and has brought into practical politics the idea that will ultimately do away with war.

It is not necessary to ask, Who is Richard Bartholdt? The country knows him well, for he was a distinguished Member of this House for 22 long years, representing a Missouri district, until on March 4, 1915, he retired of his own volition, and much against the wishes of his constituents, in order to devote himself to literary pursuits. But what were the achievements which caused the historian to lavish such high praise upon him and which, by the way, prompted the membership of this House to indorse him three times in succession for the Nobel peace prize?

I feel that in justice to our former colleague the present generation should be apprised of what he has actually accomplished and what he so earnestly strove for in humanity's cause—the war against war. In taking the floor for this purpose I do so in the belief that it is more appropriate to cheer our septuagenarian friend with the gift of a flower now than to place whole bouquets on his grave. As already said, Mr. Bartholdt is not of my State, nor is he of my party. I am prompted to submit these remarks simply by my interest in the cause of which he was so valiant a champion.

The history of the peace movement credits Richard Bartholdt with three distinct achievements of which our country was the immediate beneficiary, but which, at the same time, strengthened the cause and encouraged the friends of peace everywhere in the world. Let me enumerate them:

First. It was solely due to his initiative that the Twelfth Conference of the Interparliamentary Union was held in the United States, the first that ever took place on American soil. At that time—1904—nothing was known in this country of such an organization. By mere chance Mr. Bartholdt learned of its existence during a visit in Europe five years previously, and participated in the Christiania Conference of 1899, the same year, by the way, in which the First Hague Conference met. The deliberations in the Norwegian capital impressed him so deeply that he made up his mind to bring, if possible, the American Congress into this world organization of lawmakers, whose main object was to secure settlement of all disputes by arbitration rather than by war. To carry out this plan he went to Vienna in 1903 to attend the Interparliamentary Conference of that year with a view to inducing the world's lawmakers to hold their next meeting in the United States in connection with the World's Fair at St. Louis. He was the sole American representative at the Vienna meeting, and, though he had no mandate from anybody, made bold to present his invitation "on behalf of the American people," and lo and behold, the invitation was accepted with the sole condition that it should be supplemented later by an official invitation from the American Congress. This signal success paved the way for Mr. Bartholdt's second great achievement, namely:

Second. The organization of the interparliamentary group in our Congress, which was entirely due to his initiative. On the plea that preparations must be made for the reception and entertainment of the foreign delegates, he issued an invitation to each Member of the Senate and House for a meeting "to organize an American group." More than 70 Members attended, and, after he had explained the aims and objects of the union, an organization was perfected by the election of the following officers: President, Richard Bartholdt, of Missouri; vice presidents, Theodore E. Burton, of Ohio, and James L. Slayden, of Texas; secretary, Robert F. Broussard, of Louisiana. The newly elected president then prepared a bill to extend an official invitation to the union, which he safely piloted through both Houses, together with a provision for an appropriation. A great step forward had been taken. The American Congress had now joined hands with more than 2,000 lawmakers of the world bent on bringing about a better understanding between the various nations. From this time on Americans were to be heard in the semiofficial peace councils of Europe. No longer was geographical isolation to signify complete political separation; on the contrary, the people of this hemisphere, more happily situated than their brothers across the water, were to lend their moral aid to all efforts to throw off military burdens and to hasten the day of peace and good will among men.

It may justly be said, too, that from the subsequent visit here of the world's lawmakers, 167 in number, the American peace movement received its real impetus. On their tour from the Atlantic to the Rockies they spoke in a dozen large cities, preaching the gospel of arbitration and peace, and thus familiarized thousands of people with their humanitarian cause.

3. The third distinct achievement of Richard Bartholdt was his initial move to bring about the Second Hague Conference. It happened in this way: At the time of which I speak there was no one in this country who was in any way familiar with the inside workings of the Interparliamentary Union, hence it devolved upon him to prepare a program for the impending conference. Impelled by necessity, he set to work and wrote a resolution which comprised a complete agenda for the meeting and in the chancelleries of the world became known as the Resolution of St. Louis. It is worth repeating here:

> Whereas enlightened public opinion and the spirit of modern civilization demand that differences between nations shall be settled in the same manner as controversies between individuals, i. e., through courts of justice and in conformity with well-recognized principles of law: Therefore be it
>
> *Resolved*, That the different powers of the entire world send delegate representatives to an international conference which shall meet at a time and place to be designated by them, to deliberate upon the following questions:
>
> (a) The subjects postponed by The Hague conference of 1899;
>
> (b) The negotiation of arbitration treaties between the nations which shall be represented in this conference;
>
> (c) The establishment of an international congress which shall meet at stated periods to discuss international questions.
>
> And that we request, respectfully and urgently, the President of the United States to invite all the nations to send representatives to such a conference.

After several visits to the White House Mr. Bartholdt obtained President Roosevelt's approval of the resolution, as well as his promise to call a Second Hague Conference. This was kept a profound secret, however, until, after the adoption of the resolution by the St. Louis conference, the delegates met at the White House. Mr. Roosevelt's favorable response surprised the foreign delegates so agreeably that they broke out in loud and long applause. As will be remembered, Mr. Roosevelt later left the call to the Czar, because that monarch had convened the first conference at the Holland capital, but this fact, of course, does not in the least detract from the credit due our Missouri friend for having set the ball rolling.

The actual achievements, above outlined, do not in any way complete the record of services which our former colleague has rendered to the cause of peace. He has attended not less than 16 interparliamentary conferences and was also present as a representative of the Union at both the Hague meetings in 1899 and 1906. During the Second Hague Conference he went, at the instance of our American delegates, Choate and Low, to London and then to Berlin to bring pressure to bear through the English and German groups on their delegates in favor of the American proposition of compulsory arbitration, and his mission proved successful in both cases.

At the St. Louis conference he was elected president, and he also remained president of the American group from the time of its organization till his voluntary retirement from Congress. As an interesting side light, bearing on his character, it might also be mentioned that in 1907 Andrew Carnegie offered to place a million dollars at his disposal if he would undertake to organize the country by congressional districts in favor of peace. He declined the offer with the excuse that he thought he could be of greater service to the cause in Congress than out of it.

Mr. Speaker, there has recently come to my desk a book entitled "From Steerage to Congress," published by Dorrance & Co., of Philadelphia. It is Richard Bartholdt's autobiography in which he tells with becoming modesty and the sincerity for which he is noted the fascinating story of his life. In it I find confirmation of all the facts of history which I have related. I am glad that a public record is thus preserved of the valuable services which the author has rendered to his country. It is an inspiration to the youth of the land and a wholesome lesson to all, but above everything else an encouragement to the friends of peace the world over.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 255. An act for the promotion of the health and welfare of mothers and infants, and for other purposes; to the Committee on Interstate and Foreign Commerce.

ADJOURNMENT

Mr. BARBOUR. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 4 minutes p. m.) the House adjourned until to-morrow, Wednesday, January 14, 1931, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Wednesday, January 14, 1931, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON APPROPRIATIONS

(10.30 a. m.)

District of Columbia appropriation bill.
Independent offices appropriation bill.

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

(10 a. m.)

To enable the Secretary of the Treasury to expedite work on the Federal building program authorized by the act of Congress entitled "An act to provide for the construction of certain public buildings, and for other purposes," approved May 25, 1926, and act amendatory thereof. (H. R. 14040.)

COMMITTEE ON NAVAL AFFAIRS

(10.30 a. m.)

To authorize the construction of certain naval vessels. (H. R. 14683.)

COMMITTEE ON WAR CLAIMS

(2 p. m.)

For the relief of George L. Vincent. (H. R. 14713.)

JOINT COMMITTEE ON INSULAR AFFAIRS

(10 a. m., room 125, House Office Building)

To provide a government for American Samoa. (H. R. 15989.)

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

770. A letter from the Comptroller General of the United States, transmitting a report pursuant to the act of March 2, 1927, and the act of February 2, 1929, with recommendation thereon of certain claims transmitted to the office of the Secretary of the Navy covering property damage, death, or personal injury due to the explosions at the naval ammunition depot, Lake Denmark, N. J., July 10, 1926 (H. Doc. No. 716); to the Committee on Claims and ordered to be printed.

771. A letter from the Public Printer, transmitting annual report of the operations of the Government Printing Office for the fiscal year ended June 30, 1930, and calendar year 1930; to the Committee on Printing.

772. A letter from the Secretary of War, transmitting report of an accumulation of papers which are not needed in the transaction of public business and have no permanent value or historical interest; to the Committee on Disposition of Useless Executive Papers.

773. A letter from the Comptroller General of the United States, transmitting report to the Congress concerning the claim of the Potomac Electric Power Co., of Washington, D. C., against the United States; to the Committee on Claims.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. DARROW: Committee on Naval Affairs. H. R. 13262. A bill to authorize the Secretary of the Navy to donate to the city of Oakland, Calif., certain guns and mounts that were formerly in service on the Coast Guard cutter *Bear;* without amendment (Rept. No. 2249). Referred to the Committee of the Whole House on the state of the Union.

Mr. DRANE: Committee on Naval Affairs. H. R. 13522. A bill authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the Florida State Museum, of the city of Gainesville, Fla., the silver service set donated to the U. S. S. *Florida* by the people of Florida; with amendment (Rept. No. 2250). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLTON: Committee on the Public Lands. H. R. 14248. A bill to provide for the disposition of asphalt, gilsonite, elaterite, and other like substances on the public domain; with amendment (Rept. No. 2251). Referred to the Committee of the Whole House on the state of the Union.

Mr. SHREVE: Committee on Appropriations. H. R. 16110. A bill making appropriations for the Departments of State and Justice and for the Judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1932, and for other purposes; without amendment (Rept. No. 2255). Referred to the Committee of the Whole House on the state of the Union.

Mr. SWING: Committee on the Public Lands. H. R. 11963. A bill to reserve for public use scenic rocks, pinnacles, reefs, and small islands along the seacoast of Orange County, Calif.; with amendment (Rept. No. 2256). Referred to the House Calendar.

Mr. WASON: Joint Committee on Disposition of Useless Executive Papers. A report on the disposition of useless papers in the Post Office Department (Rept. No. 2257). Ordered to be printed.

Mr. COLTON: Committee on the Public Lands. S. 196. An act to provide uniform administration of the national parks by the United States Department of the Interior, and

for other purposes; without amendment (Rept. No. 2259). Referred to the House Calendar.

Mr. FULLER: Committee on the Public Lands. H. R. 15867. A bill to provide for the retention by the United States of a site within the Hot Springs National Park formerly occupied by the Arlington Hotel and bathhouse for park and landscape purposes; without amendment (Rept. No. 2260). Referred to the House Calendar.

Mr. NOLAN: Committee on the Public Lands. H. R. 15590. A bill providing for the sale of Chippewa Indian land to the State of Minnesota; without amendment (Rept. No. 2261). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. IRWIN: Committee on Claims. H. R. 8838. A bill for the relief of Jasper Daleo; without amendment (Rept. No. 2235). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 8839. A bill for the relief of Enriqueta Koch v. de Jeanneret; without amendment (Rept. No. 2236). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 8844. A bill for the relief of Benjamin Gonzalez; without amendment (Rept. No. 2237). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 8845. A bill to authorize credit in the disbursing account of Eckley C. Guerin; without amendment (Rept. No. 2238). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 8846. A bill for the relief of C. N. Hildreth, jr.; without amendment (Rept. No. 2239). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 9001. A bill for the relief of the Western Electric Co. (Inc.); with amendment (Rept. No. 2240). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 10875. A bill for the relief of Charles Lamkin; without amendment (Rept. No. 2241). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 14529. A bill for the relief of G. W. Wall; with amendment (Rept. No. 2242). Referred to the Committee of the Whole House.

Mr. WOODRUFF: Committee on Naval Affairs. H. R. 6529. A bill to correct the naval record of Joseph Horace Albion Normandin; with amendment (Rept. No. 2243). Referred to the Committee of the Whole House.

Mr. BURDICK: Committee on Naval Affairs. H. R. 7952. A bill authorizing the Secretary of the Navy to advance on the retired list of the Navy David J. Mahoney, retired, to chief boiler maker, retired; with amendment (Rept. No. 2244). Referred to the Committee of the Whole House.

Mr. HALE: Committee on Naval Affairs. H. R. 10842. A bill for the relief of George W. Steele, jr., captain, United States Navy; without amendment (Rept. 2245). Referred to the Committee of the Whole House.

Mr. HALE: Committee on Naval Affairs. H. R. 10941. A bill for the relief of Joseph B. Lynch; without amendment (Rept. No. 2246). Referred to the Committee of the Whole House.

Mr. COYLE: Committee on Naval Affairs. H. R. 11949. A bill for the relief of John E. Davidson; with amendment (Rept. No. 2247). Referred to the Committee of the Whole House.

Mr. BURDICK: Committee on Naval Affairs. H. R. 12703. A bill for the relief of Capt. Chester G. Mayo; without amendment (Rept. No. 2248). Referred to the Committee of the Whole House.

Mr. WOODRUFF: Committee on Naval Affairs. H. R. 14103. A bill for the relief of Lieut. M. A. Sprengel, Supply Corps, United States Navy; without amendment (Rept. No. 2252). Referred to the Committee of the Whole House.

Mr. VINSON of Georgia: Committee on Naval Affairs H. R. 14377. A bill for the relief of Walter S. West; without amendment (Rept. 2253). Referred to the Committee of the Whole House.

Mr. DRANE: Committee on Naval Affairs. H. R. 14756. A bill to authorize Rear Admiral Sumner E. W. Kittelle, United States Navy, to accept a decoration conferred upon him by the Government of Spain; without amendment (Rept. No. 2254). Referred to the Committee of the Whole House.

Mr. SWING: Committee on the Public Lands. H. R. 13960. A bill for the relief of William Alexander Keys; without amendment (Rept. 2258). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 16104) granting a pension to Mary E. Godsey; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 16027) granting an increase of pension to Helen Camp Heath; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. SHREVE: A bill (H. R. 16110) making appropriations for the Departments of State and Justice and for the Judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1932, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. HAWLEY: A bill (H. R. 16111) to amend sections 1 and 7 of the second Liberty bond act as amended; to the Committee on Ways and Means.

By Mr. ENGLEBRIGHT: A bill (H. R. 16112) to extend the provisions of the forest exchange act approved March 20, 1922, to certain lands adjacent to the Modoc National Forest, in the State of California; to the Committee on the Public Lands.

By Mr. ANDRESEN: A bill (H. R. 16113) to extend the times for commencing and completing the construction of a free highway bridge across the Mississippi River at or near Hastings, Minn.; to the Committee on Interstate and Foreign Commerce.

By Mr. PATTERSON: A bill (H. R. 16114) to authorize the erection of an addition to Veterans' Bureau Hospital, No. 91, at Tuskegee, Ala., and to authorize the appropriation therefor; to the Committee on World War Veterans' Legislation.

By Mr. WHITTINGTON: A bill (H. R. 16115) granting the consent of Congress to the Panola-Quitman drainage district to construct, maintain, and operate a dam in Tallahatchie River; to the Committee on Interstate and Foreign Commerce.

By Mr. COLTON: A bill (H. R. 16116) to adjust the boundaries and for the addition of certain lands to the Bryce Canyon National Park, Utah, and for other purposes; to the Committee on the Public Lands.

By Mr. WARREN: A bill (H. R. 16117) to authorize the Secretary of War to construct a road to the Wright Memorial Reservation at Kitty Hawk, N. C., and necessary roads within the reservation; to the Committee on Military Affairs.

By Mr. GOLDER: A bill (H. R. 16118) to provide for loans to States for drought and unemployment relief; to the Committee on Agriculture.

By Mr. CONDON: Joint resolution (H. J. Res. 463) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. SABATH: Joint resolution (H. J. Res. 464) for the relief of the unemployed in the United States; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ACKERMAN: A bill (H. R. 16119) to provide an additional appropriation as the result of a reinvestigation, pursuant to the act of February 2, 1929 (45 Stat. 2047, pt. 2), for the payment of claims of persons who suffered property damage, death, or personal injury due to the explosions at the naval ammunition depot, Lake Denmark, N. J., July 10, 1926; to the Committee on Claims.

By Mr. BECK: A bill (H. R. 16120) granting a pension to Emma Hendrickson; to the Committee on Pensions.

By Mr. BOWMAN: A bill (H. R. 16121) granting an increase of pension to Margaret S. Whirl; to the Committee on Invalid Pensions.

By Mr. CHIPERFIELD: A bill (H. R. 16122) granting a pension to Henry M. White; to the Committee on Pensions.

By Mr. CLANCY: A bill (H. R. 16123) for the relief of John Chilenyak; to the Committee on Claims.

By Mr. CLARKE of New York: A bill (H. R. 16124) granting an increase of pension to Rachel A. Gallt; to the Committee on Invalid Pensions.

By Mr. EDWARDS: A bill (H. R. 16125) for the relief of John T. Rocker; to the Committee on Claims.

By Mr. FINLEY: A bill (H. R. 16126) granting a pension to Esther Gambrell; to the Committee on Pensions.

Also, a bill (H. R. 16127) granting a pension to Philip Aaron; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16128) granting a pension to George Rush; to the Committee on Invalid Pensions.

By Mr. FREE: A bill (H. R. 16129) granting an increase of pension to Martha V. Baker; to the Committee on Invalid Pensions.

By Mr. HARDY: A bill (H. R. 16130) for the relief of Charles Rupert Steen; to the Committee on Naval Affairs.

By Mr. HOOPER: A bill (H. R. 16131) granting a pension to Millia A. Corey (with accompanying papers); to the Committee on Invalid Pensions.

By Mr. HOPE: A bill (H. R. 16132) granting a pension to Rosa M. Green; to the Committee on Invalid Pensions.

By Mr. HOPKINS: A bill (H. R. 16133) granting a pension to John F. Archer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16134) granting an increase of pension to Jane Alden; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16135) for the relief of Carrie Childers; to the Committee on Claims.

By Mr. IRWIN: A bill (H. R. 16136) granting a pension to Lena Elizabeth Wissmath; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Oklahoma: A bill (H. R. 16137) granting a pension to Rose Wiedman; to the Committee on Invalid Pensions.

By Mrs. LANGLEY: A bill (H. R. 16138) granting an increase of pension to Galen Back; to the Committee on Pensions.

By Mr. LANKFORD of Virginia: A bill (H. R. 16139) for the relief of Walter G. Davis; to the Committee on Military Affairs.

Also, a bill (H. R. 16140) for the relief of Irving L. Leafe; to the Committee on Military Affairs.

By Mr. MARTIN: A bill (H. R. 16141) granting an increase of pension to Julia E. Holley; to the Committee on Invalid Pensions.

By Mr. NELSON of Wisconsin: A bill (H. R. 16142) granting an increase of pension to Margaret A. Webster; to the Committee on Invalid Pensions.

By Mr. FRANK M. RAMEY: A bill (H. R. 16143) for the relief of Martin Wolf; to the Committee on Claims.

Also, a bill (H. R. 16144) granting an increase of pension to Almera I. Chiles; to the Committee on Invalid Pensions.

By Mr. THURSTON: A bill (H. R. 16145) granting an increase of pension to Mary Stearns; to the Committee on Invalid Pensions.

By Mr. TILSON: A bill (H. R. 16146) granting an increase of pension to Frances M. Paul; to the Committee on Invalid Pensions.

By Mr. WOLFENDEN: A bill (H, R. 16147) for the relief of Israel P. Clifford; to the Committee on Military Affairs.

By Mr. WOLVERTON of West Virginia: A bill (H. R. 16148) granting an increase of pension to Sarah L. Davis; to the Committee on Invalid Pensions.

By Mr. WYANT: A bill (H. R. 16149) granting an increase of pension to Ellen Maurer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16150) granting a pension to Nellie J. Grim; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8551. Petition of Filipino veterans of the World War, protesting against the passage of reactionary bills in the United States Congress; to the Committee on Immigration and Naturalization.

8552. Petition of National Indian War Veterans of the United States of America, urging the passage of the proposed bill in behalf of veterans and widows of Indian wars; to the Committee on Pensions.

8553. Petition of Philippine Chronicle, protesting against the Reed resolution, excluding the citizens of the Philippines from continental United States and admitting them in the Territory of Hawaii; to the Committee on Immigration and Naturalization.

8554. By Mr. BACHMANN: Petition of veterans of the armed forces of the United States, citizens of Marion and adjoining counties in West Virginia, requesting that immediate steps be taken to pay adjusted-compensation certificates at full face value; to the Committee on Ways and Means.

8555. By Mr. BLOOM: Petition of the board of directors of the Maritime Association of the Port of New York, urging that early action be taken to increase the hours of operation of the Panama Canal; that if it is not found to be practicable to return to the 24-hour basis formerly in effect, such extension of the hours of operation be granted as may be consistent with the engineering and maintenance problems of the canal, and as will serve to reduce to a minimum the delays and losses suffered by shipping as a result of curtailed operation of the waterway; to the Committee on Interstate and Foreign Commerce.

8556. By Mr. EVANS of California: Petition signed by Martha Horn and approximately 42 other individual petitions, urging the passage of House bill 7884; to the Committee on the District of Columbia.

8557. By Mr. Garber of Oklahoma: Petition of Oklahoma Agricultural Cooperative Council, in support agricultural marketing act; to the Committee on Agriculture.

8558. Also, petition of Webster-Schrack American Legion Post, No. 227, Barnsdall, Okla., and others, requesting immediate payment adjusted-service certificates; to the Committee on Ways and Means.

8559. Also, petition of J. R. Mahaffey, division of rural mail routes, regarding time of unemployment; to the Committee on the Post Office and Post Roads.

8560. Also, petition of John F. Daily, of Fort Bayard, N. Mex., and others, in support of House bill 3493; to the Committee on Ways and Means.

8561. By Mr. GREGORY: Petition of Frank J. Bruce and 105 other citizens of Trigg County, Ky., urging the passage of legislation providing for cash payment of adjusted-service certificates; to the Committee on Ways and Means.

8562. By Mr. KADING: Petitions from 51 residents in my congressional district, requesting immediate passage of House bill 7884, providing for the exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

8563. By Mr. KVALE: Petition of Otto E. Carlson, commander Matthew W. Sanders Post, No. 1721, Palisade, Minn.,

and 55 comrades, requesting enactment of House bill 3493; to the Committee on Ways and Means.

8564. Also, petition of American Legion Post, No. 87, Alexandria, Minn., with a membership of 135, unanimously urging that speedy action be taken to secure appropriate legislation for immediate payment of adjusted-service certificates; to the Committee on Ways and Means.

8565. By Mr. LEAVITT: Petition of residents and taxpayers of Pondera County, Mont., residing on the Blackfeet Indian Reservation, for the authorization of a sufficient sum of money for the purpose of building and maintaining a public highway, beginning at a point on Birch Creek known as Robare, in Pondera County, Mont., and running thence northwest to Heart Butte, Mont.; to the Committee on Appropriations.

8566. By Mr. LUCE: Petition of residents of the thirteenth congressional district of Massachusetts, urging the passage of the bill to exempt dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

8567. By Mr. MANSFIELD: Petition of F. J. Hornburg and other members of the American Legion of Victoria, Tex., requesting legislation authorizing the immediate payment of the World War veterans' adjusted-compensation certificates; to the Committee on Ways and Means.

8568. By Mr. MILLIGAN: Petition and plan for the relief of unemployment indorsed by the Fraternal Order of Eagles, Aerie No. 260, Richmond, Mo.; to the Committee on the Judiciary.

8569. By Mr. SANDERS of Texas: Petition of E. T. Hughes and 48 other citizens of Baird, Tex., for the payment in full to ex-service men of adjusted-service certificates; to the Committee on Ways and Means.

8570. By Mr. STONE: Petition of Lone Wolf Post, No. 57, American Legion, Lone Wolf, Okla., urging payment of adjusted-compensation certificates; to the Committee on Ways and Means.

8571. By Mr. WAINWRIGHT: Petition of certain citizens of Westchester County, N. Y., favoring the passage of House bill 7884 to prohibit experiments on living dogs in the District of Columbia; to the Committee on the District of Columbia.

8572. By Mr. WATSON: Resolution adopted at meeting of Woman's Christian Temperance Union, Newtown, Bucks County, Pa., favoring the Grant Hudson motion-picture bill, H. R. 9986; to the Committee on Interstate and Foreign Commerce.

8573. By Mr. WOLVERTON of West Virginia: Petition of the Dannial Davisson Chapter of the Daughters of the American Revolution, of Clarksburg, W. Va., urging Congress to take favorable action on the Harris-Box bill and change same to favor either a restricted immigration bill with a smaller quota or prohibit immigration for a period of at least two years; to the Committee on Immigration and Naturalization.

8574. By Mr. WYANT: Petition of Amos A. J. Myers Post, No. 28, Veterans of Foreign Wars, Jeannette, Pa., requesting favorable consideration of Wright Patman bill to provide for the immediate payment of the soldiers' adjusted-compensation certificates; to the Committee on Ways and Means.

8575. Also, petition of Fort Ligonier Post, No. 734, Veterans of Foreign Wars, Ligonier, Pa., requesting favorable consideration of Wright Patman bill 3493 providing for payment of soldiers' adjusted-service certificates; to the Committee on Ways and Means.

8576. Also, petition of A. R. Bollinger, commander Post No. 444, Veterans of Foreign Wars, Derry, Pa., requesting favorable consideration of Wright Patman bill 3493 providing for immediate payment of soldiers' adjusted-service certificates; to the Committee on Ways and Means.

8577. Also, petition of American Federation of Labor, urging adoption of House Joint Resolution 334 providing for three cleared-channel broadcasting frequencies by the Federal Radio Commission to Departments of Agriculture, Labor, and Interior; to the Committee on the Merchant Marine and Fisheries.

8578. Also, petition of G. B. Rowand, chairman State legislative board, Brotherhood of Railroad Trainmen, in the State of Pennsylvania, protesting against House bill 14564, making provision for early completion of authorized and adopted river and harbor projects; to the Committee on Ways and Means.

8579. Also, petition of the Association of Craft Employees of the Pittsburgh Division, The Pennsylvania Railroad Co., requesting regulation of busses and other forms of transportation, placing them on a basis of fair competition with the railroads; to the Committee on Interstate and Foreign Commerce.

SENATE

WEDNESDAY, JANUARY 14, 1931

(Legislative day of Monday, January 5, 1931)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The VICE PRESIDENT. In legislative session the Senate will proceed to the consideration of the special order, which is the bill (S. 4750) to authorize alterations and repairs to certain naval vessels. First the Chair lays before the Senate sundry telegrams, and so forth.

DROUGHT RELIEF

The VICE PRESIDENT laid before the Senate a telegram from Harry D. Wilson, chairman, etc., of Memphis, Tenn., which was ordered to lie on the table and to be printed in the RECORD, as follows:

[Telegram]

MEMPHIS, TENN., *January 12, 1931.*

The PRESIDENT OF THE UNITED STATES SENATE:

Agricultural leaders, bankers, and farmers, representing 12 Southern States assembled in Memphis, Tenn., deplore and view with alarm the congressional deadlock over drought-relief measures, and inasmuch as all feed and food products are completely exhausted and all available resources tied up in failed banks in thousands of communities throughout the South, producing a state of abject poverty which necessitates quick and immediate alleviation, respectfully memorialize Congress to do everything humanly possible to expedite the passage of all relief measures now pending.

HARRY D. WILSON,
Chairman, President Southern Association Agricultural Commissioners.
E. C. MCINNIS, *Secretary.*

CHIEF JUSTICE EUGENE S. BLEASE, SUPREME COURT OF SOUTH CAROLINA

The VICE PRESIDENT laid before the Senate the following telegram, which was ordered to be printed in the RECORD:

[Telegram]

COLUMBIA, S. C., *January 14, 1931.*

Vice President CHARLES CURTIS,
Senate Office Building:

My brother, Eugene S. Blease, elected chief justice of Supreme Court of South Carolina by legislature in joint session to-day by overwhelming majority.

COLE. L. BLEASE.

DISPOSITION OF USELESS PAPERS

The VICE PRESIDENT laid before the Senate a letter from the Secretary of War reporting, pursuant to law, that there is on the files of the War Department an accumulation of documents and files of papers which are not needed nor useful in the transaction of the current business of the department, have no permanent value or historical interest, and recommending action looking toward their disposition, which, with the accompanying papers, was referred to a Joint Select Committee on the Disposition of Useless Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. REED and Mr. FLETCHER members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a telegram from Herbert R. Limburg, chairman of the committee on

criminal courts and procedure of the New York County Lawyers' Association, New York, N. Y., indorsing the nomination of George Z. Medalie for the office of United States attorney for the southern district of New York, which was referred to the Committee on the Judiciary.

He also laid before the Senate a petition signed by 7,586 citizens of the 48 States of the Union and the District of Columbia (including 161 bankers and business executives, 98 bishops, 208 university and college presidents, 602 clergy, 285 deans, professors, and teachers, and 100 judges and lawyers), praying for the prompt ratification of the World Court protocols, which was referred to the Committee on Foreign Relations.

Mr. COUZENS presented petitions of sundry citizens of the State of Michigan, praying for the passage of legislation for the exemption of dogs from vivisection in the District of Columbia, which were referred to the Committee on the District of Columbia.

Mr. VANDENBERG presented petitions of sundry citizens of the State of Michigan, praying for the passage of legislation for the exemption of dogs from vivisection in the District of Columbia, which were referred to the Committee on the District of Columbia.

Mr. HEBERT presented petitions of sundry citizens of the State of Rhode Island, praying for the passage of legislation for the exemption of dogs from vivisection in the District of Columbia, which were referred to the Committee on the District of Columbia.

Mr. DENEEN presented petitions of sundry citizens of the State of Illinois, praying for the passage of legislation for the exemption of dogs from vivisection in the District of Columbia, which were referred to the Committee on the District of Columbia.

Mr. WALSH of Massachusetts presented petitions numerously signed by sundry citizens of the State of Massachusetts and of Bath, N. Y., praying for the passage of legislation for the immediate payment of the adjusted-service certificates of World War veterans, which were referred to the Committee on Finance.

Mr. BROOKHART presented a petition of sundry citizens of Boone, Iowa, praying for the immediate payment in cash of adjusted-compensation certificates of ex-service men, which was referred to the Committee on Finance.

AGRICULTURAL DEPARTMENT APPROPRIATIONS

Mr. McNARY. I report back from the Committee on Appriations, with amendments, the bill (H. R. 15256) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1932, and for other purposes, and I submit a report (No. 1268) thereon, which I ask to have printed and the bill placed on the calendar. I desire to state that at the very earliest opportunity I shall ask the Senate to proceed to the consideration of the bill.

The VICE PRESIDENT. The bill will be placed on the calendar and the report will be printed under the rule.

REPORTS OF COMMITTEES

Mr. TRAMMELL, from the Committee on Naval Affairs, to which was referred the bill (S. 4821) authorizing the Secretary of the Navy in his discretion, upon request from the Governor of the State of Florida, to deliver to such governor as custodian for such State the silver service presented to the United States for the U. S. S. *Florida*, now out of commission, reported it without amendment and submitted a report (No. 1269) thereon.

Mr. BROOKHART, from the Committee on Claims, to which was referred the bill (S. 3831) for the relief of Georgia A. Muirhead, reported it without amendment and submitted a report (No. 1270) thereon.

Mr. BLACK, from the Committee on Claims, to which was referred the bill (S. 2296) for the relief of Nellie McMullen, reported it with an amendment and submitted a report (No. 1271) thereon.

He also, from the same committee, to which was referred the bill (S. 4489) for the relief of the heirs of Harris Smith, reported it with amendments and submitted a report (No. 1272) thereon.

He also, from the same committee, to which was referred the bill (S. 4105) for the relief of the estate of White B. Miller, reported it without amendment and submitted a report (No. 1273) thereon.

Mr. HOWELL, from the Committee on Claims, to which were referred the following bills, reported them severally with an amendment and submitted reports thereon:

S. 1244. An act for the relief of Capt. Christian Damson (Rept. No. 1275); and

S. 3144. An act for the relief of J. D. Stewart (Rept. No. 1276).

Mr. HOWELL also, from the Committee on Claims, to which was referred the bill (S. 4120) for the relief of McIlwraith McEacharn's Line, Proprietary (Ltd.), reported it with amendments and submitted a report (No. 1277) thereon.

Mr. HOWELL also, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

S. 2008. An act for the relief of National Ben Franklin Fire Insurance Co. (Rept. No. 1278);

S. 4509. An act for the relief of Thomas G. Hayes (Rept. No. 1279);

S. 4510. An act for the relief of H. E. Hurley (Rept. No. 1280);

S. 4675. An act for the relief of the Seward City Mills (Inc.) (Rept. No. 1281);

S. 4676. An act for the relief of the estate of Thomas Bird, deceased (Rept. No. 1282);

S. 4677. An act for the relief of Dr. B. T. Williamson, of Greenwood, Miss. (Rept. No. 1283);

S. 5193. An act for the relief of Mildred N. O'Lone (Rept. No. 1284);

S. 5194. An act for the relief of the Sun Shipbuilding & Dry Dock Co. (Rept. No. 1285);

S. 5195. An act for the relief of Howard Dimick (Rept. No. 1286);

S. 5196. An act for the relief of the B. & O. Manufacturing Co. (Rept. No. 1287);

S. 5197. An act for the relief of the David Gordon Building & Construction Co. (Rept. No. 1288);

S. 5198. An act for the relief of T. Morris White (Rept. No. 1289);

S. 5199. An act for the relief of Leslie W. Morse (Rept. No. 1290);

S. 5200. An act for the relief of the National Dry Dock & Repair Co. (Inc.) (Rept. No. 1291); and

S. 5201. An act for the relief of C. O. Smith (Rept. No. 1292).

Mr. BINGHAM, from the Committee on Territories and Insular Affairs, to which were referred the following bills and joint resolution, reported them severally without amendment and submitted reports thereon:

S. 2832. An act to amend section 319 of the act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909 (Rept. No. 1274);

S. 3463. An act to extend the admiralty laws of the United States of America to the Virgin Islands (Rept. No. 1293);

S. 5138. An act to amend the organic act of Porto Rico, approved March 2, 1917 (Rept. No. 1294);

S. 5139. An act to extend the provisions of certain laws relating to vocational education and civilian rehabilitation to Porto Rico (Rept. No. 1295);

S. 5285. An act to amend the organic act of Porto Rico, approved March 2, 1917 (Rept. No. 1296);

S. 5416. An act to provide for the filling of certain vacancies in the Senate and House of Representatives of Porto Rico (Rept. No. 1297); and

S. J. Res. 132. Joint resolution extending the provisions of sections 1, 2, 6, and 7 of the act of Congress entitled "An act to provide for the protection of forest lands, for the reforestation of denuded areas, for the extension of national forests, and for other purposes, in order to promote the continuous production of timber on lands chiefly suitable therefor," to Porto Rico (Rept. No. 1298).

Mr. PHIPPS, from the Committee on Irrigation and Reclamation, to which was referred the bill (S. 5245) for the

relief of the Uncompahgre reclamation project, Colorado, reported it with an amendment and submitted a report (No. 1299) thereon.

REPORT OF POSTAL NOMINATIONS

As in executive session,

Mr. PHIPPS, from the Committee on Post Offices and Post Roads, reported sundry post-office nominations, which were placed on the Executive Calendar.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MOSES:

A bill (S. 5688) granting the consent of Congress to the State of New Hampshire to construct, maintain, and operate a toll bridge or dike across Little Bay at or near Fox Point (with accompanying papers); to the Committee on Commerce.

By Mr. NYE:

A bill (S. 5689) for the relief of Grina Bros.; to the Committee on Claims.

By Mr. WALSH of Massachusetts:

A bill (S. 5690) for the relief of Edmund Glover Evans; to the Committee on Claims.

By Mr. NORRIS:

A bill (S. 5691) granting a pension to Mary H. Rodgers; to the Committee on Pensions.

By Mr. McNARY:

A bill (S. 5692) granting an increase of pension to Margaret Cole (with accompanying papers); and

A bill (S. 5693) granting a pension to Alice Rollow (with accompanying papers); to the Committee on Pensions.

By Mr. PATTERSON:

A bill (S. 5694) granting a pension to Willis S. George;

A bill (S. 5695) granting a pension to Lula Rogers;

A bill (S. 5696) granting a pension to Rilla M. Hatfield (with accompanying papers); and

A bill (S. 5697) granting a pension to John M. Myers (with accompanying papers); to the Committee on Pensions.

By Mr. CUTTING:

A bill (S. 5698) granting a pension to Frank E. Crane (with accompanying papers);

A bill (S. 5699) granting a pension to Elmer Gilbert (with accompanying papers);

A bill (S. 5700) granting a pension to Margarito Barela (with accompanying papers);

A bill (S. 5701) granting a pension to Jefferson D. Keith (with accompanying papers);

A bill (S. 5702) granting a pension to Carrie Belle Luther (with accompanying papers);

A bill (S. 5703) granting a pension to Thomas J. Wells (with accompanying papers);

A bill (S. 5704) granting a pension to Archibald H. Dixon (with accompanying papers);

A bill (S. 5705) granting a pension to Jose de la Luz Mirabal (with accompanying papers);

A bill (S. 5706) granting a pension to Ysidro Garcia (with accompanying papers);

A bill (S. 5707) granting a pension to Trenidad Ortiz de Tucker (with accompanying papers); and

A bill (S. 5708) granting a pension to Amanda J. Brooke (with accompanying papers); to the Committee on Pensions.

A bill (S. 5709) for the relief of John Stratis (with accompanying papers); and

A bill (S. 5710) granting compensation to Reuben R. Hunter; to the Committee on Claims.

A bill (S. 5711) granting compensation to Mary Griffin (with accompanying papers); and

A bill (S. 5712) granting compensation to Farrel E. Plymate; to the Committee on Finance.

By Mr. DILL:

A bill (S. 5713) granting a pension to Robert Page; and

A bill (S. 5714) granting an increase of pension to Mildred A. Clough; to the Committee on Pensions.

By Mr. REED:

A bill (S. 5715) to authorize the attendance of personnel and animals of the Regular Army as participants in the Tenth Olympic Games; to the Committee on Military Affairs.

A bill (S. 5716) conferring jurisdiction upon the Court of Claims of the United States to hear, consider, and render judgment on the claims of George A. Carden and Anderson T. Herd against the United States in respect of certain ships taken during the World War by the United States; to the Committee on Claims.

By Mr. THOMAS of Idaho:

A bill (S. 5717) to authorize exchanges of land with owners of private-land holdings within the craters of the Moon National Monument; to the Committee on Public Lands and Surveys.

By Mr. SCHALL:

A bill (S. 5718) for the retirement of employees of the Panama Canal and the Panama Railroad Co., on the Isthmus of Panama, who are citizens of the United States; to the Committee on Interoceanic Canals.

By Mr. CAPPER:

A bill (S. 5719) to amend certain sections of the Code of Law for the District of Columbia, approved March 3, 1901, as amended, relating to descent and distribution; to the Committee on the District of Columbia.

By Mr. JOHNSON:

A bill (S. 5720) granting an increase of pension to Amy E. Edwards; to the Committee on Pensions.

By Mr. STEPHENS:

A bill (S. 5721) for the relief of E. E. Carroll; to the Committee on Claims.

A bill (S. 5722) granting the consent of Congress to the State Highway Commission and the Board of Supervisors of Itawamba County, Miss., to construct a bridge across Tombigbee River at or near Fulton, Miss.; to the Committee on Commerce.

By Mr. BROOKHART:

A bill (S. 5723) granting a pension to Christ O. Severeide (with accompanying papers); to the Committee on Pensions.

By Mr. FESS:

A bill (S. 5724) authorizing the George Washington Bicentennial Commission to print and distribute additional sets of the writings of George Washington; to the Committee on the Library.

AMENDMENT OF DISTRICT OF COLUMBIA TRAFFIC ACTS

Mr. KEAN submitted an amendment in the nature of a substitute intended to be proposed by him to the bill (S. 5249) to amend the acts of Congress approved March 3, 1925, and July 3, 1926, known as the District of Columbia traffic acts, and for other purposes, which was referred to the Committee on the District of Columbia and ordered to be printed.

AMENDMENT TO AGRICULTURAL APPROPRIATION BILL

Mr. JOHNSON submitted an amendment proposing to increase the appropriation for soil-erosion investigations from $280,000 to $380,000, intended to be proposed by him to House bill 15256, the Agricultural Department appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

AMENDMENT TO WAR DEPARTMENT APPROPRIATION BILL—OLD FORT NIAGARA, N. Y.

Mr. COPELAND submitted an amendment intended to be proposed by him to House bill 15593, the War Department appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 69, between lines 11 and 12, insert the following:

"Old Fort Niagara, N. Y.: For the completion of repair, restoration, and rehabilitation of the French castle, the French powder magazine, the French storehouse, the early American hot-shot oven and battery emplacements and gun mounts, the casements of 1861, and the outer French breastworks, and for the repair and building of roadways and the improvement of grounds at Old Fort Niagara, N. Y., $70,000, to be expended by the Secretary of War."

CALL OF THE ROLL

Mr. JONES obtained the floor.

Mr. BRATTON. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	Keyes	Shipstead
Barkley	Frazier	King	Shortridge
Bingham	George	La Follette	Simmons
Black	Gillett	McGill	Smith
Blaine	Glass	McKellar	Smoot
Borah	Glenn	McMaster	Steiwer
Bratton	Goff	McNary	Stephens
Brock	Goldsborough	Metcalf	Swanson
Brookhart	Gould	Morrison	Thomas, Idaho
Broussard	Hale	Morrow	Thomas, Okla.
Bulkley	Harris	Moses	Townsend
Capper	Harrison	Norbeck	Trammell
Caraway	Hastings	Norris	Tydings
Carey	Hatfield	Nye	Vandenberg
Connally	Hawes	Oddie	Wagner
Copeland	Hayden	Partridge	Walcott
Couzens	Hebert	Patterson	Walsh, Mass.
Cutting	Heflin	Phipps	Walsh, Mont.
Dale	Howell	Pine	Waterman
Davis	Johnson	Reed	Watson
Deneen	Jones	Robinson, Ark.	Wheeler
Dill	Kean	Robinson, Ind.	Williamson
Fess	Kendrick	Sheppard	

The VICE PRESIDENT. Ninety-one Senators have answered to their names. A quorum is present.

MODERNIZATION OF CERTAIN BATTLESHIPS

Mr. JONES. Mr. President, I wish to submit a report of the committee of conference on House Joint Resolution 447. I find that under the unanimous-consent agreement which has been entered into for a special order I can not have the conference report considered except by unanimous consent. So I ask unanimous consent that the Senate may proceed to the consideration of the conference report.

The VICE PRESIDENT. Is there objection?

Mr. SWANSON. Mr. President, I would modify the pending unanimous-consent agreement by another unanimous-consent agreement. I ask that the consideration of the bill (S. 4750) to authorize alterations and repairs to certain naval vessels be temporarily laid aside until to-morrow without prejudice, because I understand no Senator wants to speak on it to-day.

The VICE PRESIDENT. Is there objection?

Mr. NORRIS. The Chair has one unanimous-consent request pending, that of the Senator from Washington. I think that ought to be acted on first.

Mr. SWANSON. My proposal was that it be modified. The agreement under which we are now proceeding provides that the bill relating to the modernization of battleships can be laid aside only by unanimous consent. I propose to modify the request of the Senator from Washington by providing that the naval bill shall be temporarily laid aside to-day without prejudice.

Mr. NORRIS. It seems to me to be the duty of the Chair first to submit the request of the Senator from Washington.

Mr. ROBINSON of Arkansas. I do not understand that the Senator from Washington desires to displace or rescind the unanimous-consent agreement relating to the modernization of battleships.

Mr. JONES. No; I do not.

Mr. ROBINSON of Arkansas. Then I suggest to him that he modify his request so as to make that clear.

Mr. JONES. I thought I did make it clear. I stated that I could not have the conference report considered except under the agreement under which we are now proceeding, and I asked unanimous consent that I might present the conference report for consideration.

The VICE PRESIDENT. The Chair would hold that if unanimous consent is given to the request of the Senator from Washington the naval bill is only temporarily laid aside and following a demand for the regular order upon request the naval bill would again be laid before the Senate.

Mr. SWANSON. I propose to modify the unanimous-consent agreement by requesting that the naval bill, S. 4750, be temporarily laid aside for to-day.

Mr. NORRIS. I think the Senator from Washington has pursued the proper course. I have no objection to his request. I think we ought to take up what he asks us to take up; and if it is taken up, to that extent the consideration of the conference report will, of course, modify the unanimous-consent agreement. The unanimous-consent agreement itself provides for such a modification. It seems to me he is following the unanimous-consent agreement strictly. I am not in favor of agreeing to a unanimous consent that will lay aside the other unanimous-consent agreement until a particular time. That is a violation of the unanimous-consent agreement itself.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield for a suggestion?

Mr. NORRIS. I yield.

Mr. ROBINSON of Arkansas. The Senator from Virginia stated that he was informed that no Senator desires to speak on the special order to-day, and, as I think the Senator from Nebraska is informed, it is necessary at a certain hour to-day for the Senator from Virginia to retire from the Chamber.

Mr. NORRIS. My suggestion will not interfere with it. Suppose we get through with the conference report in five minutes. If the unanimous-consent agreement asked by the Senator from Virginia is entered into, even if it were in order, which I doubt very much, because we have a specific agreement to vote at a particular hour on the pending proposition, it would require a roll call and other formalities to lay it aside.

Mr. ROBINSON of Arkansas. The proposed procedure does not change the order for a vote. It does not affect it at all, if I may point that out to the Senator from Nebraska.

Mr. NORRIS. Even if that be true, why not go on, if there is no objection—and I hope there will be none to the request of the Senator from Washington—and take up the conference report? That is provided for in the unanimous-consent agreement itself, and that will take care of the situation.

Mr. SWANSON. If the Senator from Washington will permit me, the agreement provides that the naval bill shall not be laid aside temporarily except by unanimous consent. All I have asked the Senator from Washington to do is to include in any unanimous-consent request to proceed with the conference report a provision that the previous order shall be temporarily laid aside. That is all I ask, and I do that in pursuance of the unanimous-consent agreement itself.

Mr. NORRIS. There is no such language in the unanimous-consent agreement.

Mr. SWANSON. Let the Senator read it.

Mr. NORRIS. I read it:

> And that except by unanimous consent it shall continue before the Senate—

And so forth.

Now, the Senator from Washington asks to take up for consideration a conference report. If that is done, the conference report automatically comes before the Senate——

Mr. SWANSON. And possibly may displace the unanimous-consent agreement, unless it shall be temporarily laid aside.

Mr. NORRIS. No; it would not.

The VICE PRESIDENT. The Chair would hold that it would not displace the unanimous-consent agreement.

Mr. SWANSON. I have no objection, if it is distinctly understood by the Senate that the granting of the request of the Senator from Washington will not interfere with the unanimous-consent agreement heretofore entered into.

The VICE PRESIDENT. Is there objection to the request of the Senator from Washington that the Senate consider the conference report on the drought relief joint resolution? The Chair hears none.

RELIEF OF FARMERS IN THE DROUGHT AND STORM AREAS

Mr. JONES. I submit a conference report and ask for its immediate consideration.

The report was read as follows:

> The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. J. Res. 447) making an appropriation to carry out the provisions of the public resolution entitled "Joint resolution for the relief of farmers in the drought

and/or storm stricken areas of the United States," approved December 20, 1930, having met, after full and free conference have been unable to agree.

W. L. JONES,
REED SMOOT,
WM. J. HARRIS,
Managers on the part of the Senate.

WILL R. WOOD,
LEWIS C. CRAMTON,
EDWARD H. WASON,
JOSEPH W. BYRNS,
J. P. BUCHANAN,
Managers on the part of the House.

Mr. JONES. Mr. President, the report is simply one of disagreement. I ask that it may be adopted, and then I shall have another motion to make.

Mr. NORRIS. So that we may understand it——

Mr. JONES. The report is one of complete disagreement.

Mr. NORRIS. If it shall be adopted, then there will be nothing before the Senate.

Mr. JONES. If the report shall be adopted, I expect to make a motion with reference to the amendments.

Mr. CARAWAY. Mr. President, before that is done I should like to speak on the question.

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Arkansas?

Mr. CARAWAY. I am not asking the Senator to yield. I want the floor in my own right. I am objecting to the adoption of the report. Senators have a right to be heard on that question. The Senator from Washington, as I understood, asked that the report be adopted, and I want to be recognized before that is done.

The VICE PRESIDENT. The Senator has a right to be heard on that question.

Mr. JONES. Let me say to the Senate that this conference report is one of complete disagreement. The House and the Senate conferees could not agree upon either of the two amendments which were pending before them. If the Senate shall adopt this conference report, then the question will come up as to what further action the Senate shall take, whether it shall ask for a further conference or whether it shall recede from the two amendments. Therefore I take it that any discussion the Senate may desire to engage in really would be in order on that proposition. The adoption of the conference report, of course, will not foreclose any Senator from discussing the merits of the amendments which are in disagreement. So I thought, under the circumstances, that the conference report might be adopted, and then the question will come before the Senate as to what shall be done.

Mr. NORRIS. Mr. President, I ask that the conference report may be read. I am somewhat in doubt as to whether or not the procedure suggested is proper.

The VICE PRESIDENT. The Secretary will again read the report.

The Chief Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the House joint resolution (H. J. Res. 447) making an appropriation to carry out the provisions of the public resolution entitled "Joint resolution for the relief of farmers in the drought and/or storm stricken areas of the United States," approved December 20, 1930, having met, after full and free conference have been unable to agree.

W. L. JONES,
REED SMOOT,
WM. J. HARRIS,
Managers on the part of the Senate.

WILL. R. WOOD,
LOUIS C. CRAMTON,
EDWARD H. WASON,
JOSEPH W. BYRNS,
J. P. BUCHANAN,
Managers on the part of the House.

The VICE PRESIDENT. The question is on agreeing on the conference report.

Mr. CARAWAY. Mr. President, I shall take but a few moments. Two amendments were adopted by the Senate. One was offered by the Senator from Alabama [Mr. BLACK] directing the Secretary of Agriculture and his agents not to exclude from the relief provisions of the bill those who live outside of certain designated areas which the department seemed inclined to set up. As I understand, the Secretary of Agriculture was proceeding to say that people living within certain counties might be permitted to avail themselves of the provisions of the drought relief act, but those living in an adjoining county, for instance, would be denied the right to participate in the benefits, if there should be any.

The second amendment, providing that $15,000,000 may be loaned to farmers in the drought and storm stricken areas of the country is, however, the real bone of contention in connection with the bill. Certain influences held it up for quite a while in the other body until they could make sure that they could prevent its adoption. The House never permitted a vote directly upon the amendment. There seems to be a new rule in that body providing that measures shall be sent to conference either by unanimous consent or by a special rule, so that the individual Members of the House may escape responsibility for having voted either for or against a given proposition. With that, however, I am not now concerning myself.

When this bill came back from the House with a request for a conference, I asked the Senator from Washington, in charge of the conference committee on the part of the Senate [Mr. JONES], if he would permit me to have four or five minutes when the conferees met, as there was some information which I wanted to convey which I thought possibly, even as hostile as I knew the conferees to be to the proposition, might move them to afford some relief. The chairman of the conference committee refused to grant me that request.

Mr. JONES. Mr. President, will the Senator yield to me for just a moment?

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Washington?

Mr. CARAWAY. I yield.

Mr. JONES. I did not refuse the Senator's request. I stated to him, however, the attitude that especially the House conferees had taken heretofore. They have not favored having Senators or anyone else from the outside come before conference committees. Personally I should have been glad to have the Senator come before the conference committee, but I knew of that attitude, because it was evident at the last session of Congress on two or three different occasions when similar requests were made.

Mr. CARAWAY. Will the Senator, please, tell me what conference committee ever refused the privilege to a member of one body or the other, who was interested in the matter in conference and was the author of the amendment in dispute, to make a statement before the conferees?

Mr. JONES. Oh, yes.

Mr. CARAWAY. Which one was it?

Mr. JONES. I can not name the particular conference committee, but I know——.

Mr. CARAWAY. Which member of the House conference committee took that position in this instance?

Mr. JONES. I would not mention the name of any particular Member of the House.

Mr. CARAWAY. Very well.

Mr. JONES. That was my attitude, however.

Mr. CARAWAY. I understood the Senator's attitude perfectly well.

Mr. JONES. Well, the Senator did not state it correctly in his remarks a moment ago.

Mr. CARAWAY. I repeated just exactly what the Senator said to me. I asked him if I might have four or five minutes, and he said the House Members objected to it. I asked him if he were not chairman of that conference committee, and he said yes. I said, "Then, have you not some right to accord me an opportunity to be heard?" He said, "That is

the situation." That is what occurred, and every living soul knows exactly what it meant. Certainly I do, and everybody else does. I have known professional lobbyists to be permitted to appear before conference committees. But, Mr. President, I am not fixing to quarrel with the Senator from Washington, nor am I fixing to retract any statement I have made about it. I merely want the facts to be known. The Senator from Washington is responsible for his conduct, and I shall be responsible for mine.

There has not been a piece of legislation before this Congress that has been the object of so much hostile propaganda, so many utterly unestablished assertions as that now pending. Three Members of the House, whose names I shall not mention because everybody knows them, declared that they saw a great "red" propaganda because hungry children wanted to eat. I know, Mr. President, that they knew that statement was not true, and everybody who heard it knew it was not true.

Mr. Payne, the head of the Red Cross, was before the Committee on Appropriations the other day and took particular pains to deny certain statements I had made. He asserted that the Red Cross was in position to take care of the situation and was doing so. Yet Mr. Payne said last night that the greatest emergency that ever faced this country in time of peace was confronting it now; that the greatest sum the Red Cross ever raised for peace-time relief was imperatively demanded now; that more than 400,000 people in 21 States had already applied for relief and that number was being augmented daily.

I said, Mr. President, when Mr. Payne made his statement before the committee that he did not have any information touching the matter about which he undertook to enlighten the committee. In less than a week he admits that he had no information about it, because, diametrically opposite to what he said before the committee, is what he said to the President of the United States and what last night he said to the American public. I am not going to take the time to quarrel with him; I have had for him a very high regard. I will, however, quote just a portion of his language:

> The situation in 21 States forms the greatest peace-time emergency in history.

And he goes into detail. The statement has been published in all the newspapers, and I shall not take the time of the Senate to review it.

Mr. President, I presume every Member of the Senate has received, as I have received, letters from many people in many different States setting forth the situation. Such letters have come to me, as I am sure they have come to you, Mr. President. They have come from people who have no selfish interest to serve, who will not be benefited by the passage of this measure; they have come from bankers and lawyers and business men, officials of the various counties and States, and there is but one story they tell.

The Chicago Tribune is a great newspaper, but one that never has been friendly to the South and never will be, I presume. It discusses this situation. It talks about a bread line in some of these drought-afflicted areas, and the relief that the people are being granted. Heads of families have been given from $1.50 to $3 for two weeks. If a family has five members, they get $3 for two weeks; and it says that in the public schools children in the lowest grades even now are forming in soup lines in order to get enough to eat, to live.

Again I want to say that I think the Chicago Tribune is one of the world's greatest newspapers. I shall not read the entire article. I know that it is not overpainting the picture. It thinks it is so necessary that the public should know the situation that it puts its story on the first page, in the first column, under big headlines, and calls attention to the facts. No one can believe, the present administration can have no occasion to believe, that that picture is overdrawn; and everyone realizes—you can vote as you please, but you know—that people can not live on a dollar a month or a dollar a week, and that a family of five can not live on a dollar and a half a week.

If we are going to let them starve, why, Mr. President, I think we would just as well withdraw all relief at once. There is not any use to tortue humanity by giving them a bite to-day and a bite to-morrow so as to prolong their agony.

These people, despite whatever one or two who are utterly reckless in their statements may say, are not agitators. In my State, less than one-fourth of 1 per cent are foreign born. They are of native American stock. Most of them would be eligible to be Sons of the American Revolution or Daughters of the American Revolution. They have met every emergency so far as lay within their power when distress came to this country or when danger came to it.

I am not stopping to eulogize my State; but when there was a call by the same man who is now President of the United States that people should forego certain rights in order that soldiers might eat, the State that I represent gave up more than any other State in the Union according to its ability to serve this purpose. It has a distinguished-service certificate for having given up a greater proportion of its sugar and flour rations than any other State in the Union; and, strange to say, it furnished more soldiers, according to the number of people who lived in it and were eligible for military service, I think—and I am not saying this to depreciate other States—than any other State in the Union. They took, without complaining, the most difficult rôle for an enlisted man to serve in in this great war. They became replacement troops everywhere. Wherever the shock of battle had depleted the regiments in the Regular or in the emergency Army, they stood ready to step into the places of those who had fallen and offer their lives in defense of their country.

In my own county, when the American Army checked the German advance at Chateau-Thierry in June, 1918, and again stood in front of it and turned it back on the 18th day of July of that year, 27 boys—every blessed one of them the son of some farmer family in that county—laid down their lives. When General Pershing was making up his list of the 100 most distinguished enlisted men in the last war, the fourth on that list was a barefooted boy who lived on a farm that I owned in Arkansas. I am sure that he had never been farther away from his community than the capital of his State. As I have just said, they did not own the land upon which they earned a living. They were just straightforward, honest farmer people. He went to France, and the record of his achievements and his heroism is written in the records of the War Department; and particular attention was called to it by General Pershing in his report, as I said, when he selected the 100 most distinguished enlisted men. This boy got nothing for that. His health was broken. He made application for relief, and died a pauper in the hospital at Memphis; and then the department said he was entitled to adjusted compensation.

They brought him back home and buried him. His neighbors, no better off than he, raised a fund and sent to Italy and had a figure of him carved in marble, and it stands on the roadside, and a highway has been named for him; but it all came after he was dead, Mr. President. Sooner or later, I presume, some kind of recognition of these women and children who are starving now, some recognition of their worth as American citizens, will be accorded them; but it will be too late.

I have in my pocket a letter from the president, Dr. Thad Cothen, of the medical society of my home county; and I want to read one paragraph from it. I could read it all with advantage, but I will read one. He says:

> A pathetic incident took place in my office this morning.

Let me pause here a minute to say that the man who wrote this letter had a substantial and a profitable practice when war came. He laid it aside, put on his country's uniform, went to France, and under shell fire stood ready to relieve the wounded and care for those who were stricken upon the battlefield, and was decorated for his courage and his unselfish service. He came back home and undertook to reestablish his practice, and I presume has done so; but he writes this letter:

A pathetic incident took place in my office this morning. An elderly man living near the city here came in the office with his 7-year-old son. The child was very sick, very pale, and anæmic. The father had an order from the Red Cross for $2 worth of groceries, and he had worked on the city streets here two days for this order. This child's illness was one brought on by poor and indigestible food which they had been forced to eat. We gave the child such treatment as was indicated, and, of course, had to furnish the medicine. The father stated that he did not know when he could ever get employment or any means with which to pay me; but that did not keep the child from needing this attention which we gave him. We doctors in this part of the State are all busy, and incidents like this occur to us daily.

Mr. President, recently there was held here a great convention, and there is appearing in the Cosmopolitan Magazine a eulogistic story of the President of the United States. In the last issue there is a long line of his pictures across two pages of the magazine, every one of them professing to portray the President's features as he said something about caring for children, posing as the defender and the advocate of giving the coming generation a chance to grow up better than the present generation, and yet, Mr. President, refusing to allow the children in 21 States of this Union to have enough food to keep life in their bodies, much less to permit of a healthful, normal development of American childhood.

This is the situation, Mr. President. It does not rest upon my testimony. It comes now from the President of the United States. It comes from John Barton Payne, the chairman of the Red Cross. It comes from respectable and highly respected and thoroughly credible papers like the Chicago Daily Tribune, like the Sun of Baltimore, and innumerable papers throughout the United States. I am not asking you to take the testimony of a single man or woman who would be relieved by what is proposed.

Now, candidly, I want to ask this question: I shall have lost some faith in humanity and some faith in the Congress of the United States and the President of the United States if this is true: Knowing the situation that has developed, the greatest calamity in peace time in the history of this country; knowing that thousands and thousands of American men and women and children are suffering, that they are becoming the prey of disease, that their lives must be paid as a forfeit for our neglect, that if they escape they shall do so with children deprived of the nourishment that would make them strong and healthy mentally and physically, but on the other hand will make them mental and physical weaklings, are we willing that these things shall happen because we are unwilling to extend to them $15,000,000?

We can clip that amount off an appropriation bill anywhere. Here is a bill—and I am not fighting it—appropriating $30,000,000, to be made available at once, to recondition three battleships; and every man who sits in the Senate Chamber knows that they will never fire a hostile shot during the time they float on the sea. Here is $100,000,000 being appropriated to build magnificent public buildings in the District of Columbia. Here is eighty-odd million dollars being asked to increase the salaries of people who now, I will not say are adequately paid, but at least are comfortable. Here was $126,000,000 turned back to rich corporations for overpayment of taxes alleged to have taken place 10 or 12 years ago. Day before yesterday, Mr. President, and recorded yesterday, there was turned back to the estate of one man more money than this measure asks.

Let us concede that all those things are right and proper; but if we have the money to do all these things, we have the money to keep American citizens from starving. Why, God bless your souls, they are not beggars. They are just as good people as any man who sits in the Senate of the United States. They are just as worthy of protection as the man who sits at the other end of the Avenue and for a little time is the President of the United States. Why, God bless you, the children that are forming a ragged bread line in the public schools, to try to get enough to eat to keep from starving, are just as much human beings, just as good American citizens, as are the grandchildren of the President of the United States who had eight Christmas trees on Christmas Day. These children did not have one, and they are not complaining about that. They are not asking for a luxury like that. God bless their little hearts!

If they can just eat, if they can just have enough clothes to keep them from freezing, they are not complaining. But, in the name of God and in the name of humanity, I want to ask, is it possible, is it possible; have we become such a hardened race of people that we, to save a few dollars of taxes, are willing not only to doom a million American people to suffering, to a winter of hunger and cold and rags and scant rations, but to send many of them to their graves and leave others hopeless cripples to struggle with the years to come? Are we willing to do it? I shall believe that we are not. I shall hope that we are not.

I want to say again, we relieved suffering in Europe, and we thought that we deserved well of Europe because we did so. I stood here and defended an appropriation of $25,000,000 to go to Russia, though I was never in Russia and never expect to be. We were not thinking of any in that country that might owe allegiance to the flag of the United States; but the people were starving, they were human beings, and it was thought that we would be inhuman if out of the fullness of our plenty we did not supply those people with something to eat.

Going back to 1848, we all know that a famine fell upon that little island just off the coast of England called Ireland, when the potato crop failed. People in the United States raised sufficient funds to keep the people there from starving, and from that day to this, for nearly a century, Ireland has blessed the United States for her generosity. Such actions do not die. When people come to the relief of others in time of great want, the feeling of gratitude lives on; it survives the ages. Likewise I take it for granted that if a government will deny to its own people the right to live, the right to keep from suffering, the right to preserve the lives of their children, the people are not going to feel wholly grateful for that neglect.

I do not know what animus is back of this failure to take action. I can not understand it. Feeding the hungry by the Federal Government is not a new proposition. Take the great imperial Commonwealth of Massachusetts. I am proud of it. It is a Commonwealth which has added much to the resources and to the learning and the culture of this country of ours. I take pride in its achievements and in the reputation of its citizens. When I first became a Member of the House of Representatives, Salem, Mass., was swept by a disastrous fire. I remember that Mr. Gardner, who is dead now, a patriotic Representative from that State, offered a resolution for the appropriation of $200,000 out of the Treasury of the United States to take care of that emergency. That resolution passed both Houses without an objection. Not a single man raised his voice in opposition to it. The Democratic Party was in control of the Government at that time, and one of the greatest men who ever was President of these United States sat at the other end of the Avenue, Woodrow Wilson. He signed the resolution. Every Democrat and every Republican in both Houses voted for it, and we were glad to do it. I am glad that no American in either House raised his voice against supplying the necessities of life to suffering humanity on that occasion.

When San Francisco was rocked by an earthquake we appropriated money to take care of the emergency. Senators are familiar with the history of that catastrophe. This is no new experience.

In the name of common sense, when did the life of a mule become sacred and that of a child of no account? Nobody is objecting to giving $45,000,000 to take care of livestock. The objection comes when we want to feed human beings. I am curious to know when it became the policy of this Government to say that its citizenship is of no account but that its livestock must be cared for.

I presume this provision for the $15,000,000 will go out of the measure. We who believe that this Government is a humane government, we who believe that the resources of this country are dedicated to the comfort and the protection of the American people, and to sustaining their lives, purpose offering the amendment to the deficiency appropriation bill. The amendment has passed the Senate at this session of



Congress and, therefore, would not be subject to a point of order.

As I said before, if there is a man who takes pride in saying, "I object to human beings being fed, I gloat over the suffering of men and women, I take pleasure in knowing that to-night barefooted, hungry children will cry for bread and not get it"—if there is such a man in the Senate, I wish he would stand up. If anyone feels that way about it, I wish he would stand up and record himself on the side of those who think that it is a credit to a great government like ours to make its citizens suffer and to make children sleepless, and hungry, and ragged, and cold. If anyone gets any pride or pleasure in such a feeling, I should like to have him record himself on that side of this question.

Mr. BLACK. Mr. President, there are two amendments on this bill which are subjects of controversy, and one of them has not been explained to the Senate. I do not believe there is a Senator on either side of the Chamber who would justify to the slightest extent turning down the other amendment, which has not been discussed. The amendment of the Senator from Arkansas provided $15,000,000 for loans for food. The amendment which I offered is of a different nature. The amendment I offered would require the Secretary of Agriculture to extend the relief to any person in any drought-stricken area who has been injured by the drought.

As it is now written, and as it is now construed, the Secretary of Agriculture takes the position that he can award the benefits of this bill to a drought-stricken farmer in one county, but will decline to award the benefits of the bill to a drought-stricken farmer in an adjoining county. In other words, the Secretary of Agriculture takes the position and says that in some of the States he will award relief under the administration of this measure, to the farmers in part of the counties who are suffering from the drought, but will decline to award the relief to farmers in other counties who are suffering from the drought.

Mr. BRATTON. Mr. President, will the Senator yield?

Mr. BLACK. I yield.

Mr. BRATTON. I am interested in the statement now being made by the Senator from Alabama, because it conflicts with my understanding of a statement made by the Secretary of Agriculture when he appeared recently before the Senate Committee on Appropriations, it being my distinct memory that I asked the Secretary at that time whether relief under this bill would be confined to any particular area, to which he replied by saying no, that although the department had made a rather thorough survey of the drought-stricken areas and had rather definitely in mind the areas of the country to be served under the bill, the department would not confine relief to those areas but would consider applications coming from any section of the country.

Mr. BLACK. I will read to the Senator, in answer to his question, the information which I have in my hand, which has been issued by the Department of Agriculture touching the loans.

Mr. BRATTON. I wish the Senator would do that, because I asked the Secretary the direct question, having the particular thought in mind, and I thought I understood him on the subject.

Mr. BLACK. I will state to the Senator that I raised this exact question before the Committee on Agriculture and suggested that the bill might be so amended as to prevent exactly the situation which I have outlined. The committee unanimously took the position that the Secretary of Agriculture under the bill would have no authority to deny relief to a drought sufferer in any county if he had suffered from the drought. Doctor Warburton, who appeared, indicated that such was his view.

Mr. FLETCHER. Mr. President, will the Senator yield to me?

Mr. BLACK. I yield.

Mr. FLETCHER. When the resolution was reported to the Senate I asked the chairman of the Committee on Agriculture the specific question whether or not the legislation was to take care of any case, and he said that was the understanding.

Mr. BLACK. I might state to the Senator that the chairman of the Senate Committee on Agriculture, who I am sorry to note is out of the Chamber at the moment, stated to me that that was his understanding, and he was for the amendment which I offered. He stated so on the floor.

Now I would like to read the regulations which have been issued by the Department of Agriculture to govern the loans.

> Loans will be made in practically all counties in the States of Virginia, West Virginia, Kentucky, and Arkansas, which States were wholly within the drought area of 1930, and in those counties in other States in which drought damage was most severe.

In other words, in the counties where the drought damage was most severe the loans will be made. The position I took before the committee, and the position which the committee unanimously took, was that it was not a question of the severity of the drought in any particular county, but it was the intention to direct and authorize the relief to be awarded in all counties where there was suffering from the drought. I read further:

> These States—

Where it is not to go to all the counties—

> include Maryland, Pennsylvania, Ohio, Indiana, Illinois, Missouri, Oklahoma, Texas, Louisiana, Mississippi, Alabama, Tennessee, Montana, and Washington, together with smaller areas in the States of North Carolina, Georgia, Michigan, Minnesota, North Dakota, South Dakota, Wyoming, and Kansas. Definite announcement as to the counties from which applications for loans will be accepted will be made at an early date.

I might state that I have taken this up with the department and they take the viewpoint that they have the right to determine the counties in which the drought was sufficiently severe to authorize the making of loans. They do not take the position that they will designate these areas so as to exclude only those counties where none suffered from the drought, but that if there are those suffering from the drought in certain counties in a State they have the right to say that by reason of the fact that it was not so severe in those counties as it was in other counties they will exclude from the benefits all who live in such counties, irrespective of whether they were injured by the drought or not.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER (Mr. FESS in the chair). Does the Senator from Alabama yield to the Senator from Florida?

Mr. BLACK. I yield.

Mr. FLETCHER. What document is that from which the Senator is reading, and when was it promulgated? Was it promulgated after the resolution passed the Senate or before?

Mr. BLACK. It is dated Washington, December 22, 1930. The heading of it is:

> United States Department of Agriculture. Loans for seed, fertilizer, and feed. Administrative procedure for loans to farmers in drought and storm stricken areas.
> Loans to farmers under the authorization of Congress contained in Senate Joint Resolution 211, approved December 20, 1930.

Mr. FLETCHER. Does the Senator think that the Department of Agriculture can select certain States, under that joint resolution, and exclude other States? I observe that Florida is not mentioned at all.

Mr. BLACK. The Senator is correct.

Mr. FLETCHER. There are certain portions of Florida which did suffer from the drought; not all the State suffered, but some counties did, and I do not see why they should be excluded. I asked the chairman of the committee, when the joint resolution was here, whether it was the intention to exclude any of the States, and he said, not at all. I do not see how the Department of Agriculture has the authority to eliminate States and say that, notwithstanding there must be suffering in those States, they can not come under this provision. I am for the Senator's amendment.

Mr. BRATTON. Mr. President, will the Senator yield?

Mr. BLACK. I may state in reply—and then I will yield—that I took exactly the same position before the Senate Committee on Agriculture, and that committee agreed with my viewpoint. We understood, from what Doctor Warburton stated before the committee, that he agreed with us.

But now the position is that certain counties as well as certain States, or certain counties in various States, will be denied the relief, not because they did not suffer from the drought and hail, but because the department takes unto itself the authority under the bill to determine whether it was of sufficient severity to warrant relief. The situation will be that in one county there will be a number of men who suffered from the drought, while others will be immediately over the county line. Relief will be denied to the latter unless the department voluntarily changes the position which it has assumed or unless the amendment which I offered to the bill or one of the same type shall remain in it and become a part of the law.

Mr. BRATTON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from New Mexico?

Mr. BLACK. I yield.

Mr. BRATTON. I want to observe in connection with what the Senator from Florida [Mr. FLETCHER] has just said that I recall distinctly hearing him propound his question to the Senator from Oregon [Mr. MCNARY] having charge of the original measure. I paid particular attention to it because some farmers in my State had advised me that they desired to seek relief under the measure. Hearing the answer of the Senator from Oregon, chairman of the Committee on Agriculture and Forestry, substantially as the Senator from Florida has outlined, I did not press the matter. But later when the Secretary of Agriculture was before the Senate Committee on Appropriations while the measure making the actual appropriation was under consideration, I asked him the direct question whether other areas than those regarded by the department as being in the drought-stricken region would be considered. My recollection is quite distinct to the effect that his answer was that applications from any part of the country would be considered by the department. I do not think I could be mistaken about that.

Mr. BLACK. May I say to the Senator that he has accurately outlined the viewpoint of the chairman of the Committee on Agriculture and Forestry? He so stated in the hearings; he so stated when I took my amendment to him; and he joined me in asking that the amendment be included so as to prevent the exact thing which I desire to prevent. I believe the chairman of the Appropriations Committee [Mr. JONES] will bear me out.

Mr. JONES. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Washington?

Mr. BLACK. Certainly.

Mr. JONES. I hesitate to interrupt the Senator here for the purpose which I have in mind, because I thought I would refer to it at a later time, but it seems to me it will be appropriate now as well as any time. I have here a copy of a letter written by Mr. Warburton to Congressman WOOD in answer to his request for comment or statement with reference to this particular amendment. If the Senator has no objection, I would like to read that letter at this point.

Mr. BLACK. I shall be delighted. If the department officials have changed their position, I shall be glad to know it, because that is what I want.

Mr. JONES. The letter is addressed to Congressman WOOD, and reads as follows:

> Replying to your request for statement as to the effect of the amendment to Senate Joint Resolution 447, added by the Senate on Monday as section 3, this amendment would prevent the Department of Agriculture, in the administration of the fund provided for seed loans under Public Resolution 112, in limiting the area in which loans would be made. In previous years it has been our practice to confine our distribution of application blanks and other forms and the making of loans to the States and counties in which there was need for assistance on the part of farmers to an extent which was beyond the ability of local agencies to give. We have not considered applications for loans from individuals in counties where conditions generally were favorable and where only a few, perhaps a dozen or less, individuals were in need of financial help, feeling that aid could be extended to them from local sources. We do not feel that our exclusion of counties from consideration in previous years has resulted in serious hardship to anyone.
>
> If Senator BLACK'S amendment is retained, the net result will be to make the loans available to any farmer anywhere who can show that his crops were damaged by drought or storms in 1930, even though he may be the only individual in the county who is in need of financial assistance from this cause. It would materially increase the work of our field offices in handling loans by widening the area of operations without increasing to any large extent the number of loans which would be made. It would probably result in the receipt of a considerable number of applications from persons to whom we would not be justified in giving assistance, either because their crop injury was not sufficient to justify us in making loans to them or because they could obtain funds from local sources.
>
> Very truly yours,
>
> C. W. WARBURTON,
> *Secretary Federal Drought-Relief Committee.*

I infer from the statements in this letter that they would not refuse assistance to individuals in a county where a considerable number were suffering. He says that they have not granted relief in counties where a dozen or less were involved. I tried to get Mr. Warburton over the telephone this morning to ask him more definitely in regard to the matter, but I was unable to do so because he was in conference with the Secretary; but I have just read the letter he wrote to Congressman WOOD.

Mr. BLACK. May I say to the Senator that the letter shows exactly the situation which I have stated to the Senate. If we knew that that principle would be carried out so that only those counties would be excluded where, for instance, one man had applied, the prospective injury would not be so serious. But the committee stated to Doctor Warburton, and the statement appeared in the hearings before the committee, that it was the object to relieve the drought sufferers wherever they were.

May I also invite the attention of the Senator to the fact that a short time ago the department did designate the drought areas in my own State, and I am, of course, more familiar with that than any other State. Thirty-nine counties were designated as the drought-stricken area and the remaining 28 were designated as not within the area. When that was done a survey was taken by the board appointed by the President. It has been found that the suffering in those 28 counties is 50 per cent of the suffering in the other 39. I have in my hand a letter from one of the counties which was designated as not being within the area in which this statement appears, the letter being dated Valley Head, December 29, 1930:

> We have from 150 to 300 families in dry section near Valley Head, including about 175 square miles, that are destitute and many of them are suffering for want of food and clothes and who need help from some source. Of course, we can get a little aid in the county, but it will be insufficient to meet the needs of conditions. Conditions in this section are terrible.

A mass meeting was held for the purpose of endeavoring to get relief. This is one of the counties which has already been designated in a previous allotment as not being within the drought area.

Mr. GLASS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Virginia?

Mr. BLACK. I yield.

Mr. GLASS. With respect to the statement made a while ago by the Senator from Florida [Mr. FLETCHER], it may interest the Senator to know that Doctor Warburton actually assumes authority to say what class of farmers may be relieved as well as what counties may be regarded as suffering. In other words, as members of the Appropriations Committee will recall, when we had the La Follette resolution under consideration Doctor Warburton stated that no relief would be afforded to orchardists upon the extraordinary assumption that any man who is able to own an orchard has sufficient credit to take care of himself and does not need any aid from this source.

I make that statement in order that the Senator from Florida, who comes from a great fruit-growing State, may understand that no matter how much his fruit growers may

suffer they will not get any aid under this measure, although there are words in the bill put there expressly for the benefit of the fruit growers, to furnish aid to that class of farmers.

Mr. BLACK. May I also call the attention of the chairman of the Committee on Appropriations to one or two other letters coming from reliable sources with reference to counties which have already been designated in the previous action by the Secretary of Agriculture as not within the drought area? Here is one from Escambia County:

There are 400 or more families in Escambia County who suffered total or partial crop failures in 1930 on account of drought and hail.

If the Secretary of Agriculture follows the designation which he has previously set forth, that county will be excluded. Here is another one from Henry County:

The undersigned banks and county officials of this (Henry) county, Alabama, make this earnest appeal to you for your best efforts to secure as liberal aid as possible from the $45,000,000 appropriation recently made by Congress for relief to drought-stricken areas. There are approximately 600 farmer families of this county whose 1930 crops were practically failures, caused from weather conditions, namely, droughts and hailstorms.

I call the attention of the Senate to this matter for the reason that if we are compelled to recede from the amendment in order to obtain the relief as indicated, I am hopeful that Senators will express themselves as being favorable to awarding the relief to those who suffer from the drought and hail wherever they have suffered. It is not right, and it is contrary to the plain purposes of the bill, for the Secretary of Agriculture to arrogate unto himself the right to designate county lines because, forsooth, he says there may have been a little more severity in one county of a given State than in another.

Here is exactly what it will lead the public to believe. The administration has not desired to have $45,000,000 appropriated. They have shown that idea from the beginning. The desire is to so whittle the appropriation down that in the end it will be shown that $45,000,000 was not needed, and that another great victory has been won by the administration by showing that a greater sum was appropriated than was needed for the purpose, and yet here are 25 States designated as suffering from the drought where the Secretary of Agriculture will take the position that he can cut off the benefits from some sufferers in some counties merely because it is not so severe there as in his judgment to justify an award.

I hope that Senators will not permit this to go by without expressing themselves against it. I desire to ask this question at a time when the chairman of the Committee on Appropriations is listening, and I desire to invite particularly the attention of the chairman of the Appropriations Committee, as well as that of every other Senator. If there is any Senator here who conceives it is the purpose or policy of this measure for the Secretary of Agriculture to deny relief to drought sufferers in some counties and to award relief to drought sufferers in counties immediately adjoining, I would like for that Senator to so state. If not, then I assume it is the opinion of those here, including the chairman of the Committee on Appropriations, as I know it to be the opinion of the chairman of the Committee on Agriculture and Forestry, that the Secretary of Agriculture should award relief to those who need it and that he should not arbitrarily deny it simply because he may arbitrarily designate a county or State line as the dividing line.

Mr. President, I have a number of letters from other counties stating the deplorable conditions in those counties. It is my opinion that the $10,000,000 asked for by the Red Cross will be but a beginning. It is not surprising to find that the chairman of the Red Cross, within a very few days after he made his statement before the Appropriations Committee, has been compelled by the inevitable facts which stared him in the face to call for more liberal contributions from the public.

I can state of my own personal knowledge that there is in Birmingham, Ala., one family in particular that I know of, six members of which are absolutely dependent upon the Red Cross. The father has not had a job for six months; he can not obtain a job; it is impossible. His wife has tuberculosis; there are four little children in that home. They are receiving the sum of $4 per week from the Red Cross for their sustenance and support. I do not make any complaint about this being all the Red Cross contributes, for on investigation by me I found that was all they were contributing because that was all they could contribute with the money they had on hand; that it was absolutely impossible for them to contribute more.

I have personal knowledge of another family, a man who served in France for 10 months. He has two little children. A volunteer Red Cross worker went into his home three or four days ago. She found him at home in bed, sick and helpless; she found his wife ill; she found two little children there hungry; she found the fact to be that the light had been cut off, the gas had been cut off, the water had been cut off. The Red Cross is contributing $4 per week, which, I repeat, is all they can contribute with the funds they now have on hand.

Mr. President, I desire to say that I have written a letter to the chairman of the Red Cross in which the question is asked whether or not if he secures the $10,000,000 which he is seeking to raise from public contributions it will permit the Red Cross to make an allotment greater than $4 per week to a family with four or six dependents. If the $10,000,000, which the Red Cross proposes to raise from the public, is not sufficient to increase the family allotment, I deny that the Red Cross can make adequate provision for those who are suffering and destitute and hungry in this country. It is, however, not only a question of those who are suffering from the drought but it is a question of those who are suffering from the terrible unemployment situation which exists in the cities. If the chairman of the Red Cross informs me that with the $10,000,000 contribution he will still be unable to increase the $4 a week allotment to families with four to six dependents, I expect at that time to introduce a bill which will provide a contribution from this Government to be taken fairly and equitably from the taxpayers who are able to bear it in sufficient amount to make certain that American citizens are not longer left starving, helpless, and destitute.

That is simple. The lines are clearly drawn. No one who appreciates the situation can fail to see it. We all know that contributions which are raised from the public voluntarily can not be collected on an equitable basis. The person who asserts that they are is not familiar with the way they are raised. I deny, for instance, that those whose income-tax refunds of $146,000,000 were returned to them on yesterday will make a proportionate contribution to the $10,000,000 which is proposed to be raised by the Red Cross. The contribution will be made, in the main, by those of moderate incomes.

The very moment it is suggested that relief for the poor, the suffering, and the destitute should be secured by taxation, a contest ensues with the great forces that have ruled the dominant party of this Nation for a long number of years, for they know that when the money is raised by taxation, taxes being imposed in proportion to wealth and the ability to pay, they will be compelled to contribute their proportionate part to relieve the suffering and the destitute of this land. That is the line of demarcation, and that is the reason why there is a great concerted effort on the part of the administration leaders to prevent any idea permeating throughout the country that it would be permissible, under any circumstances, to feed the starving and hungry people of the Nation through the medium of public funds raised by taxation.

I assert, Mr. President, that if the Red Cross does not intend to increase the allotment to more than $4 per week to suffering and destitute families and those families are compelled to live upon $4 per week, the time will have arrived when we must assert the right of Congress to obtain the money from the source from which it should come, and that is from the incomes that are out of all proportion to the labor which produces them, the incomes which are re-

ceived by those who have been the chief beneficiaries from tax refunds both from the Treasury Department and under the law which was passed last year.

I now give notice that if from the reply to my letter to the Red Cross the information reaches me that with the $10,000,000 the Red Cross does not intend to increase the allotment to dependent families, I shall introduce a bill to appropriate from the United States Treasury money to be expended either through the Red Cross or some other organization to take care of the starving and the hungry of this Nation, and to take care of them in the way they should be taken care of, fairly, equitably, and justly.

Mr. ROBINSON of Arkansas obtained the floor.

Mr. BRATTON. Mr. President, will the Senator yield in order that I may note the absence of a quorum?

Mr. ROBINSON of Arkansas. I prefer not to yield for that purpose at this time.

Mr. BRATTON. Very well.

Mr. ROBINSON of Arkansas. Mr. President, this bill, admittedly an emergency measure, passed the Senate with two Senate amendments on the 5th day of January. It went to the body at the other end of the Capitol, where no action whatever was taken with respect to it until yesterday. The chairman of the House Appropriations Committee and others gave out the information that unless those who were interested in making some provision for food loans receded from their position and permitted the bill to go to conference by unanimous consent, the measure might be held in abeyance for a considerable time. Then, when action was finally taken, an extraordinary procedure, one which does not apply here, but which is frequently invoked in the body at the other end of the Capitol, was employed. A special rule was adopted which had the effect of shutting off all opportunity for amendment, even of an amendment to an amendment. That rule was agreed to by an overwhelming, almost a unanimous, vote, for the simple reason that if it had not been adopted the proposed legislation would have been further delayed and might have failed. Subsequently, a motion was made to instruct the conferees to agree to the amendment incorporated by the unanimous vote of the Senate, appropriating $15,000,000 for loans for food, and a vote was taken on that motion resulting in 134 yeas and 216 nays. That represents the disposition of the amendment on the part of the House, and I apprehend that the purpose of the chairman of the Senate Committee on Appropriations in charge of the conference report is, if the conference report be agreed to, to move that the Senate recede.

Twice the Senate has marched up the hill in solid phalanx; once we retreated down the hill, and now we are about to do the same thing again. Frankly, it is in the power of the administration leaders in the House of Representatives to delay or defeat the feed, seed, and fertilizer loans indefinitely, and my information is they propose to do so. If time permitted, I should like to have something to say about the body at the other end of the Capitol habitually taking the whip hand, habitually refusing to consider Senate bills, habitually declining to consider Senate amendments, and declaring with a defiant spirit, "Take it as you find it or leave it."

Let me say now that, in my judgment, the most important legislation before the Congress or to be considered by the Congress is fair, adequate relief legislation to meet an emergency which everyone with common intelligence has at last realized is upon the country; and before this session closes such legislation will be enacted by both Houses of the Congress of the United States or much relatively unimportant legislation will be relegated to the scrap heap. The friends of this proposal are in a situation that if they reject the conference report and adhere to the Senate amendments the House under its present leadership, under the direction, as I believe, of a higher authority, will let the bill lie unacted upon, and then from limit to limit of the drought-stricken regions propaganda will be inspired, as it has already been inspired, directed against those who are trying to meet the situation frankly and fully, to compel them to yield in order that the meager relief carried by the seed loans may be obtained.

The agricultural appropriation bill is coming on, the deficiency appropriation bill is coming along, and if it is possible to write a fair and adequate provision into either one or both of those bills they will lie in the tomb of just legislation at the other end of the Capitol for a long period. The attitude of stifling debate, of cutting off amendments, of refusing to consider fair legislation, can not be justified in a government like ours.

The friends of this bill do not wish to defeat the measure. They realize the situation; but somebody who has the power to get action had better get busy.

On the 6th of January it was said before the Appropriations Committee, to discredit efforts to secure loans for food purposes, that the Red Cross, having a fund of four or four and a half million dollars, would be able to get through the winter without an additional fund; and within one week an appeal is sent to the country for $10,000,000 in order to meet emergency requirements! I hope that appeal will be responded to in the spirit of generosity and sympathy which has marked the manhood and womanhood of America throughout the history of our country, but when it has been responded to the provision will still be inadequate; and it is a queer and inexplicable policy to disappoint the hopes of thousands of deserving citizens by denying measures of relief which are prompted by the sympathies which animate people everywhere.

To discredit the efforts of those who are trying to get relief, without the slightest foundation in fact or circumstances, statements have been made that the incident that occurred at England, Ark., a few days ago was instigated by communists, and was the result of communistic propaganda.

Mr. President, I have investigated that statement, not because I believed at the time it was made that an investigation was required, but because of the high source from which it emanated—the chairman of the Appropriations Committee of the House of Representatives and the chairman of a special committee in the same body. There is not one word of truth in the declaration. There was not one circumstance upon which the most vivid imagination could conceive of the existence of communistic influences in bringing about that incident. Similar incidents have occurred at other places in Arkansas and in adjoining States, and they will occur again inevitably unless the Congress takes some action to meet the requirements of the conditions.

Crop production in a vast area in the section most vitally affected is carried on by a credit system. Merchants, bankers, and agricultural credit corporations advance, upon such security as is available, including the crops, sums to be used in supplying food, feed, seed, and fertilizer. That is a general system that prevails over a very large area. The proposal here is to advance upon first mortgages, including all the security available, sufficient funds for seed, feed, and fertilizer, denying any loans whatever for the more important necessity—food. I want to ask all Senators present if one executes a first mortgage on his crop and other personal property to secure a loan for feed, seed, and fertilizer, how is he expected, how can he hope to obtain credit for the other necessities, just as requisite and even more so, in the production of crops? The inevitable result will be that the value of the $45,000,000 seed loan bill will be very small in the areas where the distress is greatest; and let me point out now an inconsistency that makes absurd and that invites condemnation upon all those who insist that there should be no loans for food purposes. What it is proposed to do is to give to a farmer an honorable loan for the benefit of his mule or his cow but compel him to stand in a bread line to secure food for his wife and his children.

Why, of course, they will accept charity if they can not make their customary arrangements for credit; and these can not be made for reasons that I have already explained in other addresses to the Senate. The banks are closed. The merchants are in bankruptcy. They can not secure the capital with which to establish agricultural credit corporations. In many cases that capital had been arranged for. The banks in which the capital was deposited failed, so that the real difficulty in that situation is one of credit; and it can not be met by simply supplying charity.

If the Red Cross is to supply the demand for food, the absolute necessities for food throughout the country during this great economic crisis, it will require a much larger sum than is contemplated by the appeal that is now being made. Before the end of this session of Congress the situation is going to be realized fully; but in the meantime great suffering and distress will have occurred. Who should take responsibility for that suffering and distress?

Mr. HARRIS. Mr. President, may I interrupt the Senator?

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Georgia?

Mr. ROBINSON of Arkansas. I do.

Mr. HARRIS. As I recall, before the Appropriations Committee Judge Payne stated distinctly that anything the Red Cross did would not be to enable farmers to make crops.

Mr. ROBINSON of Arkansas. That is exactly right. The Senator makes a distinction which is perfectly clear in my own mind, though perhaps, because of the fact that I am speaking hastily, I have not made it clear to the Senate. The Red Cross does not do rehabilitation work. It does not promote industrial or agricultural activities. It merely supplies the imminent need of starving people for food and similar necessities. My proposal is that a fair policy would have the effect of rehabilitating a prostrate section; that it would enable the people of those sections to resume their normal activities, and that it is an unsound policy to deny measures fairly calculated to produce that result.

If the Secretary of Agriculture, in accordance with a bill that is now pending before the Senate, will loan, in cases where the capital stock can not be otherwise secured, the necessary sums for the capital of agricultural credit corporations, the situation will be very greatly relieved. There will be less work for the Red Cross, and there will be less work for the seed committee. But now, as a practical question, I wish to ask how it is proposed that these farmers who are required to mortgage everything that they have in order to secure seed and feed are to finance their necessities for food during the crop-making season? When one answers that question satisfactorily, perhaps he will make a sane reply to the arguments that are made for loans for food, as well as for seed and fertilizer.

I wish to put into the RECORD a number of statements which reflect upon the situation, and the necessity for the passage of the bill to which I have referred.

The PRESIDING OFFICER. Without objection, that will be done.

The matter referred to is as follows:

GILLHAM, ARK., *January 8, 1931.*

Senator JOSEPH T. ROBINSON:

Sevier County farmers need relief, and need your influence in Government aid, needing food, feed, seed, and fertilizer. Conditions are critical and need action at once. We are trying to prevent conditions that have happened elsewhere.

E. A. HIATT & SONS.

CONWAY, ARK., *January 8, 1931.*

Hon. JOE T. ROBINSON:

A survey just completed by trustworthy representatives in Faulkner County reveals that at least 300 families are without feed or means of providing feed for approximately 1,500 mules, horses, and cows. These animals are rapidly nearing starvation and some have already died. If they are lost their owners will be unable to make a crop and will continue as objects of charity. Immediate aid is imperative, as it will be at least 30 days before Government feed-loan fund can be realized upon. Eight thousand dollars will keep these animals alive another month. We earnestly urge that you wire as liberal allotment as possible for this purpose.

CHAMBER OF COMMERCE,
J. O. FRAUENTHAL,
President.
C. B. RALEIGH,
Chairman Faulkner County Red Cross.
FARMERS STATE BANK,
FRANK FARRIS,
Vice President.
BANK OF CONWAY,
GEO. SHAW,
Vice President.

BLYTHEVILLE CHAMBER OF COMMERCE,
Blytheville, Ark., January 10, 1931.

Senator JOSEPH T. ROBINSON,
Washington, D. C.

DEAR SENATOR ROBINSON: With further reference to our letter of the 5th instant and our telegram of this date:

Without any intention of trying to arouse any undue sympathy or creating any sentiment through the picturing of a distressing situation, we want to say that we feel that your plan of bringing succor to these drought-affected areas through your bill 5441 is the only one that holds out any promise of aid that will be of any benefit to farmers in this section.

At this time more than 1,000 families in the Chickasawba district of this county are being fed by the Red Cross. A large percentage of this number are farmers, who have been placed in this situation through the drought which practically destroyed the food and feed crops in this county last year. Hundreds of these farmers had their feed requirements planted, the drought ruined them, and to-day they have nothing.

After six years of consistent effort, this county was gradually getting into a self-sustaining farm program, which included cows, hogs, chickens, food, and feed crops. Gratifying progress was being made on this program, and the largest feed acreage ever planted in this county was planted in 1930. Under normal conditions the county would have produced at least 90 per cent of its feed requirements, whereas not more than 5 per cent of them can take care of themselves.

Farmers generally in this section are now sacrificing their cows, hogs, and chickens in order to be able to buy food.

Under the present plan of loaning money for seed and feed only there are very few farmers in this county who would receive much benefit. Feed and seed would be of little value unless there was food for the workers and their families.

We believe that if your plan can be put into effect that we can organize several of these credit corporations in this county that will be able to render effective service. This plan will be really worth while. We want to assure you of our wholehearted support of the plan.

Without some such plan, we believe we are safe in saying that there are hundreds of farmers in this county who will not be able to secure the necessary finances from existing sources to enable them to farm during 1931.

We are writing Senator CARAWAY and Mr. DRIVER along this line, requesting that they lend you their entire support in this effort.

We will appreciate it if you will advise us of any service in this connection that we might render.

Sincerely yours,

J. MELL BROOKS, *Secretary.*

Mr. ROBINSON of Arkansas. What I have said is true without regard to what may happen to the pending amendment. The pending amendment would be supplemental to the plan which is incorporated in the bill to which I have referred; and I wish to say that there is a prospect that the bill mentioned may receive consideration and be enacted.

The chairman of the Federal Farm Board thinks enough of it to say that it ought to be incorporated by amendment in this bill. Of course, he did not understand that the seed bill had passed the status which permits of an amendment; but he writes cordially approving the principle of the bill, and suggesting that it be acted upon, and acted upon at once. The Secretary of Agriculture has been busy, no doubt, and has not made a response to the committee having charge of the legislation.

Before I take my seat I wish to say, on my responsibility as a Senator and in this public place, that I think the chairman of the Appropriations Committee of the House of Representatives, Mr. WOOD, and the chairman of the special committee of the House, Mr. FISH, who are reputed to have said there a few days ago that the incident which occurred at England, Ark., was inspired by communists according to information that they had received, should either publish the information upon which they claim to base their state-

ment, or make an apology to this Congress and to the people whom they have slandered in a cowardly manner.

I thank the Senate.

Mr. HEFLIN. Mr. President, no Senator regrets more than I do the action of the House in striking dead the amendment which was passed by the Senate by such an overwhelming vote providing $15,000,000 for starving men, women, and children. The responsibility belongs to the House.

The measure which the Senate passed before Christmas appropriating $45,000,000 has been held up all this time. Farmers out in the States in great distress have suffered and are still suffering, their suffering growing more acute day by day. I am not going to delay the passage of this measure appropriating $45,000,000. I greatly regret the course this legislation has taken. I repeat what I said yesterday, it is inexcusable and indefensible.

We read in the papers that in the drought-stricken areas farm animals are dying. Certainly this appropriation will do good to those still living. Just what sort of philosophy the Members of the House could have who would appropriate money to be loaned to farmers to buy feed for their stock when they would not appropriate a dollar to be loaned to the farmers to buy food for themselves and their children I can not understand. They can perhaps explain that to their constituents. Farm homes are being broken up, farmers are going away seeking employment somewhere, seeking something to eat in the first place.

Mr. President, complaint has been made that Mr. Warburton is not going to use the fund appropriated for farmers who are in distress because of the drought. I know it was my intention, and I believe it was the intention of every Senator in this body, that this fund should be used for the relief of farmers wherever found who were in destitute condition and suffering, and suffering acutely, because of the drought. I submit to the Senate and to Doctor Warburton and to the Secretary of Agriculture that where a county contains 1,500 farm families suffering because of the drought, and another county adjoining it contains 250 families suffering just as much and as acutely as the 1,500 in the first county, it would be simply outrageous for the Government to go in and minister to the wants of those in distress where there were 1,500 families, and withhold aid and comfort and relief from the 250 families because they could not muster up 1,500 families in distress.

What does a fire company do when a fire alarm is given? Does it announce that it will not put out the fire unless there are a dozen buildings or more in flames? It goes to the humblest cabin and extinguishes the flame. The business of the Secretary of Agriculture is to take this fund provided by Congress and go to the rescue of farmers who are in distress.

As I said, I am not going to delay a vote on this measure. I want the $45,000,000 to get on the way. When it is out of the way I am going to ask for the consideration of a Senate resolution providing as follows:

Resolved, That the Secretary of Agriculture is hereby notified that when the Senate voted for the drought-relief measure it did so with the desire and understanding that the funds so provided would be used to afford relief to all families suffering from the drought, to destitute families suffering because of the drought, whether they live in counties where suffering is general and where there is great distress and destitution or in counties where the distress caused by the drought is not general. The Senate feels that the relief here provided should be granted wherever the conditions and facts justify it, and requests the Secretary of Agriculture to see that that is done.

I thank the Senator from Montana for yielding me this brief time.

MESSAGE FROM THE HOUSE—COPYRIGHT BILL

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the House had passed a bill (H. R. 12549) to amend and consolidate the acts respecting copyright and to permit the United States to enter the Convention of Berne for the Protection of Literary and Artistic Works, in which it requested the concurrence of the Senate.

Mr. DILL. Mr. President, there was just sent to the Senate by the House of Representatives the copyright bill. At the proper time I should like to make a motion to refer that bill to a committee; but this matter is now before the Senate, and I wonder if I may make the request that the bill lie on the table and no action be taken on it until to-morrow, and not be referred to any committee until it can be discussed?

The PRESIDING OFFICER (Mr. FESS in the chair). That request is in order.

Mr. DILL. I make such a request—that the bill be held on the table until I can be recognized for the purpose of making a motion to send it to a particular committee. I do that because of certain action that was taken this morning by the committee that I want to discuss.

Mr. JONES. I suggest to my colleague that the ordinary course would be to send it to a committee.

Mr. DILL. That is just what I do not want to have happen until I have a chance to discuss it; and that is why I ask to have it lie over until to-morrow.

Mr. JONES. Very well.

PRESIDENT'S STATEMENT TO THE PRESS ON POWER COMMISSIONERS

Mr. WHEELER. Mr. President, I desire at this time to call attention to some of the inaccuracies, to say the least, in the statement given to the press by the President the other day with reference to the Senate's action in requesting that the President return to the Senate for further consideration the papers in connection with the nominations to the Power Commission.

First of all I want to call the Senate's attention to the statement of the President of the United States, wherein he said:

> The resolutions of the Senate may have the attractive political merit of giving rise to a legend that those who voted for it are "enemies of the power interests" and, inferentially, those who voted against it are "friends of the power interests," and it may contain a hope of symbolizing me as the defender of power interests if I refuse to sacrifice three outstanding public servants or to allow the Senate to dictate to an administrative board the appointment of its subordinates and if I refuse to allow fundamental encroachment by the Senate upon the constitutional independence of the Executive. Upon these things the people will pass unerring judgment.

Mr. President, that seems to me a strange statement for the President of the United States to issue, impugning the good intentions of Members of the Senate of the United States. It would seem as though the President of the United States was imbued with the idea expressed in the editorials of the Washington Post by the publisher of that paper, Ned McLean, wherein Mr. McLean, through the editorial columns of his paper, says, in commenting upon the action of the Senate:

> Here is the successor of Washington, Lincoln, and Cleveland. No President has more resolutely fulfilled his oath to support and defend the Constitution.

And again the publisher, Mr. Ned McLean, states:

> The immoral majority that committed the Senate to this disastrous collision with the Executive makes itself ridiculous by restoring the names of the power commissioners to the calendar of nominations.

Can anyone imagine the publisher of the Washington Post calling anybody immoral—this man who was willing to swear to a lie in order to help his friend, Albert B. Fall? This is the man who is the chief defender of the President's actions in this Power Commission fight. He is the man who has constantly tried to belittle the Senate of the United States. He is the man and the only man I know of who has said that "Here is the successor of Washington, Lincoln, and Cleveland."

I am of the opinion that the President of the United States has not only read these eloquent editorials by Mr. McLean but, in addition, he has been reading what some of his satellites have been saying to him, among them Mr. Lucas, of the Republican National Committee, who last night published a statement with reference to the President of the United States, in which he said:

> The past year, however, has disclosed a well-laid plan by the Democrats to embarrass the Republican administration and to dis-

credit the President of the United States, and there has been no let-up in Raskob's "smear Hoover" campaign. To win in 1932 the Democrats must destroy the Republican leader. By subtle innuendo and insidious propaganda, which is being carried on by Raskob's organization in every community in the United States, they hope to break down the people's confidence in Herbert Hoover and thereby elect a Democrat in 1932.

Not only has he read these editorials and statements but I am afraid that he believes them himself.

Is there any question in the mind of any Member of the Senate but that before Mr. Lucas sent out that statement he exhibited it to his chief, and that Mr. Lucas was expressing the views of his chief, when it is taken in connection with the statement which the President himself issued, that everybody who voted to recall the nominations of the members of the Power Commission was doing it with the deliberate purpose of smearing the President of the United States, or, as he says, to symbolize him as the defender of the Power Trust? We can come to only one conclusion—that he believes the statements given out by his own coterie of politicians.

Some day, let me say to the Senate, there will rise in this body some one who will analyze the record made by George Washington, the record made by Abraham Lincoln, and the record made by Grover Cleveland, and then he will analyze the record that has been made by our millionaire President, Mr. Hoover. That will be done for the edification of the people of the United States, and particularly, I imagine, for the edification of Mr. Ned McLean and the Washington Post. When the curtain is drawn aside, I am sure the contrast will not be a happy one for the present President of the United States of America.

Again, in his statement the President said:

Much of the debate indicates plainly that those who favored this resolution are intent upon removing Messrs. Smith, Draper, and Garsaud, not because they are unqualified, but to insist upon the Senate's own selection of certain subordinates.

Is there any truth in that statement at all? Is there anybody in the Senate but who knows that the President, when he makes that statement, is uninformed as to what the real intention of the Senate or of those who voted for the resolution was? I for one stood upon the floor of the Senate and said that I believed that if the facts had been known to the President of the United States he himself would have removed Mr. Smith, and that I did not believe any President of the United States would stand by a man who was seeking to sacrifice two efficient, honest, capable public servants who had been working in the public interest, and defending the public's rights against great corporate wealth and combinations of the power interests of the United States.

That is the issue as it seems to me. Many of the leading newspapers of the country have entirely overlooked the real issue in the case. It was not an issue as to whether or not the Senate could recall its confirmation of these nominations. The real issue was as to where the President was going to stand when it came to the question of two public servants who had been fighting on the side of the public and another public servant who had been fighting on the side of the power interests. The President himself has chosen to stand by the man who was fighting for the power interests and to stand against Russell and King, who stood there as faithful servants fighting for the interests of the rank and file of the people of the country.

An editorial recently appeared in the Pittsburgh Press entitled "The Issue," which, in my judgment, expresses the situation better than I could express it myself. It reads:

President Hoover's denial that he is a defender of the power interests could be accepted more readily if it had not been made a few minutes before his Secretary of the Interior restored Frank E. Bonner to the Government pay roll.

It will be recalled that Mr. Bonner was the man as to whom practically every member of the Interstate Commerce Commission who had been investigating the matter, and who had heard his testimony, was of the opinion that he was entirely too friendly to the power interests and that he was not looking after the interests of the public. He has been placed back on the pay roll of the Government at the direction of the Secretary of the Interior, Mr. Wilbur.

The editorial continues:

This sounds like a minor item compared with the major conflict now under way between the Senate and the President over the three Federal power commissioners. Hoover, no doubt, would like it to be ignored in the excitement of his wrathy attack upon the Senate.

Let me invite the attention of Senators on both sides of the aisle to the fact that the Pittsburgh Press is one of the numerous papers which supported Mr. Hoover vigorously in the last campaign. It is not a Democratic paper. Its editorial continues:

But it goes through all the smoke and thunder to the very heart of the matter.

There has never been the slightest doubt about Frank E. Bonner.

Bonner, whose appointment as executive secretary of the outgoing Power Commission was made on recommendation of a power company official; Bonner, who recommended that the commission drop regulation of power company securities; Bonner, who tried to break up the commission's accounting work; Bonner, who tried unsuccessfully to suppress opinions of Solicitor Russell squeezing the water out of power-company accounts, and then tried to have the position of solicitor abolished; Bonner, who, failing again, sent an investigator to Montana to try to smear Solicitor Russell's reputation; Bonner, who told the Senate the power companies "are being persecuted"; Bonner, who, as he saw his tenure of office drawing to an end, tried to get the commission to issue a "minor-part" license to the Appalachian Electric Power Co., freeing that company and possibly three-fourths of all power companies from all regulation by the Power Commission.

Bonner was dismissed by the new power commissioners. But so were King and Russell, the men who had tried to enforce the Federal water power act over Bonner's opposition.

And now Bonner is welcomed back with open arms into the Government service. King and Russell are left to land jobs where they may.

Hoover speaks the truth when he says the people will pass upon all this with unerring judgment. His phrases about the duty of the Executive to resist encroachments of the Senate upon his prerogatives will not blind an electorate which showed last November its understanding of the underlying conflict.

From the beginning there has never been a real issue in this quarrel except enforcement of the Federal water power act.

That was the issue when King and Russell refused to acquiesce in Bonner's attempts to nullify the act.

It was the issue when the President picked for his new Federal Power Commission four men who knew nothing whatever about the intricate power law or the difficulties of enforcing it, and—for chairman—a man who had shown himself a thoroughly tractable bureaucrat.

It was the issue when the Senate reluctantly confirmed these men, failing to find in their undistinguished pasts an affirmative reason for not doing so.

And yet in his statement to the press the President refers to these commissioners in the following terms:

Irrespective of the unique fitness of these power commissioners for their positions and before they have given a single decision in respect to any power company, they are to be removed unless they are willing to accept employees not of their own choosing.

I submit that they not only have no unique fitness for the positions, but the fact about the matter is that everybody who heard their testimony before the Interstate Commerce Committee recognizes that they are lacking in experience, lacking in fitness, and that there was not a man placed upon the commission who had any peculiar fitness or any qualifications for the position to which he was appointed, or who had any understanding or knowledge of the facts involved.

Had there been men appointed to those positions who had either fitness or knowledge of the real situation they would have at least consulted Mr. Russell and Mr. King to ascertain what the records in their own department showed, what the work was in that department; but disregarding that duty entirely, if you please, they discharge the men because of the fact that they said they could not get along with Mr. Bonner.

The editorial continues:

It was the issue when Smith, Garsaud, and Draper rushed to take the oath of office and to dismiss from the commission King and Russell, who had resisted the power companies.

It was the issue when the Senate, acting in the only way an honest legislative body could act, reconsidered its confirmation of these men.

It was the issue when Hoover elected to defend his three commissioners and defy the Senate in its right to refuse to approve them.

It was the issue when these self-discredited new "commissioners" secretly began consideration of the iniquitous "minor part license" case while the Senate was voting them not fit for office.

It was the issue when Hoover's Secretary Wilbur found a job for the repudiated Bonner.

And it will be the issue when the voters eventually "pass unerring judgment" on this power fight.

Let the Members of the Senate on both sides of the aisle remember that the people of the country are aroused. Senators may insert in the RECORD editorials from the New York Herald Tribune, a paper which more nearly represents the ideas of Wall Street probably than any other paper in the United States; they may insert in the RECORD editorials of Mr. Ned McLean, of the Washington Post, charging the majority of the Senate with being immoral; but nevertheless it will not have the slightest effect upon the masses of the people of the country who realize to-day what the issue is.

I am amazed that the chief executive of a nation, when the facts were brought to his attention as to what was the real issue, did not take a firm stand and insist that these two public servants who had been in the Government service, one for 20 years and the other for 8 years, should be put back in the positions where they belonged and insist that they should be permitted to carry out the work they were doing.

The other day I called attention to the fact that there are cases pending before the Power Commission at the present time, that there are legal questions involved about which few if any lawyers in the United States understand anything; that there are cases involving millions of dollars; that there are cases, if you please, of the highest importance to the people of these United States; and yet these newly appointed commissioners discharged Russell and King and left those cases to be tried by men unfamiliar with the facts and unfamiliar with the law.

Not only that, Mr. President, but I called attention to the fact that before the Power Commission there are cases involving millions upon millions of dollars, involving questionable items and in some instances plain frauds perpetrated by some of the power companies upon the Government of the United States, and because the men, Russell and King, uncovered those questionable items and frauds they are to be punished and kicked out of office. The President of the United States said nothing about these efficient public servants, but rushed to the rescue of George Otis Smith, of Garsaud, and of Draper, and said of them that they are uniquely fitted for the positions to which they were appointed and which they hold.

Either the President of the United States does not know what are the facts in the case, or we can not help coming to the conclusion that he is in sympathy with the views held by Bonner. It seems to me that it is incredible that the President should be in sympathy with the views held by Bonner, but what other conclusion can be reached in the face of the repeated statements made by Bonner, as I am informed, that he was acting under orders from the President of the United States, and in view of the fact that the minute he was discharged by the newly appointed commissioners he was put back to work in the Reclamation Service by order of the Secretary of the Interior, Mr. Wilbur.

Then Mr. Ned McLean refers to those who voted for the reconsideration of the confirmation of these commissioners as the "immoral majority." He likens the President of the United States to Washington and to Lincoln and to Cleveland for his refusal, if you please, to take any action. Yes; he likens him to Lincoln, but what does any Senator think Lincoln would have done under like circumstances? Would he have stood by men who lined up on the side of the power interests or would he have stood by the men who lined up with the common masses of the people?

As I said a moment ago, it is unfortunate, in my opinion, that the President of the United States thinks that every time a Senator upon the floor disagrees with him or votes contrary to his wishes he is moved by a desire to malign him and to discredit him before the people of the United States. The President has been so told by the Republican orators so many times and by Ned McLean and by Lucas and by the little group of "yes" men around him, that he has come to the conclusion, I presume, that he really is what they have told him he is—another Lincoln or another Washington or another Cleveland.

Mr. President, when he is sympathizing with Draper, when he is sympathizing with Garsaud, when he is sympathizing with George Otis Smith, is it not queer that he does not extend just a little bit of sympathy to this employee, King, who has been working and plugging in the Government service for 20 years? King is not a politician; he has not any Republican Senators or Republican Representatives or representatives of power interests to come to his rescue. He is merely a clerk in the department who has been doing his duty, but no sympathy goes out to him. He has been uncovering the frauds which have been perpetrated by some of the power companies of the country.

Then the President goes on to say:

The qualifications of all five members were again searchingly investigated by the committee, the nominations were favorably reported to the Senate, and they were confirmed.

Then he concludes by saying:

I regret that the Government should be absorbed upon such questions as the action of the Power Commission in the employment or nonemployment of two subordinate officials at a time when the condition of the country requires every constructive energy.

"When the conditions of the country require every constructive energy." Yes, Mr. President, it is unfortunate that the Senate of the United States should be required to consume four or five days debating an action of the President and his appointees in dismissing two honest, faithful public servants when people on the farm are in a distressed condition and when there is and has been great unemployment throughout the country. But who is responsible for the Senate and the House of Representatives not having taken earlier action? Is the responsibility that of the Congress of the United States or of the President of the United States or his friends on the other side of the aisle? Who has been holding up the legislation and denying any relief to the farmers in the drought-stricken areas and to the unemployed in the country? Who is to blame? Let us analyze, if we will, what the facts are.

I state here, Mr. President, that the accusation contained in the last words of the statement of the President are not in accordance with the facts. That is proven by the pages of the CONGRESSIONAL RECORD covering the past session of Congress as well as the present session. For over two years Members of this body have devoted time and energy in an effort to solve the problem of employment. When the drought came it was Members of this body who exposed the terrible conditions and sought to secure prompt and adequate relief from the Government.

Let me ask what happened to the uemployment bills which were introduced in the last session of Congress by the Senator from New York [Mr. WAGNER]? Where was the President of the United States then? Was he seeking to secure the enactment of unemployment legislation? What has he done at this session of Congress to help secure the passage of drought-relief measures through the other branch of Congress? Is there any man in this body who does not know that if the President of the United States should speak to-day and say to the Congress of the United States, "I want an appropriation for food to take care of the drought-stricken farmers of Arkansas and Oklahoma and the other States of the country," the Members of Congress at the other end of the Capitol would accede immediately to his request, and we would not be confronted with the refusal to furnish food to the suffering people in the drought-stricken areas of the country?

The President's accusation of the Senate is also a belated effort to escape blame that belongs squarely upon his shoulders. How has he been seeking to relieve these conditions? I want to enumerate his efforts:

First. By denying their very existence.

Is there anybody who will challenge that statement? The President of the United States has repeatedly denied that there was any unemployment in the country; he has re-

peatedly denied that there were any bad financial or industrial conditions in the country. Last spring he said in a statement he issued, as I recall, that prosperity was just around the corner, and his Secretary of Commerce and the Department of Commerce have constantly and repeatedly issued statements to the effect that we were just "on the verge of another era of prosperity."

Second. By using the power of his administration to obstruct employment measures proposed by the Senator from New York.

Third. By issuing prosperity statements in the midst of a great public calamity.

Fourth. By opposing congressional appropriations to relieve human distress.

Fifth. By grossly underestimating the amount of unemployment and the extent of suffering in drought-stricken areas.

Sixth. By proclaiming his ignorance of real conditions by a public announcement that the Red Cross was adequately caring for the victims of drought and did not need additional funds.

When I made a statement the other day with reference to the funds of the Red Cross it was the Senator from Utah, I think, who stated, as I understood him, that the Red Cross had only four or five million dollars. I think, if the Senator will check up on that statement, he will find that Judge Payne did not correctly report the amount of money the Red Cross had on hand or that the Senator got the wrong impression from his testimony.

Mr. SMOOT. Does the Senator have reference to the statement made by me?

Mr. WHEELER. Yes.

Mr. SMOOT. The Senator says that I was mistaken, but that was the statement made by John Barton Payne.

Mr. WHEELER. I say if the Senator will check up that statement I think he will find that Mr. Payne was mistaken about it when he made the statement, and did not intend it in the way the Senator construed his statement.

Mr. SMOOT. I did not construe his statement in any way. I merely stated what John Barton Payne said the Red Cross had on hand.

Mr. WHEELER. I am not trying to say the Senator made a misstatement; I am simply calling his attention to the fact that if the Senator will press Mr. John Barton Payne I am quite sure he will find that he either misunderstood Mr. Payne's statement or that Mr. Payne was mistaken with reference to it.

Mr. SMOOT. I think the Senator from New York [Mr. COPELAND] will agree with me that that was the statement made by Mr. Payne.

Mr. WHEELER. I do not doubt it being his statement; I am not challenging the fact that the Senator said that was the statement.

Mr. COPELAND. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from New York?

Mr. WHEELER. I yield.

Mr. COPELAND. Mr. President, I confess that I can hardly understand the attitude of the Red Cross. The Senator from Utah will recall that in the hearing we had last week before the Appropriations Committee—and the Senator from Montana will bear with me, because what I am about to say is in line with his argument——

Mr. WHEELER. I am glad to yield to the Senator from New York.

Mr. COPELAND. I asked this question, which I quote from the record:

> Judge, is there any hesitation on the part of the Red Cross to make an appeal at this time for funds because of the moral effect it might have—that is, the psychological effect—in emphasizing the situation?

That was my question. His answer was "No."

And I want the Senator from Montana to listen to this:

> The reason we do not want to make it now is because we are not in need of it.
>
> In view of the statement that I have made to you here this morning, if I would go outside and ask for money contributions you would laugh at me.

That was three days before he did go out and ask for $10,000,000.

I quote further from my statement to him:

> Well, Judge, if you will take it from me in good part, I say that you are in imminent danger of having some money thrust upon you by the Government, and my advice to you is, make your appeal to the public and replenish your funds. That is all in good part. Make it, and make it now.

Mr. President, I should like to say further that it was perfectly apparent to me at the time of the hearings last week that four and a half million dollars which the judge said the Red Cross had in its Treasury was not a fleabite—and that is exactly the language that I used, "not a fleabite"—to care for four and a half million unemployed people in this country. I am in harmony with the purposes of the Red Cross; I do not want to say a thing now to hurt it; I want its appeal to be a successful one; but we are so sheltered in this Capitol, we are so remote from unemployment and the effects of unemployment that we forget about the thousands and hundreds of thousands of men and women in the country who are to-day on the verge of starvation. We can not afford to disregard their appeal and its urgency. My only criticism of the Red Cross is that it did not wake up long ago and make an appeal for funds. If there shall be any failure on the part of the people to respond to that appeal, I say, Mr. President, in all solemnity, we must find the money.

I saw with my own eyes two weeks ago in New York City 9,000 men in line waiting to get soup and bread and coffee from a station provided by the philanthropic people of New York. If that is any index at all to conditions in America, it is time the American Congress turned aside from everything else and devoted itself to the one thing of relief of human suffering.

I apologize to the Senator from Montana for the long interruption. I came into the Chamber and heard him mention this matter about the Red Cross, and that is why I ventured to say what I have said. I assume that he is speaking in favor of doing something, some material thing, to relieve human suffering, and I want to indorse and to second his efforts in that direction.

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Utah?

Mr. WHEELER. I yield.

Mr. SMOOT. I rose simply because I understood the Senator from Montana——

Mr. WHEELER. I was not criticizing the Senator from Utah in the slightest degree. If he so understood me, he is mistaken.

Mr. SMOOT. That is the way I did understand the Senator. Not only that, but I want to add my testimony to that which has already been given by the Senator from New York, because I do not think there was a member of the committee who felt that the $4,500,000 that the Red Cross had on hand was sufficient to meet the emergency. When John Barton Payne, chairman of the Red Cross, was asked if he thought that was sufficient he answered, "Well, at least it is all that we anticipate; but," he said, "if the barrel gets close to the bottom we will squeal and we will ask the people to give more."

Mr. WHEELER. Let me say in reply to the Senator that I agree fully with what the Senator from New York has said; and I hope that the Red Cross will raise the money, and I hope they will distribute it to relieve the suffering. I have never criticized the Red Cross; but I was amazed when the statement was made that they had only four and one-half million dollars, because the information which I had, and which has been confirmed since that time by statements made to me by reputable men who have conferred with the Red Cross, is to the effect that they have many times more than $4,500,000.

Mr. SMOOT. I have not any doubt but that the people will give the $10,000,000 asked for, and give it very quickly.

Mr. WHEELER. Let me say to the Senator, so far as I am concerned, that I would go further; and I would say that the Government of the United States ought to take a

lot of this wheat that the Farm Board has stored and make some arrangement to have that wheat made into flour, and they ought to turn it over to the starving people, not only on the farms but in the cities like New York and other places throughout the country where millions of unemployed are going hungry to-day.

Mr. SMOOT. Mr. President, I was going to add that I have not any doubt that if the $10,000,000 called for by the Red Cross is used up another call from the Red Cross will be responded to very quickly.

Mr. WHEELER. I should like to see them use not only the $10,000,000, but some of the other millions they have on hand.

Mr. GILLETT. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Massachusetts?

Mr. WHEELER. I yield.

Mr. GILLETT. I want to ask the Senator if he thinks the city of New York is so poor that it can not take care of its own suffering.

Mr. COPELAND rose.

Mr. WHEELER. I am not in a position to speak for the city of New York, but I do say it is not entirely a question for the city of New York any more than it is a question for the State of Arkansas or the State of Montana. This is a national calamity, and it has been brought about to a large extent by laws enacted by the Congress of the United States.

Mr. SMOOT. Mr. President, I disagree with the Senator there. I do not think the laws of the United States had anything to do with the drought in the southwestern part of the country.

Mr. WHEELER. Oh, no; I am talking about unemployment. I am not talking about drought. Do not shift the issue from drought to unemployment. I am saying that the laws passed by Congress have had something to do with the unemployment situation in this country, and they have had something to do with the unequal distribution of the wealth of the country.

Mr. FRAZIER and Mr. COPELAND addressed the Chair.

The VICE PRESIDENT. Does the Senator from Montana yield; and if so, to whom?

Mr. WHEELER. I yield first to the Senator from North Dakota.

Mr. FRAZIER. Mr. President, I do not think the action of Congress had anything to do with the drought, either; but I do think it is a mighty serious situation when the farmers who have worked for a lifetime in Arkansas or any other State, because of a drought in one season, are living under such poor conditions that they have not enough food to live on, or enough money to buy food and clothing for their children. It is not altogether farmers, either. The same thing applies to other workingmen, too, because if they are thrown out of employment for a few months they are on the rocks. It is an indictment against the method of doing business here in the United States Congress in not providing legislation for the benefit and protection of the common people of this Nation.

Mr. COPELAND. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from New York?

Mr. WHEELER. I yield to the Senator.

Mr. COPELAND. The question asked by the Senator from Massachusetts is typical of the attitude of persons who hold to the belief that we are not facing a great calamity. I am not criticizing the Senator from Massachusetts [Mr. GILLETT]. He has not been home. If he had walked up and down the highways and byways of the State of Massachusetts, unless that State is far different than it was the last time I visited it, he would find thousands of men and women out of employment.

Let me say to the Senator from Massachusetts that we do not ask one dollar for New York City—not one single penny. We do not need the money. We will provide for our own; but the fact that we are fortunate enough to do that is no reason or excuse for us to blind ourselves or to shut our hearts to the fact that there is widespread human suffering in the United States, reaching from Maine to California and from Michigan to the Gulf; and we sit here so content that we are satisfied to have that condition go on!

Mr. President, so far as I am concerned, I am not satisfied. I do not ask a dollar for my State—certainly not for my city—but I do not want to be here, a Member of this body, and know that there are men and women and little children in this country who have not food enough to maintain health and virility, and to give them just the creature comforts which they need, while we sit here indifferent; and every time the question is raised, the attitude of the Republican Party is, "Let us put on the soft pedal. Let us not let the country know that there is disaster. Let us not let the country know that there has been a breakdown of government." Any informed person, Mr. President, knows that there never was in this generation, certainly, any such state of affairs as we have to-day; and we can not excuse it by saying, "Oh, New York and Boston and Chicago may take care of their own." That is all right. That is the duty of the great cities; but in the rural sections, down in the drought sections, and I venture to say even in the rural sections of my State, there is suffering. Let us not close our hearts and our minds to this appeal.

It is our solemn obligation to find a way to bring relief; and if the great Red Cross, which has never failed in times of grave disaster, can not deal with the matter, let us not hesitate to appropriate funds and ask the Red Cross to administer them. We must not, of course, do anything that will hurt the future appeals of that great organization; but let no man here say that because New York City can take care of its poor and its hungry and those who are cold, we must not on that account be liberal in our contributions to take care of other communities less fortunate than the city of New York.

Mr. WHEELER. Mr. President, I was enumerating the different things that Mr. Hoover had failed to do. Among them, I said that by proclaiming his ignorance of the real conditions in a public announcement that the Red Cross was adequately caring for the victims of the drought, and did not need additional funds, he misled the people of this country. When the real situation was exposed by overwhelming evidence presented on the floor of the Senate, he issued, only two days ago, a proclamation calling for a public popular subscription of $10,000,000 to supplement the Red Cross fund of $5,000,000, which he and Judge Payne had claimed was sufficient.

Mr. President, when the President issues a statement to the press, and says to the press that he is sorry or regrets that it is necessary to take up so much time, and that we ought to be devoting our time to the problems that face the country, the distress that is facing the country, it seems to me that statement is beneath the dignity of the President of the United States, in view of the repeated statements he has made that there was not any unemployment in the country, and he would not recognize any unemployment in the country, and in view of the statement he made that the Red Cross was adequately taking care of the situation, and, in effect, that he did not want any appropriations by the Congress of the United States to feed the people.

But, Mr. President, just analyze the difference between his attitude with reference to drought relief and unemployment and what took place when the Wall Street crash came on. He came before the Congress of the United States at that time and immediately asked for tax relief and that a donation be handed out, not to the unemployed over in New York City—oh, no; not to the unemployed; they can take care of themselves—but he asked that it be given to the millionaires of New York City. They are the ones for whom he asked relief; and do you Republicans think that when the people of the United States meet they will not "pass unerring judgment" upon what is taking place in this body at this time?

Mr. President, Ned McLean may speak of the "immoral majority" in this body. When he does, the people of the United States will likewise pass unerring judgment as to who is immoral—Ned McLean or the majority of the Members of this body.

Mr. President, the President called these conferences, and after the conferences he announced that their object was "the demonstration of the confidence of the administration by undertaking tax reduction." That object was put through, and it was the only thing accomplished—$160,000,000 gift by tax refund to the more prosperous, to the richest millionaires of the country. That is where it went; yet when it is proposed in the Senate that a much smaller amount than this be appropriated for the victims of unemployment and drought, the administration indignantly denounced it as a "dole" and "a raid upon the Treasury of the United States."

I want to cite but two of many signficant statements which show that the people will pass unerring judgment on the situation in this country.

The first is from an article by Professor Slichter, of Harvard University, which appeared in the New Republic. I am going to ask that that article be inserted in the RECORD as a part of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

The article referred to is as follows:

[From the New Republic of December 31, 1930]

It is said that we have the dole in America, and this is true. But the real recipients of the dole are not the men who stand for hours before the Salvation Army soup stations. The real recipients are the great industries of America. They are extracting a percentage of the meager pay of tens of thousands of their employees, obtaining myriads of contributions from churches, charitable organizations, the Salvation Army, city employees, commission merchants, hotels, coal dealers, and thousands of business and professional men in order to pay their labor overhead. If anyone is being pauperized and demoralized by the dole, it is industry no less than the men in the soup lines. Industry pays dividends on idle capital. In order to do so the corporations of the country, according to the estimates of the National Bureau of Economic Research, save, on the average, approximately 40 per cent of their net profits. In 1921 corporations engaged in manufacture, according to the estimates of the bureau, paid dividends on their common stock of over a billion dollars. In order to meet the emergency caused by the depression they reduced their wage payments about 39 per cent below 1920. But they found it necessary to reduce dividends on common stock only 12 per cent. Why should not the policy of building up reserves to continue payments during periods of depression be applied to labor as well as to capital? Has not the time come for industry to cease holding out a tin cup to the American public and to pay its own labor overhead?

Mr. WHEELER. Then I want to call attention to statements in the New York Times, part of an editorial appearing on January 11, 1931, in which it says, in part:

Being an optimist does not necessarily mean that a man must blind his eyes to unpleasant facts. There has been something too much of this, for example, in the matter of unemployment. Governor Roosevelt dealt properly with this subject in his message to the New York Legislature. In a frank and manly way he said, when speaking of the efforts of this State to deal with the problem: "Our course has been founded on truthful and accurate statistics. Those charged with the duty of collecting these figures for the State have realized the futility and folly of attempting to gloss over or conceal the real situation. In the long run the truth hurts nobody."

Then the editorial goes on to say:

There was perhaps implicit in this a comparison between the figures of the New York Labor Bureau and those put out at Washington. The latter were doubtless not intended to be misleading, but they have been shown to be inaccurate. In his message to Congress early in December, President Hoover incautiously—

Even the conservative New York Times says that he "incautiously"—

committed himself to the statement that the number of the unemployed "was accurately determined by the census last April as about 2,500,000." He added that the subsequent manifold efforts to provide special employment "tend to reduce such published figures." Yet only a month later the head of his own commission on unemployment, Colonel Woods, informed Congress that the number of persons out of work is now somewhere between 4,000,000 and 5,000,000. He also believed that conditions might be a little worse, through obvious seasonal causes, during January and February. Such discrepancies in official information are, to say the least, unfortunate.

That is the end of the editorial.

FEDERAL POWER COMMISSION

Mr. President, I conclude by saying it is not a pleasant task to stand on the floor of the Senate and call attention to the misstatements of fact made by the President of the United States in his statement given to the press in connection with his refusal to send back to the Senate of the United States the names of Garsaud and Smith and Draper. It is not a pleasant thing to do. It is not a pleasant thing to do to call the attention of the country to the fact of the misstatements, and show the misinformation that was given out from the White House with reference to unemployment.

It is not a pleasing thing to stand on the floor of the Senate and call attention to the misinformation he has given to the country with reference to the drought relief. But these are the cold, undisputed facts. Misinformation has been given to the country, and it is the same kind of misinformation that was given to the country in this instance that he gave to the country the other day with reference to the contest that has been going on over Garsaud, Smith, and Draper. There was no attempt on the part of the Senate of the United States to dictate to the President of the United States with reference to his appointees. There was no attempt on the part of the Senate of the United States to tell the commission whom they should have, but there was resentment on the part of a majority of this body that two public servants who had been faithful in their duty, who had been fighting in the interest of the public for, lo, these many years, should be fired and kicked out and disgraced, and that another public servant who had been faithless to his duty should be received with open arms by the President's Secretary of the Interior, Mr. Wilbur, and kicked out.

Oh, yes, he can talk about the efficiency of the men he appointed on this Power Commission, but if you look into their records, you will fail to find it. He can talk about their fitness, but I challenge him to point to one single thing in the record of these men showing that they are qualified in the least degree, or that they know anything about the problems which confront the Power Commission of the United States.

Mr. President, this morning an editorial appeared on the front page of the Washington Herald, and likewise the same editorial appeared in the New York American, and I ask that it be inserted in the RECORD in toto as a part of my remarks. The editorial is entitled "Will the Senate Defend the Rights of the Public?" It calls upon the Senate to stop the appropriation for the salaries of Garsaud, Draper, and Smith when the appropriation bill carrying them comes before the Senate of the United States.

The VICE PRESIDENT. Is there objection?

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WILL THE SENATE DEFEND THE RIGHTS OF THE PUBLIC?

Now that the new Federal Power Commission has shown by its dismissal of Auditor King and Solicitor Russell that, instead of being the faithful and fearless servant of the people, it is only a subservient creature of the Power Trust, the duty of the Congress becomes plain and imperative.

Not another dollar of the people's money should be appropriated by the Congress for the continuance of this commission until its membership has been purged.

It can not be purged until Chairman Smith and Commissioners Garsaud and Draper have been eliminated.

These are the three commissioners who are responsible for the removal of King and Russell.

These are the three commissioners who penalized two brave and devoted Federal employees for exposing, condemning, and doing their best to prevent the Power Trust from stealing valuable properties all over the country that rightfully belong to the people.

If they did not know that they were doing exactly what the Power Trust wanted done when they dropped the chief accountant and the solicitor of the old commission, then Smith, Garsaud, and Draper are intellectually deficient and consequently unfit to serve on a regulatory body created by Congress to administer the water power act in the interest of the people.

On the other hand, if they did fully realise the sinister significance and the vicious effect throughout the whole Federal service which their summary discharge of King and Russell was bound to have, then Smith, Garsaud, and Draper are morally unfit for service as members of the new commission.

Congress created this commission to administer the Federal power act in the public interest by enforcing its every provision with a vigor that would protect the natural resources of this country against the raids of the Power Trust and every other tyrannical minority attempting to steal public property.

Congress did not set up this commission to provide another "fence" behind which the theft of public property could be concealed and the thieves permitted to get away with their swag.

Not until these three commissioners are driven from office and the vicious standard of official conduct which they set up when they dismissed King and Russell is repudiated can its official acts deserve the confidence of the people or command the support of public sentiment.

As long as Smith, Garsaud, and Draper remain in office, the commission will deserve the country-wide contempt in which it is now held as the proven creature of the Power Trust.

Instead of being a defender of the people's property a Power Commission contaminated by the membership of Smith, Garsaud, and Draper will only be a "nesting place" for the dummies or the dupes of one of the most tyrannical minorities that ever attempted to overthrow the visible government of the Constitution and subject the American people to an invisible government of, by, and for the evil forces of special privilege.

If President Hoover insists in his refusal to appoint a Federal Power Commission honest, brave, and competent enough to defy the dictates of the Power Trust and protect the property of the people, then the Senate should keep on rejecting his nominations until Mr. Hoover has a change of heart.

If the Senate finds itself prevented by legal technicalities from receding from its confirmation of the Smith, Garsaud, and Draper nominations, then the House of Representatives should join the Senate in refusing to appropriate any more money for the commission while these three dummies or dupes of the Power Trust continue to discredit its membership.

President Hoover has defied the action of the Senate and the opinion of the public and has determined to stand by the Power Trust and his and its appointees on the Federal Power Commission.

The only question now, therefore, is whether the Senate will have the backbone to stand up for the public rights and its own rights or whether it will "lie down" tamely and submissively, as it has done so often of late.

In fact, lying down before a dominant and impudent Executive has become so characteristic of the Senate that the Hearst papers venture to suggest that in the interest of senatorial comfort and convenience the chairs be removed from the Senate Chamber and overstuffed sofas, couches, and divans appropriately substituted in their places.

RELIEF OF FARMERS IN THE DROUGHT AND STORM AREAS

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. J. Res. 447) making an appropriation to carry out the provisions of the public resolution entitled "Joint resolution for the relief of farmers in the drought and/or storm stricken areas of the United States," approved December 20, 1930.

Mr. NORRIS. Mr. President, it seems to me, not only from what has been said in the Senate to-day but from the general information the country has, and which has from time to time been offered in the Senate in the consideration of various aspects of the relief measures, that it must be apparent to every thinking man, to every person who has any sympathy in his heart or love for his fellow man, that the country is presented with a condition of distress which demands candid, fair, and merciful consideration at the hands of Congress. We are confronted with the fact that while the Senate has passed various measures of relief, we have never been able to have any of those provisions enacted into law because of the opposition of the President of the United States.

To be concrete, there arose early in the relief discussion a contest between those who wanted to extend relief in the form of loans for the purchase of human food as well as for the purchase of seed for crops and food for animals and those who opposed the appropriations for loans for the purchase of food. The Senate, to begin with, increased the amount to be used for the purchase of seed and feed for animals from thirty millions to sixty millions, and likewise amended the bill so that the money could be used in the purchase of human food. Those two amendments were bitterly opposed, and the influence of the President was sufficient, so that when we met in conference we were frankly told, "Take what we give you or get nothing."

We are confronted to-day with the same proposition. The amendment providing for an appropriation of $15,000,000 to buy food to relieve human suffering is rejected, and we are frankly told that unless we accede to that rejection and withdraw from our position asking that this $15,000,000 be appropriated for human food we will get nothing for seed for crops and nothing for feed for animals. In other words, we are confronted in this conference report with the proposition that in spite of the judgment of the Senate that we ought to appropriate some of this money for the purpose of staving off starvation of human beings we must surrender on the proposition entirely or no money will be appropriated to buy seed, so that crops can be raised next year, or buy feed for animals which are to be used in the production of next year's crop.

I myself can not understand the viewpoint of those who say that human suffering in our own country must not be relieved by the appropriation of public funds. I know there are a great many times when we are asked to appropriate money under conditions like these when it is a debatable question as to whether it should be done or should not be done—debatable because there is perhaps some doubt as to the magnitude of the suffering. Everybody knows that if there is local suffering, local communities should and, as a general rule, do take care of it. But I think it must be conceded that we are confronted at this time with a condition of distress and human suffering that is almost nation-wide.

When such conditions have occurred in foreign countries we have not hesitated to appropriate money to give relief. I am not criticizing the Congress because they have taken such action in the past. I think they did the right thing. But it seems to me it would be much more reasonable for us to relieve human suffering at our very doorstep.

We are confronted with evidence—which, so far as I have been able to discover, is uncontradicted—that large sections of our country contain inhabitants the majority of whom do not have enough to eat and have no way of obtaining food to sustain human life. Men, women, and children are suffering over a territory that is much larger than the thirteen original States. Several things have happened to bring that about. It may be that in some cases those who suffer are in part and are sometimes wholly to blame. But, as I look at it, that should make no difference. When we find a man in the gutter, we do not ask how he got there, but we take him out and put him on his feet and make our investigation afterwards. When people, especially little children, are suffering for the necessaries of life, the first thing to do is to bring relief, and it seems to me that that can be brought about most appropriately by appropriating money from the Federal Treasury. In fact, as I look at it, on account of the magnitude of the suffering, that is the only real way to meet the situation.

Some parts of the country have not suffered. I am fortunate in coming from a State where, while we did not have all over the State a big crop as compared with other sections of the country, we raised a very bountiful supply of food for human beings and for animals. There are coming into that State now from other sections of the country people who have no means of buying clothing or food. People are straggling and drifting by the thousands into the most prosperous portions of the country from the devastated regions, almost starving on the road to get there.

I received to-day here at my desk a telegram from a very highly respected citizen of Valentine, Nebr. That is away up in the extreme northern portion of the State, west of the center. This lady wires me a copy of a telegram she sent in answer to the representative of the Red Cross at St. Louis. She said:

Follows herewith copy of telegrams sent to William M. Baxter, jr., manager American Red Cross, St. Louis, Mo.

This is the telegram she sent to the manager of the Red Cross at St. Louis:

Answering telegram requesting drive for relief funds, will advise we need every dollar at home. Our sand hills of Nebraska are prosperous compared with the rest of the country, but this county is filling up with refugees from less fortunate sections, demanding our time, money, and attention. Among these refugees are many pitiful cases necessitating instant and constant relief. We feel that since Congress wants to finance this relief, it should be permitted to do so. Sentiment of the entire community is that funds should be provided by Government and administered through the Red Cross without further delay. If President Hoover and Judge Payne would circulate among the common people for a few hours they might stop fiddling while the country starves.

SYLVIA A. K. QUIGLEY, *Chairman.*

Mr. President, I think the condition pictured is only a sample of what is happening in other sections of the country. Some of these people have not the means and have not the method by which they can go from the devastated parts of the country to other parts where there is more food and better opportunity to live through the winter. How anyone can close his mind and close his heart to the appeals coming from all over the country for relief from human suffering and say "We will give relief to animals but not to people" is more than I can understand or comprehend.

It is said it would establish a bad precedent. We were met with that statement in the conference committee in the consideration of the original measure. Suppose it does? Are we going to let people die of starvation because it may establish a precedent that will be difficult to overcome in the future? Are we afraid that some time in the years that are to come another catastrophe shall overtake large portions of the country and that we will not be able to say, "When we were asked for food in 1930–31 we gave you a stone and therefore we are justified in giving you another one now?" We ought to establish the precedent that we are not immune to appeals because of human suffering. We ought to establish the precedent that we are human beings and that the Government of the United States is human and is moved by the appeals of human suffering.

Mr. BARKLEY. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Kentucky?

Mr. NORRIS. I yield.

Mr. BARKLEY. Far from any such appeal establishing a precedent, the RECORD shows that Congress has enacted more than 70 joint resolutions in the history of the United States, appropriating money for the purchase of food and clothing for the relief of the suffering, not only for people of our own country but for people of other countries as well.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER (Mr. FESS in the chair). Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. NORRIS. I yield.

Mr. BORAH. I want to ask the Senator from Kentucky and those Senators from that region of the country which is most afflicted in regard to this proposition. It must be very apparent that we ought to have some aid very soon even if it is confined to loans for the purpose of purchasing fuel, feed, and so forth. The question is whether we ought to hold up the $45,000,000 appropriation longer or whether we should appropriate that sum and make an effort to do with reference to the other matter whatever we may be able to do in the future. We are keeping the farmers from preparing for their crops, which is absolutely necessary. The question is whether we should insist upon the $15,000,000 in this measure or seek to secure it in another bill. How does the Senator from Kentucky feel about it?

Mr. BARKLEY. Of course I personally would not be in favor of holding up the $45,000,000 indefinitely in an effort to attach to this particular bill the $15,000,000 for food. At the same time we have to realize that we would probably be confronted with the same opposition on any bill to which we might attach such an appropriation.

Mr. BORAH. But the $45,000,000 will be available to enable them to prepare for their crops. That will have been appropriated and will be in their possession or be available to them. There are many bills which will come before us to which the $15,000,000 could be attached without delaying that which is essential for the people to have in order to begin raising or preparing to raise their 1931 crops.

Mr. BARKLEY. Of course, the difficulty will be that the pressure will be greater to prevent the appropriation of a dollar to buy food after the $45,000,000 has been appropriated to buy feed. In other words, under the philosophy of the administration, if we provide feed for animals, the pressure will be even greater to prevent the purchase of any food for humans.

Mr. DILL. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Washington?

Mr. NORRIS. I yield.

Mr. DILL. I want to remind the Senator from Idaho that a similar argument was used regarding the debenture plan on the farm relief bill. We were told that it more appropriately could be applied to the tariff bill. When we put it on the tariff bill we yielded on it and we have no debenture now.

Mr. BORAH. I am aware of that fact, but what I would like to know from those who come immediately from States which are so severely afflicted is whether the time has come when it is absolutely necessary for them to have something to begin to raise their crops or else lose their crops for this year? Is the exigency sufficiently at hand? That is the question that confronts me. It seems to me we had better provide means for their crops and have it soon. In this way we neither provide for means to take care of their crops nor for food. We lose both.

Mr. BARKLEY. If the Senator from Nebraska will permit me further——

Mr. NORRIS. I yield further.

Mr. BARKLEY. Of course, except in the extreme southern portions of the drought area, there is very little that can be done at this moment toward the raising of crops. In the State of Kentucky, for instance, it will be at least two months normally before the farmers will begin breaking their land for the planting of the spring crops. Of course, it is necessary to buy feed for their animals in order that they may be able to pull a plow two months from now. But so far as the needs for the immediate particular moment is concerned in my State, the need for food for human beings is very much more urgent than is the need for feed for animals.

Mr. BORAH. I have not any doubt about that fact.

Mr. NORRIS. Mr. President, are we not presented with this proposition? We can not get an appropriation for food for human beings because of the power and influence of the President of the United States. Put that down. It is an impossibility, no matter how anxious we may be to get it. We can get an appropriation for feed for animals and to buy seed if we will stop at that on this particular appropriation measure. If we insist on our amendment, we will not get even that much. Therefore we are presented with the situation as a practical legislative proposition, it seems to me, that we must either recede on the appropriation for human food or get nothing for human food or animal feed or for seed.

The thought has occurred to me that in connection with the Agricultural Department appropriation bill, which has been reported to-day and is now on the calendar, although it would probably require a suspension of the rules by a two-thirds vote, that in the Senate we could put this same or a similar amendment on that bill. Then the Senate would be in a position to stand on that amendment and either have the bill with that amendment attached to it or have no Agricultural Department appropriation bill at all.

Mr. ROBINSON of Arkansas. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Arkansas?

Mr. NORRIS. I do.

Mr. ROBINSON of Arkansas. I made that suggestion myself a few moments ago during the course of some remarks which I submitted on the subject now before the Senate. We can put the amendment on any general appropriation bill. We can put it on the Agricultural Department appropriation bill or the deficiency appropriation bill. Once it is in there the arbitrary practices which have prevailed thus far, preventing consideration of adequate measures of relief, will break down. I think that is true.

May I say while I have the floor by courtesy of the Senator from Nebraska that I think there is need for the immediate passage of the feed, seed, and fertilizer bill, although it is, as I have tried many times before to say, inadequate and puts the Congress in the anomalous position of saying to an honorable citizen that he may have a loan to feed his work stock but must stand in the bread line in order to secure food to feed his family. I have not language available properly to condemn a policy of the character just indi-

cated. The object of some of the people who have already delayed at the other end of the Capitol consideration and action on the seed, feed, and fertilizer bill is to put the friends of the measure in the attitude of being in part responsible for that delay.

I think the time has come when we should immediately yield, in view of the fact that the House conceded a vote on this amendment and that the vote was 134 in favor of the amendment and 216 against it. I think in view of that fact the correct strategy is to yield on the amendment here, put it in the Agricultural Department appropriation bill, and if it gets in there then see that it remains there or the Agricultural appropriation bill fails of passage. I am willing to take that position and whatever responsibility is attached to doing it.

I will say further that in anticipation of this question arising I took the liberty of calling together this morning the Democratic Senators who are regarded as most vitally concerned. A number of them had already left their offices to fill engagements at departments and committees and were unable to attend, but it was the unanimous opinion of those who did attend that the correct strategy, in view of the facts and circumstances now well known to the Senate, is to yield on the amendment and incorporate it or a similar appropriation provision in a general appropriation bill.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield further to the Senator from Idaho?

Mr. NORRIS. Certainly.

Mr. BORAH. I do not think that there will be any difficulty about the Senate putting such an appropriation on a general appropriation bill.

Mr. ROBINSON of Arkansas. The Senate has twice voted for it by unanimous vote.

Mr. BORAH. There will be no difficulty about putting it on an appropriation bill. If we are able to accomplish it in that way we shall likely accomplish it as soon as we can in this way. In the meantime the farmers will be relieved of the great need that now confronts them and will have something to buy feed and put in their crops.

Mr. ROBINSON of Arkansas. That is true.

Mr. NORRIS. Mr. President, I want to say just a few more words——

Mr. McKELLAR. Mr. President, may I interrupt the Senator before he leaves this point?

Mr. NORRIS. Very well.

Mr. McKELLAR. The Senator is a well-known parliamentarian and so is the Senator from Arkansas [Mr. ROBINSON]. This amendment in the exact terms in which it has been offered having already passed the Senate, would it not be in order without suspending the rules and would not a majority only be required to pass it if it were put on a general appropriation bill?

Mr. ROBINSON of Arkansas. Answering for myself in the time of the Senator from Nebraska and with his permission, I have assumed that is true. There may be some question. Some parliamentary issue might arise, but if it should arise I have not the slightest doubt that the Senate, having twice unanimously voted the proposal, would suspend the rule if the Chair should hold that that is required.

Mr. NORRIS. There might be some parliamentary question arise as to the form of the amendment. I have not talked with Senators about it. Quite a number have expressed to me their idea that the way to do it is to appropriate $15,000,000 and turn it over to the Red Cross; that we ought not to loan it to these suffering people. A large number of them would be unable ever to pay it back. They have no security to give. It is a question of human food which the Red Cross is better equipped to take care of than our governmental agencies. I just want to drop that thought for the consideration of Senators.

We might have some difficulty if we relied upon the point raised by the Senator from Tennessee if we wanted to give it in such form as we have just outlined. But I think there will be no difficulty in getting a two-thirds vote on a motion to suspend the rules, which motion has to lie over one day, of course, but we can take care of it in that way.

It seems, although it may be, and I think is, humiliating on a great question of human suffering and human mercy, that we have to yield and abandon relief when hourly and daily the suffering all over the country is increasing at a rapid rate. But it seems we are helpless and that it is necessary for us to do something of that kind.

The President said some time ago:

> The leaders of both parties are cooperating to prevent any such event.

He was speaking of large appropriations and increased taxation.

> Some of these schemes—

He was referring then to the various schemes which had been proposed for relief—

> Some of these schemes are ill-considered, some represent enthusiasm, some represent a desire of individuals to show that they are more generous than the administration—

That would not be very difficult to do. If one be in favor of feeding a single child who is starving, he would be more generous than the administration if he is in favor of feeding it out of public funds. The President further states:

> More generous than the administration or that they are more generous than even the leaders of their own parties.

Where are the party leaders to whom the President refers, where is there one in the Senate—and there are many party leaders here—who wants to say that he is fundamentally opposed to the use of public funds to save women and children from starvation? If there are such, let them rise and say so. If there are such, then I should like to boast that I want to be more generous than they. The President goes on:

> They are playing politics at the expense of human misery.

According to that, any man who is more generous in providing relief for starving people than are the leaders of the party or the administration is "playing politics." Mr. President, in the name of common honesty, I deny it. Is it playing politics to want to feed the hungry when the administration does not want to feed them? Is it playing politics to want to appropriate money to feed those who are starving when the leaders of one's party are opposed to doing so? If there is any party that has such leaders, it had better get rid of them and obtain leaders who have humane hearts and who will not close their eyes to the starvation and hunger apparent all around us. The President also says:

> Prosperity can not be restored by raids upon the Public Treasury.

What about erecting public buildings as the administration advocates; what about building public roads, the funds for which all come out of the Public Treasury, on the ground of restoring prosperity? It seems to be admitted by the President that we do not have prosperity, for he is talking about its restoration.

Mr. President, I wonder if we have reached a time when a Member of Congress dare not say that he is in favor of this or that legislation without being charged with "playing politics," because it is alleged that the leaders of the parties do not want it? Are we going so far as to say that the rank and file of the membership, say, of the Senate, have no right to express their own opinions? Must they first go and seek out the leader and ask him whether or not they have a right to think? I am afraid that they would have some trouble to find the leaders even. Are we allowed to favor or oppose legislation without knowing first whether the administration wants it or does not want it?

Mr. McKELLAR. Mr. President——

Mr. NORRIS. I yield to the Senator from Tennessee.

Mr. McKELLAR. I merely wish to say that, so far as our leader on this side is concerned, he is whole-heartedly and genuinely for this measure of relief and for any measure of relief that will alleviate human suffering and misery.

Mr. NORRIS. I understood that to be true; but I was afraid to assert it because I feared somebody would charge me with contradicting the President, for the President said that the leaders on both sides were with him in this matter;

and I did not want to get into that kind of a controversy, of course.

Mr. President, if we have reached the time when the United States Senate, right or wrong, can not express itself in favor of the appropriation of public funds to relieve human suffering, then we ought to abandon our form of government. What are we here for? What were our forefathers thinking about when they provided for a Congress—a House of Representatives and the Senate? If they wanted men on a checkerboard they would not have provided any salary for them, and there would have been no necessity of having so many. They would have established a Mussolini government.

Mr. SHIPSTEAD. Mr. President——

Mr. NORRIS. I yield to the Senator from Minnesota.

Mr. SHIPSTEAD. Our system of government was established before we had parties, and provision was made when a man came to the Senate for him to take an oath to support the Constitution instead of to support a party.

Mr. NORRIS. That is an old form, and we have retained it; but it probably does not mean much any more. We now support parties and not the Constitution. We find out what our leaders want and we do what we are told; the leaders find out what the administration wants and they do what it wants them to do; and so everything goes right back to the administration. A Senator should have no voice in legislation; if he has a thought he should keep it to himself and not think it aloud, unless he agrees with his leaders or with the administration.

The PRESIDING OFFICER. The question is on the motion submitted by the Senator from Washington [Mr. JONES].

Mr. CONNALLY. Mr. President, I will detain the Senate for only a few moments.

The Senator from Nebraska [Mr. NORRIS] and the Senator from Idaho [Mr. BORAH] raised the question as to whether or not the Senate ought to hold up longer a vote on the item of $15,000,000 for food and should let the $45,000,000 item go through. I am very much disappointed at the action of the conferees on the part of the Senate in surrendering so quickly to the demands of the House conferees.

Mr. JONES. Mr. President——

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from Washington?

Mr. CONNALLY. I yield.

Mr. JONES. I call the attention of the Senator to the fact that the Senate conferees have surrendered nothing. The conference report now before the Senate is a complete disagreement.

Mr. CONNALLY. I beg the Senator's pardon. I desire to compliment him instead of condemning him. If a Senate conferee stands out from 6 o'clock at night until 12 o'clock the next day I think he is entitled to reward, because, while my career here has been very short, I have not observed Senate conferees being able to endure very long. The public long conceived the Senate as being a body of senile characters, without any power of resistance, and that character is justified by my observation of what we have done since I have been here with reference to conference committees, for, as a usual thing, the Senate conferees recede and accept the dictates of the House.

I presume there is nothing else for us to do but to accept the $45,000,000 now, and then tie $15,000,000 and probably $25,000,000—because if we wait much longer $15,000,000 will not be sufficient—on to some deficiency bill or regular appropriation bill. Then we shall be in a position to say to the House—not to the House, I do not mean to the House; but I mean to the powers that control the House—that we shall not pass the appropriation bill unless, for once, the views of the Senate are respected.

Mr. BARKLEY. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from Kentucky?

Mr. CONNALLY. I yield.

Mr. BARKLEY. The Senator overlooks the fact that the longer this relief is put off the fewer people there will be who can eat, because a good many of them will have passed on to the beyond.

Mr. CONNALLY. That is true; but at the same time their ranks will be recruited; the period of suffering is not over; and while many of them will pass on to the beyond, the longer relief is delayed the more hungry mouths there will be supplied to take their places.

There is some consolation in the fact that we may be able to get $45,000,000. As I recall, during the French Revolution one of the ministers when he heard the people crying for food said, "Let them eat grass." We are going to buy hay for animals, and the attitude of the administration and the leaders undoubtedly is that if the people are really hungry, let them eat hay, because they will have hay when the $45,000,000 appropriation shall finally be made.

Mr. President, the Senator from Nebraska quoted a part of the record, but he did not quote it all. In 1921 I happened to be a Member of the House of Representatives. There was pending before a committee of that body at that time, of which I was a member, a resolution to appropriate $20,000,000 not to buy feed for mules, cattle, and pigs, but to buy food for people. It is true those people were not living in America; they were not of our own flesh and blood; they were not our own kinsmen; they were not our own constituents; they were not citizens who had some right to look to this Government for generous treatment or even for its bounty; they were people living in Russia. At that time there appeared before the committee the Secretary of Commerce, Hon. Herbert Hoover. He appeared there in advocacy of an appropriation of $20,000,000 to feed hungry Russians, hungry Bolsheviks, hungry men with long whiskers [laughter] and wild ideas. The appropriation was made. I am appealing to-day for funds to feed little children who have not reached the age of maturity, little children who can not earn their own livelihood.

Mr. McKELLAR. And American children.

Mr. CONNALLY. Of course, as the Senator wisely suggests, American children. In introducing his testimony, the then Secretary of Commerce made a review of the activities of the postwar administration for relief throughout Europe, and after making that review, and telling of the great work that had been accomplished in the war-stricken countries, largely through the generosity of this Government in appropriating, as I remember, $100,000,000, he said:

> Thus we were in position to make an effort in Russia and, with the full approval of our Government, the relief administration opened negotiations last August with the Soviet authorities, acting as an informal and voluntary body.

Now listen—and this is the then Secretary of Commerce speaking:

> The problem that we are confronting is not a problem of general relief to Russia, for which there can be some criticism, but is a problem of relief to an area suffering from an acute drought.

The reason for according relief to Russia was not because we wanted to help Bolsheviks, but it was because a certain area of Russia had been stricken with drought. What is there about a drought in Russia that distinguishes it from a drought in the United States? Does the sun get any hotter in Russia? Does the ground become any more parched in Russia? Does the grass dry up any more quickly in Russia?

In other words, we are making a distinction here between the situation created by the hand of man, as distinguished from the situation that might be called an act of God. This Volga area, as has been stated, is practically altogether an agricultural region.

In 1921 it was sound and safe to vote money to give away—and here we are only asking that it be loaned—because of a drought in Russia. It was sound then to give it away because it had been caused, not by act of man, but by the act of God. Regardless of the claims of political parties, I will assume that we are going to agree that the drought really was caused here by an act of God and not

by the Senate minority—not by the coalition of Progressives and Democrats.

What else was said? The Secretary of Commerce then said:

Public charity is not to be an avenue through which this problem can be solved.

In 1921 public charity ought not to have been relied upon to raise $20,000,000. It was not to be resorted to in this gigantic undertaking to feed a little area of the Russian people. It was going to require something more than private charity. Let us see if we are able to do it.

It does not look to be a very great strain on the population to take $20,000,000 for a purpose of this kind.

That was good doctrine in 1921. What has happened—what has happened in the morals of nations, what has happened in the philosophical aspect of government—that between 1921 and 1931 we should have an absolute reversal of our attitude upon these questions?

If our own people suffer—

Listen—

If our own people suffer, we surely possess also the resources to care for them.

In 1921 the Government of the United States had the resources, so the Secretary of Commerce said, to care for the Russian people; and he predicated that upon the thought that—

If our own people should suffer, we—

We—who? Not Russia, but we—

we surely possess also the resources to care for them.

How has our financial position changed since 1921? If we had the resources then to care for Russia as well as for ourselves, why have we not the resources now to care for our own people, when Russia is making no demand upon our bounty of our charity?—

Secretary HOOVER. I have a feeling we are dealing to-day with a situation of a great deal of depression and have a proper right to inquire not only whether we are doing an act of great humanity but whether we are doing an act of economic soundness? To me, after assessing our ability to give, no other argument is needed beyond the sheer humanity.

In 1921 there were only two considerations. One was our ability to give; the other was the question of sheer humanity. Our ability is greater now. The dictates of sheer humanity ought to be greater now. These are our own people. These are the citizens of our own Republic. The Secretary of Commerce advocated this then not only as an act of humanity but as an economic measure. He said that food products were cheap; the farmers were depressed; we were in a period of great depression, and spending $20,000,000 for food would help the farmers of the United States. How has that argument changed with the years? Mr. President, I submit that those arguments and those sentiments were good in 1921. They ought to be good now. They ought to be good because of the ripening effect of nine years upon that scene.

What has changed? Why should there be any modification of that sound position of the Secretary of Commerce? Ah, Mr. President, I appeal to those in authority, I appeal to the administration, to reflect. Reflection is good for all of us. Look back over that record, look back over the sentiments that were felt in 1921. I ask that the administration take on again some of the noble impulses, some of the pulsing, throbbing humanity that stirred the Secretary of Commerce in 1921.

Mr. McKELLAR. Mr. President, I desire to call attention to what has heretofore been done by our Government.

As early as May, 1812, we appropriated $50,000 for the sufferers from earthquake in Venezuela.

In 1815 we appropriated for relief to the sufferers from an earthquake at New Madrid, Mo.

In 1836 we made an appropriation for the relief of sufferers from fire in New York City.

In 1836 we appropriated for rations to be given sufferers from Indian depredations in Florida.

It is said that there is no precedent for the provisions of this bill. I read again from the list of relief measures enacted by this Government:

February, 1803. Relief of sufferers from fire at Portsmouth, N. H.

1804: Relief of sufferers from fire at Norfolk, Va.

1827: Relief of sufferers from fire in Alexandria, Va.

1847: Authority to use U. S. S. *Macedonia* for transportation of supplies to the sufferers in Ireland.

1863: Relief of persons damaged in Indian depredations in Minnesota.

1864: Relief of sufferers from explosion in cartridge factory in the District of Columbia arsenal.

1866: Admission free of duty of articles for relief of sufferers from fire at Portland, Me.

1866: Relief of sufferers from explosion in the District of Columbia arsenal.

1866: Relief granted in payment of taxes of citizens who suffered from fire at Portland, Me.

1867: Authority to use public vessels in transportation of supplies to Southern States.

1867: Authority to charter vessel for the transportation and issuance of supplies to Southern States.

1867: The Secretary of War was authorized to issue supplies of food to sufferers in the South.

1871: Authority was given to use naval vessels for the transportation of supplies to the destitute and suffering people of France and Germany.

Oh, yes; the administration is perfectly willing to give food and supplies to foreign peoples; but when an unfortunate situation arises like the one we have now, the taxpayers must be protected, and these men and women and children who are suffering may look elsewhere than to their own Government!

1872: Relief of sufferers at Chicago, Ill. From history we all remember that terrible tragedy. The Government stepped in and aided the sufferers from that tragedy.

1872: Relief of the postmaster at Chicago on account of loss due to the fire. We actually relieved a postmaster.

1874: The President was authorized to issue supplies of food and clothing to the Mississippi River flood sufferers.

1875: Purchase of seed for sufferers from ravages of grasshoppers.

1879: Refrigerating ship for disinfection of vessels and cargoes on account of yellow fever.

1880: Articles for relief of colored immigrants to be admitted free.

1880: The Secretary of the Navy was authorized to use vessels to prevent suffering.

1882: Purchase of seed for Mississippi River flood sufferers.

1882: Rations for relief of the destitute sufferers of the Mississippi River flood.

Here it is. We did just what is proposed in this amendment, to provide both for furnishing seed and relieving human suffering, as well as in the way of providing food and rations.

In 1882 we again furnished rations to the Mississippi River flood sufferers.

In 1882 we again furnished food to flood sufferers of the Mississippi River—three separate bills, apparently.

In 1884 we authorized the purchase and distribution of subsistence, stores, and clothing for Ohio River flood sufferers.

In 1884 we provided for the relief of Ohio River flood sufferers.

In 1888 we made provision for the prevention of cholera and yellow fever.

In 1888 we took steps for the eradication of yellow fever.

In 1890 we authorized the purchase of tents for people driven from their homes on account of floods in Arkansas, Mississippi, and Louisiana.

In 1890 we appropriated for the relief of sufferers from Mississippi River floods.



Again, in 1890, certain unexpended balances of appropriation were made available for the relief of citizens of Oklahoma rendered destitute by drought.

In 1897 we appropriated for relief of the poor of India—relief of the poor of India!—and this Government furnished the money.

Again, in 1897, we appropriated for the relief of Mississippi River flood sufferers.

Again, in 1897, we appropriated for the relief of citizens suffering in Cuba. That was just before the Spanish-American War.

Again, we provided for payment to sufferers on account of the destruction of the *Maine*.

In 1905 we appropriated $1,000,000 for the relief of sufferers from earthquake at San Francisco, Calif., and that was not enough. Later on the Congress appropriated another million and a half for those who suffered, those who had neither food nor clothes.

Can any Senator here say that it was not right? Why, of course those bills were right. They should have been passed, just as this bill should be passed.

Mr. BARKLEY. Mr. President——

Mr. McKELLAR. I yield.

Mr. BARKLEY. The Senator ought to emphasize the fact that in all these instances the relief afforded was an absolute and direct gift from the Treasury, not a loan. No single human being who was relieved under any of the measures to which the Senator has referred, and others which he will mention later, was ever required to pay back any of the money.

Mr. McKELLAR. Of course not; and it should not have been required. From the year 1812 until the year 1931, whenever it appeared to the Congress of the United States that people were suffering from hunger, cold, or destitution, the Government has stepped in, wherever the people may have been, whether in far-off India, or in South America, or in Europe, or in the United States. Yet we are told that there is no precedent for what has been proposed by the Senator from Arkansas.

Let us follow this just another moment. In the year 1909 an appropriation of $800,000 was made for the relief of citizens of Italy. They were suffering, they needed food and clothing, and the American Congress, with the approval of an American President with a heart in him, sent $800,000 to far-off Italy to relieve human suffering, and it ought to have been sent.

In 1911 we made an appropriation for the relief of the sufferers from famine in China. We have made no distinction of race, color, or previous condition of servitude, even. But when it comes to American children, American men, and American women who are suffering, the President of the United States uses every instrumentality in his power to prevent Congress from exercising its constitutional right to relieve suffering.

Let me see if there were any more such precedents. In 1908 we appropriated $250,000 for the relief of suffering from cyclones in the States of Georgia, Alabama, Mississippi, Louisiana, Texas, Arkansas, and Tennessee.

Again, in 1912—and we all remember this, because most of us were in the Congress at that time, in one branch or the other—for the relief of the sufferers from floods in the Mississippi Valley we appropriated $1,239,000. In 1912, again, we made another appropriation of $250,000 for the same purpose.

Throughout our entire history we have relieved want and suffering not only in our own land but in almost every land on the face of the earth, and I might say in every land on the face of earth where it was needed.

Mr. President, I know from actual observation that there are many people in my section of the country who are hungry this day. I know of men and women who have not the wherewithal to pay for their next meal. Why should not our Government take part in a situation like that? Heaven knows such a call does not come often. Heaven knows that the prosperity in this country of ours is such ordinarily that action like this on the part of Congress is not necessary. But we have the money. There is no question about the money. There is no reason in the world why this should not be done except a fear on the part of somebody that his taxes may be raised a little. Why should not a man with a large income, who does not know what it is to want bread or meat, be compelled by the Government to give out of his great wealth a little more in taxes in order that those who are hungry, due to no fault of theirs, should be fed?

I think we should not hesitate. I greatly regret that the situation is such as it is. I am very sorry we can not keep this $15,000,000 in this bill. I want to say for myself that I shall leave no stone unturned to put some such provision in every appropriation bill that comes up, if it is necessary in order to get it, and make a fight on every one.

In the first place, the President does not hold the purse strings of this country. Under the Constitution the purse strings are in the hands of the Congress, and the President ought to leave it to the Congress to say whether in its judgment these amounts should be granted.

There is not a Senator in this body, in my judgment, who is voting his honest, conscientious feeling who would not vote for this appropriation. If there is a man in this body—and I see quite a number here on both sides—who is unwilling to vote this appropriation, let him rise. I yield to him to make any explanation he may desire to make. [After a pause.] No one has arisen, and I know the Members of this body are not the kind of men who would hesitate to do what is honest and just and right toward these unfortunate people. It was not the fault of these people that there was a great panic in New York. It is not their fault that there is a great period of depression in this country. It is their misfortune, and this Government from time immemorial has provided for such a situation, and it is our duty to provide for this one now. It is the most solemn duty that now confronts the Congress, more important than any appropriation bill.

It is important not only for these people themselves, it is important for all of us. When men become hungry in any country, there is a dangerous situation, and I am pleading here now for established institutions in this country; I am pleading for the very men who are denying these people this relief, because I say to you that there are circumstances which come sometimes in the lives of nations when it does not make a great deal of difference whether a man is poor or rich.

Senators, it is our duty under the Constitution of the United States, it is our duty as Senators, it is our duty as human beings to grant this relief and to prevent any more human suffering in this country. We can do it. We can do it fairly and wisely and well. Let us do it.

Mr. GILLETT. Mr. President, the Senator from Nebraska plumes himself on his generosity as compared with that of the occupant of the White House, and he cited as evidence the fact that he was ready to vote other people's money for this project, which he says the President is opposing.

I do not know the attitude of the President, but I think it is too late for the Senator from Nebraska, generous as he may be, to attempt to make the people of this country believe that the occupant of the White House lacks generosity. He was elected because the people believed not only that he had vast administrative ability but that he also was imbued with great sympathy for human suffering.

I want to decorate the columns of the RECORD with one of those literary gems found more often in the writings of Edmund Burke than of any other statesman, in which he was describing a philanthropist of his age, and which description I think our President has illustrated more conspicuously than any man who has lived since. Mr. Burke said:

> • • • He has visited all Europe, not to survey the sumptuousness of palaces or the stateliness of temples; not to make accurate measurements of the remains of ancient grandeur, nor to form a scale of the curiosity of modern art; not to collect medals or collate manuscripts, but to dive into the depths of dungeons, to plunge into the infection of hospitals, to survey the mansions of sorrow and pain, to take the gage and dimensions of misery, de-

pression, and contempt; to remember the forgotten, to attend to the neglected, to visit the forsaken, and to compare and collate the distresses of all men in all countries.

I do not believe there is any use in the opponents of the President trying to convince the people of the country that he is not full of sympathy with human suffering. Nor is it fair to argue that those who do not believe in this appropriation are blind and hardened against human suffering. Everybody wants to assist those who are in distress. If the method proposed were the only one of relieving them, everybody would vote for it. The question is not simply shall we relieve human suffering. The question is, what is the proper method of relieving this suffering which exists?

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. GILLETT. I yield.

Mr. BARKLEY. Is the Senator taking the position that he does not think an appropriation out of the Public Treasury is the proper method of relieving the suffering?

Mr. GILLETT. I am.

Mr. BARKLEY. I notice that on the 1st of August, 1914, Congress passed an appropriation of $200,000 to relieve human suffering in Salem, Mass., which suffering was the result of a fire, and that the Senator from Massachusetts was at that time a member of the House Committee on Appropriations, and not only did not object to that appropriation, but supported it. Wherein lies the difference between a disaster in Salem, Mass., and one in other parts of the country?

Mr. GILLETT. The Senator would better know his facts before he attempts to cite them. As a matter of fact, I was on the Committee on Appropriations of the House at that time. I did not favor that appropriation and I did not then think that that was a proper action.

Mr. BARKLEY. I was a Member of the House myself, and I do not recall that the Senator objected to it, or that he voted against it.

Mr. GILLETT. I do not believe I did vote against it. I did not vote for it, I know.

Mr. BARKLEY. The Senator did not raise his voice against it on the floor of the House, as I recall.

Mr. GILLETT. I am not certain about the matter, but my recollection is that in the Committee on Appropriations I stated that I did not believe it was a proper appropriation, that I did not believe there was such a national disaster that Congress ought to interfere. I see in the Chamber my colleague, the junior Senator from Massachusetts [Mr. WALSH], who was then the governor of the State, and who came to Washington to urge the appropriation. I differed from him, and in the Committee on Appropriations I expressed my opinion. But my most intimate friend and colleague represented that district, and he persuaded me not to vote against it. I am very sure, however, the Senator will find I did not vote for it.

Mr. BARKLEY. It was much easier, apparently, to persuade the Senator at that time than it is now. While he may have objected in the Committee on Appropriations, the sessions of which were behind closed doors, and not in the open, when the bill came on the floor of the House, my recollection is—and I think the record bears me out—the Senator had by that time hearkened to the importunities of Massachusetts, and did not raise his voice against the appropriation.

Mr. GILLETT. I wish the Senator would look the record up. I am very certain he will find I did not even vote for it.

As I have said, I did not think that was a national disaster. Nine million dollars of property was swept away and people were left homeless, and there was a strong argument for the Government momentarily supplying them with tents and food. I did not think it was proper to make that appropriation, and I thought then, as I do now, that Massachusetts could relieve its own.

I recognize a difference however, in the present instance. I believe there are a number of places in the southern drought-stricken regions where the communities themselves can not take care of their own poor. If it were necessary for the United States Congress to interfere, if there were no other remedy, I would approve it; but there is another remedy.

The Red Cross, which is constituted for exactly that service, states that it is equal to the contingency as it now exists. If it becomes so pressing that the Red Cross can not remedy it, if the local governments can not remedy it, if the States can not take care of it, then I am willing that Congress should appropriate, and I will favor it. But so long as that condition does not exist, and I do not believe it exists to-day, I do not think we ought to appropriate for it.

I hope that I have as much sympathy with distress and misery as any other man. There is misery always. There is not a day in the year when there is not suffering in the slums of our great cities. Piteous stories can be told any day, even in the most prosperous times, which will call for sympathy and might be used as the basis of an appeal for assistance. We do not grant it because we recognize that the local community ought to take care of it. There is unemployment every day in the year. There are vast armies of unemployed all the time, men who are too shiftless or too criminal or too lazy to be willing to take care of themselves. You remember the wealthy Englishman who came over here and complained to the clever American girl that we had no leisure class in this country. She said, "Oh, yes; we have a leisure class, but we call them tramps." We have in this country a class of permanent unemployed, and unquestionably they are now swelling the mass of unemployment which exists. They are counted now among the deserving unemployed. To the deserving unemployed everybody wants to give assistance. When the local organizations, the local communities, the States, and the Red Cross can not support them, then Congress ought to support them; but I do not believe that time has come yet.

The proper principle was, I think, well expressed by one of the clearest and deepest thinkers of the last generation, President Eliot, when he said:

> * * * With the continental nations of Europe it is an axiom that the government is to do everything and is responsible for everything. The French have no word for "public spirit," for the reason that the sentiment is unknown to them. This abject dependence on the government is an accursed inheritance from the days of the divine right of kings. Americans, on the contrary, maintain precisely the opposite theory, namely, that government is to do nothing not expressly assigned it to do; that it is to perform no function which any private agency can perform as well, and that it is not to do a public good even unless that good be otherwise unattainable. It is hardly too much to say that this doctrine is the foundation of our public liberty.

That is the doctrine which I think we ought to remember and observe to-day, the foundation of our public liberty, that as long as the people themselves can take care of themselves it is wrong for the Government to interfere, for it undermines that fundamental spirit of liberty to which President Eliot referred.

What the condition may be a week, a month, or two months from now no one can foretell, but I do not think that to-day the localities, the States, the Red Cross are not amply able to take care of the suffering which exists. I was amused to notice, in reading the proceedings of the House, an amendment which a Congressman from New York wished to offer. He asked that this money should not be spent simply in the drought regions, but that it should also be employed in the cities. He wants the city of New York to get something from this fund which we mean to give only to those regions which can not possibly take care of themselves and where, as I have no doubt, as in Arkansas and Kentucky, the whole community is in bankruptcy. But that shows the tendency, that shows that just as soon as we begin to have the Government contribute, then everybody wants to share. They all seem to look upon the National Treasury as if it were perpetually filled up from the outside and all one has to do is to draw from it without expense to anybody.

I am ready, if the exigency really exists, if the local communities and charitable organizations can not support and prevent this human misery, to vote for the appropriation,

but I do not believe the condition exists to-day, and therefore I do not think we ought to adopt the amendment.

Mr. THOMAS of Oklahoma. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. FESS in the chair). The Senator will state it.

Mr. THOMAS of Oklahoma. What is pending before the Senate?

The PRESIDING OFFICER. A motion to adopt the conference report.

Mr. THOMAS of Oklahoma. The motion, if agreed to, will place the bill back before the Senate in exactly the same shape in which it left here a few days ago. When that report is adopted a motion will be made, I take it, that the Senate recede from its amendments. From the speeches made here to-day I think I gather a rather distinct impression that the Senate will agree to that motion, whereupon the bill will be before the Senate for passage in its original form, carrying the sum of $45,000,000 to be used as provided in the authorization bill passed by the Senate a few days ago.

At this time I desire to call attention to the authorization act. The authorization act passed and approved on December 20, 1930, provides that money may be appropriated in the sum of $45,000,000 for the following purposes:

> For the purchase of seed of suitable crops, fertilizer, feed for work stock, and/or fuel and oil for tractors, used for crop production, and when necessary to procure such seed, fertilizer, feed, and fuel and oil, and for such other purposes incident to crop production as may be prescribed by the Secretary of Agriculture, and sell the same to such farmers.

Mr. President, this is the last session of the Seventy-first Congress. Under the Constitution this Congress will end automatically at 12 o'clock noon on March 4, next. We have now been in session something like 25 days. We have less than 40 working days yet remaining of this Congress. When the pending bill shall have been disposed of this day, I prophesy that no other relief legislation will come before this Congress. If there is any plan now of the leaders of the Senate to present additional legislation in the nature of relief, I yield in order that that fact may be made known.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Arkansas?

Mr. THOMAS of Oklahoma. I do.

Mr. ROBINSON of Arkansas. If the Senator from Oklahoma will yield, I would like in his time to ask unanimous consent out of order to offer an amendment to the agricultural appropriation bill, which has been suggested to me by the Senator from Alabama [Mr. BLACK] and other Senators, on both sides of the Chamber, in order to make sure that an opportunity will be afforded for the inclusion in the general appropriation bill of an adequate fund or what now appears to be adequate to supplement the funds which the Red Cross has and seeks for relief purposes. It is proposed by the Senator from Alabama [Mr. BLACK] and myself, and I ask that it may be read for the information of the Senate.

The PRESIDING OFFICER. Does the Senator from Oklahoma yield for that purpose?

Mr. THOMAS of Oklahoma. I yield for that purpose.

Mr. ROBINSON of Arkansas. It is an amendment intended to be proposed to the Agricultural Department appropriation bill.

The PRESIDING OFFICER. The clerk will read, as requested.

The Chief Clerk read as follows:

> Amendment intended to be proposed by Mr. ROBINSON of Arkansas and Mr. BLACK to the bill (H. R. 15356) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1932, and for other purposes. At the proper place in the bill to insert:
>
> "There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $25,000,000 (in addition to such sums as may be or may become available through voluntary contributions) to be expended by the Red Cross for the purpose of supplying food to persons otherwise unable to procure the same."

Mr. ROBINSON of Arkansas. Mr. President, will the Senator from Oklahoma yield further?

Mr. THOMAS of Oklahoma. I yield.

Mr. ROBINSON of Arkansas. Earlier in the day I stated to the Senate that this course would be pursued. There is some confusion of thought as to what form the amendment should take. It is not my intention by proposing this amendment to preclude the provision that is in the special appropriation bill now under consideration, but to make certain that an opportunity will be afforded for supplementing the fund which the Red Cross has and seeks to secure by an appropriation. I have incorporated the sum of $25,000,000. This would be expended to relieve suffering in all parts of the country. It is the result of some consideration by a number of Senators and if it should be incorporated in the Agricultural Department appropriation bill or the deficiency appropriation bill, an effort, as I have already stated, will be made to keep it there at the risk of defeating the bill if it is necessary to do so.

Mr. McKELLAR. Mr. President, will the Senator from Oklahoma yield?

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Tennessee?

Mr. THOMAS of Oklahoma. I yield.

Mr. McKELLAR. I wish to ask the Senator from Arkansas if he has given the necessary notice under the rule?

Mr. ROBINSON of Arkansas. I have given no notice yet. In the event the point of order is raised the proper notice will be given. This amendment would require a suspension of the rule. The amendment now under consideration to the bill before the Senate having already passed the Senate twice probably would not require a suspension of the rule. The difference between the amendment which I have just proposed to the agricultural appropriation bill and the one embraced in the conference report on the bill now before the Senate is that the latter provides for loans for the purchase of food in drought areas, whereas this amendment is proposed to meet a general condition and to respond to a demand which is nation-wide rather than limited to the drought areas.

I thank the Senator from Oklahoma.

Mr. THOMAS of Oklahoma. Mr. President, a moment ago I paused and offered the opportunity for a statement from any leader suggesting any legislation that is now before the Senate, or that may be presented to the Senate for consideration, in the nature of relief. No suggestion came from the majority side. The leader upon the minority side, the Senator from Arkansas [Mr. ROBINSON] has made a suggestion and has presented an amendment which he will offer at the proper time.

I take it, Mr. President, that when this bill is passed, no other recommendations shall come from the Executive. Believing this to be the fact, I desire briefly to review the legislation and the efforts made to secure relief legislation up to this hour.

On the second day of this session the President sent his message to the Congress. This message embraced something like 11 pages. Of those 11 pages, one-half were devoted to the conditions of distress existing throughout the United States. As proposals for taking care of such distress, the President made some suggestions.

The President requested that the Congress give him something like one hundred or one hundred and fifty million dollars with which to stimulate employment. His second request was:

> I recommend that an appropriation should be made to the Department of Agriculture to be loaned for the purpose of seed and feed for animals.

In the next paragraph the President suggests that any further relief should come from the Red Cross.

Mr. President, the President, in a way, has called the attention of the Congress and the country to the condition of distress existing throughout the Nation. Congress in pursuance of and acting upon the recommendation of the President has proceeded to pass certain bills. The first bill

passed—and I desire at this time to call the attention of the Senate to that legislation—was Public, No. 550, approved on December 20, 1930. That bill was introduced and passed in compliance with the recommendations made by the President. It embraces some seven different items. The first is an appropriation of $3,000,000 for the improvement of national forests, for the construction and maintenance of roads and trails and fire lines, and so forth.

No. 2. National forest highways. For the construction and improvement of highways within the boundaries of national forests, fiscal year 1931, $3,000,000.

No. 3. For roads on unappropriated or unreserved public lands, $3,000,000.

No. 4. For the Federal aid highway system, an appropriation is carried in this act in the sum of $80,000,000.

No. 5. For roads and trails in national parks, $1,500,000.

Item No. 6 comes under the War Department, and provides an appropriation of $22,500,000 for rivers and harbors.

The seventh item is for the same department, for flood control on the Mississippi River and its tributaries, the sum appropriated being $3,000,000.

This makes a total of $116,000,000 carried in this act in obedience to the recommendation of the President.

The bill we now have before us comes under the second recommendation of the President, and provides an appropriation to help the farmers of the country to procure seed and feed for work stock.

Mr. McKELLAR. Mr. President——

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from Tennessee?

Mr. THOMAS of Oklahoma. I yield.

Mr. McKELLAR. The Senator from Oklahoma will recall that on the night the bill authorizing the appropriation of $45,000,000 was passed I offered an amendment appropriating the sum of $45,000,000, so that the administration could go forward and accord the relief provided for in the bill. The Senator will also recall that the administration advocates on the floor of the Senate voted that amendment down.

Mr. THOMAS of Oklahoma. I well remember, Mr. President, the record made on that historic night. At this time I submit for the RECORD, in connection with my remarks, a copy, first, of House Joint Resolution 447 as passed by the House of Representatives. I ask that the body of the joint resolution may be placed in the RECORD at this point, and also that the amendments adopted by the Senate to that joint resolution may be inserted in the RECORD following the text of the joint resolution proper.

The VICE PRESIDENT. Without objection, it is so ordered.

The joint resolution and amendments are as follows:

House Joint Resolution 447

Joint resolution making an appropriation to carry out the provisions of the public resolution entitled "Joint resolution for the relief of farmers in the drought and/or storm stricken areas of the United States," approved December 20, 1930

Resolved, etc., That to enable the Secretary of Agriculture to carry into effect the provisions of the public resolution entitled "Joint resolution for the relief of farmers in the drought and/or storm stricken areas of the United States," approved December 20, 1930, including the employment of persons and means in the city of Washington and elsewhere, printing, purchase of law books not to exceed $1,000, rent in the District of Columbia and elsewhere, and for the collection of moneys due the United States on account of loans made thereunder, there is hereby appropriated, out of any money in the Treasury, not otherwise appropriated, the sum of $45,000,000, to remain available until June 30, 1932, of which amount not to exceed $80,000 may be expended for departmental personal services in the District of Columbia.

IN THE SENATE OF THE UNITED STATES,
January 5, 1931.

Resolved, That the joint resolution from the House of Representatives (H. J. Res. 447) entitled "Joint resolution making an appropriation to carry out the provisions of the public resolution entitled 'Joint resolution for the relief of farmers in the drought and/or storm stricken areas of the United States,' approved December 20, 1930," do pass with the following amendments:

(1) Page 2, after line 7, insert:

"SEC. 2. That the Secretary of Agriculture is hereby authorized for the crop of 1931 to make advances or loans to farmers in the drought and storm stricken areas where he shall find that an emergency for such assistance exists, for the purchase of food under such terms as may be prescribed by the Secretary of Agriculture. Such advances or loans shall be made on the same terms as the provision of said Joint Resolution No. 211 makes for the loans or advances for seed, feed, etc., subject to all the qualifications of said Senate Joint Resolution No. 211. For carrying out the purposes of this section, including all expenses and charges incurred in so doing, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $15,000,000."

(2) Page 2, after line 7, insert:

"SEC. 3. In the administration of this fund the Secretary of Agriculture shall make loans in the drought and storm stricken areas, without regard to county lines, and the Secretary of Agriculture shall not have right or authority to prescribe rules and regulations excluding farmers from the benefits of this appropriation on the sole ground that they reside in any particularly designated area."

Mr. THOMAS of Oklahoma. Mr. President, on yesterday the principal Senate amendment to this proposed act came up in another body. At that time Representative MCCLINTIC of Oklahoma, so the RECORD states on page 2087, made this motion:

Mr. MCCLINTIC of Oklahoma. Mr. Speaker, I move that the House conferees be instructed to concur in the Senate amendment.

The Senate amendment on which the vote was ordered is as follows, as stated by the Speaker:

That the Secretary of Agriculture is hereby authorized for the crop of 1931 to make advances of loans to farmers in the drought and storm stricken areas where he shall find that an emergency for such assistance exists, for the purchase of food under such terms as may be prescribed by the Secretary of Agriculture.

The Speaker made the following statement:

The gentleman from Oklahoma [Mr. MCCLINTIC] moves that the House conferees be instructed to concur in the Senate amendment. The question is on the motion of the gentleman from Oklahoma.

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. MCCLINTIC of Oklahoma. Mr. Speaker, I demand a division.

Then the yeas and nays were called for and ordered and the vote was taken. There were 135 Members of the House who supported the motion and 215 Members of the House opposed the motion, so that it was lost.

At this point I submit for the RECORD a copy of the proceedings in the House of Representatives as they appear on page 2087 of the CONGRESSIONAL RECORD, and ask that it may be printed in connection with my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

Mr. MCCLINTIC of Oklahoma. Mr. Speaker, I move that the House conferees be instructed to concur in the Senate amendment.

The SPEAKER. The gentleman from Oklahoma [Mr. MCCLINTIC] moves that the House conferees be instructed to concur in the Senate amendment. The question is on the motion of the gentleman from Oklahoma.

The Senate amendment on which the vote was ordered is as follows:

"That the Secretary of Agriculture is hereby authorized for the crop of 1931 to make advances of loans to farmers in the drought and storm stricken areas where he shall find that an emergency for such assistance exists, for the purchase of food under such terms as may be prescribed by the Secretary of Agriculture."

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. MCCLINTIC of Oklahoma. Mr. Speaker, I demand a division.

Mr. PARKS. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 135, nays 215, answered "present" 1, not voting 80, as follows:

[Roll No. 14]

Yeas—135: Abernethy, Allgood, Arnold, Aswell, Ayres, Blanton, Box, Boylan, Brand of Georgia, Briggs, Browning, Busby, Byrns, Campbell of Iowa, Cannon, Cartwright, Christgau, Clark of North Carolina, Cochran of Missouri, Collier, Collins, Condon, Cooper of Tennessee, Cooper of Wisconsin, Cox, Craddock, Crisp, Cross, Crosser, Davis, DeRouen, Dominick, Doughton, Doxey, Drane, Drewry, Driver, Edwards, Eslick, Evans of Montana, Finley, Fisher, Frear, Fuller, Fulmer, Gambrill, Garner, Gasque, Gavagan, Glover, Goldsborough, Granfield, Green, Greenwood, Gregory, Hall of Mississippi, Hancock of North Carolina, Hare, Hastings, Hill of Alabama, Hill of Washington, Howard, Huddleston, Hull of Tennessee, Hull of Wisconsin, Igoe, James of North Carolina, Jeffers, Johnson of Oklahoma, Johnson of Texas, Jones of Texas, Kennedy, Kerr, Kvale, Lambertson, Langley, Lanham, Lankford of Georgia, Lea, Lindsay, Linthicum, Lozier, McClintic of Oklahoma, McCormack of Massachusetts, McDuffie, McKeown, McMillan, McReynolds,

McSwain, Mead, Milligan, Montague, Moore of Kentucky, Moore of Virginia, Nelson of Missouri, O'Connor of New York, Oldfield, Oliver of New York, Owen, Palmisano, Parks, Parsons, Patman, Patterson, Peavey, Prall, Quin, Ragon, Rainey, Henry T., Ramspeck, Rankin, Rayburn, Romjue, Rutherford, Sabath, Sanders of Texas, Sandlin, Schafer of Wisconsin, Schneider, Sinclair, Somers of New York, Sparks, Spearing, Steagall, Stone, Sullivan of New York, Sumners of Texas, Tarver, Taylor of Colorado, Vinson of Georgia, Warren, Whittington, Woodrum, Wright, and Yon.

Nays, 215: Ackerman, Adkins, Allen, Andresen, Andrew, Arentz, Bachmann, Bacon, Baird, Barbour, Beck, Beedy, Beers, Black, Blackburn, Bohn, Bolton, Bowman, Brand of Ohio, Brigham, Britten, Brumm, Brunner, Buchanan, Burdick, Burtness, Campbell of Pennsylvania, Carter of California, Carter of Wyoming, Chalmers, Chase, Chindblom, Chiperfield, Christopherson, Claguc, Clancy, Clarke of New York, Cochran of Pennsylvania, Cole, Colton, Connery, Connolly, Cooke, Cooper of Ohio, Coyle, Crail, Cramton, Dallinger, Darrow, Dempsey, Denison, De Priest, Dickinson, Dickstein, Doutrich, Dowell, Dunbar, Dyer, Eaton of Colorado, Eaton of New Jersey, Elliott, Erk, Estep, Esterly, Evans of California, Fenn, Fish, Fort, Foss, Freeman, French, Garber of Oklahoma, Garber of Virginia, Gibson, Gifford, Goodwin, Goss, Graham, Griffin, Hadley, Hall of Illinois, Hall of Indiana, Hall of North Dakota, Halsey, Hancock of New York, Hardy, Hartley, Haugen, Hess, Hickey, Hoch, Hogg of Indiana, Hogg of West Virginia, Holaday, Hooper, Hope, Hopkins, Houston of Delaware, Hudson, William E. Hull, Irwin, Jenkins, Johnson of Indiana, Johnson of Nebraska, Johnson of Washington, Jonas of North Carolina, Kading, Kahn, Kelly, Kendall of Kentucky, Kendall of Pennsylvania, Ketcham, Kinzer, Knutson, Kopp, Korell, LaGuardia, Lankford of Virginia, Leavitt, Leech, Lehlbach, Letts, Loofbourow, Luce, Ludlow, McClintock of Ohio, McLaughlin, Maas, Manlove, Mapes, Martin, Menges, Merritt, Michener, Miller, Mooney, Moore of Ohio, Morehead, Morgan, Mouser, Murphy, Nelson of Maine, Newhall, Niedringhaus, Nolan, O'Connor of Oklahoma, Palmer, Pittenger, Pou, Harcourt J. Pratt, Pritchard, Purnell, Frank M. Ramey, Ramseyer, Ransley, Reece, Reed of New York, Reilly, Rich, Robinson, Rogers, Sanders of New York, Selberling, Selvig, Shaffer of Virginia, Shott of West Virginia, Shreve, Simmons, Sloan, Smith of Idaho, Snell, Snow, Speaks, Sproul of Illinois, Stafford, Stalker, Strong of Kansas, Strong of Pennsylvania, Summers of Washington, Swanson, Swick, Swing, Taber, Taylor of Tennessee, Temple, Thatcher, Thurston, Tilson, Timberlake, Tinkham, Treadway, Tucker, Turpin, Underhill, Vestal, Vincent of Michigan, Wainwright, Wason, Watres, Watson, Welch of California, Welsh of Pennsylvania, White, Whitley, Wigglesworth, Williamson, Wolfenden, Wolverton of New Jersey, Wolverton of West Virginia, Wood, Woodruff, Wurzbach, Wyant, Yates, and Zihlman.

Answered "present"—1: Oliver of Alabama.

Not voting—80: Aldrich, Almon, Auf der Heide, Bacharach, Bankhead, Bell, Bland Bloom, Browne, Buckbee, Butler, Cable, Canfield, Carley, Celler, Clark of Maryland, Corning, Crowther, Culkin, Cullen, Davenport, Dorsey, Douglas of Arizona, Douglass of Massachusetts, Doyle, Ellis, Englebright, Fitzgerald, Fitzpatrick, Free, Garrett, Golder, Guyer, Hale, Hawley, Hoffman, Hudspeth, Morton D. Hull, James of Michigan, Johnson of Illinois, Johnson of South Dakota, Johnston of Missouri, Kearns, Kemp, Kiefner, Kunz, Kurtz, Larsen, McCormick of Illinois, McFadden, McLeod, Magrady, Mansfield, Michaelson, Montet, Nelson of Wisconsin, Norton, O'Connor of Louisiana, Parker, Perkins, Ruth Pratt, Reid of Illinois, Rowbottom, Sears, Seger, Short of Missouri, Simms, Sirovich, Smith of West Virginia, Sproul of Kansas, Stevenson, Stobbs, Sullivan of Pennsylvania, Thompson, Underwood, Walker, Whitehead, Williams, Wilson, and Wingo.

So the motion was rejected.

The Clerk announced the following additional pairs:

Additional general pairs:

Mr. Nelson of Wisconsin with Mr. Bland.
Mr. James of Michigan with Mr. Almon.
Mr. Morton D. Hull with Mr. Douglas of Arizona.
Mr. Parker with Mr. Larsen.
Mr. Cable with Mr. Doyle.
Mr. Kiefner with Mr. Hudspeth.

On the vote:

Mr. Williams (for) with Mr. Aldrich (against).
Mr. Cullen (for) with Mr. Hawley (against).
Mr. Bankhead (for) with Mr. Free (against).
Mr. Montet (for) with Mr. Bacharach (against).
Mr. Douglass of Massachusetts (for) with Mr. Magrady (against)
Mr. Browne (for) with Mr. Corning (against).
Mr. Mansfield (for) with Mr. Short of Missouri (against).
Mrs. Norton (for) with Mrs. Ruth Pratt (against).
Mr. Underwood (for) with Mr. Englebright (against).
Mr. Dorsey (for) with Mr. Golder (against).
Mr. Carley (for) with Mr. Hale (against).
Mr. Canfield (for) with Mr. Johnson of Illinois (against).
Mr. Auf der Heide (for) with Mr. McFadden (against).
Mr. Kemp (for) with Mr. Johnson of South Dakota (against).
Mr. Garrett (for) with Mr. Reid of Illinois (against).
Mr. Stevenson (for) with Mr. Kurtz (against).
Mr. Sirovich (for) with Mr. McLeod (against).
Mr. Smith of West Virginia (for) with Mr. Stobbs (against).

Mr. THOMAS of Oklahoma. Mr. President, I think I am safe in saying that we know now what Congress expects to do by way of affording relief. We are appropriating in this bill $45,000,000 to be loaned to the farmers of the country for the purchase of seed of suitable crops, fertilizer, and feed for work stock. If this money shall be appropriated, and some farmer shall make application for money with which to buy seed or with which to buy fertilizer or with which to buy feed for work stock, and then, perchance, that farmer should use some of the money for buying human food, the bill provides a penalty of a thousand dollars fine or imprisonment for not exceeding six months, or both such fine and imprisonment.

Mr. President, as has been stated many times on this floor, Congress is willing to appropriate money to buy feed for work stock, but not to buy food for human beings. Under this measure a farmer will not dare to feed the food which he may buy with money obtained under the law to anything but work stock. He can not feed the corn he may obtain or the wheat he may obtain to his cow; he can not feed the corn or wheat to his hog; he can not feed it to his poultry unless he can convert such animals and fowls into work stock; and I can not believe that it is the intention of those responsible for this legislation that the farmer himself and his family shall be converted into work stock, as is done in some countries in the world, in order to come under the provisions of this proposed law. In Russia I have seen horses and cows yoked together; in Russia I have seen men and dogs harnessed together; in Russia I have seen men and women working in the fields together.

In Russia I have seen women laboring on public works, pushing wheelbarrows, or carrying boxes full of dirt, brick, and mortar for the want of wheelbarrows. I have seen women working on the public streets of Leningrad and Moscow; I have seen women wielding the sledge and handling the crowbar on the railway tracks of Russia. I have not seen women in Russia hitched up with animals, but under the terms of this bill before a man can eat legally any of the food he may procure for his work stock he must convert himself into an item of work stock; before he can feed his wife he must convert his wife into a beast of burden, and the same thing is true of his children, or else he will violate this law and subject himself to a penalty of a thousand dollars' fine or six months in jail, or perhaps both such fine and imprisonment. Mr. President, I make the statement that this bill, if it shall be passed in its present form, Russianizes the farmers of America. Under this bill the farmer can not borrow money and use that money with which to buy food except for his work stock; that is, for his mules, his horses, or his oxen, unless perchance he converts the other animals on his farm into work stock. He can not legally use such funds to feed his hungry family, he can not provide food for his cows, his hogs, his poultry, or even for his faithful dog.

Mr. McKELLAR. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from Tennessee?

Mr. THOMAS of Oklahoma. I yield.

Mr. McKELLAR. I am very much interested in the remarks of the Senator from Oklahoma, as I was also interested in the statement made a while ago by the Senator from Massachusetts [Mr. GILLETT], who said that he would be willing to vote for this measure later on if it should be found to be actually necessary. The suggested time at which he would vote for it was about two months later. Well, two months from now will be the 14th of March, and, of course, the Congress is not then expected to be in session, if the administration shall have its way. Therefore the Congress will not be able to vote for an appropriation to supply human food, even if it wanted to do so, because Mr. Hoover certainly will not have called it into extra session, and, by the way, the Senator from Massachusetts will at that time be out of public life. It is quite remarkable that it is the intention of the administration to have this $45,000,000 appropriation provided for work stock and animals alone.

Mr. THOMAS of Oklahoma. Mr. President, before Congress convened it was the evident intention of the administration to ask for an appropriation with which to stimulate employment on public buildings. That was item No. 1. It was likewise the intention to ask for an appropriation to be loaned to farmers to enable them to buy seed and feed

for work stock. Then, if conditions developed in such a way that a larger need was manifest, it was the intention that only the Red Cross and its allied agencies should be left between the people who are in distress and starvation. In the message of the President the last paragraph having to do with relief of human suffering proposes reliance upon the Red Cross.

Mr. President, before discussing the activities of the Red Cross—and I desire to discuss that somewhat at length—I desire to state that on the second day of the present Congress, the 2d of December, immediately following the reading of the President's message I introduced a resolution calling for the creation of a special committee of the Senate to have jurisdiction of relief legislation. I knew what the conditions were in the West; I did not know what conditions were in the East; but I have since learned the conditions in the East.

Only a few days ago I was in the city of New York. As I had some extra time, I went into that section of the city where the unemployed are the most numerous. I started at the Battery and went up the section along the East River, the Bowery district, and mingled there with thousands and tens of thousands of unemployed. I saw the soup lines and the bread lines on the Bowery. I actually went through some of the bread lines. They did not ask any questions of me. Perhaps my appearance was sufficient introduction. There was no one there to challenge my right to go into the Salvation Army and the Red Cross bread lines and soup houses. We went in single file. I reached the first wicket, and there a man kindly tendered me a chunk of bread, about two or three slices of a loaf of white bread.

At the next wicket a man tendered me a tin of a thick, yellow soup. I went on in among the crowd and saw the class of folks that were there patronizing this soup house. A constant stream was entering and a constant stream of humanity was leaving these houses. They were not kept open just an hour or two during the day. They open early and they stay open late; and, so far as New York City is concerned, I want here and now to compliment that great city on the manner in which it is taking care of the hungry and the unemployed.

Mr. President, when I introduced my resolution on the second day of the session I called attention briefly to the condition of the country. When it came up for a vote, but few votes were cast for my resolution, especially on the other side of the aisle. I wondered why that was. I could not understand it then, but I can understand it now. The leaders here did not intend to have any legislation considered by the Congress proposing to take care of these people who are hungry and unemployed. Of course they objected to my resolution; and when the time came for action on the resolution they spoke and voted against the resolution, and the resolution failed.

I can readily understand why it is that some Members of this body and some Members of another body do not desire to make a record here. This record stands for all time; and, Mr. President, supposing that this day ends our efforts for relief; what will the record be? Why, here is the record. The President of the United States devoted one-half of his annual message to the necessity for relief. Five pages of his message are given over to the conditions that obtain throughout the country. The Congress met and stayed in session until the 4th of March, and the Congress appropriated only $116,000,000 with which to stimulate employment and appropriated only $45,000,000 with which to make loans to the farmers of the country. Both such acts carried out the requests of the President.

Mr. WALSH of Massachusetts. Mr. President——

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from Massachusetts?

Mr. THOMAS of Oklahoma. Just a moment. When that record is made, after we shall have adjourned, we will have the record of the President devoting one-half his message to this situation, and the Congress, although acting as requested by the President, failed miserably to provide relief; and then those who support the administration can say: "Why, it is not the President's fault. The fault is with the Congress. Congress failed to appropriate any money with which the hungry people of this Nation might be served; and so niggardly were the appropriations made by Congress that the President actually had to appeal to the Red Cross to feed the starving people of the country."

Mr. WALSH of Massachusetts. Mr. President——

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from Massachusetts?

Mr. THOMAS of Oklahoma. I do.

Mr. WALSH of Massachusetts. I think the Senator should state the fact that in the recommendations made by the President concerning relief, he put very, very great limits; namely, that whatever money should be appropriated should not result in any increase in taxes, and that under no circumstances should there be any loans authorized by the Federal Government for relief. If that does not amount to doing nothing, I do not know what is doing nothing.

Mr. THOMAS of Oklahoma. I thank the Senator from Massachusetts for his suggestion.

Mr. President, at this point I desire to introduce for insertion in the RECORD a copy of Senate Resolution 338, the resolution introduced by myself on the second day of this session, and ask that it be printed at this point in my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

The resolution is as follows:

Senate Resolution 338

Resolved, That a special select committee on emergency and relief legislation be, and is hereby, created, such committee to consist of 11 members to be appointed by the President of the Senate, as follows: Six members from the majority party and five members from the minority party.

Immediately upon appointment the members shall meet and organize such committee and, when organized, said committee shall have power coequal with regular Senate committees and shall have jurisdiction of emergency and special relief legislation, including proposals for the authorization of appropriations.

When organized such committee shall report to the Senate its plan of organization and location.

Mr. COPELAND. Mr. President——

The PRESIDING OFFICER (Mr. GOFF in the chair). Does the Senator from Oklahoma yield to the Senator from New York?

Mr. THOMAS of Oklahoma. I yield.

Mr. COPELAND. I should like to have inserted in the RECORD, immediately after the conclusion of the resolution offered by the Senator from Oklahoma, my own conviction that the Senate made a grievous mistake when it failed to adopt that resolution.

If we had had the resolution enacted, and had had created the special committee that is provided for by it, there would have been one group in this body devoted to this one cause. We now have a dozen different measures scattered through the various committees of Congress, and nothing is being done with them. We have one which rests with the Finance Committee or the Public Buildings and Grounds Committee, where it was proposed by those in authority that the red tape might be cut, that there might be a speedy engagement in the building program already authorized by the Congress, and for which appropriations have been made; but week after week passes, and nothing is done, and no report comes. No opportunity is given the Congress to wipe out this red tape in order that these building programs may go forward.

If we had had favorable action upon the resolution offered by the Senator from Oklahoma, I think that long before this a responsible body having nothing else to clutter up its pigeonholes would have brought to us something which would be constructive and would help in solving the problem.

I just want to say that much, and to say that the Senator from Oklahoma has stood out from the first as insistent upon effective action as regards this terrible situation.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Utah?

Mr. THOMAS of Oklahoma. Just a minute. I thank the Senator from New York for his suggestions.

I now yield to the Senator from Utah.

Mr. SMOOT. Mr. President, I want to call the attention of the Senator from New York to the fact that the statement just made by him is rather unfair, for I think he knows that there are about 400 draftsmen now employed in the Supervising Architect's office. The building program is farther on the way to success than any other action, I think, taken by Congress. I am quite aware that we have cut some red tape in relation to it. We have allowed the local architects to make the plans of the buildings. We have taken off every restriction that has been imposed in the past in relation to the early building or the starting of the building of those post offices and public buildings.

I wish that every other department of our Government had done as well, and every other act of Congress had been put into effect as well as the public-building program of the United States is at this moment.

Mr. COPELAND. Mr. President, will the Senator bear with me a moment?

Mr. THOMAS of Oklahoma. I desire, if I can, to proceed; but I yield to the Senator from New York.

Mr. COPELAND. Mr. President, I have no fault to find with the Senator from Utah. I think there is no more kindly person in the Senate, nor one more deeply concerned over the existing situation; but I ask him this question:

Is it not true that both the Supervising Architect when he was before our committee, and Colonel Woods when he was before our committee, pointed to this measure to which I have referred as extremely necessary in order that we might go forward with this building enterprise?

It is proposed that in the matter of condemnations the money may be deposited with the court and that we may proceed at once with borings and with the preliminary work, and both the Supervising Architect, Mr. Wetmore, and Colonel Woods stated their views in positive language. I know that when I asked Colonel Woods if there was anything we could do, his language was significant. He said: "You bet there is!" That was his answer, and it was that this red tape might be cut.

This bill was presented four or five weeks ago and it has not been brought to us, and in consequence the building program is being delayed. I do not care how much the architects may have done or what local architects have been employed; the fact remains that these buildings can not be constructed because of the interference of these various red-tape measures which would be cut by this measure.

That is what I mean. I think it is time we talked plainly in the Senate and let the country know that the Senate is not doing its duty. I think there has been a shameful lack of appreciation on the part of the Republican administration regarding the situation of the country, and it is time we let the country know it. They find fault with us because we hold up appointments of the President or seek to recall them. That is only dust in the air. The fact is the Republican administration has minimized the situation and has not gone forward effectively to deal with it. That is my charge; and I think it is proven by the witnesses who were brought before the Appropriations Committee only a few days ago.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Utah?

Mr. THOMAS of Oklahoma. I will yield for a question only.

Mr. SMOOT. That would not do me any good.

Mr. THOMAS of Oklahoma. I did not think so.

Mr. President, when the time arrived in the Senate that legislation was out of the question, and some Members came to the conclusion that we must look to the Red Cross for relief if relief is to be forthcoming, the senior Senator from Wisconsin [Mr. LA FOLLETTE] proposed a resolution, and I desire at this time to call attention to a portion of such resolution.

Senate Resolution 376

* * * * * * *

Resolved further, That the Appropriations Committee is requested to call before it John Barton Payne, chairman of the American National Red Cross, to ascertain:

(1) Conditions in the drought-stricken States.

(2) Whether the American Red Cross can provide adequate relief to all needy persons in said States.

(3) Conditions in the cities and towns of the country caused by the economic depression and resultant unemployment.

Mr. President, I can not speak for the administration. I can not speak for another branch of the Congress. What I am saying now is in defense of the Senate of the United States, because I expect to hear, in the next two years, speeches made to the effect that back in 1930 and 1931, in that bad winter, the Congress met, the President advised Congress of the conditions of the country, Congress did not respond to that appeal, and the President was forced to appeal to the Red Cross to raise $10,000,000 with which to feed the starving people of the country.

I want to make a record, so far as I am concerned, to combat that kind of possible propaganda.

In pursuance of the resolution introduced by the senior Senator from Wisconsin [Mr. LA FOLLETTE], the Committee on Appropriations proceeded to hold hearings; and before I take up the hearings held by that committee I desire to call the attention of the Senate to the law under which the National Red Cross is operating.

This is Public, No. 4, Fifty-eighth Congress, third session. It was approved January 5, 1905, now more than 25 years ago.

This law authorizing the incorporation of the National Red Cross provides that the Red Cross shall have five major functions to perform. Two of those are important. The first one, section 3, is:

That the purposes of this corporation are and shall be, first, to furnish volunteer aid to the sick and wounded of armies in time of war.

We are not concerned with that here.

I skip over Nos. 2, 3, and 4, and come to No. 5.

As to No. 5, we find this language:

Fifth. And to continue and carry on a system of national and international relief in time of peace, and apply the same in mitigating the sufferings caused by pestilence, famine, fire, floods, and other great national calamities, and to devise and carry on measures for preventing the same.

It is under that clause that the Red Cross each year has a roll call and collects money to defray the expenses of that great organization.

I do not want anything which I shall say to be construed as adverse to the Red Cross. The Red Cross has done a great work in the past. No organization in the world has rendered a greater service to suffering humanity than has the Red Cross. I shall not criticize the Red Cross as the same operates in the States. I shall not criticize the Red Cross in its organization here in Washington. But if the testimony given by the chairman of that organization, John Barton Payne, before the Committee on Appropriations of the Senate, is the expression of the board of directors of that organization, then I criticize the board. If he did not represent the board, then I do not criticize the board, and my criticism will be directed to the chairman himself.

Mr. President, in the hearings a few days ago before the Committee on Appropriations, John Barton Payne appeared and testified in pursuance of an invitation issued by the Senate. After he had testified the press of the country carried the information that Mr. Payne left the impression with the committee that his organization had the sum of approximately $5,000,000 only that could be used with which to relieve the existing distress throughout the country. I got that impression here on the floor. If I did not mistake the chairman of the Committee on Appropriations and the chairman of one of the subcommittees, they left that impression. If I am wrong, I yield now to have that impression corrected.

Mr. JONES. Mr. President, I want to say to the Senator that that was the impression I got from the testimony.

Mr. THOMAS of Oklahoma. The distinguished chairman of the Committee on Appropriations, Mr. President, at this time makes the statement that he received the impression from Mr. Payne's testimony that the National Red Cross had but approximately $5,000,000 which could be used to relieve

distress existing throughout the country at this time. May I have a similar statement from the chairman of the subcommittee, the senior Senator from Utah [Mr. SMOOT]?

Mr. SMOOT. Mr. President, John Barton Payne testified, as I remember it, that they had $4,500,000 or $4,600,000; it was not $5,000,000. I want to say to the Senator that I think his statement is well within the facts as testified to. But of course, later John Barton Payne did make the statement that if they needed more, they would ask for it. I think he said that when the fund got near the bottom of the barrel, they would holler, or something like that.

Mr. ROBINSON of Arkansas. "Yell" was the word he used.

Mr. THOMAS of Oklahoma. Mr. President, I make the statement that the chairman of the subcommittee having charge of the Interior Department appropriation bill, and the chairman of the main Committee on Appropriations, received the impression from Mr. Payne's testimony that the American Red Cross had but approximately $5,000,000 which could be used. Am I correct in that assertion?

Mr. SMOOT. He testified that that was what they had on hand.

Mr. THOMAS of Oklahoma. The people of the country received that impression. I desire to call attention to an editorial appearing in one of the leading papers of my home State, The Daily Oklahoman. I will read only a portion of the editorial. It states:

> The so-called drought relief measure with its promise of $45,000,000 does not apply to the cities of the country, where more than one-half of our population resides. It does not apply to the rural population of those States which happily escaped the scourge of drought. It applies only to farmers who live in the drought-ravaged States.

Further on the editorial states:

> But Government is leaving the work of direct human relief to the American Red Cross and similar agencies. And Government is positively refusing to lend financial aid to the Red Cross or any other relief agency. Those are the indisputable facts.

Here is a statement which corroborates the impression held by the two distinguished Senators, Senators who have been in the Senate more than 20 years.

Mr. SMOOT. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. SMOOT. I want to correct an impression the Senator may have received about the Government refusing to lend money to the Red Cross, if I understood the Senator correctly.

Mr. THOMAS of Oklahoma. I am not challenging that statement or that contention at this time.

Mr. SMOOT. That is all right, then.

Mr. THOMAS of Oklahoma. Mr. President, I now desire to read a paragraph from the mentioned editorial which corroborates my statement that the country believes as the two distinguished Senators believe. This paragraph is as follows:

> It is indisputable also that the Red Cross lacks sufficient funds to meet the present emergency.

That is the impression this paper had, that is the impression the country has, that is the impression which the chairman of the great Committee on Appropriations of this body now has, and it is likewise the impression the chairman of the great Finance Committee of this body has. I read further:

> It has at present $4,000,000 with which to meet the needs of a vast number of sufferers whose actual number can only be guessed at and not stated definitely.

Mr. President, what gave rise to that conclusion? From what source did that impression come? I want to call the Senate's attention to testimony given before the Committee on Appropriations. Mr. Payne appeared and testified. He prepared a statement, no doubt carefully prepared that statement, and I read first from his statement.

> Should the balance of this fund—

He does not say what fund—

> Should the balance of this fund prove insufficient, the Red Cross will ask the country for such contributions as may be necessary. This disaster reserve has been maintained—

He refers to the fund as "this disaster reserve"—

> This disaster reserve has been maintained by the Red Cross for several years as a revolving fund to enable the organization to act immediately in time of large disaster, without waiting until relief contributions were received from the public. If exhausted during the present emergency, it will be necessary for the Red Cross to appeal to the generosity of the American people for such additional assistance as may be necessary.

Mr. President, in a carefully prepared statement the chairman of the Red Cross told one of the great committees of this body that he had a fund, and that when that fund was exhausted his organization would have to appeal to the generosity of the American people to raise additional funds with which to relieve human misery.

A little later on the Senator from Colorado [Mr. PHIPPS] interjected this question:

> Colonel Payne, you say that approximately $850,000 so far has been distributed. What have the contributions been up to January 1, and what balance does the Red Cross have available as of January 1?
>
> Mr. PAYNE. We started out with a reserve fund of $5,000,000. Up to January 1 we had expended $849,965.49. Of this, $446,000, roughly half a million dollars, came from the national funds, and $403,000 came from local contributions and local-chapter funds, leaving roughly $4,500,000 still available for relief.

Mr. President, the committee had a right to believe that that was all the money the Red Cross had which could be used at this time. Evidently that was the impression the chairman of the Red Cross intended to convey. That is all the information he gave. It is no wonder that the chairman and the members of the Committee on Appropriations got the impression that that was all the funds the Red Cross had.

I refer now to page 15 of this hearing. The Senator from New Mexico [Mr. BRATTON] made a statement, and when Mr. Payne replied he used the following language:

> Our feeling has been, and I so advised President Hoover perhaps six or eight weeks ago, that if we are permitted to proceed in our normal way—that means without excitement, it means without clamor—we might get through the winter with our present resources.
>
> Senator BRATTON. That is, about $4,500,000 now on hand?
>
> Mr. PAYNE. Yes.
>
> Senator BRATTON. Is that your feeling now, Judge Payne?
>
> Mr. PAYNE. Yes.

I call attention to one other statement appearing on page 17 of the record. Mr. Payne said:

> I do not say that we can get through on four and one-half millions, but I say, if we get toward the bottom of the barrel, we will yell.

Mr. President, I submit that this testimony was intended to convey the impression to that committee that the Red Cross at that time had only four and a half million dollars available as resources to be used in taking care of the unemployed and those who are now in need, because the last statement I just quoted is that when the Red Cross gets down to the bottom of the barrel they will yell.

We have heard the yell, and when they got down close to the bottom of the barrel, when this four and a half million dollars was almost exhausted, Mr. Payne evidently went to the President and suggested to the President that a nation-wide call be made for additional funds to replenish the resources, almost depleted, of the Red Cross.

I now offer for the RECORD a copy of the President's proclamation and ask that the same be printed in full at this point in my remarks.

The VICE PRESIDENT. Is there objection?

There being no objection, the proclamation was ordered to be printed in the RECORD, as follows:

PRESIDENT'S PROCLAMATION

To my fellow countrymen:

There must be a very material increase in the resources of the American Red Cross to enable it to bear the burden which it has undertaken in the drought area and smaller communities over 21 States during this winter. Within the last 10 days the Red Cross has had to increase the rate of expenditures to an amount greater than during the entire preceding four months.

The American Red Cross is the Nation's sole agency for relief in such a crisis; it is meeting the demand and must continue to do so during the remainder of the winter.

The disaster reserve of the Red Cross is not sufficient to meet the increased demand. It is imperative in the view of the expe-

rienced directors of the Red Cross that a minimum of at least $10,000,000 be contributed to carry the relief program to completion.

The familiarity of this situation, due to much press reports of its progress, should not blind us to the fact that it is an acute emergency nor dull our active sympathies toward our fellow countrymen who are in actual want, and in many cases they lack the bare necessities of life unless they are provided for.

As President of the United States and as president of the American Red Cross I, therefore, appeal to our people to contribute promptly and most generously in order that the suffering of thousands of our fellow countrymen may be prevented. I am doing so with supreme confidence that in the face of this great humanitarian need your response will be immediate.

HERBERT HOOVER.

Mr. COPELAND. Mr. President, will the Senator yield to me?

Mr. THOMAS of Oklahoma. I yield.

Mr. COPELAND. I will ask the Senator to be sure to put in the date. It was on the 6th of January when Judge Payne said that if they got near the bottom of the barrel they would yell. When did the yell come out?

Mr. THOMAS of Oklahoma. I have a statement issued on the 12th. I desire to call attention to one sentence of the President's proclamation, as follows:

As President of the United States and as president of the American Red Cross I therefore appeal to our people to contribute promptly and most generously in order that the suffering of thousands of our fellow countrymen may be prevented.

Mr. President, on the 12th of this month the press carried the story of the call being made by the National Red Cross. I desire at this time to call attention to a news story appearing in the New York Times under a Washington date line of January 12, as follows:

WASHINGTON, January 12.—The American Red Cross took steps to-night to raise $10,000,000 for drought relief. Chairman John Barton Payne assigned campaign headquarters to 3,000 local chapters throughout the United States.

In a telegram to each chapter Judge Payne explained that President Hoover had announced a public appeal for this fund, and then made the following plea:

"Greatly increased demands during the last 10 days have made imperative an immediate campaign for a Red Cross relief fund to meet the emergency situation through parts of 21 States in the drought-stricken area. A minimum of $10,000,000 is needed to prevent untold suffering and actual starvation of thousands of families.

Mr. President, when the President had given out his proclamation, and when Chairman Payne had released this story, there appeared in the Washington Daily News a signed story under the authorship of Max Stern. At this point I desire to have printed in the RECORD a copy of this news story.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

[From the Washington Daily News, January 12, 1931]

RED CROSS ACCUSED OF SHIRKING JOB IN UNITED STATES—DIRECTOR OF PEOPLE'S LEGISLATIVE SERVICE ACCUSES RELIEF ORGANIZATION OF HOLDING BACK FUNDS

By Max Stern

Charging that the National Red Cross holds back $38,000,000 now available for disaster relief while it disclaims responsibility for feeding America's 5,000,000 jobless and helps block direct congressional relief, Mercer G. Johnston, director of the People's Legislative Service, to-day assailed the organization and its chairman, John Barton Payne.

"Is the Red Cross hoarding relief funds in the face of human misery almost impossible to picture?" Johnston asks in his statement.

CITES DRAMATIC APPEAL

Out of $44,000,000 held in reserves as of last July, $38,000,000 is down as "available for expenditure." This, Johnston says, has been collected in "highly organized, dramatic appeal to the American heart." On his return from Europe, Judge Payne, according to Johnston, mentioned the drought and unemployment situation as one calling for attention of the Red Cross.

"The money is needed not for far-off people," another Red Cross spokesman is quoted as saying on the eve of the last roll call. "It is needed for our own."

Since then, Johnston says, the tragedy has become steadily worse. "Since last August, when Chairman Payne admitted 'that a very serious situation existed,' the human tragedy has grown steadily worse," the statement says. "To-day the cry of 'Bread! Bread!' is heard throughout the land. The situation is 'intolerable,' says the chairman of the President's empty-handed emergency committee. Conditions are 'almost impossible to picture,' say Red Cross field workers. The Hoover-Payne policy of suppression merely serves to discredit confidence in its sponsors.

"Called to give an account of his stewardship, Chairman Payne, first washing his hands of all responsibility for the sufferings of the 5,000,000 jobless of the cities, reports that all is well in the rural districts.

RED CROSS WILLING

"Less than $1,000,000 of its $38,000,000 has been stretched out over six months, nearly half of it for seed. He throws the weight of his influence against congressional funds for food and clothing. The Red Cross is willing, if absolutely necessary, to spend a maximum of $5,500,000 on the farmers. He regards that as quite enough for them. If not he will 'yell' for the public collection. Red Cross reserves are not to be tapped."

Johnston says that although these great reserves are for major disaster, none of the great disasters of the past decade has been relieved from these funds. A special appeal for funds is resorted to. Outside of special emergency funds, the Red Cross, he says, has spent in relief an average of less than $750,000 a year for the past decade, and this was one-twelfth of the institution's total expenditures.

BLOCKS DIRECT RELIEF

"If ever," Johnston concludes, "the Red Cross intends to meet a great disaster out of its general or ordinary funds or large reserves, now is the time to do so. From its own house organ comes the unguarded confession that 'the magnitude and severity of the present situation are alone sufficient to justify a departure from normal policy.'

"Its chairman has joined with its president in blocking direct Federal relief. Human misery is at the doors of its marble palaces. It has $44,000,000 of mercy money within. If it keeps the money, it will risk the loss of public confidence to a degree that will greatly impair its usefulness."

Mr. THOMAS of Oklahoma. I next desire to have inserted in the RECORD an editorial taken from the Baltimore Sun of January 12, without being read. No doubt everyone has read it.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

[From an editorial in the Baltimore Sun of January 12, 1931]

Members of Congress from stricken States have insisted for weeks that conditions have passed beyond the control of their citizens and called imperatively for Federal aid to feed people, and not merely to provide them with seed and equipment loans. Mr. Hoover and his spokesmen in Congress have denied these statements. They have said that local agencies, supplemented by the resources and facilities of the Red Cross, were ample to meet the needs of impoverished people for food. But Mr. Hoover and the Red Cross now confess they were wrong.

That is the meaning, no less and no more, of the announcement yesterday that an appeal is to be made to the country to provide $10,000,000 more for the Red Cross—the decision to make this appeal having been reached in conference between President Hoover and John Barton Payne, chairman of the Red Cross. It is one of the swiftest reversals and confessions of error on record. Only last Tuesday Mr. Payne told the Finance Committee of the Senate there was no need for the Government to appropriate money for food relief and no need for the Red Cross to appeal for more money, because he had $4,000,000 left and that was enough. Yet within four days the head of this quasi-public agency and the President join in a decision to ask $10,000,000 more—or to treble their original estimates.

Since at long last there is agreement that need exists vastly in excess of the estimates of the Administration and of its charity arm, the Red Cross, the only question is how it shall be provided; and it is distinctly better for the Federal Government to provide the money than for the Red Cross to conduct a popular campaign to raise $10,000,000. In the first place, it is late in the day for the Red Cross to be waking up and asking for $10,000,000. We are in midwinter and the people to be relieved are at this very moment in acute distress. In the second place, the communities in which the Red Cross would seek the money are the cities—mainly the big cities—and they have got enough charity problems and charity needs of their own at this time. Indeed, it is not at all impossible that some of them will echo Mr. LAGUARDIA's plea that city people be included in Government relief.

In the past few weeks the administration's spokesmen in Congress, arguing there was no need for food that could not be met by local agencies plus the $5,000,000 that the Red Cross started with, have gone on to make a great parade of the danger of giving "doles." They were willing to have the Government make character loans to farmers from the $45,000,000 bill, so that they might buy seed, but they shuddered at the thought of making loans to farmers so they might buy food for their families. It was much better that they accept aid from the Red Cross. In the opinion of Mr. SNELL, Mr. TILSON, and Mr. WOOD, a Government food loan to a famished farmer robbed him of self-respect and self-dependence, while somehow a loan for seed plus a handout from the Red Cross for food left him an upstanding "American."

Such idiotic bilge ought to be swept out by every man of intellectual honesty. There is not the slightest reason to think Government food relief will any more really destroy self-respect now than famine relief, flood relief, and fire relief have done in the numerous instances in which they have been granted in the last 100 years.

Mr. THOMAS of Oklahoma. Mr. President, I next want to call the attention of the Senate to the record of the condition of the finances of the Red Cross at this time. I make the statement that Mr. Payne did not tell the Committee on Appropriations of the resources under his control. I make the statement that Mr. Payne did not advise the Committee on Appropriations that he not only had four and a half million dollars, that he not only had ten million, that he not only had twenty million, but that he had as much as $25,000,000 available for any purpose for which the Red Cross may be convinced needs exist.

Under the law the Red Cross must make a report to the Secretary of War. The Secretary of War must submit that report to the Speaker of the House. In this case the National Red Cross organization has reported to the Secretary of War and the Secretary of War has reported to the Speaker of the House, and I hold before you, Mr. President, a copy of that report, entitled "The National Red Cross Annual Report for the year ended June 30, 1930, published by the American National Red Cross, Washington, D. C." In this report we find that the President of the United States is the president of the National Red Cross. We find that Robert W. DeForest is a vice president, that Calvin Coolidge is a vice president, that Ogden L. Mills is the treasurer. I read the treasurer's name because it is from the treasurer's report that I expect to quote briefly in a moment. We find that Thomas D. Thacher is counselor of this organization, and that Mabel T. Boardman is secretary of the organization.

On page 177 of this report, and from there on through the balance of the book to page 213, I find the financial set-up of the organization. I now make the statement that on June 30, 1930, scarcely six months ago, the National Red Cross, as shown by the report submitted by its treasurer, had within its custody Liberty bonds to the total par value of $7,791,150. That is the par value of the bonds. I think perchance the book value to-day would be slightly less, but the organization and its treasurer, Mr. Mills, had in their control Liberty bonds of the par value of $7,791,150. The report of Mr. Mills shows that on that date he had commercial bonds—mostly gold bonds—and I compliment the treasurer for putting the money in gold bonds. He has a few trust bonds and a few bonds that are not gold bonds, but on that date Mr. Mills, as treasurer of the organization, had commercial bonds in the total sum par value of $20,689,515.37. Adding those two sums together we have a total of $28,480,665.37.

But that is not all of the resources the National Red Cross had. At that time, according to Mr. Mills's report, they had an endowment fund in the total par value sum of $5,750,965.68. I will admit for the sake of argument that the endowment fund would not be subject to relief purposes. I understand that sum is made up of bequests made in wills and special gifts to the Red Cross to secure an income to make possible the perpetual existence of the National Red Cross, and if this fund is developed in that manner of course the principal would not be available for use for any purpose of relief.

Then the National Red Cross had other special trust funds amounting to $807,223.19. Taking the Government bonds, the commercial bonds, the endowment fund, and the special trust funds, we get a total sum held by the National Red Cross on June 30, of $34,731,962.86. Of course they have spent some of this money since that time, but in the meantime they have had a national roll call.

I have no record of how much that roll call brought forth and how much they have spent from this fund, but my statement is that at the time Mr. Payne was convincing the chairman of the great Appropriations Committee and the country that they had but $4,500,000, at that same moment they had at least $25,000,000 in good securities, readily negotiable, quickly cashable, that could have been used, and they have it now.

On yesterday I conversed with the financial secretary of the National Red Cross, Mr. McClintock. He told me he was preparing a statement giving the information I desired. I asked him to please send me a copy, and he promised to do it. No doubt he will do so. The statement has not arrived, but I know how slowly things move in Washington.

Mr. HEFLIN. Mr. President——

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from Alabama?

Mr. THOMAS of Oklahoma. I yield.

Mr. HEFLIN. I want to ask the Senator if the $30,000,000 plus worth of commercial bonds had been donated to the Red Cross or has the Red Cross invested money donated to it in the purchase of those bonds?

Mr. THOMAS of Oklahoma. When the war closed in 1918 the Red Cross had many millions of dollars in its treasury. When the war closed suddenly this money was not used; so when the war was over the Red Cross had these many millions of dollars in their treasury. I was advised yesterday that in the few years subsequent to the war the Red Cross spent some $38,000,000 less than they received. They had a surplus. Perhaps $50,000,000 was raised during the time of the war that was not needed, and when the war period had expired the roll calls were made from year to year, and they collected $4,000,000 or $5,000,000 each year, perhaps $10,000,000 each year, and having spent only about $1,000,000 each year during recent years they have a reserve, a surplus, and they have been building up an estate.

I am not criticizing the Red Cross for taking care of that reserve and that surplus. I compliment them for it. I am glad the Red Cross has this gigantic fund. I am glad the Red Cross is proceeding along business lines to conserve this surplus, placing it in gold bonds where it can be used in time of major necessity. But the time has come when the major necessity is here. They have the money, but for some reason they did not advise the committee that they have the money.

I ask unanimous consent to insert in the RECORD a copy of that portion of the treasurer's report to which I have just alluded, setting forth the amount of Liberty bonds and a statement of the various kinds of commercial bonds which the Red Cross had in its possession on the 30th day of June, 1930.

The VICE PRESIDENT. Without objection, it is so ordered.

The statement is as follows:

Securities owned and held by the National Red Cross

	Par value
United States Government:	
First Liberty loan	$249,400.00
Fourth Liberty loan	4,008,050.00
U. S. Treasury notes	2,500.00
Do	900,000.00
U. S. Treasury bonds	2,631,200.00
Total	7,791,150.00
Commercial:	
Chesapeake & Ohio R. R. bonds	200,000.00
Cleveland Short Line R. R. Co. bonds	75,000.00
Texas & Pacific Ry. bonds	200,000.00
Canadian Pacific Ry. Co. bonds	200,000.00
Illinois Central R. R. Co.	100,000.00
Cleveland Union Terminal Co. bonds	399,000.00
Lehigh Valley R. R. Co. bonds	100,000.00
Midwick Club Corporation bonds	1,000.00
Baltimore & Ohio R. R. Co. bonds	100,000.00
New York Connecting R. R. bonds	200,000.00
Norfolk & Western R. R. Co. bonds	275,000.00
Pacific Electric R. R. Co. bonds	100,000.00
St. Louis, Peoria & Northwestern R. R. bonds	50,000.00
The Virginian Ry. Co. bonds	225,000.00
Illinois Central R. R. Co. bonds	200,000.00
Cleveland Electric Illuminating Co. bonds	200,000.00
Oregon-Washington R. R. & Navigation Co. bonds	457,000.00
New York Central & Hudson River R. R. bonds	200,000.00
General Petroleum Corporation bonds	200,000.00
Long Island R. R. Co. bonds	200,000.00
Western Union Telegraph Co. bonds	100,000.00
Standard Oil Co. of N. Y. bonds	200,000.00
Standard Oil Co. of New Jersey bonds	100,000.00
Indiana Harbor Belt R. R. Co. bonds	150,000.00
City of Montreal bonds	200,000.00
Illinois Steel Co. debenture bonds	150,000.00
Boston Consolidated Gas Co. bonds	300,000.00
Canadian National Ry. bonds	200,000.00
Commonwealth Edison Co. bonds	200,000.00
Commonwealth Edison Co. bonds	200,000.00

Commercial—Continued.	Par value
Chicago Union Station Co. bonds	$100,000.00
San Antonio & Aransas Pass Ry. bonds	250,000.00
Pittsburgh, Cincinnati, Chicago & St. Louis R. R. Co. bonds	100,000.00
Province of Quebec bonds	200,000.00
Westchester Lighting Co. bonds	100,000.00
Illinois Bell Telephone Co. bonds	200,000.00
New York Connecting Ry. Co. bonds	150,000.00
Toronto Harbor Commissioners bonds	200,000.00
Chicago, Burlington & Quincy R. R. Co. bonds	200,000.00
City of Toronto bonds	200,000.00
Southwestern Bell Telephone Co. bonds	200,000.00
United Electric Co. of New Jersey	200,000.00
Province of Ontario, Canada	200,000.00
Erie Lighting Co. bonds	100,000.00
Bell Telephone Co. of Canada bonds	200,000.00
Pennsylvania, Ohio & Detroit R. R. bonds	100,000.00
Duquesne Light Co. bonds	300,000.00
Denver & Rio Grande Western R. R. Equipment Trust	200,000.00
Baltimore & Ohio R. R. Equipment Trust	100,000.00
Kansas City Southern Railway	200,000.00
Baltimore & Ohio R. R. Southwest Division bonds	100,000.00
Elgin, Joliet & Eastern	100,000.00
Canadian National Railway equipment trust certificates	250,000.00
Illinois Central R. R.; Chicago, St. Louis & New Orleans R. R. Co	100,000.00
Illinois Central R. R.; Chicago, St. Louis & New Orleans	100,000.00
Carolina, Clinchfield & Ohio Ry. Co. bonds	100,000.00
Louisville & Nashville R. R. Co. bonds	100,000.00
Bell Telephone Co. of Canada bonds	100,000.00
American Radiator Co. bonds	200,000.00
Union Pacific R. R. Co. bonds	335,000.00
Cincinnati Gas & Electric Co. bonds	456,000.00
Chicago, Milwaukee, St. Paul & Pacific R. R. equipment trust	214,000.00
Canadian National Railway bonds	300,000.00
Chicago, Milwaukee, St. Paul & Pacific R. R.	200,000.00
Province of Ontario, Canada, bonds	100,000.00
Federal Land Bank bonds	445,000.00
Federal Land Bank bonds	75,000.00
Detroit Edison Co. bonds	100,000.00
American Telegraph & Telephone Co. bonds	500,000.00
Miscellaneous securities (donated)	41,365.37
Total	12,898,365.37
Total, United States Government	7,791,150.00
Total, commercial	12,898,365.37
Grand total	20,689,515.37

Mr. THOMAS of Oklahoma. The call for $10,000,000 has gone forth. To whom has the call gone? If the call has been extended to the farmers of the country there will not be much accretion to the Red Cross funds in the next few days, I fear. The farmers of the country are not able to respond to this request, and I doubt if the cities of the country are able to respond to it either. The great city of New York, having on deposit more money than it has ever had, having single banks with approximately $3,000,000,000 of resources, has been called upon already to raise money to take care of the unemployed in that city. I understand that New York City has raised something like $8,000,000 with which to feed the unemployed of that great city. This appeal of the National Red Cross must go to the cities, but to every city to which the appeal goes, an appeal already exists to raise funds to feed the unemployed in the city to which the call goes.

Mr. President, it is my contention that it is unfair now to ask the people even of the cities to contribute to a fund of $10,000,000 with which to assist the starving farmers of the country when the Red Cross organization has in its treasury and under its control something like $25,000,000 in Government bonds, in commercial gold bonds which it can cash. They could not get par for those bonds perhaps. They are not worth par to-day, and I regret that they are not. But the $20,000,000 of gold bonds, the best bonds the country affords next to Government bonds, can be cashed at a slight discount, and even if the par value of those bonds to-day is higher than that quoted on the stock exchange, yet they would probably bring $18,000,000 or $19,000,000; and yet the head of the Red Cross has come before the Senate Committee on Appropriations and—I will not say concealed the fact, but he has not advanced the intelligence that his organization has some $25,000,000 in the best bonds in the world immediately available. Instead, the Red Cross went to the President and advised him to make a public appeal to the people of the country to raise money to feed the thousands of our starving population.

Mr. WALSH of Massachusetts. Mr. President——

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from Massachusetts?

Mr. THOMAS of Oklahoma. I yield.

Mr. WALSH of Massachusetts. Will the Senator reconcile, if he can, the appeal now being made to the country and the statement which he has made that there is now available $20,000,000 or $25,000,000 in the reserve fund of the Red Cross organization, in the light of the question and answer which I quote from the report of the hearings before the committee, at page 12:

> Senator PHIPPS. About how far would you go down with your present surplus before you would make a national call to replenish the fund?
>
> Mr. PAYNE. When we get down, I should say, between one and two millions, a million and a half, say.

Is not the plain meaning of that question and answer that there would not be a call made to the American people until the surplus—that is the word—had been reduced to $1,500,000? How does the Senator justify his claim that there is $20,000,000 or $25,000,000 in the funds in view of the statement, which I have just read?

Mr. THOMAS of Oklahoma. I can not reconcile the matter. I have one explanation I might offer and that is that the chairman of the National Red Cross has a desire not to make any further disclosure than is necessary in this period of our national distress. I do not know why the chairman of the National Red Cross is not willing to tell the Appropriations Committee of the Senate what vast resources his organization possesses. I do not think the President has knowledge that the Red Cross, of which he is the president, is possessed of this vast surplus.

Mr. President, if this record is to be believed—and I will submit it to anyone who desires to examine it—the managers of the National Red Cross have hoarded the money given to that organization in years past, and now not only have it hoarded but, in effect, they are trying to conceal it. It is not concealed, however, because this report is a public record; it is among the archives of the House of Representatives; it has been filed with the Speaker and can be obtained in the House of Representatives. I do not know why the chairman of that great organization refused to volunteer this information. At this time the people of America believe that the Red Cross is almost a bankrupt institution; that the Red Cross does not have to-day money with which to meet and serve the demands made upon it by the heads of local Red Cross organizations throughout the United States. I have letters and telegrams by the dozen to that effect.

Mr. President, the Congress has now about completed its relief legislation. We have passed a bill providing an appropriation of $116,000,000 to stimulate employment; we are about to pass a bill appropriating $45,000,000 to be loaned to farmers with which to buy feed for work stock and seed, and then we are through. No attention has been paid to the bill introduced by the Senator from Massachusetts; no attention has been paid in one branch of the Congress to the bills introduced by the Senator from New York [Mr. WAGNER]; no attention has been paid to the bill introduced by the senior Senator from Arkansas [Mr. ROBINSON]. It would do no good now to introduce other bills. Less than 40 days of the present session remain, and I think I am safe in advising the people of the country that they need look no further to Congress for relief in this period of depression, which will go down in history as the darkest in the life of the Republic.

Mr. President, what we get we must get from the Red Cross; what we get we must get from the Salvation Army; what we get we must get from the various community chests and other allied and similar organizations. If they

can not supply the needs of those in distress, the people are helpless.

Mr. President, in closing these few remarks, I desire to submit a plan of relief that already has worked satisfactorily in one portion of the United States. It is the plan suggested by a distinguished citizen of my State. I send it to the desk and ask that it may be read.

The VICE PRESIDENT. The Secretary will read.

The Chief Clerk read as follows:

Will Rogers says:

"HOLLYWOOD, CALIF.—We got a powerful Government, brainy men, great organizations, many commissions, but it took a little band of 500 simple country people (who had no idea they were doing anything historical) to come to a country-town store and demand food for their wives and children. They hit the heart of the American people more than all your senatorial pleas and Government investigations. Paul Revere just woke up Concord. These birds woke up America. I don't want to discourage Mr. Mellon and his carefully balanced budget, but you let this country get hungry and they are going to eat, no matter what happens to budgets, income taxes, or Wall Street values. Washington mustn't forget who rules when it comes to a show-down."

The VICE PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

Mr. JONES. Mr. President, the conference report which has been agreed to shows a disagreement on the two amendments which the Senate added to the bill. I gather from the expressions of Senators that, while they regret to do it, they feel that we should recede from the amendment proposing an appropriation of $15,000,000 to be loaned for the purchase of food. There are two propositions that confront us: One is to provide relief for distress that is liable to come, and the other is to furnish food to meet an existing distressful condition. Apparently, on the pending bill at any rate, we can not secure both. We can, however, secure one.

I think it is quite urgent that the $45,000,000 should be appropriated as soon as possible. I know of some sections where seed is needed right now. The $45,000,000 is not to meet solely the seed situation, but it really deals with what may be conditions of starvation, for if crops can not be produced next year, then we will have a very serious situation of that kind. It is largely the purpose of this $45,000,000 to avoid, if possible, such a situation. The reasons why the Senate should recede have been advanced by different Senators this afternoon. I am not going to take any more time of the Senate. I think the more quickly the $45,000,000 can be appropriated the more quickly relief will start.

I might say that I have talked with officials of the Agricultural Department, and they inform me that certain things can not be done until this money shall have been appropriated. Some action must be taken by the Comptroller General, and he will not act until the money shall have been appropriated. So the longer we delay appropriating the money the longer will relief be postponed; and, as I have said, I know of some sections of the country where this relief is needed just as quickly as it possibly can be afforded. So, Mr. President, under those circumstances, I am going to move that the Senate recede from amendment numbered 1.

SEVERAL SENATORS. Vote!

The VICE PRESIDENT. The question is on the motion of the Senator from Washington.

The motion was agreed to.

Mr. JONES. Mr. President, amendment numbered 2 is that proposed by the Senator from Alabama [Mr. BLACK]. I had hoped that we would be able to secure the adoption of that amendment, but I am inclined to think, in view of the letter from Mr. Warburton, that we can depend upon the department to take care of the situation about as well as it could be cared for. So I move that the Senate recede from amendment No. 2.

Mr. BLACK. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Alabama?

Mr. JONES. I yield.

Mr. BLACK. The Senate, of course, voted unanimously for that amendment, which action was an expression of their belief that the amendment was a fair construction of the law according to their interpretation. Before we vote on the motion I should like to say that if there is any Senator here who thinks that the Secretary of Agriculture in construing the law and according relief would do it according to State lines or county lines, I think we ought to know it now, because I expect to take the question up with the Secretary of Agriculture on the basis that the Senate understands, and has decided by its vote, that it was intended that relief should be accorded to those who are suffering from drought or storm conditions, wherever they are suffering.

Mr. JONES. I will state to the Senator that I am frank to say that that is my construction and I will not hesitate to write to the Secretary of Agriculture and tell him that I believe that is the idea of the Senate. While, possibly, he might not be justified in going into a county to look after one individual, yet he should look after those in distress just as far as possible, regardless of county or State lines.

Mr. BLACK. And will the Senator further say that the fact the Senate does recede from its amendment is no indication that it recedes from its belief that that is the proper interpretation?

Mr. JONES. Certainly, I will.

Mr. HEFLIN. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Alabama?

Mr. JONES. I have moved that the Senate recede from the amendment numbered 2.

Mr. HEFLIN. Mr. President, we had some hearings on this subject before the Committee on Agriculture, and at those hearings Doctor Warburton appeared. I made it very plain to him that we wanted this fund used to relieve farmers who were in distress, whether they lived in counties where the suffering was general or where it was not so great. The other members of the committee felt the same way about it, and Doctor Warburton gave the committee to understand that he understood it in that way. However, since that time some Members of the House have talked with him about it, and they are not satisfied with his attitude on the subject. We are unable, it seems, to obtain legislation from the other end of the Capitol directly on this point. I gave notice to-day that I had prepared a resolution which would express to the Secretary of Agriculture, Doctor Warburton, and all others concerned, just how the Senate felt about it. I send that resolution to the clerk's desk, and ask that it may be read, and ask the Senator from Washington if he has any objection to it.

The VICE PRESIDENT. The clerk will read, as requested.

The clerk read the resolution (S. Res. 401), as follows:

Resolved, That the Secretary of Agriculture is hereby notified that when the Senate voted for the drought relief measure, it was the intent and purpose that the funds so provided would be used to afford relief to all families suffering from the drought, whether they live in counties where suffering is general and where there is great distress and destitution, or in counties where the distress caused by the drought is not general.

Resolved further, That it is the sense of the Senate that the relief here provided should be granted wherever the conditions and facts justify it, and the Secretary of Agriculture is hereby requested to see that that is done.

Mr. JONES. Mr. President, I hope the motion will be voted on before action is sought on the resolution.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Washington.

Mr. WALSH of Massachusetts. Mr. President, before the lengthy discussion as to the passage of this relief measure shall close I desire briefly to express my views upon the general question of Federal relief, after five weeks of observation of the administration's attitude.

First of all, it is quite apparent that all Senators are sympathetic with those persons who are in distress and need by reason of the drought of last year and the present economic collapse throughout the land. That feeling, I think, is unanimous. Secondly, every Senator is anxious and de-

sirous that all the citizens of the country shall contribute, through the Red Cross and other private relief agencies, as generously as possible to relief of those who are suffering.

We are, however, concerned with and are debating here the question what the Government ought to do in addition to what private relief agencies are doing. That State and municipal governments must come to the aid of those in want is also agreed. The contest here is what, if anything, the Federal Government should do.

We are dealing not with a local emergency or a State emergency but a national emergency. I take it there is no dispute about that. Then, in the final analysis, what is all this discussion about? Let the country know. It is about who will pay the bills for relief. When we talk about cities, counties, and States paying the bill we are saying that the cost of relief must be paid out of the pockets of the poor landowners of this country, for the people who will be called upon to pay taxes for the relief extended in the several States and communities are the average men and women who are the owners of homes and other real property that must meet the demands of local taxation.

What do those really advocate who say the Federal Government will not participate? They mean that the wealth of this country, the large income-tax payers, and the corporations which pay income taxes to the amount of $2,000,000,000 a year and the importers of foreign goods who provide our customs revenue shall be exempt from increased taxes to meet the costs of this great emergency.

In this national emergency I want the country to know what we are fighting about. It is concerning who is to pay for years to come the tax burden placed upon the back of the American people on account of relief extended in a great national emergency of unemployment, drought, and business depression, caused as much as by any other cause by those of great wealth who have been gambling with the financial securities of the country. Here is what constitutes the real issue. The administration is for exempting the large income-tax payers and the corporations of this country from paying increased taxes toward this relief. That is what it amounts to say, the Federal Government will not increase taxes or make loans for relief expenditures.

No one wants taxes increased if it can be avoided, but it is necessary, and I favor all units of our Government, just as we do in war, sharing the burden. To exempt the Federal Government means you are going to place on the backs of the small property owners in every municipality and in every State the increased taxes for relief, not for this year, not for next year, but for several years. With their property depreciated, with themselves out of work, these people are to bear the entire burden! In a word, the poor must take care of the poor so far as the Federal Government is concerned.

The Federal Government acting through this administration has closed the Treasury doors and said, "The rich will not pay it. Go back to your localities and have it paid by those who pay taxes there," who are the farmers and the working class—the small property owners, the shop owners, and the industries who must face the increased tax on their plants that provide local taxes.

This is the record we are making here. I want the country to know it, and I am ready to go to the country on that issue. I am not being fooled and I am not being deceived. Not a single bill for adequate relief will pass this Congress, and the country might as well know it, because of the determination upon the part of the administration that those who pay large income taxes and the corporation-income taxpayers of the country must not be burdened with relief obligations.

The States and municipalities who have already incurred great expenditures for public works, who have increased tremendously their budgets for outdoor relief to the suffering, must place the tax burdens on their own unemployed and heavily burdened landowners.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Washington [Mr. JONES].

Mr. HEFLIN. Mr. President, I am willing to have that vote taken now, and I want a vote on my resolution immediately thereafter. With that understanding, I am willing to have a vote on the motion.

The VICE PRESIDENT. The Senator can not have an understanding of that kind. He will have to take chances on getting action on his resolution.

Mr. HEFLIN. I can discuss it, though, Mr. President.

The VICE PRESIDENT. Certainly, the Senator can discuss it. The question is on the motion of the Senator from Washington [Mr. JONES]. [Putting the question.] By the sound the ayes seem to have it. The ayes have it, and the Senate recedes.

NOTICE OF MOTION TO SUSPEND RULES

Mr. ROBINSON of Arkansas. Mr. President, I give the notice which I send to the desk and ask to have read.

The VICE PRESIDENT. The notice will be read.

The CHIEF CLERK. The Senator from Arkansas offers the following notice of motion to suspend the rules:

Pursuant to the provisions of Rule XL of the Standing Rules of the Senate, I hereby give notice in writing that I shall hereafter move to suspend paragraphs 1 and 3 of Rule XVI, for the purpose of proposing to the bill (H. R. 15256) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1932, and for other purposes, the following amendment, viz:

At the proper place in the bill to insert the following:

"There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $25,000,000 (in addition to such sums as may be or may become available through voluntary contributions) to be expended by the Red Cross for the purpose of supplying food to persons otherwise unable to procure the same."

INTERIOR DEPARTMENT APPROPRIATION BILL

Mr. McNARY, Mr. SMOOT, Mr. HEFLIN, and other Senators addressed the Chair.

The VICE PRESIDENT. The Senator from Oregon.

Mr. McNARY. I yield to the Senator from Utah.

Mr. SMOOT. Mr. President, I ask that H. R. 14675, the bill making appropriations for the Department of the Interior, be laid before the Senate.

The VICE PRESIDENT. Is there objection?

Mr. REED. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. REED. If that unanimous consent is granted, will it in any way interfere with a vote on the battleship modernization bill as agreed to for Friday next at 4 o'clock?

The VICE PRESIDENT. It will not.

Mr. NORRIS. Mr. President, at this time I am going to object to the request.

The VICE PRESIDENT. Objection is made.

SENATE'S CONSTRUCTION OF DROUGHT-RELIEF LEGISLATION

Mr. HEFLIN. Mr. President——

The VICE PRESIDENT. Does the Senator from Oregon yield to the Senator from Alabama?

Mr. McNARY. I do.

Mr. HEFLIN. I want the Senator from Oregon to permit us to vote on this Senate resolution of mine. It expresses to the Secretary of Agriculture the feeling of the Senate upon the subject.

The Senate feels just as I have set out in the resolution. It will help the Secretary of Agriculture to know just how the Senate feels about this matter, and will enable him to tell people why he is following out these directions, because the Senate has gone on record.

The VICE PRESIDENT. Is there objection to a vote on the resolution?

Mr. McNARY. Mr. President, under the rule, and following the parliamentary procedure, the resolution would have to go over for the day. It is late in the afternoon. The attendance is not altogether complete. There probably may not be any objection to it; but I want to look into the resolution, because I am familiar with the statement made by the Secretary of Agriculture, and this may conform to his view. For the present, however, I shall have to object.

Mr. HEFLIN. Let it go over until to-morrow, then.

ADDRESS BY SENATOR NYE ON "THE INFLUENCE OF MONEY IN POLITICAL CAMPAIGNS"

Mr. NORRIS. Mr. President, last Saturday night the junior Senator from North Dakota [Mr. NYE] delivered over the radio an address on the subject of "The Influence of Money in Political Campaigns." I have in my hand a copy of that address and ask unanimous consent that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Money is found to be freely spent in efforts to elect to public office the kind of men who will support the wishes of its givers. Political-party coffers are replenished because the givers have come to know that it is advantageous to be able to appear as a contributor to the election of officials who are to guide the affairs of government. Indeed, such an ability to show contributions made to the cause of elected officials has been proven so advantageous in many instances that men with great financial interests are known to have contributed to opposing candidates and opposing parties in the same campaign so that no matter who won, the records of campaign treasurers would show them to have helped win the victory. To such people it has not mattered which party won.

There are various influences at work these days which threaten our representative form of government, but upon me there has grown a most determined conviction that the most dangerous of these influences is that of money in the conduct of political campaigns. To my mind, such use as is being made of money and the hugeness of contributions and spendings to win election to high public office affords the greatest and most pressing issue threatening our Government and challenging our people to-day.

There are proper uses for money in political campaigns. Indeed, reasonable sums are quite essential when issues are to be carried to the people. It is the money which does not enter into a proper and necessary use against which I argue. The question as to what constitutes a proper and necessary use of money may invite a wide range of decisions. The custom in some States of distributing funds to workers and watchers at the polls, even though the total may reach a half million or more dollars, has to some minds dictated necessary a continuation of that practice. People in these States have come to feel that money paid in hand is the reward for interest in politics at campaign time. The result is that there are many people who became interested in politics and vote only after they have been paid for doing so and campaign expenditures become bribes. Whereas, if such practices were forbidden by law, if there were to be no paid workers or watchers, all candidates would be on a same footing and the only losers would be those who have fooled candidates and party leaders into believing that they were performing a real service that could not and would not be performed without money.

It is my belief that in States like Pennsylvania, where large campaign expenditures have been so long considered a great necessity, not more than a very small per cent of the total expenditure ever enters into educational or essential campaign work. Easy money for some individuals is thus afforded. This easy money builds political machines which insure returns for those interests which contribute to the machine coffers. It is not used to acquaint voters with issues and make them intelligent in the use of the ballot. Instead, it is more often used to deceive and intimidate the voter.

The worst influence of huge expenditures in political campaigns is that which the spending has upon the candidate who is without the backing of great wealth. Such a candidate can be quite easily smothered in a campaign. He can not make the same showing through advertising that his opponents may be making and people are quick to count him out of the race because he can not compete with his opponents more fortunate in the matter of financial backing. I have in mind a glaring example of this thought, an example growing out of the primary campaign for United States Senator in one State this past year.

In this particular campaign, there were three candidates of standing in the primary. During the early progress of the campaign all were considered real contenders, but as the campaign progressed one of the candidates found himself being hopelessly counted out. The public saw the advertising and energy being devoted by agents in behalf of the two candidates and immediately concluded, "Why, this third man hasn't a chance. He is not able to compete with these other two candidates; I don't want to vote for a losing candidate; it is for me to choose between the two." The facts were that this third candidate had resort to only a matter of $4,000 or $5,000 to use in the conduct of his campaign while the other two candidates were spending much in excess of this, one having spent well in advance of $300,000.

So, here we have the case then of a man defeated before a ballot was dropped in the box, defeated because in the public mind he couldn't hope to compete in the matter of expenditures of money; a very clear example of how near we are to that day when it must be concluded that a man without means is a plain waster to entertain even the ambition to represent the people of his State in the United States Senate. Does this not in itself clearly depict the vicious influence of money in our political life?

The Senate by resolution in 1922 voiced its positive displeasure with large campaign expenditures and put its foot down against them. When it was revealed that Newberry, of Michigan, had expended approximately $195,000 in the conduct of his campaign to win election to the Senate there was indignation. On the strength of his expenditures his right to a seat in the Senate was challenged. His seat was saved to him only after the Senate had, in effect, given notice to candidates of the future that the Senate would deny seats to those making expenditures like that made by Newberry. In its resolution, to which I have referred, the Senate said that $195,000 was "too large, much larger than ought to have been expended," and then went on to declare: "The expenditure of such excessive sums in behalf of a candidate, either with or without his knowledge and consent, being contrary to sound public policy, harmful to the honor and dignity of the Senate, and dangerous to the perpetuity of free government, such excessive expenditures are hereby severely condemned and disapproved."

"Dangerous to the perpetuity of free government," said the Senate in 1922 of expenditures of $195,000. It is dangerous to the future of a free government to permit such sums of money to be used in electing men to places where they are expected to represent the interests of all of the people. The Senate has in the years since that action denied seats in the Senate to men who have expended excessive sums of money. Smith, of Illinois, was denied a seat in the Senate not alone because of the source of money expended in his behalf but because of the size of his expenditure.

The Senate denied a seat to Vare, of Pennsylvania, who in 1926 expended somewhere in the neighborhood of $700,000 in the conduct of his campaign.

In furtherance of its desire to check huge expenditures in winning election to the Senate, the Senate itself last spring authorized the appointment of a committee to investigate into the conduct of senatorial campaigns and to ascertain the amounts expended by and for candidates. I doubt whether more unpleasant work has ever been delegated to a committee of Senators than was that delegated to this committee.

It has been made difficult work by reason of the fact that a large element of the press of the country has seen fit to direct its shafts of criticism against the committee rather than against the corruption which the committee sought to expose. The work has been distasteful to every member of it, but knowledge of the frightful influence which money played in election campaigns convinced all of the need for the work which was asked done. However, in the pursuance of its duty the committee has been afforded a rather liberal education on the influence which money does have. Following these investigations one outstanding conclusion of mine has been that corruption at the polls or in the conduct of campaigns was found generally only in States where huge expenditures were being made. In other words, before there is corruption in the conduct of an election it appears essential that there be large sums of money available.

Large sums are raised ostensibly for the purpose of paying workers and watchers in behalf of candidates on election day. Why do they need these watchers? I think there can be only one answer, namely, because there is fear that the availability of money would influence men serving upon election boards, and cause them to fail to conduct the election in keeping with law and decency. So they spend money because others are spending money; and so it goes on and on and on, and with its continuation grows conviction that large expenditures are necessary. In short, people have been educated to feel such expenditures necessary and proper.

While large expenditures often go for use in the actual conduct of a campaign, for the most part the money is expended to maintain partisan machines which seek to exercise a control over the affairs of government, and these machines are kept oiled through the availability of campaign money. The really hurtful influence of money used in campaigns is that of strengthening these selfish machines, which create bosses and corruption and strike at the heart of free and responsive government.

There have been observed in the study of the conduct of campaigns this year practices which many thought had long ago been relegated to the scrap heap; practices which ought to shame any believer in or defender of a free government.

Let me but recite the situation found in a few States dealing with Republican and Democratic campaigns alike. I have in mind one so-called primary election in which candidates went out and campaigned for the election of delegates to a State convention, with a result quite assuring to one candidate that he had won an easy majority of the delegates. Then, a few days later, the State convention was held, a secret ballot was cast, and the result of that balloting revealed the nomination of the man who was thought to have been defeated in the primary. Here, then, was an antiquated system which permitted delegates, instructed by those they were presumed to be representing, to go into a convention and cast a vote contrary to their instructions. It was afterwards revealed that there had been expended in behalf of the candidate ultimately nominated in that campaign something like $3 for every vote known to have been cast in the primary. It was revealed also that the expenses of some delegates to the State convention had been paid by friends of this particular candidate. Why such a system should be honored by being called a primary election and how it can be expected that the voice of the people will be reflected and respected under such a system is simply too much for me to comprehend. The interests of our Government require changes and relief from such ancient and indefensible conduct in winning nomination and election to office.

In another State the conduct of primary elections is found to be so loose as to fail even to preserve the ballots cast for more than a few hours after the election.

In another State which comes readily to mind I recall how one man upon the witness stand declared himself to be the chairman of his county party committee, with the power to name officials to conduct the primary in the various precincts, and admitted that he instructed said election officials to waive certain requirements of the laws of the State in the election about to be held. In other words, party bosses feel at perfect ease in flagrantly violating such law as has been provided to insure clean elections. In this same State appeared another witness declaring himself to have been the head of the election board conducting the primary in his precinct. This man admitted that when it came time to close the polls he carried the ballot box and ballots to a point where party bosses were receiving the returns and the vote of this precinct was counted there, not at the place or by the authorized officials under the law.

Then again we have heard witnesses testify to truck loads of men being transported from precinct to precinct to repeat their vote, and when our committee sought the poll books to check such illegal action, found these records destroyed. One salvaged poll book showed, among other things, a man dead for nearly two years having voted (absent voter's ballot perhaps). Padded poll lists and padded registration lists are not an uncommon thing in States where large sums of money are available for the conduct of elections and the oiling of partisan machinery. Is it any wonder that decent people in communities where such practices prevail decline to bother about voting? Yet it is saddening to observe people resigning themselves to such a situation rather than fighting it and correcting it.

That men who resort to unfair tactics in politics are not proud of their activities is perhaps best revealed by the campaign waged in another State in our Union this year. In this State money was available to make it difficult for the voters of the State to honestly express themselves at the polls. This money was used to bring out candidates with like names against candidates whom the so-called bosses were endeavoring to eliminate. Power companies in the same campaign were initiating measures worded in such a manner as to make it difficult to distinguish them from other measures which had been introduced, all to the end that the voter could not freely and honestly express himself upon issues which were presented for election. Here you found men making contributions in the names of others rather than permit the records to show that they were parties to the efforts being made to destroy and defeat men who had not pleased them by their records; men high in public life contributing large sums but concealing themselves as the actual contributors. In this same campaign was found a man intrusted with the directorship of the affairs of a great national party entering propaganda into the campaign in such a manner as to conceal who was truly responsible for the vicious and unwarranted kind of literature distributed. All of these things—the deceit, the conniving, and the shameful work, done because money was available to defeat a candidate who hadn't pleased would-be bosses!

And when examining into these matters one could not help but be struck by the determination of witnesses to conceal rather than reveal facts which the inquisitors were after. I have observed men who stand high in their communities, who would not lie, men who would not deceive in the ordinary course of business or associations with mankind, do these very things in matters relating to politics. What does it mean? It means just this: That we have permitted our politics to be so conducted that men of standing feel that things which would be unfair in business life are quite the order in the conduct of political campaigns and in the concealment of what has been done in such campaigns. Just so long as we permit money to play the part in elections that it does play in some States to-day, that long are we going to find standards of conduct unbecoming to men. Large campaign expenditures invite corruption. Corruption can not exist without the money to expend.

I want to make more pointed my argument that campaign contributions and expenditures are expressly and directly related to the conduct of government. The records are filled with instances of favors accorded campaign contributors. Men with selfish interests to be served through legislation find it profitable to contribute to the campaign funds of a party, and at times to both parties. Investments in the form of such contributions have been found to be productive of certain and positive returns—returns of such proportions as make ordinary investments seem silly. Campaign contributions buy political favors. To establish that this is true, may I offer the very concrete evidence afforded through the record of campaign contributions in 1924 and legislative returns enjoyed by these same contributors in 1926? In 1924, with a presidential and congressional election on, John D. Rockefeller, Andrew Mellon, Payne Whitney, the Marshall Field estate, George F. Baker, sr., George F. Baker, jr., Vincent Astor, J. B. Duke, Julius Fleischmann, Cyrus Curtis, and Joseph E. Widener, to name only a few men, made contributions to party campaign funds ranging from $5,000 to $25,000. In 1926 the parties to which they contributed became sponsors of a tax reduction bill, which was whipped through Congress by party leaders and which saved to these men each and every year sums ranging from $200,000 to nearly $3,000,000.

Surely men would not make such excessive contributions as I have recited without some genuine return in mind, and so we are driven to know that campaign contributions are investments and the contributors expect rewards. That being so, isn't it high time we stood unitedly in opposition to excessive expenditures in the conduct of political campaigns? If the influence of money in campaigns is not fairly stated, then tell me why it is that from $300,000 to a million dollars or more will be expended to elect men to positions that pay salaries which never could return in a lifetime of service anything resembling the amount expended to win elections.

It has been repeatedly asserted that the primary system is making it impossible for any except the very rich man or the man who has the backing of organized wealth in one form or another to make a campaign for nomination in state-wide primaries. With such a contention I must take positive issue, for public offices contain example after example of the possibility of the poor man winning election contests without having made great expenditures. I think it is not disputed that there are more poor men or men of average means in both houses of Congress to-day than was true in the old convention days. People who are accustomed to making contributions to influence primary nominations probably would hold the convention system preferable on the ground that costs would be less. But the convention would cost less than the primary system only because it might be found cheaper to corrupt the limited number of men delegated to a convention than it would be to corrupt an entire electorate or a majority of an electorate.

It can not be doubted that politicians, party bosses, and those who seek to control elections with money and trickery much prefer the convention to the primary form of nominating. The primary grew out of the corruption prevalent in conventions. Certainly we don't want to go back to that convention plan simply to make it easier and cheaper for selfish interests to accomplish their purpose.

If the repeal of the primary laws is not the cure for the ills growing out of huge campaign expenditures, then what is the remedy? I think there are three positive things that can be done. First, there should be a tightening up of our law governing the conduct of elections, both general and primary. Second, there should be stricter limitation by law of expenditures, and, finally, there should be an awakening on the part of people to rebellion against money holding such sway as it does in some States in influencing the result of elections.

In conclusion, let me say that the best and finest results in opposition to the influence of money in campaigns would be gained if the people of America would stand out and uncompromisingly and jealously rebel against and guard against the corrupting of our election system, and fight it whether its sponsors were Republican or Democratic leaders. Clean elections afford a good guarantee of clean government. Children cry out against the daily washings to which mothers submit them. Yet these mothers uncompromisingly insist upon cleanliness of body. Why? Simply because they realize that the lack of cleanliness invites disease and corruption. These same mothers virtually work their knuckles bare to keep their homes free from filth because they know that filth invites disease and corruption. Why should we not all as Americans fight with equal diligence against those influences which would corrupt our election system and our Government and ultimately bring upon us a disease that would destroy the Republic and representative government?

We can have government responsive to the interests and to the needs of the people only so long as we keep government representative of the people. Government will remain representative only so long as our election system is permitted to function freely and record the will of the greatest possible number of our people.

Huge campaign expenditures do not have as their purpose a freely functioning election system. At least it would be difficult to cite a large campaign expenditure which had the effect of purifying an election.

RESOLUTIONS OF AMERICAN FARM BUREAU FEDERATION

Mr. CAPPER. Mr. President, I ask unanimous consent to have printed in the RECORD the resolutions recently adopted by the national convention of the American Farm Bureau Federation.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

Following are resolutions which were approved by voting delegates at the twelfth annual convention of the American Farm Bureau Federation at Boston, December 10, 1930.

The resolutions committee included E. A. O'Neal, president Alabama Farm Bureau and vice president of the American Farm Bureau Federation; Charles E. Hearst, Iowa Farm Bureau president; George B. Putnam, New Hampshire Farm Bureau president; R. W. Blackburn, California Farm Bureau president; C. R. White, New York Farm Bureau president; Earl C. Smith, Illinois Agricultural Association president; and W. H. Settle, Indiana Farm Bureau president.

Chester H. Gray, director American Farm Bureau Federation legislative department, acted as secretary, while Mr. O'Neal was chairman.

REAFFIRMATION

The policies of the American Farm Bureau Federation heretofore expressed in annual meetings are reaffirmed, and unless repealed herein or inconsistent herewith, are declared to be in full force and effect.

AGRICULTURAL MARKETING ACT

We renew our previous pronouncement in support of and cooperation with the Federal Farm Board in its efforts to administer the agricultural marketing act. The Federal Farm Board has

wisely established a number of national commodity sales agencies and correctly refuses to create more than one such agency for any one commodity. It is equally important that competitive regional agencies be not established. As necessity arises it is expected that national sales agencies will be created for other commodities.

The stabilization activities of the Federal Farm Board in wheat and cotton have demonstrated the usefulness of this feature of the agricultural marketing act. However, these activities should be extended into more crops, not alone those which have great surpluses, but others which can be aided by the use of lesser portions of the revolving fund. A revolving fund of whatever amount necessary for stabilization and other activities should be made available by Congress.

The agricultural marketing act has not been operating long enough from an administrative standpoint to indicate exactly the nature of the amendments which might be proposed to improve it. Surely any amendments proposed now or in the future to harm that act, to make it ineffective, or to reduce the size of the revolving fund will meet with our sternest opposition. We expect the time will come when amendments to it will be necessary to make the tariff more effective and to dispose of surpluses more advantageously. When that time arrives all friends of agriculture should stand together, so that the amendments will strengthen, rather than weaken, the law. The act when amended should be amended by its friends; never by its enemies.

REGULATORY LEGISLATION

Congress in enacting the agricultural marketing act specified that the minimizing of speculation in farm crops is one task to be accomplished. To aid the Federal Farm Board in its efforts to minimize speculation, to secure what farmers long have desired in this matter, and to authorize and direct the Secretary of Agriculture in a broader exercise of powers over grain and cotton exchanges, amendatory legislation is required. Members of exchanges should be licensed by the Secretary of Agriculture; limitations upon short selling should be invoked; rules and regulations of exchanges should be subject to approval by the Secretary as well as being initiated by him when necessary to protect the public welfare; and authority to close or suspend such exchanges should be vested wholly in the Secretary of Agriculture.

DROUGHT RELIEF AND UNEMPLOYMENT LEGISLATION

Funds to be used as loans to farmers in the buying of feed for foundation animals, fertilizer, and seeds in the drought-stricken areas should be made immediately available.

We commend the intents, purposes, and policies contained in the recent message of the President to Congress wherein is outlined complete plans for drought and unemployment relief. We express our willingness to continue to cooperate with all other agencies to restore national prosperity.

WATERWAYS

We urge the present session of Congress to make such appropriations as will insure the immediate carrying out of the development of projects authorized in the river and harbor act of 1930 in accordance with the specific provisions of that act.

RURAL CREDITS

Agriculture should have credits as easily available to it and as adjustable to varying economic conditions as other groups have in the Federal reserve system. More than ever the farmers of the United States now feel the need of an operative and elastic rural credit system. Such a system can not be said to be efficient if it serves agriculture only when credits generally are easily available. The acid test of rural credit efficiency is given in times of stress when ordinary credits are tightened. Realizing that the Federal Reserve Board can be of great assistance in supplying agricultural credits we request that the representation of agriculture in the membership of that board, as provided for in the Federal reserve act, be brought to the attention of President Hoover now that vacancies exist in the board. The representation of agriculture on this board should be men who understand the need for rural credits; who are interested in keeping the circulating medium of the Nation distributed equably and in accordance with seasonal requirements; who will endeavor to use the discounting privileges resident within the powers of the board so that availability of credits will be equalized in the Nation, speculative use of money discouraged, concentration of wealth retarded, and stability in the purchasing power of the dollar more nearly effected.

We advocate the creation of an ample revolving fund in the Federal Treasury to be used exclusively to stabilize Federal land bank bonds. We believe the Federal farm loan system has failed to meet rural credit needs largely because of the manner of the administration of the law. Should amendment be necessary to remove certain of the present limitations of administration, we pledge our support in securing changes necessary to the end that the law may and will function as was intended by the framers of the act.

We recommend the immediate appointment of a committee to make a study of and report upon the possibility and feasibility of the further development of cooperative rural credit systems.

TARIFF

Any effort before the Tariff Commission or elsewhere to lower the rates recently secured on farm commodities will be resisted by us in every legitimate way. We realize that importers and American capital invested abroad will endeavor to break down the rates on farm commodities now that they have become in many instances effective in keeping the American market for the American farmers. We urge our officers to put forth every effort to secure the greatest benefits possible under the flexible provision on every farm commodity which meets foreign competition in our markets. Efforts improperly to classify imported farm products in the raw state or in the manufactured form so as to secure the lesser of two possible rates will require constant watching. We will continue our efforts to secure adequate rates on commodities like vegetable oils, starches, sugar, dried-egg products, and hides. All of these are financed abroad partly or wholly by American capital and entry is granted into our markets free or at low rates of duty, thus denying the American farmer who produces commodities competitive to them, either directly or indirectly, the home market. We ask protection for American farmers in the American markets against Philippine products pending the granting of independence to the Philippine people.

TARIFF ON PULPWOOD

The sale of rough wood for pulp-making purposes by many farmers offers an opportunity of income in many parts of our Nation. The rates of duty on pulp and pulpwood are inadequate to permit the profitable sale of pulpwood under present conditions. Accordingly we recommend an increase in these rates.

PRESERVING THE NATURAL RESOURCES

The natural resources, such as navigable streams, water power, forests, the soil, coal, oil, and the air, together comprise a heritage for the people of our Nation and for their posterity. Again we state the position of our organization as being opposed to the control and exploitation by corporations or otherwise of these natural resources and insist that all grants for their use by authority of State or Federal Government should contain provisions so that the public welfare shall be thoroughly guarded. We have formerly asked that governmental inquiry be made into the growth and methods of capitalization of public-utility corporations supplying electrical energy in the form of power or light. This investigation has made much progress under the administration of the Federal Trade Commission. Our record is clearly one which opposes the acquisition of what is, perhaps, the greatest natural resource, water power, by monopolistic groups with privileges of lease and operation virtually perpetual in nature. We have insisted that the Federal water power act be so amended that the former 99-year lease provision with almost automatic renewal to the same corporation be changed so that the public welfare will be more adequately safeguarded. This has been done by Federal legislation. Whenever a corporation is granted lease to operate a natural resource, a limitation of earnings on actual capital investment should be required, all earnings above the statutory amount to be paid to the Federal Government. We request President Hoover to appoint special counsel to defend the recently revised Federal power act and various of its provisions which are being attacked by applicants for permits and licenses to construct hydroelectric establishments.

MUSCLE SHOALS

We favor such disposition of this project as will get the most fertilizer for agriculture, will retain title in the Government of the United States, will use all the power necessary at Muscle Shoals for making fertilizers and dispose of the remainder so as to benefit agriculture and preserve the public interests.

The board of directors of the A. F. B. F. is hereby authorized and directed to take such steps as are necessary to set up a committee truly representative of agriculture, authorized to develop and organize a corporation for the purpose of which would be the leasing and operating of Muscle Shoals on a cooperative basis embodying all the aforesaid principles, and so as to preserve the property in times of peace for agriculture and in times of war for the United States.

FUNDS FOR AGRICULTURAL EXTENSION

Cooperative marketing and the economic problems of agriculture have been recognized by and incorporated in such Federal laws as the cooperative marketing act and the agricultural marketing act. All representatives of the Federal Government, therefore, should not only feel free to, but should cultivate the desire to advance the economic and cooperative marketing program of agriculture. With this end in view we strongly urge Congress immediately to provide ample funds with which to cooperate with State, county, or membership funds in furthering agricultural extension work in order that the official representatives of this work may be removed from local influences antagonistic to cooperative marketing, and may be correlated with the work of the Federal Farm Board and of farm organizations.

NATIONAL LAND POLICY

The land policy of our Nation has been until recently one exclusively devoted to bringing new areas into production. That policy should now be modified to discover ways and means by which land can be taken out of production. An effective way to reduce the acreage of our staple farm crops is to plant submarginal farm lands in forests. Another method is the expansion of areas in public parks, which will not only reduce productive areas but will furnish national playgrounds for our population. Grazing areas might well be increased. A national forestry program is outlined in the McNary-Clarke, the McNary-McSweeney, and the McNary-Woodruff Acts, which taken together provide for repossession of marginal lands, research in forestry matters, and acquisition and planting of additional forest areas. This program, however, is inoperative to the extent that appropriations are not available to carry it forward. We accordingly advocate all appropriations necessary to put into effect the forestry program of these





three acts. We urge cooperation between Federal and State Governments in this work. Attention is called to the necessity on the part of State governments of removing the tax burden on forest areas until they become productive. Initiative in forestry matters by private agencies is recommended. The protection of forest areas from fire to be secured by the building of forest trails and roads is also urged.

All matters relative to or affected by land or reforestation policies should be placed in the United States Department of Agriculture.

ENGINEERING EXPERIMENT STATIONS

We urge the enactment during the present session of Congress of the McNary-Haugen engineering experiment station bill which contains provisions for establishing engineering experiment stations in connection with the land-grant institutions in all States under terms and provisions similar to those which established the agricultural experiment stations.

STABILIZING THE UNIT OF VALUE

We recommend to President Hoover the appointment of a commission to be composed of farmers, bankers, economists, and representatives of other groups to study plans and report thereon to Congress to stabilize the value of the dollar so that periods of depression and inflation can be in future more definitely guarded against.

PATENT LEGISLATION

We favor legislation which will require that the owners of a patent issued by the United States Government shall produce the commodity covered by such patent in our Nation in quantities to meet American requirements.

POSTAL AFFAIRS

We favor the policies of the Post Office Department, recently announced, which in large measure are identical with those advocated by the American Farm Bureau Federation for several years. The problem of efficiency and economy in postal matters; the adding to volume of business as a method of bringing in revenue rather than increasing the rates on heavier classes of mail; the elimination of too frequent city deliveries; the consolidation of rural and city routes wherever possible; and the elimination of public service charges from the deficits which the Post Office Department formerly has had; all are developments which will in time, if not immediately, place the department on a self-sustaining basis. We, however, doubt that the proposed one-half cent per ounce increase in rate on first-class mail, the destination of which is beyond the point of mailing, and the frequently proposed increases in parcel-post rates, are in keeping with the other policies of the department which stress increased volume rather than increased rates. We particularly appreciate the establishment of a director of parcel post, who shall devote the entire energy of his organization to the development of more parcel-post business.

BUTTER SUBSTITUTES

The increasing use of imported vegetable oils is very harmful to the dairymen, to the producers of our vegetable oils, and to our animal industry. We favor Federal legislation which will require the payment of the Federal tax on any and all oleomargarine products made in the form or semblance of butter, whether or not such oleomargarine is colored artificially or naturally. We urge the use of butter instead of oleomargarine in Federal and State institutions.

TRANSPORTATION MATTERS

Voluntary action of the railroad executives in granting reduced freight rates on livestock and feed for the benefit of approximately 1,000 drought-stricken counties is greatly appreciated. The Hoch-Smith resolution continues to be, in our judgment, the most equitable basis upon which freight rates on farm commodities can be based. We advocate a continued study of the general economic influence of consolidation of railways before such consolidation too generally is put into effect by Federal legislation.

RADIO

Agriculture occupies such an important economic place in national affairs that it is justified in asking an allocation to it by the Federal Radio Commission of such wave length or lengths, cleared channels, and power as are necessary permanently to preserve its rightful interests on the air.

COMMENDING SECRETARY ARTHUR M. HYDE

We commend Secretary Arthur M. Hyde, of the United States Department of Agriculture, for his promptness and courage in calling public attention to the depressing price effects of recent short selling of wheat on the Chicago Board of Trade. His record as Secretary and ex officio member of the Federal Farm Board has been one of statesmanlike approach to all questions of agricultural interest, and his knowledge of and sympathy for the welfare of the farmers of our Nation is appreciated. It is a pleasure to work with a public official who is fearless in his advocacy of agricultural betterment.

EDUCATION

Equality of opportunity is a national guarantee under the terms of the Constitution. To make this guarantee fully effective in matters of elementary education requires that the immense wealth of the entire Nation contribute to the education of the child in the least-favored community. Methods of Federal aid for various other well-established projects having demonstrated their usefulness and practicality should be followed in this enterprise; and no new and untried plan of projecting the Federal Government into the educational field should be experimented with.

TRUCK AND BUS REGULATIONS

It is evident that Federal regulation of motor busses and trucks which qualify as common carriers and do interstate business will soon be enacted. The traffic of busses and trucks on our publicly built highways has developed to such proportions that public interest and public safety require regulatory legislation. The length, width, weight, speed, rates, and services of these modern commercial vehicles all need to be subject to control by a proper Federal law. However, legislation and regulations of the Federal Government should not be so stringent as to remove the competitive features between the older and newer forms of transportation which the present system is now thought to secure. No single Federal agency should be permitted such latitude of administrative and regulatory control as to place all transportation on the same basis as to rates and services. Agriculture needs to use the newer and more economic method of transporting its products to the railroads, and to the markets both local and terminal, and to the rapidly developing river systems of our country.

CHILDREN'S BUREAU

We insist that the Children's Bureau remain in the Department of Labor.

CONSTITUTIONAL AMENDMENT REGARDING ALIENS

We favor an amendment to the Constitution excluding aliens from being counted in making up apportionment of Members in the Lower House of Congress.

FARM WASTES AND INDUSTRIAL OUTLETS

It is a consummation much to be desired that not only farm wastes but salable farm products should find industrial outlets in our own Nation as well as abroad, and so have access to markets other than those furnished by the animal and the human stomachs. The surplus question is one which for its proper solution demands that these commodities be disposed of in larger amounts industrially. It needs to be pointed out, however, that great difficulties are encountered in establishing industrial plants within our continental boundaries to provide outlets for these wastes and products when competitive industrial products made from foreign wastes and farm products, and financed in many instances by American capital, have access to our markets too freely. It is idle to speak about developing such industrial markets in our Nation so long as this condition exists. It must also be recognized that ignorance of the desperate necessity to get additional markets for our agricultural products through the industrial route causes, sometimes even among our own citizens, conflicts which prevent the rapid development of industrialising the market for such products.

Among the prominent industrial products which should offer great avenues for marketing our wastes and our crops are: Starch from such crops as corn, wheat, rice, and potatoes; dried-egg products from our seasonal surplus of fresh eggs; alcohol from the lower grades and damaged quantities of grains and potatoes; wall board from cornstalks and similar fibrous material; casein from fluid milk; and sugar from the corn plant. We specifically request that all departmental regulations which limit the use of corn sugar be repealed. The foreign competitive products which prevent much of the above-described development are: Tropical starches from Java and equatorial countries, dried eggs from China, blackstrap molasses for distillation purposes from Cuba, and vegetable oils from the Philippines and elsewhere. A national laboratory to discover new uses for farm wastes and to develop industrial outlets for farm products should be established.

PREDATORY ANIMAL ERADICATION

The expenditure of Federal and State appropriations in annual amounts only sufficient to exterminate predatory animals and rodents approximately as rapidly as their natural increase is an unwise use of public funds. The 10-year program of control and eradication as outlined in the contemplated program of the U. S. D. A. should immediately be put into effect.

TAXATION

We approve the report of the A. F. B. F. committee on taxation, which is as follows:

"The committee on taxation recommend the reaffirmation of the entire series of resolutions adopted last year with the following changes:

"Amend section 3 by adding a paragraph numbered 7, to read as follows:

"7. Urges the adoption of more efficient methods of assessment.

"Amend section 4 by substituting for the present paragraph numbered 3 the following:

"3. Supports proper control of expenditures by requiring publication of proposed budgets or bond issues before their adoption, and by permitting a reasonable number of taxpayers to appeal from proposed budgets or bond issues to State tax boards, the hearing on each such appeal to be held in the taxing district concerned.

"We recommend that the officers of the American Farm Bureau Federation invite representatives of all national industrial groups and organizations to a conference to discuss the formation of a national commission on taxation, which shall study and recommend action on such problems as:

"1. The coordination and reallocation of taxing powers between the Federal Government and the States.

"2. Adequate recognition by State and national governments that the benefits of education and highways are not local, but are largely state-wide and national, and that the burden of their support should be equitably distributed.

"3. The cooperation of all national groups in securing the proper reorganization of taxing districts and political subdivisions, in establishing control of budgets and bond issues by taxpayers, in establishing better methods of assessing and levying taxes, and in insuring the most rigid economy in the expenditure of public funds.

"4. The use of taxes derived from new sources to reduce the present unjust taxes on property, especially real estate.

"5. Further use of the power of the competition among the States in any Federal Government to limit unfair forms of taxation.

"We further recommend that the conference consider the establishment of such a national commission on taxation on a permanent basis with funds adequate to enable it to employ a proper staff of experts for its service.

"We finally recommend that the proposed conference be held in some middle western city in January or early in February, 1931."

APPRECIATION

Resolved, That this convention desires to express its deep appreciation to the city of Boston and its mayor, James W. Curley, for the generous provisions made for its entertainment and for the personal interest of his honor, the mayor.

Resolved, That to Governor Allen, to Dr. Arthur W. Gilbert, commissioner of agriculture, and to A. W. Lombard, deputy commissioner, the convention extends its hearty thanks for their parts in preparing the New England Farm Products and Agricultural Antiques Show for our instruction and entertainment, and for their effective work in perfecting the arrangements for this convention. We are also grateful to the State departments of agriculture of the New England States, and especially to the Massachusetts and other State farm bureaus, organizations, and individuals that have assisted so generously in making this a most pleasant and successful convention.

Respectfully submitted.

E. A. O'NEAL, *Alabama.*
C. E. HEARST, *Iowa.*
C. R. WHITE, *New York.*
W. H. SETTLE, *Indiana.*
R. W. BLACKBURN, *California.*
EARL C. SMITH, *Illinois.*
GEO. M. PUTNAM, *New Hampshire.*
CHESTER H. GRAY, *Secretary.*

EDITORIAL FROM COLUMBUS DISPATCH ENTITLED "AT THE ECONOMIC CROSSROADS"

Mr. BULKLEY. Mr. President, I ask unanimous consent to have printed in the RECORD a recent editorial from the Columbus Dispatch entitled "At the Economic Crossroads!"

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Columbus Dispatch of Sunday, January 4, 1931]

The year 1931 opens under circumstances in which the Nation finds itself sharply confronted with the necessity of rightly appraising the duty of Government to adjust more equitably those economic conditions which are rapidly becoming more acute.

The evolution of the methods of production on the farm, in the mill, and in the mine; in construction, in transportation—from the single artisan or the small groups of workers of a generation ago, to the gigantic output by mass production to-day has definitely altered the economic structure on which has been built our standard of living.

The genius, industry, and enterprise of the American people in opening up and developing the almost limitless natural riches of this continent and their penetration into every mart and corner of the world, in commerce, finance, and influence, have resulted in the amassing of a national wealth with which nothing in the entire range of history remotely compares.

National fiscal policies, such as the tariff, have played some part, but these too often have taken the form of governmental underholds and have generally resulted in a more or less unequal distribution of wealth by the creation of a rich class of corporations and individuals, and a consequently lessened share to millions of our people entitled to a greater return for their industry.

This condition was becoming apparent prior to the World War and found expression in the political upheaval of 1912.

The sudden projection of the civilized nations of the world into war in 1914 required a turning aside from consideration of economic questions to those of patriotic duty in the crisis.

A world engaged in destruction demanded enormous production, particularly in America, and inventive genius, capital, man power, industry, the instrumentalities of transportation and governmental agencies were marshaled for that purpose.

Mass production then, or soon after, became the accepted order, and the world emerged from the struggle with its economic mechanism basically changed.

The succeeding years witnessed an enormous development in new fields, such as the automobile, road building, public and private construction, accelerated natural development and kindred enterprises which for the time absorbed the man power, while inflated world-wide credit sustained the ever-growing overproduction.

The crash of 1929 and the distressing year of 1930 have inaugurated a different era in America and brought clearly into view the unbalanced economic factors that so disturbed the public mind prior to the World War, which event merely delayed the present reckoning.

Millions of willing, earnest, honest, capable men and women are, through no fault of their own, out of employment. Other millions have had their incomes sharply reduced.

Their right and ability to earn a living for themselves and those dear to them have been replaced by the cold, scientific accuracy of the machine.

Modern civilization requires machines. Those we have will remain, and they will be increased in number and utility. But the hard fact is that millions of Americans, due to their operation, no longer have that full opportunity spoken of in the immortal Declaration of "life, liberty, and the pursuit of happiness."

It is the duty of government to find a solution of this problem. Sound thinking, brave resolution, and action will be required.

The politician must give way to the statesman. Fake questions such as prohibition, farm relief, and uplift doctrines costing the taxpayer hundreds of millions, the principal effect of which is intended by politicians and interested groups to confuse the public mind, should be retired, while honest, intelligent men endeavor to give their country patriotic service in a real cause.

The rich beneficiaries of stock dividends, the trusts, all forms of organized wealth, the grasping utilities that are absorbing the usufruct of the development of America, should decide to submit to some form of restitution, as nearly just as may be.

These millions in America have to live, and in comfort, and there is, in the aggregate, sufficient national wealth for all to live decently.

Call it a form of socialism; call it the dole; or what you will—this difficult problem is now pressing for solution.

Individual enterprise and its reward must always remain the very heart of American civilization if it is to endure.

But those who lead in the creation of wealth, who have acquired much more than a competency, the inheritors and holders of organized wealth and in particular those corporations which are the principal owners and beneficiaries of these same machines, and public utilities that have absorbed such an enormous part of the accumulated wealth of America must change their attitude. They will be guilty of perpetuating an egregious wrong, an injustice to these millions of unemployed, if by their own initiative they do not find a way, through properly adjusted taxation, unemployment insurance, or other means, to bring about a more equal distribution of the national income.

CORRESPONDENCE BETWEEN JOHN J. RASKOB AND FRANK R. KENT

Mr. GLENN. Mr. President, recently some matters have arisen in connection with the Republican National Committee. Our friends the Democrats have been kind enough to place the matters in the CONGRESSIONAL RECORD. Now, there is some controversy in their party, and we want to be as courteous to them as they have been to us. Further, in the spirit of fair play in this controversy which has arisen between Mr. Raskob and Mr. Kent, I fear that, owing to the great publicity bureau at the command of Mr. Raskob, Mr. Kent's views may not have a fair opportunity of being presented to the country.

Accordingly, I offer for printing in the RECORD at this point, in connection with my remarks, the article in this morning's Baltimore Sun entitled "A Reply to Mr. Raskob"; an editorial in the Baltimore Sun entitled "Raskob and Kent"; and another article in the Baltimore Sun of this morning entitled "Editorial Observations on Kent-Raskob Correspondence."

Mr. ROBINSON of Arkansas. Mr. President, I inquire of the Senator from Illinois whether the article or letter to which these papers he states constitute a reply have been printed in the RECORD?

Mr. GLENN. I am not sure whether they have been or not.

Mr. ROBINSON of Arkansas. Then I shall object to the printing of these matters in the RECORD.

The VICE PRESIDENT. Objection is made.

RECESS

Mr. McNARY. I move that the Senate take a recess until 12 o'clock to-morrow.

The VICE PRESIDENT. The question is on the motion of the Senator from Oregon.

The motion was agreed to; and (at 5 o'clock and 38 minutes p. m.) the Senate took a recess until to-morrow, Thursday, January 15, 1931, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JANUARY 14, 1931

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Infinite God, our Father, for all the sweet memories of the past and for all the wholesome dreams of the future we thank Thee. May these be foretokens of a life that we shall live when we shall have passed beyond earth's voices into the realms of perfect rest. We praise Thee for the songs of cheer and immortal love, which are as pure as the dew of the morning and as sweet as its breath. Encourage our worthy endeavors, increase our passionate thirst for righteousness and our hatred for ignorance. Give dignity and poise to our deliberations, and continue to lead us in that pathway that offers us study and inspires us to a high standard of public service and social duties. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed with amendments, in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 7998. An act to amend subsection (d) of section 11 of the merchant marine act of June 5, 1920, as amended by section 301 of the merchant marine act of May 22, 1928.

SULLYS HILL NATIONAL PARK

The SPEAKER. This is Calendar Wednesday. The Clerk will call the committees.

Mr. COLTON (when the Committee on the Public Lands was called). Mr. Speaker, I call up the bill (H. R. 8534) for the transfer of jurisdiction over Sullys Hill National Park from the Department of the Interior to the Department of Agriculture, to be maintained as the Sullys Hill National Game Preserve, and for other purposes, and ask unanimous consent that this bill may be considered in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER. The gentleman from Utah calls up the bill H. R. 8534 and asks unanimous consent that it may be considered in the House as in Committee of the Whole. Is there objection?

Mr. PARKS. Mr. Speaker, I shall not object; because this is a matter of such great importance, transferring jurisdiction from one department to another, that I think perhaps it ought to be done by unanimous consent——

Mr. TILSON. Will the gentleman withhold any request a moment? May I ask the gentleman, in all frankness, if it is his intention to continue with the filibuster during the day? I should like to know so that I may make arrangements to try to carry on the business of the House. Will the gentleman answer me fairly?

Mr. PARKS. Fairly? I will not only answer the gentleman fairly——

Mr. TILSON. Does the gentleman intend to continue the filibuster?

Mr. PARKS. Does the gentleman want me to answer?

Mr. TILSON. Yes; I should like to have an answer, because I should like to know how to proceed.

Mr. PARKS. Mr. Speaker, I feel so greatly complimented by the gentleman's statement that whatever the gentleman asks me to do, I will be delighted to do.

Mr. TILSON. Will the gentleman then hear my request?

Mr. PARKS. Absolutely; and I will abide by anything that the gentleman requests.

Mr. TILSON. I respectfully ask the gentleman to refrain from any further effort to delay the proceedings of the House; in other words, that he will not continue the filibuster in which he has been engaged for the last two or three days.

Mr. PARKS. Mr. Speaker, regardless of the fact that thousands of my people are on the brink of starvation I shall respectfully yield to the request of the gentleman from Connecticut, the majority leader, and I shall not proceed with any filibuster, if he wants to compliment me by saying that.

Mr. TILSON. I thank the gentleman.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to transfer to the control of the Secretary of Agriculture Sullys Hill National Park, together with all improvements thereon, in the State of North Dakota, and the Secretary of Agriculture shall hereafter administer said park as a big-game preserve, refuge, and breeding grounds for wild animals and birds, which shall be known as the Sullys Hill National Game Preserve, and shall embrace within its boundaries the lands described in the proclamation of June 2, 1904, establishing Sullys Hill Park, together with all unsurveyed or public lands uncovered by the recession of the waters of Devils Lake in front of said reservation, the preserve to be bounded on the north and northwest by the waters of Devils Lake and on the west and southwest by a stream which flows through lands uncovered by the recession of the waters of Devils Lake, approximately midway between lots 10 and 11, section 17; lots 1, 2, 6, and 8, section 16; and lot 2, section 9; lots 3, 4, and 5, section 16; township 152 north, range 65 west, fifth principal meridian, as meandered on the official plats of survey approved June 23, 1904, and June 2, 1927: *Provided*, That the said game preserve is to be made available to the public for recreational purposes in so far as consisent with the use of this area as a game preserve.

SEC. 2. The Secretary of Agriculture is authorized to acquire, by purchase or otherwise, an area of land not to exceed 3,000 acres, with the improvements thereon, situated on the east and south of said preserve as described in section 1 of this act, within sections 10, 11, 12, 13, 14, 15, 22, 23, and 24, township 152 north, range 65 west, fifth principal meridian, said lands, upon acquisition by the United States, to become a part of the Sullys Hill National Game Preserve.

SEC. 3. The Secretary of Agriculture is authorized to construct and maintain such boundary and division fences as are required to inclose and subdivide the preserve, to construct such buildings and improvements, to install and maintain a suitable water-supply and sanitary system, to purchase such supplies, and to employ such assistants as are necessary for the maintenance of the preserve and the improvements thereon, and for the accommodation of visitors thereto.

SEC. 4. There is authorized to be appropriated out of any moneys in the Treasury not otherwise appropriated such sums as Congress shall from time to time deem necessary to carry out the purposes of this act.

With the following committee amendment:

Page 1, line 7, strike out the word "park" and insert the word "area."

The SPEAKER. Without objection, the committee amendment is agreed to.

There was no objection.

Mr. STAFFORD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. STAFFORD. Mr. Speaker, was the bill being read the first time or was it read for amendment?

The SPEAKER. The bill was read for amendment under the consent granted that it would be considered in the House as in Committee of the Whole.

Mr. CRAMTON. Mr. Speaker, has the Clerk read section 2?

The SPEAKER. The Clerk has completed the reading of the bill.

Mr. CRAMTON. Mr. Speaker, I have an amendment to suggest to section 2. On page 2 the committeé has recommended that section 2 of the bill be stricken out and new text inserted. At the proper time I desire to move a substitute for the committee amendment that would modify the old language of section 2 instead of striking it out and inserting new language.

The SPEAKER. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 2, beginning in line 19 and ending in line 2, on page 3, strike out all of section 2 and insert in lieu thereof:

"SEC. 2. The Secretary of Agriculture is authorized to acquire, by purchase or otherwise, an area of adjacent land not to exceed 80 acres, with the improvements thereon, said lands upon acquisition by the United States, to become a part of the Sullys Hill National Game Preserve."

Mr. CRAMTON. Mr. Speaker, as a substitute for the committee amendment I move that section 2 of the bill be amended. In line 20, on page 2, after the word "otherwise," insert the words "after July 1, 1932"; and in line 21, after the word "acres," insert the words "at an average cost of not more than $10 an acre."

The SPEAKER. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CRAMTON as a substitute for the committee amendment: In line 20, page 2, after the word "otherwise," insert "after July 1, 1932," and in line 21, after the word "acres," insert "at an average cost of not more than $10 per acre."

Mr. CRAMTON. Mr. Speaker, I am very much in sympathy with the purpose of this bill, which is to transfer what is now known as Sullys Hill National Park to the United States Biological Survey, to be known as the Sullys Hill National Game Preserve. May I take a minute or two in reference to the general purpose of the bill to explain the situation?

Two or three years ago I visited this area, and as a result of the visit I had something to do with the initiation of this legislation. This area now known as the Sullys Hill National Park, bearing the same designation approximately as Yosemite, the Yellowstone, and the Grand Canyon, is an area of 780 acres, in a prairie country with a little wood on it which is not valuable for timber. They do make fence posts and sometimes railroad ties out of the trees on this area and in this vicinity.

It is adjacent to Devils Lake, a large and interesting body of water. While it is now known and listed as a national park it is operated by the Biological Survey to-day. The National Park Service has nothing to do with it. The entrance to this area there at present carries a sign with the name "Sullys Hill National Game Preserve."

Tourists who see it listed as a national park sometimes travel quite a distance to see the park and when they get there they are disappointed because it is not up to the standard of scenery that they anticipated because of the name "national park."

The gentleman in charge of the game preserve, a fine young fellow, interested in its welfare, then feels hurt because these people when they come there talk unpleasantly about his game preserve.

It is a game preserve that is being used to the limit, and it can support game. I have in my files a list of the number of game of various sorts upon it.

Mr. STAFFORD. Is there any game upon it?

Mr. CRAMTON. Yes; there is.

Mr. STAFFORD. I understand it is a prairie country.

Mr. CRAMTON. That general region, but this area is an exception. This is a rough country with little hills.

Mr. STAFFORD. There are no trees on it?

Mr. CRAMTON. Yes; there are—not large trees but large enough to furnish fence posts and railroad ties. It does very well as a game preserve; and it has some recreation possibilities, but they are up to the limit in the capacity for game.

So, after my visit, the suggestion was made that it be used as a game preserve and turned over to the Biological Survey with notice to the tourists of the country as to what it is.

Then, since it is to be maintained as a game preserve, it ought to be more adequate; and since the adjacent region is well adapted along Devil's Lake, I suggested that the area be increased by the purchase of 3,000 acres to make it more adequate for a game preserve.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. STAFFORD. I ask unanimous consent that the gentleman may have 10 minutes more.

The SPEAKER. Without objection it is so ordered.

Mr. CRAMTON. Lands similar to that now in use are available and are now only being used to take off the timber for fence posts and railroad ties—and I am somewhat doubtful about the railroad ties.

Mr. STAFFORD. Is the gentleman acquainted with the acquisition of this national park?

Mr. CRAMTON. It was about 1904 that it was created. Congress had a little spell of creating national parks without much knowledge of what it was doing. We got two or three about then that ought not to have been created.

Mr. STAFFORD. What ones are those?

Mr. CRAMTON. There is the Platt Park in Oklahoma, the Wind Cave Park in South Dakota, and this Sullys Hill Park. I have thought it would be some service to the national park system to take away these misnomers, and as to this one we have been successful in working out an arrangement to which the people of North Dakota, the Park Service, and the Biological Service are agreeable. As introduced, the bill provided for the purchase of 3,000 acres of land, which we thought would cost seven to eight to ten dollars an acre on an average. The Budget did not feel that they could go that far, and the bill as proposed by the committee proposes only the purchase of 80 acres, having to do with the water supply, which is supposed to cost $7,500. I have tried to meet the Budget view and the present stringency of the situation by eliminating any purchase of lands until the next fiscal year, 1932, is completed, so that there would be no burden on the Treasury until the fiscal year 1933, or later. I think it is advisable under the present stringency to leave out any land purchase until the fiscal year 1933.

Mr. PARKS. Mr. Chairman, will the gentleman yield for a moment so that I may make a statement to the gentleman from Connecticut?

Mr. CRAMTON. Yes.

Mr. PARKS. The gentleman is discussing a very important matter. I want to inform the majority leader that this armistice is just for the day.

Mr. TILSON. Every little helps.

Mr. PARKS. Very well.

Mr. CRAMTON. So, Mr. Speaker, the first purpose of my amendment is to postpone any financial expenditure for the purchase of lands until the fiscal year 1933 or later. Second, instead of buying 80 acres for $7,500, I propose to buy this tract of land of 3,000 acres at a limit of cost of $10 an acre.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. STAFFORD. It occurs to me that postponing the date of the purchase of the 3,000 acres until after July 1, 1932, may prevent the Government from purchasing the land at the price fixed in the gentleman's amendment. Immediately the owners of the land will know that it is going to be purchased by the Government, and they may sell the land at once or not enter into an arrangement for the sale of it at this price. The lands must be of a very poor character, indeed, even considering North Dakota sagebrush lands, to be purchasable at $10 an acre.

Mr. CRAMTON. While the land with which my friend from North Dakota [Mr. HALL] is familiar, is suitable for this purpose, yet for purposes of cultivation they are quite inferior to the lands generally in North Dakota.

Mr. STAFFORD. On what basis does the gentleman justify his belief that they can be purchased for $10 an acre?

Mr. CRAMTON. From such information as I secured in respect to the value of the lands when I was there. I may say also that the gentleman from New York [Mr. LAGUARDIA] when this bill has been up, had suggested a limitation as to cost, and I have tried to meet his views, and in postponing the purchase I have tried to meet the views of the Budget.

Mr. COLTON. Mr. Speaker, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. COLTON. I know how interested the gentleman is in this measure. If I understand the amendment he offers, it would permit the purchase of the 3,000 acres of land as provided in the original bill.

Mr. CRAMTON. The amendment is to permit no purchase until the fiscal year 1933, and then to permit the purchase of 3,000 acres at not more than $10 an acre. Where the bill now contemplates buying only 80 acres to cost $7,500,

my amendment contemplates the purchase of 3,000 acres at not to exceed $10 an acre. While we are doing this little job I think we ought to do it right and be done with it. The amount of money is not so large, and I am postponing the time of purchase in order to meet the desire of the Budget.

Mr. COLTON. The amendment suggested by the committee is in accordance with the wishes of the Budget?

Mr. CRAMTON. Yes.

Mr. COLTON. And it was only in the interest of passing the bill that it was adopted.

Mr. CRAMTON. I understand that.

Mr. COLTON. The gentleman has given much more study to this than I have, and if he is convinced that this is in the interest of getting the bill enacted into law, I see no reason to oppose the amendment.

Mr. CRAMTON. I assumed, possibly incorrectly, that the opposition of the Budget to the purchase of the 3,000 acres would be met when we postponed it until the fiscal year 1933, when we hope the present stringency will have passed away, and also by the limit of cost.

Mr. STAFFORD. Mr. Speaker, I ask for recognition in opposition to the amendment. My purpose is not to strenuously oppose the amendment, but largely to acquire information from the gentleman from North Dakota [Mr. HALL] as to whether he believes, if we postpone the effective date of the purchase of this land until July 1, 1932, the land can be purchased for the limit of cost, $10 an acre?

Mr. HALL of North Dakota. I think so.

Mr. STAFFORD. Preferably I would rather strike out the effective date and authorize the purchase at once, because the amount involved is only $30,000, rather than to have the Government held up a year hence or more with a higher valuation.

Mr. HALL of North Dakota. That could not come about. You can buy any of the land out there for from $4 to $12 an acre, all around there.

Mr. STAFFORD. No matter how poor North Dakota lands are in certain spots, this is about the poorest that can be found?

Mr. HALL of North Dakota. For farming purposes this is well nigh worthless.

Mr. STAFFORD. Has it any value for grazing purposes?

Mr. HALL of North Dakota. Not much.

Mr. LaGUARDIA. Mr. Speaker, will the gentleman from Wisconsin yield to me for a moment to ask the gentleman from North Dakota a question?

Mr. STAFFORD. Yes.

Mr. LaGUARDIA. What is the assessed valuation of the property, so that we may have it in the RECORD?

Mr. HALL of North Dakota. I do not know what the assessed value of that property might be.

Mr. LaGUARDIA. One dollar per acre?

Mr. HALL of North Dakota. I do not suppose it would be more than that.

Mr. STAFFORD. I doubt whether it would be assessed even at that.

Mr. HALL of North Dakota. The taxes on a quarter section of that land would probably run from $12 to $16 an acre.

Mr. COLTON. Mr. Speaker, the committee is willing to accept the amendment suggested by the gentleman from Michigan in lieu of the committee amendment.

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from Michigan to the amendment offered by the gentleman from Utah.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. LaGUARDIA. Mr. Speaker, I ask unanimous consent to return to section 1 for the purpose of offering the following amendment. In section 1 I would offer an amendment—

Provided further, That hunting shall not be permitted on said game preserve.

Mr. HALL of North Dakota. That is absolutely all right. It is not permitted in any event.

Mr. COLTON. There is no objection to that amendment, Mr. Speaker.

Mr. LaGUARDIA. Mr. Speaker, I ask unanimous consent to return to section 1 for the purpose of offering an amendment.

The SPEAKER. The gentleman from New York [Mr. LaGUARDIA] asks unanimous consent to return to section 1 for the purpose of offering an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. LaGUARDIA: Page 2, line 16, strike out the period and insert a colon and the following: "*Provided further*, That hunting shall not be permitted on said game preserve."

The SPEAKER. Is there objection?

There was no objection.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. COLTON, a motion to reconsider the vote by which the bill was passed was laid on the table.

NATIONAL-PARK APPROACHES

Mr. COLTON. Mr. Speaker, I call up the bill (H. R. 12404) to amend the act of April 9, 1924, so as to provide for national-park approaches, and ask unanimous consent that this bill be considered in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER. The gentleman from Utah calls up the bill H. R. 12404, which the Clerk will report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, I think this bill is of sufficient importance to have it considered in the Committee of the Whole House on the state of the Union, and I object.

The SPEAKER. This bill is on the Union Calendar.

Accordingly the House automatically resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 12404) to provide for national park approaches, with Mr. CHINDBLOM in the chair.

The Clerk read the title of the bill.

Mr. COLTON. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. COLTON. Mr. Chairman, I yield 10 minutes to the gentleman from Montana [Mr. LEAVITT].

Mr. LEAVITT. Mr. Chairman, this bill was reported by the Committee on the Public Lands on the 21st of last June. At that time there was a favorable report on the part of the Secretary of the Interior, but the Bureau of the Budget was not yet ready to give its approval. This morning, however, we have a statement from the Secretary of the Interior, transmitting a statement from the Director of the Budget favorable to this bill, with the provision that certain amendments be included.

Those amendments are to meet a situation which has largely developed since the first reporting of the bill. The entire purpose of the bill was originally to provide approaches to the national parks to connect up the highway systems within the parks with the Federal-aid systems outside the parks. Since the reporting of this measure in the first place Congress has passed a number of other bills which have increased the appropriations for the construction of Federal highways. They are increased for roads in the national forests. Congress has enacted the Colton-Oddie bill, which has provided increased amounts for the construction of highways across Indian reservations and public lands. It is now the belief of the department, and of myself, that many of the roads which would have come under the provisions of this bill are now otherwise provided for, making it unnecessary to authorize the appropriation of as much for the approach roads as was originally apparently required, and leaving only the necessity, in a general way, of providing for the construction of those highways

making approaches to the national parks that are not otherwise provided for in this added legislation which has thus been enacted and for which increased appropriations have been made.

But an added situation has arisen as a direct result of the enactment of these very increased appropriations for various highways, highways across public lands, and highways across Indian reservations. That added situation is that through those increases we are speeding up the highway program outside the national parks under the Federal-aid program to an extent outstripping the construction of highways possible within the national parks themselves, and we are thus now failing to provide for bringing up to the proper standard as quickly as they should be completed and reconstructed, the roads within the parks, roads needed for the safety and use of all the people of this country. For that reason the form of the bill is to be somewhat changed by proposed amendments. While it is still to be an amendment of the same existing law the provision now to be advanced is that the amount appropriated for the next two fiscal years shall be $7,500,000 per year.

At the present time $5,000,000 is appropriated for the construction of highways within the national parks. This present proposal is to make possible an increase of that amount to $7,500,000, with the provision that not to exceed $1,500,000 of that amount shall be available during each of the next two fiscal years for the construction of such approaches to the national parks as may be necessary, in the opinion of the Secretary of the Interior. This changes to a great extent the emphasis toward a bringing up of the park highway systems to the standard of construction which is now being undertaken under the Federal-aid system outside and across national forests, and across Indian reservations and public lands.

That is the entire case, Mr. Chairman. Some amendments to bring that situation about have been suggested to the bill by the Secretary of the Interior and approved by the Director of the Budget. Two of those amendments have already been adopted by the committee and are in the report. They are minor amendments. It is my purpose to offer the others, with the exception of one which, to a certain extent, defeats the purpose of the bill and which, I am informed, is not to be insisted upon from any source.

I yield now to the gentleman from Wisconsin [Mr. STAFFORD].

Mr. STAFFORD. I am sure the House will be interested in the extent to which the States have utilized their funds, made available in conjunction with the national highway development project, in improving the roads which are approaches to the national parks.

The only justification for this bill, which throws the entire burden on the National Government, would be that the States absolutely decline to do anything in connection with the improvement of approach roads, so as to make the parks accessible to the tourists who travel on the main highways.

Mr. CRAMTON. If the gentleman from Montana will yield to me, I have had considerable contact with the attitude of the Western States in connection with this very matter. For instance, the State of Utah, where the chairman of this committee lives, does not have large tax resources. I understand that 74 per cent of its area is nontaxable land belonging to the United States. But from the first contact I had with them several years ago, when they were urging the construction of roads within the park, I said, "If we will build these roads within the park, when will the State build the proper approach roads?" They said, "We will build our approach roads to meet your road." They have done that. I think I can safely say that those Western States—Arizona, Utah, Montana, Wyoming, and Idaho, as well as the more prosperous States of California, Oregon, and Washington—have been very ready to build approach roads to reach the national parks, and I think they have made efforts far beyond what you would think would be their financial ability, but the difficulty has come in cases where a road goes either through a national forest or through unreserved public land that is not taxable, which belongs entirely to the United States.

Mr. STAFFORD. Take the instances cited in the report of the approach roads to the Yosemite. California is not a poor State. The national prohibition act is making it a very prosperous State under the leadership of Mrs. Mabel Walker Willebrandt.

Mr. CRAMTON. Of course, the gentleman recognizes that all of the States are being made prosperous by reason of that wise amendment.

Mr. STAFFORD. Mrs. Willebrandt has cajoled the Department of Justice into believing that wine is not within section 26, as posters in my city glaringly announce, so that California is profiting to the extent of hundreds of millions of dollars because of its subsidized wine industry, whereas the manufacture of beer containing only 2¾ per cent—which would be of value to the farmers and tend to revive industry—is banned. Therefore California is prosperous in these prohibition days, and directly because of the national prohibition act.

Mr. LEAVITT. Will the gentleman allow me to state on that question——

Mr. STAFFORD. On the prohibition question?

Mr. LEAVITT. Oh, no; on the question of California.

Mr. STAFFORD. Permit me to finish my question. According to this report, the cost of the approach roads to the Yosemite will be $4,000,000 and more.

Mr. LEAVITT. No.

Mr. STAFFORD. The summary contained in the report in reference to the national parks is as follows:

Yosemite, 107 miles, at a cost of $4,050,000.

The CHAIRMAN. The time of the gentleman from Montana has expired.

Mr. COLTON. Mr. Chairman, I yield the gentleman 10 additional minutes.

Mr. LEAVITT. When that report was made last June it included the various roads upon which it was proposed to make expenditures under this authorization, and as the bill was reported from the committee it called for an authorization of $3,000,000 a year for five years, making $15,000,000 for the single purpose of approach roads. Since then, I repeat, we have increased the amount of money for highways across the forests, the public lands and Indian reservations, although such roads were included in this report at that time. Several roads then reported have since been taken care of, so that there is now no need of appropriating for them again or making a new authorization for them.

Now, as to California: California itself has been giving precedence to these highways, several of them that are park-approach roads, and has been going ahead to take care of the situation quite fully.

So I will propose an amendment, as I have stated, which will change the form of this bill, increasing the amount that can be expended on the highway systems within the parks, with a provision that for a period of two years not to exceed $1,500,000 of that increased amount can be spent, in the discretion of the Secretary, on these approach roads. That will bring it down to a matter of $3,000,000 over a period of two years for approach roads. That will be the limit, instead of $15,000,000 for five years. That is done because so many roads have already been provided for, have already been built, or are being carried forward under these other increased appropriations.

Mr. STAFFORD. Has the gentleman any information as to what the total expense will be, excluding the authorizations which have been made for projected roads through Indian reservations, national parks, and the public domain, because there are some amounts in this report which are of considerable consequence? For the Yellowstone National Park the amount is $5,408,000, which, I believe, is in the gentleman's State.

Mr. LEAVITT. It is mostly in the State of Wyoming.

Mr. STAFFORD. But the appropriations for the approaches will be largely made for the gentleman's State.

Mr. LEAVITT. To a considerable extent; yes.

Mr. STAFFORD. Then, here is the Rocky Mountain National Park, in Colorado. Colorado is certainly not suffering by reason of arid lands, and it is rather moist down there as far as prosperity is concerned. For that park there is an estimated appropriation of $3,000,000.

Mr. LEAVITT. The gentleman from Michigan calls my attention to the fact that the limit set in this bill is $3,000,000, over a period of two years, instead of five yearly authorizations of $3,000,000 each.

Mr. STAFFORD. I am trying to secure the latest information as to what will be the total amount expended in this connection on roads outside of Indian reservations, public parks, and the public domain.

Mr. LEAVITT. The statement made to me by the Director of the Park Service and the Secretary of the Interior is to the effect that this $3,000,000 can be expected to meet at least the urgent situation, and that the remainder of the roads can be expected to be taken care of adequately out of these other increases.

Mr. CRAMTON. If the gentleman will yield, I would like to answer that question possibly more positively than the gentleman from Montana (Mr. LEAVITT) would care to state. In my judgment, this $3,000,000 over a period of two years ought to cover all the need. Any other roads not covered by this 2-year program of $1,500,000 a year for two years ought to be taken care of out of other road appropriations, and it seems to me this special approach-road program should end at the end of two years.

Mr. STAFFORD. After the two years have expired, may I obtain the gentleman's estimate as to how much will be required to complete these approach roads?

Mr. CRAMTON. My judgment is that the needs that are contemplated by this legislation would be completed in the two years. May I remind the gentleman that we have other legislation with reference to public roads, the Federal aid, and then we have the forest highways, and we have recently embarked on a policy of Federal construction of roads across the public domain. Some of these items ought to take care of whatever remains after the two years.

Mr. STAFFORD. Then it is the idea of the gentleman that this appropriation under the amended form will complete all that should be completed by the National Government without recourse to the States?

Mr. CRAMTON. Not quite. I want to be sure I am understood. It will complete all that needs to be taken care of by this special legislation.

Mr. STAFFORD. Yes.

Mr. CRAMTON. There will remain Federal construction across the public domain.

Mr. STAFFORD. Oh, yes; Federal construction across the public domain, but not for approach roads.

Mr. CRAMTON. No; not primarily.

Mr. STAFFORD. Now, I take it, because I believe the gentleman is an advocate of the National Government becoming the supervisory official over some of these approach roads, that it is not his thought that because the Government launches into the policy of providing for the entire cost of these approach roads that this is to be used as a precedent in any way for the Government to police them.

Mr. COLTON. No.

Mr. LEAVITT. No; I would not say that this should be used as a precedent to build any roads that the States could be reasonably expected to take care of.

Mr. STAFFORD. No; I mean with respect to the idea of policing such roads, because the National Government has provided all the money. It is not the intention to say that inasmuch as the National Government has built the roads the National Government should police them.

Mr. LEAVITT. It is not my intention to do anything of the kind.

Mr. STAFFORD. I know the gentleman is the author of one bill, to which I have strenuously objected, which has that objective.

Mr. LEAVITT. I shall be pleased to debate that bill on next Calendar Wednesday, if we can get it up; but that bill is not coming up to-day.

Mr. STAFFORD. I hope the gentleman will not be able to get it up.

Mr. HARE. Will the gentleman yield?

Mr. LEAVITT. Yes.

Mr. HARE. I had the impression that when we speak of approach roads we mean roads that would merely aid in entering these national parks, but I can not conceive of a road 159 miles long being an approach road.

Mr. LEAVITT. Where does the gentleman get the figure of 159 miles?

Mr. HARE. I see here in the summary of the report that the approach for Yellowstone Park is to be 159 miles.

Mr. LEAVITT. That is not one road.

Mr. HARE. That does not strike me as being an approach road. A road that long would run through the entire length or breadth of some of our States.

Mr. LEAVITT. Yes; but that is not one road. That is simply several roads brought in under the original proposal. I asked the Park Service then to give me a statement of all the roads that might be authorized under the original form of the bill, and they reported how many could probably be brought in. But, as I stated before, many of those that in the original form of the bill were expected to be brought in under its provisions have since been provided for by action of the States or through increased forest highway funds or will be provided for through the operation of the Colton-Oddie bill, which allows the construction of roads across Indian reservations and public lands.

Mr. HARE. Does not the gentleman think that in view of the fact that some of the proposed approaches have been taken care of by the emergency bill referred to this authorization is unnecessary?

Mr. LEAVITT. It is not the emergency bill only. It comes under several different bills. For instance, the increased authorization for forest highways from $7,500,000 to $12,500,000, which was enacted by this Congress; the enactment of the Colton-Oddie bill, which is a form of legislation authorizing over a period of years roads across Indian reservations and public lands. That also takes care of part of it. Further, of course, some of this work can be speeded up under the emergency act which provides added funds, under existing law. These are all laws that authorize such construction.

Mr. HARE. I think it would have been very much better if the gentleman had set out in the report the length of these approaches to the national parks.

Mr. LEAVITT. The bill limits the length of any one road to 60 miles.

Mr. HARE. To my mind, that is a long road to be called an approach.

The CHAIRMAN. The time of the gentleman from Montana [Mr. LEAVITT] has again expired.

Mr. COLTON. Mr. Chairman, I yield the gentleman 10 additional minutes.

Mr. CRAMTON. If the gentleman will permit, if it is exclusively through the public domain, which is nontaxable, it greatly changes the situation.

Mr. HARE. In reply to that statement, I would like to say that if these approaches or these roads that were contemplated this last year have been taken care of by other appropriations, does not the gentleman think it would be wise, in view of the present depressed economic condition and the numerous calls on the part of the public for moneys out of the Treasury, that these funds should not be added for these approaches at this time, but should go to places where there is greater necessity for public works?

Mr. LEAVITT. There is this situation. The only such long road that could come under this bill and which would require the maximum mileage is all in a national forest area where there is no possibility of constructing it except through these Federal funds. It could be built out of the forest highway funds some day perhaps, but there are more heavily timbered areas which require prior protection, and it would not come under the forest highway program for 15 or 20 years. It is only intended in this bill to allow enough money to increase the highway systems within the parks,

and to connect them up with the outside road systems. This bill is to allow such expenditure only in case no money is otherwise available within a reasonable time.

Mr. HARE. That is the point I was making. This increases the limit under the original bill.

Mr. LEAVITT. No; to the contrary, the original bill provided for five annual authorizations of $3,000,000 each. This authorizes only two of one and one-half million dollars each.

Mr. HARE. Do I understand that instead of providing for $15,000,000 appropriation the amendment would limit the appropriation to seven and a half million dollars?

Mr. LEAVITT. It goes further than that as far as the approach roads are concerned. It limits them to $3,000,000. The unamended bill as the gentleman has it might be misleading.

Mr. HARE. It is misleading.

Mr. LEAVITT. At the present time we are appropriating $5,000,000 a year for roads in the national parks. This bill proposes during its period of authorization that that amount shall be increased to seven and a half million dollars, making the increase for two years two and a half million dollars each year, thus making the total a $5,000,000 increase. We then provide that the Secretary may, in case of necessity, use $3,000,000 at $1,500,000 a year on approach roads, if they are not otherwise provided for within a reasonable time.

Mr. CRAMTON. Let me emphasize that by reminding the gentleman that as to roads in national parks there is no limitation whatever. As to approach roads outside the parks, which was the principal purpose of the bill over five years, we make that not more than a million and a half a year for two years. I would like to emphasize the fact that the Secretary of the Interior is not definitely committed or obliged to spend even a million and a half dollars, but it gives him the authority to meet an emergency that might be brought to his attention and appeal to his judgment.

Mr. HARE. The gentleman understands that the sum total of the appropriation contemplated in this bill will be reduced from $15,000,000 to what sum?

Mr. CRAMTON. Three million dollars as to approach roads. As to roads within the national parks, there is now no limit to the authorization.

Mr. HARE. I must object to the provision making approach roads from 60 to 100 miles long.

Mr. LEAVITT. When a national park is completely surrounded, as many are in the Western country, by timbered mountains, within the national forests, or by lands in public ownership, in order to meet that situation you must extend your road out as far as such territory itself extends in order to meet the purposes of the bill.

Mr. HARE. Then the approach road will be wholly on public land?

Mr. LEAVITT. That is practically true.

Mr. HARE. And not on private land?

Mr. LEAVITT. Oh, no. Speaking of this long road that I have in mind, that is true. And the bill requires that such roads must be largely on public lands. If there are a few intermingled patented lands, however, that fact should not be allowed to defeat the purpose of the bill, and the bill so provides. But there is little or no such private land in the territory traversed by this long road that the gentleman speaks of.

Mr. HARE. Is the land through which this approach passes patentable now?

Mr. LEAVITT. The long area I have in mind is in a national forest territory, and it would be subject to be patented only under the mining laws, or under what we call the act of June 11, 1906, which would require any tracts of land to be more valuable for agricultural than forest purposes.

In my judgment as an old forest ranger and supervisor, nothing of that kind is likely to happen in that territory. At the same time, there are some existing mining claims, and this does not disturb existing claims that are legitimate. Not in any way, of course.

Mr. HARE. Of course the gentleman will understand that I am not imputing any ulterior purpose, but there may be a desire on the part of those who have the mining claims to have these approach roads constructed at present in order that they may use them for their own benefit.

Mr. LEAVITT. No; that is not the purpose behind this. It is true that there are in the vicinity of the boundary of one of the national parks some existing mining claims of long standing. There were mining claims there when Chief Joseph and his band went through in 1877. There is an area there that was then covered with mining claims. This road might open up that territory and make it easier to get to and from it; but those are existing claims at the present time, and that is just an incident to the situation.

Mr. YON. Mr. Chairman, will the gentleman yield?

Mr. LEAVITT. Yes.

Mr. YON. In the purpose of this bill and its application, what effect would this have on the building of roads over the public domain?

Mr. LEAVITT. Of course, if there is some necessary park approach over the public domain that is not otherwise provided for, this would allow the Secretary, within the limits of the appropriation, to construct such a road.

Mr. YON. Is provision made for that under the Colton-Oddie Act?

Mr. LEAVITT. Yes; and in practically all cases the Colton-Oddie Act, or forest highway act, would take care of that.

Mr. YON. In the other instance, in the case of the national forests, where there is authorization to build roads and trails, the effect of this would be to supplement any amount authorized under those acts?

Mr. LEAVITT. It might be considered as a supplement. In some cases roads under this act might be built across the national forest areas, but if the road is within the program of the Forest Service, for forest purposes, such roads are now being constructed, or can be.

The CHAIRMAN. The time of the gentleman from Montana has expired.

Mr. COLTON. Mr. Chairman, I yield the gentleman five minutes more.

Mr. LEAVITT. This bill is only intended to take care of cases where the roads will not be constructed under these other laws.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. LEAVITT. Yes.

Mr. STAFFORD. I assume that it is the purpose of the framers of this legislation to have the State maintain the roads after they have been once constructed?

Mr. LEAVITT. That is the intention, and at the present time practically all of these roads are so maintained. The Secretary is authorized to enter into maintenance agreements with counties or States or municipal subdivisions, if it should become necessary. Surely we would not want the whole program held up because there are a few miles that the Secretary could not extend supervision over. There are some such roads that are now being and have been for years maintained short distances out, where it is a matter of necessity, through sparsely settled territory; but that is not the general situation at all.

Mr. STAFFORD. There may be no objection on the part of some toward a liberal policy to help the States to provide for the construction of these approach roads in the beginning, but if it is planned in any way to have those roads maintained for all time by the National Government then I think we ought to interpose some vigorous objection.

Mr. LEAVITT. That is not the purpose of the bill.

Mr. STAFFORD. It is not the purpose of the bill, but why should not the States be willing and the sponsors of the bill be willing to accept an amendment that the maintenance after they are constructed shall be undertaken by the States?

Mr. EATON of Colorado. Mr. Chairman, will the gentleman yield?

Mr. LEAVITT. Yes.

Mr. EATON of Colorado. For illustration, I was talking with the gentleman from Colorado [Mr. TAYLOR] about the condition around the Mesa Verde National Park.

The Government has withdrawn a strip 5 miles around the entire park over which the State of Colorado has absolutely no jurisdiction of any kind whatsoever. It is not a part of the park. It is withdrawn area. Would the gentleman think that over that 5-mile area the State of Colorado ought to maintain the rest of the road? It is not in a national park.

Mr. STAFFORD. No; but provision is made by law for the maintenance of roads across the national domain. If these roads are outside the national domain, where they are constructed for the benefit of your State, entirely by national appropriations, why should not your State agree to maintain them?

Mr. COLTON. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. COLTON. These roads are not maintained for the benefit of the State in which the park is located.

Mr. STAFFORD. That is the reason I am not contesting this, because they are used by everybody, but the money is spent there and it redounds to the benefit of the State. It is an improvement to the State.

Mr. CRAMTON. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. CRAMTON. I am in accord with the gentleman's general attitude, and I think I am safe in saying that the department is generally in accord with that attitude. A few years ago, when specific authority was given for an approach road to the Grand Canyon from Williams in, I know an arrangement was made then with the State of Arizona so that after we get it completed to a certain standard they are to maintain it. I think in nearly every case the Secretary will succeed in doing that under the authority given him.

At the same time, there may come an unusual case where particular difficulties exist, where the Secretary would need authority to maintain a road which we constructed rather than to have it go to pieces. It seems to me we should be able to trust the Interior Department to go ahead with the one view they have had heretofore, that the maintenance will be assumed by the State, ordinarily, and I will remind the gentleman that it is optional and discretionary with the Secretary whether he will build any road, and having that club, he can require at least reasonable terms on the part of a State.

Mr. STAFFORD. The gentleman is well aware that every municipality or State is desirous of shifting the burdens of taxation to the National Government. I think it is bad policy for us to assume the obligation of that State function.

Mr. EATON of Colorado. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. EATON of Colorado. I do not want my statement to be taken as an indication that the State of Colorado refuses to maintain or does not maintain the road in question, but I want to direct attention to that particular type of situation. The State of Colorado does maintain that road.

Mr. STAFFORD. I hope none of the State authorities will make the inferrence that a State wishes to escape its customary responsibility for the maintenance of these roads.

Mr. COLTON. Mr. Chairman, I yield five minutes to the gentleman from Iowa [Mr. DOWELL].

Mr. DOWELL. Mr. Chairman, I am only going to consume a few moments, but I want to call attention to just a few questions in this legislation.

In the first place, this bill is not from the proper committee. It is strictly a road bill and should have been considered by the Committee on Roads, which has jurisdiction over all legislation pertaining to the forests and public-land roads. I have said to the chairman of the committee that I do not intend to raise that question. It is too late to raise the question on this bill, but I want to emphasize the fact that if any other road bills are considered by any other committee and brought to the floor I will raise every question I am able to raise. The Road Committee should exercise the jurisdiction given to it by this House.

Mr. COLTON. Will the gentleman yield?

Mr. DOWELL. Certainly.

Mr. COLTON. The Committee on the Public Lands originally handled the legislation dealing with roads in the parks, and I feel sure that is the reason this bill was referred to the Committee on the Public Lands. In a general way, I am in accord with the distinguished chairman of the Committee on Roads.

Mr. DOWELL. Now, may I ask a question or two with reference to this bill? Are all the roads provided for in this bill within national parks?

Mr. LEAVITT. No. Of course, this provides for the extension, construction, or reconstruction of roads within national parks, as I expect to offer the amendments. I have stated that we are changing the form of the bill to make it more completely an amendment to the existing law providing for the construction of roads within the parks than it is in its original form. That law came from the Committee on the Public Lands, and this is an amendment of that law.

We feel that it should be made to conform fully to the purpose of the law, which came out of the Committee on Public Lands, having to do with roads within the parks. It only provides, in addition, that those within the park system of roads may be extended out to proper connections, where other provisions under existing laws will not bring it about in a reasonable time.

Mr. DOWELL. In that respect it seems to me you are building roads entirely outside the Federal-aid system, and you are holding the Government to paying for roads through territory clearly outside of the Government's function and outside of Government lands.

Mr. COLTON. If the gentleman will permit, it has nothing at all to do with the Federal-aid system of roads.

Mr. DOWELL. No; and that is the reason I am raising the question.

Mr. COLTON. The appropriation is limited to $3,000,000, or will be when the proper amendment is offered.

Mr. DOWELL. But under this bill you may build a road outside of Federal-aid system, roads to be built by the Government outside of Government land and outside national parks.

Mr. COLTON. If it is an approach road and connects with a park road; yes.

Mr. DOWELL. May I read one paragraph?—

Provided, That such approach roads so designated shall be limited to not to exceed 60 miles in length between a park gateway and the nearest convenient 7 per cent system road.

Now, that reads, if I read it correctly, that under this law you have a right to build 60 miles of road by the Federal Government on land that the Government does not own in order to connect it up with some other road?

Mr. LEAVITT. No. It would have to be a national forest or public-land area to a very great extent.

Mr. DOWELL. The language of this bill does not so state. The language of this bill opens this entirely and provides that the Government may build a road outside of the park, and it builds it entirely and there is no contribution as provided by the Federal aid law.

Mr. LEAVITT. The gentleman has only read the proviso. Section 4 states in the original form of the bill:

Whenever the Secretary of the Interior shall determine it to be in the public interest he may designate as national park approach roads and as supplementary parts of the highway systems of any of the national-park roads whose primary value is to carry national-park travel and which lead across lands wholly or partly owned by the Government of the United States and which will connect the highways within a national park with a convenient point on or leading to the Federal 7 per cent highway system.

The gentleman from Michigan [Mr. CRAMTON], I understand, intends to offer an amendment, which I personally intend to accept and which I believe the committee will accept, in which that will be strengthened, and instead of saying "wholly or partly" will say "wholly or largely." That limitation is placed in the bill in good faith, with the idea that it is not intended to construct these roads on areas that should be taken care of by the States, by the counties, or by any other source.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. COLTON. Mr. Chairman, I yield the gentleman three additional minutes.

Mr. DOWELL. Mr. Chairman, this is just why I raised the question a moment ago. You are amending the Federal aid act in a bill that comes from a committee that has not had charge of the legislation which has been brought to the House from time to time for the expenditure of the vast amount of money we are expending for the construction of Federal aid roads. I think this ought to be limited to land owned by the Government of the United States, and there should be no amendment of the Federal aid act in order to get some special legislation for some special road.

Mr. CRAMTON. Will the gentleman yield?

Mr. DOWELL. I yield.

Mr. CRAMTON. I think we are not as far apart as we might seem to be.

Mr. DOWELL. If the gentleman will make his amendment broad enough to hold to that principle, I will be very pleased.

Mr. CRAMTON. As I understand, the intention of the bill is practically to limit these roads to federally owned land, but if you do as you have suggested you would limit the operation of the bill entirely to federally owned land, whereas there might be a homestead claim or a half dozen homestead claims along a valley which would hold up the building of a road 30 miles long just because of that little area. I sympathize with the gentleman. I did not think the word "partly" was strong enough, so I am proposing to insert the word "largely."

Mr. DOWELL. May I suggest to the gentleman that if he will use the word "entirely" instead of the word "largely," it will meet all objections?

Mr. CRAMTON. But that might defeat a 30-mile project, because there are a half dozen homesteads along its route.

Mr. LEAVITT. Would it not meet the gentleman's objection if we said 90 per cent, in order to take care of certain areas where some person may have taken up a mining claim back in the mountains and patented it?

Mr. DOWELL. I am not familiar with what the gentleman is trying to do, as I have not had an opportunity to go into it, but I want to stop the idea of going outside of the Federal-aid system and the Government building these special roads where there should be contributions made by the States.

Mr. COLTON. If the gentleman will yield, this is a practical problem. A few homestead entries might interfere with the building of a road through a certain area and defeat a necessary project. In working out the problems connected with the Colton-Oddie bill we have found that a few homesteads in an entire township may block a project. I hope it will not, but that is a possibility.

Mr. DOWELL. I know the gentleman from Michigan has been very watchful of this legislation, and I have great faith in his information on the subject; but I want to say to him that I believe he ought to make his amendment even stronger than he has suggested. If he can do so, I shall be very much pleased.

Mr. CRAMTON. The gentleman from Montana has made a suggestion which would seem to me to meet the situation and also the views of the gentleman from Iowa. Instead of using the word "partly" use the words "to the extent of 90 per cent," so it will reach lands wholly or to the extent of 90 per cent owned by the Government of the United States.

The CHAIRMAN. The time of the gentleman from Iowa has again expired. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the act entitled "An act authorizing the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges, in the national parks and monuments under the jurisdiction of the Department of the Interior" (43 Stat. 90; U. S. C., title 16, p. 390, sec. 8), approved April 9, 1924, is hereby amended by adding the following:

"SEC. 4. Whenever the Secretary of the Interior shall determine it to be in the public interest he may designate as national park approach roads and as supplementary parts of the highway systems of any of the national-park roads whose primary value is to carry national-park travel and which lead across lands wholly or partly owned by the Government of the United States and which will connect the highways within a national park with a convenient point on the Federal 7 per cent highway system: *Provided*, That such approach roads so designated shall be limited to not to exceed 60 miles in length between a park gateway and the nearest convenient 7 per cent system road; or, if such approach road is now on the 7 per cent system, it shall be limited to not to exceed 30 miles: *Provided further*, That not to exceed 40 miles of such approach road shall be designated in any one county.

With the following committee amendments:

Page 2, line 7, after the word "on," insert the words "or leading to."

Page 2, line 13, strike out the word "such" and insert the words "any one."

The committee amendments were agreed to.

Mr. CRAMTON. Mr. Chairman, I offer the amendments which I have sent to the Clerk's desk. The first amendment is the one suggested, in effect, by the gentleman from Iowa [Mr. DOWELL] and the gentleman from Montana [Mr. LEAVITT].

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CRAMTON: Page 2, line 4, strike out the word "partly" and insert the words "to the extent of 90 per cent."

The amendment was agreed to.

Mr. CRAMTON. Mr. Chairman, I offer a further amendment, which I have sent to the Clerk's desk, which is merely a clarifying amendment made necessary by the committee amendment in line 7.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CRAMTON: Page 2, line 10, after the word "and," insert the words "such point on or leading to."

The amendment was agreed to.

Mr. CRAMTON. Mr. Chairman, I offer an amendment. Page 2, line 11, strike out the word "now." As the bill reads, it provides "the road is now on the 7 per cent system." The test ought to be whether it is on the 7 per cent system at the time the question comes before the Secretary.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. CRAMTON: Page 2, line 11, strike out the word "now."

The amendment was agreed to.

The Clerk read as follows:

SEC. 5. The Secretary of the Interior is hereby authorized to construct, reconstruct, and improve such national-park approach roads so designated, inclusive of necessary bridges, and to enter into agreements for the maintenance thereof with State or county authorities, or to maintain them when otherwise necessary; and there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the following sums, to be expended for the purposes of this act: The sum of $3,000,000 for the fiscal year ending June 30, 1932; the sum of $3,000,000 for the fiscal year ending June 30, 1933; the sum of $3,000,000 for the fiscal year ending June 30, 1934; the sum of $3,000,000 for the fiscal year ending June 30, 1935; the sum of $3,000,000 for the fiscal year ending June 30, 1936: *Provided*, That under agreement with the Secretary of the Interior the Secretary of Agriculture may carry out any or all of the provisions of this section.

Mr. LEAVITT. Mr. Chairman, I offer certain committee amendments, which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the first committee amendment offered by the gentleman from Montana.

The Clerk read as follows:

Amendment offered by Mr. LEAVITT: Page 2, line 20, after the word "and," add the following: "for the construction, reconstruction, and improvement of such national-park approach roads, as well as of roads and trails within the national parks and national monuments."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the amendment.

Mr. CRAMTON. Mr. Chairman, if the gentleman will permit, I desire to offer a substitute for the committee amendment. It is not intended to change the effect of the

committee amendment, but I think it makes the language much clearer, and I shall offer the amendment at line 20, page 2, as a substitute for the committee amendment.

Mr. STAFFORD. With a point of order reserved, there can not be an amendment offered.

Mr. CRAMTON. Well, I will offer it for the information of the committee, and then I will make my explanation, and I hope the gentleman will withdraw his point of order. As a matter of fact, I do not think it is subject to a point of order.

I offer an amendment as a substitute for the committee amendment, page 2, line 20, after the word "necessary," insert the language which I have sent to the desk.

The CHAIRMAN. Without objection, the Clerk will report for information the substitute proposed to be offered by the gentleman from Michigan [Mr. CRAMTON] for the amendment already offered by the gentleman from Montana [Mr. LEAVITT], to which the gentleman from Wisconsin [Mr. STAFFORD] has reserved a point of order.

The Clerk read as follows:

As a substitute for the committee amendment Mr. CRAMTON offers the following: Page 2, line 20, after the word "necessary," strike out the semicolon and the word "and" and insert in lieu thereof the following: ", as well as to construct, reconstruct, improve, and maintain roads and trails within the national parks and national monuments, and for all such purposes."

Mr. CRAMTON. If I may explain this amendment and incidentally the other amendment, the purpose of both the committee amendment and mine, as I understand it, is to conform to the new scope of the bill which, as originally introduced, had to do only with approach roads and was never approved by the Budget in that form, but as now approved by the Budget the amendment presented contemplates roads within parks as well as roads outside.

Mr. STAFFORD. If the gentleman will permit, here we have presented a bill that relates exclusively to approach roads and now the gentleman is seeking to extend it to roads within national parks and national monuments.

Mr. LEAVITT. Will the gentleman yield?

Mr. STAFFORD. Certainly.

Mr. LEAVITT. This bill is an amendment of a certain act, and that act authorizes the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges, in the national parks and monuments under the jurisdiction of the Department of the Interior. The title does not make the law. This is an amendment of an act that is for the purpose of construction, and so forth, of roads within the parks, so, in my judgment, the amendment would not be subject to a point of order.

Mr. STAFFORD. The subject matter before the House is one thing and only one thing, and that is approach roads and not the original act providing for the construction of roads within the national parks. However, I do not desire to argue the point of order now.

Mr. CRAMTON. No; and I was just going to suggest that I am sure the gentleman is in accord with the bill as it has been explained, and if he is, such language as is proposed is highly desirable, and as it will read with the amendment I have suggested, this would be the situation:

The Secretary of the Interior is hereby authorized to construct, reconstruct, and improve such national-park approach roads so designated, inclusive of necessary bridges, and to enter into agreements for the maintenance thereof with State or county authorities, or to maintain them when otherwise necessary.

All this has to do with approach roads, and then because of the change in the appropriation you need to put in this:

As well as to construct, reconstruct, improve, and maintain roads and trails within the national parks and national monuments; and for all such purposes there is hereby authorized to be appropriated—

And so forth.

Mr. STAFFORD. What is the necessity for the proposed substitute?

Mr. CRAMTON. Because as the Budget have now approved the bill, the amendments that are suggested have to do with roads within parks as well as outside.

Mr. STAFFORD. Wherein do those amendments relate to roads within the parks?

Mr. CRAMTON. My substitute, in effect, is not different from the committee amendment, but is much smoother and perhaps more orderly.

Mr. STAFFORD. Wherein does this bill provide for roads within national parks and national monuments?

Mr. CRAMTON. The original act, to which this is an amendment, was an act that came from the Public Lands Committee that had to do solely with roads in national parks and now they are amending it to take in roads outside.

Mr. STAFFORD. What is the necessity for the substitute amendment and wherein is the present, original act deficient, so that this substitute is required?

Mr. COLTON. This is a clarifying amendment which makes it consistent with the intent of the bill.

Mr. STAFFORD. I may be obtuse, but this seems a different program entirely.

Mr. CRAMTON. So far as the present law is concerned, the law creating national parks gives them the responsibility of developing national parks and making them accessible, and carries full authority to build whatever roads are necessary. In the amendment to section 5, as proposed in the bill reported, it provides for the construction of certain approach roads to national parks.

Now the Budget desires to tie that appropriation for approach roads into the general appropriation for roads in the parks, the fact being that the Budget never did approve of the large expenditure outside of the parks for approach roads, but was agreeable to tying into the park appropriation something on a 2-year program for the approach roads. Instead of having $15,000,000 available for approach roads as the bill was introduced here, they are now proposing to increase the park road appropriation $2,500,000 a year for two years, out of which $1,500,000 a year may be used for approach roads.

Mr. HARE. Your amendment is for the purpose of giving authority to the Bureau of the Budget and the Department of the Interior for an appropriation for approaches to the national parks?

Mr. CRAMTON. It is to make it clear that the appropriation authorized for roads within the parks may be to the extent of a million and a half dollars a year for two years used for approach roads.

Mr. HARE. Under the existing law the Bureau of the Budget and the Department of the Interior could not include appropriations for the construction and maintenance of approach roads to the park.

Mr. CRAMTON. The gentleman is correct.

Mr. HARE. And this bill is for the purpose of constructing these approach roads? And this amendment, I gather, is for the purpose of tying the approach roads into the original bill, so that hereafter the Department of the Interior and the Bureau of the Budget can have annual appropriations for the construction and maintenance of approach roads year after year?

Mr. CRAMTON. No; the bill does not give any indefinite authority for year after year. The amendment provides for approach roads. If the bill goes through, as the gentleman from Montana and the committee now propose, it will give the Bureau of the Budget the authority to tie into the general item for the park roads something, not more than a million and a half dollars a year, for not more than two years, for approach roads.

They have an unlimited authority now for appropriations for roads within the parks but do not have authority for appropriations for roads outside of the parks. What the committee is trying to do is instead of authorizing $3,000,000 a year for five years for approach roads to tie this comparatively small amount into the general park roads appropriation.

Mr. HARE. Then I do not see the necessity for the amendment.

Mr. COLTON. There is some question whether it is tied into the general appropriation without this amendment.

Mr. HARE. If it is tied in would not that in itself give the Department of the Interior the right to recommend another appropriaion for building approach roads?

Mr. COLTON. The bill itself provides the program for approach roads for two years.

Mr. HARE. It provides an authorization for appropriations for two years and it also gives to the department authority at any time in the future to recommend appropriations.

Mr. STAFFORD. That is a query in my mind whether or not it would not authorize the use of the appropriation for roads in national parks and monuments for the purpose of constructing approach roads?

Mr. CRAMTON. I see the gentleman's point. The amendment now before us is only a clarifying amendment. The effect of the bill will be just the same but the language will be clearer.

If the bill goes through as it is now proposed it is true that it says that the Secretary is authorized to construct.

But then it goes on to say:

And for all such purposes there is hereby authorized to be appropriated—

For certain fiscal years certain amounts.

There is a limit of cost, and no more money for any other year can be appropriated under this bill for such approach roads.

Mr. STAFFORD. Yes; but your authorizing language is not restrained by that.

Mr. CRAMTON. I think it is, clearly, and because I fear it is I propose another amendment at the end of the section to provide that nothing in the act shall be construed to limit the authority of the Secretary to hereafter construct, and so forth, roads in the parks.

Mr. STAFFORD. I am not objecting to the gentleman's last amendment, but I am not willing to have an amendment injected into the bill that will be a continuing authority to the Park Service or the Department of the Interior to construct approach roads.

Mr. COLTON. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. COLTON. Is the gentleman's question directed to the amendment offered by the gentleman from Michigan or to the committee amendment?

Mr. STAFFORD. They are of the same character, and I can not see the necessity for either. I can see the advisability of the last suggestion of the gentleman from Michigan, but I can not see the need of having either the committee amendment or the gentleman's substitute.

Mr. CRAMTON. Mr. Chairman, I am satisfied that my substitute amendment does not change the matter at all except to make it clear, but I see what the gentlemen are getting at, and I shall suggest another amendment that I believe will satisfy their fears. On page 2, line 16, after the word "authorized," insert "in the fiscal years 1932 and 1933". If that be adopted, the only authority to build approach roads will be in those two fiscal years, and then, after you get through talking about approach roads, in the amendment that I have at the desk, and are talking about roads in the parks, simply say "as well as hereafter to construct roads in the parks." That will make it definitely clear that only in those two fiscal years can they build approach roads, but in all the years hereafter they can build the roads in the parks.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. STAFFORD. Mr. Chairman, with the suggested amendment of the gentleman from Michigan, I withdraw the reservation of the point of order.

Mr. CRAMTON. Mr. Chairman, I ask recognition, and will first offer this amendment. The amendment which I have sent to the desk has not yet been reported, so that I do not have to withdraw it, but as a substitute for the committee amendment I offer to amend on page 2, line 16, by inserting after the word "authorized" the words "during the fiscal years 1932 and 1933," and also, on page 2, line 20, after the word "necessary" strike out the semicolon and the word "and" and insert the following:

As well as hereafter construct, reconstruct, improve, and maintain roads and trails within national parks and national monuments, and for all such purposes.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CRAMTON: Page 2, line 16, after the word "authorized," insert the words "during the fiscal years 1932 and 1933," and on page 2, line 20, after the word "necessary," strike out the semicolon and the word "and" and insert in lieu thereof the following: "as well as hereafter to construct, reconstruct, improve, and maintain roads and trails within national parks and national monuments, and for all such purposes."

The CHAIRMAN. The Chair suggests that there are two amendments there.

Mr. CRAMTON. I ask unanimous consent that they be considered together as a substitute for the committee amendment.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan by way of substitute to the amendment offered by the gentleman from Montana [Mr. LEAVITT].

Mr. COLTON. Mr. Chairman, we are all trying to get at the same point, and the committee is willing to accept the substitute.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The question now comes upon the amendment offered by the gentleman from Montana, as amended by the substitute.

The amendment was agreed to.

Mr. LEAVITT. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 2, line 22, after the word "sums," strike out the comma and insert a colon, and on the same page in the same line strike out the word "to."

The CHAIRMAN. The Chair suggests that the Clerk read the lines 22 and 23 as they will read with the amendment.

Mr. LEAVITT. Mr. Chairman, the amendment I sent to the Clerk's desk was that presented to me through the Budget. I ask unanimous consent that the various sentences there that have to do with the amounts be included as one amendment down to and including the striking out of that part of line 4 on page 3 ending with the figures "1936." That is really all one amendment.

The CHAIRMAN. Without objection, the Clerk will report the amendment as now offered in lieu of the amendment heretofore offered by the gentleman from Montana.

There was no objection.

The Clerk read the amendment, as follows:

Page 2, line 22, after the word "sums," strike out the comma and insert a semicolon; the same page, same line, strike out the word "to"; page 2, line 23, strike out the entire line; page 2, line 24, strike out the entire line with the exception of the word "the"; page 2, line 25, strike out the amount "$3,000,000" and insert "$7,500,000"; page 3, line 1, change the year from "1933" to "1932"; the same line, the same page, eliminate "$3,000,000" and insert the sum of "$7,500,000"; page 3, line 2, change the year "1934" to "1933"; the same page, the same line, eliminate the following: "The sum of $3,000,000 for the fiscal year"; page 3, line 3, eliminate the entire line; page 3, line 4, eliminate the words "year ending June 30, 1936."

Mr. CRAMTON. Mr. Chairman, if I may be permitted, I will read it as it will read with the committee amendments. Beginning on page 2, line 20, it will read:

There is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated the following sums: The sum of $7,500,000 for the fiscal year ending June 30, 1932; the sum of $7,500,000 for the fiscal year ending June 30, 1933—

Provided, and so forth.

Mr. LEAVITT. That is correct.

The CHAIRMAN. Without objection, the Clerk will again report the amendment in the form suggested by the gentleman from Michigan.

There was no objection.

The Clerk read the amendment, as follows:

Page 2, line 22, strike out the comma after the word "sums" and the words "to be expended for the purposes of this act," so the paragraph will then read "The sum of $7,500,000 for the fiscal year ending June 30, 1932; the sum of $7,500,000 for the fiscal

year ending June 30, 1933." Strike out the remainder of the section down to the word "provided" in line 4.

The CHAIRMAN. The Chair would like to inquire whether that is in the correct form?

Mr. LEAVITT. That is correct.

The CHAIRMAN. The question is on agreeing to the amendment to the amendment offered by the gentleman from Montana.

Mr. STAFFORD. Will the gentleman from Michigan yield?

Mr. CRAMTON. I yield.

Mr. STAFFORD. The pending amendment places the amount of appropriation at $7,500,000 for the next ensuing two fiscal years. Nevertheless, in fact, there is an increase in each of those two years of $2,500,000 by reason of prior authorizations of $5,000,000 for the building of roads in the national parks.

Mr. CRAMTON. Well, there is no limit to the authorization, but we have a definite program of $5,000,000 a year for roads, and, in the Department of the Interior appropriation bill that was recently passed, $5,000,000 was carried for the fiscal year 1932, and we would expect the same thing for 1933, but this bill raises it $2,500,000 for 1932 and 1933.

The CHAIRMAN. The question is on agreeing to the amendment to the amendment offered by the gentleman from Montana as last reported.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. CRAMTON. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. CRAMTON: Page 2, line 19, strike out the word "with" and insert the word "by."

The amendment was agreed to.

Mr. CRAMTON. Mr. Chairman, I offer an amendment on page 3, which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read the amendment, as follows:

Amendment by Mr. CRAMTON: Page 3, line 7, following the Leavitt amendment, insert the following: "Nothing in this act shall be construed to limit the authority of the Secretary of the Interior to hereafter construct, reconstruct, improve, and maintain roads and trails within the national parks and national monuments."

Mr. CRAMTON. Mr. Chairman, I ask unanimous consent that that amendment remain pending until a further committee amendment is offered.

The CHAIRMAN. Without objection, this amendment will remain pending until a further committee amendment has been presented.

There was no objection.

Mr. LEAVITT. Mr. Chairman, I offer an amendment following the word "section," striking out the comma and inserting a semicolon and the words "*Provided further*, That not to exceed $1,500,000 shall be allocated annually for the construction, reconstruction, and improvement of such national park approach roads."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. LEAVITT: Page 3, line 7, change the period to a semicolon and insert the following: "*Provided further*, That not to exceed $1,500,000 shall be allocated annually for the construction, reconstruction, and improvement of such national park approach roads."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Montana [Mr. LEAVITT].

The amendment was agreed to.

The CHAIRMAN. The Clerk will again report the amendment which was laid over pending action upon the last amendment.

The Clerk read as follows:

Page 3, line 7, following the amendment just adopted, insert the following:

"Nothing in this act shall be construed to limit the authority of the Secretary of the Interior to hereafter construct, reconstruct, improve, and maintain roads and trails within the national parks and national monuments."

Mr. CRAMTON. Mr. Chairman, I ask to amend the amendment by inserting at the beginning of the amendment the words "*Provided further*, That."

The CHAIRMAN. The gentleman from Michigan [Mr. CRAMTON] offers an amendment to the amendment, which the Clerk will report.

The Clerk read the amendment to the amendment, as follows:

At the beginning of the amendment insert the words "*Provided further*, That."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The Clerk read as follows:

SEC. 6. Whenever any such approach road is proposed under the terms of this act across or within any national forest the Secretary of the Interior shall secure the approval of the Secretary of Agriculture before construction shall begin.

Mr. COLTON. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CHINDBLOM, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 12404) to amend the act of April 9, 1924, so as to provide for national-park approaches, had instructed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. COLTON. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any of the amendments? [After a pause.] If not, the Chair will put them en gros.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. COLTON, a motion to reconsider the vote by which the bill was passed was laid on the table.

PERMISSION TO ADDRESS THE HOUSE

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent to proceed for two minutes.

The SPEAKER. The gentleman from Michigan asks unanimous consent to proceed for two minutes. Is there objection?

There was no objection.

Mr. CRAMTON. Mr. Speaker, the legislation which the House passed just now is legislation that will solve several very perplexing situations. I think the gentleman from Montana [Mr. LEAVITT] is entitled to the thanks of all those western communities that will benefit by this legislation. I have known some of the persistence with which he has followed an effort for something of this kind for several years, and without being willing to yield to defeat after defeat he has persisted and finally sees legislation go through that will adequately take care of the situation. [Applause.]

In my judgment, neither the bill as reported by the House committee or the Senate bill, identical in terms, could have passed this House. Realizing this, the gentleman from Montana has labored with the department and with the Budget, and has secured a new draft which has their approval and has now passed this House. I insert the Budget report approving the Leavitt compromise and a copy Mr. Albright has given me of his letter to Mr. LEAVITT supporting this Leavitt bill.

BUREAU OF THE BUDGET,
Washington, January 13, 1931.

MY DEAR MR. SECRETARY: I have your letter of January 13, 1931, in further reference to S. 3073, authorizing appropriations for national park approach roads. You express your desire to make a favorable report on the bill if it be modified as indicated in the memorandum of proposed amendments which accompanied your letter.

You are advised that, if modified in accordance with your proposed amendments, which provide, among other things, that the total authorization of appropriation for approach roads as well as for roads within the parks for each of the fiscal years 1932 and 1933 shall be $7,500,000, the expenditures contemplated by the bill would not be in conflict with the financial program of the President.

Very truly yours,

J. CLAWSON ROOP, *Director.*

The honorable the SECRETARY OF THE INTERIOR.

UNITED STATES DEPARTMENT OF THE INTERIOR,
NATIONAL PARK SERVICE,
Washington, January 14, 1931.

Hon. SCOTT LEAVITT,
House of Representatives.

DEAR MR. LEAVITT: In response to your personal request relative to appropriations for construction of roads and trails in national parks as compared with appropriations for roads and trails in national forests and for Federal aid, I have to advise that the first appropriations for Federal aid and for national-forest highways was in 1916, and it was not until 1924 that the first appropriation was made for roads and trails in national parks when $1,000,000 was appropriated.

It was not until 1928 that the annual appropriation for roads and trails in national parks was increased to $5,000,000. During these years appropriations for forest roads were at the rate of $7,500,000 annually, while last year Congress authorized for the fiscal years 1932 and 1933 appropriations of $12,500,000 per year for construction of roads in national forests.

Appropriations for Federal aid have been granted annually at the rate of $75,000,000, but last year Congress increased Federal-aid funds to $125,000,000 for the fiscal years 1932 and 1933. No increase has been granted in funds for the national parks. Construction of new roads and reconstruction of old roads in national parks is seriously lagging behind road improvements and extensions in the States within which the parks lie. For instance, it has been estimated that it will take at least eight years to complete the work of placing the Yellowstone Park road system on modern standards if additional funds are not made available, and in Yosemite it will not be possible to rebuild the present road system in less than seven to nine years at the rate money is now being allotted.

It therefore appears urgent that the present need of the National Park Service is for more money for the construction, reconstruction, and improvement of roads and trails within national parks and national monuments, and authority to meet extraordinary approach road problems outside of the national parks by granting the Secretary of the Interior authority to act in his discretion in meeting such unusual situations by allocating funds from the regular appropriations each year to meet such approach road emergencies.

You have asked whether there are any precedents for the construction of roads outside of the national parks. A great many years ago Congress authorized in the regular appropriation bill—the old sundry civil bills—the construction of the east and south approaches to Yellowstone National Park from Cody, Wyo., and from the Jackson Hole region, respectively. These roads are still maintained by the National Park Service under special authority contained in the appropriation bills.

The act of June 5, 1924, authorized the National Park Service to construct a highway from Williams on the National Old Trails Highway to the south boundary of the Grand Canyon National Park. The grading on this project has been completed and the surfacing will be done within the next two years. The total cost of this project will exceed $500,000.

Again, under special authority contained in the appropriation acts, the National Park Service built the original road system on the east side of Glacier Park. Practically all of this highway, as you know, is on the Blackfeet Indian Reservation. This Glacier Park road system is still maintained by the National Park Service, and improvements on the road are being accomplished by this bureau. For instance, it is contemplated that within a year or two this road will be given a surfacing of oil macadam.

We are also authorized to construct and reconstruct certain stretches of the roads outside the boundary of Yosemite National Park.

All of these approach problems have been handled in the regular appropriation bills, and, of course, it would be highly desirable to have general authority to meet emergencies growing out of approach road problems in order that there might be no question about the submission of the estimates to the Bureau of the Budget and in order to insure appropriation items against points of order.

The Director of the Bureau of the Budget has advised that the pending approach road bill, if modified so that the total authorization of appropriation for approach roads, as well as for roads within the parks, be limited to $7,500,000 for the fiscal years 1932 and 1933, the bill would not be in conflict with the financial program of the President. A copy of supplemental report by the Secretary to the chairman of the House Public Lands Committee is inclosed for your information.

Sincerely yours,

HORACE M. ALBRIGHT, *Director.*

P. S.—Not counting the new eastern parks, the national park road program calls for the construction and reconstruction of 1,597 miles of roads. Of these 356 miles have been constructed or reconstructed and 350 miles of trails have been built. The trail program has not been completed and the total mileage is not now known. However, up to the present time 420 miles of trails have been constructed or are under construction.

SURVEY OF PUBLIC LANDS LYING WITHIN THE LIMITS OF LAND GRANTS AND FORFEITURE TO THE UNITED STATES OF UNSURVEYED LAND GRANTS TO RAILROADS

Mr. COLTON. Mr. Speaker, I call up the bill (H. R. 7254) to amend an act entitled "An act making an appropriation for the survey of public lands lying within the limits of land grants, to provide for the forfeiture to the United States of unsurveyed land grants to railroads, and for other purposes," approved June 25, 1910, and I ask unanimous consent that this bill may be considered in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER. The gentleman from Utah calls up House bill 7254, which the Clerk will report.

The Clerk read the title of the bill.

The SPEAKER. The gentleman from Utah asks unanimous consent that this bill be considered in the House as in Committee of the Whole. Is there objection?

Mr. LaGUARDIA. Mr. Speaker, I think we should consider this bill in the committee. I object.

The SPEAKER. This bill is on the Union Calendar, and the House automatically resolves itself into the Committee of the Whole House on the state of the Union.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 7254) to amend an act entitled "An act making an appropriation for the survey of public lands lying within the limits of land grants, to provide for the forfeiture to the United States of unsurveyed land grants to railroads, and for other purposes," approved June 25, 1910, with Mr. CHINDBLOM in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 7254, which the Clerk will report by title.

The Clerk read the title of the bill.

Mr. COLTON. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Utah asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. COLTON. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. LaGUARDIA].

Mr. LaGUARDIA. Mr. Chairman, I simply want to call the attention of the committee to section 2 of this bill. It provides:

> That when the Commissioner of the General Land Office shall ascertain the amount of any money or moneys deposited for the survey of lands for which repayment is authorized by this statute, the Secretary of the Interior shall at once certify such amounts to the Secretary of the Treasury, who is hereby authorized and directed to make repayment of all amounts so certified out of any moneys not otherwise appropriated, and issue his warrant in settlement thereof.

There has been a tendency to get away from our financial policy and budgetary system, and attempts are repeatedly made to authorize direct payments without the authorization of Congress or appropriations by Congress for such payments. We had an instance of that the other day in a small bill on the Consent Calendar from the Committee on Immigration, authorizing the payment of a clerk out of fees received—a direct payment. It has been the custom—and I concede that at times it is cumbersome—that all moneys are covered into the Treasury and only paid out through direct appropriations by Congress. In the long run that has been found the best system. I do not believe it was the intention of the committee to deviate from the adopted system, a system which we have followed for so many years. I will leave it to the better judgment of the gentlemen who are familiar with conditions as to the merits of the bill, and I will go along with them, but I simply suggest a change in section 2, providing that the Secretary of the Interior shall, upon being informed of the amount of repayments, include such amounts in the department's estimates to Congress for appropriations for the next fiscal year. That will follow

our system of making payments; there will be no direct payments made and each payment will be included each year in the bills providing appropriations for the Department of the Interior. That is the suggestion I make simply in keeping with our financial policy.

Mr. COLTON. Mr. Chairman, I yield to the gentleman from California [Mr. ENGLEBRIGHT].

Mr. ENGLEBRIGHT. Mr. Chairman, the amendment offered by the gentleman from New York, I think, is entirely satisfactory. The language as at present in section 2 was put in because it complies with the wording of the old law and the provisions provided in the old law, but the amendment suggested by the gentleman from New York will be accepted.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That section 1 of the act entitled "An act making an appropriation for the survey of public lands lying within the limits of land grants, to provide for the forfeiture to the United States of unsurveyed land grants to railroads, and for other purposes," approved June 25, 1910, be, and the same is hereby, amended so as to add thereto, at the end of said section 1, a proviso, as follows: "*And provided further*, That in the event any railroad corporation or corporations shall deposit, under the provisions of this act, any money or moneys for the survey of any lands within the limits of its or their said grant or grants, which upon investigation by the Secretary of the Interior, or otherwise, are thereafter found to be excepted from the operation of such grant or grants, there shall be repaid to such railroad corporation or corporations the cost of surveying the lands so excepted from the operation of its or their said grant or grants upon application therefor: *And provided further*, That such railroad corporation or corporations, or its or their legal representatives, shall file a request for the repayment of such money or moneys within two years from and after the date of the determination of the company's rights or within two years from the date of the passage of this act as to such determinations as have heretofore been made."

With the following committee amendment:

Page 2, line 12, after the word "grants," insert the words "except in those cases in which the cost of surveying the base land shall have been applied to the payment of surveying fees on lands selected in lieu thereof."

Mr. COLTON. Mr. Chairman, there should be a comma after the word "grants" in line 12 and one after the word "thereof" in line 14.

The CHAIRMAN. Without objection, the committee amendment will be amended by inserting the two commas.

There was no objection.

The committee amendment as amended was agreed to.

The Clerk read as follows:

SEC. 2. That when the Commissioner of the General Land Office shall ascertain the amount of any money or moneys deposited for the survey of lands for which repayment is authorized by this statute, the Secretary of the Interior shall at once certify such amounts to the Secretary of the Treasury, who is hereby authorized and directed to make repayment of all amounts so certified out of any moneys not otherwise appropriated, and issue his warrant in settlement thereof.

Mr. LAGUARDIA. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: On page 3, line 1, after the word "shall," strike out the remainder of the section and add in lieu thereof the following: "include such amounts in the department's estimates to Congress for appropriations for the next fiscal year."

The amendment was agreed to.

Mr. COLTON. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and Mr. HOOPER having assumed the chair as Speaker pro tempore, Mr. CHINDBLOM, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 7254) to amend an act entitled "An act making an appropriation for the survey of public lands lying within the limits of land grants, to provide for the forfeiture to the United States of unsurveyed land grants to railroads, and for other purposes," approved June 25, 1910, and had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. COLTON. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The previous question was ordered.

The SPEAKER pro tempore. Is a separate vote demanded on any amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. COLTON, a motion to reconsider the vote by which the bill was passed was laid on the table.

EXCHANGE OF LANDS BETWEEN THE UNITED STATES AND THE STATE OF UTAH

Mr. COLTON. Mr. Speaker, I call up the bill (H. R. 12697) to authorize an exchange of lands between the United States and the State of Utah, and ask unanimous consent that the bill may be considered in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER pro tempore (Mr. HOOPER). The gentleman from Utah calls up the bill (H. R. 12697) and asks unanimous consent that the bill be considered in the House as in the Committee of the Whole. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

H. R. 12697

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to accept on behalf of the United States title to the lands hereinafter described, containing 23,840 acres, more or less, owned by the State of Utah, and in exchange therefor may patent to the said State not more than an equal area of surveyed, unreserved, nonmineral, and unappropriated public lands in said State. The lands to be accepted by the United States are described as follows:

The southeast quarter, south half southwest quarter, northeast quarter southwest quarter section 9; southeast quarter northwest quarter, northeast quarter, south half section 10; west half, west half northeast quarter section 11; northwest quarter, north half southwest quarter, southeast quarter southwest quarter, southeast quarter section 14; north half, southwest quarter section 15; south half northeast quarter, south half section 17; southeast quarter southeast quarter section 18; southeast quarter southwest quarter, southwest quarter southeast quarter, east half southeast quarter, east half northeast quarter section 19; all of section 20; all of section 21; southwest quarter southwest quarter, northwest quarter northwest quarter section 22; west half, west half east half, northeast quarter northeast quarter section 23; northwest quarter section 26; northeast quarter northeast quarter, west half northwest quarter, northwest quarter southwest quarter section 27; south half, northwest quarter, west half northeast quarter, northeast quarter northeast quarter section 28; south half, northeast quarter, southeast quarter northwest quarter section 29; west half, northeast quarter, west half southeast quarter section 30; north half, southeast quarter, east half southwest quarter, southwest quarter southwest quarter section 31; northwest quarter, west half northeast quarter, northeast quarter northeast quarter, north half southwest quarter, southwest quarter southwest quarter section 33; north half southwest quarter section 34, all in township 16 south, range 5 west, Salt Lake base and meridian.

The east half section 1; south half section 13; southeast quarter, southeast quarter northeast quarter section 14; northeast quarter, east half northwest quarter, northwest quarter northwest quarter, south half southeast quarter section 24; northeast quarter, north half northwest quarter, southwest quarter northwest quarter, west half southwest quarter, southeast quarter southwest quarter, southwest quarter southeast quarter section 25; north half, north half south half, southwest quarter southwest quarter section 36, all in township 17 south, range 6 west, Salt Lake base and meridian.

The southeast quarter section 3; southwest quarter, west half northwest quarter section 4; all of section 5; southeast quarter, north half section 6; northeast quarter, north half southeast quarter section 7; all of section 8; northwest quarter northwest quarter section 9; northeast quarter, east half southwest quarter, northwest quarter southeast quarter section 10; northeast quarter northwest quarter, southwest quarter northwest quarter, northwest quarter southwest quarter section 15; northwest quarter southwest quarter, southeast quarter southwest quarter section 16; all of section 17; southeast quarter section 18; east half section 19; all of section 20; west half, northeast quarter, northwest quarter southeast quarter section 21; north half northwest quarter, southwest quarter northwest quarter, northwest quarter southwest quarter section 28; east half, southwest quarter section 30; east half, southwest quarter, east half northwest quarter, northwest

quarter northwest quarter section 31, all in township 17 south, range 5 west, Salt Lake base and meridian.

The west half southwest quarter section 4; south half, northwest quarter northwest quarter section 5; north half, southeast quarter, east half southwest quarter, southwest quarter southwest quarter section 6; all of section 7; all of section 8; southwest quarter, west half northwest quarter section 9; all of section 17; all of section 18; northwest quarter, north half northeast quarter, south half southeast quarter section 19; all of section 20; southwest quarter section 21; west half, west half east half section 29; east half, east half southwest quarter section 30; northeast quarter, east half northwest quarter, north half southeast quarter, west half southwest quarter section 31, all in township 18 south, range 5 west, Salt Lake base and meridian.

The northeast quarter southwest quarter, south half southwest quarter, southwest quarter southeast quarter section 3; northeast quarter, east half northwest quarter, east half southwest quarter, southwest quarter southeast quarter section 9; north half northwest quarter section 10, all in township 19 south, range 5 west, Salt Lake base and meridian.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. COLTON, a motion to reconsider the vote by which the bill was passed was laid on the table.

COMPACTS OR AGREEMENTS BETWEEN WYOMING AND IDAHO

Mr. COLTON. Mr. Speaker, I call up the bill (S. 2865) granting the consent of Congress to compacts or agreements between the States of Wyoming and Idaho with respect to the boundary line between said States. This bill is on the House Calendar.

The SPEAKER pro tempore. The gentleman from Utah calls up the bill S. 2865, which the Clerk will report.

The Clerk read the bill, as follows:

S. 2865

Be it enacted, etc., That the consent of Congress is hereby given to the States of Wyoming and Idaho to negotiate and enter into compacts or agreements with respect to the boundary line between said States.

SEC. 2. Such consent is given upon condition that a representative of the United States from the Department of the Interior, to be appointed by the President, shall participate in the negotiations and shall make report to Congress of the proceedings and of any compact or agreement entered into. Other than the compensation and expenses for such representative the United States shall not be liable for any expenses in connection with such negotiations, compact, or agreement.

SEC. 3. No such compact or agreement shall be binding or obligatory upon either of such States unless and until it has been approved by the legislature of each of such States and by the Congress of the United States.

SEC. 4. The right to alter, amend, or repeal this act is herewith expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. COLTON, a motion to reconsider the vote by which the bill was passed was laid on the table.

MOUNT RAINIER NATIONAL PARK

Mr. COLTON. Mr. Speaker, I call up the bill (H. R. 15008) to extend the south and east boundaries of the Mount Rainier National Park, in the State of Washington, and for other purposes, and ask unanimous consent that the bill may be considered in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER pro tempore. The gentleman from Utah calls up the bill H. R. 15008, and asks unanimous consent that the bill may be considered in the House as in Committee of the Whole. Is there objection?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, what does this bill do?

Mr. COLTON. Mr. Speaker, I will state in answer to the gentleman from New York that it extends the boundaries of Mount Rainier National Park.

Mr. LAGUARDIA. I am familiar with the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the tract of land within the following-described boundaries be, and the same is hereby, excluded from the Rainier National Forest and is hereby added to and made a part of the Mount Rainier National Park, in the State of Washington:

Beginning at a point on the present east boundary of Mount Rainier National Park 1¼ miles southerly from the northeast corner of the said park as fixed by the act of May 28, 1926 (44 Stat. 668); thence extending east to the summit of the hydrographic divide between Silver Creek and White River; thence along the summit of Crystal Mountain to the summit of the Cascade Mountains; thence southerly along the summit of the Cascade Mountains to a point in section 20, township 15 north, range 11 east, Williamette meridian, whence flow the waters of Bumping River to the east and Carlton and Cougar Creeks to the south and west; thence southwesterly along the summit of the divide between Carlton Creek and the waters flowing into the main fork of Ohanapecosh River to the quarter section line of section 9, township 14 north, range 10 east, Williamette meridian; thence westerly along the quarter section line of sections 9, 8, and 7 to the west boundary of said township; thence due west to the right or west bank of Muddy Fork of the Cowlitz River; thence northerly along the right bank of said Muddy Fork to a point exactly due east of post No. 34 on the south boundary of Mount Rainier National Park as surveyed in 1908; thence due west to said post No. 34; thence along the boundary of said park as surveyed in 1908 to post No. 35; thence easterly along the south boundary of said national park as surveyed in 1908 to the southeast corner thereof; thence northerly along the east boundary of said national park as surveyed in 1908 to post No. 59; thence along the east boundary of said park as revised by the act of May 28, 1928, supra, due north to the point of beginning.

SEC. 2. All laws applicable to and in force within the Mount Rainier National Park as of the date hereof, and all regulations issued pursuant thereto, are hereby made applicable to and extended over the land added to the park by this act.

With the following committee amendments:

In line 3, page 3, strike out the words "due north" and insert in lieu thereof the word "northerly."

The committee amendment was agreed to.

In line 8, page 3, after the word "the," where it occurs the second time, insert the word "said," and in line 9, after the word "act," insert a colon and the following: "*Provided*, That no fee or charge shall be made by the United States for the use of any roads in said park built and maintained exclusively by the State of Washington."

Mr. SUMMERS of Washington. Mr. Speaker, the committee amendment begining in line 9 does not cover quite what the Park Service desires, so I am sending an amendment to the committee amendment to the Clerk's desk.

The SPEAKER pro tempore. The gentleman from Washington offers an amendment to the committee amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SUMMERS of Washington: On page 3, after the word "act" strike out the committee amendment and insert: "*Provided*, That no fee or charge shall be made by the United States for the use of any roads in said park built or maintained exclusively by the State of Washington."

The amendment to the committee amendment was agreed to.

The committee amendment as amended was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

Mr. SUMMERS of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD explaining the purpose of the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. SUMMERS of Washington. Mr. Speaker, this bill extending the boundaries of Mount Rainier National Park has the approval of the Forest Service, the Rainier National Park advisory board, and the Secretary of the Interior.

Mr. Horace M. Albright, Director of the National Park Service, says:

This bill proposes to add lands totaling approximately 34,000 acres to the Mount Rainier National Park, State of Washington. The lands adjoin the south and east boundaries of the park.

This is a measure which if enacted into law would give Mount Rainier National Park a natural boundary on the east, the boundary that it should have had at the time the park was first established. No park boundary revision project now under consideration by the National Park Service has more merit or is of greater importance than the one covered by this legislation.

Several purposes would be served by this boundary revision if approved by Congress, aside from giving the park the summit of the Cascades as a natural eastern boundary. Chinook Pass



through which the new road from Yakima to Seattle runs would become a spectacular gateway to the park and no park would have a finer entrance than this new eastern gateway to Mount Rainier. Here we would establish an information service which would tell the story of the park and give visitors all required data regarding facilities in the park for their accommodation and amusement, as well as maps and pamphlets to guide visitors in their enjoyment of the park features.

It is also of importance that this legislation be passed in order that the National Park Service may build its road connecting Paradise Valley and Yakima Park. It is necessary to build this road from the Paradise Valley region southeasterly through Stevens Canyon, thence over Cowlitz Ridge and up the Ohanapecosh River and Chinook Creek to a connection with the new State highway coming through Chinook Pass. Our road plans are responsible for the suggested extension along the southern boundary, which includes also Ohanapecosh Hot Springs. All of the land covered by the pending bill is within the Rainier National Forest. So far as we can ascertain there are no private holdings in the area and no commercial use of the lands may be reasonably expected in the future. Much of the timber has been burned and what remains does not appear to have commercial value. It is extremely important that there be no cutting of timber in these narrow valleys through which our scenic roads must run. The timber screen is very essential to the preservation of scenic resources.

The National Park Service is confident that the lands involved in this contemplated extension have greater public value from a scenic standpoint than for economic development.

PERMITS TO USE NATIONAL-FOREST LANDS

Mr. COLTON. Mr. Speaker, I call up the bill (H. R. 13547) to safeguard the validity of permits to use national-forest lands. This bill is on the House Calendar.

The SPEAKER pro tempore. The gentleman from Utah calls up a bill, which the Clerk will report.

The Clerk read the bill as follows:

H. R. 13547

A bill to safeguard the validity of permits to use national-forest lands

Be it enacted, etc., That where a special-use permit to use a tract of national forest land has been issued under the regulations of the Secretary of Agriculture, the land so rented shall not be subject to appropriation, entry, alienation, or adverse use or occupancy unless such permit is discontinued or revoked.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That where a special-use permit to use, for other than pasture purposes, a tract of land not exceeding 160 acres in area, in the San Bernardino and Cleveland National Forests has been issued under the regulations of the Secretary of Agriculture, the land so rented shall not be subject to appropriation, entry, alienation, or adverse use or occupancy unless such permit is discontinued or revoked."

Mr. ENGLEBRIGHT. Mr. Speaker, I am opposed to this bill even though the gentleman from California [Mr. SWING], and I well know of his great interest and friendliness to the mining developments of California, advises me that he does not intend this measure to create a precedent for the further restriction of mining developments in the forest reserve. I shall vote against it.

Mr. LaGUARDIA. It seems to me that the fears expressed by the gentleman from California [Mr. ENGLEBRIGHT] are in no way avoided by the language in the bill.

Mr. SWING. What was the statement of the gentleman from New York?

Mr. LaGUARDIA. The gentleman from California [Mr. ENGLEBRIGHT] says that it does not establish a precedent. This would be the first time in the history of legislation that bills we pass do not establish a precedent. This bill does establish a precedent.

Mr. SWING. This is the situation: We have a very heavy population in southern California, but a limited area of timberland. Practically the only mountain recreational area is within the national forests. Most of the lands are without timber growth that would furnish any kind of recreational area. As stated in the report, last year by actual count there were 2,000,000 persons entered these two national forests.

Mr. LaGUARDIA. Is this to be specially used for recreational purposes?

Mr. SWING. Special-use permits are issued by the Forest Service in this area largely for cabin sites. There are a great many of them in these two national forests. The bill reserves about 1 per cent of the area of these national forests for the recreational use of 99 per cent of the public, leaving open 99 per cent of the area of the forests for the mining use of 1 per cent of the public. The miners can not complain. I trust there will be no objection to the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote whereby the bill was passed was laid on the table.

The title was amended.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS

Mr. TILSON. Mr. Speaker, the members of the Committee on Public Lands have very generously agreed to give us the remainder of the afternoon for consideration of an appropriation bill. They have about half completed their calendar and will finish it on next Wednesday. I now ask unanimous consent that Calendar Wednesday business be dispensed with for the remainder of the day.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut?

Mr. GARNER. Reserving the right to object, may I ask the gentleman from Connecticut when we may expect consideration of the Private Calendar?

Mr. TILSON. I have been trying to arrange for an evening session for that purpose, but it has been somewhat difficult, owing to the engagements of different Members. I now have an agreement which I think will enable me to secure unanimous consent that on Friday evening of next week, January 23, the entire evening be devoted to business on the Private Calendar. I had intended to ask for this when there is a larger attendance.

Mr. GARNER. The gentleman will recollect that prior to the holiday recess I made a similar inquiry, and if the gentleman will look at the RECORD he will see that he then gave assurance that in the early part of January he would ask for a day to consider the Private Calendar.

Mr. TILSON. I have done my best to arrange for an evening. The gentleman realizes that it must be by unanimous consent or by rule.

Mr. GARNER. Does the gentleman expect to ask for another day within the month to consider the Private Calendar?

Mr. TILSON. After the appropriation bills have gone to the Senate I shall even more vigorously strive for an opportunity for further consideration of the Private Calendar.

Mr. GARNER. The gentleman realizes that the appropriation bills may not all be passed by the middle of next month?

Mr. TILSON. Oh, I think they should be passed before that time.

Mr. GARNER. I am hoping so myself. I would like to see them passed by then; but I do earnestly urge the gentleman to use every possible endeavor that he can to get an opportunity to consider the Private Calendar.

THE PRIVATE CALENDAR

Mr. TILSON. Mr. Speaker, I shall withhold my request to dispense with the business on Calendar Wednesday for the moment and ask unanimous consent that on Friday evening, January 23, a session of the House may be held at which business on the Private Calendar shall be in order, and that at such session bills on the Private Calendar not objected to may be considered in the House as in Committee of the Whole.

Mr. GARNER. Beginning at the star?

Mr. TILSON. No; this time I think we should begin at the beginning of the calendar.

The SPEAKER pro tempore. The gentleman from Connecticut withholds his former unanimous-consent request and asks unanimous consent that on the evening of the 23d day of January bills on the Private Calendar may be considered in the House as in Committee of the Whole. Is there objection?

Mr. GLOVER. Mr. Speaker, reserving the right to object, I think the gentleman ought to allow us to commence at

the star, because some of us have had bills on the calendar that have been pending for a number of months. To begin at the beginning of the calendar possibly would prevent us from having bills considered at this session.

Mr. TILSON. The gentleman must realize that some of these bills were passed over under conditions when objected to that would not obtain now, and some of the Members are insisting that these bills be given another chance. This is the reason I ask that we begin at the beginning of the calendar.

Mr. GLOVER. Would it not be fair to begin at the star and then return to the beginning?

Mr. TILSON. Not for the first call. I anticipate that we shall not go back further than the star for the remainder of any session devoted to the Private Calendar.

Mr. GARNER. That is correct.

The SPEAKER pro tempore. The Chair suggests to the gentleman from Connecticut that the time when the evening session shall begin should be embodied in the unanimous-consent request.

Mr. TILSON. Mr. Speaker, in order to make my request complete, I ask unanimous consent that on Friday, January 23, it may be in order to move to take a recess until the evening of that day, at which time bills unobjected on the Private Calendar may be considered in the House as in Committee of the Whole, beginning at the beginning of the calendar.

Mr. RANKIN. Mr. Speaker, for the time being I object.

CALENDAR WEDNESDAY BUSINESS

Mr. TILSON. Then, Mr. Speaker, I renew my request to dispense with Calendar Wednesday business for the rest of the day.

The SPEAKER pro tempore. The gentleman from Connecticut asks unanimous consent that for the remainder of the day business in order on Calendar Wednesday may be dispensed with. Is there objection?

There was no objection.

ARMY APPROPRIATION BILL

Mr. TABER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 15593) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1932, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the Army appropriation bill, with Mr. TILSON in the chair.

The Clerk read the title of the bill.

Mr. BARBOUR. Mr. Chairman, when the Air Corps item was read yesterday a request was made that we pass it over, to be returned to later. I now ask that we return to the Air Corps item to consider any amendments that may be offered to that item at this time.

Mr. TABER. Mr. Chairman, I have an amendment pending to that item.

Mr. BARBOUR. Mr. Chairman, I think some limit should be placed on the debate on this amendment, and in order to get the matter before the members of the committee I ask unanimous consent that debate upon the Tabor amendment and all amendments thereto be limited to 30 minutes, the time to be equally divided between the gentleman from Mississippi and myself.

Mr. LAGUARDIA. I reserve the right to object.

The CHAIRMAN. Does the gentleman mean debate upon the paragraph and all amendments thereto?

Mr. BARBOUR. I make the request that the time be equally divided between those for and against the amendment, because, as I understand it, the gentleman from Mississippi and I are on the same side.

The CHAIRMAN. The Chair will take care of that. It is in the discretion of the Chair, and the Chair would rely on proponents on either side to inform the Chair in respect to their desire to speak.

Mr. LAGUARDIA. I would like to be considered for five minutes during the time allowed.

Mr. TABER. I would like seven minutes.

Mr. STAFFORD. I would like eight minutes, and I would suggest that the time be extended to 40 minutes.

Mr. BARBOUR. I ask that the time be extended to 40 minutes.

Mr. WOODRUFF. Mr. Chairman, reserving the right to object, this is a very controversial amendment. A number of Members of the House desire to speak upon it, and I doubt very much whether 40 minutes will be sufficient to accommodate those gentlemen who desire to speak. Under the circumstances I shall for the present object.

Mr. STAFFORD. Will the gentleman withhold his objection?

Mr. WOODRUFF. Surely.

Mr. TABER. How much time does the gentleman want?

Mr. WOODRUFF. I want to be assured of at least five minutes, and perhaps longer than that. It depends entirely upon what points are covered by other gentlemen speaking on their side of the question.

Mr. STAFFORD. Does not the gentleman realize that it is wise to have a limit of time placed?

Mr. WOODRUFF. I will have no objection to a later agreement, or as soon as I can find out what demands are going to be made for time and whether or not these gentlemen who wish to speak on the subject are given the opportunity.

Mr. CRAMTON. Will the gentleman yield?

Mr. WOODRUFF. I yield.

Mr. CRAMTON. May I suggest that if the gentlemen who are here now who want time will make their wants known we can fix a limit accordingly?

Mr. WOODRUFF. I have no desire whatever to unnecessarily prolong debate or take up the time of the committee. I want at least five minutes, and possibly a little more than that.

Mr. CRAMTON. I would like to have five minutes.

Mr. STAFFORD. I should like to be placed in support of the Taber amendment for eight minutes.

The CHAIRMAN. The Chair can only recognize a Member for five minutes under the 5-minute rule unless it is agreed upon now.

Mr. CRAMTON. I think it might be agreed upon now, Mr. Chairman.

Mr. LAGUARDIA. I would like to be recognized for eight minutes in opposition to the Taber amendment, if my colleague from Wisconsin is allowed eight minutes.

The CHAIRMAN. The Chair thus far has noted the gentleman from Michigan [Mr. WOODRUFF], the gentleman from New York [Mr. LAGUARDIA], the gentleman from New York [Mr. TABER], the gentleman from Wisconsin [Mr. STAFFORD], the gentleman from Michigan [Mr. CRAMTON], and the gentleman from Mississippi [Mr. COLLINS].

Mr. BARBOUR. Mr. Chairman, I would like five minutes.

Mr. CLAGUE. I would like five minutes, Mr. Chairman.

Mr. CRAMTON. I think the Chair ought to know who are for and who are against the amendment so that the time may be evenly divided. As I understand, the gentleman from New York [Mr. TABER], and the gentleman from Wisconsin [Mr. STAFFORD], are in favor of the amendment and the other gentlemen are opposed to it.

Mr. STAFFORD. Is the gentleman from Michigan [Mr. WOODRUFF] in favor of or opposed to the amendment?

Mr. WOODRUFF. I am opposed to the amendment.

The CHAIRMAN. Allowing only 5 minutes for each, the Chair has noted the gentleman from Michigan [Mr. WOODRUFF], 5 minutes; the gentleman from New York [Mr. LAGUARDIA], 5 minutes; the gentleman from New York [Mr. TABER], 5 minutes; the gentleman from Wisconsin [Mr. STAFFORD], 5 minutes; the gentleman from Michigan [Mr. CRAMTON], 5 minutes; the gentleman from Mississippi [Mr. COLLINS], 5 minutes; and the gentleman from California [Mr. BARBOUR], 5 minutes.

Mr. CRAMTON. Suppose the gentlemen, other than the gentleman from New York [Mr. TABER], and the gentleman

from Wisconsin [Mr. STAFFORD], have five minutes each; how much time would that be?

Mr. CLAGUE. Mr. Chairman, I asked for five minutes.

The CHAIRMAN. That will be 40 minutes; 5 minutes each.

Mr. BARBOUR. Thirty minutes on one side and 10 minutes on the other?

Mr. TABER. We should have more than 10 minutes as against 30 minutes.

Mr. CRAMTON. As I understand, there are six Members opposed to the amendment who desire to speak five minutes each. Six Members with five minutes each opposed to the amendment. Would not the gentleman from California ask for a limit of one hour? That would give those in favor of the amendment the same time as those opposed.

Mr. BARBOUR. Mr. Chairman, then I ask unanimous consent that the debate be limited to one hour, one half to be allotted to those opposed and one half to those in favor of the amendment.

The CHAIRMAN. This would leave five minutes each for the six gentlemen who will oppose the amendment.

Mr. BARBOUR. Yes. And those in favor of the amendment can divide their time as they see fit.

The CHAIRMAN. Only two have spoken for time in favor of the amendment, the gentleman from New York [Mr. TABER] and the gentleman from Wisconsin [Mr. STAFFORD].

Mr. COLLINS. Before we make that agreement, is the gentleman from California [Mr. BARBOUR] certain that all of the gentlemen whose names are mentioned are opposed to the amendment?

Mr. BARBOUR. I understand they are.

Mr. COLLINS. Is the gentleman from Michigan [Mr. WOODRUFF] opposed to the amendment?

Mr. WOODRUFF. Yes.

The CHAIRMAN. Is the gentleman from New York [Mr. LAGUARDIA] opposed to the amendment?

Mr. LAGUARDIA. I am opposed to the Taber amendment; yes.

The CHAIRMAN. The gentleman from New York [Mr. TABER] and the gentleman from Wisconsin [Mr. STAFFORD] are to be allotted 15 minutes each. Is that understood?

Is there objection to the request of the gentleman from California [Mr. BARBOUR]?

There was no objection.

The CHAIRMAN. The gentleman from New York [Mr. TABER] offers an amendment, which the Clerk will report.

The Clerk read the amendment as follows:

Amendment by Mr. TABER: Page 32, line 12, strike out "$31,679,635" and insert in lieu thereof "$31,479,635"; on page 32, line 16, strike out "$2,510,377" and insert in lieu thereof "$2,310,377."

The CHAIRMAN. The gentleman from New York [Mr. TABER] is recognized for 15 minutes.

Mr. STAFFORD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. STAFFORD. Under the understanding, would it be necessary to use all the time allotted to the gentleman in favor of the amendment on one occasion?

The CHAIRMAN. It could be reserved, of course.

Mr. TABER. Mr. Chairman and gentlemen, I have offered this amendment to cut out the proposition of spending $200,000 for a metal-clad dirigible of 3,800,000 cubic feet capacity. I have offered that amendment because I believe it is absolutely unnecessary for the Government at this time to spend this money.

I will briefly state the reasons why it ought not to be in the bill. In the first place, there is no Budget estimate for it; in the second place, it is not asked for by the Army; in the third place, it proposed to build an airship of duralumin—a metal. That metal has never been properly tested so that anyone can say that it is a safe proposition to build a ship of that character and of that size and involving, as it will before we get through, a hangar and all, $10,000,000. At the present time the Navy has a 200,000-cubic-foot capacity ship of duralumin. That ship has been in service only since September 1, 1929.

It is said it is not embarking upon the construction of the ship, but this is the picture:

The Army and the Navy Air Corps tell us—and their statement is in the RECORD—that it is absolutely useless to spend this money on plans and development unless we are planning to build a ship; and that if we are planning to build a ship, the plans and development ought to go hand in hand with construction.

What is the dirigible situation in this country to-day? We are building two big Zeppelins in Ohio, near Akron. They are of 6,500,000 cubic feet capacity. They are being built for the Navy and under the supervision of the Navy. It has been understood for years that the Navy should have charge of dirigible construction. That means rigid airship construction. It is now proposed to turn that over to the Army, also, which will result in duplication. There is not any reason under the heavens why that should be done.

The two dirigibles which are now under construction at Akron will determine absolutely whether or not there is any need whatsoever for these ships in either the Army or the Navy for military purposes. It is absolutely a waste of money for us to go ahead and get into this metal-clad dirigible proposition and have the Army do it, because it will be a duplication of effort.

Many big engineers are interested in this proposition. This proposition has been supported by, I think, a persistent lobby. I think I can say just that, and I will not say any more. It is a sort of chamber of commerce proposition. It is a proposition that is not based on any desire of the Army or of the Navy. It is based on a promotion proposition. They tell us it will encourage a great engineering exploit. This is not the first time this Government has been asked to encourage this same proposition. In 1926, when we were considering the 1927 appropriation bill for the Navy, these same people came here with the same story, and there was appropriated for them $300,000 in order to carry on and keep their organization together. As a result this metal-clad airship has been delivered to the Navy and the Navy has tested it to some extent. But this duralumin has certain drawbacks.

Mr. WOODRUFF. Will the gentleman yield?

Mr. TABER. I yield.

Mr. WOODRUFF. Is it the gentleman's opinion that the all-metal airship which is in the hands of the Navy is constructed of pure duralumin?

Mr. TABER. Oh, it is an alloy. Duralumin is an alloy. It is as nearly pure duralumin as anything else ever could be.

Mr. WOODRUFF. Oh, no.

Mr. TABER. It is an alloy of aluminum and a number of other metals. It is a coined word which was adopted in order to cover this particular metal.

Mr. WOODRUFF. May I ask my friend from New York how rapidly the metal of which this ship is manufactured corrodes?

Mr. TABER. The estimated life of duralumin, according to the Army Air Corps, is around five years, while the cloth skin that is on the *Los Angeles* has already stood eight, without any substantial change. The cloth skin that is going on the new dirigibles is of a better quality and better grade. It is supposed to be better treated and is supposed to have a longer life.

In addition to that it is lighter and does not require so much weight to take away from the lifting capacity of the ship. The new-type duralumin ship, which the engineers here propose to build, has to have braces in it, similar to those in the silk-covered Zeppelins which are building at Akron; perhaps not so many but a large number of them. Therefore the lifting capacity for that size of metal-clad ships in all probability will be very seriously reduced.

This duralumin is supposed to corrode. The suspicions on the part of the authorities are such that they have already taken a chunk of the 200,000-cubic-foot ship out and it is now at the Bureau of Standards for testing.

Now, to show you how it is going to work out. The general opinion of those who have made a special study of lighter-

than-air work is that it is less durable than the silk covering.

Mr. WOODRUFF. Does the gentleman know that that opinion is expressed by anyone other than those interested in building the ships that are being built at Akron?

Mr. TABER. Oh, yes. The Navy people and the Army people, who have no interest in it except that of the Government, express that opinion.

A great many letters are being sent by big engineers in favor of this project, but a large number of them—I will not say all of them—show that they do not understand what is up, because they tell us that the helium is to be contained in this metal hull instead of in gas bags, like in the Zeppelins, whereas Mr. Fritsche, the man who is promoting this proposition, comes before us and says they are going to have the same gas bags now used in the Zeppelins, so you can get around through the ship. They do not know how they are going to work it, but they are going into just that kind of a proposition.

A lot of the propaganda on the proposition is entirely misleading and is entirely out of order. The whole situation is this: We are doing enough to develop lighter-than-air ships in the work the Navy is doing. The Navy is working the thing out, and it has a large force of men well trained along that line. Why should we go into that kind of a proposition in the Army, which has no men trained along that line except those who have taken the Navy course at Lakehurst? They have had no experience with these dirigibles.

Mr. WOODRUFF. Will the gentleman yield further?

Mr. TABER. Yes.

Mr. WOODRUFF. The Army owns many nonrigid, lighter-than-air ships which are operated every day.

Mr. TABER. But they are ships of 500,000 cubic feet capacity as against 6,500,000 cubic feet capacity for the new Navy ships.

Mr. WOODRUFF. But they are lighter-than-air ships?

Mr. TABER. Yes.

Mr. WOODRUFF. And the principles of operation are exactly the same whether they are of 500,000 cubic feet capacity or 6,500,000 cubic feet capacity?

Mr. TABER. Not at all, and that shows the attitude of the promoters of this proposition. Those things are operated under pressure, and they have to have the pressure to make them rigid enough to go through the air.

This is purely a scheme to promote and keep going the industry at Detroit and have the Government pay for it, when, as a matter of fact, the Navy is already doing all that is necessary in order to promote lighter-than-air construction. It is carrying on experiments of a most expensive type, and going into it as much as we should. Why should we duplicate this whole thing and set up the same kind of organization in the Army when the Government departments themselves, for the first time in history, I believe, have had sense enough themselves to know that they should separate such activities and keep away from duplication? I think this is the most ridiculous thing that I have ever heard presented to the Congress.

Mr. DOUGLAS of Arizona. Will the gentleman yield?

Mr. TABER. Yes.

Mr. DOUGLAS of Arizona. Are there any metal-clad lighter-than-air ships in either of the services?

Mr. TABER. Just one; in the Navy.

Mr. DOUGLAS of Arizona. Is that made of the same metal?

Mr. TABER. They do not know yet whether they would make it of the same metal or not. It has not been tried out and exposed to the elements enough for them to be able to tell.

Mr. DOUGLAS of Arizona. Has the Army expressed any opinion as to the desirability of this?

Mr. TABER. The Army feels—and the gentleman can find this on page 1424 of the CONGRESSIONAL RECORD—that it can not afford to have its money spent for this type of thing because it is not an item of high military priority. It feels that if we go into this we are going to spend four and a half million dollars for the construction of the ship and probably four or five million dollars more for hangars and accessories, and that this will ultimately come out of the Air Corps budget.

Mr. DOUGLAS of Arizona. Can the gentleman tell me why, then, this item found its way into the bill?

Mr. TABER. Because there was a persistent lobby; and let me give you a little of the history of that lobby. They came before the Naval Appropriations Committee last year and they asked us to consider it, and we did not consider it. They came before the Military Affairs Committee with a bill and they asked them to consider it, and they had hearings on it and the hearings have not been completed. They came before the Military Appropriations Committee this fall and without any adequate hearings, without getting the responsible officers of the Army or the Navy who have had experience in this sort of thing before them, our committee fell for the proposition of the promoters and reported the item. This is the history of the proposition.

Mr. DOUGLAS of Arizona. This item is for the purpose of making an appropriation to permit the engineers of the Army Air Corps to carry on experimental work which this company itself should be carrying on?

Mr. TABER. That is it; and which is now being carried on. For instance, they told us they wanted to build a cross section and send it down to Langley Field for test by the Committee on Aeronautics, and that job is now being done, as I am informed, without any appropriation of this kind. And this is not the first time, as I told the committee before, they have come here with the same kind of proposition. They came here in 1926 and they got $300,000 for the construction of that small, 200,000-cubic-foot ship that is over here at Lakehurst. This was all along experimental lines.

Mr. DOUGLAS of Arizona. Was a somewhat similar provision offered to the last Army appropriation bill in the form of an amendment?

Mr. TABER. Not that I recall.

Mr. COYLE. Will the gentleman yield for a question?

Mr. TABER. Yes.

Mr. COYLE. Is it not the fact that the Navy would be perfectly willing to turn this first experimental, all-metal-clad ship over to the Army if the Army wanted it?

Mr. TABER. The Navy has never made any such statement. Mr. Fritsche has said, in a letter to Admiral Moffett, that he would assume they would not object to it, but Admiral Moffett did not say so, Secretary Ingalls did not say so, and, as a matter of fact, those who have considered it thoroughly and on its merits are opposed to it.

Mr. BARBOUR. That is, in the Navy.

Mr. TABER. And the Army.

Mr. BARBOUR. No; not the Army. I do not concede that, but I will concede that the Navy men are opposed to it.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. WOODRUFF. Mr. Chairman and gentlemen of the committee, the gentleman from New York [Mr. TABER] is finding it difficult to state reasons why this appropriation should not remain in this bill. Every Member of the House is aware of the fact that for a great many years there has been a controversy between the Army and the Navy as to whose responsibility it is to protect our coast and maintain our coast defenses.

Within the last two or three weeks there has been an agreement reached by the two branches of our national defense, and the substance of this agreement has been set forth in a news release, which I will ask the Clerk to read in my time.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

JANUARY 9, 1931.

At a conference between the Chief of Naval Operations, Admiral Pratt, and the Chief of Staff of the Army, General MacArthur, an agreement of far-reaching importance was consummated governing the operations of the Army and Navy air forces during peace. Basing their conclusions on those fundamental principles of national defense, which should properly govern both services, the agreement reached leaves the air forces of each free to develop within well-defined limits and each with a separate and distinct mission.

The naval air force will be based on the fleet and move with it as an important element in solving the primary missions confronting the fleet. The Army air forces will be land based and employed as an essential element to the Army in the performance of its mission to defend the coasts both at home and in our overseas possessions, thus assuring the fleet absolute freedom of action without any responsibility for coast defense.

Up to this time no satisfactory line of demarcation had been evolved, but the discussions have resulted in a clearer evaluation of the fundamental principles involved in the use of the air weapon. The present agreement is being heralded as the beginning of the closest cooperation that has ever existed between the two great branches of our national defense. It is, therefore, welcomed with acclaim by the personnel of both the Army and the Navy.

Mr. WOODRUFF. Now, Mr. Chairman, the air services mentioned in this news release include both the heavier than air and the lighter than air. It states very explicitly that all air service of the Navy is released to accompany the fleet wherever the fleet may operate and that no responsibility rests upon the Navy for our coast defense. This leaves this defense, both in continental United States and in our distant possessions, in the hands of the Army, and I am going to tell the committee in as few words as I can, because my time is limited, the results of recent maneuvers which have taken place at Panama. These maneuvers and the results obtained bear very directly and very strongly upon the question now under discussion. They show the necessity of lighter-than-air ships in the hands of the Army if points such as the Panama Canal are to have the necessary protection.

These maneuvers were conducted to discover the strength or weakness of the defending force at the canal. We have, as you know, certain Army forces stationed there at all times. Reinforcing these was a portion of the fleet, including one of our aircraft carriers, giving to the defense of the canal at least 150 airplanes.

The attacking or hostile force was composed of the balance of the fleet, including the other aircraft carrier, which carried approximately 120 airplanes. This carrier, accompanied by a cruiser, came within 140 miles of Panama and in dead of night launched their 120 airplanes, every one of which proceeded to their objective, theoretically bombed and destroyed the locks, returned to its base without mishap and without one of the defending 150 airplanes at the canal ever getting off the ground to defend the locks. Had this happened in time of war our canal would have been completely destroyed without doing any damage whatsoever to the attacking forces. It must be clear that if we are going to remain in a position to defend the canal and other important strategic points we must place our Army and Navy in possession of equipment that will enable us at all times to keep constantly in touch with any hostile force which may approach these strategic points near enough to launch an attack against them.

An airplane attack against an objective can be launched and carried out successfully from an airplane carrier from three to four hundred miles distant from such an objective.

All students of aeronautical tactics realize that when a large number of planes are sent against any given point it is reasonably certain that some few will reach that point and accomplish the mission, notwithstanding the number of planes which may be brought against them in the air. The maneuvers demonstrated that if a defense from an enemy air attack against Panama is going to be 100 per cent perfect, that attack must be stopped before the airplanes leave the hostile aircraft carrier. The hostile aircraft carrier during these maneuvers easily evaded the surface ships which were patrolling the seas off the coast of Panama, came within striking distance, and demonstrated the weakness of the Panama defenses against an air attack.

The news release issued by the Army and the Navy, which has just been read by the Clerk, explicitly states that our coast defenses in continental United States and also our more distant possessions are solely in the hands of the Army. This branch of our national defense is at the present time utterly helpless against air attacks at Panama, at Pearl Harbor, at New York, San Francisco, Puget Sound, and other important points, because it has not the equipment to search out and destroy such attacking forces before the attack can be launched.

The efficiency and practicability of lighter-than-air craft can no longer be challenged. It has been demonstrated that these ships can remain aloft indefinitely. It has been demonstrated that they can be refueled at sea thousands of miles from their base, if necessary. It has been demonstrated that they can take on, refuel, and release heavier-than-air craft at will. It must be clear that such a ship can act as a base for a patrolling heavier-than-air force for any section of the land or sea. It is the only equipment we have which can take to the air, search out, and keep in touch with a hostile naval or air force. It is the one thing we must have and have in numbers if we are going to preserve from destruction in time of war the vitally important strategic point at Panama and other points of strategic importance.

This, it seems to me, demands that the Army be equipped to perform this function, inasmuch as it is charged with the responsibility of the defense.

In my judgment, the time will soon be here when both the Army and the Navy will necessarily be equipped with many ships of this character. It is ridiculous that we who are interested in the development of this particular part of our national defense should be criticized for urging the utmost development possible in this new art. No matter how much experimentation is undertaken, we can not proceed too rapidly toward perfecting these ships. Mr. Chairman, the Committee on Appropriations has been very wise in incorporating this item in the bill, and I hope and believe that the Committee of the Whole will show its approval of their action.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. HUDSON. I ask unanimous consent that the gentleman may have five minutes more.

The CHAIRMAN. The time has been fixed by the committee, and the Chair would not be warranted in entertaining that motion.

Mr. CLAGUE. Mr. Chairman and gentlemen of the committee, there has been some talk here before the committee to the effect that the Army is not in favor of metal airships or anything that pertains to this particular item. I do not understand that to be true. I happen to be a member of the subcommittee. It is true Mr. Davison or some member connected with the Army stated that they did not wish to take any part of the appropriation, the amount that the Budget recommended, for experimental purposes for metal airships. But there is no statement within my memory by any person connected with the Army that they were not in favor of having this experimental work continued.

It has been stated that we must not make any appropriation which has not been approved by the Budget committee. I want to say now, as I have said before, that I am not going to be a rubber stamp for the Budget committee. If I think we ought to make an honest appropriation, I am going to vote for that appropriation. [Applause.]

Now, what is the purpose of this particular appropriation? It is not for the purpose of building a metal airship. What is before us is simply investigation and research work in relation to duralumin. This appropriation of $200,000 is for experimental purposes, trying to develop this material to determine if it is a fit and proper metal to go into metal ships. I am really surprised that we did not have more money in the bill for experimental purposes. We are appropriating $75,000,000 for Army Air Service, and we only have two and one-quarter million dollars for experimental purposes. We are appropriating about $340,000,000 for the Army, and I feel and honestly believe that we could take $10,000,000 of that sum for experimental purposes and use it for better purposes than we are now doing.

Our air forces are not in the best condition. I want to speak for a moment about the engines we use. We have for small airships wonderful engines, but the larger types are not the best. England and France have much better larger engines than we have. They have developed the Rolls-Royce engine, a large airplane engine, much superior to any

engine now used in the United States. I wish we had in the bill a million dollars more for experimental purposes for the development of larger and better airplane engines.

Mr. DOUGLAS of Arizona. Will the gentleman yield?

Mr. CLAGUE. I yield.

Mr. DOUGLAS of Arizona. In the hearings was any effort made to determine the attitude of the War Department?

Mr. CLAGUE. We had Mr. Davison before us and he stated that he did not want this item to come out of the regular appropriation.

Mr. DOUGLAS of Arizona. How much time was devoted to an inquiry for that purpose?

Mr. CLAGUE. Oh, perhaps two hours altogether.

Mr. DOUGLAS of Arizona. As I read the hearings there were 15 or 20 pages devoted to the proponents and only 2 or 3 questions asked of the War Department.

Mr. CLAGUE. Oh, there were more than that.

Mr. HUDSON. Secretary Davison said that he did not want the regular appropriations to be used for this purpose.

Mr. CLAGUE. It is an item of only $200,000 that is suggested to be devoted to experimental purposes.

Mr. KELLY. And is it not true that every dollar of this experimental purpose may result in the saving of hundreds of thousands of dollars?

Mr. CLAGUE. Yes. The item in question is only $200,000. It is to be spent for a worthy purpose. The amendment offered should be defeated.

Mr. CRAMTON. Mr. Chairman, since I have only about five minutes and have an hour's speech to make, I ask not to be interrupted. This item has to do with experimentation, with the development of plans which, if, after study, are deemed feasible, would logically lead to the construction of a metal-clad airship. Let me first say that while the company that carries on this work is in Detroit, I have no personal or political interest in it. None of them has ever done me any favor that I know of, or is likely to. I am interested in it as one step in a logical program of national defense. First, let me emphasize this to you as to the field of aviation. There is the field of heavier-than-air craft on which this Government and our people have expended in experimentation, development, and construction in war and in peace, military and commercial, something like $3,000,000,000. Then you come to the lighter-than-air field, which consists on the one hand of the fabric-clad ship, and on the other of the metal-clad ship. As to the fabric-clad ship, the Government is carrying on very full experiments as the gentleman from New York has said. We have spent about $60,000,000 on the fabric-clad, lighter-than-air ship. I submit that no real study of this important problem that might come to the very forefront in another war will wisely ignore the question of the feasibility and possibilities of metal-clad aircraft. As against $3,000,000,000 for heavier-than-air craft, as against $60,000,000 for fabric clad, how much have we expended as yet on metal clad? Three hundred thousand dollars only toward the production of one small ship that cost nearly $1,000,000 to produce, and these gentlemen in Detroit in their experimentation donated the balance and the Government has the ship. It is now in successful use.

After that first experiment, what does the Navy say about it? They say, "The airship has been flown more than the 30 hours required by the contract and has equaled or bettered all performance requirements of the contract." Have not those people who have donated two-thirds of the cost of the first step in the experiment a right to come to the Congress and suggest a continuance of the experiment?

Furthermore, who proposes it? A "persistent lobby," it is said. One gentleman was before the committee with myself, and that is the "persistent lobby." They are asking recognition, as other great inventors have had to peddle their ideas from bureau to bureau in order to get some part of the Government to take up something new. Finally we went to the subcommittee on this Army appropriation bill, made up of good, common-sense men, who are not easily overcome by any "persistent lobby," and that subcommittee of the Appropriations Committee, by a vote of 4 to 1, have approved of this item. This organization is not a chamber of commerce. These are men who put up their own money to the extent of $2,000,000 so far in experimentation and construction of plant.

Mr. William B. Mayo, the general engineer of the Ford Motor Co.; Mr. C. F. Kettering, vice president of the General Motors Corporation; noted engineers, scientists, and executives, have gotten together in an effort to develop this, hoping that in another generation possibly there may be some money in it, but not with any foolish idea that there is now any profit to be had. This ship now proposed, as against the 200,000 cubic feet of the one already built, is to be of 3,800,000 cubic feet, about twenty times the size of the first experiment. That is the natural progressive step in this experiment, and these engineers are offering to put their engineers' time up against the time of the Government engineers. How can they plan a great ship like that for military use unless the Army military experts sit in and say what is necessary in order to equip it properly and plan it for the best military use. I hope the amendment will not prevail.

Mr. STAFFORD. Mr. Chairman, if I may, I yield two minutes to the gentleman from Pennsylvania [Mr. COYLE].

The CHAIRMAN. Without objection, the gentleman from Pennsylvania will be recognized for two minutes.

Mr. COYLE. Mr. Chairman and gentlemen of the committee, I was present in the Sixty-ninth Congress when the representations were made before the Committee on Appropriations, and not the legislative committee of the Navy, by this Detroit corporation in order to get the first experimental metal-clad ship. It was a close line on a point of order as to whether or not it was legislation in an appropriation bill, and if you will look back at the RECORD of that time you will find that the appropriation was authorized for the single reason that this was a small experimental boat, to all intents and purposes, and not a great ship, but was purely for experimental purposes, and the first one. Therefore it got by in an appropriation bill. Not on either occasion has this company from Detroit appeared before the legislative committee with the request that the merits of this particular type of vessel be gone into by the legislative committee, and accordingly to-day we are confounded by a precedent of four years ago. I submit that this appropriation should not pass, because it verges very closely on the line of authorization, and the merits of the proposition ought to be tried out before a legislative committee and not on the floor of the House.

Mr. STAFFORD. Mr. Chairman, I ask to be notified at the end of eight minutes. If this subject had not been given partial provisional consideration before the Committee on Military Affairs of the House I would very probably be under the impression that it is a feasible proposition. The men connected with this Detroit company sponsoring this activity came before the committee and we gave them a hearing. That hearing disclosed nothing of the mechanical structure other than the metal-clad outer covering. Following that hearing I had occasion to talk with a prominent electrical engineer as to the feasibility of this metal-clad ship.

He pointed out that the weakness of the metal-clad ship was in the riveting; that in case of a storm the wind would rip it and the helium would escape.

I then later took the matter up with the Navy Department and called upon Admiral Moffett to state the difference in the construction between the Zeppelin type *Akron* that is now being constructed at Akron, Ohio, and this ship. The Zeppelins that are in use and are being constructed are provided with cylindrical bags suspended inside of a large cylinder frame, which bags contain the helium and provide the buoyancy. In the metal-clad ship all the helium is contained in one large chamber and the danger is that the helium will leak out through corrosion of the thin aluminum plates, or more probably through ripping of the seams in stress of storms.

The department is strongly opposed to this type of metal-clad ship. Under an agreement between the Army and Navy all experimentation as far as lighter-than-air ships is concerned was to be undertaken by the Navy, and that is

going on because that character of service is more valuable to the Navy than to the Army. The Army questions the practicability of this character of ship for use in the Army.

Let me read the testimony of Major Hickam, of the general staff of the aircraft:

There has been a great deal of difference of opinion as to whether the airship was capable of transporting weapons and of employing force in the air or from the air, or whether or not it could be used for observation purposes.

That is the opinion of the expert of the War Department.

The Assistant Secretary of War in Charge of Aviation, Mr. Davison, testified before the Appropriations Committee. Bear in mind that this was in the closing hours of the hearings on this bill, on December 12. It was a late afterthought that occurred to the gentleman from Michigan [Mr. CRAMTON] to have this incorporated after the company officials had been refused recognition by the Committee on Military Affairs and the Committee on Naval Affairs, the legislative committees of the House. Mr. Davison says: "No, sir; we do not." He was asked this question:

Mr. BARBOUR. Mr. Secretary, do you think that this proposal for that research and development work is of such importance that you would feel that it was advisable to use some of this money in the estimates for the nonrigid program for 1932 for that purpose?

Mr. DAVISON. No, sir; we do not; because we think that the other things are more important. Even some of the things that we have left out of the experimental program are more important.

I have a letter dated January 9 from the Acting Chief of the Bureau of Aeronautics of the Navy Department in which he says:

In some ways a large metal-clad airship must depart from the features incorporated in the small airship which the Navy Department now has. As an example, the small airship has a single gas compartment. The larger airship must have several such compartments. This involves partitions of some sort and the arrangement and behavior of these partitions is of importance. Therefore to assume that large metal-clad airship will be "similar" to the small ship we now have, is not justified. * * *

It might be remarked in passing, it is believed that in overcoming these difficulties the trend of development will be away from the "pressure principle" and toward the type of airship which the Navy Department is now building, which type has a considerable background of successful experience.

That is the Zeppelin dirigible, which has been in use for 25 years, and which is maintained by cylindrical bags inside of the frame where a person can walk and not interfere with the bags, whereas on this ship no one can walk, but the whole principle depends upon the strength of its outer covering; not upon the frame, as in the Zeppelin, a photograph of which was published in the New York Times of last week, and which I now show you. This shows that the strength of the Zeppelin depends upon the structural frame, and the bags that contain the helium, 12 or 15 in number, are suspended inside.

Mr. WOODRUFF. Will the gentleman yield?

Mr. STAFFORD. I decline to yield.

The outer covering of the Zeppelin type can be penetrated and the Zeppelin will continue to navigate, because there may be no infraction of the cylindrical bags that contain the helium or the suspending buoyant power; whereas, as far as the metal-clad frame is concerned, that depends for its strength entirely on the outer shell itself. If that is penetrated, the ship will have to come down, because the outer casing is the container that holds the helium.

A further argument: Four years ago, in 1926, when this matter was first considered by the Committee on Appropriations, after the legislative committees had refused to consider it, the representatives of this same company stated in answer to a question as to why they did not develop this commercially, that this would be the only instance where they would call upon Congress. We have only had the smaller-type ship in use since September last, 16 months, and only recently, within the last few days, the plates have been taken off to test the corrosion qualities of this sheet metal, which is the sustaining characteristic. If Congress is going into every stock-jobbing proposition for experimentation in all kinds of proposals in opposition to the expressed will of the department, the head of the Navy Department who is in charge of aeronautics, the head of the War Department in charge of aeronautics, we are going to be beset with similar propositions such as this that emanates from Michigan. There is no one here who is desirous of trying to thwart the extension of lighter-than-air ships. The committee has determined that that should be determined by that branch of the service where they will be most useful—that is, the Navy. Why should we undertake here to launch into an experiment that will cost the Government $5,000,000? That is the estimate of the cost of this metal-clad ship. It is launching into a field of activity where the Government will be holding an unusable white elephant.

Mr. Chairman, I reserve the balance of my time.

Mr. LAGUARDIA. Mr. Chairman, the great interest in this proposition is something more than national defense. It is a new method of transportation. Now, the mere fact that the Army can not see the purpose of this experiment or the Navy can not see the purpose of it is in and of itself sufficient and good reason for Congress to act. [Applause.] The Navy refused the Ericcson propeller and resisted it and fought it, and finally when they were compelled to take it they refused to pay for it. You gentlemen who were here immediately after the war still remember that the Navy insisted upon the battleship and claimed that aviation was of no purpose, and General Mitchell had to sacrifice his military career to demonstrate to the country that the Navy was wrong; and some of the other gentlemen will remember, and I am sure the distinguished gentleman who is now in the chair will remember that the Army refused the Lewis machine gun and would not have anything to do with it until England adopted it and used it. And who does not remember the original rejection of the Holland submarine and the Lake submarine.

The Army refused aviation in the days of Selfridge and said we could never replace the cavalry for reconnaissance.

We all marveled when the great *Graf Zeppelin* circumnavigated the globe and successfully crossed the Atlantic several times, but remember, gentlemen, that in the wake of the *Graf Zeppelin* there were scores and scores of experimental ships that were destroyed. A great many of you will remember the rigid dirigible *Roma*, which we purchased from Italy, and when the Army put new motors in it and tried to increase her speed she went to pieces. That, too, was experimental. You will remember the *Shenandoah*, which we copied from the *Los Angeles*, and which was built on the same plans as those used by the Germans, and yet she fell apart. You all well remember what happened only a few weeks ago to the new dirigible manufactured by England. It went to pieces. Lighter-than-air ships are still in their infancy. We have yet a lot to learn. Experimentation and research are absolutely necessary.

This is a new art and it requires a great deal of costly research and experimentation.

I wonder how many gentlemen in the House know—although I suspect the gentleman from Wisconsin knows—that every time we build a new plane we actually must build one and break it before it is put into use. Every structural piece of a plane before it is put into the air is put to a strength test in order to establish its actual strength. So it is with a new-type airship. There are many engineering features which must be studied. It will all result for the benefit of the art and the good of the country.

This question of a metal ship is still new in the art. It is so costly that none of the countries can afford at this time to experiment with it. Such experimentation is extremely useful, necessary, and interesting. This appropriation for the purpose of carrying on the necessary engineering experiments, scientific research, and tests necessary to determine the feasibility of a metal-clad airship is not only for the good of national defense but for the art of aerial navigation.

Gentlemen, if this were an appropriation on an agricultural bill to experiment with some new seed, there would not be any question about it. Not at all. I can not understand how there can be any real opposition to this proposition.

We can not enter into the engineering features of this new ship in such detail as did the gentleman from Wisconsin. That is not our function. It is not our business to build the ship here this afternoon. All we have to provide are the necessary funds in order to carry on the experiments and let the engineers do the rest.

Permit me to say to the distinguished gentleman from Pennsylvania that any member of the Naval Affairs Legislative Committee is the last person on earth to come on this floor and try to cut out any appropriations for experimental purposes. That committee never hesitates to ask for hundreds of millions of dollars whenever asked to do so by the Navy Department. In a few days that committee will ask this House to appropriate $30,000,000 for the remodeling of obsolete battleships, which that committee ought to know are obsolete to-day. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. COLLINS. Mr. Chairman and gentlemen of the committee, the substantive law provides that the Secretary of War is authorized to equip and maintain an Air Corps, with equipment not to exceed 1,800 serviceable airplanes and such numbers of airships, free and captive balloons, and so forth, as seem proper. So we have ample authority for the item that is carried in this bill.

With reference to that item, let me say that the airplane is the taxi of the air. Operating within a radius of 800 miles, the airplane is the agency in which ordinary travel will be conducted. The dirigible is the freight train of the air and, in addition to that, the dirigible is the agency in which human beings will travel long distances by air in the future. So, then, in order to have a balanced air program we should have not only airplanes but we should have dirigibles as well.

Mr. Mitchell, while Assistant Secretary of Aviation, when these bombing experiments were conducted 8 or 10 years ago off the Virginia Capes and when ships, including the *Auf Friesland*, were sunk, stated that the airplane carriers of the future would not be surface ships but would be metal-clad dirigibles.

I want to say to you gentlemen that one of the most worth-while items of national defense, in my judgment, in this bill is this metal-clad airship. [Applause.] We do not necessarily want personnel in our Army.

If we are to maintain military national defense in this country we should have a modern fighting army. In order to have such we must provide ourselves with modern fighting implements. So there is no sense in increasing personnel at the expense of modern fighting machines, and this is a modern fighting implement.

Now, certain gentlemen have seen fit to criticize this particular dirigible. Every year there is awarded what is known as the Wright brothers medal. This medal is awarded annually for the outstanding contribution to aeronautics. In 1929 this award was made to this metal-clad dirigible by the judgment of a board of outstanding scientists and engineers.

Now, let us find out from another source the value of this agency. The Navy Department's official report on this metal-clad airship, conducted from August 19 to September 25, 1929, said:

> In accordance with references (a) and (b) trials have been conducted to determine whether the *ZMC–2* airship meets the contract guarantees. The airship has been flown more than the 30 hours required by contract and has equaled or bettered all performance requirements of the contract—

And so forth. [Applause.]

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. STAFFORD. Mr. Chairman, as I understand there is 10 minutes remaining, 5 minutes in opposition and 5 minutes in favor of the amendment.

The CHAIRMAN. The gentleman is correct, and the gentleman from Wisconsin is recognized for five minutes.

Mr. PARKS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. Does the gentleman from Wisconsin yield for that purpose?

Mr. PARKS. I thought a parliamentary inquiry was ordinarily in order at any time.

The CHAIRMAN. No; the gentleman is mistaken about that—not after the gentleman has been recognized.

Mr. PARKS. Then may I propound my parliamentary inquiry after the gentleman from Wisconsin has finished?

Mr. STAFFORD. I will be glad to yield at the conclusion of my remarks for that purpose. [Laughter.]

Mr. TABER. Will the gentleman from Wisconsin yield to me for just a second?

Mr. STAFFORD. I yield.

Mr. TABER. I wish to read what Assistant Secretary of War Davison said on this proposition in answer to questions which I submitted to him.

> The War Department has reported unfavorably on the project because:
>
> (a) It does not feel that such a costly lighter-than-air project should be undertaken until its heavier-than-air requirements, which are more important from a national-defense point of view, have been completely taken care of.
>
> (b) It considers the metal-clad airship to fall within the category of rigid airships and its development to be a function of the Navy Department in accordance with a joint agreement of the Army and Navy which assigns, for reasons of economy, the development of rigid airships to the Navy Department.

Mr. STAFFORD. And further in response to the questonnaire submitted by the gentleman from New York [Mr. TABER] to the Assistant Secretary of War, I call the attention of the committee to this question.

> Could an appropriation of $200,000 for plans, specifications, and experimental work in connection with metal-clad airships serve any useful purpose unless we shall determine to build and use one?

Listen, gentlemen, to the opinion that I think we should follow and not the president of some corporation that wants to get something from the Treasury for his company's private advantage.

I am reading the answer of Assistant Secretary of War Davison, found on page 1460 of the record:

> The purchase of the experimental plans for this airship at this time is not warranted, unless it is intended to construct the airship if the design is approved. Long experience in aircraft construction has shown that the preparation of experimental plans and specifications, to be of substantial value, should go hand in hand with actual construction.

In the face of the opposition of the Assistant Secretary of War for Aviation, in the face of the position of the acting head of the Bureau of Aeronautics of the Navy in his letter of January 9 on this proposition, how can this Congress take a contrary position on a proposition supported primarily by some members of the committee from Michigan where this flattened industry is seeking some nursing on the part of the National Government.

Why, there is no patented principle involved in this metal-clad proposition, and if there is no patented principle involved, why has not Germany, which has been the forerunner in the development and construction of Zepps and lighter-than-air ships, taken up this plan? You all know the achievements of the *Graf Zeppelin* going around the world. Why have not other nations, like Great Britain and France, launched upon this proposal?

No; a few years ago we purchased this little toy balloon of 200,000 cubic feet for experimental purposes, and the Navy Department, after 16 months, has pointed out the defects in it by showing you, as I prefaced in my preliminary remarks, that in a metal-clad ship the helium is all in the upper part of the ship exposed to escape in case of a leak in the outer metal casing, whereas in the Zepp type the helium is contained in from 12 to 15 bags suspended in the interior of the metal frame construction which sustains the ship.

I am simply giving the committee the benefit of expert opinion obtained from the heads of the respective departments. No committee, not even the Committee on Appropriations, has gone into this question, and there is not one line of testimony before the Appropriations Committee or before any legislative committee as to the merits of the construction of these two types of ship; but there is before everybody who has given any serious study to this question

the fact that the lighter-than-air ship with a flexible light skin covering and with strong framework, as pointed out here in this picture, is the type that is accepted by all the air services of other powers; and now you are asking this Government, not merely for $200,000, but you are asking virtually for us to purchase a ship for $5,000,000 against the position of the heads of the respective bureaus of the Army and the Navy.

If this House, with this large audience, wishes to commit itself, when the project has been turned down virtually by each of the legislative committees, and when no investigation has been had before either of the legislative committees or the Appropriations Committee as to the structural advantages of the Zeppelin type over the metal-clad type, then you are setting yourselves up as the superior of the heads of our respective services. I have no special interest at all in fighting this matter other than the integrity of our appropriations from invasion by outside private interests. [Applause.]

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. PARKS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. PARKS. This morning I was asked by the majority leader whether or not I would object to the procedure which we were then following, which was under the Calendar Wednesday rule, and I said I certainly would not object to the bills that were then up for consideration.

I want to inquire whether he understood me to refrain for the entire day or only for Calendar Wednesday?

The CHAIRMAN (Mr. TILSON). The majority leader surely understood the gentleman from Arkansas to say that there would be an armistice for the day. [Laughter.] From the pacific attitude the gentleman has since maintained the majority leader has also hoped that instead of an armistice it might turn out to be a permanent and lasting peace. [Laughter and applause.]

Mr. BARBOUR. Mr. Chairman and gentlemen, it is not my purpose to take any great length of time in discussing this amendment, because it has been fully discussed, I believe, and all the important facts in regard to it have been brought out.

It has been argued that a legislative committee has not passed upon it. There is ample authority in current law at the present time and there is nothing for the legislative committee to authorize. It is fully authorized.

We are told that it is in conflict with the agreement between the War and Navy Departments as to the building and operation of airships. If newspaper reports can be relied upon, there is now an entirely new agreement between the Army and the Navy, entered into within the past few days, which supersedes any agreement they previously made, and now the aerial defense of the country over land is in control of the Army and at sea in control of the Navy. If the arguments heretofore made in favor of lighter-than-air craft are good, such aircraft are as useful over land as they are over the seas.

It has been contended that the heads of the War and Navy Departments do not approve of this expenditure. Assistant Secretary of War Davison has been quoted several times as to his attitude, but if anyone will take the trouble to read his reply to Mr. TABER'S last question in the letter that has been printed in the CONGRESSIONAL RECORD I believe you will find that this project has the approval of the Assistant Secretary of War. I am going to take the time to read what he said, for it will take but a moment.

In answer to question 6 he says:

> Question 6. Will you give me your views as to what the committee should do with this proposition?
>
> Answer. In this connection it is thought only fair to point out that this project is being fostered by competent engineers and business executives of national reputation, and it is apparent that these men have great faith in the ultimate success of this type of airship. Many difficult engineering problems will, no doubt, be encountered in the design and construction of such an airship. Similar problems are usually encountered in the design and construction of aircraft which are radically different from existing types. In this case the first step—the *ZMC-2*—has proven a success from an experimental point of view up to the present time. In my opinion, the construction of the 100-ton metal-clad airship is the next logical step to be taken if the development of the metal-covered airship is to be continued. It is also my opinion that if this project is undertaken much will be learned which will be of value to the science of aerostatics. The War Department has reported unfavorably on the project because: * * *

Now, gentlemen, the proposition is simply this: We have been building in this country fabric-clad airships. It is believed by many that a metal-clad airship is safer and is not so liable to crack up, and that we will not have such terrible catastrophes as we have had with the fabric-clad ships. It is proposed to expend $200,000 to find out if that is true, and, if possible, give the country something better than we have at the present time.

The *Roma* was a fabric-clad airship, as was the *Shenandoah* and the *R-101*, all of which were destroyed with most disastrous results. Let us see if we can not get something better. That is all the committee proposes to do—to spend $200,000 to get, if we can, something better. It is for experimental purposes solely. If we can get better and safer airships I am in favor of going ahead and appropriating the money for that purpose. That is all we propose to do. [Applause.]

The CHAIRMAN. All time has expired, and the question is on agreeing to the amendment offered by the gentleman from New York [Mr. TABER].

The question was taken; and on a division (demanded by Mr. TABER) there were 14 ayes and 96 noes.

So the amendment was rejected.

The Clerk read as follows:

> All of the money hereinbefore appropriated for pay of the Military Academy shall be disbursed and accounted for as pay of the Military Academy, and for that purpose shall constitute one fund.

Mr. PATMAN. Mr. Chairman, I move to strike out the last word. The headquarters of the American Legion, located at Indianapolis, Ind.——

Mr. BARBOUR rose.

Mr. PATMAN. I want to talk about military training. This item has to do with the Military Academy.

Mr. BARBOUR. The gentleman must confine himself to the bill.

Mr. PATMAN. I am going to confine my remarks to the bill. I have to get started to say anything.

Mr. BARBOUR. I think the gentleman has said enough to indicate to most of us that what he intends to say is not on this item.

Mr. PATMAN. Can the gentleman not see any connection between the American Legion and military training?

Mr. BARBOUR. I could 10 years ago; yes. We are discussing here a Military Academy item. I do not want to object to the gentleman's remarks, but I think he should confine himself to the bill.

Mr. PATMAN. I shall take only five minutes. In discussing the question of the training of future soldiers I think it is entirely in order to talk about doing justice to the soldiers who have already rendered service to the cause of their country.

Mr. BARBOUR. I think that is entirely beside the point.

Mr. PATMAN. If the gentleman will not object, I say frankly that I shall not take more than five minutes.

Mr. BARBOUR. Yesterday we ran into that situation. We did not object to one speaker who asked time, and we had 35 to 40 minutes here consumed in speeches that were not on the bill at all, and it delayed the bill just that much.

Mr. COLLINS. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. Yes.

Mr. COLLINS. I think we are going to have another appropriation bill on the floor to-morrow, and the gentleman can get all the time he wants then.

Mr. PATMAN. Would the gentleman object to my having two minutes out of order?

Mr. BARBOUR. No; I would not object to that, but the only thing I hope is that it will not be a precedent to others to ask unanimous consent.

The CHAIRMAN. Is there objection?

Mr. SPROUL of Illinois. Mr. Chairman, I object to the gentleman talking out of order.

Mr. PATMAN. I think it is in order to talk about doing justice to people who have already rendered service to their country, when considering the matter of preparing soldiers for future service.

The CHAIRMAN. The Chair thinks that the gentleman is trifling with the House.

Mr. PATMAN. I hope I am not doing that. I ask unanimous consent to extend my remarks by inserting in the RECORD a statement that was made in Foreign Service, the official organ of the Veterans of Foreign Wars, for last week.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

Mr. PATMAN. Mr. Chairman, under the leave to extend my remarks in the RECORD, I include the following statement made in Foreign Service, the official organ of the Veterans of Foreign Wars:

[From the January issue of Foreign Service, the national publication of the Veterans of Foreign Wars of the United States]

Back in 1924 the Veterans of Foreign Wars of the United States held steadfast to the theory of a cash bonus as the logical method of compensating—at least in a measure—the World War veteran for the financial sacrifices he made during his period of service. This proposed bonus was designated to equalize, to some extent, the income of the man in uniform with that of the individual who received a war-time wage in the peaceful rôle of a civilian.

Unfortunately, however, Congress was deceived into believing an alternative proposition—involving adjusted service compensation certificates payable in 20 years or upon death—was acceptable to the average World War veteran.

When the trend of discussion back in 1924 indicated unsurmountable opposition to a cash bonus, certain politically minded veteran leaders sought to leap upon the administration bandwagon by posing as spokesmen for the World War veteran. These self-appointed guardians who in reality represented less than one-eighth of the total number of World War veterans, had the audacity to issue statements in behalf of more than 4,000,000 men. In their feverish desire to "play ball" with the politicians and also curry the favor of big business, these so-called champions of the veteran cause proclaimed to a credulous Congress that the veteran himself preferred an endowment policy rather than a bonus in the form of cash. The 20-year promissory note, Congress was also told, would help forestall demands for a World War service pension.

As was to be expected, those who opposed the suggestion of a World War bonus back in 1924, and were eventually forced to accept the adjusted compensation measure as a compromise, are to-day bitterly fighting the movement that would grant immediate cash payment. Secretary of the Treasury Andrew W. Mellon again has the distinction of leading the forces arrayed against the interests of the veteran. It was his influence at the White House 6 years ago that threatened a presidential veto to any cash bonus legislation adopted by Congress and it was this threat that resulted in the enactment of an endowment insurance plan.

Although the rank and file of World War veterans were desirous of immediate financial aid, in the form of a bonus that would give them a half decent opportunity to start life anew, Secretary Mellon and his cohorts (big business lobbyists who feared veteran appropriations might seriously interfere with pending income tax refunds, war contract rebates and other pet measures in which they were particularly interested) suddenly became altruistic. They were seized with a peculiar moral responsibility for the welfare of the veteran—not in 1925 when his privations were most acute—but in 1945 when the average World War veteran will be over 50 years of age and either financially independent or a resident of the National Soldiers Home, irrespective of a matured insurance policy or the insignificant residue that is left after repeated loans.

In a statement issued on December 4, designed to stem the tide of increasing sentiment in favor of immediate cash payment, Secretary Mellon harks back to his altruism of 1924—the value of the bonus as an endowment policy. He completely ignores the fact that out of 3,680,704 veterans in possession of these certificates, 2,294,161 have already found it necessary to nullify the benefits of their insurance policies by borrowing to the limit on the loan value available. To the veteran crying for bread to-day Secretary Mellon would give the promise of cake in 1945.

Other subterfuges employed by Secretary Mellon assert that the proposed plan for immediate cash payment of these certificates, at their face value in 1945, would be economically unsound and unwise, not only in relation to the veteran's own welfare but also to the best interests of the country at large.

However, there were selfish interests involved in this question back in 1924, aside from Mr. Mellon's economic views, and there is every reason to believe that these same selfish interests are still actively interested in defeat of the veteran bonus question to-day. In addition to the fact that other widely known economists disagree with Mr. Mellon and advocate immediate cash payment of these bonus certificates as a logical and sane method of contending with present emergencies, it is natural that Mr. Mellon would want to be consistent with his initial objections. These conditions, therefore, explain in a measure the lack of confidence held by the average World War veteran in the views expounded by Mr. Mellon.

The World War veteran is not in favor of raiding the Treasury and is not to be classed as a Treasury looter. It is ridiculous to believe that the man who was willing to accept the paltry pay he received as a soldier, sailor, or marine in time of war would consent to any personal benefits that might threaten, in time of peace, the economic safety and security of the Nation as a whole. In his request for immediate cash payment of his World War bonus certificates he believes—with those who are considered authorities in matters of finance—that these obligations can be met without increasing the present burden of the individual taxpayer. Uncle Sam has resorted to bond issues on other occasions, when times were no more precarious nor the need greater. If bond issues were feasible then, they are feasible to-day. Moreover, the opportunity of having these issues retired in conjunction with the payment of allied war debts to the United States as they fall due is also available as a means of making this plan practical.

To-day the voice of the individual veteran is being heard. He has awakened from his postwar apathy toward legislative activity with the realization that he has been betrayed. He is asking in no uncertain terms for the cash bonus that was advocated by the Veterans of Foreign Wars of the United States more than six years ago—and once again this organization stands vindicated as the standard bearer of the men who served.

A powerful ally to the cause of a cash bonus has appeared in the form of a distressing economic situation, born of widespread unemployment and decreased purchasing power on the part of the ultimate consumer. As a result, distribution of more than $3,000,000,000 in cash through payment of these certificates is hailed by economists and business men alike as a solution to existing depression. Virtually every community would feel the stimulant of these funds, while the veteran and his dependents would be provided with necessities heretofore denied.

A few inevitable facts remain. The Veterans of Foreign Wars of the United States is the only major veteran organization that has indorsed this movement at its national encampments. The Veterans of Foreign Wars is the only major veteran group that has carried its appeal in this behalf direct to President Hoover. The Veterans of Foreign Wars is the only major veteran body that has included immediate cash payment of compensation certificates in its legislative program laid before Congress for the past two years.

In fairness to himself and his comrades every eligible veteran should throw the weight of his support, in the form of active membership, to the organization that is fighting in his behalf. With a united front there is every opportunity for a victory, an achievement that will place the veterans on Uncle Sam's list of preferred creditors and once again repudiate those who would barter the welfare of America's ex-service men for a mess of political pottage.

The Clerk read as follows:

When approved by the Secretary of War 10 per cent of each of the foregoing amounts under the appropriation for "Arming, equipping, and training the National Guard" shall be available interchangeably for expenditure on the objects named, but no one item shall be increased by more than 10 per cent: *Provided*, That any such transfers shall be reported to Congress in the annual Budget.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. Can the gentleman inform the committee as to the amount of turnover there is in the enlisted personnel in the National Guard?

Mr. BARBOUR. I think there is something in the hearings about that. The turnover is going on continually.

Mr. STAFFORD. Years ago when I was giving considerable attention to this subject, I was surprised to learn that the members of the National Guard were remaining on an average less than one year in the service. I am wondering whether that same short term of service still prevails.

Mr. BARBOUR. They are having no trouble in recruiting the National Guard and maintaining it at the strength provided in the appropriation bill? They do say that the turnover is going on all of the time.

Mr. STAFFORD. Of course, if the members of the National Guard remain only a few months in the service they get very little value from the training. The real value, as I see it, is during the two weeks of training at the summer camp. There they get intensive training. The training they get throughout the rest of the year in three nights a week amounts to little.

Mr. BARBOUR. Here is what General Everson says about it:

The present authorized strength is 190,000 officers and men and this additional 5,000 will bring the number up to 195,000. The actual strength on June 30, 1930, was 182,715, which is a little over 7,000 less than the authorized strength. This shortage is due

to the turnover in the National Guard units that is taking place all the time. When it is considered that the number is spread over 4,000 units, it is not excessive. It is less than an average of two men per unit.

I think in referring to average per unit he refers to the 5,000 new men that they expect to take in during the fiscal year 1932.

Mr. STAFFORD. What I have in mind is the average length of service of the enlisted personnel of the National Guard.

Mr. BARBOUR. I do not think there is anything in the hearings on that.

Mr. LaGUARDIA. It is three years in my State.

Mr. BARBOUR. They have an enlistment contract that controls that, unless there is some reason why they should be discharged. The enlistment contract calls for a 1 or a 3-year enlistment.

Mr. STAFFORD. I was under the impression that there was no bounden obligation on the part of the men to serve any specific term of years.

Mr. LaGUARDIA. There is in my State—three years.

Mr. BARBOUR. I understand that in all of the States they have to enlist for a certain period.

Mr. STAFFORD. I was rather surprised when I made a special inquiry as to this condition, to find the average length of service of the National Guard man was but one year.

Mr. LaGUARDIA. I wonder how long it would be if we abolished the pay for drills?

Mr. STAFFORD. The recreational feature, then, would be entirely removed, and I question whether we would have the large enrollment as at present.

The pro forma amendment was withdrawn.

The Clerk read as follows:

ORGANIZED RESERVES

For pay and allowances of members of the Officers' Reserve Corps on active duty in accordance with law; mileage, reimbursement of actual traveling expenses, or per diem allowances in lieu thereof, as authorized by law: *Provided*, That the mileage allowance to members of the Officers' Reserve Corps when called into active service for training for 15 days or less shall not exceed 4 cents per mile; pay, transportation, subsistence, clothing, and medical and hospital treatment of members of the Enlisted Reserve Corps; conducting correspondence or extension courses for instruction of members of the Reserve Corps, including necessary supplies, procurement of maps and textbooks, and transportation and traveling expenses of employees; purchase of training manuals, including Government publications and blank forms, subscriptions to magazines and periodicals of a professional or technical nature; establishment, maintenance, and operation of divisional and regimental headquarters and of camps for training of the Organized Reserves; for miscellaneous expenses incident to the administration of the Organized Reserves, including the maintenance and operation of motor-propelled passenger-carrying vehicles and purchase of 30 such vehicles (at a cost not exceeding $625 each, including the value of a vehicle exchanged); for the actual and necessary expenses, or per diem in lieu thereof, at rates authorized by law, incurred by officers and enlisted men of the Regular Army traveling on duty in connection with the Organized Reserves; for expenses incident to the use, including upkeep and depreciation costs of supplies, equipment, and material furnished in accordance with law from stocks under the control of the War Department, except that not to exceed $440,842 of this appropriation shall be available for expenditure by the Chief of the Air Corps for the production and purchase of new airplanes and their equipment, spare parts, and accessories; for transportation of baggage, including packing and crating, of reserve officers on active duty for not less than six months; for the medical and hospital treatment of members of the Officers' Reserve Corps and of the Enlisted Reserve Corps who suffer personal injury or contract disease in line of duty, as provided by the act of April 26, 1928 (U. S. C., Supp. III, title 10, secs. 451, 456), and for such other purposes in connection therewith as are authorized by the said act, including pay and allowances, subsistence, transportation, and burial expenses; in all, $6,765,385, and no part of such total sum shall be available for any expense incident to giving flight training to any officer of the Officers' Reserve Corps unless he shall be found physically and professionally qualified to perform aviation service as an aviation pilot by such agency as the Secretary of War may designate: *Provided*, That not to exceed $100,000 of this appropriation may be used for establishment and maintenance of divisional and regimental headquarters.

Mr. MAAS. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. MAAS: On page 51, line 1, strike out "$6,765,385" and insert in lieu thereof "$7,265,385."

Mr. BARBOUR. How much does that add?

Mr. MAAS. Five hundred thousand dollars.

The CHAIRMAN. The gentleman from Minnesota [Mr. MAAS] is recognized.

Mr. MAAS. Mr. Chairman, in the 1931 appropriation the breakdown of the Budget shows the estimate $7,042,362. The appropriation was $6,542,362, which was $500,000 less, the difference being the carry-over from 1930 of $500,000. which was available during the past fiscal year. It was, in fact, available until December 31, 1931. However, that money was not spent. It was available for the organized reserves, but it was not used. Apparently it has gone back into the Treasury. Why that money was not used we do not know.

The answer will be made, "What is the difference, the number of reserve officers were trained that it was expected would be trained and that Congress directed to be trained"? Actually they have shaved $500,000 from what Congress apparently intended to be spent for reserve officers. They send the greatest number of reserve officers in the lowest grades. They are not training colonels and majors in the proper proportion of such officers, but they are sending second lieutenants and first lieutenants to be trained, because they can send the same number at much less expense; in other words, it will not cost as much money to train the same number of officers if mostly only lower grades are sent. Furthermore, if a war came along we would have only the lower grades coming in as officers and the Regular Army would jump in and you would find Regular Army second lieutenants and first lieutenants becoming majors and lieutenant colonels and colonels. They are shaving off that money by sending as many second lieutenants to the reserve officers' training schools as possible. That money was made available by Congress to be spent for the Organized Reserves. It was not spent for it.

The American Legion has a committee which has gone into this matter thoroughly, and it believes that we should train 26,000 reserve officers per year. If you reinstate in the appropriation the $500,000 which was available and should have been spent last year for the Organized Reserves, we can train the 26,000 who ought to be trained this next year.

The plea will be made that this year of all years we should not talk about increasing the amount. It is not increasing it. It is the money that Congress made available and it was not spent.

This is one year when the pacifists will glory in the opportunity to try to destroy the national defense on the plea of economy. At the same time, never was it more necessary to have Organized Reserves. Our philosophy of government is against a strong, permanent military establishment. I am against a large army and a great navy, but the greatest defense any nation can have is a well-organized civilian reserve. It is not militarism. Our standing Army could not defend New York City. We have to depend on the reserves. The people of the United States think they have national defense. They think they have it in the Organized Reserves. It is our duty to give it to them. This $500,000 which Congress said should be spent for Organized Reserves we are asking be put back, and then that it be spent for that purpose.

Mr. HUDSON. Will the gentleman yield?

Mr. MAAS. I yield.

Mr. HUDSON. We did give them $500,000 and they did not use it.

Mr. MAAS. That is correct; they did not use it.

Mr. HUDSON. Why did they not use it?

Mr. MAAS. Because they sent the junior officers to training camp instead of sending the proper proportion of senior officers.

Mr. HUDSON. Would they not make the same failure again?

Mr. MAAS. It is up to us to see that they do not.

Mr. STAFFORD. Will the gentleman yield?

Mr. MAAS. I yield.

Mr. STAFFORD. Then the gentleman believes that if the original provision in the defense act had been continued, providing that the reserve force should not receive any higher salary than that of captain, the condition that the department is now in would not prevail?

Mr. MAAS. Certainly. In addition to that, the Regular Army officer when he travels gets 8 cents a mile. The reserve officer gets 4 cents. If a reserve officer goes any distance, his Pullman and meals cost him more than he has received. But we are not complaining of that.

The Regular Army officer who goes there to train him gets 8 cents. These reserve officers who are willing to devote their time to this training and are willing to give up their vacations in order to secure it should not be denied that training, and yet the War Department's own records show that 1,820 officers applied for training but were denied training because the War Department said they lacked the funds. As a matter of fact, they had ample funds available as I have shown, all the time, and the denial of active training to these officers who were willing and anxious to take it was not in good faith when they were turned down on the excuse "of lack of funds." This argument particularly met a large number of requests for active two weeks' duty by officers in many of the senior grades. If another war ever does come it will have to be the Organized Reserves and trained civilians who will in the most part be called upon to defend the country.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. BARBOUR. Mr. Chairman, I simply want to say in regard to this $500,000 that was supposed to have been left over and unexpended that there is a table in the hearings, from which it would appear that there was $500,000 of a carry-over from the year 1930 which was not used in 1931. We have inquired of the War Department and received the actual facts in regard to that, and in that connection I want to make this statement: We appropriated in 1931 $6,542,362. There was an unexpended balance from 1930, available in 1931, of $407,999. It was not $500,000, but it was $407,999. The total available for 1931 was $6,950,361. This bill proposes for 1932 $6,765,385, which is an apparent decrease of $184,976, but we have an entirely different situation in 1932 than during the year 1931 for this reason: Owing to the lack of vacancies in the Regular Army it was not possible to take the graduates of the Army flying school into the Regular Army in the usual and normal way that they do each year. It was necessary in order to hold some of those men to place them with the Regular Army as reserve flying officers. Therefore that took a considerable amount of money, which will not be required for that purpose in 1932. Eliminating the expense they are having this year and which they will not have to the same extent in 1932, there is an actual increase in this bill over the appropriations for 1931. Even considering this $500,000 mentioned by the gentleman from Minnesota, but which is actually a little over $400,000, we have an actual increase of $19,366 for the year 1932.

Besides this the committee in this bill has recommended an increase in the Budget estimates of $350,000 for the Organized Reserves. This is the biggest increase the committee has recommended in the bill for any purpose. It is proposed to train the same number of trainees in 1932 as were trained during the present fiscal year, and it is proposed to carry on the activities of the Organized Reserves just the same as they have been carried on, without any decrease or any curtailment. We felt that if we did this during these times of threatened deficits and reduced income of the Government nobody could complain. It is fair treatment. It is as fair as anybody can ask, and we are not neglecting the reserves. They are well taken care of.

The gentleman from Minnesota [Mr. MAAS] said they wanted to train 26,000 trainees. If you will read the statement of Major Lee, of the Regular Army, who is on duty with the reserves, and to my mind is the best informed man in the United States on the Organized Reserves, a man who has made a study of this organization, you will find that he states that the most the Regular Army can train of the Organized Reserves is 24,000, and in order to do this they will have to have improved methods of training over those they have at the present time.

So, taking all these things into consideration, gentlemen, there can be no doubt——

Mr. WAINWRIGHT. How many did they train?

Mr. BARBOUR. Of the 15-day trainees, somewhere between 20,000 and 21,000.

Mr. COLLINS. Twenty-two thousand three hundred and ninety-three.

Mr. BARBOUR. That is the total number, including more than 15-day trainees and those with the Air Corps.

Mr. BEEDY. Will the gentleman yield to me right there?

Mr. BARBOUR. Just let me finish this statement.

In addition to this twenty thousand and some odd that go to the 15-day training camps, we are sending something like 500 to longer periods of active training with the Army. We are sending 272 or 273 for one year of training with the Regular Army Air Corps as reserve flying officers, and the committee has recommended money in the bill to restore the average number of flying hours to the number that they have had during the present year.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. BARBOUR. Mr. Chairman, I ask unanimous consent to proceed for two minutes in order to answer a question.

The CHAIRMAN. Without objection, the gentleman from California is recognized for two minutes.

Mr. BARBOUR. It seems to me the reserves are being very fairly treated in this bill.

I now yield to the gentleman from Maine.

Mr. BEEDY. I understand the gentleman from California to say that the position of Major Lee is that at present under the methods of training that we are pursuing it is a physical and practical impossibility to train more than 20,000 reserve officers.

Mr. BARBOUR. Twenty-four thousand.

Mr. BEEDY. And we are training now 21,000.

Mr. BARBOUR. Let me get the exact statement of Major Lee as it appears in the hearings, so there can be no misunderstanding about his position.

Mr. BEEDY. The only point I wanted to bring out is that Major Lee's statement seems to imply that our methods of training are antiquated, and so at present we train only 21,000, that with difficulty it would be possible to train 24,000 only in case we adopted new methods of training. However, the demand of the gentleman from Minnesota [Mr. MAAS] and others for whom he speaks is that we train 26,000.

Mr. BARBOUR. I would not say the methods of training are antiquated, but we have a Regular Army of a certain size, and the Regular Army has to provide for the training of the reserves. It has to go to the citizens' military training camps to train the trainees there, and the Regular Army has its own training in the summer time; and with all these duties Major Lee says they can take 24,000 trainees as a maximum if they adopt improved methods in giving such training.

Mr. BEEDY. Does Major Lee say as to whether it would be better for us, as a matter of public policy and more in accord with the spirit of the national defense act, to train 24,000 or 26,000 reserve officers?

Mr. BARBOUR. As I recall, Major Lee did not pass judgment on that.

Mr. BEEDY. Is not that the issue?

Mr. BARBOUR. He was giving his version of the capacity of the Regular Army to handle this training.

Mr. COLLINS. Will the gentleman yield?

Mr. BARBOUR. I yield to the gentleman from Mississippi.

Mr. BEEDY. Just a minute. This matter ought to be cleared up. Do you want these men who are writing us and telegraphing us to get money to train 26,000 officers to understand that Major Lee has made a plea of confession and avoidance——

Mr. BARBOUR. No.

Mr. BEEDY (continuing). Implying that it might be well to train 26,000 but that because of the methods which we employ that is a practical impossibility.

Mr. BARBOUR. Nothing of the kind. Major Lee is a very fine officer and he does not make pleas of confession and avoidance, but says what he thinks.

Mr. BEEDY. I thought not. Then I think the gentleman ought to make that clear.

Mr. BARBOUR. I am giving the facts as they were presented to our committee.

The CHAIRMAN. The time of the gentleman from California has again expired.

Mr. McSWAIN. Mr. Chairman, I ask unanimous consent that the gentleman from California may have five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. McSWAIN. I would like to ask the gentleman from California whether his understanding of the statement of this officer is that it simply could not be done or that it is impolitic or unnecessary to be done?

Mr. BARBOUR. Oh, the statement meant to give the proper kind of training. I suppose they could take 100,000 to camp, but what Major Lee had in mind was providing the proper kind of training.

Mr. McSWAIN. Does that square with the ideas of the gentleman's committee and the common sense of the situation? There may be a question as to the wisdom, as to the necessity, and as to the propriety and as to the financial ability, but what would become of the country if war should break out, if in peace time in the whole year we could train but 21,000 officers already partially trained—where would we be if war should burst out as it did in 1917, when in the first training camps we must have had over 25,000 men?

Mr. BARBOUR. Let me read Major Lee's last statement:

Mr. BARBOUR. Let me ask you a question here. On page 34, Major, you have referred to your statement last year that you could train 21,000.

Major LEE. Yes, sir.

Mr. BARBOUR. And that to train more by the same system meant that either standards of training must go down or the Regular Army's capacity for training must be increased. Does that figure still stand?

Major LEE. That figure still stands if you follow that old system which was then in effect, but we have introduced two or three new ideas here by which we could train them without further overloading our depleted Regular Army units.

Mr. BARBOUR. Is it making any difference in the number that you can train?

Major LEE. Yes, sir. We did train more than 21,000 total last year, but we did not do it under the old system that we had been operating for eight years.

Mr. BARBOUR. How many can you train under the present system?

Major LEE. These new schemes are in process of development so I can not tell you definitely. I would not like to say we can train more than about 24,000 by using all these new ideas.

Mr. McSWAIN. If that is the case, somebody needs to devise a new method of training. Let him devise method No. 2. No. 1 pulled us up from 22,000 to 24,000, and No. 2 may pull us up farther. I would like to understand what would be the idea of the further training camps if that comes from the General Staff.

Mr. BARBOUR. That relates only to the Army's ability to give proper training.

Mr. McSWAIN. And yet at the training camps in 1917 they must have trained over 25,000, and we only had an Army officer personnel of 5,000, and we now have 12,000.

Mr. BARBOUR. That was more like a citizens' training camp. The reserves receive a different kind of training.

Mr. SLOAN. Will the gentleman yield?

Mr. BARBOUR. I yield.

Mr. SLOAN. What was the number of officers trained during the last year—that is, how many colonels and how many majors?

Mr. BARBOUR. In answer to the gentleman, I will insert this table from the hearings.

It will be noted in the following table that the 86 per cent of the total number trained were captains and lieutenants.

Distribution by grade

	General officer	Colonel	Lieutenant colonel	Major	Captain	First lieutenant	Second lieutenant	Total	Per cent of grand total
14-day trainees	6	223	824	2,043	4,121	6,185	7,868	21,270	95.0
More than 14 days	1	18	51	45	153	268	587	1,123	5.0
Grand total	7	241	875	2,088	4,274	6,453	8,455	22,393	100.0
Per cent of total trained		1.1	3.9	9.3	19.1	28.8	37.8	100.0	

Mr. COLLINS. Mr. Chairman, I think it is a good thing for the House to get the whole picture before us. We have 101,382 reserve officers. There are two methods of training these men. One is by correspondence courses and the other is by 14-day camps.

Now, a large number of these 101,000 officers will take no training whatever. They do absolutely nothing and the War Department does not drop them, in spite of the fact that they take no training, unless they have failed to take the training for a period of five years.

Mr. HUDSON. Do not they even take training by correspondence?

Mr. COLLINS. No; no training at all. The result is that Major Lee testified that not more than 77,000 of these men are taking any training at all. Of this 77,000, 51,000 are combat officers and 26,000 are noncombat officers. They are politicians, newspaper men, merchants, and that class of people that would never get into a war in the event that we had one.

Therefore, at best we have in this outfit—and certainly Major Lee has given the best picture possible—we have in this outfit not over 51,000 active combat reserve officers.

Now, the War Department's idea is that these men ought to be trained every third year at camp. One-third of 51,000 men would be 17,000 men per year.

Let us see what we are actually doing.

We graduate into the Organized Reserves such numbers from the Reserve Officers' Training Corps as are fit to go into it. By this process we train annually 7,200 Reserve Officers' Training Corps officers. There are 11,891 reserve officers who get training with the National Guard annually. In addition to that, there are 22,393 provided for under this particular head, with the result that we train 41,500 civilian officers yearly. Practically the entire number of first-class officers available are given training. This was the number provided for as the bill was presented to the committee, but the committee went further than that and gave them $350,000 additional. The War Department requested the amount they felt advisable for such training. Then the committee exercised its judgment and increased that amount by $350,000. Now, it is proposed in the House that in addition to the $350,000 which the committee has authorized above the War Department estimates there be added $500,000 more. If we are honestly after military

defense, the only way we can provide it is not by more khaki, not by more uniforms, but by arming the men in our Military Establishment with modern fighting machinery. If you add to your personnel, if you make the appropriations for personnel constantly urged upon us, then you find yourselves in the attitude of being unable to properly equip the Army with modern fighting implements, and you are against military defense when you propose such measures as this rather than for it.

Mr. BEEDY. Mr. Chairman, I rise in favor of the amendment. As far back as I can remember within my term of service here I have had letters and telegrams each year, urging me to come here and prevail on the committee in considering the appropriations for the War Department to appropriate more money for the training of more reserve officers. There has always been a dispute as to whether 4,000 or 5,000 more reserve officers should be provided for in training. The statement has been read here to-day of Major Lee, who says that if you are going to train more reserve officers either one of two things must happen. You must either lower the standard of training or you must increase the facilities of the Regular Army for training. The real issue, then, it seems, is not whether we shall train 26,000 or 20,000 reserve officers; it is not a question of numbers, but it is a question of what kind of training we are going to afford the men we call in for training.

I think these men who send us these telegrams and who write these letters—and they are public-spirited men interested in the reserves and their proper training—instead of continually besieging us with flat statements that we ought to provide more money for the training of more reserve officers ought to go further. They ought to determine on a policy which they themselves favor and let us know whether they are satisfied with the standard of training which the number of men who are now trained are getting and whether they desire to cut the standard of training and train more men, or take the other alternative and urge us to see that the Regular Army appropriation be increased in order to enable the Regular Army to set up machinery for thoroughly training more reserve officers.

Until these men who besiege us with telegrams and letters—and that is their right, I am not complaining about it—make it clear to me, as one Member of this House, which of the two alternatives they prefer I confess I am at a loss to know what to urge upon this committee in this regard.

Mr. BARBOUR. Mr. Chairman, will the gentleman yield?

Mr. BEEDY. Yes.

Mr. BARBOUR. This Organized Reserves appropriation has been one of the most difficult things that this committee has had to handle. Two years ago we asked the Secretary of War to have a study made of the whole Organized Reserves, so that we could get some definite information in regard to it. Major Lee undertook this study. He spent a year upon it. He is a very intelligent, a very competent officer. He came last year before our committee and gave us the first really complete statement that we ever had, covering the whole organization of the Organized Reserves. It is going through a process of change. They have prescribed new methods of promotion in the Organized Reserves. They are dividing them into an assigned and unassigned list. Some are keeping up their work to qualify them for additional and advanced training, and they are put onto the assigned list.

They are getting men on the assigned list who are willing to work and go ahead and do the work of the Organized Reserves as intended. It is going through that process now, and 1933, I believe it was, that Major Lee said would be the zero hour of the Organized Reserves, because of this difference in method and plan they are now trying to bring into effect.

Mr. BEEDY. I do not think we should minimize the importance of the Organized Reserves. They are a splendid body of men, and when we get into trouble we have to turn to them. I, for one, would like to see as many reserve officers adequately trained as is reasonably possible. I think we should live up to the spirit of the national defense act.

Mr. BARBOUR. I agree with the gentleman.

Mr. BEEDY. But I can not appropriate money here by simply saying, "Let us train 26,000 men instead of 20,000," when a man of Major Lee's standing says that we have not the facilities to do it unless we are content to cut the training, to cut the standard of training, and train more of them, but less effectively. It seems to me that a very serious question of choice between two alternatives is first presented for decision. I, myself, should like to hear further from the Organized Reserves in this respect.

The CHAIRMAN. The time of the gentleman from Maine has expired. The question is on agreeing to the amendment offered by the gentleman from Minnesota [Mr. MAAS].

The amendment was rejected.

Mr. BEEDY. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Maine offers an amendment, which the Clerk will report.

The Clerk read the amendment, as follows:

Amendment by Mr. BEEDY: On page 51, in line 7, strike out the figures "$100,000" and insert in lieu thereof the figures "$190,000."

Mr. BEEDY. Mr. Chairman, I offer this amendment in an attempt to clarify another situation.

I have before me a letter from a man in my district for whom I have very high regard. He is a man who is very much interested in the proper training of our reserves; a man of military training and experience. He says that if we are going to have a defense act, we ought to live up to it; and if we are not, we ought to stop making gestures and cut it out altogether. He tells me it is a mistake to cut $90,000 from the reserve division and regimental headquarters and appropriate only $100,000; that there should be a total of $190,000 appropriated for this purpose.

I talked with the chairman of the subcommittee, Mr. BARBOUR, of California, about this, and he said: "Mr. BEEDY, that $90,000 is in the bill. It is all in there. It is in the $6,765,000 item that you will find in line 1, page 51."

Now, this $100,000 reads:

For the establishment and maintenance of divisional and regimental headquarters.

The gentleman from California said:

In last year's appropriation bill $190,000 was carried "for establishment, maintenance, and operation of division and regimental headquarters."

And he added:

This year the $90,000 for operation is in another item and the $100,000 is only for the establishment and maintenance of regimental headquarters.

Mr. BARBOUR. Will the gentleman yield?

Mr. BEEDY. I yield.

Mr. BARBOUR. I am afraid the gentleman misunderstood me. The language is exactly the same as it was in last year's bill.

Mr. BEEDY. That is what I find upon comparing last year's bill with the present bill.

Mr. BARBOUR. The $190,000 is carried in this bill, but in the general appropriation in the line above, at the top of the page. It is exactly the same as was carried for the year 1931, the present fiscal year, but of the $190,000 the proviso is put in that not to exceed $100,000 of it may be used for establishment and maintenance of division and regimental headquarters.

They maintain a lot of offices and headquarters throughout the country. This limits the amount of expense for those offices to $100,000. That is all it does.

Mr. BEEDY. Where is the $90,000, and what may that be used for?

Mr. BARBOUR. The entire project which is included in the total appropriation is "establishment, maintenance, and operation of Organized Reserves' headquarters," and the appropriation is $190,000. It is in the bill.

Mr. BEEDY. May I ask the gentleman this question: What would you spend $90,000 for in operating headquarters that you would not spend $100,000 for in the maintenance and establishment of them?

Mr. BARBOUR. Stationery, telegrams, telephone service, postage, equipment, street-car fares, and many other things.

Mr. BEEDY. Would that not come under "maintenance"?

Mr. BARBOUR. No. It comes under "operation."

Mr. BEEDY. I would like you to make clear the distinction between "maintenance" and "operation" as the words are employed in this particular connection.

Mr. BARBOUR. "Maintenance" is rental and incidental expenses, and probably light and things like that.

Mr. BEEDY. Well, to save time and to get it clear in the RECORD, let me ask the gentleman from California this question: There is no question but that $190,000 is available in this appropriation bill for the establishment, maintenance, and operation of divisional headquarters, only it does not appear in this one item. Is there any doubt about that?

Mr. BARBOUR. There is no question whatever. This proviso simply limits the $100,000 to the establishment and maintenance. The $90,000 goes into the operation, or more than $90,000, if necessary.

Mr. BEEDY. I thank the gentleman. I withdraw the amendment.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

The Clerk read as follows:

No portion of the appropriation shall be expended for the pay of a reserve officer on active duty for a longer period than 15 days, except such as may be detailed for duty with the War Department General Staff under section 3a and section 5 (b) of the Army reorganization act approved June 4, 1920 (U. S. C., title 10, secs. 26, 37), or who may be detailed for courses of instruction at the general or special service schools of the Army, or who may be detailed for duty as instructors at civilian military training camps, appropriated for in this act, or who may be detailed for duty with tactical units of the Air Corps, as provided in section 37a of the Army reorganization act approved June 4, 1920 (U. S. C., title 10, sec. 369): *Provided*, That the pay and allowances of such additional officers and nurses of the Medical Reserve Corps as are required to supplement the like officers and nurses of the Regular Army in the care of beneficiaries of the United States Veterans' Bureau treated in Army hospitals may be paid from the funds allotted to the War Department by that bureau under existing law.

Mr. STAFFORD. I move to strike out the last word, to inquire as to the number of doctors and nurses in the Medical Reserve Corps who are used in supplementing those in the Regular Army, as provided for in this proviso.

Mr. BARBOUR. Does the gentleman mean those that are used in the Regular Army?

Mr. STAFFORD. Here is an authorization that the pay and allowances of such additional officers and nurses of the Medical Reserve Corps as are required to supplement like officers and nurses of the Regular Army shall be paid from certain funds allotted to the War Department. My query is as to how many officers and nurses of the Medical Reserve Corps are in service in connection with the various hospitals of the Veterans' Bureau.

Mr. BARBOUR. I can not state the number to the gentleman, because I do not believe there is any breakdown of that in the hearings.

Mr. STAFFORD. The gentleman does not know whether it is the policy of the War Department to assign officers connected with the Medical Reserve Corps to service in the hospitals of the Veterans' Bureau?

Mr. BARBOUR. It is to a certain extent, I understand, but to what extent I could not say.

Mr. STAFFORD. I would say it is to a very limited extent, and I think the medical officers of the Army would be mostly occupied with service connected with the hospitals under direct charge of the War Department.

Mr. BARBOUR. My recollection of it is that they are used to a very limited extent.

Mr. STAFFORD. Then the further query arises in my mind whether all the medical officers in the Veterans' Bureau hospitals are connected with the Medical Reserve Corps?

Mr. BARBOUR. No; I understand not. Many of them are civilian doctors who are employed in the Veterans' Bureau hospitals.

Mr. STAFFORD. So that it is not a sine qua non that for employment in the Veterans' Bureau hospital they have to be first identified with the Medical Reserve Corps?

Mr. BARBOUR. No. A great many are civilians.

The pro forma amendment was withdrawn.

Mr. BARBOUR. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TILSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 15593) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1932, and for other purposes, and had come to no resolution thereon.

DROUGHT RELIEF

Mr. CARTWRIGHT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. CARTWRIGHT. Mr. Speaker, the country is presented with a condition of distress among farmers which demands candid, fair, and merciful consideration. I know there are a great many times when we are asked to appropriate money under conditions like these when it is a debatable question because there is, perhaps, some doubt as to the magnitude of the suffering. But I think it must be conceded that we are confronted at this time with a condition of distress that is almost nation-wide. I believe the greatest emergency that ever faced this country in time of peace is confronting it now. In my State, and particularly my district in southeastern Oklahoma, there are many pitiful cases necessitating instant and constant relief.

There arose early in the discussion a plea to extend relief in the form of loans for the purchase of human food as well as for the purchase of seed for crops and feed for animals. Secretary Hyde came forward with his $25,000,000 recommendation and with the further recommendation that the proceeds of the loan should be used only for feed for work animals. The Senate increased the amount from $25,000,000 to $60,000,000 and included food for man as well as beast. The President and his forces opposed it and a compromise of $45,000,000, eliminating food for man, was reached. The Caraway amendment providing for an appropriation of $15,000,000 to buy food to relieve human suffering will be killed through the opposition of the administration. President Hoover takes the position that not one dollar should be loaned or given to farmers for the purchase of food.

In substance, President Hoover said the Red Cross could take care of all distress in the drought area, and is actually doing so. Judge Payne, national chairman of the Red Cross, comes to the President's rescue with the same position. But evidence and sentiment to the contrary seem to have gathered, and in order not to be outdone and in order to weaken the demand for a Federal appropriation for food they join in a call to the people for $10,000,000, which, in my opinion, under existing conditions, is most undesirable.

Personally I believe that if President Hoover and Judge Payne would circulate among the common people for a few hours they might stop fiddling while the country starves. Will Rogers says: "I don't want to discourage Mr. Mellon and his carefully balanced Budget, but you let this country get hungry and they are going to eat, no matter what happens to Budgets, income taxes, or Wall Street values. Washington mustn't forget who rules when it comes to a showdown."

In my opinion this is a bad time to put on a Red Cross drive. The whole Nation is suffering the worst depression in history. People have already been taxed to the limit in trying to take care of local conditions and that is the very reason why they are asking the Government to bear its share of the burden.

I congratulate the Red Cross for the good it is doing and has done, also for the large amount of money that it holds in reserve. This undoubtedly shows good management, but what better use could be made of that reserve than to relieve starvation in the face of such a crisis? The gener-

osity of the people has been the life of the Red Cross. They will be willing to make it up when they are able, but do not ask them to raise $10,000,000 now unless it be entirely from the millionaire class. The Government, with scarcely a whimper, recently appropriated $15,000,000 to build a bridge across the Potomac in the very shadow of two other fine bridges. This was done to beautify Washington. Why can it not be done as a loan to feed starving children?

We are not asking that this money be appropriated as a charity gift. There are two distinct classes of people needing food. One is the very poor that we have with us always but who are in desperate circumstances now. These should be taken care of through charity and the Red Cross. The other class consists of proud, formerly prosperous farmers, mostly cotton farmers in my district, who have suffered one crop failure after another due to floods, hail, boll weevil, and drought, and as a result are without anything with which to subsist. This is the class which should be reached by Government loans for food. They do not want charity. They want to pay back every dollar they get with interest and can do it if given time.

We have had many bank failures and they went down in defense of agriculture. The banks that do exist have loaned to their extremity. Because of these bank failures thousands of good, honest farmers have no place to borrow money for food and seed.

I have many letters and telegrams from all over my district. One letter from an outstanding citizen says:

> It looks as though 50 per cent of our citizenship will have to be fed, and that immediately. My dear sir, this condition is more than serious. I have met people in this work who could not keep back the tears, and without question, there has got to be a broadcast country relief.

From the telegrams the general tenor is found in the following:

> Most all our best farmers need help to make crop. They are good, law-abiding citizens who will starve rather than make a demonstration or demands. They do not want donations from charitable institutions. They ask for loans and expect to repay every dollar. Our banks and merchants are not able to make further advances. Quick action needed on appropriation to meet this deplorable condition.

Mr. Speaker, I tell you the situation is desperate, and if something is not done, and done speedily, the performance in Arkansas will be repeated in Oklahoma.

I have been urging this relief in the belief that our farmers must get back on their feet again before there can be any substantial return of normally prosperous conditions in the drought-stricken territory.

When such conditions as I speak of occur in foreign countries, Congress has not hesitated to appropriate money to give relief. I am not criticizing the Congress because they have taken such action in the past. But it seems to me it would be much more reasonable for us to relieve human suffering at our very doorstep.

The thing that puzzles me is why some of the ardent supporters of these relief plans to help peoples of other nations are now the most bitter opponents of this relief legislation in behalf of the farmers of America. I would be very glad for any of those who favored these foreign-relief measures, and now oppose the relief bills for our own people, to take the floor and explain. Very few people realize just how generous with other nations has been the attitude of some Members of Congress who are now opposing these emergency loans.

I am pleading for the honest yeomanry of the country, the fine patriotic men and women who have supported their country in time of war, who love it and sustain it and contribute to its strength and glory in time of peace, who are in want this day. Hail and storm have ruined their crops in some sections. The drought has withered the plants in their fields in other sections. Let us go to their rescue now.

These things that are upon them are things over which they have no control. Providence has done this; and certainly this the greatest Nation of all the earth will not deny these people the necessities of life. I am not pleading for the money kings and the steel kings (they will be able to get by), but the people in the common walks of life who are looking hopefully to their Government to aid them when nothing else under Heaven will aid them. They can get aid nowhere else.

And now in this time of their grave troubles and deep distress they stand at the door of their great and noble Government and ask for bread. Will the answer be a stone? O my friends, when you break the morale of an upstanding, patriotic, honest yeomanry, what then? I commend the following poem to your prayerful consideration:

> Princes and lords may flourish or may fade—
> A breath can make them, as a breath has made;
> But a bold persantry, their country's pride,
> When once destroy'd, can never be supplied.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. HALE (at the request of Mr. WASON), on account of illness.

To Mr. BLAND, for to-day, on account of illness in family.

ADJOURNMENT

Mr. BARBOUR. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 58 minutes p. m.) the House adjourned until to-morrow, Thursday, January 15, 1931, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Thursday, January 15, 1931, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON APPROPRIATIONS

(10.30 a. m.)

District of Columbia appropriation bill.
Navy Department appropriation bill.
Legislative appropriation bill.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

(10.30 a. m.)

To define more clearly the authority of consular officers of the United States in certain respects. (H. R. 3827.)

To amend section 4580 of the Revised Statutes of the United States respecting the liability of vessels for the care of seamen guilty of certain offenses. (H. R. 3828.)

To amend section 4591 of the Revised Statutes of the United States to provide more adequately for the discharge, maintenance, and repatriation of seamen in foreign ports. (H. R. 3829.)

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

(10 a. m.)

To provide for the purchase or construction of buildings for post-office stations, branches, and garages, and for other purposes. (H. R. 13566.)

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

774. A letter from the Secretary of War, transmitting a draft of a bill to authorize the Secretary of War to direct the attendance of personnel and animals of the Regular Army as participants in the Olympic games, and authorize the expenses incident to such attendance and participation to be charged to appropriations for the support of the Army; to the Committee on Military Affairs.

775. A letter from the president of the Chesapeake & Potomac Telephone Co., transmitting a report of the Chesapeake & Potomac Telephone Co. to the Congress of the United States for the year 1930; to the Committee on the District of Columbia.

776. A communication from the President of the United States, transmitting a draft of proposed provisions to be added to the estimate of appropriation for the American





Battle Monuments Commission as contained in the Budget for the fiscal year 1932 (H. Doc. No. 717); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. TEMPLE: Committee on Foreign Affairs. H. J. Res. 462. A joint resolution to further provide for defraying the expenses of the International Water Commission, United States and Mexico; without amendment (Rept. No. 2268). Referred to the Committee of the Whole House on the state of the Union.

Mr. WILLIAMSON: Committee on Indian Affairs. H. R. 15267. A bill to amend an act entitled "An act to authorize the cancellation, under certain conditions, of patents in fee simple to Indians for allotments held in trust by the United States"; with amendment (Rept. No. 2269). Referred to the House Calendar.

Mr. ZIHLMAN: Committee on the District of Columbia. H. R. 15496. A bill to authorize the Commissioners of the District of Columbia to transfer to the trustees of Howard University title to certain property in the District of Columbia; without amendment (Rept. No. 2270). Referred to the Committee of the Whole House on the state of the Union.

Mr. TEMPLE: Committee on Foreign Affairs. H. R. 15608. A bill to authorize the modification of the boundary line between the Panama Canal Zone and the Republic of Panama, and for other purposes; without amendment (Rept. No. 2271). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. IRWIN: Committee on Claims. H. R. 8993. A bill for the relief of John Baba; without amendment (Rept. No. 2263). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 8997. A bill for the relief of the Chicago, North Shore & Milwaukee Railroad Co., of Highwood, Ill.; without amendment (Rept. No. 2264). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 9837. A bill for the relief of Pasquale Mirabelli; without amendment (Rept. No. 2265). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 13086. A bill for the relief of Alexander H. Bright; without amendment (Rept. No. 2266). Referred to the Committee of the Whole House.

Mr. SANDERS of Texas: Committee on Naval Affairs. H. R. 6368. A bill for the relief of Lieut. William J. Nowinski; with amendment (Rept. No. 2267). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 15749) granting a pension to Annie E. Leavitt, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CELLER: A bill (H. R. 16151) to amend the naturalization law, and for other purposes; to the Committee on Immigration and Naturalization.

By Mr. LUDLOW: A bill (H. R. 16152) to amend section 309 of the World War veterans' act, as amended; to the Committee on World War Veterans' Legislation.

By Mr. STALKER: A bill (H. R. 16153) to provide for the closing of barber shops on Sunday in the District of Columbia; to the Committee on the District of Columbia.

By Mr. HOWARD: A bill (H. R. 16154) to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Decatur, Nebr.; to the Committee on Interstate and Foreign Commerce.

By Mr. ESLICK: A bill (H. R. 16155) granting the consent of Congress to Louisville & Nashville Railroad Co. to construct, maintain, and operate a railroad bridge across the Tennessee River at or near Danville, Tenn.; to the Committee on Interstate and Foreign Commerce.

By Mr. HARDY: A bill (H. R. 16156) for the exchange of lands adjacent to national forests in Colorado; to the Committee on the Public Lands.

By Mr. ABERNETHY: A bill (H. R. 16157) to amend the revenue act of 1926 by reducing the tax on cigars, cigarettes, and tobacco; to the Committee on Ways and Means.

By Mr. GREEN: A bill (H. R. 16158) authorizing the Secretary of Agriculture to acquire for experimental purposes certain lands or interest in lands in Bradford and Clay Counties, Fla., and elsewhere, for research purposes; to the Committee on Agriculture.

By Mr. TEMPLE: A bill (H. R. 16159) authorizing an appropriation of the sum of $15,000 to defray the expenses of the Pan American Commercial Conference, to be held in Washington, D. C., in 1931; to the Committee on Foreign Affairs.

Also, a bill (H. R. 16160) authorizing an appropriation to defray the expenses of participation by the United States in the World's Grain Exhibition and Conference to be held in Canada in 1932; to the Committee on Foreign Affairs.

Also, a bill (H. R. 16161) authorizing an appropriation to pay the share of the Government of the United States in expenses incurred by the Governments of Great Britain and Japan incident to an undertaking to deport enemy aliens from China to Australia during the World War; to the Committee on Foreign Affairs.

By Mr. HILL of Alabama: A bill (H. R. 16162) to extend hospital and home facilities to veterans of the Confederate Army and Navy; to the Committee on Military Affairs.

By Mr. BRUNNER: Joint resolution (H. J. Res. 465) to provide for the preparation and distribution of pamphlets containing the Constitution of the United States and Declaration of Independence printed in foreign language and in English; to the Committee on Printing.

By Mr. FULMER: Joint resolution (H. J. Res. 466) authorizing the appropriation of $10,000,000 to be expended by the American National Red Cross for the purchase and distribution of cotton goods, cloth, and garments among the unemployed and in drought-stricken areas, and for other purposes; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRAND of Ohio: A bill (H. R. 16163) granting an increase of pension to Angeline Dille; to the Committee on Invalid Pensions.

By Mr. CABLE: A bill (H. R. 16164) granting a pension to Thomas Eubank; to the Committee on Pensions.

Also, a bill (H. R. 16165) granting a pension to Chester E. Stevenson; to the Committee on Pensions.

By Mr. COOKE: A bill (H. R. 16166) granting an increase of pension to Frank A. Klein; to the Committee on Pensions.

By Mr. CRADDOCK: A bill (H. R. 16167) granting a pension to Martha Kasinger; to the Committee on Invalid Pensions.

By Mr. EVANS of California: A bill (H. R. 16168) for the relief of John P. Larimore; to the Committee on Naval Affairs.

By Mr. FITZGERALD: A bill (H. R. 16169) granting a pension to Amanda Riddell; to the Committee on Invalid Pensions.

By Mr. GRANFIELD: A bill (H. R. 16170) granting a pension to Ellen Scully; to the Committee on Pensions.

By Mr. HOGG of Indiana: A bill (H. R. 16171) granting an increase of pension to Sarah J. Knight; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16172) granting an increase of pension to Julia A. Griffith; to the Committee on Invalid Pensions.

By Mr. HOWARD: A bill (H. R. 16173) granting a pension to Louis Garner; to the Committee on Pensions.

By Mr. WILLIAM E. HULL: A bill (H. R. 16174) granting a pension to Maude Thompson; to the Committee on Pensions.

Also, a bill (H. R. 16175) granting an increase of pension to Elizabeth Young; to the Committee on Invalid Pensions.

By Mr. JENKINS: A bill (H. R. 16176) granting an increase of pension to Adah Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16177) granting an increase of pension to Veturia H. Dugan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16178) granting a pension to Samuel Warner; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Illinois: A bill (H. R. 16179) for the relief of Laura B. Hayes; to the Committee on Claims.

By Mr. KEARNS: A bill (H. R. 16180) granting an increase of pension to Mary J. Roush; to the Committee on Invalid Pensions.

By Mr. KOPP: A bill (H. R. 16181) granting a pension to Nellie Green; to the Committee on Invalid Pensions.

By Mr. LOZIER: A bill (H. R. 16182) granting an increase of pension to Louisa Hiskett; to the Committee on Invalid Pensions.

By Mrs. McCORMICK of Illinois: A bill (H. R. 16183) for the relief of Capt. Jacob M. Pearce, United States Marine Corps; to the Committee on Naval Affairs.

By Mr. MOREHEAD: A bill (H. R. 16184) for the relief of Mary E. McGerr; to the Committee on Claims.

By Mr. NOLAN: A bill (H. R. 16185) granting an increased annuity to Thomas A. Kelly; to the Committee on the Civil Service.

By Mr. RAGON: A bill (H. R. 16186) for the relief of W. Eugene Butler; to the Committee on War Claims.

By Mr. SEARS: A bill (H. R. 16187) granting a pension to Eudora Elkins; to the Committee on Pensions.

By Mr. SEIBERLING: A bill (H. R. 16188) for the relief the Samuel Puff Bailey; to the Committee on Naval Affairs.

By Mr. SNELL: A bill (H. R. 16189) granting an increase of pension to Agnes C. Johnson; to the Committee on Invalid Pensions.

By Mr. SWING: A bill (H. R. 16190) for the relief of G. F. and E. M. Snyder; to the Committee on Claims.

By Mr. TEMPLE: A bill (H. R. 16191) authorizing the payment of an indemnity to Demitrio Valle, a Nicaraguan citizen, on account of losses resulting from a bombing operation by a United States Marine Corps airplane; to the Committee on Foreign Affairs.

Also, a bill (H. R. 16192) to authorize an appropriation for the payment of an indemnity to N. J. Moosa, a citizen of Great Britain, for personal injuries sustained as the result of a collision between a United States Marine Corps truck and a brokers' trap in which he was riding; to the Committee on Foreign Affairs.

Also, a bill (H. R. 16193) to authorize an appropriation for the payment of an indemnity to Salvador Buitrago Diaz, a Nicaraguan citizen, for damages alleged to have been done to his property by United States marines on February 6, 1921; to the Committee on Foreign Affairs.

Also, a bill (H. R. 16194) for the relief of Enrique Klinghoffer and Br. Rappaccioli; to the Committee on Foreign Affairs.

Also, a bill (H. R. 16195) to authorize an appropriation for the payment of an indemnity to Ling Mau Mau, a citizen of China, for personal injuries received by him which resulted in the loss of his right arm as the result of a collision between a United States naval vessel and a Chinese junk, and for medical expenses incurred as a result of the injury; to the Committee on Foreign Affairs.

Also, a bill (H. R. 16196) for the relief of Janet Hardcastle Ross, a Canadian citizen; to the Committee on Foreign Affairs.

Also, a bill (H. R. 16197) for the relief of the widow and the children of Justo Calderon, a native Nicaraguan, who was killed by a member of the United States naval forces; to the Committee on Foreign Affairs.

By Mr. THOMPSON: A bill (H. R. 16198) granting an increase of pension to Sarah E. Opdycke; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16199) granting an increase of pension to Mary Buhrer; to the Committee on Invalid Pensions.

By Mr. UNDERWOOD: A bill (H. R. 16200) granting a pension to Caddie Nichols; to the Committee on Invalid Pensions.

By Mr. VINSON of Georgia: A bill (H. R. 16201) for the relief of Maj. A. H. Willis and Capt. William N. Skyles, Finance Department, United States Army, and Capt. Benjamin J. Holt, jr., retired; to the Committee on Military Affairs.

By Mr. WARREN: A bill (H. R. 16202) granting a pension to Susie A. Harmon; to the Committee on Pensions.

By Mr. WATSON: A bill (H. R. 16203) conferring jurisdiction upon the Court of Claims of the United States to hear, consider, and render judgment on the claims of George A. Carden and Anderson T. Herd against the United States in respect of certain ships taken during the World War by the United States; to the Committee on the Judiciary.

By Mr. WOLVERTON of New Jersey: A bill (H. R. 16204) granting an increase of pension to Sarah C. Daisey; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8580. Petition of veterans of all wars (Akron, Ohio) urging the passage of the Patman bill for the immediate payment of the full face value of veterans' adjusted-compensation certificates; to the Committee on Ways and Means.

8581. Petition of American-Chinese Protective DeJure Association, Brooklyn, N. Y., urging Congress to repeal or modify any acts, such as the Chinese exclusion act, or any other acts that are unjust and discriminating against the Chinese people; to the Committee on Foreign Affairs.

8582. By Mr. BLOOM: Petition of residents of New York State, urging the passage of House bill 7884 providing for the exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

8583. Also, petition of Associated Cooperage Industries of America, urging the amendment of the Volstead Act so as to permit the manufacture of light wines and beer, and the prompt issuance yearly of permits for medicinal whisky, as such an amendment would serve to provide employment for many thousands of men in the wooden-barrel industry throughout the United States, additional thousands in the production of raw materials, provide a source of cash income for numbers of farmers owning timber tracts and wood lots whose incomes have been affected by the drought, and such an amendment would also stimulate the production of steel and wire as well as other cooperage supplies, machinery, and equipment, contribute to increased railroad tonnage, and in many ways help to alleviate the present conditions of unemployment; to the Committee on the Judiciary.

8584. By Mr. CULLEN: Petition of the National Guard Association of New York, urging Congress to promptly pass House bill 12918, introduced by Representative SPEAKS; to the Committee on Military Affairs.

8585. By Mr. FOSS: Resolutions for the stabilization of employment adopted by the members of the Leominster (Mass.), Fitchburg (Mass.), Southbridge (Mass.), Athol (Mass.), and Webster (Mass.) Aeries, Fraternal Order of Eagles; to the Committee on the Judiciary.

8586. Also, petition of Boston (Mass.) Local, Journeymen Stone Cutters' Association of North America, for the use of local stone in public buildings, the use of local labor in preparing stone, the payment of prevailing local wages, and the limitation of working hours to eight hours a day and five days a week; also wire of Building Trades Council of Boston, Mass., indorsing this petition; to the Committee on Public Buildings and Grounds.

8587. Also, letter from New England Antivivisection Society, of Boston, Mass., urging passage of House bill 7884 for the exemption of dogs from vivisection; to the Committee on the District of Columbia.

8588. Also, petition of 40 residents of the third congressional district of Massachusetts, urging passage of House bill 7884 providing for the exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

8589. By Mr. JENKINS: Petition signed by about 200 citizens, business men, and veterans of Meigs County, Ohio, petitioning Congress to support the Patman bill for the immediate payment of the full face value of veterans' adjusted-compensation certificates; to the Committee on Ways and Means.

8590. Also, petition signed by 34 members of Feeney-Bennett Post, No. 128, of the American Legion of Middleport, Ohio, earnestly requesting a favorable vote on legislation before Congress providing for immediate payment of the full face value of veterans' adjusted-compensation certificates; to the Committee on Ways and Means.

8591. By Mr. JOHNSON of Texas: Petition of Mr. R. G. Hill, departmental chaplain, American Legion, Groesbeck, Tex., urging payment of adjusted-service certificates issued to World War veterans; to the Committee on Ways and Means.

8592. Also, petition of Jack C. Barnard, Wichita Falls, Tex., favoring a tariff on oil; to the Committee on Ways and Means.

8593. By Mr. KINZER: Petition of Veterans' of Foreign Wars of Lancaster County, Pa., urging enactment of the bill providing for immediate payment of adjusted-compensation certificates in cash to the veterans; to the Committee on Ways and Means.

8594. By Mr. LEA: Petitions of 50 residents of San Anselmo, Marin County, Calif., urging passage of House bill 7884, providing for the exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

8595. By Mr. MENGES: Petition of the Young Women's Christian Association, of Hanover, Pa., and the Lions Club, of York, Pa., asking Congress to so amend the Constitution of the United States as to count only citizens for congressional representation; to the Committee on the Judiciary.

8596. By Mr. MERRITT: Petition of sundry citizens of the fourth congressional district of Connecticut, urging the passage of House bill 7884, providing for the exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

8597. By Mr. HARCOURT J. PRATT: Petition of M. A. Emerick, Edward J. Yerick, Ella Cooper, Roy Chittenden, Mrs. Henry Tegtmeier, Frank G. Yerick, Grace H. Austin, Jennie Emerick, Clara Zimmer, Minnie Schwarze, Kate Soder, Blanche H. Chittenden, and Carrie Krouse, all of Stottville, Columbia County, N. Y., praying for passage of House bill 7884, to exempt dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

8598. By Mr. SHOTT of West Virginia: Memorial of Painter-Porroni Post, No. 1021, Veterans of Foreign Wars, urging the payment of adjusted-compensation certificates; to the Committee on Ways and Means.

8599. By Mr. STONE: Petition signed by Vera Binkley and others, urging the passage of House bill 7884, for the exemption of dogs from vivisection; to the Committee on the District of Columbia.

8600. By Mr. TEMPLE: Petition of J. Osburn Lewis, 29 West Pike Street, Canonsburg, Pa., in support of payment at this time of the adjusted-compensation of ex-service men; to the Committee on Ways and Means.

8601. By Mr. WOLVERTON of West Virginia: Petition of Shirley M. Eye, commercial instructor, Walton District High School, Walton, W. Va., and Homer H. May, principal of the same school, urging Congress to take favorable action on the Capper-Reed bill; to the Committee on Education.

SENATE

THURSDAY, JANUARY 15, 1931

(Legislative day of Monday, January 5, 1931)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

PROVISO STRICKEN FROM RULE XVI

Mr. MOSES. Mr. President, I wish to submit a unanimous-consent request.

Mr. LA FOLLETTE. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. Does the Senator from New Hampshire yield for that purpose?

Mr. MOSES. I do not.

The VICE PRESIDENT. The Senator from New Hampshire declines to yield.

Mr. MOSES. The Committee on Rules is engaged in the preparation of a new edition of the Senate Manual. We find on page 20–B, in connection with the rule in reference to appropriation bills, this phrase:

Provided, That this rule shall not apply to the bill making appropriations for the Post Office Department for the fiscal year ending June 30, 1923.

I wish to ask unanimous consent to have the proviso stricken from the rule.

The VICE PRESIDENT. Is there objection?

Mr. LA FOLLETTE. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Frazier	King	Shipstead
Barkley	George	La Follette	Shortridge
Bingham	Gillett	McGill	Simmons
Black	Glass	McKellar	Smith
Blaine	Glenn	McMaster	Smoot
Borah	Goff	McNary	Steiwer
Bratton	Goldsborough	Metcalf	Stephens
Brock	Gould	Morrison	Swanson
Brookhart	Hale	Morrow	Thomas, Idaho
Bulkley	Harris	Moses	Thomas, Okla.
Capper	Harrison	Norbeck	Townsend
Caraway	Hastings	Norris	Trammell
Carey	Hatfield	Nye	Tydings
Connally	Hawes	Oddie	Vandenberg
Copeland	Hayden	Partridge	Wagner
Couzens	Hebert	Patterson	Walcott
Cutting	Heflin	Pine	Walsh, Mass.
Dale	Howell	Pittman	Walsh, Mont.
Davis	Johnson	Reed	Waterman
Deneen	Jones	Robinson, Ark.	Watson
Dill	Kean	Robinson, Ind	Wheeler
Fess	Kendrick	Schall	Williamson
Fletcher	Keys	Sheppard	

The VICE PRESIDENT. Ninety-one Senators have answered to their names. A quorum is present. The question is on the unanimous-consent request of the Senator from New Hampshire [Mr. MOSES], which he will again state.

Mr. MOSES. Mr. President, in connection with the revision of the Senate Manual, which is being made by the Committee on Rules for the Seventy-second Congress, we find an archaic provision on page 20–B in the rule relating to appropriation bills, there being a proviso as follows:

Provided, That this rule shall not apply to the bill making appropriations for the Post Office Department for the fiscal year ending June 30, 1923.

I have asked unanimous consent that this proviso may be stricken from that rule.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

PROPOSED CONSOLIDATION OF VETERANS' AFFAIRS

Mr. BROOKHART. Mr. President, I desire to submit an inquiry to the Senator from New Hampshire [Mr. MOSES]. I have a resolution which is pending before the Committee on Rules with reference to the creation of a new committee to handle all veterans' affairs now handled by the Finance Committee and the Appropriations Committee, and also combining with it the Committee on Pensions. I want to ask the Senator what prospect there is of getting a report on that resolution?

Mr. MOSES. Mr. President, I will say to the Senator that in connection with the revised edition of the manual, which the Committee on Rules is now preparing, it intends to dispose of all pending matters affecting rules prior to the adjournment of the present session, in order that changes may be carried in the new manual.

Mr. BROOKHART. There are some matters I would like to have submitted for the consideration of the new committee during the present session. If it could be done by the 1st of February I think it would be early enough.

Mr. MOSES. The Senator from New Hampshire is not sufficiently in control of his committee, as the Senator from Iowa is of the committee of which he is chairman, so I can not make that promise. However, I will say to the Senator that there is no disposition on the part of the committee to delay the matter. As I have said to the Senator in private conversation, we have thought it very advisable that any change in the rules should take effect at the beginning of the long session of the new Congress rather than at the end of the short session of the Seventy-first Congress.

Mr. BROOKHART. If the committee adheres to that position I would like to submit the question to the Senate itself.

Mr. MOSES. I will give the Senator ample notice if the committee continues to adhere to that position. I hope the Senator is not so optimistic as to think that legislation coming within the purview of the new committee can be initiated and passed through the Congress before the 4th of March.

PETITIONS AND MEMORIALS

Mr. PATTERSON presented petitions of sundry citizens of the State of Missouri praying for the passage of legislation for the exemption of dogs from vivisection in the District of Columbia, which were referred to the Committee on the District of Columbia.

Mr. TYDINGS presented a petition of sundry citizens of Hyattsville, Md., praying for the prompt ratification of the World Court protocols, which was referred to the Committee on Foreign Relations.

He also presented petitions of sundry citizens of Baltimore, Md., praying for the passage of legislation for the exemption of dogs from vivisection in the District of Columbia, which were referred to the Committee on the District of Columbia.

Mr. CAPPER presented resolutions unanimously adopted by the First Church of the Brethren, of Wichita, Kans., praying for the prompt ratification of the World Court protocols, which were referred to the Committee on Foreign Relations.

He also presented a resolution adopted by a meeting of the business men of Clyde, Kans., favoring the passage of legislation for the regulation of motor bus and truck traffic, which was referred to the Committee on Interstate Commerce.

He also presented petitions of members of the Christian Science Quindaro Society, of the First Church of Christ, Scientist, and of the Second Church of Christ, Scientist, all of Kansas City, Kans., praying for the passage of the so-called Vestal copyright bill, which were referred to the Committee on Patents.

Mr. GOLDSBOROUGH presented petitions of sundry citizens of Baltimore, Md., praying for the passage of legislation for the exemption of dogs from vivisection in the District of Columbia, which were referred to the Committee on the District of Columbia.

He also presented petitions numerously signed by sundry citizens of the State of Maryland, praying for the ratification of the World Court protocols, including the so-called Root formula, which were referred to the Committee on Foreign Relations.

TAXATION OF INDIAN LANDS IN IDAHO

Mr. BORAH. Mr. President, I ask permission to have printed in the RECORD and referred to the Committee on Indian Affairs two telegrams from the secretary of state of the State of Idaho.

There being no objection, the telegrams were referred to the Committee on Indian Affairs and ordered to be printed in the RECORD, as follows:

BOISE, IDAHO, *January 14, 1931.*

Hon. WILLIAM E. BORAH,
United States Senate, Washington, D. C.:

A copy of Senate Joint Memorial No. 2 wired to Secretary of Senate to-day and certified copy being mailed to you, this memorial urges Congress to enact such legislation as will permit United States Government to pay to counties and States in which Indian lands are situated the taxes that would ordinarily be assessed against such lands.

FRED E. LUKENS,
Secretary of State.

BOISE, IDAHO, *January 14, 1931.*

EDWIN POPE THAYER,
Secretary of the Senate:

Senate Joint Memorial No. 2 has been duly passed by the Legislature of the State of Idaho as follows:

"We, your memorialists, the Legislature of the State of Idaho, respectfully represent, that—

"Whereas in Idaho and other Northwestern States, there are Indian lands which are not subject to taxation; and

"Whereas the various States and counties in which such Indian lands are situated are obliged to expend vast sums of money annually for the support of State and county governments, and for the building and maintaining of public highways; and

"Whereas such counties and States received no tax revenue from such Indian lands, and this fact is resulting in an undue tax burden upon the property owners generally of the counties and States affected; and

"Whereas it is understood that the Members of the United States Congress are at this time giving consideration to measures relieving such States and counties from such burdens: Now, therefore, be it

"*Resolved by the Senate of the State of Idaho (the House of Representatives concurring)*, That we most respectfully urge the Congress of the United States of America to give careful consideration to this matter and to enact such legislation as will permit the United States Government to pay to said counties and States the taxes that would ordinarily be assessed against said lands: And be it further

"*Resolved*, That the secretary of state of the State of Idaho be authorized, and he is hereby directed, to forward this memorial to the Senate and House of Representatives of the United States of America, and to mail copies thereof to the Senators and Representatives in Congress from this State."

FRED E. LUKENS,
Secretary of State.

EVILS OF ALCOHOLISM

Mr. FLETCHER. Mr. President, I ask unanimous consent to have printed in the RECORD and appropriately referred a resolution in the nature of a memorial from the Church School, of Belle Glade, Fla.

There being no objection, the resolution was referred to the Committee on Education and Labor and ordered to be printed in the RECORD, as follows:

Whereas former Congressman William David Upshaw has called attention to the efforts of the enemies of prohibition, through "wet" publications and otherwise, to miseducate the youth of the United States on the evils of alcoholism, the merits of prohibition, and the desirability of its enforcement; and

Whereas said Mr. Upshaw advises that the United States Government counteract this effort by aiding in the work of educating our young people, notably in the public schools and land-grant colleges, regarding the effects of alcohol on the human system: Therefore be it

Resolved, That the Church School, of Belle Glade, Fla., memorialize our United States Senators, Hon. DUNCAN U. FLETCHER and PARK TRAMMELL, and our Congresswoman from the fourth congressional district, Mrs. RUTH BRYAN OWEN, to aid, in all practicable ways, in promoting the above proposal.

Adopted on Sunday, January 11, 1931, unanimously.

THOS. E. WILL,
Author and Chairman pro tempore.

JANUARY 11, 1931.

REPORTS OF COMMITTEES

Mr. FESS, from the Committee on the Library, to which was referred the joint resolution (S. J. Res. 228) to provide for the relocation of the statue of Maj. Gen. John A. Rawlins, reported it without amendment.

Mr. BROCK, from the Committee on Commerce, to which was referred the bill (H. R. 11230) to authorize a preliminary examination of Yellow Creek and other tributaries of the Cumberland River in and about the city of Middlesboro, Ky., with a view to the control of their floods, and for other purposes, reported it without amendment and submitted a report (No. 1300) thereon.

Mr. BLACK, from the Committee on Claims, to which were referred the following bills, reported them each with an amendment and submitted reports thereon:

S. 13. An act for the relief of the Upson-Walton Co. (Rept. No. 1301); and

S. 1367. An act for the relief of Amos D. Carver, S. E. Turner, Clifford N. Carver, Scott Blanchard, P. B. Blanchard, James B. Parse, A. N. Blanchard, and W. A. Blanchard (Rept. No. 1302).

Mr. BINGHAM, from the Committee on Territories and Insular Affairs, to which was referred the joint resolution (S. J. Res. 120) authorizing the President to reorganize the administration of the insular possessions, reported it without amendment and submitted a report (No. 1303) thereon.

Mr. BROOKHART, from the Committee on Claims, to which was referred the bill (S. 3050) for the relief of James M. Booth, reported it with an amendment and submitted a report (No. 1304) thereon.

He also, from the same committee, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 4726. An act for the relief of Alexander H. Bright (Rept. No. 1305); and

S. 5192. An act for the relief of Donald K. Warner (Rept. No. 1306).

SALARY OF MINISTER TO LIBERIA

Mr. GOFF. Mr. President, I report back favorably from the Committee on Foreign Relations without amendment the bill (H. R. 9991) to fix the salary of the minister to Liberia. On yesterday the Foreign Relations Committee reached a unanimous agreement that this bill, fixing the salary of our minister to Liberia at $10,000 a year, which was passed by the House of Representatives on April 7, 1930, should be reported favorably to the Senate.

The salary of $5,000 now appropriated for the office of minister to Liberia is inadequate. It is less than that received by any other foreign representative in Monrovia. It is disproportionate to the salaries paid to the classified Foreign Service officers of the United States. The British consul general and the general consul at Monrovia in 1925 and 1926 received each a salary of $7,500 a year, and they were allowed in addition certain sums for entertainment and household expenses. In 1926 and 1927 the British consul general received $9,272 salary and an allowance of $2,196, equaling the sum of $11,468, which is more than double the compensation then paid to the American minister and consul general. The British consul general, in addition, had a house provided for him, in which he resided. The British Legation at Monrovia, owned and furnished completely by the British Government, is a 2-story concrete building with 14 rooms and all modern improvements. It is also my information that Germany, France, and Spain provide adequate quarters for their representatives.

The United States of America has many interests in Liberia, and it is, of course, the duty of the American minister not only to maintain but to advance them in every way possible. Liberia has always regarded the United States as a nation interested in its political, financial, and economic advancement. The missionary interests of the United States in that country involve a hundred missionaries, white and colored, and the religious investments total about $500,000 and involve an expenditure of about $300,000 a year. The United States has a large amount of capital invested in the rubber plantations, and there is an American loan to Liberia amounting to about $5,000,000. The American minister performs both diplomatic and consular functions, and for this dual service he is receiving now only a salary of $5,000 a year, which is $5,000 less than is paid to any other minister of the United States. It is $4,000 less than is paid to Foreign Service officers of the first class and proportionately less than what is paid to other officers of the Consular Service in the lower classes. It is a strange anomaly that one of our ministers should receive a salary lower than a second secretary of one of our legations. The duties of the American minister to Liberia are fairly compared by the State Department to those performed by our ministers to the smaller Latin American countries. All of these ministers receive $10,000 a year.

It is further stated that the cost of living at Monrovia for a diplomatic representative is much higher than it is in the United States. It is therefore impossible for the American minister to rent his own home, to do such entertaining as the situation requires, and to maintain his household unless he be a man of large independent means. It is therefore submitted for the reasons stated that H. R. 9991, fixing the salary of the minister to Liberia at $10,000 a year, and passed by the House of Representatives April 7, 1930, should be passed by the Senate of the United States and become a law at the earliest possible moment.

I observe the chairman of the Committee on Foreign Relations [Mr. BORAH] in the Chamber, and I wish to say that I spoke to the senior Senator from Arkansas [Mr. ROBINSON] concerning the matter, and out of order I ask unanimous consent that the Senate proceed to the consideration of the bill at this time.

The VICE PRESIDENT. The bill will be read for the information of the Senate.

The legislative clerk read the bill, as follows:

Be it enacted, etc., That the salary of the envoy extraordinary and minister plenipotentiary of the United States to Liberia, when appointed, shall be $10,000 per annum, and section 1683 of the Revised Statutes and such portions of title 22, section 32, of the United States Code, as fixes the compensation of a minister resident and consul general to Liberia are hereby repealed.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which was read the third time and passed.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

Mr. BORAH, from the Committee on Foreign Relations, reported favorably the nominations of sundry officers in the Diplomatic and Foreign Service, which were placed on the Executive Calendar.

He also, from the same committee, reported favorably Executive B, Seventy-first Congress, third session, being a treaty with Germany for the extradition of fugitives from justice, signed at Berlin on July 12, 1930, which was placed on the Executive Calendar.

Mr. JOHNSON, from the Committee on Commerce, reported favorably the nomination of Lieut. (Junior Grade) (Temporary) John S. Merriman, jr., to be a lieutenant (temporary) in the Coast Guard of the United States, which was placed on the Executive Calendar.

Mr. MOSES, from the Committee on Post Offices and Post Roads, reported favorably sundry post-office nominations, which were placed on the Executive Calendar.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. FESS:

A bill (S. 5725) for the relief of Frank B. Niles, former collector of internal revenue (with an accompanying paper); to the Committee on Claims.

By Mr. BORAH:

A bill (S. 5726) granting a pension to Granville Brown (with accompanying papers);

A bill (S. 5727) granting a pension to Anderson M. Cox (with accompanying papers); and

A bill (S. 5728) granting an increase of pension to Maria L. Wood (with accompanying papers); to the Committee on Pensions.

By Mr. TYDINGS:

A bill (S. 5729) to authorize the Secretary of War to donate certain bronze cannon to the Maryland Society, Daughters of the American Revolution, for use at Fort Frederick, Md.; to the Committee on Military Affairs.

By Mr. DILL:

A bill (S. 5730) for the relief of Thomas M. Buist; and

A bill (S. 5731) authorizing the appointment and retirement as a brigadier general, United States Army, of W. R. Abercrombie; to the Committee on Military Affairs.

By Mr. REED:

A bill (S. 5732) to authorize the acquisition for military purposes of land in Orange County, N. Y., for use as an addition to the West Point Military Reservation; to the Committee on Military Affairs.

By Mr. DALE:

A bill (S. 5733) granting an increase of pension to Madora C. Brooks (with accompanying papers); and

A bill (S. 5734) granting an increase of pension to Mary E. Watson (with accompanying papers); to the Committee on Pensions.

By Mr. HASTINGS:

A bill (S. 5735) granting an increase of pension to Jennie A. Faries; to the Committee on Pensions.

By Mr. HAYDEN:

A bill (S. 5736) granting an increase of pension to Burel E. Pollard; to the Committee on Pensions.

By Mr. GOFF:

A bill (S. 5737) for the relief of John M. Moore; to the Committee on Military Affairs.

A bill (S. 5738) to amend the law relative to the resumption of citizenship by women who lost their United States citizenship by marriage; to the Committee on Immigration.

By Mr. ROBINSON of Indiana:

A bill (S. 5739) to amend an act entitled "An act to fix the compensation of officers and employees of the Legislative Branch of the Government"; to the Committee on Appropriations.

By Mr. CAPPER:

A bill (S. 5740) to amend subsection (a) of section 1 of the act relating to the George Washington Memorial Parkway, approved May 29, 1930; and

A bill (S. 5741) to amend the Code of Law for the District of Columbia, approved March 3, 1901, as amended, by adding a new chapter relating to guardians for incompetent veterans, and for other purposes; to the Committee on the District of Columbia.

By Mr. COPELAND:

A bill (S. 5742) for the relief of Alexander Gilchrist, jr.; to the Committee on Finance.

A bill (S. 5743) to authorize 24-hour quarantine inspection service in certain ports of the United States, and for other purposes; to the Committee on Commerce.

By Mr. REED:

A joint resolution (S. J. Res. 233) to provide for the erection of a suitable memorial to the Second Division, American Expeditionary Forces; to the Committee on the Library.

By Mr. SMITH and Mr. GEORGE:

A joint resolution (S. J. Res. 234) making applicable for the year 1931 the provisions of the act of Congress approved March 3, 1930, for relief to farmers in the flood and/or drought-stricken areas; to the Committee on Agriculture and Forestry.

By Mr. GOFF:

A joint resolution (S. J. Res. 235) authorizing the placing in the National Statuary Hall of a statue in honor of the American mother and other patriotic women of the United States; to the Committee on the Library.

AMENDMENTS TO INTERIOR DEPARTMENT APPROPRIATION BILL

Mr. SHORTRIDGE submitted an amendment intended to be proposed by him to House bill 14675, the Interior Department appropriation bill, which was ordered to lie on the table and to be printed, as follows:

On page 87, line 18, strike out the word "only."

In line 19, after the word "municipalities," insert the following: "*Provided further*, That if any State or municipality which has entered into cooperation during the fiscal year ending June 30, 1932, shall cancel or withdraw the whole or part of its funds, the unused balance of the Federal allotment shall be available for mapping national forests, national parks, or other Federal projects."

Mr. HOWELL submitted an amendment intended to be proposed by him to House bill 14675, the Interior Department appropriation bill, which was ordered to lie on the table and to be printed, as follows:

On page 117, line 1, after the word "binding," insert the following proviso:

"*Provided further*, That not to exceed $250,000 of this fund shall be available for continuation of the investigation of mineral and other resources of Alaska to ascertain the potential resources available which will affect railroad tonnage."

Also, in said line 1, strike out "$200,000" and insert in lieu thereof "$250,000."

PRINTING OF THE SENATE RULES AND MANUAL

Mr. MOSES submitted the following resolution (S. Res. 402), which was referred to the Committee on Rules:

Resolved, That the Committee on Rules be, and is hereby, directed to prepare a revised edition of the Senate Rules and Manual for the use of the Seventy-second Congress, and that 2,500 additional copies be printed for the use of the committee, of which 300 copies shall be bound in full morocco and tagged as to contents.

COMMITTEE SERVICE

Mr. McNARY. Mr. President, there is a very keen desire to fill the membership of the Committee on Contingent Expenses on account of the necessity of considering the proper funds to carry on certain needed work which must be paid for from the contingent expense fund of the Senate, and to give a new Senator, the junior Senator from Vermont [Mr. PARTRIDGE], committee assignments. I submit on behalf of the committee the following order, and ask unanimous consent for its immediate consideration.

There being no objection, the order was read and agreed to, as follows:

Ordered, That Mr. TOWNSEND be assigned to service on the Committee to Audit and Control the Contingent Expenses of the Senate;

That Mr. PARTRIDGE be assigned to service on the Committee on Enrolled Bills, the Committee on Interoceanic Canals, the Committee on Military Affairs, and the Committee on Post Offices and Post Roads; and

That Mr. PARTRIDGE be appointed chairman of the Committee on Enrolled Bills.

EXECUTIVE MESSAGES AND APPROVALS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries, who also announced that the President had approved and signed the following acts:

On January 13, 1931:

S. 3273. An act to authorize the Postmaster General to issue additional receipts or certificates of mailing to senders of certain classes of mail matter and to fix the fees chargeable therefor.

On January 15, 1931:

S. 4803. An act to extend the time for constructing a bridge across the Atchafalaya River at or near Morgan City, La.;

S. 4804. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Atchafalaya River at or near Krotz Springs, La.;

S. 4805. An act to extend the time for construction of a free highway bridge across the Red River at or near Moncla, La.;

S. 4806. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Red River at or near Alexandria, La.;

S. 4807. An act to extend the time for construction of a free highway bridge across the Red River at or near Coushatta, La.;

S. 4808. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Red River at or near Shreveport, La.;

S. 4809. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Ouachita River at or near Sterlington, La.;

S. 4810. An act to extend the time for construction of a free highway bridge across the Ouachita River at or near Monroe, La.

S. 4811. An act to extend the time for construction of a free highway bridge across the Ouachita River at or near Harrisonburg, La.; and

S. 4812. An act to extend the time for construction of a free highway bridge across the Black River at or near Jonesville, La.

COMMUNISM AND THE SOVIET GOVERNMENT

Mr. McNARY. Mr. President on the 12th day of January of the present year the able junior Senator from Nevada [Mr. ODDIE] delivered a very thoughtful and able address before the National Patriotic Council in Washington, D. C., which I ask unanimous consent may be inserted in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The address is as follows:

ADDRESS BY SENATOR ODDIE, OF NEVADA

Since the early days of our country and the most difficult period of the Civil War, there has not been an issue more important to the Nation's social and economic welfare than the question of communism and the attack which the Soviet Government is now making on our industries and institutions.

The announced intention of the Soviet Government is to provoke and wage a world revolution, and the most unscrupulous methods are being employed for this purpose. The old Marxian theory that "might is right" has been accepted by the communists and the freedom and liberty of the peoples of other nations are challenged. Russia is at war with the world to-day, and is using the implements of propaganda and sabotage and undermining the very foundations of world trade and prosperity by dumping soviet merchandise at artificially low prices on the world's markets.

A year ago we were unconscious of the seriousness of communistic activities in this country and were inclined to regard in a sense of national security the soviet experiment. Had it not been for the excellent work which has been done by Representative HAMILTON FISH, Jr., in conducting hearings throughout the United States and in making available to the public the facts concerning communistic activities, the Nation would still be ignorant and in a defenseless condition. It has required great courage, intelligence, and hard work to conduct this investigation, and having examined the testimony which the House committee inquiring into communism has produced in the published hearings, I feel that no greater contribution has ever been made by any committee of Congress in safeguarding our national security. We are looking forward to the report of this committee as a basis for legislation which will fully protect and safeguard the interests of the United States against the intrusion and attack of the communists. It is, therefore, a distinct privilege for me to have been invited to participate in this dinner in honor of Congressman FISH.

The domestic and foreign trade of the United States should no longer be subjected to the adverse effects of soviet dumping, and for this reason I have introduced a bill, S. 4848, to prohibit the importation of any article or merchandise from the Union of the Soviet Socialist Republics. The bill not only includes articles and merchandise mined, produced, or manufactured wholly or in part in any territory subject to the jurisdiction or control of the government of the Union of the Soviet Socialist Republics, but also includes such articles and merchandise as may be produced or manufactured in other countries from materials which have been mined, produced, or manufactured in any soviet territory.

The Nation is in the throes of an international depression and confronted by a most serious employment problem. The dumping of soviet lumber, pulpwood, wood pulp, matches, glue, coal, manganese ore, etc., is seriously restricting employment in these industries. The manganese industry, which at the beginning of 1930 was prepared to produce over 200,000 tons of metallurgical grade ore, or more than 25 per cent of the domestic consumption, is now shut down because of the dumping of soviet ore at Pittsburgh at artificially low prices. Should the bill which I have introduced be enacted, it would result almost immediately in the employment of 15,000 men in the manganese industry alone and would provide increased tonnage for the railroads. Many more thousands of men would be put to work in the other industries affected, and tonnage to the railroads would greatly expand. The War Department has very definitely designated manganese as one of the most important war essential metals and, consequently, the soviet attack directed against the development of this industry is especially serious in rendering this Nation incapable of meeting a substantial part of its requirements of manganese from domestic sources of supply. The defense of the Nation is, therefore, greatly endangered.

If an antidumping bill were to include only those soviet products most damaging to domestic industries now, it would not be long before the soviet economic front would be shifted to the production of other commodities equally or even more disastrous in their effects upon our industries. It is necessary, therefore, to exclude all soviet articles and merchandise.

Because of the continually depreciating gold value of the soviet fiat currency in Russia and the correspondingly lessened gold cost of production, soviet export prices can be lowered more rapidly and more extensively than duties can be increased. Since tariff readjustments would prove ineffective in preventing this unfair soviet competition in our domestic market, the enactment of the bill which I have introduced, altogether prohibiting the importation of all articles or merchandise from Soviet Russia, is necessary adequately to protect our industries and to provide that opportunity for employment to which American labor is justly entitled.

Likewise, if an antidumping bill excluded only those articles of merchandise produced from convict labor it would not prove effective, as the Soviet Government would then employ persons who were not convicts, pay them in a depreciated currency, and still be able to export the goods to the United States and other countries at a gold profit. Furthermore, the administration of an antidumping act directed against the production of goods by forced, indentured, or convict labor would be impossible, because the facts concerning production could not be ascertained in Russia. The Treasury Department has been confronted with this problem for several months, and great difficulty has been experienced and no relief afforded under the antidumping act of 1921.

It should be recalled that in 1922 this Government, through the German Embassy at Berlin, made a request of the Soviet Government to send an economic commission to that country to study conditions, and that this request was denied. Since this country is without recourse to enforce legislation to protect itself in any other way I feel that the bill which I have introduced is not only justified but necessary in establishing an economic quarantine for Soviet Russia. A number of other leading nations have already taken steps to protect themselves from soviet dumping, and if this country enacts a law excluding soviet imports other nations will follow, extending and making effective an economic quarantine.

Under the present conditions of unemployment in the United States I am in entire accord with those who recommend an immigration holiday for this country. We have allowed Russians on a certificate of entry to come into this country, and this courtesy in many instances has been seriously abused. This privilege in the future should be denied by legislation for all time prohibiting the entrance into the United States of citizens of any country not recognized by our Government.

There is little, if any, benefit, however, to be gained from stopping immigration if we are to permit the Soviet Government to participate in our domestic market by dumping products at unfair and artificially low prices and produced largely by convict and forced labor. The importations of such products just as certainly replaces the opportunities for employment of American labor as would the individuals if permitted to come into the United States and compete for employment with American labor.

Every American dollar paid for soviet products dumped here provides employment for the communists in Russia, and to that extent replaces American labor, increasing unemployment in this country. It is unthinkable that Congress will allow this condition to continue. The early enactment of an effective soviet antidumping bill, such as I have introduced, is the first and most important step which can be taken to aid in the solution of the unemployment problem.

It is obvious that the gold credits resulting from the dumping operations of the Soviet Government constitute an additional supply of funds readily available for the purpose of maintaining communist organizations in the United States, in publishing and distributing communistic propaganda, and in staging communistic demonstrations, to the detriment of American ideals and institutions.

Furthermore, most of the soviet articles and merchandise dumped on our market are produced by forced, indentured, or convict labor; and to permit their importation and sale in this country is to perpetuate and enlarge the scale upon which the communist leaders sweat the blood out of the Russian people.

Ex-President Calvin Coolidge, in the Washington Post of November 28, 1930, made the following statement:

"Some years ago a prominent man attracted considerable attention by refusing to purchase some garments at a very low price because he considered that the needlewomen who made them were underpaid. He did not care to profit by their distress. He felt that what he might save in such a transaction was blood money wrung from the unfortunate. He was right.

"There will be general satisfaction in learning that our country, through the National Government, is adopting a like attitude. We wish to protect our own wage earners, our agriculture, and industry from the results of dumping produce on our markets at a price with which they could not compete. But the policy has a deeper significance than that. We are unwilling to profit by the distress of foreign people. We do not want their blood money. Our efforts are not only to protect our own people from cheap goods, which President McKinley said meant cheap men, but we propose to set up a standard that will discourage other nations from exploiting their people by producing cheap goods. Our policy requires fair wages for both domestic and foreign production. We have no market for blood and tears."

It is, therefore, in accordance with American standards immoral and inhumane as well as uneconomic to permit this system of dumping to continue.

Already many organizations, both of a patriotic and of an economic character, have expressed support for the bill which I have introduced, but I desire to quote at this time from a letter received from the National League of Americans of Russian Origin (Inc.), as follows:

"We take the liberty of thanking you for the introduction of the Soviet embargo bill.

"Protecting American labor you protect as well the Russian people oppressed by communists and deprived of all human rights.

"Your bill will contribute to better relations between the American and Russian peoples in future."

Surely, the American people, when they understand fully what is going on, will unite in protest and will support legislation which will prevent for all time the participation by this country either directly or indirectly in this crime of communism, the most serious international menace with which the world has yet been confronted.

THE SILVER SITUATION

Mr. PITTMAN. Mr. President, I have a letter from former Senator Charles S. Thomas, of Colorado, inclosing an article which he has prepared for a subcommittee of the Committee on Foreign Relations dealing with the whole history of the silver question and its present condition. I ask to have the letter and article printed in the RECORD. I also ask to have printed in the RECORD an article by former Senator Cannon of this body, which was published in the New York Times of the 11th instant, entitled "Silver Loan Proposed as Aid for China."

The VICE PRESIDENT. Without objection, leave is granted.

The letter and article of former Senator Charles S. Thomas are as follows:

WASHINGTON, D. C., *January 3, 1931.*

Hon. KEY PITTMAN,
United States Senate, Washington, D. C.

MY DEAR SIR: In compliance with your request, I have written and herewith submit for your consideration a brief sketch of the progress of silver's demonetization since 1816. It is obviously imperfect, and although long enough for the purpose it is altogether too brief to comprehend a satisfactory synopsis of the subject.

You will note that I have stressed the immediate economic consequences of the successive assaults upon bimetallism by Great Britain and the United States down to the recent Indian coinage act, and emphasized the inevitable result of the depreciation of the purchasing power of silver money not only in silver-using countries but throughout the world. I do not presume that the reaction to such an article will be any more pronounced after the publication of your report than it has been since our own currency act of 1900.

I have another article which is confined to the Treasury incident of 1919 and 1920, which I will discuss with you in the early future.

Cordially yours,

C. S. THOMAS.

PERSISTENT BIMETALLISM

By Charles S. Thomas

"He would be a bold man who would withdraw silver from that partnership with gold by means of which a sufficient supply of currency was furnished for the whole globe." (Lord Goschen in 1876.)

The relation of gold and silver to each other and of both to the production and interchange of commodities was a primary development of human intercourse. It may be confidently asserted that from the moment when man mastered the secret of gleaning these metals from the detritus of streams and mountains, he employed them as counters in his rudimentary methods of barter and sale, and thus made them his measurements of value. They were difficult to obtain, they were beautiful, they appealed to a general human desire. Moreover, it was perceived that as their production increased the two metals preserved a constant and fairly uniform quantitative relation to each other. With every unit of gold, approximately 14 units of silver would be added to the common hoard; a ratio which, maintained through the ages, persists to this hour. Nature having thus fixed a parity of production man naturally applied it in terms of value; and the ratio of about 15 to 1 between gold and silver was established by common consent centuries before the fact was noted in the records of history. These records beginning A. D. 1687 inform us that the relative values between the two metals fluctuated until 1874, between the narrow extremes of 14.94 and 15.93. Greater discrepancies occasionally appeared which were automatically rectified by a transient greater use of the cheaper metal until the equilibrium was restored. The prevailing ratio of output is about 14 to 1.

Generally speaking, until 1816 this ratio was due neither to edicts nor statutes. It was an inevitable result of the law of relative production, varying with it because always responsive to it. Undue scarcity of one or the other of them from time to time, due generally to artificial or unusual causes, sometimes upset the normal proportion, thus creating serious social and political disturbances, comparable to the hard times, and business depressions of the hour. But with the return of normal conditions, the metallic standards of exchange have automatically adjusted themselves, when "business as usual" resumed its wonted activities.

At intervals the undue disproportion of gold or silver production, due to the discovery of new or more abundant deposits, has seriously disturbed the active affairs of the economic world and aroused the apprehensions of financiers and economists among industrial nations as to the continuing integrity of prevailing monetary systems and the need for changing or discarding them. The most noted of these was the discovery of gold deposits in 1849 in California and Australia, followed by its unprecedented production, and will be discussed in chronological sequence.

The ancient and universally prevalent institution of bimetallism, generally resting on legal units of silver as standards of value, was the basis of all human activities and recognized as such without serious dissent until 1816. During that fateful year Great Britain quietly discarded the silver pound of Sir Isaac Newton and substituted for it an equivalent quantum of gold as her sole standard of value. Within her dominions silver was thus deprived of its money function, although the fact was not revealed and hardly suspected for 50 years thereafter. This most momentous step in the world's economic history was unheralded and unobserved. Had the fact been otherwise, it would probably have been unheeded, for it concerned a recondite subject which few men appreciated and toward which all men were indifferent. Viewed in perspective, it now bulks large as capital's first and most deadly assault upon the material welfare and prosperity of industrial mankind. The event was a premeditated result of the close of the Napoleonic era and designed to enhance the value of the empire's fixed indebtedness by confining its payment to a single metal or its equivalent.

Rothschild witnessed Napoleon's defeat at Waterloo and fled post haste across the Channel. He preceded all others to London, purchased vast quantities of consols, and then announced the victory. The value of his securities soared to the skies. Europe was desolate, and France bankrupt. Within a twelvemonth England established and has since maintained the gold standard.

It is a remarkable fact that, beginning with 1816, every assault upon or menace to the monetary function of the white metal has been promptly succeeded by a widespread and protracted economic depression, sometimes involving the habitable globe. Other causes occasionally contribute to these disasters, which inevitably follow each other. And it is equally noticeable that all these assaults follow close upon the cessation of war.

The American Civil War ended in 1865, and the Franco-German War in 1871. In 1873 both the United States and Germany demonetized silver, thus forcing the Latin Union to suspend its coinage of that metal. Before the close of that year the United State plunged into the industrial debacle of a general panic, and Germany felt the pinch of hard times. The next seven years was an agonizing period of unemployment. Misery and discouragement, punctuated by shrinking values, an increasing burden of debt, and the startling discovery in America that our supply of hard money had been surreptitiously cut in two, while Germany boasted that gold monometallism had been established to double the burden of French indemnities. In 1875 many Senators and Representatives acknowledged their ignorance of the contents of the Federal coinage and currency act of 1873, and the President of the United States declared that his first knowledge of its real purpose and effect came two years after he had approved it. Bond redemption in coin was succeeded by redemption in gold, and the value of the funded national debt was enhanced by 36 per cent overnight. Market values shrank in like proportion.

In 1856, when gold production nearly quadrupled, Chevalier published his "Decline in the Value" of that metal. He urged its demonetization upon every ground, afterwards pressed against silver money. Scientifically, morally, socially, politically, and physically, the flood of gold meant to him universal disaster unless its money function were destroyed. The nations comprising the Latin Union adopted the silver standard.

England, alarmed at the prospect, enacted a statute compelling the Bank of England to purchase all gold presented for sale at its counters at the fixed sum of approximately $20 per ounce, and prices rose in sympathy with the rising tide of the yellow flood. But the equilibrium finally came with the rich output of the Comstock mines, whose ores yielded both metals in similar proportion until the ratio rose to 15.93 to 1, or $1.0368 of silver to $1 in gold. Since then gold monometallism became regnant, bimetallism was discarded, the face of the monetary world was altered, and silver, constantly in recession, now stands barely above the financial horizon. Values have been wiped out, exchanges revolutionized, and credits multiplied until the world's monetary systems resting on gold have become vast inverted pyramids of constantly increasing proportions threatening a cataclysm that must shake the world.

We are reminded of this approaching collapse by successive assaults on silver money. Efforts to restore its coining privileges have served to sink it deeper into the commercial quicksands. Our demands for free coinage have been answered by acts for compulsory coinage. The Government's privilege of redeeming its paper in silver or gold at its discretion under the act of 1890 was long ago transferred to the banks. In 1893 England abruptly closed her mints to silver coinage, silver fell 16 points in 30 days, money disappeared from circulation, and panic rode the storms of disaster for seven more terrible years. Then came the political demand for bimetallism, with Bryan at the front, only to be overwhelmed by the unlimited campaign fund of Mark A. Hanna.

This defeat was sealed by the vast and unexpected increase in the world's gold production. Mark Sullivan declares, in his history of "Our Times," that the silver issue of the nineties was vanquished by two metallurgists of South Africa, McArthur and Forest by name, who solved the problem of cheap gold extraction from low-grade values, thus bringing millions of tons of hitherto

worthless ore dumps into profitable production. Supplemented by the discovery of huge gold deposits in the Klondike and the Transvaal, the resulting output more than compensated for the rejection of silver in finance, and the day was saved for a time. Bimetallism disappeared from politics, and the gold standard became the accepted measure of values, albeit the need for the white metal in Asia, Central and South America persisted and still persists as an indispensable element in the world's exchanges.

This need was strikingly emphasized by the World War. Early in 1918 England confronted a silver famine in her Indian dominions. Her need was dire. She faced default in the payment of her soldiers and of her commitments for supplies from that country necessary to carry on in Mesopotamia. Failure to meet her obligation meant disaster, revolt, and probable defeat for the Allies. She appealed to America in her extremity, which generously responded by melting up nearly 275,000,000 silver dollars, and transmitting the bullion thus acquired at $1 per ounce, but providing a corresponding purchase at the same rate for recoining our silver reserve. This saved the Allies, albeit the Treasury Department afterwards repudiated the law by refusing to purchase nearly 45,000,000 ounces of bullion for recoinage. This deliberate betrayal of a legislative mandate was not even protested, although it can neither be condoned nor justified. But it was another nail in the silver coffin, and was doubtless so intended.

Nor was this the only or the most serious offense of the department. Between 1919 and 1921 the bullion price of silver unexpectedly rose to $1.40 per ounce, the highest point it ever attained. At that figure it commanded a premium of 11 cents over the gold dollar and commerce sang through the Orient as never before. The most propitious time in all history was opportune for the stabilization of the metal. And then again without warning and quietly the blow fell.

Although two acts of Congress, one of them fortified by an Executive order, prohibited under severe penalties the exportation of gold and silver coin or bullion, and although the Pittman Silver Act authorized the melting of silver dollars up to a maximum of 300,000,000 for specific purposes, duly expressed, yet it was provided that for every dollar melted a fine ounce of silver should be purchased from the domestic product at $1, recoined, and returned to the Treasury. The Federal Reserve Board, combining with the Secretary, set aside the inhibitions of the statutes against exportation of the money metals, and on December 6, 1919, contracted with three international banks in New York to "furnish" them with 13,000,000 silver dollars to be melted and dumped into China for the avowed purpose of depressing the price of silver below the dollar point. These authorities also furnished other agencies with 16,000,000 additional silver dollars for the same purpose, or 29,000,000 in all. The purpose was speedily accomplished, the market value of silver was in May, 1920, forced to 60 cents per fine ounce.

The Government's refusal to purchase and recoin the silver bullion above mentioned was based upon its low current value, which in turn was entirely due to its own conduct. It unlawfully diverted millions of silver dollars into foreign channels in order to break the market; and having done so, it unlawfully repudiated its obligation to restore the melted dollars to the Treasury, because it had fallen below 60 cents an ounce. Having destroyed 29,000,000 silver dollars, to "prevent the price of silver from rising above the point at which the subsidiary coinage would be exported," the department refused to repurchase the bullion because of that fact, although its duty was plain, admitted of no discretion whatever, at a price arbitrarily imposed by law, and in nowise dependent upon market conditions. The Treasury destroyed the market, and because of the fact rejected its statutory duty to replenish the fund. It requires an effort to speak dispassionately of such a flagrant betrayal of statutory duty.

Within a year came the grim harvest. The world experienced another industrial upset. Sixty-cent silver again wiped out the oriental markets for breadstuffs. American agriculture speedily collapsed. Farm relief became an acute problem, still plaguing our people for a solution. Purchases of surplus production have thus far only served to aggravate it. We shall confront it with growing apprehension until we face its real cause, and remove it. Yet all we have thus far done has been to decrease by over 50 per cent the bullion values of silver, which remained after Secretary Houston's campaign of 1920 against it. No doubt one reaction to this drastic policy has been the increasing disorders in China and swelling discontent in India.

Whatever the fact, Great Britain at once began bestirring itself for "currency reform" in the latter country. The gold standard established for that country in 1900 proved a wretched failure. India absorbed £275,000,000 of gold within a few years, and one-third as much of silver, all of which has disappeared forever. It might as well have been scuttled in the mid-Atlantic. And so, in 1925, the royal commission on Indian currency was created, and charged with the duty "to examine and report on the Indian exchange and currency system and practice, to consider whether any modifications are desirable in the interest of India, and to make recommendations."

On July 1, 1926, the commission made its report, which among other things, noted "the difficulty of keeping the silver rupee in circulation if the price of silver were to rise above the melting point of the coin." When it is considered that the Federal Treasury had brutally crushed its rise above that price shortly before, thereby making the creation of the British Commission an imperative duty, and that the permanent retirement of the silver rupee was foreshadowed as one of its objects, this apprehension, though sounding like sarcasm, was treated as a genuine menace.

For the commission recommended that "the paper currency should cease to be convertible by law into silver coin;" that "no change be made in the legal tender character of the silver rupee;" and that "the silver holdings in the reserve should be very substantially reduced during a transitional period of 10 years. It also declared that under "its proposed scheme for a gold standard and gold currency, silver rupees would cease to be legal tender after a stated period." The scheme would involve the attraction to India of a large additional amount of gold required for currency and the addition of hoards. It would also involve the sale of an amount of redundant silver equal to about thrice the world's production for a year.

The report then stressed the catastrophic fall in the price of silver in terms of gold which would take place on the bare announcement that surplus silver equal to the world production for three years was for sale.

The "bare announcement" of the report was sufficient to produce the catastrophic fall thus apprehended, with its unfortunate consequences. Despite the fact, the Government approved the report and recommended legislation to make it effective. The Indian Parliament complied therewith. The new system supplanted the old, and in 1929 the silver current flowing inward for a score of centuries soon reversed its course, the value of the metal began its last headlong descent, until it now goes begging in the market places of the world at barely 32 cents an ounce. Throughout the Orient want has given way to beggary, values have been destroyed, the money of Asia can buy nothing, the obligations of its people tower to the skies, distress, revolt, banditry, internecine war, and butchery, starvation and pestilence, have overtaken more than half the human race. Yet we are yearning for and predicting a turn of the economic tide, albeit the purchasing power of our former customers has been wiped out by the most devasting course of financial legislation and malpractice with which mankind was ever afflicted.

The world's bankers and business men have wrought for the establishment of the gold standard for more than a century. They have finally succeeded, but the world's economic structures are toppling to ruin. Silver has been stripped of its functions and its values destroyed in the cause of sound money, but the silver-using nations are beggared and the rest of them seriously impoverished, their earning power reduced to the vanishing point, their ambitions quenched, and their enterprise benumbed. Gold, staggering under its colossal burden of credit, is cracking under the strain and must collapse unless relief soon appears, but there is none in sight. Our economic leaders, who are our masters also, persist in their old way, deaf to the warnings of impending collapse, and blind to the rising tides of disaster.

While we shudder at the thought of a communistic world, we have paved the way for its coming. What can be worse than poverty and want imposed upon man by laws and customs which destroy his products, deprive him of his lands, and eat out his substance? Surely no more fertile field than this can be prepared for the reformer fervently proselyting in the cause of a new heaven and a new earth, who would take alike from him who hath and him who hath not, who would feed the hungry with the substance of the well to do, and start afresh when all are degraded to the common level. Should such a catastrophe befall mankind, its primary cause will be found in the economic conditions which have been devised and then perpetuated for making gold the supreme standard of all values. As man multiplies in numbers, as his activities diversify and expand, as his intelligence develops his powers of production, as his wants become more and more insistent, as his structures of credit enlarge with the horizon of his industries, the basis of his expanding system must be broadened and deepened if he would avoid disaster. While his store of gold grew as his business grew, his equilibrium was assured. But his business and credits have been outstripping his golden store, during which period he has heaped new burdens upon it, and thrown aside the silver struts so long supporting the edifice. There is still time for action. But will he wait, instead, until the crash occurs and chaos comes again?

This sounds like declamation. Perhaps it is. Let us hope so. But we can not shut our eyes to many appalling counterfacts, to only one of which I need refer. Silver converted into anklets, bracelets, and other forms of jewelry have for centuries adorned the bodies of Indian women and been secreted from the public view. They are wedding gifts and dowries constituting their sole belongings. The Indian woman owns them, and owns nothing else. They are her dowry, to be disposed of as she will. She may give them away, or devise them to her children. Before marriage, parents bargain and haggle for them. They may mean life or death to the owners. In times of stress they may become the sole means of subsistence. Hence, some conception may be formed of the prodigious quantity of silver bullion and rupees which during the centuries have been made into bracelets and anklets and welded on the bodies of women as their sole and only belongings. The consequences to these poor creatures when parliaments, and congresses, and secretaries, and ministers of finance so make laws, and administer them, that the value of their scant belongings shall fall away and shrivel into nothingness may be appreciated. It may be affirmed that of the more than seven billions of rupees which these widely distributed items of modest ownership would have readily commanded in 1924, four-fifths have within the past 10 years been destroyed by law; gone utterly, invisibly, without a sound and without warning. Their miserable holders retaining the mere vestige of their former wealth, neither know how their misfortunes have come nor how soon they will be stripped of the little that remains. Their collective losses, react-

ing to world's affairs, reveal the fundamental causes of its own conditions. Not until such wrongs are righted, and those despoiled secure their restitution can we be sure that the end of our own industrial agony is at hand. Can we not realize this and strive to attain it? If we fail to do so, we may be sure that the gold standard will not long survive the awful sacrifices which have been made to establish it.

The remedy is at hand if only we will avail ourselves of it. The machinery for suggesting and organizing an International Monetary Conference was written into our statutes over 33 years ago. Is our President big enough and courageous enough to perceive his opportunity, disregard the counsel of those interests and influences which have effectuated our present entanglements, strive to place gold and silver upon a common monetary basis, and start the world once more upon the real highways of progress?

Or will he and his advisers persist in treading the same old highway strewn with the wrecks of an unnatural and impossible financial system tottering under an inadequate standard, whose burden grows as its basis narrows, but sustained by optimistic visions of an industrial millenium, whose beginnings are said to be just around the corner, and whose advent is assured by the confident forecasts of the self-appointed, experienced, and far-seeing captains of modern industry. Whatever his course he must select and travel it promptly, for he can neither evade nor ignore the crisis very long.

The article by former Senator Frank J. Cannon is as follows:

[From the New York Times, January 11, 1931]

SILVER LOAN PROPOSED AS AID FOR CHINA—STABILIZATION OF THE VAST COUNTRY WOULD HELP OUR TRADE, SAYS FORMER SENATOR

(The following article by the former Senator from Utah is of especial interest in view of the announcement from Washington last week that the Senate Foreign Relations Committee would soon receive a report from a subcommittee in favor of an international loan to China in the interest of world trade.)

By Frank J. Cannon

More than one-fifth of the people of this globe live in China. They and the other inhabitants of Asia number 1,030,000,000 of the earth's population of 1,950,000,000. As its past has been the longest known, so China's future is the most important among world problems.

China is now passing through the pains of parturition. It is with a new China, with all its potencies, that western peoples must soon come into closer relationship—beneficial to all if wisely established or injurious to all if we shall make heedless or cruel blunders. After her many centuries China is entering upon an experience which may be like our own, except that it will be larger and probably more speedy in its fruition than was the growth of power and influence of the United States, which up to our day is the transcendent national achievement of mankind.

STABILIZATION OF CHINA

We have the utmost need that China shall be stabilized to assure the peace of the world and to give opportunity for our commerce. That stabilization is being effected gradually but surely. The President of the Republic, head of the National Government, Chiang Kai-shek, seems to be succeeding in his mighty task of subduing rebels and marauding forces. Apparently he has preferred to attain this end by force of arms rather than by bribery.

He is confronted now by a problem which grows larger and more acute with every victory. The soldiers falling off from the armies have no legitimate occupation and many of them go into bandit hordes or become available in their desperate need for the movement of the Russian Soviet. This teaching has no natural place in the disposition of the Chinese. Every tradition, every custom, would be opposed to it. But when men are hungry and homeless they do not judge by the standards of life which prevail when they are in the midst of peace and plenitude.

It has been testified by experts that the great material need of China is for a system of roads and canals and adequate means of transportation by land and water. And we travel in an evil circle if we assume that these ends can be attained only after the social conditions shall be fully settled in China. This great work should precede, or at least should accompany, the intelligent and forceful effort which is making to establish political security. But the essential is lacking—money. Just as our trade, import and export, with China has fallen during the year past, with the threat of still more ominous decline, so the internal commerce of China has fallen to its lowest known status.

Dr. Julius Klein has testified that our potential market is the Orient. China is the choicest part of that market. For the moment we have saturated the buying power of our own people. Ask any large manufacturer in the United States what he most needs and he will answer markets. At this time our power of mass production has made a surplus over and above our ability to consume. We must find other consumers. China has more than three times our own population. Frugal as they are, they are among the best consumers in the world. They save a trifle, but they spend more in proportion to income than we of the United States.

CHINA'S BUYING POWER

But we have almost destroyed the buying power of China. This has been accomplished in part through measures calculated by people reckless of the consequences and partly without prescience of the result.

The Orient for 4,000 years has been using silver as money. Of its more than 1,000,000,000 people, probably nine-tenths of them never saw gold as money and could not use it as money. As remarked by an American who had lived in China: "You can not pay a man 15 cents a day out of a gold piece." And the Chinese do not believe in paper even if it could be based on gold. They want their day's wages in metal which they can understand.

As silver in China has fallen to about 35 cents an ounce from its former price of $1.30, it follows that we have reduced the buying power of China's silver about 70 per cent, and this is true of all the silver in the Orient—of all the world for that matter. If you take away three-quarters of the buying power of the money of more than 1,000,000,000 people, do you need to look elsewhere for a primary cause of world depression?

But in China there is a not unnatural by-product of this diminution of buying power. While silver had a fixed place the Chinese hoarded their little savings. But with the falling, in addition to the fact that it took 4 ounces to purchase what formerly 1 ounce would buy, the degradation of silver made everyone desirous of getting rid of it while it still retained a little purchasing power. Hence the silver of China has flowed into the treaty ports and is held there largely for speculative purposes. The back country of China has little or no silver as money or available for money purposes.

It is into the back country of China that a great movement must be made. It is here that scores of millions must find work and wages for their livelihood; it is here that they must grasp the principles of democracy; and it is here that they must be made participants in the nationalization.

What the Chinese need in that great back country is a medium of exchange. They need the work and the wages which a supply of that medium of exchange would give.

It is believed that China has about 800,000,000 ounces of silver stored at the treaty ports. It is an assured fact that in the back country she has none worthy of mention. Chinese peasants and artisans, no more than American farmers, can get along without a medium of exchange; therefore our first action might very well be to supply to the National Government of China something which that Government could use and which its people would gladly accept as money—viz, silver. And we must do this without any interference with the gold standard, which is the basis of money and credit transactions throughout the western world.

A SUGGESTION

As a means to that end I am submitting to Senator PITTMAN'S committee—a subcommittee of the Committee on Foreign Exchange—this suggestion:

That the Government of the United States lend silver bullion to the nations which are in need of bases and rehabilitation of finance and industry. In return, borrowing nations to issue bonds, payable, principal and interest (if any interest) in silver bullion by weight. Such borrowed bullion to be minted and put into circulation by the borrowing countries under conditions fixed by the United States.

An act of Congress could provide for the loan for the replacement of silver bonds for bullion, or for the purchase of equivalent bullion in the domestic market, as the basis for our silver currency outstanding.

If our Government should undertake loans to China and other countries, it would be essential to have carefully planned negotiations with the leading statesmen of European countries and also Mexico and Canada. As rapidly as bullion could be properly absorbed by borrowers the quantity would be increased up to, say, 8,000,000,000 ounces.

If our Government does not accept the opportunity, our commercial powers ought to seize this chance to enlarge their markets by cultivating the purchasing power of more than 1,000,000,000 potential consumers.

If neither the Government nor the commerce of the United States cares to act, the whole plan can be executed by Great Britain, which is seeking to provide markets for the product of 3,000,000 artisans now idle.

A LOAN BY WEIGHT

It will be observed that the salient point of this proposal is to lend silver by weight, repayable, principal and interest, by weight. This cuts through the whole question of money, of ratio, of exchange. Neither the transaction of lending nor the transaction of repayment needs any translation into dollars.

We have in the Treasury of the United States more than 400,000,000 ounces of silver. It is true that against the silver dollars stored in the Treasury has been issued paper currency, but the stability of the paper dollar is not in the silver, for there is but 25 cents worth of that metal behind the piece of paper which we call a dollar. If the Government's credit can stand for 75 cents, the Government is good for 100 cents—particularly if there should be substituted for the bullion a reliable promise to restore the bullion.

We need to help China. Our commerce must find an outlet or our wheels of industry must further slow down. It is not the work and wages of China alone but it is the work and wages for the people of America that we must consider.

In five years, according to special dispatches to the New York Times, it would appear that more people have perished of starvation in the Republic of China than died from war causes throughout the world during the World War. What right have we to go on in the smug self-sufficiency of unconsumed and unconsumable surplus while millions die in want of the very things which

go to demoralizing waste here? Sometime we shall have to answer. Retribution waits upon nations as well as upon individuals.

THE BUSINESS SITUATION

Mr. LA FOLLETTE. Mr. President, I ask unanimous consent to have printed in the RECORD an article by the Senator from Minnesota [Mr. SHIPSTEAD] which appeared in the Minneapolis Tribune on December 28, 1930, relating to the current business situation.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ECONOMIC LAWS DISREGARDED

"What's the matter with business, Senator?" was the first question I asked him when I met him recently.

While slow in movement, deliberate in speech, Senator SHIPSTEAD does not hesitate in his answers. Neither does he give one the impression of being rushed or hurried in his thinking.

"Perhaps the greatest handicap of business," he replied, "is the refusal of the leaders in government, finance, and industry to recognize well-established laws of economics and, therefore, refuse to admit that something is the matter with business."

Senator SHIPSTEAD has never been a revolutionist. He is not even radical, in the popular sense of that term. He is a conservative at heart, an old-fashioned constitutionalist. He does not object to being called radical, if one uses it in its exact meaning of "going to the root of the matter."

"Mussolini says the trouble with business is the stock-market crash in New York," continued the Senator, "The British say it is due to all of the gold being in France and the United States and to our tariff wall. The Germans say it is due to reparations. American leadership, up to this time, has been saying the trouble is due to conditions in Europe and the rest of the world. Now, all of these are partly right, like the blind men who were asked to describe an elephant.

DIFFERS FROM 1920

"The one who felt of his leg said the elephant resembled a tree. The one who got hold of his tail said the elephant resembled a rope; and one, who caught his trunk, said he was more like a snake; while the one who felt his body said he resembled a house more than anything else."

"In your opinion, is the present depression similar to that of 1920?" I asked.

"Well, some say that this depression will disappear quickly, like the depression of 1920," the Senator went on at length. "But in 1920 the world was a vacuum, as far as food and commodities were concerned. The force of this vacuum practically sucked commodities out of the United States, giving us tremendous exports, for which the world had to pay in gold. When they had no gold, we loaned them the gold credits with which to buy. In 1920 I said that it would take 10 years for the world to get back to normal production and the normal carry-over of surplus. The world was beginning to catch up as early as the spring of 1925, when the decline in prices started. This decline was checked temporarily by heroic use of powerful credit pumps, not only here but abroad.

"Our Federal reserve banking system was so manipulated as to inflate credits. This in turn stimulated production both here and abroad. On account of our export of commodities and credit, loans to Germany, and reparations, gold concentrated in the United States and France. Thus other countries were not able to get gold with which to buy from us.

TARIFF STARTED DEBACLE

"The British Government, in putting India on a gold basis, demonitized silver. This in turn reduced the purchasing power by 50 per cent of 1,000,000,000 people in the Orient. Nothing else could happen but what did. The bubble had to burst.

"Then in your opinion, an unwise manipulation of money and credit was a major factor in bringing on the crisis?" was my next question, and the Senator continued:

"A credit system can stand only so much inflation, just like a balloon or a rubber tire; when it bursts, we have deflation. The selling of stocks on the New York Stock Exchange started in London within 30 days after the Ways and Means Committee reported the last tariff bill to the House. This was largely a fear complex, thinking that the increased tariff would so decrease their sale of British goods in the United States that they would not be able to accumulate sufficient gold credit to pay their American debts."

"Then you do not believe that any one factor contributed to the present business debacle?" I asked.

The Minnesota Senator has a way of looking his listener straight in the eyes and answering deliberately. He went on:

"There were many contributing factors. I think in turning to the gold standard, England pegged the pound too high and France pegged the franc too low. The transfer of debts from allied taxpayers to American taxpayers, making possible the building of large armies and navies in Europe, is also, in my opinion, a contributing factor. In this country, through special-privilege legislation, too numerous to mention here, Supreme Court decisions, and the lack of enforcement of the Sherman antitrust laws, a condition has arisen where an unfair share of the national income is drained from agriculture and labor for the benefit of corporate incomes.

NO MONEY TO BUY WITH

"This has largely destroyed the purchasing power of the 70,000,000 people who work on the farms and in industry. What's the result? Production has outrun consumption because the great masses of our people, the working people, have no money to buy goods with. Can you ever remember the time when the farmer and the working man did not buy when they had the money? They always have.

"The hoarding of income in the form of surplus by corporations in order to escape paying income taxes and loaning the money to Wall Street speculators was another factor which helped destroy the purchasing power of the people."

Then the Senator handed me a slip of paper, quoting a speech which he made on January 21, 1925, in analyzing the foundation of the stock-inflation boom, which was then just beginning. In that speech he said:

"It seems scarcely necessary to comment upon such a condition. The facts speak louder than any denunciation that can be framed. The facts are from former ex-cathedra sources, from New York leading financial authorities, and from Federal reserve reports. They tell their own story to the country at large; the story of a Wall Street stock market 'jamboree' financed by Wall Street control; the purpose for which the Federal reserve was originally created has been destroyed and the Government agency turned into a force to perpetuate and magnify the evil. The result is called the prosperity of the American people and sound finance. * * * Even now, we know not what hour the bubble may burst and the 1924 stock inflation, like others before it, produce disaster to the many and bring on a panic."

DISCUSSES BANKS

The subject turned to banks and banking procedure, for the year 1930, judged both by the number of banks closed in the United States and by the total assets involved, has been the most disastrous year in American banking history.

"Industry is too often dominated by banks," said the Senator. "Banks, in turn, are too often dominated by men who are trained as 'high-pressure bond and stock salesmen,' who seem more interested in underwriting and floating dubious bonds and stock issues, both foreign and domestic, to gullible investors than in doing a legitimate banking business.

"And these bond salesmen, who seem to be dominating so many of our banks, seem again often to be dominated by so-called 'economic advisers,' and, judging from various reports which they have issued from time to time upon questions of economics, these advisers lead one to believe that many of them ought to be in insane asylums."

Well, the Senator at least is candid and frank. He does not mince his words. And he believes, too, that "a full diagnosis of the business ills is most important right now, for we can not furnish a remedy unless the people understand the need for it."

RELIEF OF UNEMPLOYMENT

Mr. WAGNER. Mr. President, I ask unanimous consent to have printed in the RECORD an article written by Miss Helen Hall on the unemployment situation, entitled "Shall We Stick to the American Dole?" which appeared in The Survey for January, 1931.

The VICE PRESIDENT. Without objection, it is so ordered.

The article is as follows:

[From the Survey, January, 1931]

SHALL WE STICK TO THE AMERICAN DOLE?

By Helen Hall

There is nothing seasonal in the need for food and shelter. The workingman faces a steady demand for his wages in the face of a fluctuating need for his work. "You just can't do with odd jobs and a family," says Mrs. Raymond to her neighbor. "You've got to have that pay envelope every week, or the children don't eat."

It is obvious that the regularization of industry can not be carried out by the man whom it most directly affects. We put that up to management. But it seems to be assumed that by some miracle he and his family can underwrite the irregularity of industry.

Our analysis of the 150 case stories which will make up the permanent record of the settlement study of unemployment throws light on how such households try to underwrite it and what it costs them. Here were 150 homes in a prosperous country and in a prosperous epoch—for our findings were gathered in the months that preceded the stock-market crash of 1929. They exhibit the risks which will be encountered by American wage earners when business gets back to "usual." Here were 150 families dislodged from their means for subsistence for reasons outside of themselves—for they do not include families where strikes, sickness, habits, or other personal causes were dominant. Here were 150 breadwinners eager to shoulder the burden of livelihood if they were given a chance—for after following Jerry on his morning rounds or walking the streets all day with Mr. Zarone; after reading the testimony of Harry Silverman, 12 years in one place, who searches for five months for another, and of Mrs. Raymond who puts pasteboard in her husband's shoes, cotton in his heels, and a brace back of his knee, as an aid in his tramp for work, it

is not easy to cherish the idea that in normal times every man who really wants a job can find one.

Let us run over the sequence of makeshifts these families resorted to and ask ourselves whether any or all of them seem satisfactory provisions for safeguarding such homes. Satisfying, that is, to our own sense of responsibility and fair play as well as to theirs.

The control of the business cycle, if we ever achieve it, will help cut down the numbers of breadwinners who seek work and can not find it. Industrial stabilization will help and so will the long-time planning of public works so that public enterprises may be pushed when private industry falls off. An efficient system of employment services which will shorten the out-of-work period will help in another way. But no one who scans the ups and downs of American business enterprise, our changes in technique and styles and markets, the shiftings of industry from one region to another, can but see that there will still be need for protection of some sort against unprevented and unpreventable unemployment over which the workers themselves have no control.

We have been slow to extend to this hazard of broken work the principle we have applied so successfully to industrial accidents by workmen's compensation laws which spread a share of that risk over our costs of production. When unemployment insurance is mentioned in this country there is often the cry, "We don't want the dole here," by people who do not realize that we are relying on makeshifts which are much more demoralizing than any plan of insurance would be. Our settlement study uncovers the economic and physical handicaps with which families confront life when the wage earner at length finds reemployment—not in all cases, of course, but in such numbers that the trend is unmistakable. They confront it with savings used up, with debts to friends and stores, with homes lost, or with furniture and clothing and other equipment for living sadly in arrears; with health depleted and earning power impaired.

No attempt was made to tally up the loss in wages suffered by our 150 families, yet in the course of a single year the total must have run over a hundred thousand dollars; and the butcher, the baker, the business and professional groups in their communities were affected by this drain which undermined the household structure of the families themselves.

Our case stories offer cross sections of human experience in trying to make good these lost earnings.

SAVINGS

Savings are the first cushion; cash savings first of all. Many of our families had small savings, but there is nothing in their experience to show that high wages are general enough or continuous enough for savings to give any general security. The economists tell us that for three-quarters of the population of the United States the margin between income and necessary outgo is so close as to allow little or no leeway for emergencies. In one out of five of our cases it is recorded that the families had used up whatever cash savings they had. When it has taken 15 years to save $700, as it had the DePesas, of Boston, and you wipe it out in one winter of unemployment, you have lost something more than the $700. You do not start again with the same spirit. In 1 out of 10 of the cases—especially those where the work had been seasonal or where there were a larger number of children or there had been previous sickness—the families had not been able to lay by for a "rainy day." Or, as one family put it, it "rained too soon."

Those of us who have followed them in their long line of retrenchments know that not one step is taken without a struggle. After the cash savings are gone insurance policies lapse. We might well pause at this point, for no family gives up its insurance without a fight. They are small policies, most of them, enough to see them through a decent burial, but they mean something almost symbolic to the poor. The fear of not being able to bury their own dead haunts even the least independent.

There are few families whose ideal is not sometime to own their own home. A house is savings if you own it or are buying it bit by bit on installments. This instinct for home ownership survives in spite of discouraging fluctuations in real-estate values in industrial neighborhoods. Many of our immigrant peoples come from countries where their families have lived for generations on the same little plot of ground. The instinct to own with them is deep-seated. They are willing to put up a fierce struggle to have it satisfied. That struggle must be watched close at hand to understand its full significance. A dozen of our families had engaged in it, only to find the home they had worked for, which had stood for security to them, become a back-breaking load once their earning power was cut. They were in arrears in their payments, behind in their interest on mortgages, and some of them faced foreclosure. The La Forges, of Minneapolis, had paid $2,000 against $3,500 on the house they lived in. Their furniture had cost $1,100 and was all paid for. When the La Forges came to the attention of the settlement they had lost their house and sold their furniture, and the five members of the family were all living in one room. It takes little imagination to guess what had happened to the morale of the family by the time they arrived in that single room.

Furniture is savings, and we find furniture sold or, more often, lost to the installment collector. That was the way with the Morans' piano in Boston, which had almost been paid for. Then their parlor furniture went. The installment house stripped the rooms of the De Macios, of Pittsburgh, and left only mattresses, broken chairs, and a hot plate. It meant more than the actual loss of furniture when the young Greens had saved $1,500 over five years to buy their furnishings and were forced to sell them for $200. These material things stand for steps along the line of respectability and progress. They mean not only parlor furniture but the place you take in your community; your being able to have your friends in; your daughter meeting her boy friend at her own home instead of on the corner.

And some more intimate things that we treasure are savings. Dorothy Doheney, in Boston, in order to meet her rent, insurance, union dues, and the installment payments, pawned her wedding ring. The Benders, in Cleveland, had no furniture they could sell, so it was the mother's engagement ring that was put in hock. The Jameses, in Salt Lake City, pawned both the mother's wedding ring and the father's watch. The Zapellis pawned their little girl's communion ring to pay for the mother's dental work. She was just 30, but when they found it would cost more than the ring brought in, she had all her teeth pulled out.

The deeper we got into our case schedules the more clearly we came to appreciate the slenderness of savings as a buffer to misfortune. Nor can we feel that they are a convincing answer to the need for security against industrial changes.

BORROWINGS

What is the next line of defense these families fall back upon? They borrow. Families without houses, furniture, or articles which can be sold or pawned are thrust quickly on the mercy of the landlord and the grocer. To the members of a household who have paid their rent promptly and hold their heads high in the neighborhood this running into debt is a humiliating business and the daily facing of creditors adds to the strain which is put upon family relationships. Hilda and Herman Richter had been able to save on $18 a week and their upstanding part in the community had been a great source of satisfaction to them. It is especially noted in their case that when Herman's earnings stopped and they got behind, he it was who saw the creditors. But it is the wife generally who faces them or tries to elude them. You come to the front door and find it locked, the curtains are down. No one's at home. But if your rap is known, you may find the mother in the kitchen waiting for a chance to steal out and avoid the collector. One out of five of our families ran up bills for groceries, coal, milk, and other necessities. "I can tell you what unemployment has done for us," said Mr. Conway, of Louisville. "It has got us so deeply in debt that we can never pull out."

And whether it is the wage earner's family that thus eats up his future earnings, or the small shopkeeper who carries them and runs into bankruptcy all the faster if he has a heart, we can not think it good public policy thus to let things drift from bad to worse.

CHARITY

Society does not, of course, leave such families altogether to their own devices. When other resources have been exhausted, and in most instances only then, the family asks for charity. Before they were through a third of our families had done so—but often only after a long struggle. Some few became pauperized, but many could never reconcile themselves to accepting help from strangers.

Often even charitable relief is difficult to obtain for a family where there is an able-bodied man. John Schneider, of New Orleans, wanted to kill himself because he felt that his family would get help if it were not for him. Young Mr. Miller, in Pittsburgh, refused for a long time to ask for aid because he was a young man, able and willing to work, and was ashamed to receive it from any agency. Mrs. Amay says: "We never asked help from no one. We couldn't bear to let no one, even our own people—and they couldn't help us anyway—know of our trouble, but when the children needed food we had to tell some one. The nurse came in and found me crying, so I told her." Mr. Estrada developed a bitter attitude toward life, feeling that a man willing to work should be able to find it. He so resented charity that he refused to eat food that came from sources outside the family connection. Mr. Blanton was keeping a record of the money loaned him by the Welfare Society and hoped some day to repay. He admitted, however, that he was losing self-respect and felt that he would lose his mind unless he could find work.

Social work has made advances in the deftness with which it helps adjust family troubles, but social work can scarcely underwrite the load of unemployment in its great cyclical manifestations. There is not the money to do the job. Emergency funds are makeshifts, and emergency relief crowds out the constructive work of the agencies. But in good times or bad, to the families of the unemployed, relief from such sources comes more often than not as an added misfortune. They lose something, as they see it, when they take help, even if the cause for asking for it lies outside their own control. It means a serious break in family pride and self-confidence, a self-confidence which seldom blossoms again with the same sturdiness. But even if it covered the ground, charitable relief would not be a convincing answer, either, to industrial dislocation in a democracy.

OTHER MAKESHIFTS

Our families turn to other makeshifts they have worked out themselves. They move to cheaper quarters, they break up the home, they cut down on conveniences, on clothing, on food. But are these the workings of a providence that fits our modern world? A bread line stands out like a silhouette of misery in our memories. The relief lines that I came upon at the municipal stations in Detroit last winter, and the employment lines at the plants, etched themselves deeply. But there is another slow-moving procession of which we catch only fragmentary glimpses, but which if it

could be run before us like a film would leave us with still less peace of mind. That is the search for cheaper quarters on the part of the families of men out of work. Here, in a very tangible way, they beat a retreat—into fewer and fewer rooms, into apartments with less and less comfort, into basements, and into fire traps on which no rent is collected. We find the Mullins moving out to a little unpaved street in Atlanta, the Handels to the lane in the hollow under Meadow Street bridge in Pittsburgh, where the mud was ankle deep. There is not a squalid street along the water fronts of New Orleans or New York, Boston or Buffalo or Chicago and our other port cities that has not harbored such families as they settle to lower levels.

In the course of it all they sacrifice those conveniences which we associate with the American standard of living. The apartment to which the Mullins moved, for example, had no bath and only an outside toilet. The 2-room shack that the Handels found was little better than a woodshed with its lack of heat and light and water. But even if the family stays on in the same house, what we call the necessities of life may drop out. The gas is shut off. Our neighbor, Mrs. White, kept her household sitting in the dark, evenings. "Our gas is a 25-cent meter and we didn't have it unless we had the quarter." Repeatedly we hear of lodgers and boarders being "taken in" and between the lines this may mean overcrowding beyond the limits of decency. As many of our families took in boarders as moved. It was an expedient to stave off moving. A line of escape lies in breaking up the home altogether. Among young couples the man goes back to his people, the wife to hers, and, if there are children, takes them with her. In some instances the children are "put away" in some charitable institution; and in Philadelphia we have had the anomaly these years that while neither the city nor the private philanthropies have had money enough for families out of work, there were always the orphanages and other children's institutions. We could break up a home but we could not hold it together.

It is hard to think that these disruptions of family life and standards are desirable ways to meet the difficulties such households confront. We can sense the helplessness of individuals who thus try to adjust themselves to the changes of industry, with the grocery bill rolling up, back rent accumulating, the house growing cold in the face of unsteady employment.

CUTTING DOWN ON FOOD

And as the assault on everyday living presses more and more inexorably, the families dig themselves in deeper. As Mrs. Cardini in New York put it, "You know what we do? If we pay the rent and there isn't enough left, you know what we do. If we're going to live honest, you know what we do." "We eat little—that's what we do," broke in her little girl, thinking her mother had not made herself clear. The Tiorsis of Boston "pulled in their belts." The Giamios of Madison fed their children all the time on potatoes and bread, with beans for meat. The Montery children in New Orleans picked up scraps of meat and vegetables cast aside in the market. One winter the Bertleys, with their four children, managed on less than $5 a week for groceries. This meant that this Atlanta family ate only two meals a day consisting of corn bread, salt meat, and dried beans. When Mrs. Bertley had fainting spells, they finally got her to a doctor who said that she was not getting enough to eat.

But let two of our Philadelphia mothers tell for themselves how they managed.

Mrs. White: "I just saw Harry and Joan starving to death before my eyes. Then the first time I ever got a card with 'malnutrition' written on it from the school was after their father lost his $25 job and took one at $21; and then last winter when he was out both Margaret and Brother got 'malnutrition' written on their cards again. The children seldom get any meat, perhaps on Sunday if I can manage it, and never any desserts."

Mrs. Kirk: "They are so used to going without food that they can't eat much when they do get it. They don't say much, but they know when there's nothin'."

Cutting down on food then is one thing the family does for itself. In every third of our neighborhood cases, the families had done it so radically as to prompt the investgator to remark upon it; in a fourth of them the physiological effects were obvious enough to be noted by a layman. Underweight, stunted growth, anemia, rickets recur again and again in the entries. There is the sequence of colds, pneumonia, tuberculosis. Repeatedly it is noted that the families go without needed medical treatment, that teeth are neglected, and necessary operations postponed. The extreme is reached in babies born only to die because of insufficient food and the exhaustion of the mother.

The unmistakable evidences of malnutrition among these families and the prevalence of sicknesses that have roots in a weakened resistance would not lead us to think lightly of cutting down on food as something society should encourage as a recourse against unemployment.

THE MOTHER GOES TO WORK

There is still another reserve that the family finds within itself. The mother goes out to work—for she can often get a job when the man can't. Here, in order, are the case numbers where this happened: 1, 5, 6, 7, 8, 11, 12, 18, 20, 23, 24, 32, 37, 49, 55, 56, 59, 65, 67, 68, 70, 83, 88, 91, 92, 93, 101, 102, 104, 105, 107, 109, 113, 119, 121, 128, 134, 139, 140, 142, 143, 145, 147. When the bankers and industrialists, the engineers and managers have not in their organization of industry enough work for the men, enter Mrs. Jenkins, Mrs. Levy, Mrs. Carbino, Mrs. Kurfee, and the rest.

When unemployment first comes the husband and wife most often face the situation together. But they fall apart as the wife is harried by debt collectors, the rent man, the insurance man. She sees the children half fed and getting thin, often sick, and needing clothes she can't buy; and, too, she may be working herself and adding fatigue to worry. In the first days of her husband's job hunt she is sympathetic and fights to keep his courage up and defends him in the neighborhood. The poignancy of his struggle has not been lost in her own discouragement. I remember when Mrs. White came round to tell of her husband's first pay envelope after nearly a winter's search. "You know," she said, "the look on his face when he gave it to me was like a child with a Christmas present." But that was his first winter out. Now, facing the third one, the Whites no longer present a united front. She doesn't believe he tries and is bitter against him, and he no longer cares very much, for he has the gang and is "in on the bottle as it is handed around," and only comes home late to sleep. The strain and disappointment vent themselves in sharp words. "There were no ugly words in our house when he was workin', but I'm so tired now I don't know what I'm saying," as Mrs. White put it. And to come home from anything as disheartening as "makin' the rounds," only to be accused of not really trying doesn't make for harmony. The blame the husband gets sometimes only bespeaks a nervous strain on the part of the wife, but often she has read in the papers of prosperous times, and that adds to her distrust of her husband's earnestness in his job hunt. "If other men get jobs, as the papers say, why can't he?"

Insanity, suicide, and desertion are some of the more startling consequences of the emotional strain which preys on such families in the wake of discharge. Take the story of Tiorsi, the hand laster of Boston, who had seen his pay envelope flatten from week to week. When finally he brought home only $3 he tried to hang himself. And the cases abound in the results of the double load on the mother's shoulders when she goes out to work to help tide things over. Mrs. Moran was taken ill from lifting too heavy pails of water in her cleaning job. After two months on her back she returned to work. Mrs. Walther, who had been doing part-time work, undertook a full-time position. She went on 12-hour night duty at a hospital. In this way she was able to keep her home and take care of her son during the day. Several months of this was followed by a nervous breakdown and months as a patient herself in a hospital. Mrs. Cardini stays up until 1, 2, or 3 o'clock every night trying to keep the house clean and the children's clothes fit to wear to school. "Maybe next summer, if he gets a job, I'll get a chance to rest up," she says. "A near-by neighbor of ours in Philadelphia cleaned offices in the daytime and again at night. Her children were asked when she slept. "Oh, she puts her head down on the table after supper," they said, "and sleeps until she goes out at 10."

Those of us who watch the women of our unemployed coming to the rescue in this way know that in their courage and their devotion these cases are not exceptional. But even if they rise to it, that can not satisfy those of us who look on.

SCRAPPING PLANS FOR THE FUTURE

Still less can we be content that in one out of three of such households there are children who can be taken from school and put to work, as was done in these families. Surely that is not the recourse we are looking for.

Along with the children's education go the things that make for interesting and creative living at home. And even when they are kept at school they can not pass through all this untouched. The psychologist and psychoanalyst give us some understanding of what a background of strain and bad feeling can do to the growing child. As with adults, children react differently to family tension. In some the spirit isn't strong enough to break through, but the majority of children unconsciously elude as best they can the pressure of trouble in their home. I have in mind a little friend of ours, called Aggie, who took her small person out of it as soon as she waked in the morning, and often she was picked up from neighboring doorsteps at night. She spent every possible moment in our settlement, and when in the evenings there were no activities for very little girls she would find some reason to go to the dispensary. It was warm and light and friendly, and she would sit waiting her turn. Once when she was told that the dentist couldn't see her she was not to be put aside. "All right," she said, "I'll stay and see the doctor for me warts."

The parents' failure, which is driven home harder with each unsuccessful day, not only robs the children of a sense of security but often of one source of leadership. Mrs. White's bitterness toward her husband is aggravated by the fact that she is no longer able to control her 10 and 12 year old boys. They have lost all respect for their father so that he can't help her. Then, too, she has had to take her oldest boy out of school.

In considering to-day's unemployment, it is not often thought of in its relation to the next generation. But as you come to know the families of the unemployed it sometimes seems that they feel a deeper resentment against their inability to make plans for the future than they do against their immediate sufferings. We can understand how the Bendiks thought of themselves as at the bottom of the ladder, and, after 12 years, worse off than when they started out—with their savings gone, bills piled up, and uncertainty ahead of their three children. Mrs. Carter, of Columbus, Ga., sums up for us the feeling which runs like an unsteady ray of hope through so many of our family histories: "When you don't have much yourself you like to see your children get it. We have planned all our lives to have our children have a high-school education. Yes; maybe you are right; perhaps we will be able to give it to the little ones, but you know how it is with a mother, she don't want none of them slighted."

To the physical misery and strain is added the broken morale, the wreckage of human relations and hopes for boys and girls. We are perhaps not so quick to feel badly about people being worried as about their being hungry. But to the families concerned the effects on the spirit may be more devastating. They tell us so many times, "It's not the going without we mind; it's the insecurity." The man who has lost his sense of belongingness with the loss of his job, and with it his place in the scheme of his own household, is on new and unsteady footing. Under the emotional upset of fathers and mothers is the sense of trying to build on quicksand. Most of us like to feel that in living we are building and the glimpses we catch of this trait, persisting in the face of circumstances, is one of the things that in reading these stories reassures us as to the reserves of human nature. The older folk have a patience that puts us to shame; but they lack the tools and materials to build with anew. The younger married men and women who lose their start have youth on their side but at the same time are goaded with youth's impatience at futility.

What, above all, unemployment does to people is to take the spring out of them.

SECURITY

If these stories, as we believe, are fair cross sections of experience, then unemployment strikes in two ways at the security of the wage-earning family.

First, the workman can not be sure of holding his job. Through all the cases runs the evidence that perseverance, skill, education, health, long and excellent work records—none of these "stand the breadwinner in certain stead when the bad word is handed down."

Second, the workman's family has no surety in tiding over the time he is out of work. Our analyses of the lines on which our families fell back in their trouble showed that neither savings in cash, nor homes, nor furniture, nor personal keepsakes; neither charity nor getting into debt to butcher and baker; neither moving to cheaper quarters nor scrimping on food, nor the enforced labor of mothers and children gave adequate assurance of livelihood when broken work or no work at all drove these families back on their own resources. All combined, these makeshifts did not offer a reasonable solution of their predicament nor one which we should tolerate as part of our going life.

Those of us who have gathered and analyzed and interpreted these stories found agreement in the following propositions: [1]

"Clearly whether unemployment is controllable or uncontrollable its ultimate burden falls upon men least able to bear it and frequently upon those in no way responsible for its incidence. Most of the great modern nations have provided their workers with some form of insurance against such unemployment. We have not.

"A small group of progressive American employers have set up employment reserves, and in the garment trades we have had an outstanding example of a mutual fund under labor-management control. The United States has built up better employment statistics by industries than has Europe. It is held by certain economists that an original scheme of protective insurance classified by trades and establishments can be devised so that, as in our fire-insurance companies, the economic pressure of the system will give an advantage to those industries which regularize their employment. But whether protection is arranged by individual management, by the trade as a whole, or through public action, as in compensation laws, the burden of unemployment should not be allowed to fall solely on the family of the worker."

The ills that flesh is heir to will always contribute to the total of unemployment. Sickness, bad habits, insanity, irresponsibility, incapacity, accidents, old age, and death put families on the rocks. But these are problems of health and psychiatry, of relief and other spheres of social treatment. Our settlement study sought to disentangle the unemployed from the unemployable by focusing on families whose predicament is due to industrial causes outside their control.

Under any scheme of protection which would make industry and the consuming public copartners in insuring against the risk of broken work which thus confronts them, the benefits would cover only a comparatively small share of the loss from broken earnings. The greater share would continue to be borne by the families and the dislodged wage earners themselves. If these case stories show anything, they show that most families can be counted upon to shoulder that share with fortitude. But the insurance benefits would create a minimum provision against the more extreme forms of distress. Their receipt would come not as an affront to the instinct for self-dependence but as part of the bargain of livelihood for those whose fortunes are bound up in the operation of American industry.

We should not leave it to people so disadvantaged to combat, single-handed, the industrial changes and dislocations which tear at the structure of their homes.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the House insisted on its disagreement to the amendments of the Senate to the bill (H. R. 14246) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1932, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. WOOD, Mr. THATCHER, Mr. HARDY, Mr. WELSH of Pennsylvania, Mr. BYRNS, and Mr. ARNOLD were appointed managers on the part of the House at the conference.

The message also announced that the House had passed without amendment the bill (S. 2865) granting the consent of Congress to compacts or agreements between the States of Wyoming and Idaho with respect to the boundary line between said States.

The message further announced that the House had passed bills of the following titles, in which it requested the concurrence of the Senate:

H. R. 7254. An act to amend an act entitled "An act making an appropriation for the survey of public lands lying within the limits of land grants, to provide for the forfeiture to the United States of unsurveyed land grants to railroads, and for other purposes" approved June 25, 1910;

H. R. 8534. An act for the transfer of jurisdiction over Sullys Hill National Park from the Department of the Interior to the Department of Agriculture, to be maintained as the Sullys Hill National Game Preserve, and for other purposes;

H. R. 12404. An act to amend the act of April 9, 1924, so as to provide for national-park approaches;

H. R. 12697. An act to authorize an exchange of lands between the United States and the State of Utah;

H. R. 13547. An act to safeguard the validity of permits to use recreational areas in the San Bernardino and Cleveland National Forests; and

H. R. 15008. An act to extend the south and east boundaries of the Mount Rainier National Park, in the State of Washington, and for other purposes.

ENROLLED JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled joint resolution (H. J. Res. 447) making an appropriation to carry out the provisions of the public resolution entitled "Joint resolution for the relief of farmers in the drought and/or storm stricken areas of the United States," approved December 20, 1930, and it was signed by the Vice President.

EXECUTIVE MESSAGES REFERRED

Messages from the President of the United States making nominations were referred to the appropriate committees.

MODERNIZATION OF BATTLESHIPS

The VICE PRESIDENT. The special order, Senate bill 4750, is before the Senate, and will be proceeded with.

The Senate proceeded to consider the bill (S. 4750) to authorize alterations and repairs to certain naval vessels.

Mr. FRAZIER. Mr. President, under a special order, agreed to by unanimous consent on January 6, Senate bill 4750, to authorize alterations and repairs in certain naval vessels, is before the Senate for consideration this morning, a motion having been made to reconsider the vote by which that measure was passed.

The bill was introduced June 24, 1930, by the Senator from Pennsylvania [Mr. REED]. It was reported from the committee early in the present session by the Senator from Virginia [Mr. SWANSON], and he asked unanimous consent for the immediate consideration of the measure. There was no objection. The request for its consideration was made soon after convening, when very few Senators were on the floor, and some who were here did not know what measure was under consideration.

A similar bill was also introduced in the House of Representatives, and was considered by the House Committee on Naval Affairs. In the latter part of last June the bill was reported from that committee and went on the House calendar at the last session of Congress, but with the understanding, I am told, that a vote would not be taken upon the bill until the present session of Congress which met last month, for the reason, it was said, that it would take a two-thirds majority of the House to provide for a special rule for consideration of that particular bill during the last

[1] Page 161, conclusion; Some Folks Won't Work, by Clinch Calkins, Harcourt, Brace & Co.

session, and the proponents of the bill in that body were afraid they did not have the two-thirds majority.

In the discussion a few days ago the Senator from Virginia made the statement several times that there never had been any real opposition to the repair of these old battleships. The Senator from Virginia was mistaken in that statement, especially in regard to the situation in the House of Representatives. Such measures have been objected to strenously in the House for several years. They have also been objected to at times in the Senate.

As I have stated, this bill was reported by the Senator from Virginia. When the Secretary of the Navy was before the House committee last June he said that one of the battleships would be repaired at the Norfolk Navy Yard and one would be repaired at the Philadelphia Navy Yard; and, accordingly, it has been suggested that this is a relief bill for the senior Senator from Pennsylvania [Mr. REED] and the senior Senator from Virginia [Mr. SWANSON]. The Senator from Virginia made the statement that the passage of the bill would result in putting many men to work. The chairman of the Naval Affairs Committee of the Senate made the statement that it would take about 2,400 men to modernize these battleships. The Senator from Virginia said that it would take about five or six thousand men to do the work. The Secretary of the Navy, Mr. Adams, stated that it would take three or four thousand men.

Mr. HALE. Mr. President, will the Senator from North Dakota yield to me?

Mr. FRAZIER. I am glad to yield to the Senator from Maine.

Mr. HALE. Mr. President, I think the discrepancy in the figures as stated by the Senator from North Dakota arises from this condition: The men who will actually work on these ships comprise about 2,400; but in connection with the work that is to be done a great deal of additional work will have to be done in other plants in the country; so that, in all, the modernization program will probably give employment to substantially from 4,000 to 4,500 men. When I stated the number at 2,400 I was speaking of the men who would be directly employed on work on the ships.

Mr. FRAZIER. Mr. President, that may be correct; at any rate, those were the statements made by several gentlemen who are in favor of the passage of this measure. I am willing to take a happy medium between the figures as suggested and say that 5,000 men would be given employment by the modernization of these old battleships. The expenditure of $30,000,000 for 5,000 men would be $6,000 per man. It has been stated authoritatively, I think, that we have at least 5,000,000 unemployed men in the United States to-day. At that rate, it would take 6,000 times $5,000,000, or $30,000,000,000 to provide employment for the 5,000,000 who are out of employment to-day, under the suggested provisions of this measure.

Mr. President, last year the United States Navy spent $375,291,828.11. That was during the fiscal year of 1930. That is more than a million dollars per day; it is more than $700 each minute, day and night, during the year 1930 spent by the United States Navy—$700 per minute for the year.

That is more than the average farmer—yes; it is twice as much as the average farmer—in the United States last year made in net profit for his year's work; twice as much each minute was spent for United States Navy in peace times as the average farmer in the United States who produced the food products to feed the Navy and everyone else made for his year's work last year. Of course, the War Department spent more than the Navy did. There was over $1,400 spent each minute, day and night, by the Army and Navy last year.

Mr. President, that is the largest amount ever spent in peace times in the history of the United States for the Navy and for the Army. It is the largest amount ever spent by any nation on the face of the earth in peace times for its army and navy, and that, too, Mr. President, in the face of the fact that our Nation was instrumental in having adopted the Kellogg peace pact. We succeeded in getting 53 nations to sign that pact, which was entitled "A treaty for the renunciation of war." Yet in the face of the fact that we succeeded in getting 53 nations to sign the Kellogg peace pact for the renunciation of war, last year we appropriated and spent more money than any other nation on the face of the earth ever spent in peace times upon an army and navy.

Then we have had disarmament conferences, so called. It will be remembered that one was held in Washington back in 1923, and last year the London Naval Disarmament Conference was held. Yet it is proposed to-day to provide a still larger appropriation for the Army and Navy than we had last year, although we ratified the treaty growing out of the London Disarmament Conference last year to reduce naval armaments, and, of course, we did scrap three old battleships last year. Those old battleships had already been modernized, as it is called, but they were scrapped at a loss of over $11,000,000. To modernize those three old battleships which were sunk it cost something over $11,000,000, but they have been scrapped and now we want to modernize three more.

I read carefully the statement of the Secretary of the Navy and other officials and officers of the Navy Department who appeared before the House Committee on Naval Affairs last June in favor of this bill. The principal argument of the Secretary of the Navy was that if we would spend $30,000,000 for the modernization of these three antiquated battleships we would then be on a parity with the Navy of Great Britain, at least as to battleships. The word "parity" has been overworked during the past few years in connection with the Navy as well as in other connections. We heard something about a parity, it will be remembered, during the time we were discussing the farm relief bill here and also when we were discussing the tariff bill; in fact, there was an understanding in both great political parties during the campaign in 1928 that farming should be put on a parity with other businesses and industries, but the parity that the farmer has received is nothing like the parity that our Navy is asking for in order that it may be put on an equal basis with the navy of Great Britain.

It seems to me that the most childish argument that could be advanced by the head of our Navy Department for the expenditure of $30,000,000 of the money of the taxpayers of the United States at this time is that it would put our Navy on a parity with that of Great Britain.

Mr. President, it is like the little boy who at Christmas time receives a toy from Santa Claus or some one else and is very much pleased with it until he finds out that the little boy across the street got two or three toys more than he did and perhaps they cost a little more money. He is very much worried about it and feels very badly and goes to his mamma and complains because he did not get as many toys as his little neighbor across the street received. So, because we have not as many battleships or they are not as modern as the battleships of Great Britain, the Secretary of the Navy comes before Congress and asks for an appropriation of $30,000,000 to modernize three old battleships, and he places that item at the head of his naval program for the ensuing year. It seems that in the estimation of the Navy Department the most important thing before the Congress at this time, so far as the Navy is concerned, is the modernization of these three old battleships. They are only 12 years old, and a battleship is supposed to be good for 20 years at least. The Navy Department wants to put in new boilers and new engines and new everything else in them, although they admit that the boilers are good for the remainder of the 20 years. They are asking to spend from a half to two or three times as much as we have spent for the modernization of other battleships.

As one of the methods of modernization, the elevation of the guns is suggested so that the guns can shoot a mile and a half or such a matter farther than the old guns can shoot. That would be a great benefit undoubtedly. They also want to put blisters on the battleships. The Senator from Virginia did not seem to understand very well what blisters were or could not explain the term very well the

other day, and so I looked it up. The blister, or the "bulge" as it is called, is a steel plate running the whole length of the battleship on the outside and bulging out about 6 feet from the side of the ship. It covers the armored part of the battleship on each side. It is called a "bulge" or a "blister" and is placed on the ship to afford protection against torpedo attack.

Mr. President, it seems mighty strange that apparently it is impossible for the leading officials and officers of the United States Navy to think of anything new. They base their argument and their pleas for greater expenditures of money only upon past experience. During the World War, it will be recalled, many battleships and other vessels were sunk by torpedoes fired by German U-boats. Up and down our Atlantic coast in the summer of 1918 there were eighty some ships of one kind or another sunk by German U-boats in just a few months. So the Navy has got to protect its ships against torpedoes, and the officers of the Navy say that the little blister which I have described on the side of the battleship will protect them because it will cause the torpedo to explode a little farther away, 6 feet farther away, from the vitals of the ship.

Mr. President, I talked with an old sailor a few days ago about this. He said, "Why all that any enemy would have to do, or anyone else, to overcome that so-called 'blister'—that 6 feet of additional space on the outside of the battleship—would be to make the torpedo a little larger, a little heavier, and put a little more explosive in it; and," he said, "it would go clear through the battleship if necessary." Then, of course, because they have elevated the guns a little bit to shoot a mile or so farther, and give the projectiles a high range which might enable them to strike on the deck of a battleship, they want to cover the deck of the battleship with heavier armor to protect it against the shells that are to be fired from long range by these elevated guns.

How about the bombs to be dropped from bombing planes? Will the little armor on the top of the deck protect the battleship? The Secretary of the Navy, in the hearing before the House committee, stated several times—I think they made him say it three or four times—that in his opinion there was little danger from airplanes to modern battleships; that is, if they are modernized, of course.

Mr. McCLINTIC, a member of the committee from Oklahoma, said:

> Do you hold to the theory that a bombing plane can not destroy a battleship?
>
> Secretary ADAMS. Substantially so. It is a somewhat remote danger. There is always danger of some sort from every instrumentality in war.

Different members of the committee made him repeat similar statements several times. Of course, he does not agree with many authorities along that line.

On January 9 Congressman FREAR, of Wisconsin, spoke at some length on the disarmament question. Among other things, on page 1798 of the RECORD he quotes a statement from Rear Admiral William A. Moffett, chief of naval aeronautics, under a Miami headline of January 8:

> Speaking at the dedication of the new naval reserve aviation base, Admiral Moffett declared:
>
> "I consider it our national duty to build up to the treaty strength allowed."

Of course he is for the air proposition.

> Failure to do so can result in but one thing—a world-wide admission that we have relinquished our hard-won right to be regarded as a first power and are lacking in the spirit to take our rightful place as a nation in world affairs.

He goes on:

> The last reported achievement of science is the strataplane, scheduled to travel 500 miles an hour at an elevation, if needed, of 40,000 feet. Add to this achievement new high explosives of unprecedented destructive power and poison gasses of threefold deadly potency and yet there remain "preparedness" officials perpetually prating of security.

He goes on:

> Security is to be achieved only by adding armament to armament—frontier forts and floating fortresses.

Then he quotes from the recent sham invasion of London some months ago. The writer speaks of the impossibility of finding security anywhere. In that invasion, he says:

> Seventy-five planes invaded London from the north. London, forewarned, was defended by an equal number of planes plus antiair guns and balloons. In spite of all these preparations the invaders dropped 200 bombs (duds) over selected targets and retired without losing a single plane. Evidently "preparedness" furnishes no "security."

I have another statement in regard to the same airplane maneuvers over London. It is a report of the Air Ministry of London. This was their conclusion after they had had several days of those experimental bombings. It says:

> London is too big to be adequately protected. In another war its vital parts would soon be in ruins and the rest made uninhabitable by gas.

The admiral does not say much there about striking battleships, but, of course, there is no question but that battleships can be struck.

I have here a book entitled "Winged Defense," by Col. William Mitchell. You remember well Colonel Mitchell's statements in regard to the sinking of battleships by bombing planes. I think I can best express it by quoting from an editorial of Arthur Brisbane's in the Minneapolis Sunday Tribune of October 6, 1929. He gives some pictures here of the bombing experiments. Those were pictures taken during the experiments when several battleships were sunk by bombing planes under the direction of Col. William Mitchell. I want to read a little from this editorial:

> It will interest you to read General Mitchell's book, Winged Defense, recently published, and his description of actual airplane attack on floating vessels.

That is the book I have here. I am not going to read it all this afternoon, however.

> First, in such attack would come the frightfully swift planes, such as now do 250 miles and even more an hour. These planes, safe from antiaircraft guns, flying above the battleships high in the air, more swiftly than a swallow, would drop light bombs, as General Mitchell explains it, "to clear the decks of any exposed personnel, smash up the communicating and radio systems, and probably bend the battleships propeller shafts and rudders, so that even a heavily armored vessel could not be worked after an attack with these light bombs."

Then he quotes, a little later on, from this report of Colonel Mitchell:

> The German fighting ship *Ostfriesland*, by order of Congress, was used for airplane bombing experiments, General Mitchell flying with the bombing planes and directing the work. In his book he gives all credit to the flying officers under his command.
>
> He thus describes vividly the "death" of the great fighting ship *Ostfriesland*, attacked from the air:

This is a quotation from Mitchell:

> On the fourth shot Captain Streett, sitting in the back seat of my plane, stood up, and, waving both arms, shouted, "She is gone!"
>
> When a death blow has been dealt by a bomb to a vessel, there is no mistaking it. Water can be seen to come up under both sides of the ship, she trembles all over, as if her nerve center had been shattered, and she usually rises in the water, sometimes clear, with her bow or stern.
>
> In a minute the *Ostfriesland* was on her side; in two minutes she was sliding down by the stern and turning over at the same time; in three minutes she was bottom side up, looking like a gigantic whale, the water oozing out of her seams as she prepared to go down to the bottom, then gradually she went down stern first.
>
> In a minute more only the tip of her beak showed above the water. It looked as if her stern had touched the bottom of the sea as she stood there straight up in a hundred fathoms of water to bid a last farewell to all her sister battleships around her.

This editorial goes on:

> The German ship, the *Ostfriesland*, please remember, had gone through the great Battle of Jutland, against the British fleet, and bore the scars of battle.
>
> A few inexpensive airplanes did to the fighting ship and its heavy armor what the great battleships of England could not do.
>
> Of the destruction of this great ship General Mitchell writes: "It was a very serious and awesome sight. Some of the spectators on the observing vessels wept, so overwrought were their feelings."
>
> The ship was sunk with bombs, of which none weighed more than 2,000 pounds.
>
> What would happen to any battleship if one of the modern heavy-bombing planes dropped a 3 or 4 ton bomb upon it?
>
> What would happen to a fleet of battleships attacked by a fleet of airships like the *Dornier X*, just built in Germany, to carry





100 passengers and a crew, an all-metal plane, with 3 decks, 12 engines?

The effect of little bombs used in our experiments, while skeptical Navy officers looked on, is made clear in General Mitchell's description of the destruction by airplane of the German cruiser *Frankfurt*. He writes:

"Many amusing things occurred. At the first direct hit of a bomb on the *Frankfurt's* deck, fragments of steel were thrown over the water for over a mile. The crews of the observing battleships had crowded to the rails to watch, but as these pieces of steel came nearer and nearer to them, they rushed to the other side of the vessel for protection. It made one think what might happen in case a real attack was made against naval vessels in war, whether the crews could be held to their posts, in view of almost certain destruction."

It is not necessary, in the destruction of a ship, that a bomb should actually strike it. Let it strike the water reasonably close to the ship and the destruction is as great. For water, incompressible, acts as a battering ram and carries to the side of the ship, below the water line, the full exploding force of the bomb as it strikes against the water.

One of the American ships watching the airplane bombing experiments, at what was thought a safe distance, had its condenser put out of commission by concussion through the water, and was obliged "to limp into port at 3 miles an hour."

To continue:

The battleship is gone. The fast cruisers we must have, at least as many of them as any nation on earth—

That is Mr. Brisbane's opinion—

as long as they continue to be of use as a menace to the commercial shipping of an enemy.

Then he continues:

Some may say: "The airship will be terrible at sea; but we are interested in what happens on land."

They are even more interested in the airplane than are the sailors.

On water the ship seems a small target and it can be moved. The crowded city is big and can not move.

Everything an airplane can do at sea it can do on land, with more deadly effect.

A fleet of airplanes within an hour can wipe out all the important buildings in Washington, including the Capitol, White House, and Treasury.

It could reduce to ruins the great buildings and bridges of New York or any other city.

And, worse, aerial warfare, supplemented by chemical warfare, could literally destroy the lives of human beings by the hundreds of thousands, and even by millions, driving survivors in desperation from gas-filled streets into the country.

This means that a bomb of poison gas, instantly spreading, dropped in the center of Wall Street financial district, taking Trinity Church spire as a target, could kill 90 per cent of the important financiers in the United States.

* * * * * * *

The killing off of a few in Wall Street does not worry me so much. But undoubtedly, in case of another world war, these bombings would take place over every great city in the country that was being attacked.

Mr. COPELAND. Mr. President——

The PRESIDING OFFICER (Mr. Fess in the chair). Does the Senator from North Dakota yield to the Senator from New York?

Mr. FRAZIER. I yield.

Mr. COPELAND. The Senator surely would want to save some of the people who live in New York? The Senator would not want everybody in New York killed, would he?

Mr. FRAZIER. Oh, no. I said that probably the killing of a few in Wall Street would not make any great difference. Of course, I know a lot of people would not agree with me in that.

Mr. COPELAND. Would the Senator arrange so that I could select those to be killed off?

Mr. FRAZIER. The Senator from New York undoubtedly would have some influence in a case of that kind.

Mr. COPELAND. I would not think I would have in the case specified by the Senator; but if he is going to have some killed in New York, will he not arrange so that I may select them?

Mr. FRAZIER. I admit I may be a little prejudiced against Wall Street manipulations and some of the people who manipulate things up there. A couple of years ago I was visiting the city of New York; and having a letter of introduction to a former president of the chamber of commerce of that great city, I called on him. He was a very genial sort of fellow; he invited me to lunch. We went over to the Chamber of Commerce Building and had lunch there, and during the lunch we got to talking about the political situation. This New York gentleman said, "The trouble with you fellows from the West is that you will not admit that right here in Wall Street we have the finances of this great Nation, and you people have to come here for money if you want it." I said, "You may be right in your statement, but we are not going to admit it, and we are going to keep fighting just as long as we can against that kind of manipulation of the credit of our great Nation." So perhaps I am a little prejudiced against the great metropolis.

Those bombing experiences over London, over Paris, and there were some over the city of New York, too, all proved that in the event of another world war it would be practically impossible, and the experts admitted it, to keep bombing planes from coming in. One or two bombing planes would carry enough explosives to annihilate any of our great cities.

Mr. ODDIE. Mr. President, will the Senator yield for an observation in regard to the Senator's remarks about the value of the battleship, the vulnerability of battleships from attacks from the air, or the lack of it?

Mr. FRAZIER. I yield.

Mr. ODDIE. I wish the Senator could have seen a demonstration I saw several years ago about a hundred miles off the Virginia Capes, when the former German battleship *Ostfriesland* was sunk by bombs from the air. Much of the best aviation talent of the United States was used in the sinking of that ship. Some of the best aviators in the world and the most up-to-date aviation equipment and bombs were used. Yet it took nearly a day and a half to sink the ship. She was anchored a hundred miles offshore, with not a man on board, not an antiaircraft gun in use. Several squadrons of seven or eight planes each came from the shore and the first afternoon dropped quite a number of 250-pound bombs. Some of them struck the ship and others struck the water close to it, but they had practically no effect on the ship. They kept bombing her part of the afternoon with 250-pound bombs. Then squadrons of planes were brought out with 500-pound bombs, with the same result. The upper works of the ship was naturally battered up pretty badly, but no material damage was done. I do not know how many bombs struck the ship and struck the water near the ship. I observed the demonstration from a distance of about half a mile. The next day numbers of planes came out with 1,000-pound bombs, and after they had been dropped on and in the water near the ship she still floated. She was badly battered, but not until 2,000-pound bombs were brought, about eight of them, and dropped on and about the ship, did she sink.

Mr. President, I contend that a bomb dropped from the air will not necessarily sink a battleship. I think there must have been nearly a hundred bombs dropped on and around that ship before she finally went down, and under the most favorable conditions for the aviators, because the ship was anchored and the aviators knew just where she was. There was not a man on board and not an antiaircraft gun in operation. I have the highest regard and respect for our naval and Army aviators, and I have a pretty good idea of the splendid work they could do in case of war in protecting our country and in carrying on offensives from the air; but the battleship is not obsolete. It is a necessary factor in carrying out our system of national defense.

Mr. REED. Mr. President, will the Senator from Nevada permit me to ask him a question?

Mr. ODDIE. Certainly.

Mr. REED. How thick was the deck armor of the *Ostfriesland?*

Mr. ODDIE. The *Ostfriesland* was one of the most modern German battleships. It was captured after the war.

Mr. REED. It is true, is it not, that her deck armor was something less than 3 inches thick?

Mr. ODDIE. I do not know; but I presume that her deck armor was not as thick as that on our battleships after they are modernized.

Mr. REED. A part of the purpose of this bill is to enable the Navy to thicken the deck armor of these three battleships so as to protect them against bombing attacks?

Mr. ODDIE. That is part of the purpose, and the other is to enable the Navy to put blisters on the hulls of these ships to protect them and Americans on those ships from torpedo attacks. As good Americans we can not afford to subject our own people to a serious danger which can be prevented by the passing of this bill.

Mr. FRAZIER. Mr. President, the Senator from Nevada is a little mixed in his statement. He must remember that the demonstration with the *Ostfriesland* was only an experiment. Colonel Mitchell stated in his report that he wanted to go out with 2,000-pound bombs in the first place and sink the ship at once, but the other authorities said, "No; we want to experiment. We want to drop some small bombs and see what the effect will be on the old battleship." So they started in with light bombs, and Mitchell says that apparently one of them struck on the deck and would no doubt have killed any living human being on the deck, and probably would have wrecked the machinery and blown up the ship if it had been loaded with munitions, as a battleship in action would have been.

After the first day's bombing, I think it was, the ship was damaged to such an extent that it listed over on one side, and they had to go out the next morning and let in tons of water on the upper side to balance it so that they could go on with their practice the next day. Then, when they came with the 2,000-pound bombs, only four of them were dropped, and I think none struck the battleship. The decks might have been 6 feet thick, or 10 feet thick, but the bottom of the vessel was stoven-in by the concussion of the bombs that struck near the battleship.

Mr. ODDIE. Mr. President, in that connection I am sure that one of the bombs struck the deck.

Mr. FRAZIER. Some of the first ones dropped did.

Mr. ODDIE. One tribute to American aviation was that as that ship was sinking by the stern, when the bow of the ship was slowly disappearing and only about 6 feet of it was above the water, the last bomb hit that ship right on the bow (literally in the nose), one of the most wonderful demonstrations of the accuracy of our aviators that could have been demonstrated.

One other comment. The ship was anchored. The aviators knew exactly where it was. They could set their course when they left the land, knowing they would find the ship, and the visibility was good. In case of battle conditions the visibility might be bad, and we could not afford to send a plane carrying a 2,000-pound bomb on a wild mission to try to find a battleship somewhere at sea without knowing where it was, because before it could be found the plane might be lost and destroyed and the aviators' lives lost.

Mr. REED. Mr. President, can the Senator tell us how high these bombing planes flew at the time of their attack?

Mr. ODDIE. Something under 3,000 feet, I believe.

Mr. REED. Can the Senator tell us what their orders were as to the height they were to maintain?

Mr. ODDIE. I can not say as to that. I presume they were following out the orders which had been given them, but I know they did remarkably accurate work.

Mr. REED. Does the Senator think that a bombing plane would approach a battleship at an altitude of 3,000 feet now?

Mr. ODDIE. No; it could not do so now, with our modern antiaircraft guns, tremendously improved over what they were in the war time, without being subjected to extreme danger.

Mr. FRAZIER. I just read from the report of Admiral Moffet that the most up-to-date plane could attain a height of 40,000 feet if necessary.

Mr. REED. The Senator does not mean they could hit anything from that height, does he?

Mr. FRAZIER. Perhaps not so accurately as they could closer down, of course, but they can carry a lot of bombs, a great many more than they could five or six years ago, when these experiments were undertaken. It is true that the antiaircraft guns have been improved a great deal in that time, too; but I think the Senator will admit that no antiaircraft gun or any other kind of a gun will reach anything like 40,000 feet.

General Mitchell concluded with this sentence:

> It conclusively proved the ability of aircraft to destroy ships of all classes on the surface of the water.

He says that after they had sunk the *Ostfriesland* and several smaller craft their experiments were called off by the Navy, because, he says, it seemed that the heads of the Navy were afraid they would demonstrate that there was absolutely no excuse for building battleships under present conditions, so the experiment was called off by the Navy.

Mr. President, here is a quotation I was looking for, an editorial in the Brisbane column of the Washington Herald of January 11, 1931:

> The next war will not be pleasant. Submarines will prowl, like invisible sharks, destroying all merchantmen. Airplanes will sink any fighting vessels that dare to leave port. With poison gas, explosive bombs, and fire bombs, they will drive population from the cities, destroying millions.

That is Mr. Brisbane's opinion, and I think he is generally conceded to be pretty well posted and to have pretty good ideas on most everything about which he writes.

The experience during the World War demonstrated, I believe that the navies of all the countries that were engaged in that great war were afraid of bombing planes, and a lot of our fighting vessels were up the Hudson River during a great part of the war. An authority on naval matters made the statement before a House committee some months ago that in the event of another world war the safest place for the battleships would be as far up the Mississippi River as they could get.

Mr. KING. Admiral Sims made that statement.

Mr. FRAZIER. Yes; it was Admiral Sims. I think it is generally admitted that that would be the condition in the event of another world war. Representative FREAR, of Wisconsin, mentioned what I believe to be the fact in a statement on the floor of the House on the 9th of this month, that they have a covering for the battleships after they get them in the river to try to protect them from bombs, a covering made of steel cables woven together and put right over the top of the battleships to try to keep the bombs off the battleships.

Mr. President, only yesterday the Naval Affairs Committee of the House reported out a bill, so the papers this morning say, for the appropriation of $74,000,000 for the building of airplanes, torpedo boats, and airplane carriers, evidently for the purpose of protecting these old, antiquated battleships, to modernize which we are asked to appropriate $30,000,000.

If they can not have that protection undoubtedly they can be sunk in less time than it takes to tell it by great bombs from the air. So they want $30,000,000 first; that is the first thing in the naval program for this session to modernize these old battleships. Then the next thing that has been reported out by the committee in the House is an appropriation bill carrying $74,000,000 to protect the old battleships, to protect the $30,000,000 we are asked to put into these antiquated battleships.

Mr. President, we have been haggling for days here over a little appropriation of $15,000,000 for the relief of the drought-stricken farmers of this country, to keep the farmers and their families from starving to death, and yet we are asked now to authorize an appropriation for the modernization of old and antiquated battleships—and for what purpose? To give these tinseled officers of the Navy better floating palaces so they can promenade the decks with their ladies and their friends and have a modernized battleship for that purpose. It is going to cost $10,000,000 apiece to modernize these battleships in these hard times when the President in his message said we must use every effort to keep down expenses.

O Mr. President, I can not see how any Member of this body can conscientiously vote to authorize the appropriation

of $30,000,000 at this time when we need that money to save human lives, when we need that money to save starving people who have worked all their lifetimes in the farming game and who because of the drought last season are now on the rocks. We need that money to protect them and to give employment to the unemployed.

Mr. DILL. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Washington?

Mr. FRAZIER. I yield.

Mr. DILL. Even if these ships are modernized how long will it be before they are scrapped?

Mr. FRAZIER. The life of a modernized battleship is about 12 to 15 years, I think.

Mr. DILL. I referred to the ships in question, which are to be modernized if we pass this bill.

Mr. FRAZIER. I think when the next disarmament conference comes along undoubtedly they will all be scrapped.

Mr. DILL. Is it not a fact that they will be scrapped in five or six years?

Mr. FRAZIER. I think, undoubtedly, it will happen in less time than that.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Pennsylvania?

Mr. FRAZIER. I yield.

Mr. REED. These ships will be seaworthy for another 30 years. They will be in service for at least another 20 years. Nobody can say in advance what the exact life of their service will be.

Mr. DILL. The Senator knows they will not be in service for another 20 years.

Mr. REED. I know nothing of the kind. I believe to the contrary.

Mr. FRAZIER. The life of a battleship is only about 20 years in the first place.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Utah?

Mr. FRAZIER. I yield.

Mr. KING. If these battleships will have a prolongation of life so they can serve 30 years more, I ask the Senator why the Senator from Pennsylvania [Mr. REED] and his able colleagues did not accept the proposition tentatively made by the British representatives, if not by others, in that conference that the life of a battleship be extended from the present limitation to 25 years? My recollection is that the Senator from Pennsylvania and his colleagues refused to take up the consideration of that question, as well as other important questions, such as taking steps toward the abolition of the battleship.

Mr. REED. I had better answer that later.

Mr. FRAZIER. Yes; that will be hard to answer.

Mr. REED. No; it will not be in the least hard to answer. It may be because my manners are somewhat different that I do not interrupt the Senator from North Dakota at great length.

Mr. FRAZIER. I appreciate the Senator's courtesy, although I am willing to yield if the Senator wants to take the time to answer now.

Mr. President, the majority of the Parliament of England have gone on record several times, according to the best information I can get, that battleships are at least antiquated at the present time; that they would not be much protection, comparatively speaking, in the event of another world war. Of course, the Secretary of the Navy told the Committee on Naval Affairs over in the House that the British Admiralty is strongly in favor of battleships. Our Navy is in favor of battleships. Any officer of any navy any place in the world would be in favor of battleships. If he is in command of one of these great floating palaces, costing anywhere from $15,000,000 to $40,000,000, of course he would be in favor of a navy. The modern battleship is literally a floating palace. Of course they are in favor of them, and they are not going to give them up until they have to do so, because, as I said, they always seem to proceed on the theory of what has happened in the past. They do not seem to be able to look into the future at all. They think because battleships have been the front line of defense in our fighting in the past they are going to continue to be in the future. But, Mr. President, times change; and according to experts—and I shall read some more from them before I get through—these battleships will be of mighty little protection in the event of another world war.

I want to read from a letter from the Secretary of the Navy written when he advocated the passage of this bill. This is from the report of the Committee on Naval Affairs of the Senate. The letter is addressed to the chairman of the Committee on Naval Affairs. The one I hold in my hand now gives the different amounts of the improvements that they want to make, amounting, according to the itemized statement, to $29,793,750. They ask for $30,000,000. Of course, they have a standing rule or law, or some regulation—I do not know just what it is—that they can spend $300,000 on an old battleship to repair it without any authorization from Congress, so they are asking for a mere bagatelle of $202,800 more than they think will be needed, in view of the fact that they also have $900,000 which they can spend on the three of them without any special authorization from Congress if needed. Of course, a little thing like $1,100,000 does not amount to much with the Navy, where they spend hundreds of millions of dollars each year of the taxpayers' money.

Mr. President and Members of the Senate, I do not want you to forget the fact that after all the money spent on these battleships is raised from the taxpayers out "in the sticks." Oh, yes; the bulk of that money may come from the great income-tax payers, but that wealth is created by the people who work out "in the sticks" and not by the men who sit in their swivel chairs in Wall Street.

I want to read this letter from the Secretary of the Navy, as follows:

THE SECRETARY OF THE NAVY,
Washington, December 4, 1930.

Hon. FREDERICK HALE,
United States Senate, Washington, D. C.

MY DEAR SENATOR: Referring to Senate bill No. 4750, it has been the accepted policy of the Navy to modernize its battleship fleet by such changes as are necessary to permit a greater elevation of the guns on each ship permitting the increase of range required by expected battle conditions, together with protective decks adequate to meet long-range fire, and blisters sufficient to provide the necessary displacement to carry these changes and also to provide protection against submarine attack.

We ask for the authorization of three ships because they are the only ships remaining without necessary gun elevation. For that and other reasons they should be treated as a class and authorized together in order that the Navy may have a guide as to its future policy.

We ask for appropriations sufficient to cover the modernization of the *Mississippi* and *Idaho* only. We do not desire appropriation for the third ship, because we do not regard it as good policy to withdraw as many as three ships for a long period from the fighting line, as it would hopelessly cripple our fleet in the eventuality of war.

Mr. President, I had not known since the armistice was signed that we had any "fighting line." It would endanger the safety of this great Nation of ours to withdraw three of these old antiquated battleships from the "fighting line" at the present time, so the Secretary of the Navy has asked for funds to modernize two at a time, letting the third one wait until the first two can get back into the "fighting line." The letter continues:

Moreover, with the withdrawal of three ships now, in addition to the ships already in our navy yards for modernization and the ships for other reasons not available for maneuvers we would be left with an operating force entirely too small for regular and necessary maneuvers and training. We would find it impossible to adequately employ or train our officers and seamen.

Mr. President, if the three battleships were taken out of the "fighting line" at the same time, we would not have enough battleships to put on the proper maneuvers to uphold the dignity of this great Nation of ours, the wealthiest in the world. Of course, we should have the greatest line of battleships of any nation, because we are the wealthiest in the world. That is a fine argument for a larger navy!

The other day in discussing this proposition the Senator from Maine [Mr. HALE] and the Senator from Virginia [Mr. SWANSON] made the statement that it is necessary to pass the bill at once in order to give work to 3,000, 4,000, or 5,000 men. The fact is that the work on the ships which are being repaired at the present time, according to the estimate of the Navy Department, will not be completed until the 1st of March next; but, of course, they want the authorization so they can get the other ships ready for modernization by the time the first battleships are out of the way.

I do not think the statement was made intentionally, but from the statements of both of those Senators one would think these workmen are actually out of employment at the present time. That is not the case. They are being employed at the present time in the modernization of some of the old battleships which are being repaired now.

In the modernization of the old battleships which have been repaired in the past they have not spent nearly as much money as they ask for the three involved in the present bill. Although the price of materials has gone down and the price of labor, I think, has not increased, yet they are asking for more money. The first battleships on which similar alterations took place were the *Florida, Utah, Wyoming, Arkansas, New York,* and *Texas.* There was $19,000,000 expended for six of them, a little over $3,000,000 apiece. Then afterwards the *Oklahoma* and *Nevada* were modernized at a cost of $13,600,000, or $6,800,000 apiece. Then the *Pennsylvania* and *Arizona* were modernized at a total cost of $14,800,000, or $7,400,000 apiece. But now the *New Mexico, Mississippi,* and *Idaho* are to be modernized at a cost of $10,000,000 apiece. I do not know, and it has not been explained anywhere that I could find, why they are asking the additional amount. Perhaps they are making more repairs on them than they have on the others. At least, they are asking for more money.

The three battleships which were scrapped by the recent disarmament agreement of London were the *Utah, Wyoming,* and *Florida,* I believe. The total cost of repairs of those three battleships was $11,176,000, but now they are scrapped and are out of service.

Mr. TYDINGS. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Maryland?

Mr. FRAZIER. I yield.

Mr. TYDINGS. The Senator seems to hold the view that it is really not important to have any navy at all. May I call his attention to the fact that in numerical strength our Army ranks about twelfth or thirteenth among the armies of the world? The armies of Italy, of France, Japan, of Great Britain, of Poland, of Czechoslovakia——

Mr. FRAZIER. Is the Senator now talking about armies or navies?

Mr. TYDINGS. I am talking about armies—of Rumania, Russia, and of other countries, all far excel the Army of the United States in actual numbers; in fact, as I have said, we rank about twelfth in numerical strength. Let the Senator also consider the fact that 1 out of every 70 men, women, and children in France is a soldier in the active army; 1 out of every 90 in Italy is a soldier in the active army; and so it is with other foreign countries, only to a less degree; while in our country only 1 person out of every 800 is a soldier in the active Army.

Obviously, we have either got to have an army or a navy. Our country is committed to the policy of having a very small peace-time standing army. In numerical strength it is very small now by comparison with the armies of other nations. Does not the Senator feel that, inasmuch as we have such a small army, we must have for adequate self-defense a suitable Navy behind the protection of which we can train and equip and supply an army if we need it in time of war?

Before the Senator answers that question, may I point out to him that General Pershing, who is just now publishing his experiences in the World War, points out that when we went into that struggle we had 55 airplanes, of which 51 were of no value at all, and 4 were of types that did not fit the situation; so that we had no airplanes? We had only about 225,000 rifles with which to equip our Army, and therefore had to use rifles furnished by England in order to get a sufficient number of them with which to equip our men.

May I also point out to him that we had practically no machine guns? We had four different types of such guns, but those types were inadequate. We are very much in the same situation to-day. Since the World War was fought the methods of prosecuting war have changed.

Therefore I feel that it is only fair when the Senator points out the size of our battleships and the big guns they carry and the fine ships we have that he also take into consideration the very small Army we have, and that, looking at our defense picture as a whole and comparing it with that of other nations with which we might some day contest for victory, we are not prepared for self-defense to the extent they are prepared.

Mr. FRAZIER. Mr. President, the Senator from Maryland loses sight of the fact that last year we appropriated and spent more money for the United States Army by practically twice than was expended by any other country on the face of the earth.

Mr. TYDINGS. Yes; but battles can not be fought by appropriations made by Congress or by merely spending those appropriations. Battles are fought with artillery, machine guns, and men, and no army of 100,000 men can hope to defeat an army of a couple of million men, no matter how much money may be appropriated.

Mr. FRAZIER. When the United States Army last year was spending more than a million dollars a day the Senator from Maryland surely will not admit that that money was being thrown away or wasted?

Mr. TYDINGS. No, I will not; but does not the Senator concede that it costs more to equip a fighting man in America, with our different standard of wages, than it does to equip a fighting man in any other country which has a lower standard, and that dollar comparisons therefore are not as fair as numerical comparisons of men?

Mr. FRAZIER. It must cost a lot more, according to the amount of money we are spending.

Mr. BROOKHART. Mr. President——

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Iowa?

Mr. FRAZIER. I yield.

Mr. BROOKHART. The Senator from Maryland seems to favor enlarging the Regular Army.

Mr. TYDINGS. I did not say that at all.

Mr. BROOKHART. Well, does the Senator favor that?

Mr. TYDINGS. No, I do not; I favor the policy which our Government has followed from the time of its inception, namely, of having a navy behind which we may prepare for defense if the need should arise. I do not favor a large-sized, peace-time army; but I favor an adequate navy and a small standing army in time of peace.

Mr. BROOKHART. I want to call the Senator's attention to the fact that in the World War there were 20 Regular divisions, there were 17 National Guard divisions, and 17 National Army divisions organized from the grass roots. The National Army divisions and the National Guard divisions all got across—a few of them at the very end of the war—and all of them that got into active service, as nearly all of them did, made good. Of the 20 Regular divisions only 8 of them got across at all during the war.

Twelve of them remained on this side still training when the armistice was signed, and in those divisions were some of the oldest Regular regiments. I, myself, was training the Nineteenth Regular Division in marksmanship up to just a few days before the armistice, and it had in it two of the oldest Regular regiments, the Second and the Fourteenth.

I also served with the Thirty-fourth National Guard Division, which had been in training for more than a year. It had also been on the Mexican border performing service there preceding the training for the World War; it was trained stale; it ought to have been sent over months before; and yet it was down there training that Mexican border stuff,

which they never could use after they actually got into the war.

Mr. TYDINGS. Mr. President, with the permission of the Senator from North Dakota——

Mr. BROOKHART. So I can not see the point in the argument as to the necessity for a great Regular Army. The Regulars always fall behind the times; they will not listen to anybody like General Mitchell or even like the present head of the Air Service, General Fechét. I asked General Fechét one time, in the presence of the Senator from Pennsylvania, when we were talking about $300,000,000 for cruisers, what he could do if we would give him $300,000,000 for the Air Service. After figuring for a while, he said in three or four years he could promise us to be ready to sink all the warships in the world by the time they could get within 200 miles of our coast, including the coasts of Porto Rico, Panama, the Hawaiian Islands, and the Philippines.

Mr. TYDINGS. The Senator from Iowa has made a very clever flanking military movement. He is talking about one thing and I am talking about another.

Mr. BROOKHART. The only thing clever about it is I am taking the facts of men who know about these things.

Mr. TYDINGS. I take it for granted that the position of the Senator from North Dakota is that he is for general disarmament in the United States. Now, I take it that the Senator from Iowa, from what he has just said, is in favor of spending vast sums of money to build military airplanes; is that correct?

Mr. BROOKHART. I would spend enough; we do not need to spend half as much as General Fechét estimated, because we would not have to defend ourselves against all the warships in the world.

Mr. TYDINGS. Then, the Senator from Iowa is in conflict with the Senator from North Dakota, because the Senator from North Dakota wants disarmament, while the Senator from Iowa wants many military and naval airplanes built to sink all the battleships.

Mr. BROOKHART. I am not in conflict with the Senator from North Dakota with regard to throwing $30,000,000 into old junk that is not worth 30 cents in peace or in war after it is built.

Mr. TYDINGS. Let me say to the Senator from Iowa that I had a very small, modest, and inconspicuous part as a soldier on the other side during the World War, and I think the Senator ought to take into consideration in connection with the American victory in that war certain facts. First of all, he should take into consideration that it was about 14 months after we entered the war before we were able to get any equipped Army of any size onto the firing line. That we were not too late is due to the fact that our Allies were actually holding the trenches while we had time to get ready; but that condition may not prevail again.

May I also point out to the Senator, with the permission of the Senator from North Dakota, that, while we did achieve a great victory—and far be it from me to deprecate the worth of the American Army on the other side—when our major offensive did commence we met an enemy that had been worn down by four and a half years of warfare; in fact, I could cite the experience of my own division. The first day it was engaged in the Argonne offensive it took over 2,000 prisoners. I myself saw many of them surrender. They did not want to fight; they wanted to live; they were anxious to give up. What they wanted to do was to get out of the war; they were sick and tired of it.

Mr. FRAZIER. I do not blame them for that.

Mr. TYDINGS. Nor do I; but let me say to the Senator that he must not assume if in the future America should become involved in war under modern conditions that it will meet with such favorable circumstances as we met with there. We may find a virile enemy, a fresh enemy, a new enemy, one that can fight very hard; and it may not be a runaway march to victory the next time.

Mr. BROOKHART. We will have it easier the next time, because we had to cross the ocean during the World War to get to the fighting line, but in the next war they will have to cross the ocean to get to us.

Mr. TYDINGS. I do not know about that.

Mr. BROOKHART. And our defense will be a very different proposition from the offensive in which we took part in the World War. I do not think the Senator can draw any inference that I suggested the citizen soldiers did not do their duty in the World War. They won the war, so far as that is concerned. I think if the National Guard of the United States had been under its own control instead of under the General Staff control in Washington, which was always seeking for some chance to "can" every National Guard officer, whether he ought to have been "canned" or not, and make a place, particularly in the higher ranks, for some Regular officer, we would have been ready in 7 months instead of 14 months.

Furthermore, as to the rifles the Senator mentioned——

Mr. TYDINGS. Mr. President, if I may interject right there, before the Senator leaves that subject, I realize if he had been in charge of the American Army that we would have won the war within five months after we declared war upon the Central Powers. If my friend the Senator from Iowa had been general in chief of the Army of the United States, the war would not have lasted very long——

Mr. FRAZIER. I agree with the Senator as to that.

Mr. TYDINGS. Because I am sure he would have known just how that army should have been equipped and how it should have fought, and men like General Pershing and General Harbord and Newton Baker, who served with some little distinction, would all have been brushed aside and the particular plan of attack which the Senator from Iowa would have evolved at the very start would have been carried to a successful conclusion.

Mr. BROOKHART. My only experience with those big men was with Newton Baker, the civilian Secretary of War, and that was with reference to training the Army in marksmanship. Newton Baker overruled the General Staff and the managers of the Army, and if it had not been for Newton Baker, the civilian, there never would have been a training school for marksmanship and we would have gone through the war with the Army trained on the theory of the War College and the General Staff that a poor shot gets more hits in battle than a good one.

Mr. TYDINGS. The Senator may be talking about warfare as carried on at the target range, but let me assure him that warfare as conducted on the battlefield does not consist of shooting many bullets from rifles; that is only an incidental part of going forward and gaining ground.

Mr. BROOKHART. Still the reports growing out of the war show that the greater number of casualties were from rifle fire.

Mr. TYDINGS. It is too bad, as we look back over the long and hard war, that we did not have the expert services of my friend from Iowa, because they certainly would have been invaluable both to our Army and to the armies of our allies.

Mr. BROOKHART. Let me say that the best training General Grant ever got was when he resigned from the Army, settled on a farm, went broke, and got some common sense. [Laughter.] When officers come to the War College and plan imaginary wars and fight imaginary battles according to imaginary theories of 20 years it drains all the common sense out of them. If a man should go into a moot court and practice before imaginary judges on imaginary issues and get imaginary verdicts for 20 years, what kind of a lawyer would he be? That is what we have had to face. Every time we have been confronted with the emergency of war we have had to get rid of the old stuff. I will say to the Senator that English and French officers came to the divisions where I served and, with tears in their eyes, told me privately of the unnecessary delays incident to the Regular Army system of training the military forces of the United States. I am ready to stand up before the War College or anywhere and point out in detail how this work could have been done

better by the civilian soldiers than it was by the so-called prepared soldiers themselves.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. FRAZIER. I yield.

Mr. TYDINGS. I know that my good friend from Iowa is perfectly willing to stand up before the War College, and I have no doubt that he would be equally willing to stand up with his bosom bared to the bullets of the enemy; but may I say to the Senator that there was not enough training for the American soldiers who went abroad. I went abroad with one of the so-called fine National Guard divisions of which he speaks, and served many months in active warfare on the other side, and, I am sorry to say, left many of my good friends and comrades over there from my own division.

Let me tell the Senator that it is necessary to fight these imaginary battles before men can go out and fight the real battles. They have to learn how to go forward under artillery fire. They have to learn where the machine guns should be placed during an advance or a retreat. They have to know all the firing data that must be figured to put over an attack. The infantry has to be trained as to how it shall go forward and take cover, so that men will not be killed unnecessarily. The staff have to assume that they, too, are engaged in battle, and that so and so happens, so that they may obtain the knowledge of how to make quick decisions to the best interests of all concerned, so that life can be husbanded and not wasted; and where life was wasted in the war it was due to the fact that there was insufficient time to train a man so that he could rely on himself to a large degree.

Mr. BROOKHART. Mr. President——

The VICE PRESIDENT. Does the Senator from North Dakota yield further to the Senator from Iowa?

Mr. FRAZIER. I yield.

Mr. BROOKHART. The inadequacy of the training was more to blame than the lack of time. There was plenty of time. The Army could have been trained in marksmanship in one-fourth of the time that was used upon it; but there was not anybody in the Army high enough up that knew anything about how to train it, because they conceived the theory, and taught it in the books and in the schools, that a poor shot gets more hits in battle than a good one. That is no joke. For a whole generation that was the idea of the General Staff of the United States Army. I fought them on that theory for 15 years, so I know how it came out. I was with them about a year after it was over, in the school at Benning, studying the lessons of the World War. Their experts all came back there, and I helped establish the school at Camp Benning, and all that sort of thing; but I will say to the Senator that the elaborateness, the technical data involved in doing all these things are double and treble what is necessary to get straight to the point. After all, however, the main things you do in the Army are forgotten in all the maze of technical stuff with which they surround them; and that is not only true of marksmanship, but it is true of every phase of the training in the Army.

Mr. TYDINGS. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Maryland?

Mr. FRAZIER. I yield.

Mr. TYDINGS. Let me portray to the Senator's mind the difficulty of preparing, for example, a machine-gun attack on an enemy train. First of all, we will assume that our own troops are going forward, and that the machine guns are going to be used like artillery, namely, that they are going to be put on high ground in the rear and shoot over the heads of our own troops. It is necessary to know, therefore, what the trajectory of a bullet is, how high it will go in the air if it is shot 2,000 yards. It is necessary to know, at a certain time, where our troops will be, and what the angle of clearance will be at that particular time.

Mr. BROOKHART. Every trained rifleman knows all that.

Mr. TYDINGS. No; the trained rifleman does not know all that.

Mr. BROOKHART. If he is trained, he does.

Mr. TYDINGS. I want to ask the Senator, if the target out here is 2,150 yards off, and is 60 yards higher than the machine gun, how much the machine gun should be elevated to hit that target, if the gunner can not see it? The Senator is an expert rifleman. Let him answer that question.

Mr. BROOKHART. It all depends upon the distance to the target. From the Senator's question, nobody could tell anything.

Let me recount a little experience about this training.

Mr. TYDINGS. Wait just a moment. We will assume that the Senator can not see the target, but that the target is behind a hill 2,150 yards away, and that it is 60 yards higher than the gun which he is to shoot. How is the Senator going to know how much to elevate the muzzle of his gun in order to hit that target?

Mr. BROOKHART. They had the tables that enabled them to ascertain that almost immediately. It was not any trouble to do that.

Mr. TYDINGS. As one who spent considerable time studying those tables, let me tell the Senator something.

Mr. BROOKHART. I think a good marksman would need to spend a couple of days on them, maybe; but let me recount just a little experience in regard to training in the war.

The VICE PRESIDENT. Does the Senator from North Dakota yield for that purpose?

Mr. FRAZIER. Yes; I yield.

Mr. BROOKHART. At Camp Benning they sent a young lieutenant by the name of Wood over to be our instructor in liaison, communications in battle. He had particularly distinguished himself in the Battle of Cantigny, the first battle of the First Division. He was sent over as our instructor at Benning. Then the armistice was signed, and the big classes that were to come to us never came; but they sent the West Point graduates down there for training. They came to us to be trained, and we were lecturing around the staff, lecturing one another, getting ready for those West Point classes, and Lieutenant Wood put on his lecture.

He had everything charted up in a very orderly shape. Down in the middle of it, however, he had a black line; and he said, "There was a time in battle when you went over the top when communications ceased, and even a corporal was not able to communicate orders to his squad; and then they reorganized afterward as soon as possible." He described the Battle of Cantigny, how they went over the top and advanced to their dig-in point, and then the trouble was to hold it against the counterattack.

The first counterattack was made by units of the Prussian Guard, among the very best of the German soldiers, and they advanced by individual rushes. One man would jump up and rush forward, and then another, and another, and drop down again, but still they kept a tolerably straight line, they had such well-trained soldiers in that line. Lieutenant Wood said about 20 per cent of these American soldiers had had some rifle training, and I am sure from my experience not more than that had it. So these riflemen looked through their sights at those men as they came, and they dropped them. There was one that got down to their dig-in line, and was killed close in front of it, and that ended the counterattack. He said it was a victory for the Springfield rifles.

When the second counterattack came, there were seven big German tanks in it. They put their 1-pounders, those little guns, on them, and they bounced off like rubber balls; but the infantry supporting those tanks was coming along. These riflemen aimed their sights at that infantry support, and there was no infantry support when they were down within some 75 or 100 yards; and the tanks without the support turned and went back, and the second counterattack was defeated—another victory, he said, for the Springfield rifles.

The next day the commandant of our school called that boy in and said to him as he stood up stiff at attention, "You were brought over here to teach communications, and not to teach that communications ceased; and you will leave out that part of your lecture hereafter."

This young man was heartbroken, because he had most faithfully worked out that system according to his actual experience in battle. I do not know why he came to me. Perhaps he had found that I had a little human trait in me; but he told me the story—something that he had no right to do under the discipline of the school. Then I said to him, "I am on for a lecture down there to-night, and my subject is 'The Man,' and I can put on almost anything in the world under that subject, so come down, and I will have a section on communications in battle as they relate to rifle training."

We went into the class that night, and I said, as I looked over at the commandant, "The most important fact that the soldier must know and that the trainer must know is that we are going to reach a stage in modern battle, perhaps, when communications will cease, and the rifleman himself must be trained to know that before he goes into battle, and must be trained to be his own general and take care of himself during that period and reorganize after that period is over"; and Lieutenant Wood went ahead with his lecture and never changed it, and I was not called on the carpet, either.

Mr. FRAZIER. Mr. President, this colloquy with regard to the World War reminds me of that particular period. I had the honor to be governor of my State during the years of the World War. We had only one division of the National Guard in the State at the beginning of the war, and I authorized the forming of a second division. Both divisions went over, across the Atlantic, early in the game and made an excellent record. Men from those divisions told me that they were ready to go to the front lines of battle months before the generals of the allied forces would allow them to go in. They said the theory of the great generals of France and England was that the American soldiers were not trained well enough; that they could not possibly be trained well enough to take part in those great battles in the short time they had been training. Finally, however, a day came when the allied armies were being pushed back, and it looked as if the Germans were going to take Paris; and so, as a last resort, they called in the American Army that the great officers over there said were untrained.

Many of our North Dakota boys went into the First Division of the great World War. They told me that from the time the American Army went in the Germans were held, and not only held but driven back, and they kept on going back from that time on; and the fact that the American soldiers did not go into the front lines a month before they did was because they were kept out by the allied generals who were in command over there. I am sure it was not General Pershing's fault that our men did not go in much earlier than they did.

Mr. President, I want to read a little statement from a member of the House committee in the hearings held last June before the Naval Committee of the House. Mr. McCLINTIC said:

> I do not think it is good policy, and I think we will get into a lot of trouble if we try to take it on the floor—

Referring to this same bill—

> and pass it at this session, in view of the fact that we have a big controversy existing right now. The minds of the American people are divided as to whether or not we should agree upon the program which was laid out in the London conference, and if we do not agree, then this whole subject is open once more for consideration. If that is true, and the minds of the lawmakers of England and the minds of a majority of the American people are in favor of building up the kind of units, or categories, as they are called, that will be most likely to be used in the next war, certainly it would mean the reduction of battleships. I do not want to be put in the position of voting for a lot of money that would not do us any more good than if we took it out in the middle of the ocean and sunk it.

The Senator from Virginia seemed to think the other day that there was little or no opposition to a bill modernizing these battleships. Yet opposition has developed every time it has been proposed. The Senator from Virginia made the argument, when this measure was up a few days ago, that the bill provided only for the authorization of an appropriation, "authorized hereby at a total cost not to exceed $30,000,000 in all." He stated that we would have just as good a chance to fight the appropriation as the authorization; that the authorization did not amount to much. A little later on the chairman of the Committee on Appropriations [Mr. JONES] came on the floor, and this was the statement he made in that regard:

> Mr. JONES. If it is merely an authorization, that is really the important thing, because the Appropriations Committee are practically bound by the authorization.

Of course, Mr. President, when an appropriation is authorized by the Congress it is invariably the fact that the appropriation is made, so far as my experience goes, at least, since I have been here.

Mr. SMOOT. Mr. President, will the Senator yield?

Mr. FRAZIER. I yield.

Mr. SMOOT. I know of many authorizations where appropriations have not been made. I will say, however, that in most of the cases they were introduced perhaps with the knowledge that the appropriations would not be made. I simply say this to let the Senator know that there have been cases, and many of them, where appropriations have been authorized and the appropriations have never been made.

Mr. FRAZIER. That may be very true.

Now, Mr. President, I want to read a few extracts from statements which have been made recently on this subject. Here is one from the New York Telegram of December 29, 1930, where Heywood Broun is quoted as saying:

> As far as the average American is concerned, Prof. Albert Einstein has offered a theory even more startling than that of relativity. I am referring to his espousal of militant pacifism and his frank advice that men and women should resist all forms of military training even in time of peace.
>
> Of course, others have offered a program just as drastic, but Professor Einstein is able to abrogate one particular accusation which has been made frequently against all who are total abstainers in the matter of war.
>
> It has been frequently said—and often believed—that pacifism might be an excellent thing as an ideal but that it was a doctrine supported only by dreamers, sentimentalists, and romanticists.
>
> Only the first of these three terms can have any possible connection with the great German philosophical mathematician. Imagination is a necessary component in the mind of anyone who ventures into a cosmic hypothesis.

Professor Einstein shocked a great many of our people by his stand in regard to doing away with military training. One of the leaders of the American Legion out in the great State of California tried to prevent Einstein from speaking out there because he was advocating peace instead of war.

I have here several letters, one of which I will read a part. This letter was written to me by a man I happen to know quite well; a man who had a good deal of experience in the World War. He was the man who invented the most effective bombs used by the United States Government in the World War. He is an engineer and an aviator. He used to be a sailor and was educated along that line. I think he knows what he is talking about. This letter was written from Stamford, Conn., January 3, 1931, by Lester P. Barlow. I might say that Lester P. Barlow is working on a national motorways system at the present time. He is an eminent engineer and has had a great deal of experience, as I have said, in the war game. The letter is addressed to me and reads as follows:

> I understand that on January 6 a motion to reconsider the bill authorizing an appropriation of $30,000,000 for the modernization of three old battleships will be brought up for discussion. As an old salt of the battleship school and as a modern industrial engineer, I am going to stick my oar in as being opposed to the appropriation of $30,000,000 for the reconditioning of old battleships, on the ground that such expenditure would be more than 100 per cent waste, due to the fact that additional appropriations would be required to keep these antiquated fighting machines in the struggle for existence, which should not be tolerated by the American people. Battleships are as antiquated to meet modern military requirements as the bow and arrow, and are a far greater liability.

Mr. President, it costs, in round figures, at least a million dollars each year to man and operate a battleship. The letter proceeds:

> They are too slow and cumbersome to get out of a fight, and utterly incapable of being victorious in battle when met by modern military engines of war.
>
> I speak as an authority, as a former first-class gun pointer in the United States naval service, and as one of the pioneers in the

equipping of the United States naval ships with wireless telegraphy. In fact, the first ship ever to sail from a Pacific port thus equipped was U. S. S. *Solace* in 1904. I was a member of the crew and an understudy in the new wireless marvel which the Navy was then experimenting with.

After leaving the naval service in 1908 I became interested in aviation and organized and commanded the first aerial bombing squadron in military operation in the world's history, in 1914, in the Mexican revolution. I came out of that revolution with the designs of the well-known Barlow aircraft munitions, for the building of which the Congress of the United States during the World War appropriated over $300,000,000. I have for many years been accepted as an authority on aircraft armament. I built the first synchronized aircraft gun in this country, and from that model came the famous Marlin-Rockwell aircraft gun, the finest aircraft machine gun used during the World War, over 36,000 of them being built and used by the Allies.

The first records of the suggestion for the use of depth mines are shown in the correspondence of the United States Navy and in letters to me, in May, 1916, criticizing my suggestions for the attack of naval craft (both under water and on the surface) by hydrostatic pressure developed by power submerged explosions. I contended at that time that it was not necessary to hit a ship, but it was only necessary to sink explosives near naval craft in order to destroy them. The Navy at that time insisted that I apply contact-firing devices to my depth mines. After the war General Mitchell proved that my suggested principles were the most effective methods for use in the destruction of individual craft. He sunk every type of naval craft, including submarines, torpedo boats, light cruisers, heavy cruisers, and battleships; and in most of these attacks Barlow bombs were used for the destruction of the ships by aircraft bombing. Some of these ships were 100 miles from the coast and in the open sea. And yet, 10 years later, we are simple enough to listen to prehistoric granddads and their plea for $30,000,000 to recondition old battleships.

If a war should develop, we would rapidly place these battleships in land-locked harbors and spend millions of dollars defending them against aircraft attack. This $30,000,000 appropriation, if allowed, would be for the sole benefit of certain shipyards which desire the contracts for what there is in them.

I think he is absolutely correct in that statement.

The next war will not be fought in front-line trenches or by battleship formation. The American people should have had sufficient demonstration by this time of the practicability of aircraft to realize, without doubting the fact, that the next war will be in the air. This Nation is particularly fortunate in having thousands of miles of water to the east and to the west, with friendly nations at the north and south. Our military program should principally be the development of an aircraft program as a defense measure against invasion. There is justification in the belief that modern submarines and aircraft carriers will play an important part in the next war. There will be some use for light and extremely high-speed cruisers; but every unit of the military equipment of the future must be designed for and be capable of high speed. The most dangerous place for combatants in the next war, in so far as military units are concerned, will be aboard battleships.

The nerve centers of the Nation will be the objectives of all attacks in future wars, and these attacks will be made from great distances, both by bombing squadrons and by flying torpedoes. The military authorities of this Nation know of the practicability of the flying torpedo of great power and weight and of tremendous range. The military authorities can tell the Senators that we were actually planning the construction of gigantic torpedoes during the last war, and if the war had lasted another six months torpedoes of 1,000-mile range, carrying 5,000 pounds of T. N. T., would have been in actual use. In fact, General Squires during the war held the well-known aircraft manufacturer, Glenn L. Martin, and myself to the greatest secrecy and told us that thousands of these torpedoes must be constructed and available before the first one was launched into the enemies' territory.

General Mitchell has told the Military Affairs Committee of the House that the next war will be fought at long distance and with flying torpedoes. Recently the British have announced the successful development of long-range, high-powered aerial torpedoes, and military authorities in this country have contended that the British invention is a direct copy of the American Government's torpedoes as planned during the war. Thirty millions of dollars applied to the construction of these murderous engines of war would give this Nation a reserve of 600 flying torpedoes, each capable of carrying tons of explosives or poison gas and each having a range of over a thousand miles. If carried by swift ships of the aircraft type, we could strike cities a thousand miles distant from the ship, and each torpedo would strike with terrific destructive force, utterly demoralizing the city of its objective. Consider this form of attack and compare it with the weak and hopeless attempts which might be made in the future by battleships. Comparing the battleships with modern aircraft possibilities would be comparing peashooters with Vesuvius. Flying torpedoes would cost approximately $50,000 apiece, and they will go far in the next war in proving that Christianity is supreme and democracy will be maintained, because thousands will be innocent victims—noncombatants, men, women, and children maimed and killed, while the attackers remain in a comparatively safe and secure position.

What this Nation needs, if she needs anything, is a strong defensive aircraft program. After that she should have, perhaps, a program for aerial attack of heavy aircraft armament, such as bombers and flying torpedoes.

The certain terribleness of the next war, if it comes, and the awful destruction of our great cities and nerve centers should convince us that we must make every effort possible in bringing about a positive agreement between the leading powers that there must be no future wars. The next war, for all who participate in it, will be annihilation. None can be victorious. Those who advocate war are either insane or positively ignorant. Any so-called military authority who thinks he is justified in advocating that nations should continue to adjust their disputes by military operations, is a menace to the Nation, and I would say this in the face of any military authority.

I was trained in my youth as an expert in the handling of military equipment. I went through the World War, serving with my ingenuity in the development of fiendish and murderous war equipment, and I know that the human mind is so prolific in its conceptions of hellish devices for the legalized murder called war that if this trend is not controlled it will mean complete destruction of everything we call civilization. By all means, Senator FRAZIER, you should do everything you can, not only to block the foolish expenditure of $30,000,000 for the reconditioning of these old ships, but everything possible that you can do to bring about an early agreement between our Nation and all other leading nations to abandon the idea of the settling of international disputes by man-made machines which will certainly destroy the men who build them if they are ever again brought forward for the purpose of meeting opponents in war. Keep this in mind: There can be no victory for either side—only destruction.

* * * * * * *

Very truly yours,

LESTER P. BARLOW.

Mr. President, the long-range air torpedoes that he speaks of are, as I understand it, torpedoes placed in an airplane of some kind, directed and controlled by wireless or radio, and can be sent a thousand miles distant. When it comes over a city or any place else where it is desired to drop the torpedo, the operators through their wireless can control it and drop it on almost the identical spot where they desire, even though the control is a thousand miles away. But we are asked, nevertheless, to authorize an appropriation of $30,000,000 to repair antiquated battleships.

Mr. President, our country has had an experience during the past few years, beginning with the World War, that ought to convince every thinking individual that the only safe plan for this Nation or any other nation is to keep out of future wars. I have a letter which I received this morning which struck me as very appropriate. It came from a lady in New York City, under date of January 14, addressed to me and reading:

I am horrified as I read in the papers from day to day the recurring suggestions of flinging millions of the people's money into military preparations of various sorts. As a taxpayer, rather more modest than before, but still a taxpayer, and even more emphatically as a citizen, I wish to protest against these expenditures and to beg you to speak and vote against every one of them. May I classify my objections under several headings:

1. These proposals to go on arming the United States of America are a flat denial of the Kellogg peace pact. It may be that tongues were in the cheeks of the gentlemen who signed this agreement but, nevertheless, it is an important document because it is believed by we know not how many thousands of our citizens to be a solemn statement that the United States will not again resort to war.

2. Even if there had been no peace pact there have been several disarmament conferences, understood by citizens to be called, carried on, and concluded for the purpose of reducing armaments. By continuing to make military expenditures we show ourselves the merest hypocrites. The time may come when we shall wish the rest of the world to believe in our good intentions. It will be slow to do so if we have continued to act in this two-faced manner.

3. Is it the wish of our Representatives in Congress to bring on a war? If not, they should vote against military preparations. The extravagant sums we have spent and are proposing to spend are a constant excitement to politicians in other countries. When it serves the temporary advantage of any of them to do so, they can point to our lavish military preparations and say, "In the face of such obvious hostility on the part of America can you hesitate to follow me?" Moreover, the fact that we are armed to the teeth makes it possible for such politicians to attribute to every slight misunderstanding, every unimportant incident, a desire on our part to start a war.

Mr. President, that paragraph, to my mind, is very true. The very fact that the Secretary of the Navy himself justifies the expenditure of the $30,000,000 provided in the bill now before us on the ground that it will bring the United States Navy up to a parity and up to an equality with Great Britain's Navy, justifies the statement.

The letter continues:

4. If there are 5,000,000 persons out of work it is a fair estimate that the income of at least 2,000,000 families is less. When the people are having to do without the ordinary comforts which the American standard of living demands it is hardly appropriate for their representatives to burden them with additional military expenditures.

Legislators may forget it, but thinking people do not forget that in the end every cent voted by legislators comes out of the individual citizens, either through income taxes or in the higher cost of every article he consumes. Every family is struggling to live within its income, to put itself on a sound financial basis. It is clearly the duty of our representatives to see to it that the Government does not waste money by increasing military expenses. This is clearly a time for retrenchment in every line.

5. If the Republican Party wishes to secure confidence in its ability to serve the Nation, it can only hope to do so by rigid economy in Government expenditures and sincere efforts to improve international friendship. On all these scores a reduction of military expenditures becomes necessary.

I urge you to vote against all these military appropriation bills and to call the attention of the amendment to your colleagues as frequently as possible.

Sincerely yours,

ELIZABETH ELLSWORTH COOK.

I think this lady is absolutely correct. In the hard times facing us we should retrench in expenses. It seems to me it is worse than foolish, worse than criminal to increase our expenditures for preparation for war instead of cutting down those items. In the face of the fact that we have adopted the Kellogg peace pact, in the face of the fact that we have gone into the London disarmament conference and agreed there to cut down, and have cut down to some extent by the scrapping of three old battleships which only recently cost us $11,000,000 to modernize, it is worse than criminal to increase our expenditures for preparation for war. But now we are asked for $30,000,000 more to modernize some more of our old battleships that will undoubtedly be scrapped following the next disarmament conference, which will probably be held within the next year or two.

Mr. President, I have here the figures of loans made by the United States to European countries. Just after the close of the war the amount exceeded $11,500,000,000. Some of these foreign debts have been practically canceled, the interest rates have been reduced, and yet we are denied a small appropriation of $15,000,000 to supply food and clothing for farmers in our country who were hit by the drought during the last season, who have not the money to buy food to feed their families, their wives and children.

When anyone tells us that the United States Congress is not to blame for these conditions, it seems to me they are making a statement that is absolutely incorrect, to say the least. I am not trying to contend that Congress is responsible for the drought—of course not—but I do contend it is responsible for the condition of the farmers of the country, for the condition of the working people of the country. The highest purpose of the Government, in my opinion, is for the benefit and protection of the common people of the Nation, who need their protection, and not for the benefit and protection of the great corporations, who do not need governmental protection.

O Mr. President, the fact that 5,000,000 men and women are out of employment and that we have many bread lines proves to me that the Congress of the United States has been derelict in its duty in providing for those people. The fact that farmers in Arkansas and many other States, because of crop failures or the drought last season, are financially situated so that they can not feed their families during the present winter is a sad indictment of the attitude of the Congress of the United States toward the farmer during all the past years.

Ten years ago, Mr. President, deflation was brought on by the Federal Reserve Board. The Federal reserve system was created by an act of Congress, and so again the Congress of the United States is responsible, indirectly at least, for the deflation thus inaugurated. That deflation hit the farmers first; it deflated them by the thousand. They became broke and went out of business. There is no doubt about the cause of that condition, in my opinion, because I come from a great agricultural State where that deflation struck and where banks failed. I think that perhaps North Dakota was the first State in which banks began to fail after that deflation. The newspapers throughout the Nation heralded the failure of those banks to the world and stated that the failure was caused by the so-called bolshevik government of North Dakota. However, only a few months later banks began to fail in other agricultural States, and now there are a number of other States which have a worse record for bank failures than has the State of North Dakota. Some of the individual banks which have failed in the East have had more deposits than all the banks in North Dakota which have gone broke during the last 10 years. When a bank fails, especially where its assets have practically all been used up in trying to keep it going, or in the hope that conditions would improve and it could ultimately pay its depositors, the result is perhaps worse than it otherwise would have been, and the depositors lose practically all of their deposits. In many instances they have lost their life savings. Many farmers who have spent their lives building up homes for their families have, because of the deflation brought about by the Federal Reserve Board, because of the increased cost of operations, due to increased overhead expenses and increased taxes, because of the low prices of farm products, because of the poor crop conditions in the various States during the past few years, and because also of the high prices they have had to pay for everything they have had to buy, have lost their all and have been compelled to go out of business.

Mr. President, one does not have to go to Arkansas to find farmers who are hard up; one does not have to go to New York City to find men and women who are out of employment. Right here in the streets of the National Capital there are many men and women looking for jobs. Every charitable institution in the city of Washington is taxed to its utmost capacity every day and every night to shelter, feed, and try to find employment for men and women who are in need and to provide for destitute families. So also on the farms of old Virginia, up in Pennsylvania, in West Virginia, in Maryland, and other States, in the vicinity of Washington as well as in New England, there are farmers and their families who are actually in want to-day, through no fault of their own, but who are in this condition because the United States Congress has not protected them; it has not protected their business as it has protected the business of the manufacturers and other industries that deal with the farmers.

Yet, Mr. President, we are asked to appropriate $30,000,000 to modernize three old battleships. What for? I do not think there is a single logical argument that can be advanced why those three old battleships should be modernized. I had a letter yesterday from a lady in Oklahoma. As a member of the subcommittee of the Committee on Indian Affairs, I recently visited Oklahoma, and happened to meet this lady while I was there. After referring to conditions among the Indians, she winds up her letter with this statement:

I wish to express the hope that little children will not longer be forced to eat dry flour or to reach to the bottom of the garbage pail hoping to find a biscuit. Both happened here.

Yet some Senators and others say such conditions as that are no fault of the Congress, no fault of the Government, and that it is not the place of Congress to remedy them; let the Red Cross take care of those in distress. Oh, Mr. President, I can not appreciate that kind of argument. The Red Cross has done exceedingly good work; there is no doubt about that; but the argument that the Red Cross should take care of the people of the United States who to-day are suffering and in distress does not appeal to me because it is made on the assumption that the wealthy people are going to contribute to the Red Cross. Of course, wealthy people and rich corporations who have made their money at the expense of the common people, who have been forced to live under conditions such as we have in the United States, under the domination of the so-called great financial interests, can contribute large sums to the Red Cross to take care of the poor unfortunates at this time, and the newspapers will praise them as great philanthropists

and see that they get a lot of publicity—and I suppose that is what they want—but their donations will be deducted from the amount of the profits on which they will have to pay income taxes, and that will help them to some extent, I presume.

The Red Cross drive was not started until after the first of the year, so that contributions will not be allowed as deductions from the 1930 tax which will be due on the 15th of March, and that, too, will help to some extent. The contributions may, however, be deducted from the income-tax return for the current year. Mr. President, the fact that we have great corporations with their millions, the fact that we have individuals who are millionaires who have made immense fortunes at the expense of the common people, does not appeal to me as an argument why the United States Congress should not take care of these poor people, but should instead call for contributions to the Red Cross.

Mr. President, farming conditions have been going from bad to worse for the last 10 years. Millions of our farmers have gone broke and are now out of business, and there is hunger and suffering throughout the Nation, both on the farm and on the part of men and women who have been thrown out of employment. The farmers have lost their purchasing power. Because of poor crop conditions, because of low prices for their products they have not been able to meet their necessary expenses, and many of them have fallen behind in their taxes and have been foreclosed. That has happened to millions of farmers throughout the United States, not only in the Middle West but in the South and in every agricultural State in the Union. I repeat, the purchasing power of the farmers has gone down so that they can not buy the necessities of life. What is the result? The result is that the great manufacturing institutions in the East and in the South have been forced to close down, too, because they can not sell the manufactured products which the farmers of this great Nation need and should have, but which they are not able to buy. So the factories and mills have been closed down and 5,000,000 men and women have been thrown out of employment.

Mr. President, there is nothing that looks like immediate relief, so far as I can see. It seems to me that there has got to be a readjustment all along the line. We have been 10 years or more getting into this situation, and it will take some time to get out of it. At the present time the price of the products which the farmer has to sell is below the pre-war price, while the price he has to pay for machinery, for clothing, and for practically everything else he has to buy is almost up to the war price. So the situation is a mighty hard one, and it seems to me there has got to be a readjustment.

The prices of manufactured products, such as machinery, clothing, and all other commodities, must come down so as to be more in proportion to the prices the farmer receives for the commodities he produces on the farm. Until that is done I can see no hope of permanently better times.

We are asked to appropriate $30,000,000 to modernize three old battleships. Mr. President, there are 3,000,000 farm homes throughout the Nation that also need modernization. It is not necessary to go a dozen miles from the National Capital to find old farm homes that have not been modernized during the last century. There are many of them in this neighborhood that are over a hundred years old and which have not been modernized since they were built. Of course they were modern at the time of their construction, according to the standards of those days; but like the battleships, they have long ago become obsolete and should be modernized. The $30,000,000 could much better be expended in modernizing farm homes than in modernizing old battleships—just three battleships to be floating palaces for the naval officers who will happen to be in charge of them.

Yesterday in the discussion a statement was made that New York could take care of its own unemployed. I suppose it can, because there is a great amount of wealth in New York; and, as I have said before, that wealth has been built up out of excessive profits received by business men there, and from money that has been contributed from all over the Nation to business and also to the gambling market in New York—the stock exchanges.

In the recent stock-market flurry a year ago it was estimated that the people of various States of the Nation, including New York, dropped some $50,000,000,000 because of the manipulations of the gamblers of Wall Street. There is no question, Mr. President, that the people in Wall Street could take care of all the 5,000,000 unemployed if they should see fit so to do, but I do not like that kind of charity. It is an indictment against our Government and against the Congress of the United States to allow conditions to come about that need that kind of charity, and that is not the kind of charity our people want. They are entitled to appropriations from the United States Treasury to help them under these conditions, and, in my opinion, they should have them.

Mr. President, you will remember that during the tariff fight we had a table back here in the corner, and some of the high-tariff men sent out and got a lot of imported articles to show that the little tariff we put on those various manufactured products was not responsible for the high prices we had to pay for those products. So they sent out and got 50 or 100 articles, and had a receipt from the retailer up there to show the regular price that was paid for those articles. Then they looked up the price that was paid in the country where they were manufactured; they looked up the cost of transportation to New York City, what the commission was, what the tariff was, and what the article cost laid down in New York City. Then they figured the percentage of profit on those products.

I remember very well the little Swiss wrist watch that was on the table here for weeks last winter when we were discussing the tariff bill. That little Swiss wrist watch cost $6 in Switzerland, wholesale. It cost $2.75 to bring it across to New York and to pay the commission and the tariff on it, making $8.75 laid down in New York City. It retailed for $55. Oh, the merchants who sell those wrist watches can afford to take care of a few of the unemployed up there, of course; but it is the fault of the United States Congress that things of that kind are allowed to exist—that any individual merchant is allowed to make a profit of 600 per cent on an article that he imports from Switzerland or any other country. Yet that sort of thing is allowed to go on, even with the hard conditions we are facing. When millions of our people are practically facing starvation at the present time, this profiteering is allowed to go on; and worst of all, it seems to me, we are called upon to authorize the appropriation of more money for preparation for war in peace times.

As I stated in the beginning, last year we spent the largest amount for the United States Navy and Army that we have ever spent in peace times. We are asked to appropriate more this year than we spent last year. The Navy appropriation last year amounted to more than $1,000,000 a day. The Army appropriation last year amounted to more than $1,000,000 a day. I want to repeat that every minute during the fiscal year of 1930, ending the 1st day of last July, for the United States Navy they spent over $700, more than twice as much as the average farmer of this Nation makes in an entire year.

I hope, when the vote is finally taken on this measure, that the bill will be voted down. To my mind it is a crying shame to say to the great nations of this world—the 53 nations that we influenced to sign the Kellogg peace pact—that we did not mean what we said by the Kellogg peace pact; that we are preparing for war; that we are appropriating practically twice as much as we ever appropriated before in peace times in preparation for war.

Mr. President, I do not like that kind of a reputation for the United States Government and for the United States Congress. So I hope that every Member will carefully consider this measure before a vote is taken, and when the vote comes will vote according to the dictates of his conscience for the interest of the common people of this Nation, who,

if you please, put up the money to pay this $30,000,000 and every other appropriation that we make here in the United States Congress.

Mr. KING. Mr. President, before the Senator takes his seat, will he suffer an interruption?

The PRESIDING OFFICER (Mr. FESS in the chair). Does the Senator from North Dakota yield to the Senator from Utah?

Mr. FRAZIER. I do.

Mr. KING. As I understand the parliamentary situation, the motion to reconsider was agreed to, and the bill is now upon the calendar and is subject to amendment; so there will not be a vote upon the question of reconsideration.

Mr. FRAZIER. We agreed to vote at 4 o'clock to-morrow afternoon upon amendments and the motion, as I understand.

Mr. KING. Yes; but it will not be a vote upon the motion to reconsider, for the reason that we have already reconsidered our action on the bill, and it is restored to the calendar and is in the same situation as any other bill, except for the provision as to the time when the vote shall be taken.

Mr. FRAZIER. I thank the Senator from Utah for that explanation.

Mr. BROOKHART. Mr. President, the Senator from Utah is right. We reconsidered the bill by unanimous consent. It is reconsidered and is before the Senate now; so the vote will be on the bill itself.

The PRESIDING OFFICER. The Chair will state, for the information of Senators, that the vote the Senate will take to-morrow will be on reconsidering the vote by which the bill was ordered to be engrossed and read the third time. That is the parliamentary situation.

DROUGHT RELIEF

Mr. SMOOT. Mr. President, I will ask the Senator from [Iowa Mr. BROOKHART] whether he desires to proceed at this time. If not, I should like to take up the Interior Department appropriation bill.

Mr. BROOKHART. Mr. President, I do not desire to proceed on the Meyer matter until we come to it. On this matter I desire to speak for only a few minutes, and I would rather do so to-morrow than now.

Mr. HEFLIN. Mr. President, will the Senator from Utah yield to me to call up the Senate resolution that went over?

Mr. SMOOT. I will ask the Senator to wait until I get the appropriation bill up. I ask unanimous consent——

Mr. FRAZIER. Before the Senator from Utah asks unanimous consent, I think it would be only fair to ask if any other Senator desires to speak on this matter at this time.

Mr. SMOOT. Certainly. No one responded, and I thought no one else desired to speak.

Mr. FLETCHER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Frazier	King	Shipstead
Barkley	George	La Follette	Shortridge
Bingham	Gillett	McGill	Simmons
Black	Glass	McKellar	Smith
Blaine	Glenn	McMaster	Smoot
Borah	Goff	McNary	Steiwer
Bratton	Goldsborough	Metcalf	Stephens
Brock	Gould	Morrison	Swanson
Brookhart	Hale	Morrow	Thomas, Idaho
Bulkley	Harris	Moses	Thomas, Okla.
Capper	Harrison	Norbeck	Townsend
Caraway	Hastings	Norris	Trammell
Carey	Hatfield	Nye	Tydings
Connally	Hawes	Oddie	Vandenberg
Copeland	Hayden	Partridge	Wagner
Couzens	Hebert	Patterson	Walcott
Cutting	Heflin	Pine	Walsh, Mass.
Dale	Howell	Pittman	Walsh, Mont.
Davis	Johnson	Reed	Waterman
Deneen	Jones	Robinson, Ark.	Watson
Dill	Kean	Robinson, Ind.	Wheeler
Fess	Kendrick	Schall	Williamson
Fletcher	Keyes	Sheppard	

The PRESIDING OFFICER. Ninety-one Senators have answered to their names. A quorum is present.

INTERIOR DEPARTMENT APPROPRIATIONS

Mr. SMOOT. I ask unanimous consent that the Senate proceed to the consideration of H. R. 14675, the bill making appropriations for the Department of the Interior.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Utah?

Mr. ROBINSON of Arkansas. Mr. President, pending the request I suggest an additional provision, as follows. And that it be in order to consider upon the bill the following amendment.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. It is proposed to add, at the proper place in the bill:

> There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $25,000,000 (in addition to such sums as may be or may become available through voluntary contributions) to be expended by the Red Cross for the purpose of supplying food to persons otherwise unable to procure the same.

Mr. COUZENS. Mr. President, will the Senator yield?

Mr. ROBINSON of Arkansas. I wish to modify the amendment so as to insert, following the word "contributions," the words "to be immediately available and."

If the Senator from Michigan will indulge me just a moment to explain the matter, I think it will not be necessary to repeat the amendment. I think the Senate understands it.

Yesterday I gave notice that when the agricultural appropriation bill was brought forward the amendment just read would be offered to that bill, and, if necessary, a motion to suspend the rules would be made; but upon further consideration of the matter it seems to me that the amendment had best be incorporated in the bill which has had some consideration by the Senate, and which the Senator from Utah is seeking to bring forward now by unanimous consent.

Frankly, Mr. President, I do not wish to delay or interfere with the consideration of appropriation bills; and I think the Senate knows that it is my purpose and policy to facilitate, in every possible way, conclusions respecting them. But the Senator from Utah is asking unanimous consent. He is asking to lay aside temporarily the business which, under the order of the Senate, is before it, and to proceed to the consideration of the Interior Department appropriation bill. Now, my request is that the Senate waive the rule which would, unless suspended, prevent the consideration of this amendment, in order that the Senate may express its opinion concerning it.

Senators may just as well take notice of the fact now as hereafter that this amendment, or some similar amendment, is going to be considered and voted on in the Senate. It will be subject to amendment or revision. All I am asking now is the opportunity to avail myself of the same privilege and opportunity the Senator from Utah is invoking, in order to secure action by the Senate on a proposition in which many Senators are greatly interested. I hope the Senator from Utah will find himself able to consent to the suggestion, in so far as he is authorized to do so.

Mr. McNARY. Mr. President, will the Senator yield?

Mr. ROBINSON of Arkansas. I yield.

Mr. McNARY. Yesterday the able Senator gave notice of a motion to suspend the rules in order that he might offer to the agricultural appropriation bill the amendment to which he now addresses himself. I understand that later, and on this day, he has offered the same proposal to the bill now sought to be brought to the attention of the Senate.

Mr. ROBINSON of Arkansas. I am not offering the amendment. I am asking now an opportunity to have it considered. That is all I want. If the Senate does not desire the amendment, it can express itself to that effect. If this amendment should be incorporated in the bill now sought to be brought before the Senate by the Senator from Utah, it would not be necessary to present it in connection with the agricultural appropriation bill.

Mr. McNARY. I appreciate that thoroughly. I wanted to know if there were two applications for suspension of the

rules, one with reference to the agricultural appropriation bill and one with reference to the Interior Department appropriation bill, or whether the Senator has forsaken the idea of offering the amendment to the agricultural appropriation bill.

Mr. ROBINSON of Arkansas. I have not forsaken anything. I will say to the Senator from Oregon that unless this consent is granted, I shall give the same notice with respect to the Interior Department appropriation bill that I gave with respect to the agricultural appropriation bill, and unless this unanimous consent is granted and the Senate given an opportunity to express itself on the subject, I will then seek to suspend the rule and have the amendment incorporated. If the rules are not suspended and the amendment is not incorporated in the Interior Department appropriation bill, I will present it to the agricultural appropriation bill in the way I indicated yesterday.

I have said all I wish to say at this time.

Mr. SMOOT. Mr. President, I want to say to the Senator from Arkansas that I have no authority from the Committee on Appropriations to accept that amendment, and therefore I will have to object to it at this time.

Mr. ROBINSON of Arkansas. I am not offering the amendment now.

Mr. SMOOT. I should have said amendment to my request. My request is to take up the Interior Department appropriation bill.

The PRESIDING OFFICER. The Chair will state that the request of the Senator from Arkansas is in order.

Mr. ROBINSON of Arkansas. I am not asking the Senator from Utah to accept the amendment. I would not do that. I desire an expression from the Senate on that. I realize the Senator is entitled to demand that. All I am requesting is this, while he is asking me to waive a technicality which would prevent him, without the unanimous consent of this body, from proceeding with the bill in which he is interested, to extend the same courtesy to me and waive the technicality which would prevent me from having an expression, without extraordinary proceeding, on the amendment I shall propose. The matter will still be left open to the Senate for discussion and for the acceptance or rejection of the amendment. All I am asking is that the Senate waive the technical rule which forbids us from considering such an amendment as this under the circumstances under which it is presented. We have done that every day since the Senate has been in session. We are asked now to waive the rule or order which forbids the Senate from considering the Interior Department appropriation bill except by unanimous consent. I attach to the request of the Senator from Utah, not a request that my amendment be accepted but that the rule which forbids its consideration be waived. It is within the province of the Senate to say whether it desires to do that.

Mr. SMOOT. Mr. President, with what information I have, it seems to me it is my duty now to withdraw my request for the consideration of the bill at this time, and I therefore withdraw it.

Mr. SHORTRIDGE. Mr. President, if I understand the situation, it appears to me that the request of the Senator from Arkansas is in order, and that it should be acceded to.

Mr. ROBINSON of Arkansas. I thank the Senator from California.

Mr. SHORTRIDGE. I do not wish to intrude or to delay the matter. The Senator from Utah seeks to take up a very important appropriation bill. I think it should be taken up. But, for reasons which the Senator from Arkansas has briefly indicated, but which he could elaborate, he asks that if he grants consent, and if we all grant consent, to take up the Interior Department appropriation bill, the Senator may be permitted to offer a certain amendment to it.

Here we are, supposedly thoughtful men, able to indicate the points of the compass. What harm can come or be in suspending the rule which, I understand, precludes the offering of this particular amendment? We will all express ourselves hereafter in respect to the merits of the amendment.

Mr. ROBINSON of Arkansas. That is right.

Mr. SHORTRIDGE. And the Senator does not ask us immediately to do so. I hope, I sincerely hope, that unanimous consent will be given to the taking up of the Interior Department appropriation bill, and that unanimous consent will be given whereby the Senator from Arkansas may offer his suggested amendment.

Mr. ROBINSON of Arkansas. Mr. President, I thank the Senator from California, and he will bear me witness that I have objected to no request from the Senator from Utah. He made a request asking every Senator to waive the rules of the Senate, and I supplemented that by adding a request that the rules be otherwise waived, not in order that the Senator might accept the amendment but in order that the Senate might express itself on the amendment. The Senator from Utah can take any course he wishes to take.

THE GOLD STANDARD AND THE SILVER SITUATION

Mr. ODDIE. Mr. President, on December 5 I introduced a bill (S. 4848) to prohibit the importation into the United States of any article or merchandise from the Union of Socialist Soviet Republics. The dumping of soviet products on the world's markets dislocates trade and accentuates the maldistribution of gold, increasing international competition for the metal and intensifying and prolonging world economic depression and unemployment.

Mr. H. N. Lawrie, formerly economic adviser to the Senate Commission of Gold and Silver Inquiry, of which I had the honor to be the chairman, made an address before the New York section of the American Institute of Mining and Metallurgical Engineers on October 22, 1930, on The Maintenance of the Gold Standard and an address before the District of Columbia section of the American Institute of Mining and Metallurgical Engineers on December 18, 1930, on The Silver Situation. As an outstanding authority on gold and silver, Mr. Lawrie has made available in these addresses much valuable information and makes some constructive suggestions. He also points out that soviet fiat currency depreciating in value makes it possible without resort to convict labor to dump its products on the world's markets at artificially low prices, with which other nations can not compete. Furthermore, Mr. Lawrie shows that soviet dumping operations constitute an attack on the gold standard in the Occident and the silver standard in the Orient.

In view of the importance of the subjects discussed and the valuable information presented, I ask that these addresses be printed in the RECORD.

There being no objection, the addresses were ordered to be printed in the RECORD, as follows:

ADDRESS OF H. N. LAWRIE, ECONOMIST, OF WASHINGTON, D. C., FORMER ECONOMIC ADVISER TO THE UNITED STATES SENATE COMMISSION OF GOLD AND SILVER INQUIRY, BEFORE THE NEW YORK SECTION OF THE AMERICAN INSTITUTE OF MINING AND METALLURGICAL ENGINEERS

THE MAINTENANCE OF THE GOLD STANDARD

From earliest history gold has never ceased to be a problem, and it will probably continue to become more acute as the demand for the metal increases with the expanding requirements of credit and currency to finance world industry and trade. The gold standard has weathered many serious storms and in the present crisis, although more complicated than heretofore, adequate safeguards will be developed for its continuation. The world has greatly benefited by the gold standard, and the public interest can best be served by providing for its maintenance.

GOLD-STANDARD ADVANTAGES

The great value of the gold standard lies not so much in its service as a unit of value but in the safeguards it supplies against undue inflation and in the principles of sound currency and credit policies which must be carried into effect in order that a nation receive the maximum benefit from a strong creditor position in the world. The gold standard constitutes the best basis for measuring accurately financial probity and honesty in national business and the financial progress of nations. No substitute has yet been found which could better serve the public interest. Discussions of the question have been frequent since 1921, when postwar deflation began, and so far the consideration of a substitute for the gold standard has been largely academic.

The fact is that the merits of the gold standard were and still are so great that the maintenance of the gold standard was assured

in 1921, and is now not seriously jeopardized by the present discussion of the prospects of decline in the world's future gold production.

PRESENT DEPRESSION

The world's gold production in 1921 was $330,000,000, from which it declined, despite the major price deflation in that year, to $319,000,000 in 1922. Since 1922 the production has increased each year to a maximum of $406,000,000 in 1928. Prior to 1915 the continually increasing gold production was the cause of alarm, because to it was attributed rising prices, and the matter of international control of gold production was discussed as a means of preventing undue currency and credit inflation. How, therefore, could the world's gold production, which has increased since 1922, be held in any way accountable for the price declines in 1929 and 1930? It would seem more logical to conclude that had it not been for the increasing supply of new gold since 1922, the price recessions which have occurred since would have been still greater.

Causes other than inadequate gold production for recent price declines must be found. One of the most logical contributory causes suggested is that goods are not exchanging on a normal basis, resulting in depriving certain nations of gold which are in need of it and in supplying an excess of gold to other nations which would be better off without it. With the exception of Russia, the foundations of national business are generally sound, and the present depression and dislocation of gold may be regarded as temporary. The necessary readjustment of trade and gold distribution can be greatly expedited by the closer cooperation, the greater functional coordination, and the more aggressive action of the central banks of the principal gold-standard countries.

THE GOLD PROBLEM

Variations which have so far occurred in recent decades in the annual gold production of the world constitute such infinitesimal fractions of the world's monetary stock of more than $17,000,000,000 that the influence of such variations on prices must be almost negligible. The gold problem confronting the world to-day does not therefore arise in the near past or even in the present, but is largely a question of the adequacy of future gold supplies to meet the currency and credit requirements, under the sound limitations imposed by the gold standard, of expanding industry and trade. What are the objectives to be sought and what constructive measures may be adopted to insure the maintenance of the gold standard? Let us first state the objectives.

GOLD-STANDARD OBJECTIVES

The principal objectives sought through the operation of the gold standard are as follows:

I. Convertibility of currencies into gold at par within the countries of origin as well as in the foreign markets so that stability in domestic and foreign exchanges will be maintained by all countries.

II. The maintenance of prices at levels which will insure full employment without lowering living standards anywhere and on a more stable basis.

III. A supply of currency and credit at reasonable rates of interest, readily available in every country in sufficient quantities to finance normally expanding industry and trade.

IV. To so limit the volumes of currency and credit and their use that great excesses will not be available in any country to finance overproduction or pure speculation.

In stating these objectives for the gold standard, it is realized that they constitute ideals to be attained, but the difficulties should not be regarded as unsurmountable if we are to be successful in perfecting and maintaining the world's monetary system. Let us now consider a summary of constructive measures to facilitate and improve the operation of the gold standard, to create and maintain greater stability in prices, and to insure the maintenance of the gold standard.

CONSTRUCTIVE MEASURES

I. Economies in the monetary use of gold:

1. With a view to greater economy in the use and transportation of gold and in providing a better distribution of gold at the points of greatest need, the Bank for International Settlements should operate—

a. A gold and exchange pool.

b. A credit pool.

c. A securities pool.

2. In countries where the legal percentages of gold required for deposit liabilities and note covers are higher than necessary to insure convertibility of currencies into gold at par and to meet deposit liabilities, these percentages should be lowered, thereby releasing gold for more important functions of international finance. As in the Federal reserve act, it would be well for penalty charges to apply should the percentages decline below the new percentages to be specified so as to prevent abuses which might lead to inconvertible currencies and credits and to inflation.

3. The further removal of gold from circulation in countries where this can be done without causing inflation and the greatest possible use of silver in effecting settlements, especially in India and China, thereby conserving gold for monetary use which otherwise would be hoarded. Silver might well be more generally used in bank reserves in limited quantities, thereby further supplementing and conserving gold.

II. Economies in the industrial use of gold:

1. National restrictions imposed upon the use of gold in the industrial arts.

2. The prevention of currency and credit inflations which, in artificially increasing outstanding purchasing powers, result in greatly increasing the consumption of gold in the industrial arts.

3. To the greatest extent possible the elimination of the lathe in the manufacture of gold articles and the substitution of hand labor therefor.

III. Suggestions for increasing gold production:

1. By making available capital on reasonable terms so that—

a. The modern dredge, which has been greatly improved, could be more generally applied to alluvial deposits, many of which could not be worked profitably with the older types of dredges.

b. Large low-grade quartz deposits could be explored and operated on the basis of newly developed economies in mining and milling.

c. Tailings from alluvial and quartz properties and the lower grades of ore left in mines from which the richest ore has been removed, could be treated by the more economical methods resulting from mining and metallurgical improvements.

d. The modification or repeal of laws restricting production, such as the antidébris law of California.

2. By encouraging prospecting not only in the productive areas but also in those regions which so far have not been well investigated. If the manufacturers of gold would evidence an interest in assisting to finance the prospecting and development of gold properties it would be very helpful in increasing the production of new gold to meet the world's industrial and monetary requirements.

3. With a view to reducing costs of gold production, encouragements should be given to those who perfect improved and less expensive methods of mining and milling gold ores.

IV. If given a satisfactory trial and these measures to economize in the monetary and industrial use of gold and in stimulating production do not prove sufficiently effective in supplying enough new gold to meet the increasing requirements of industry and trade, the Bank for International Settlements could contract with producers for gold to be recovered from gold-bearing material that can not be profitably mined under present economic conditions at the price of $20.67 per ounce. No more profitable use of the earnings of the Bank for International Settlements could be made in the interest of its stockholders. From marginal gold ore deposits a substantial gold reserve for emergency use could be accumulated at small additional cost, and this would prove to be the least expensive and most effective method of averting gold crises and of maintaining international equilibrium in the operation of the gold standard.

MONETARY ECONOMIES

A compilation of the net gold, credit, and securities items in the foreign trade of the United States for the years 1923–1929, inclusive, shows a net efflux of gold of $175,000,000, a net gain of $421,000,000 in credit, and a net efflux of American capital invested in foreign securities of $3,592,000,000. (See Table I.)

It will be observed that the volume of securities movement is many times that of gold and credit combined and indicates not only that this country has exported a great deal of capital abroad for the purpose of financing exports but also suggests the possibility of using to the greatest extent security-arbitrage transactions in effecting international settlements.

SECURITIES MOVEMENTS

Emphasizing the possible future importance of security-arbitrage transactions, Dr. Ray Hall, of the finance and investment division of the Department of Commerce, states as follows (Trade Information Bulletin No. 698):

"Once a security, whether American or foreign, is listed both on our exchange and on one or more foreign exchanges, price leveling starts almost automatically by arbitrage brokers buying in the cheap market and selling in the dear market. These transactions occur with nearly every important fluctuation in the price of the security. At New York they 'average about 25,000 shares a day and sometimes reach as high as 200,000 shares a day.' (Magazine of Wall Street, July, 1929.) This volume of transactions would probably involve market values of something like $750,000,000 a year. Most of these transactions are quickly 'washed out,' but in many cases actual deliveries of securities must be made.

"It looks now as if these security-arbitrage transactions might sometime become the foremost settling item in America's international accounts, coming before even gold shipments and 'changes in international bank accounts.' Every year sees additional foreign listings on our stock exchanges and additional American listings on foreign stock exchanges. This development makes possible a growing volume of security arbitrage. A fluctuation of one-fourth of 1 per cent in foreign exchange rates may cause (or prevent) a great volume of dealings by security arbitrageurs, whereas so slight a fluctuation may not move gold; thus current international indebtedness tends to be, reduced or settled by security arbitrage before an impending gold movement gets started. There is certainly a tendency, even now, for the directions of security movements and of gold movements to coincide."

In effecting international settlements the transfer of gold coin or bullion is more expensive and difficult to effect and causes more disturbance in the international monetary system than does the transfer of credit, and, in turn, credit is more difficult and

less desirable to transfer than are securities. To facilitate the exchange of securities as a basis for effecting international settlements they should be listed on as many of the world's exchanges as possible. The Bank for International Settlements could perform a most constructive service by supplementing the gold pool by operating credit and securities pools with a view of still further facilitating the exchange of credits and securities between nations and thus lessen substantially the demands for gold.

GOLD-EXCHANGE ECONOMIES

Since 1925 many nations in returning to the gold basis were compelled to adopt the gold-exchange standard. The use of foreign exchange as a part of the firm cover reserve effected a great economy in the use of gold. Transactions with such nations involving the transfer of foreign exchange could be greatly facilitated if the Bank for International Settlements were to include foreign exchange under the administration of its gold pool, thereby effecting still further economies in the use of gold.

BROADER FUNCTIONS OF THE BANK FOR INTERNATIONAL SETTLEMENTS

The question as to whether the Bank for International Settlements has the authority under its charter to establish and operate foreign exchange, credit, and securities pools is well answered by Hon. George P. Auld, accountant general of the Reparation Commission, in an article published by the National Foreign Trade Council, from which the following is quoted:

"The objects of the bank, as stated in its charter, are 'to promote the cooperation of central banks and to provide additional facilities for international financial operations; and to act as trustee or agent in regard to international financial settlements intrusted to it under agreements with the parties concerned.' * * * It is apparent from the report of the Young committee and subsequent expressions by individual members of it that they had a certain vision of a wide ultimate usefulness of the bank in the international centralization of reserves, the creation of a gold settlement fund, the development of world trade, and the stabilization of prices. * * * Turning to the broader aspects of the bank's purposes and powers, we find that they include, in particular, the right to receive deposits from central banks and others and make deposits with central banks, to grant loans to or borrow from central banks on security, to discount or rediscount short-term obligations of prime liquidity, to make investments in negotiable securities, to buy and sell gold and exchange, and hold gold in custody for central banks."

In order to expedite readjustments in the distribution of gold, credits, and securities in providing greater equilibrium in the world's economic system, the Bank for International Settlements should act promptly in creating and operating credit and securities pools.

INDUSTRIAL CONSUMPTION EXPANDS

During the year of maximum inflation, 1920, the consumption of gold in the industrial arts in the United States reached the peak of over $82,000,000, an amount in excess of domestic production of over $31,000,000. In that year the industrial arts consumed not only $51,000,000 of newly produced gold and $28,000,000 in gold resulting from the melting of scrap, but also nearly $3,000,000 of the monetary gold stock of the United States. The industrial consumption in 1926 amounted to over $74,000,000 and only $5,000,000 of the $48,000,000 of newly produced gold in that year were available for monetary use. For the decade ending in 1929, after crediting the manufacturers with gold derived from scrap returned to the mint for refining, the amount of newly produced gold available for monetary use averaged annually only 12.5 million dollars. (See Table II.)

DOMESTIC PRODUCTION DECLINES

The production of gold in the United States of over $101,000,000 was reached in 1915, and from this record point, as costs of production ascended to the peak of inflation in 1920, declined to $51,000,000. Realizing that the industrial consumption was expanding as production was declining, leaving less gold available for monetary use and with the gold covers of the Federal reserve note and deposit liabilities of the Federal Reserve Bank declining to the minimums specified in the Federal reserve act, a legislative campaign was inaugurated in 1919 to remedy the situation.

A bill making an equitable adjustment was introduced in Congress providing that the industrial consumers pay to the producers of new gold in the United States 50 cents a pennyweight more than the mint price. As costs of production were far higher in 1919 and 1920 than 50 per cent above the 1913 level, this proposition was extremely fair to the industrial consumers, but it was realized that costs in the not distant future would decline and hence the amount was accepted by the producers as a minimum basis for keeping the industry alive during the crisis and thereby conserving the gold ore resources of the Nation.

ORE RESERVES WASTED

The deflation of 1921 began while this bill was being considered, and some of the gold producers were of the opinion that the operation of economic law had come to their rescue and that 1913 costs of production were then in sight and the industry would be restored to its normal basis. Under such circumstances action on the bill was not pressed.

Pre-war costs of production did not return as expected, and many mines which were being temporarily operated at a loss in anticipation of legislative relief were shut down, allowed to fill with water, timbers to rot, and ore to cave, and consequently the Nation lost permanently a very substantial tonnage of its gold-ore reserve. Had this relief bill passed our gold-ore reserves would have been conserved and extended, production would have increased to a level commensurate with the Nation's position and prestige in the financial world, and the gold-mining industry today would be in a healthy condition and able to contribute a much greater amount of newly produced gold to the world's monetary stock. As it is, the production of gold in the United States declined in 1929 to less than $44,000,000, with indications pointing to still lower levels in the future.

INDUSTRIAL RESTRICTIONS

The Director of the Mint, Hon. Robert J. Grant, in an article (Engineering and Mining Journal, February 8, 1930) on the gold situation in 1929, made the following statement: "It would not be surprising, however, if before many years steps are taken looking to the restriction of the amount of gold allowed to go into the arts."

There is no valid reason why humanity should suffer through the impaired operation of the gold standard by reducing monetary stocks to supply gold at pre-war prices to the manufacturers of articles largely for luxury consumption. Why should not the gold manufacturing industry stand on its own feet with all other industries and either produce its own gold or contract with producers for gold at prices which would justify continued operations? Governmental restrictions might become necessary, as the Director of the Mint indicates. However, it would be desirable and fair, before the adoption of such restrictions, to give the manufacturers an opportunity independently to provide for their own raw material, integrating production with fabrication, as have some of the principal copper producers done in order to protect and improve their economic position. Should the manufacturers of gold enter the field of production it would prove very helpful in expanding the world's gold output to meet industrial and monetary requirements.

INDUSTRIAL ECONOMIES

When the demand for gold articles was increasing so rapidly in 1919 and 1920 the manufacturers employed the lathe on a greater scale to speed up production. In using the lathe larger specimens of gold must be used than when worked by hand labor. It was explained at the time that it was cheaper to use more gold than to employ additional labor. Since it has become necessary to economize gold in the monetary system, there is again no valid reason why the lathe should not be replaced by hand labor, conserving gold in the industrial arts and giving employment to more artisans at a time when the need for reducing unemployment is a national problem.

THE ACCELERATION OF PRODUCTION

During the past decade, when gold mining was generally unprofitable, some of the leading gold dredging companies transferred their activities to the mining of tin, and the dredge is reported to have undergone some remarkable improvements, resulting in increased metal recoveries and reduced operating costs. Consequently, the modern dredge under favorable conditions could be operated profitably to-day on material which 10 years ago would not pay. Because of the economic pressure economies in mining and milling low-grade gold ores have been developed which, if applied more generally to other deposits of similar character, would add considerably to the world's gold output, as such operations to be successful necessarily must be conducted on a large tonnage basis. With a view to reducing costs of gold production, encouragements should be given to those who perfect improved and less expensive methods of mining and milling gold ores.

That ample capital and labor are now available on favorable terms to undertake new gold developments is emphasized in an editorial in the Engineering and Mining Journal of October 9, 1930, from which the following is quoted:

"Not in many decades have conditions been so propitious as they now are for intensive prospecting and development of gold-mining properties—for the production of the yellow metal on an increasing scale. Commodity prices are low. Labor is abundant. Highly efficient equipment is to be had at short notice and at a reasonable cost. Bank deposits have shown a steady increase this year, indicating the availability for investment of money at low rates. The favorable credit terms now obtaining are not likely to change in the near future."

It will, however, require initiative and enterprise to put new capital and labor to work. Regions which so far have not been well investigated should be included in any prospecting program with the older camps and better-known gold centers. The greater use of the airplane in observation and photographic mapping should expedite prospecting and geological reconnaissance work, especially in the remote regions. The best geological, mining, and metallurgical talent should be employed to direct such operations, as the available deposits will in large part be marginal in character and will require the greatest accuracy and experience to insure success. Then, too, there are some new discoveries coming to light all the time which are sufficiently high grade to attract capital. A reasonable activity along these lines should result in increasing world production by 1935 to such an extent as at least to offset the extensive declines in Transvaal production forecast to commence in that year. (See Table III.)

SALVAGE OPERATIONS

Some of the gold mines which have been shut down in recent years from which the high-grade ores have been extracted may be

in condition for reopening, retimbering, and otherwise available for the removal of the lower grades of ore which they still contain. The tailings from some milling operations in which cyanide is used as a solvent might pay to rework by more economical methods. The tailings from some placer operations might well be prospected to determine whether improved methods of handling the material would not be profitable. There is a large yardage of "pay dirt" in California tied up by an antidumping act. This law and any other restrictions of a similar character which obstruct gold operations should be promptly modified or repealed. Humanity's interests can be served best by maintaining the gold standard unimpaired, and the gold standard needs more newly produced gold.

FURTHER PRECAUTIONS

If given a satisfactory trial and these measures to economize in the monetary and industrial use of gold and in stimulating production do not prove sufficiently effective in supplying enough new gold to meet the increasing requirements of industry and trade, the Bank for International Settlements could contract with producers for gold to be recovered from gold-bearing material that can not be profitably mined under present economic conditions at the price of $20.67 per ounce. No more profitable use of the earnings of the Bank for International Settlements could be made in the interest of its stockholders. From marginal gold ore deposits a substantial gold reserve for emergency use could be accumulated at small additional cost, and this would prove to be the least expensive and most effective method of averting gold crises and of maintaining international equilibrium in the operation of the gold standard.

SOVIET CURRENCY SYSTEM

The Soviet Government's currency system is unique, in that it is a pegged currency in all relations with foreign countries, all exchange transactions being under strict Government control. As a result, while the State Bank publishes regularly statements of the gold and other "firm cover" in the reserve, there is no indication given of the source from which increases are derived and, indeed, there is no assurance that the reserve exists.

Under normal circumstances, the increases in the volume of currency by continually larger issues of Treasury notes for which there is no direct backing, would inevitably tend, with only small increases in gold cover, to depreciate the currency to continually lower levels, approaching zero as a limit. With free traffic in Soviet rubles prevented, however, the Soviet Government has been able so far to maintain the value of the ruble at a par established by its own edict.

The fact is that the foreign currency reserve has actually little or no practical connection with the issue of currency, which is measured at the will of the Government. The inevitable result of this policy is a continuous increase in prices, even under the system of rationing and controlled rates now in force. As the figures for the purchasing power of the chervonets are based, since October 1, 1929, on the controlled prices of socialized trade only, there is no indication of what its purchasing value would be in a free market. There is no free market in Russia, and even in the controlled market, the chervonets is worth no more than one-half of its nominal value.

GOLD VALUE OF THE RUBLE

The currency in actual circulation in Russia consists of bank notes, treasury notes and subsidiary coin. Of the total bank notes issued a "firm cover" of at least 25 per cent is carried in the reserves. "Firm cover" is comprised principally of gold coin and bars, other precious metals (platinum and silver), foreign currency and drafts in foreign currency. No "firm cover" or other direct backing is required against the issue of treasury notes or subsidiary coin. Economic Survey, the official publication of the Soviet State Bank, gives the data for currency in circulation and "firm cover" which, on August 1, 1930, amounted to 3,860,000,000 and 539,000,000 rubles, respectively, indicating a "firm cover" of 14 per cent. As the gold par of the ruble is 51.46 cents, the ruble based on 14 per cent of "firm cover" would be worth about 7.2 gold cents. (See Table IV.)

Bank notes and treasury notes emitted by the Soviet Government are in larger amounts than the figures used above for currency in actual circulation. Had, therefore, the estimated value of the ruble been based on the actual emissions of notes, the value would be considerably less. Another liberality in this estimate lies in the fact that treasury notes on August 1, 1930, amounted to 1,533,000,000 of the total currency in actual circulation of 3,860,000,000 rubles, or nearly 40 per cent and 75 per cent of the total bank notes in circulation and treasury notes have no direct backing. The estimated value of the soviet ruble on August 1, 1930, of 7.2 gold cents is, therefore, extremely liberal. The amount of bank notes in circulation increased in the 10 months from October 1, 1929, to August 1, 1930, from 1,428,000,000 to 2,054,000,000 rubles, or 43.8 per cent. The amount of treasury notes for the same period increased from 983,000,000 to 1,533,000,000 rubles, or 56 per cent. Since August 1, 1930, the amounts of bank notes and treasury notes emitted and in circulation have materially increased and the former ratio limiting the volume of treasury notes to 75 per cent of the volume of bank notes issued has been raised to a ratio of 1:1, and the bank statement of September 16, 1930, shows equal amounts of both. These note expansions, particularly that of the treasury-note issue since August 1, 1930, have still further reduced the gold value of the soviet ruble.

SOVIET DUMPING

Under such unsound currency policies and delusive practices, products exported by the Soviet Government can be assumed to cost only a fraction of their nominal value; in fact, the Soviet Government actually pays nothing for its goods, since it issues at will the currency with which they are purchased, wages paid, transportation covered, etc. The Soviet Government makes no answer to this argument, since under its system it is simply a logical deduction.

SOVIET WHEAT

The cost of producing wheat in Russia is estimated by authorities to be 1.24 rubles per bushel. On the basis of the most liberal estimate of value of the ruble on August 1, 1930, of 7.2 gold cents, the cost of producing a bushel of wheat in Russia would be 8.9 gold cents. Ocean freight from Black Sea ports to Atlantic ports in Canada is not in excess of 15 gold cents per bushel. The 1930 tariff on wheat imported into the United States is 42 cents per bushel. From these estimated amounts soviet wheat could be exported to the American market for 65.9 gold cents per bushel, leaving a considerable margin of gold profit at current market prices. Wheat spot firm No. 2 hard winter, f. o. b. New York, was quoted on October 20, 1930, at 90.1 cents per bushel. On the basis of this quotation, a profit of at least 24.2 gold cents would be made, which could either be kept here to pay for soviet propaganda or returned to Russia, where it could be used for the emission of a flock of paper rubles. This is, indeed, a vicious circle in which inconvertible currency issued at will by the Soviet Government is the principal instrument used. While the soviet can dump wheat here at a profit, it can make a greater profit by selling to near-by countries where the cost of transportation is much less, and thus replace American wheat in the European market.

SOVIET DUMPING WORLD-WIDE

The Soviet Government is dumping wheat and many more products into the markets of many countries. France had just harvested a corn crop when the soviet dumped wheat into that country, destroying the corn market, and then, it is reported, communists tried to spread discontent among the corn growers. France has adopted a licensing system for soviet imports and undoubtedly will vigorously enforce it. Canada has recently declared an embargo on soviet coal, and many other nations will have to follow by adopting some protective measures to safeguard their industries from such unfair competition.

If the soviet wants to experiment with unique and unsound economic theories, let that government confine the experiment within its own borders. The Soviet Government is violating the gold standard and its dumping program in many countries is dislocating trade and complicating an already serious situation. The very foundation of international finance is being undermined and the maintenance of the gold standard greatly menaced by the Soviet Government's external dumping operations, and the only remedy is complete economic isolation. The cost of foreign trade with Russia is too great if we consider the further dislocations of trade and gold resulting from the soviet dumping program. The program outlined in this report for effecting economies in the monetary and industrial use of gold and for increasing gold production will prove ineffective at best if the soviet industrialization program, coupled with inconvertible currency, is permitted to wreck industries in all countries, lower prices still further, lower standards of living, and increase the already large army of the unemployed.

PROMPT ACTION NECESSARY

Action by this Government must be prompt and decisive. Many other nations are waiting for the United States to assume the initiative and will join in establishing a wall of economic safety so that the soviet will no longer be able to extend its unsound and spurious economic policies beyond its borders at the expense of humanity in general.

TABLE I.—*Net gold, credit, and securities items in the foreign trade of the United States,*[1] *1923–1929*

(In millions of dollars)

Year	Gold[2]	Credit[3]	Securities[4]
1923	−205	+3	+30
1924	−216	+216	−733
1925	+102	−61	−560
1926	−72	+259	−540
1927	+154	----------	−895
1928	+272	−226	−708
1929	−120	+130	−386
Total	−175	+421	−3,592

[1] Compiled by H. N. Lawrie, from table on page 66—Bulletin No. 693, by Ray Hall, U. S. Department of Commerce.

[2] Gold shipped or earmarked (net).

[3] Change in net debt of American banks to foreigners.

[4] Net increase in long-term foreign investments in the United States, minus net increase in American long-term investments abroad (par value) from which bond discounts and underwriters commissions have been deducted.

Plus items are those for which foreign countries have made payment to this country, and minus items are those for which the United States has made payment abroad.

TABLE II.—*Industrial gold consumption exceeds production in the United States,*[1] *1920–1929*

(In thousands of dollars)

Year	A Total United States consumption in arts	B Total United States production from mines	A–B Excess United States consumption over production	C New gold consumed in United States arts	B–C New gold available for monetary use in United States
1920	$82,215	$51,187	$31,028	$54,010	−$2,823
1921	50,674	50,067	607	23,050	+27,017
1922	59,806	48,849	10,957	36,322	+12,527
1923	69,292	51,734	17,558	40,013	+11,721
1924	65,888	52,277	13,611	37,913	+14,364
1925	65,954	49,860	16,094	36,162	+13,698
1926	74,334	48,270	26,064	43,268	+5,002
1927	59,319	45,419	13,900	32,858	+12,561
1928	59,081	46,165	12,916	31,570	+14,595
1929	[2] 59,404	43,990	15,414	[2] 27,373	+16,617
Average, 1920–1929	64,597	48,782	15,815	36,254	+12,528

[1] U. S. Mint figures to the nearest thousand.
[2] Estimated by H. N. Lawrie.

TABLE III.—*Forecast estimates of world's gold production, nonmonetary demand, and deficits of new monetary gold to provide 33 per cent cover if notes and sight liabilities increase 3 per cent per annum and if no economy in the use of gold is effected, 1930–1940* [1]

(In millions of dollars)

Year	Estimated gold production	Nonmonetary demand [2]	Available for monetary purposes	Increments to gold reserves required to provide 33 per cent cover for 3 per cent average increase in notes and sight liabilities	Deficit of new monetary gold to provide 33 per cent cover if notes and sight liabilities increase 3 per cent per annum
1930	404	180	224	253	−29
1931	402	182	220	260	−40
1932	410	184	226	269	−43
1933	407	186	221	276	−55
1934	403	188	215	285	−70
1935	398	190	208	294	−86
1936	397	192	205	302	−97
1937	392	194	198	311	−113
1938	384	196	188	321	−133
1939	370	198	172	330	−158
1940	370	200	170	340	−170

[1] Compiled by H. N. Lawrie from Table II, page 16, Interim Report of Gold Delegation of the Financial Committee of the League of Nations.
[2] On the assumption that the nonmonetary demand for gold increases at the rate of 1 per cent per annum.

TABLE IV.—*Soviet currency in actual circulation, firm cover, and estimated gold value of ruble,*[1] *October 1, 1927, to August 1, 1930*

(In millions of rubles)

	A Total currency in actual circulation [2]	B Firm cover	C Percentage of firm cover [3]	D Gold value of ruble [4] in cents
Oct. 1, 1927	1,628.3	268.95	16.5	8.49
Oct. 1, 1928	1,970.8	279.52	14.2	7.31
Oct. 1, 1929	2,642.2	364.19	14.0	7.20
Nov. 1, 1929	2,833.6	395.58	14.0	7.20
Dec. 1, 1929	2,872.6	397.39	13.8	7.10
Jan. 1, 1930	2,773.0	388.16	14.0	7.20
Feb. 1, 1930	2,686.8	383.74	14.2	7.31
Mar. 1, 1930	2,803.8	388.95	13.9	7.15
Apr. 1, 1930	2,876.1	391.44	13.6	7.00
May 1, 1930	3,048.5	413.75	13.6	7.00
June 1, 1930	3,155.9	427.70	13.5	6.95
July 1, 1930	3,454.6	478.20	13.8	7.10
Aug. 1, 1930	3,860.2	539.32	14.0	7.20

[1] Compiled and computed by H. N. Lawrie, from Tables III and IV, p. 13, Economic Survey, State Bank of the U. S. S. R. for August, 1930.
[2] Table IV, Total currency in actual circulation includes bank notes, Treasury notes and subsidiary coin.
[3] Table III, Firm cover includes principally gold in coin and bars, other precious metals (platinum and silver), foreign currency and drafts in foreign currency.
[4] Items in column B divided by corresponding items in column A.
[5] Items in column C multiplied by ruble gold par of 51.46 cents.

ADDRESS ON THE SILVER SITUATION, BY H. N. LAWRIE, ECONOMIST, WASHINGTON, D. C., AND FORMERLY ECONOMIC ADVISER TO THE SENATE COMMISSION OF GOLD AND SILVER INQUIRY, BEFORE THE WASHINGTON SECTION OF THE AMERICAN INSTITUTE OF MINING AND METALLURGICAL ENGINEERS ON DECEMBER 18, 1930

Abyssinia and China are now the only remaining monetary strongholds of silver. The Occident is on a gold basis. India in 1926 adopted the gold bullion standard and Indo-China early in 1930 demonetized silver, thereby reducing the monetary demand for silver in the Orient and materially increasing the burden on the gold standard to supply an ever-expanding need for currency and credit. The effect of these changes in oriental monetary policies has been rendered more acute because of the dislocation of monetary gold reserves, which has been accentuated by soviet dumping operations. Furthermore, the gold standard is confronted with the prospect of a declining world gold production, which makes more necessary that silver should carry an ever-increasing rather than a decreasing share of the monetary burden of the world's credit and currency requirements.

GEOGRAPHIC DISTRIBUTION

America produces over 85 per cent and consumes about 15 per cent of the world's total silver. The world's silver production in 1928 amounted to 257,000,000 ounces, of which Mexico contributed 42 per cent, the United States 28 per cent, Canada 9 per cent, Peru 9 per cent, Australia 4 per cent, India 3 per cent, and other countries 10 per cent. Countries outside of America, principally China and India, consume 85 per cent of the world's production.

SILVER DEPRESSION

Half of the world's population in the Occident with substantial gold reserves is largely dependent on the normal functioning of the gold standard, while the other half in the Orient, with its large silver reserves, is as greatly dependent for its prosperity on the value of silver. When the average price of silver in 1929 of 53.3 cents declined to a new low of 30.75 cents per ounce on December 30, 1930, a decline of more than 22 cents per ounce, or 42.3 per cent, the potential purchasing power of half of the world's population was seriously depreciated. That this marked decline in the price of silver has contributed materially to lowering world commodity prices and to the present economic depression there can be no doubt. It is, therefore, important to determine the causes for this heavy decline in the price of silver and to provide a remedy if the problems involved in the present world-wide economic depression are to be solved. Let us examine some of the principal causes for the decline in the price of silver.

COINAGE DEBASEMENT

The price of silver early in 1920 reached a high point of $1.40 per ounce, and at that price it was profitable to melt the silver currencies then in circulation and to sell the recovered bullion. This is one of the most serious factors, undermining the monetary position of silver and causing so extensive a decline in the price of the white metal. In addition to an increasing output of newly mined silver, the world has had to absorb tons of metal resulting from the debasement of silver currencies or their complete displacement by coinages of other metals, such as aluminum, nickel, and copper. When these surplus amounts of bullion recovered from debased or demonetized silver coinages were marketed in the centers where the greatest demands existed, in India and China, the effect was more rapidly to limit the capacities of these countries to absorb silver.

Great Britain in 1920 reduced the fineness of her silver coinage from 925 to 500 fine, thereby dumping tons of metal on the already weak markets of Bombay and Shanghai. Mexico in September, 1921, reduced the weight and fineness of her "peso fuerte" and of her fractional currency, and the tons of silver released reduced the price of silver, creating unemployment in her own silver mines, and all for a slight seigniorage profit. Indo-China, a French empire, adopted the gold bullion standard early in 1930 and sold a large quantity of silver piasters on the market in a very short time, contributing to the extent and rapidity of the decline in the price of silver. These are but a few of the instances where debasement of silver coinage adversely affected the market.

The silver policy of India since 1926, when the gold bullion standard was adopted, has resulted in the sale of about 83,000,000 ounces by the Government. The prospect of large silver sales from the Government reserve, estimated at 412,000,000 ounces, of which at least one-half is for sale, has had a most serious and depressing effect on the market. The psychological influence of impending sales has at times been more damaging than the sales themselves, and right now this "Sword of Damocles" hangs heavily over silver prices.

INDIA'S WEALTH SHRINKS

The total number of rupees coined in India from 1835 to 1922 was 6,475,000,000, which at 165 grains of fine silver per rupee amounts to about 2,226,000,000 fine ounces. There has been practically no silver coined since 1922. Prior to 1835 large quantities of silver coins were put into circulation and the above figures also exclude a large coinage of half-rupee coins. Taking these coinages into account and the net silver imports into India for private account, it is conservatively estimated that the silver reserves in India amount to no less than 5,000,000,000 ounces, representing more than one-third of the world's output since the dis-

covery of America. About one-half of the total reserve was minted into coins, of which 1,200,000,000 1-rupee coins, or about 16 per cent, are now held in Government reserves, the remaining 84 per cent being in circulation or hoarding. The 2,500,000,000 ounces which can not be accounted for by minting are in the form of hoarded jewelry or bars.

The silver reserves of India, 5,000,000,000 ounces, were in 1929, at 53.3 cents per ounce, worth $2,665,000,000, and were on December 30, 1930, at 30.75 cents per ounce, worth only $1,537,500,000, a decline of over $1,000,000,000. When the wealth of a country rapidly shrinks over 42 per cent in value the extent of its effect on the present world depression can be better appreciated.

INDIA'S ABSORPTIVE CAPACITY

Another adverse effect of the high war and postwar prices of silver was the destruction of a large amount of the rupee coinage of India. It pays to melt rupee coins and to sell the recovered bullion when the price of silver exceeds 110 rupees per 100 tolas; and regardless of a law prohibiting the destruction of coin, it is estimated that some 200,000,000 ounces of silver bullion reached the Indian market from this source. While this silver did not leave India, it had the effect of limiting the absorptive capacity of that country, thus contributing to the weakness of the silver market in subsequent years.

The Indian authorities at the time of the marked decline in the price of silver early in 1930 imposed an import duty of about 9 cents an ounce on the white metal. Some experts, under the depressed conditions, voiced the opinion that this duty would result in stopping imports altogether. This forecast was supported further by the fact that the Indian Government had a considerable quantity of silver which it desired to sell on the protected market. The net imports of silver into India in the first eight months of 1930 amounted to 71,772,700 ounces, compared with 50,391,800 ounces during the whole of 1929. Therefore, contrary to forecasts, India has absorbed more silver under the duty than for the period when silver was on the free list.

INDIA STILL HOARDS SILVER

Furthermore, there are some experts who anticipated that low prices would bring silver out of hoarding. This prediction was based on the silver which was being sent from the up-country districts to Bombay. This silver was in the form of rupee coins which have a value of 1s. 6d., or 36 gold cents, which can be exchanged for more than an ounce of silver at present price levels, or three times as much bullion as is contained (about one-third of an ounce) in the rupee. The farmers, therefore, are obtaining much more silver by the exchange of rupee coins for bullion, and this demonstrates an increasing up-country demand for silver and not a desire to dispose of silver at low prices. The forecast that India would dump silver at present low price levels is, therefore, erroneous.

CHINA'S WEALTH SHRINKS

The silver reserves of China are estimated at 3,000,000,000 ounces, of which over 1,000,000,000 ounces was the net import of silver for the 30 years 1901–1930, and the remainder was brought into the country during the 300 preceding years. An authority on Chinese currency, E. Kann (Finance and Commerce, June 18, 1930), estimated that the mintage of silver dollars and subsidiary coins since 1891 has a face value of about $2,200,000,000, which, at the rate of 374 grains of fine silver to the dollar, would amount to about 1,700,000,000 fine ounces. The same authority estimates a visible supply of silver in sycee of about 200,000,000 ounces. Foreign silver coins, which formerly had a large circulation in China, such as the Mexican, British, and Saigen dollars, are now being rapidly eliminated, so that 100,000,000 ounces would probably be a close estimate of their silver content. This makes a total of 2,000,000,000 ounces accounted for and 1,000,000,000 ounces still hoarded in the form of jewelry or bullion.

The silver reserves of China of 3,000,000,000 ounces were worth $1,599,000,000 in 1929, when the average price of silver was 53.3 cents per fine ounce, and on December 30, 1930, when the price dropped to 30.75 cents per ounce, were worth only $922,500,000, a decline of $677,000,000, or over 42 per cent. Undoubtedly, this rapid shrinkage of China's wealth has contributed in no small degree to the present economic depression. It is in the broad interest of the Occident as well as of the Orient to expedite, if possible, the return of China's wealth and potential purchasing power to a more normal condition.

CHINESE CURRENCY

Stocks of silver at Shanghai increased from 107,900,000 ounces on January 1, 1928, to 147,200,000 ounces on January 1, 1929, to 192,400,000 ounces on January 1, 1930, and to 217,800,000 ounces on October 25, 1930. Civil war in China, made more intensive by the soviet, not only has lessened the country's productive capacity and retarded or prevented the movement of commodities from the interior to the treaty ports where they could be exported but also has made the outlying districts, or up-country, so unsafe that the people have been compelled to bring silver to the Shanghai banks, where better protection was afforded.

In lieu of the silver being removed from circulation and concentrated in the bank reserves in the treaty ports, large volumes of paper currency were issued, principally by Chinese banks. Notwithstanding the large silver reserves in Shanghai, there is not enough to supply one-half of the silver legally required as a backing for these notes. Furthermore, subsidiary silver currency has become greatly depreciated through its debasement and its lack of uniform weight and fineness. To complicate business further, the rates at which different coins circulate change from day to day.

REFORMS NOW POSSIBLE

With the successful drives made against the red rebels recently by General Chiang-Kai-Shek, it is reported that conditions even in the remote sections of China have again been restored to safety so that silver coin could now be distributed generally throughout the country without undue risk. The new mint has been completed and is in readiness to operate. Under these circumstances nothing would be more helpful to silver than a large minting of silver coins of high silver content and minting accuracy principally of the smaller denominations of 10 and 20 cent pieces, to be generally circulated in the remote districts. This would result in the decentralizing of the silver reserves of Shanghai and China would again enter the silver market as an active buyer.

It would, therefore, be an error to assume that China has too much silver or that silver will be brought out of hoarding at present low prices. With civil war at an end, with transportation restored to normal conditions, with currency reform, and a refunding of national debts, China's productive capacity will greatly increase, her export position strengthen, and her capacity to absorb silver will be substantially increased. In such reforms China should be accorded the sympathetic consideration of other nations and supported by the extension of additional loans in her war against the soviet menace if the Orient is to contribute its full share to the solution of the present world depression.

CURRENCY POLICY CHANGES

No one will question the desirability of improving the silver situation, thereby elevating the standard of living of half of the world's population and restoring more normal conditions of international trade. There are a number of constructive things which might be done to relieve the present acute situation. The rate of 18 pence adopted for rupee exchange in 1926 has proven very burdensome to India to maintain, and silver has been sold to develop gold credits to meet these obligations. Under such circumstances it would be helpful if the rupee gold parity were to be substantially reduced in the not distant future. Such a change in policy would make less necessary, or perhaps unnecessary, the sale of large quantities of silver on the present greatly depressed market. The lifting of the duty on the importation of silver into India would also prove beneficial.

Great Britain also has much to gain through a reminting of her silver coinage on the former basis of 925 fine. The effect of this would be to improve the silver situation, increase the power of India to absorb cotton goods, and lessen the number of unemployed cotton-mill workers in England.

Mexico might well consider the reminting of silver coinage on the weight and fineness of the old "peso fuerte," foregoing a seigniorage profit, but aiding in maintaining operation of her silver mines with additional tax revenues. Mexico could then also lift the embargoes on the importation of silver coins and the exportation of gold, which constitute artificial barriers to the return of more normal conditions.

Now that the coinage of piasters has been largely sold by Indo-China, the Chinese embargo on the importation of silver coins and the exportation of gold could be lifted with excellent effect.

In order to meet an acute situation in India during the World War, Great Britain came to the United States, the only country able to supply the demand from monetary silver reserves, and negotiated a purchase of the metals, copper and silver, contained in 350,000,000 dollar pieces. The silver contained in some 260,000,000 dollar pieces, in accordance with the provisions of the Pittman Act, was delivered to the British Government, and the crisis in India was met. This illustrates the importance of holding large silver reserves in this country, immediately available to meet world emergencies.

There is now an unparalleled international competition for gold and a real need for more gold under the present dislocation of reserves, accentuated by Soviet dumping operations. The gold in this country is, under our flexible banking system, doing an increasing amount of the world's financing, as well as our own, and the criticism that much of the large gold reserve in the United States is sterile is not well founded. Nevertheless, this country, by increasing its silver reserves and expanding its silver-currency circulation, could contract correspondingly its gold-certificate circulation and release this gold for more constructive use in aiding foreign currency reforms and thereby assist in the maintenance of the gold standard. The enlarged silver reserves, as in the case of the last war, might again contribute to national security, and if the United States were now to enter the market on a substantial basis it would react very favorably on the price of silver.

BIMETALLISM NO SOLUTION

Suggestions have been made that a definite price for silver be internationally adopted, establishing a fixed silver-to-gold ratio. When a figure of so many cents per ounce is suggested, a controversy arises as to whether it would be too low under certain economic conditions to sustain production on a scale commen-

surate with the need or, on the other hand, would be so high under other economic conditions as to result in overproduction. Both conditions would be undesirable and the opposition to bimetallism would be so great as to prevent its acceptance.

ASSOCIATED METALS

Silver is an important source of revenue in the production of other metals. Silver bearing ores from which 91 per cent (data from Economic Paper No. 10, United States Bureau of Mines) of the world's silver is produced, also yield 85 per cent of the world's gold, 69 per cent of the world's lead, 66 per cent of the world's copper, and 46 per cent of the world's zinc production. The metals produced annually from these ores are valued at over a billion dollars, of which silver contributes over a hundred million dollars, or 10.4 per cent. This complex relationship of silver and other metals indicates how intimately it is associated with them in an economic sense.

SILVER PRICES UNECONOMIC

The price of silver enters into the production of gold, copper, lead and zinc. A high price for the white metal, other conditions being the same, would without any increase in the demand largely stimulate the production of copper, lead and zinc, with which it is associated. On the other hand, increasing demands or high prices for copper, lead, and zinc would stimulate silver production even though the demand or price for silver had not increased, or may even have decreased. The law of supply and demand, therefore, does not operate in the cases of silver, copper, lead, or zinc as it does with commodities which constitute the only source of revenue to the respective industries producing them. This fact not only justifies but makes necessary the adoption of a price adjustment for silver which would reflect the supply and demand for copper, lead, and zinc.

BASE-METAL BURDENS

Silver prices at present low levels, if continued over a considerable period, undoubtedly will lessen the production of copper, lead, and zinc, resulting ultimately in increasing permanently the prices of these metals. Since copper, lead, and zinc are generally used in the world's economy it is undesirable that their price levels should be raised in order to make up for the deficiency resulting from extremely low silver price levels. It would seem more constructive to adopt some plan to restore silver to more normal price levels, so that it would not be necessary permanently to elevate the prices of copper, lead, and zinc.

SCIENTIFIC PRICE ADJUSTMENT

It has become necessary in the present crisis to consider an improved international status for silver with greater price stability. A scientific plan would be the adoption of an arbitrary price of say 50 cents per ounce to be readjusted every month by dividing it by the composite copper, lead, and zinc price index, based on the composite base-metal price average for the years 1922, 1923, and 1924 equaling 100. The years 1922, 1923, and 1924, because they represent a period of stability in the prices of the nonferrous metals, have been accepted and generally used as a basis for determining metal price indexes in the years since 1924. The price of silver under such a plan would vary from month to month and would rise above 50 cents per ounce when the composite average copper-lead-zinc price declined below 9 cents per composite pound, and vice versa.

The result would be to stabilize revenues to copper, lead, zinc, and silver operators and thereby tend to stabilize the production of these metals. With greater uniformity in the monthly production of silver, copper, lead, and zinc would come greater stability in their prices. Since the silver to gold ratio would vary from month to month and on a basis that only the economic situation could determine, this proposal differs materially from bimetalism. A fixed price for silver or bimetalism would accentuate the difficulties with which not only silver but also copper, lead, and zinc are now confronted, and instead of tending to stabilize the prices of all of these metals would, in fact, create greater instability than now exists.

GREATER PRICE STABILITY

Actual New York monthly average silver prices and silver prices based on 50 cents per fine ounce, adjusted to composite monthly indexes for copper, lead, and zinc, combined on the basis of the average price of copper, lead, and zinc for the years 1922, 1923, and 1924 (9 cents per composite pound=100), are presented in Table III. It will be noted that during the period 1925–1930, inclusive, actual monthly average silver prices fluctuated from the high price of 71.570 cents per ounce in September, 1925, to 32.635 cents per ounce in December, 1930, a difference of nearly 39 cents, while the monthly average silver prices adjusted to the base-metal indexes vary from a maximum of 71.736 cents per ounce to a minimum of 40.486 cents per ounce, a difference of only 31 cents. Eliminating the eccentric year of 1930 from the period the maximum variation of actual monthly average silver prices was 23 cents per ounce and of silver prices adjusted to the base-metal indexes was less than 16 cents per ounce. In both instances the variation of silver prices adjusted to the base-metal index was less than the variation of actual silver prices recorded.

Had this plan been in effect in 1925 the adjustment in the price of silver from month to month would undoubtedly have operated to stabilize the prices of silver, copper, lead, and zinc, and the price variations would, therefore, have been much less. If the plan had been in operation the production of copper, lead, and zinc in 1928 and 1929 would probably have been less, and consequently, the production of silver would also have been less, relieving to a considerable degree the pressure on the silver market in absorbing the record world's outputs of silver in 1928 and 1929, which resulted in still further depressing the price of the white metal.

INCREASED MONETARY DEMANDS

There is no question that the rapidly declining price for silver has rendered the metal almost if not entirely unsuitable for bank reserves, greatly diminishing the monetary demands for the metal. A higher price for silver during periods of world depression would be a great aid in maintaining an active oriental trade, thus stabilizing international trade. Greater stability in the price of silver is also an important monetary and trade consideration. If this proposal were adopted, an increased demand for silver for use in bank reserves would develop. Furthermore, under this proposal, the price of silver could never go so high as to make profitable the melting of silver coinages, even if minted on the old high standards of fineness, and consequently, silver currencies in circulation would be protected and one of the most serious obstacles to the monetary use of silver would be removed.

SERIOUS CONSEQUENCES

Should discussion of this proposal to readjust the price of silver be favorable, this country might well assume the initiative in corresponding with the principal countries affected. There is no necessity for a time-consuming international conference, but such a correspondence to obtain the views and cooperation of other nations might well result in quickly establishing a scientific world silver reform which would greatly aid in reestablishing more normal international trade and assist in strengthening and maintaining the gold standard by lessening the strain on gold and in meeting most effectively the soviet attacks in Africa and the Orient. Unless prompt action is taken to determine a solution of the silver problem and to establish economic isolation for Soviet Russia, the communistic efforts, through dumping commodities produced by convict, forced, or indentured labor or by fiat currency to undermine the gold and silver standards, the foundations of the world's currency and financial systems, will result in still more serious consequences, of prolonged and more intense economic depression and further world-wide unemployment.

TABLE I.—*Monthly average prices of copper, lead, and zinc*[1]

(Cents per pound)

COPPER

Month	1925	1926	1927	1928	1929	1930
January	14.709	13.822	12.990	13.854	16.603	17.775
February	14.463	13.999	12.683	13.823	17.727	17.775
March	14.004	13.859	13.079	13.845	21.257	17.775
April	13.252	13.706	12.808	13.986	19.500	15.621
May	13.347	13.599	12.621	14.203	17.775	12.756
June	13.399	13.655	12.370	14.527	17.775	12.049
July	13.946	13.924	12.532	14.527	17.775	11.023
August	14.490	14.174	12.971	14.526	17.775	10.693
September	14.376	14.062	12.940	14.724	17.775	10.310
October	14.300	13.862	12.958	15.202	17.775	9.597
November	14.353	13.576	13.319	15.778	17.775	10.113
December	13.866	13.302	13.774	15.844	17.775	10.300

LEAD

January	10.169	9.255	7.577	6.500	6.650	6.250
February	9.428	9.154	7.420	6.329	6.853	6.236
March	8.914	8.386	7.577	6.000	7.450	5.662
April	8.005	7.971	7.126	6.100	7.157	5.537
May	7.985	7.751	6.616	6.123	7.000	5.523
June	8.321	8.033	6.414	6.300	7.000	5.410
July	8.151	8.499	6.344	6.220	6.804	5.250
August	9.192	8.908	6.681	6.248	6.750	5.488
September	9.508	8.786	6.297	6.450	6.890	5.500
October	9.513	8.402	6.250	6.500	6.873	5.151
November	9.739	8.005	6.259	6.389	6.285	5.100
December	9.310	7.855	6.504	6.495	6.250	5.100

ZINC

January	7.738	8.304	6.661	5.643	6.350	5.229
February	7.480	7.759	6.673	5.551	6.350	5.180
March	7.319	7.332	6.692	5.624	6.463	4.934
April	6.985	7.001	6.338	5.759	6.658	4.843
May	6.951	6.821	6.075	6.026	6.618	4.641
June	6.990	7.112	6.213	6.158	6.686	4.441
July	7.206	7.411	6.239	6.201	6.766	4.350
August	7.576	7.376	6.342	6.249	6.800	4.260
September	7.753	7.413	6.212	6.250	6.799	4.279
October	8.282	7.296	5.996	6.250	6.740	4.059
November	8.614	7.199	5.745	6.263	6.242	4.266
December	8.565	7.018	5.722	6.349	5.666	4.099

[1] Engineering and Mining Journal prices of copper and lead at New York, zinc at St. Louis.

Compiled by H. N. Lawrie.

TABLE II.—*Composite monthly price index of average combined prices of copper, lead, and zinc, based on average combined prices for 1922, 1923, and 1924, 9 cents per pound=100*

Month	1925	1926	1927	1928	1929	1930
January	120.8	116.2	100.8	96.3	109.6	108.3
February	116.2	114.5	99.2	95.2	114.6	108.1
March	112.0	109.6	101.3	94.3	120.3	105.1
April	104.6	106.2	97.3	95.7	123.5	96.3
May	104.8	104.3	93.7	97.6	116.3	84.9
June	108.3	106.7	92.6	99.9	116.5	81.1
July	108.5	110.5	93.0	99.8	116.1	76.4
August	115.8	112.8	96.3	100.1	116.0	76.1
September	117.2	112.1	94.3	101.6	116.5	74.4
October	118.9	109.5	93.3	103.5	116.3	69.7
November	121.1	106.6	93.8	105.3	112.2	72.1
December	117.6	104.4	96.3	106.3	110.0	72.2

Compiled and computed by H. N. Lawrie.

TABLE III.—*Actual silver prices*[1]

(Cents per fine ounce)

Month	1925	1926	1927	1928	1929	1930
January	68.447	67.795	55.795	57.135	57.019	45.000
February	68.472	66.773	57.898	57.016	56.210	43.193
March	67.808	65.880	55.306	57.245	56.346	41.654
April	66.899	64.409	56.399	57.395	55.608	42.428
May	67.580	65.075	56.280	60.298	54.125	40.736
June	69.106	65.481	56.769	60.019	52.415	34.395
July	69.442	64.795	56.360	59.215	52.510	34.346
August	70.240	62.380	54.718	58.880	52.579	35.192
September	71.570	60.580	55.445	57.536	51.042	36.315
October	71.106	54.505	56.035	58.087	40.913	35.846
November	69.223	54.141	57.474	57.953	49.615	35.908
December	68.880	53.466	57.957	57.335	48.475	32.635

Engineering and Mining Journal, New York silver prices.

Silver prices, based on 50 cents per fine ounce prior to 1925, and adjusted to composite monthly base metal index (Table II)

(Cents per fine ounce)

Month	1925	1926	1927	1928	1929	1930
January	41.391	43.029	49.603	51.921	45.620	46.168
February	43.029	43.668	50.403	52.521	43.630	46.253
March	44.643	45.620	49.358	53.022	38.373	47.574
April	47.801	47.081	51.387	52.247	40.486	51.921
May	47.710	47.939	53.362	51.230	42.992	58.893
June	47.037	46.860	53.996	50.050	42.918	61.632
July	46.083	45.249	53.763	50.100	43.066	65.445
August	43.178	44.326	51.921	49.950	43.103	65.703
September	42.662	44.603	53.022	49.702	42.918	67.294
October	42.052	45.662	53.591	48.309	42.992	71.736
November	41.288	46.904	53.305	47.483	44.563	69.348
December	42.517	47.893	51.921	47.037	45.455	69.252

Compiled and computed by H. N. Lawrie.

WITHDRAWAL OF PUBLIC LANDS

Mr. BRATTON. Mr. President, I have three letters from the Secretary of the Interior to the President, one dated December 18, 1928, another December 10, 1929, and a third December 9, 1930, each transmitting a report of withdrawals of public lands made during the year to which it relates. I ask unanimous consent that the letters and the reports be printed in the RECORD.

There being no objection, the letters and reports were ordered to be printed in the RECORD, as follows:

THE SECRETARY OF THE INTERIOR,
Washington, December 18, 1928.

The PRESIDENT OF THE SENATE.

SIR: The act of Congress entitled "An act to authorize the President of the United States to make withdrawals of public lands in certain cases," approved June 25, 1910 (36 Stat. 847), provides, among other things, that the Secretary of the Interior shall report all such withdrawals to Congress at the beginning of its next regular session after the date of the withdrawal.

In compliance with the requirements of the statute I have the honor to inclose herewith copy of a letter from the Commissioner of the General Land Office dated December 15, 1928, transmitting report of the withdrawals and restorations contemplated by the statute.

Very truly yours, ROY O. WEST.

UNITED STATES DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, December 15, 1928.

The SECRETARY OF THE INTERIOR.

SIR: Under section 3, act of June 25, 1910 (36 Stat. 847), the Secretary of the Interior is required to report to Congress all withdrawals made under said act at the beginning of its next regular session after the date of withdrawal. To that end I transmit a report, in sextuple, showing the withdrawals and restorations made under said act through this office, including those made on recommendation of the Director of the Geological Survey, during the period beginning December 1, 1927, and ending November 30, 1928. The report also shows areas embraced in outstanding withdrawals at the latter date.

Very respectfully, WILLIAM SPRY, *Commissioner.*

Withdrawals and restorations under act of June 25, 1910 (36 Stat. 847), during period December 1, 1927, to November 30, 1928, inclusive

State and class of action	Outstanding withdrawn Dec. 1, 1927	Period Dec. 1, 1927, to Nov. 30, 1928		Outstanding withdrawn Nov. 30, 1928
		Withdrawn	Restored	
Alabama:	*Acres*	*Acres*	*Acres*	*Acres*
Aid legislation	575			575
Classification [1]				
Do.[2]				
Do	2,440			2,440
Recreational purposes	1,625			1,625
Power sites	120			120
Total	4,760			4,760
Alaska:				
Administrative sites	70			70
Agricultural experiment station	40	280		320
Biological survey	480			480
Bureau of fisheries	160			160
Classification	230,006			230,006
Cemetery purposes	10			10
Military reservation	3			3
Lighthouse	640			640
National-park purposes	2,480			2,480
Power sites	93,415			93,415
Road commission	[2]			[2]
Tanakee Hot Springs [4]				
Town-site purposes	420	114	534	
Total	327,726	394	534	327,586
Arizona:				
Administrative sites	684			684
Aid of legislation	2,560			2,560
Army airplane field	40			40
Agricultural experiment station	10,651			10,651
Classification	104,127			104,127
Coal	139,415			139,415
Mineral	8,507			8,507
National Guard rifle range		400		400
National park	67			67
Pending resurvey	15,593	58,554	10,870	63,274
Petroleum	92,498			92,498
Public park	15,080			15,080
Power sites	433,034			433,034
Public waters	18,915	1,345	30	20,230
Stock driveways	329,450			329,450
Total	1,170,616	60,299	10,900	1,220,015
Arkansas:				
Classification	400			400
Power sites	22,354		360	21,994
Total	22,754		360	22,394
California:				
Aid of legislation	604,162	80		604,242
Air mail beacon sites and landing fields	2,680			2,680
Ammunition depot, U. S. Navy [4]			(5)	
Camp-site purposes	20			20
Classification	55,957		1,310	54,647
Coal	17,603			17,603
Forest administrative sites	1,199			1,199
Harbor development	3			3
Lighthouse	8			8
Pending resurvey	25,115		13,091	12,024
Petroleum	1,178,392			1,178,392
Potash	90,638			90,638
Power sites	291,113		457	290,656
Protect hot springs		320		320
Public waters	167,496	20,200	8	187,688
Reservoir sites	1,160	920		2,080
Town-site purposes	120			120
Total	2,435,666	21,520	14,866	2,442,320
Colorado:				
Administrative sites	302			302
Aid of legislation	16,493			16,493
Classification	573,178			573,178
Coal	4,180,201		37,863	4,142,338
National-monument purposes	65			65
Naval oil shale	43,860			43,860
Petroleum	218,997			218,997
Pending resurvey	322,577	125,550	36,988	411,139
Power sites	225,769	32	160	225,641
Proposed monument	320			320
Public waters	2,388	2,640		5,028
Reservoir sites	102,460			102,460
Total	5,686,610	128,222	75,011	5,739,821
Florida:				
Adjustment equitable rights	500			500
Administrative sites	40			40
Classification [3]				
Do.[6]				
Do	222			222
Naval purposes [4]				
Pending legislation	468			468
Phosphate	68,641		1,520	67,121
Total	69,871		1,520	68,351

Footnotes at end of table.

Withdrawals and restorations under act of June 25, 1910 (36 Stat. 847), during period December 1, 1927, to November 30, 1928, inclusive—Continued

State and class of action	Outstanding withdrawn Dec. 1, 1927	Period Dec. 1, 1927, to Nov. 30, 1928		Outstanding withdrawn Nov. 30, 1928
		Withdrawn	Restored	
Idaho:	*Acres*	*Acres*	*Acres*	*Acres*
Administrative sites	2,352	96		2,448
Aid of legislation	55,140		3,300	51,840
Classification	80,628			80,628
Coal	4,761			4,761
Experimental station	28,427			28,427
National Guard rifle range	320			320
Phosphate	652,864			652,864
Power sites	201,694			201,694
Public waters	13,345	560		13,905
Reservoir sites	26,240			26,240
Total	1,065,771	656	3,300	1,063,127
Louisiana:				
Aid of legislation	105			105
Petroleum	466,990			466,990
Total	467,095			467,095
Michigan:				
Aid of legislation [4]				
Do	1,028			1,028
Classification		3,871		3,871
Power sites	1,240			1,240
Proposed monument	7,347			7,347
Total	9,615	3,871		13,486
Minnesota:				
Aid of legislation		26,800		26,800
Classification	373			373
Power sites	12,309			12,309
Regulate level Lake of the Woods	11,402			11,402
Total	24,084	26,800		50,884
Mississippi, classification [4] [7]				
Montana:				
Administrative sites	6,326			6,326
Agricultural field station		200		200
Aid of legislation	1,134			1,134
Classification	236,270			236,270
Coal	7,835,574		19,223	7,816,351
Forest administrative sites	732			732
Petroleum	1,344,640			1,344,640
Phosphate	279,904			279,904
Power sites	127,772			127,772
Public waters	8,056	280		8,336
Reservoir sites	9,080			9,080
Sheep experimental station	15,776			15,776
Well-drilling reserve	40			40
Total	9,865,324	480	19,223	9,846,581
Nebraska:				
Administrative sites	39			39
Power sites	761			761
Total	800			800
Nevada:				
Administrative sites	534			534
Aid of legislation	85,760			85,760
Air mail beacon sites and landing field	680			680
Classification	29,080			29,080
Coal	83,603			83,603
Oil shale	123			123
Navy ammunition depot	125,724			125,724
Potash	39,492			39,492
Power sites	27,492			27,492
Public waters	9,646	1,700		11,346
Well-drilling reserves	80			80
Total	402,214	1,700		403,914
New Mexico:				
Administrative sites	593			593
Airplane landing field	160			160
Coal	5,113,294			5,113,294
Experimental station	192,872			192,872
Military purposes	52,480			52,480
National Guard target ranges	620			620
National-monument purposes	82,330	2,560		84,890
Pending resurvey	368,286	224,498	97,592	495,192
Potash	7,418,437			7,418,437
Power sites	61,449			61,449
Public waters	9,811			9,811
Total	13,300,332	227,058	97,592	13,429,798
North Dakota:				
Coal	6,192,486			6,192,486
Petroleum	84,894			84,894
Reservoir sites	478			478
Total	6,277,858			6,277,858

Footnotes at end of table.

Withdrawals and restorations under act of June 25, 1910 (36 Stat. 847), during period December 1, 1927, to November 30, 1928, inclusive—Continued

State and class of action	Outstanding withdrawn Dec. 1, 1927	Period Dec. 1, 1927, to Nov. 30, 1928		Outstanding withdrawn Nov. 30, 1928
		Withdrawn	Restored	
Oregon:	*Acres*	*Acres*	*Acre*	*Acres*
Administrative sites	807	32		839
Aid of legislation	27,921		160	27,761
Classification	1,348,462		4,380	1,344,082
Coal	4,361			4,361
Lookout station		40		40
Pending resurvey	6,200			6,200
Power sites	382,179	243	3,444	378,978
Public waters	20,801	680		21,481
Recreational or bird refuge [4]				
Reservoir sites	18,603			18,603
Total	1,809,334	995	7,984	1,802,345
South Dakota:				
Administrative sites	321			321
Aid of legislation	37,560		320	37,240
Protect water supply	480			480
Public waters	240			240
Total	38,601		320	38,281
Utah:				
Administrative sites	360			360
Aid of legislation	3,201	200		3,401
Adjust claims [4]				
Classification	12,370	30,199		42,569
Coal	3,975,353			3,975,353
Helium	7,100			7,100
National-monument purposes	160			160
National-park purposes	6,400	6,400		12,800
Naval oil shale	91,464			91,464
Pending resurvey	50,289		23,112	27,177
Petroleum	985,550			985,550
Phosphate	301,945			301,945
Power sites	441,304			441,304
Public waters	34,286	1,735	80	35,941
Reservoirs	26,040			26,040
Total	5,935,822	38,534	23,192	5,951,164
Washington:				
Administrative sites	170			170
Aid of legislation	82			82
Classification	627			627
Coal	692,607			692,607
Fish-culture purposes	10			10
Power sites	98,994			98,994
Public waters	920			920
Reservoir sites	36,327			36,327
Resurvey	5,840			5,840
Total	835,577			835,577
Wyoming:				
Administrative sites	1,200	74		1,274
Aid of legislation	851,435	320		851,755
Air mail station	120			120
Classification	5,760			5,760
Coal	2,260,964			2,260,964
Elk refuge	26,219	18,150	1,400	42,969
Fish culture	400			400
Game refuge	1,516			1,516
Landing for airplanes	471			471
National Guard rifle range		160		160
Pending resurvey	467,929	200,138	122,450	545,617
Petroleum	1,126,043		3,960	1,122,083
Phosphate	994,969		3,680	991,289
Power site	81,263		938	80,325
Public waters	79,785	240		80,025
Reservoir sites	118,734			118,734
Total	6,016,808	219,082	132,428	6,103,462
Grand total	55,967,238	729,611	387,230	56,169,619

RECAPITULATION BY CLASSES

Administrative sites	26,085	202	3,780	22,507
Adjust claims [4]				
Adjust equitable rights	500			500
Agricultural experiment station	10,651	480		11,131
Aid of legislation	1,656,263	27,400		1,683,663
Air mail beacon sites and landing fields	3,360			3,360
Air mail station	120			120
Army airplane field	40			40
Biological survey	480			480
Bureau of Fisheries	160			160
Camp-site purposes	20			20
Classification	2,679,757	34,070	5,690	2,708,137
Cemetery purposes	10			10
Coal	30,524,071		57,086	30,466,985
Elk refuge	26,219	18,150	1,400	42,969
Experimental station	192,912			192,912
Fish-culture purposes	410			410
Forest administrative sites	879			879
Game refuge	1,516			1,516
Harbor development	3			3
Helium	7,100			7,100

Footnotes at end of table.

Withdrawals and restorations under act of June 25, 1910 (36 Stat. 847), during period December 1, 1927, to November 30, 1928, inclusive—Continued

RECAPITULATION BY CLASSES—continued

State and class of action	Outstanding withdrawn Dec. 1, 1927	Period Dec. 1, 1927, to Nov. 30, 1928		Outstanding withdrawn Nov. 30, 1928
		Withdrawn	Restored	
Islands in coastal waters (Alabama, Florida, Mississippi), etc.[4]	*Acres*	*Acres*	*Acres*	*Acres*
Landing field for airplanes	631			631
Lighthouse purposes	648			648
Lookout station		40		40
Mineral	8,507			8,507
Military purposes	52,477			52,477
National Guard target range	940	560		1,500
National-monument purposes	88,955	2,560		91,515
National-park purposes	2,267	6,400		8,667
Naval oil shale	135,324			135,324
Naval purposes [5]				
Navy ammunition depot	125,724			125,724
Oil shale	123			123
Pending legislation	468			468
Pending resurvey	1,261,202	608,240	304,103	1,565,339
Petroleum	5,498,002		3,960	5,494,042
Phosphate	2,298,329		5,200	2,293,129
Potash	7,548,497			7,548,497
Power sites	2,502,460	275	5,359	2,497,376
Proposed monuments	7,667			7,967
Protect water supply	480			480
Protect hot springs		320		320
Public land on mainland (Alabama, Florida, Mississippi), etc.[4]				
Public park	15,080			15,080
Public water reserves	363,417	29,390	118	392,679
Recreational or bird refuge	1,625			1,625
Regulate level Lake of the Woods	11,402			11,402
Reservoir sites	337,902	920		338,822
Road commission	[1] 2			2
Stock driveways	329,450			329,450
Sheep experimental stations	44,123			44,123
Tanakee Hot Springs [6]				
Town-site purposes	540	114	534	120
Well-drilling reserves	120			120
Grand total	55,767,238	729,611	367,230	56,109,619

[1] All islands belonging to the United States in the coastal waters.
[2] All public lands of the United States on the mainland within 3 miles of the coast.
[3] 800 square feet.
[4] Area undetermined.
[5] Revoked.
[6] All islands belonging to the United States in the coastal waters; area unknown.

Respectfully submitted.

WILLIAM SPRY, *Commissioner.*

THE SECRETARY OF THE INTERIOR,
Washington, December 10, 1929.

The PRESIDENT OF THE SENATE.

SIR: The act of Congress entitled "An act to authorize the President of the United States to make withdrawals of public lands in certain cases," approved June 25, 1910 (36 Stat. 847), provides, among other things, that the Secretary of the Interior shall report all such withdrawals to Congress at the beginning of its next regular session after the date of the withdrawal.

In compliance with the requirements of the statute I have the honor to inclose herewith copy of a letter from the Commissioner of the General Land Office, dated December 9, 1929, transmitting report of the withdrawals and restorations contemplated by the statute.

Very truly yours,

RAY LYMAN WILBUR.

Withdrawals and restorations under act of June 25, 1910 (36 Stat. 847), during period December 1, 1928, to November 30, 1929, inclusive

State and class of action	Outstanding withdrawn Dec. 1, 1928	Period Dec. 1, 1928, to Nov. 30, 1929		Outstanding withdrawn Nov. 30, 1929
		Withdrawn	Restored	
Alabama:	*Acres*	*Acres*	*Acres*	*Acres*
Aid legislation	575			575
Classification [1]				
Do.[2]				
Do	2,440			2,440
Recreational purposes	1,625			1,625
Power sites	120			120
Total	4,760			4,760
Alaska:				
Administrative sites	70			70
Agricultural experiment station	320			320
Biological survey	480			480
Bureau of Fisheries	160			160
Classification	290,006			290,006

Footnotes at end of table.

Withdrawals and restorations under act of June 25, 1910 (36 Stat. 847), during period December 1, 1928, to November 30, 1929, inclusive—Continued

State and class of action	Outstanding withdrawn Dec. 1, 1928	Period Dec. 1, 1928, to Nov. 30, 1929		Outstanding withdrawn Nov. 30, 1929
		Withdrawn	Restored	
Alaska—Continued.	*Acres*	*Acres*	*Acres*	*Acres*
Cemetery purposes	10			10
Military reservations	3			3
Lighthouse	640			640
National-park purposes	2,480			2,480
Power sites	93,415			93,415
Protect water supply and marine station		20		20
Road commission	[1] 2			[1] 2
Tanakee Hot Springs	(6)			
Total	327,586	20		327,606
Arizona:				
Administrative sites	684			684
Aid legislation	2,580			2,580
Army airplane field	40			40
Agricultural experiment station	10,651			10,651
Classification	104,127			104,127
Coal	139,415			139,415
Mineral	8,507			8,507
National Guard rifle range	400			400
National park	67			67
Pending resurvey	63,274			63,274
Petroleum	92,496			92,496
Public park	15,080			15,080
Power sites	433,034		15	433,019
Public waters	20,230	320	445	20,105
Stock driveways	329,450			329,450
Total	1,220,015	320	460	1,219,875
Arkansas:				
Classification	400	4,601		5,001
Pending resurvey		3,520		3,520
Power sites	21,994			21,994
Total	22,394	8,121		30,515
California:				
Aid legislation	604,242			604,242
Air mail beacon sites and landing field	2,660			2,660
Camp-site purposes	20			20
Classification	54,647	302,277		356,924
Coal	17,603			17,603
Forest administrative sites	1,199			1,199
Harbor development	3			3
Lighthouse	8			8
National-monument purposes		14,324		14,324
Pending resurvey	12,024	74,209		86,233
Petroleum	1,178,392			1,178,392
Potash	90,638			90,638
Power sites	290,656		1,805	288,851
Protect hot springs	320			320
Public waters	187,688	600		188,288
Reservoir sites	2,080			2,080
Town-site purposes	120			120
Total	2,442,320	391,410	1,805	2,831,925
Colorado:				
Administrative sites	302			302
Aid legislation	16,493			16,493
Classification	573,178			573,178
Coal	4,142,338			4,142,338
National-monument purposes	65	128		193
Naval oil shale	43,860			43,860
Petroleum	218,997			218,997
Pending resurvey	411,139	155,880		567,019
Power sites	225,641		5,210	220,431
Proposed monument	320			320
Public waters	5,028	1,520		6,548
Reservoir sites	102,460			102,460
Total	5,739,821	157,528	5,210	5,892,139
Florida:				
Adjustment equitable rights	500			500
Administrative sites	40			40
Classification [1]				
Do.[2]				
Do	222			222
Naval purposes	(6)			
Pending legislation	468			468
Phosphate	67,121			67,121
Total	68,351			68,351
Idaho:				
Administrative sites	2,448			2,448
Aid legislation	51,840			51,840
Classification	80,628			80,628
Coal	4,761			4,761
Experimental station	28,427			28,427
National Guard rifle range	320			320
Phosphate	652,864			652,864
Power sites	201,694		38	201,656
Public waters	13,905	952		14,857
Reservoir sites	26,240			26,240
Total	1,063,127	952	38	1,064,041

Footnotes at end of table.

Withdrawals and restorations under act of June 25, 1910 (36 Stat. 847), during period December 1, 1928, to November 30, 1929, inclusive—Continued

State and class of action	Outstanding withdrawn Dec. 1, 1928	Period Dec. 1, 1928, to Nov. 30, 1929		Outstanding withdrawn Nov. 30, 1929
		Withdrawn	Restored	
Louisiana:	*Acres*	*Acres*	*Acres*	*Acres*
Aid legislation	105			105
Petroleum	466,990			466,990
Total	467,095			467,095
Michigan:				
Aid legislation [4]				
Do	1,028			1,028
Classification	3,871			3,871
Power sites	1,240			1,240
Proposed monument	7,347			7,347
Total	13,486			13,486
Minnesota:				
Aid legislation	26,800		49	26,751
Classification	373			373
Power sites	12,309			12,309
Regulate level Lake of the Woods	11,402			11,402
Total	50,884		49	50,835
Mississippi: Classification [1 2]				
Montana:				
Administrative sites	6,326			6,326
Agricultural field station	200			200
Aid legislation	1,134			1,134
Classification	236,270			236,270
Coal	7,816,351			7,816,351
Forest administrative sites	752			752
Pending resurvey		9,880		9,880
Petroleum	1,344,640			1,344,640
Phosphate	279,904			279,904
Power sites	127,772	393		128,165
Public waters	8,336	80		8,416
Reservoir sites	9,080			9,080
Sheep experiment station	15,776			15,776
Well-drilling reserve	40			40
Total	9,846,581	10,353		9,856,934
Nebraska:				
Administrative sites	39			39
Power sites	761			761
Total	800			800
Nevada:				
Administrative sites	534			534
Aid legislation	85,760			85,760
Air mail beacon sites and landing field	680			680
Classification	29,080	6,400		35,480
Coal	83,603			83,603
Classification (game reserve)		30,598		30,598
Oil shale	123			123
Navy ammunition depot	125,724			125,724
National-monument purposes		150,422		150,422
Pending resurvey		18,040		18,040
Potash	39,492			39,492
Power sites	27,492		865	26,627
Public waters	11,346	1,420		12,766
Well-drilling reserves	80			80
Total	403,914	206,880	865	609,929
New Mexico:				
Administrative sites	593			593
Airplane landing field	160			160
Coal	5,113,294			5,113,294
Classification		160		160
Experimental station	192,872			192,872
Military purposes	52,480			52,480
National Guard target range	620			620
National-monument purposes	84,890			84,890
Pending resurvey	495,192	89,613		584,805
Potash	7,418,437	1,863,723		9,282,160
Power sites	61,449			61,449
Public waters	9,811	640		10,451
Total	13,429,708	1,954,136		15,383,934
North Dakota:				
Coal	6,192,486			6,192,486
Petroleum	84,894			84,894
Reservoir sites	478			478
Total	6,277,858			6,277,858
Oregon:				
Administrative sites	839			839
Aid legislation	27,761	44,863		72,624
Classification	1,344,082	119		1,344,201
Coal	4,361			4,361
Lookout station	40			40
Pending resurvey	6,200			6,200
Power sites	378,978		9,504	369,474
Public waters	21,481	4,720		26,201
Recreational or bird refuge [4]				
Reservoir sites	18,603			18,603
Total	1,802,345	49,702	9,504	1,842,543

Footnotes at end of table.

Withdrawals and restorations under act of June 25, 1910 (36 Stat. 847), during period December 1, 1928, to November 30, 1929, inclusive—Continued

State and class of action	Outstanding withdrawn Dec. 1, 1928	Period Dec. 1, 1928, to Nov. 30, 1929		Outstanding withdrawn Nov. 30, 1929
		Withdrawn	Restored	
South Dakota:	*Acres*	*Acres*	*Acres*	*Acres*
Administrative sites	321			321
Aid legislation	37,240		12,010	25,230
Protect water supply	480			480
Public waters	240			240
Total	38,281		12,010	26,271
Utah:				
Administrative sites	360			360
Aid legislation	3,401			3,401
Adjust claims [4]				
Classification	42,569	1,932		44,501
Coal	3,975,353			3,975,353
Helium	7,100			7,100
National-monument purposes	160			160
National-park purposes	12,800	5,057		17,857
Naval oil shale	91,464			91,464
Pending resurvey	27,177			27,177
Petroleum	985,550			985,550
Phosphate	301,945			301,945
Power sites	441,304		3,720	437,584
Public waters	35,941	2,000		37,941
Reservoir sites	26,040			26,040
Total	5,951,164	8,989	3,720	5,956,433
Washington:				
Administrative sites	170			170
Aid legislation	82			82
Classification	627			627
Coal	692,607			692,607
Fish-culture purposes	10			10
Lookout station		40		40
Power sites	98,994		49	98,945
Public waters	920			920
Reservoir sites	36,327			36,327
Resurvey	5,840			5,840
Total	835,577	40	49	835,568
Wisconsin: Classification	1,579			1,579
Wyoming:				
Administrative sites	1,274			1,274
Aid legislation	851,755			851,755
Air mail station	120		120	
Classification	5,760			5,760
Coal	2,260,964			2,260,964
Elk refuge	42,969			42,969
Fish culture	400			400
Game refuge	1,516			1,516
Landing for airplanes	471			471
National Guard rifle range	160			160
Pending resurvey	545,617	143,261		688,878
Petroleum	1,122,083			1,122,083
Phosphate	991,289			991,289
Power site	80,325			80,325
Proposed elk refuge		264,808	12,059	252,749
Public waters	80,025	3,520	640	82,905
Reservoir sites	118,734			118,734
Total	6,103,462	411,589	12,819	6,502,232
Grand total	56,109,619	3,201,619	46,529	59,264,709

RECAPITULATION BY CLASSES

Administrative sites	22,507			22,507
Adjust claims [4]				
Adjust equitable rights	500			500
Agricultural experiment station	11,131			11,131
Aid of legislation	1,683,663	44,863	12,059	1,716,467
Air mail beacon sites and landing fields	3,360			3,360
Air mail station	120		120	
Army airplane field	40			40
Biological survey	480			480
Bureau of Fisheries	160			160
Camp-site purposes	20			20
Classification	2,708,137	317,068		3,025,205
Cemetery purposes	10			10
Coal	30,466,965			30,466,965
Elk refuge	42,969			42,969
Experimental station	192,912			192,912
Fish-culture purposes	410			410
Forest administrative sites	879			879
Game refuge	1,516	30,598		32,114
Harbor development	3			3
Helium	7,100			7,100
Islands in coastal waters (Alabama, Florida, Mississippi) [4]				
Landing fields for airplanes	631			631
Lighthouse purposes	648			648
Lookout station	40	40		80
Mineral	8,507			8,507
Military purposes	52,477			52,477
National Guard target range	1,500			1,500
National-monument purposes	91,515	164,874		256,389
National-park purposes	8,667	5,057		13,724
Naval oil shale	135,324			135,324

Footnotes at end of table.

Withdrawals and restorations under act of June 25, 1910 (36 Stat. 847), during period December 1, 1928, to November 30, 1929, inclusive—Continued

RECAPITULATION BY CLASSES—continued

State and class of action	Outstanding withdrawn Dec. 1, 1928	Period Dec. 1, 1928, to Nov. 30, 1929		Outstanding withdrawn Nov. 30, 1929
		Withdrawn	Restored	
	Acres	*Acres*	*Acres*	*Acres*
Naval purposes [4]				
Navy ammunition depot	125,724			125,724
Oil shale	123			123
Pending legislation	468			468
Pending resurvey	1,565,839	494,403		2,060,242
Petroleum	5,494,042			5,494,042
Phosphate	2,293,129			2,293,129
Potash	7,548,497	1,863,723		9,412,220
Proposed elk refuge		264,808	12,059	252,749
Power sites	2,497,376	393	21,206	2,476,562
Proposed monuments	7,987			7,987
Protect water supply	480	20		500
Protect hot springs	320			320
Public land on mainland (Alabama, Florida, Mississippi, etc.) [4]				
Public park	15,080			15,080
Public water reserves	392,679	15,772	1,085	407,366
Recreational or bird refuge	1,625			1,625
Regulate level Lake of the Woods	11,402			11,402
Reservoir sites	338,822			338,822
Road commission	[3] 2			[3] 2
Stock driveways	329,450			329,450
Sheep experiment stations	44,123			44,123
Tanakee Hot Springs [4]				
Town-site purposes	120			120
Well-drilling reserves	120			120
Grand total	56,109,619	3,201,619	46,529	59,264,709

[1] All islands belonging to the United States in the coastal waters.
[2] All public lands belonging to the United States on the mainland within 3 miles of the coast.
[3] 800 square feet.
[4] Area undetermined.

Respectfully submitted.

C. C. MOORE, *Commissioner.*

THE SECRETARY OF THE INTERIOR,
WASHINGTON, *December 9, 1930.*

The PRESIDENT OF THE SENATE.

SIR: The act of Congress entitled "An act to authorize the President of the United States to make withdrawals of public lands in certain cases," approved June 25, 1910 (36 Stat. 847), provides, among other things, that the Secretary of the Interior shall report all such withdrawals to Congress at the beginning of its next regular session after the date of the withdrawal.

In compliance with the requirements of the statute, I have the honor to inclose herewith copy of a letter from the Commissioner of the General Land Office, dated December 8, 1930, transmitting report of the withdrawals and restorations contemplated by the statute.

Very respectfully,

RAY LYMAN WILBUR.

UNITED STATES DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
WASHINGTON, *December 8, 1930.*

The SECRETARY OF THE INTERIOR.

SIR: Under section 3, act of June 25, 1910 (36 Stat. 847), the Secretary of the Interior is required to report to Congress all withdrawals made under said act at the beginning of its next regular session after the date of withdrawal. To that end I transmit a report, in sextuple, showing the withdrawals and restorations made under said act through this office, including those made on recommendation of the Director of the Geological Survey, during the period beginning December 1, 1929, and ending November 30, 1930. The report also shows areas embraced in outstanding withdrawals at the latter date.

Very respectfully,

C. C. MOORE, *Commissioner.*

Withdrawals and restorations under act of June 25, 1910 (36 Stat. 847), during period December 1, 1929, to November 30, 1930, inclusive

State and class of action	Outstanding withdrawn Dec. 1, 1929	Period Dec. 1, 1929, to Nov. 30, 1930		Outstanding withdrawn Nov. 30, 1930
		Withdrawn	Restored	
Alabama:	*Acres*	*Acres*	*Acres*	*Acres*
Aid legislation	575			575
Classification [1]				
Do. [2]				
Do.	2,440			2,440
Recreational purposes	1,625			1,625
Power sites	120			120
Total	4,760			4,760

Footnotes at end of table.

Withdrawals and restorations under act of June 25, 1910 (36 Stat. 847), during period December 1, 1929, to November 30, 1930, inclusive—Continued

State and class of action	Outstanding withdrawn Dec. 1, 1929	Period Dec. 1, 1929, to Nov. 30, 1930		Outstanding withdrawn Nov. 30, 1930
		Withdrawn	Restored	
Alaska:	*Acres*	*Acres*	*Acres*	*Acres*
Administrative sites	70			70
Agricultural experiment station	320			320
Biological survey	480			480
Bureau of Fisheries	160			160
Classification	230,006			230,006
Cemetery purposes	10			10
Military reservations	3			3
Lighthouse	640			640
National-park purposes	2,480			2,480
Office of education		22,801.75		22,801.75
Power sites	93,415		894	92,521
Protect water supply and marine station	20			20
Radio station		464.62		464.62
Railroad		.25		.25
Road commission	2	.73		2.73
Tanakee Hot Springs [3]				
Town-site purposes		1.11		1.11
Total	327,606	23,268.46	894	349,980.46
Arizona:				
Administrative sites	684			684
Aid legislation	2,560			2,560
Army airplane field	40			40
Agricultural experiment station	10,651			10,651
Classification	104,127			104,127
Coal	139,415			139,415
Custom service		10		10
Mineral	8,507			8,507
National Guard rifle range	400			400
National park	67			67
National-monument purposes		2,683,390		2,683,390
Pending resurvey	63,274			63,274
Petroleum	92,496	84,454		176,950
Public park	15,080			15,080
Power sites	433,019		553	432,466
Public waters	20,105	1,355	230	21,250
Stock driveways	329,450			329,450
Total	1,219,875	2,769,189	773	3,988,264
Arkansas:				
Classification	5,001			5,001
Pending resurvey	3,529	9,400		12,929
Power sites	21,904		40	21,954
Total	30,515	9,400	40	39,875
California:				
Aid legislation	694,242			640,242
Air mail beacon sites and landing field	2,680			2,680
Camp-site purposes	20			20
Classification	356,924	35,826		392,750
Coal	17,603			17,603
Forest administrative sites	1,199			1,199
Harbor development	3			3
Lighthouse	8			8
National-monument purposes	14,324	2,000,000		2,014,324
Pending resurvey	86,233			86,233
Petroleum	1,178,392			1,178,392
Potash	90,638			90,638
Power sites	288,851		200	288,651
Protect hot springs	320	40		360
Public waters	188,238	1,055	680	188,693
Reservoir sites	2,080		40	2,040
Town-site purposes	120	160		280
Water supply, city of Napa		160		160
Total	2,831,925	2,037,271	920	4,868,276
Colorado:				
Administrative sites	302			302
Aid legislation	16,493	18,872		35,365
Classification	573,178			573,178
Coal	4,142,338			4,942,338
National Guard rifle range		1,999.23		1,999.23
National-monument purposes	193			193
National-park purposes		120		120
Naval oil shale	43,860			43,860
Oil shale		1,496,027		1,496,027
Petroleum	218,997		1,335.26	217,661.74
Pending resurvey	567,019	99,424		666,443
Power sites	220,431		1,490	218,941
Proposed monument	320			320
Public waters	6,848	1,845	280	8,013
Reservoir sites	102,460			102,460
Total	5,892,139	1,618,287.22	3,205.26	7,807,220.96
Florida:				
Adjustment equitable rights	500			500
Administrative sites	40			40

Footnotes at end of table.

Withdrawals and restorations under act of June 25, 1910 (36 Stat. 847), during period December 1, 1929, to November 30, 1930, inclusive—Continued

State and class of action	Outstanding withdrawn Dec. 1, 1929	Period Dec. 1, 1929, to Nov. 30, 1930		Outstanding withdrawn Nov. 30, 1930
		Withdrawn	Restored	
Florida—Continued.	*Acres*	*Acres*	*Acres*	*Acres*
Classification [2]				
Do.[1]				
Do	222	226		448
Naval purposes [3]				
Pending legislation	468			468
Phosphate	67,121		280	66,841
Total	68,351	226	280	68,297
Idaho:				
Administrative sites	2,448			2,448
Aid legislation	51,840	1,280		53,120
Classification	80,628			80,628
Coal	4,761			4,761
Experimental station	28,427	120		28,547
National Guard rifle range	320			320
Phosphate	652,864			652,864
Power sites	201,656		9,693	191,963
Public waters	14,857	560		15,417
Reservoir sites	26,240			26,240
Total	1,064,041	1,960	9,693	1,056,308
Louisiana:				
Aid legislation	105			105
Petroleum	466,990			466,990
Total	467,095			467,095
Michigan:				
Aid legislation	1,028		160	868
Do.[3]				
Classification	3,871	80		3,951
Power sites	1,240			1,240
Proposed monument	7,347			7,347
Total	13,486	80	160	13,406
Minnesota:				
Aid legislation	26,751	21,655		48,406
Classification	373			373
Pending resurvey		20,355		20,355
Power sites	12,309			12,309
Regulate level Lake of the Woods	11,402			11,402
Total	50,835	42,010		92,845
Mississippi: Classification. [11]				
Montana:				
Administrative sites	6,326			6,326
Agricultural field station	200			200
Aid legislation	1,134		1,134	
Classification	236,270		9,949	226,321
Coal	7,816,351			7,816,351
Forest administrative sites	752	40		792
Pending resurvey	9,880			9,880
Petroleum	1,344,640			1,344,640
Phosphate	279,904			279,904
Power sites	128,165		1,233	126,932
Public waters	8,416	920	160	9,176
Reservoir sites	9,080			9,080
Sheep experimental station	15,776			15,776
Well-drilling reserve	40			40
Total	9,856,934	960	12,476	9,845,418
Nebraska:				
Administrative sites	39			39
Power sites	761			761
Total	800			800
Nevada:				
Administrative sites	534			534
Aid legislation	85,760			85,760
Air mail beacon sites and landing field	680			680
Classification	35,480			35,480
Coal	83,603			83,603
Classification (game reserve)	30,598			30,598
Oil shale	123			123
Navy ammunition depot	125,724			125,724
National-monument purposes	150,422	15,680		166,102
Pending resurvey	18,040	46,028		64,068
Potash	39,492			39,492
Power sites	26,627			26,627
Public waters	12,786	2,680		15,446
Well-drilling reserves	80			80
Total	609,929	64,388		674,317
New Mexico:				
Administrative sites	593			593
Airplane landing field	160			160
Coal	5,113,294			5,113,294
Classification	160			160
Experimental station	192,872			192,872
Military purposes	52,480			52,480

Footnotes at end of table.

Withdrawals and restorations under act of June 25, 1910 (36 Stat. 847), during period December 1, 1929, to November 30, 1930, inclusive—Continued

State and class of action	Outstanding withdrawn Dec. 1, 1929	Period Dec. 1, 1929, to Nov. 30, 1930		Outstanding withdrawn Nov. 30, 1930
		Withdrawn	Restored	
New Mexico—Continued.	*Acres*	*Acres*	*Acres*	*Acres*
National Guard target range	620	880	620	880
National-monument purposes	84,800	207,360		292,270
National-park purposes		34,560		34,560
Pending resurvey	584,805	202,945		787,750
Potash	9,282,160			9,282,160
Power sites	61,449			61,449
Public waters	10,451	1,120	1,695	9,876
Total	15,383,934	546,865	2,305	15,828,494
North Dakota:				
Aid legislation		5,900		5,900
Coal	6,192,496			6,192,496
Petroleum	84,894			84,894
Reservoir sites	478			478
Total	6,277,858	5,900		6,283,758
Oregon:				
Administrative sites	839			839
Aid legislation	72,624	98,420		171,044
Classification	1,344,201			1,344,201
Coal	4,361			4,361
Lookout station	40	40		80
Pending resurvey	6,200			6,200
Power sites	369,474		11,627	357,847
Public waters	26,201	2,301		28,502
Recreational or bird refuge [3]				
Reservoir sites	18,603			18,603
Total	1,842,543	100,761	11,627	1,931,677
South Dakota:				
Administrative sites	321			321
Aid legislation	25,230			25,230
Protect water supply	480			480
Public waters	240			240
Total	26,271			26,271
Utah:				
Administrative sites	360			360
Aid legislation	3,401			3,401
Adjust claims [3]				
Classification	44,501	10,050		54,551
Coal	3,975,353		58,126	3,917,227
Helium	7,100			7,100
National-monument purposes	160			160
National-park purposes	17,857	3,350		21,207
Naval oil shale	91,464			91,464
Oil shale		2,754,959		2,754,959
Pending resurvey	27,177			27,177
Petroleum	985,550			985,550
Phosphate	301,945			301,945
Power sites	437,584		5,077	432,507
Public waters	37,941	2,730		40,671
Reservoir sites	26,040			26,040
Total	5,956,433	2,771,089	63,203	8,664,319
Washington:				
Administrative sites	170	40		210
Aid legislation	82			82
Classification	627			627
Coal	692,607			692,607
Fish-culture purposes	10			10
Lookout station	40	80		120
Power sites	98,945	520	5,866	93,599
Public waters	920			920
Reservoir sites	36,327			36,327
Resurvey	5,840			5,840
Total	835,568	640	5,866	830,342
Wisconsin: Classification	1,579			1,579
Wyoming:				
Administrative sites	1,274			1,274
Aid legislation	851,755	66,300	71,040	847,015
Classification	5,760			5,760
Coal	2,260,964			2,260,964
Elk refuge	42,969			42,969
Fish culture	400			400
Game refuge	1,516			1,516
Landing for airplanes	471			471
National Guard and rifle range	160			160
Oil shale		4,006,805		4,006,805
Pending resurvey	688,878	100,379		789,257
Petroleum	1,122,063			1,122,063
Phosphate	991,289			991,289
Power sites	80,325	1,167		81,492
Proposed elk refuge	252,749	3,350		256,099
Public waters	82,905	1,760		84,665
Reservoir sites	118,734			118,734
Total	6,502,232	4,179,761	71,040	10,610,953
Grand total	59,264,709	13,890,290.42	182,251.68	73,154,999.64

Footnotes at end of table

Withdrawals and restorations under act of June 25, 1910 (36 Stat. 847), during period December 1, 1929, to November 30, 1930, inclusive—Continued

RECAPITULATION BY CLASSES

State and class of action	Outstanding withdrawn Dec. 1, 1929	Period Dec. 1, 1929, to Nov. 30, 1930		Outstanding withdrawn Nov. 30, 1930
		Withdrawn	Restored	
	Acres	*Acres*	*Acres*	*Acres*
Administrative sites	22,507	40		22,547
Adjust claims[3]				
Adjust equitable rights	500			500
Agricultural experiment station	11,131	120		11,251
Aid legislation	1,716,467	212,427	73,468	1,855,425
Air mail beacon sites and landing field	3,360			3,360
Army airplane field	40			40
Biological survey	480			480
Bureau of Fisheries	160			160
Camp-site purposes	20			20
Classification	3,025,205	46,182	9,949	3,061,438
Cemetery purposes	110			10
Coal	30,466,985		58,126	30,408,859
Customs service		10		10
Elk refuge	42,969			42,969
Experiment station	192,912			192,912
Fish-culture purposes	410			410
Forest administrative sites	879	40		919
Game refuge	32,114			32,114
Harbor developanent	3			3
Helium	7,100			7,100
Islands in coastal waters (Alabama, Florida, Mississippi)[3]				
Landing field for airplanes	631			631
Lighthouse purposes	648			648
Lookout station	40	120		160
Mineral	8,507			8,507
Military purposes	52,477			52,477
National Guard target range	1,500	2,879.22	620.68	2,258.54
National-monument purposes	256,389	4,906,400		5,162,789
National-park purposes	13,724	38,030		51,754
Naval oil shale	135,324			135,324
Naval purposes [3]				
Navy ammunition dump	125,724			125,724
Office of Education		22,801.75		22,801.75
Oil shale		8,257,791		8,257,791
Pending legislation	468			468
Petroleum	5,494,042			5,494,042
Phosphate	2,293,129		280	2,292,849
Potash	9,412,220			9,412,220
Proposed elk refuge	252,749	3,350		256,099
Power sites	2,476,563	1,687	36,673	2,441,577
Proposed monuments	7,987			7,987
Protect water supply	500	160		660
Protect hot springs	320			320
Public land on the mainland (Alabama, Florida, Mississippi)[4]				
Public park	15,080			15,080
Public water reserves	407,366	16,366	3,125	420,607
Radio station		464.62		464.62
Recreational or bird refuge	1,625			1,625
Regulate level Lake of the Woods	11,402			11,402
Reservoir sites	338,522		40	338,780
Road commission	2	.73		2.73
Resurvey	2,060,242			2,623,227
Stock driveways	329,450			329,450
Sheep experiment stations	44,123			44,123
Tanskee Hot Springs [3]				
Town-site purposes	120	160		280
Well-drilling purposes	120			120
Grand total	80,204,709	13,890,290.42	182,281.68	73,154,998.64

[3] All islands belonging to United States in the coastal waters.
[4] All public lands belonging to the United States on the mainland within 3 miles of the coast.
[5] Area undetermined.

Respectfully submitted.

C. C. MOORE, *Commissioner.*

DROUGHT RELIEF

Mr. HEFLIN. Mr. President, I ask unanimous consent for the present consideration of Senate Resolution 401.

The PRESIDING OFFICER. The clerk will report the resolution for the information of the Senate.

The Chief Clerk read the resolution (S. Res. 401), as follows:

Resolved, That the Secretary of Agriculture is hereby notified that when the Senate voted for the drought relief measure it was the intent and purpose that the funds so provided would be used to afford relief to all families suffering from the drought, whether they live in counties where suffering is general and where there is great distress and destitution, or in counties where the distress caused by the drought is not general.

Resolved further, That it is the sense of the Senate that the relief here provided should be granted wherever the conditions and facts justify it, and the Secretary of Agriculture is hereby requested to see that that is done.

Mr. HEFLIN. Mr. President, yesterday afternoon when this resolution was presented the Senator from Oregon [Mr. MCNARY] asked that it go over in order that he might look into it. The Senator is now in the Chamber, and I think he is agreeable to the adoption of the resolution.

Mr. MCNARY. Mr. President, when this matter came up yesterday I objected to its consideration. I think it is a useless instrument. It expresses exactly the views entertained by the Secretary of Agriculture and his agents as expressed when they were before the Committee on Agriculture and Forestry. It is a direction the Secretary is going to follow. It is needless, and particularly harmless. I do not know why the Senator should press his resolution, because the Secretary of Agriculture will do that particular thing.

Mr. HEFLIN. I think it would be better for him to have the suggestion from the Senate.

Mr. MOSES. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MOSES. May this resolution be considered to-day except by unanimous consent?

The PRESIDING OFFICER. Unanimous consent is required.

Mr. MOSES. I shall object.

The PRESIDING OFFICER. The resolution goes over.

Mr. HEFLIN. Mr. President, I hardly understand the position of the Senator from New Hampshire, except to say that it is in keeping with his position upon questions where human suffering is involved and where the rights of the masses of the people are at stake. The Senator is not known to be a man who is in sympathy with the masses of the people, but, rather, his sympathies are on the side of the favored few, where wealth is being concentrated more and more year after year. It does not concern the Senator from New Hampshire that men, women, and children are starving in the States. The Senator does not care, it seems, to have legislation enacted here that will carry relief to men, women, and children in distress in 21 States of this Union.

The Senator from New Hampshire objects to the consideration of this simple resolution, which merely requests the Secretary of Agriculture to use the funds provided by the Congress for the relief of men, women, and children in distress, to reach all of them, or as many of them as it is possible to reach, where the facts in the cases justify relief. The resolution itself says that the facts in the cases are to govern the Secretary of Agriculture.

I can not understand why the Senator from New Hampshire would interpose an objection to the consideration of a meritorious, a humane, a merciful resolution like the one I have proposed here to-day.

When Doctor Warburton was before the Committee on Agriculture and Forestry I raised the question whether it was the purpose to distribute this fund amongst all those who were in distress or whether it would be confined to counties where suffering and distress were general. He said they would administer it generally.

But, Mr. President, since that time Members of the House have called me up who have talked to Mr. Warburton and have expressed distress at his attitude. They have said they fear he is not going into the counties where there is no such abundance of distress as in the counties where it is general.

I submit, Mr. President, that the man whose family is suffering in a county over the line from one where the suffering is general and where nearly all the farmers are injuriously affected is just as much entitled to the consideration and mercy of the Government as are those where the suffering is more general; that it is the part of justice and right and mercy for the Government to go and minister to him and the wants of those where the suffering is not so general as it is to those where it is more general.

I can not understand why any Senator would take such an attitude. I do not appreciate the position taken by the Senator from New Hampshire. If the Senator wants to contribute to an extra session, if the Senator wants to fill the solid phalanx to fight for an extra session, he can very

easily do it. I do not propose that there shall be appropriated $30,000,000 out of the purse of the people to remodel battleships when we can not even get unanimous consent from those on the other side of the Chamber to carry relief to the starving men, women, and children of my State. I do not propose to sit here and permit such a measly and miserable game of politics to be played. I will not stand for it. I know how to obtain my rights as a Senator, and if it is the purpose of those on the other side of the Chamber who are in temporary leadership to force us to a filibuster here in order to obtain the rights of the people in an extra session, let us understand it now and go to it.

I am not pleading for anything personal to myself. I am asking, Mr. President, for relief to be granted to people who are this day in dire distress—for a simple resolution of the Senate expressing its desire that the Secretary of Agriculture go and minister to the poor, the needy, the distressed, the starving, whether they are in hundreds or dozens, or only one, two, or three families. When I call up the resolution and the chairman of the Committee on Agriculture and Forestry withdraws his opposition, when it does not cost the Senate 5 cents nor the Government a nickel, yet the Senator from New Hampshire objects to its present consideration. Then let us consider what I propose to talk about the balance of the afternoon. Let the Senator from New Hampshire have time to meditate.

Mr. President, I am surprised that any Senator could be found in this body who would interpose an objection to this character of legislation. If the measure had been to refund money to millionaires, the Senator from New Hampshire would not have objected. If it had been a unanimous-consent proposition to take $30,000,000 out of the Treasury and give it to the Steel Trust to remodel three old battleships, we never would have heard a murmur out of the Senator from New Hampshire. He would have sat with sealed lips and folded arms and we would not have heard a murmur from the Senator. But when we plead for the underdog in the fight, for the distressed people in 21 States, nearly half of the States of this great Union, the Senator from the great State of New Hampshire rises in his place and interposes an objection. We are simply asking the Secretary of Agriculture to do for people in localities where the suffering and distress is not so general just what he does for the individual families in the counties where the suffering and distress is general.

Now let us analyze the position of the Senator from New Hampshire. It puts him in the attitude of not wanting these people to have relief. It puts him in the attitude of saying that he does not care whether they get relief. It puts him in the attitude of opposing relief for those who do not happen to live in counties where the distress and suffering is general.

Mr. President, I have been in this body 10 years. I was reelected on the 4th day of November last by the largest majority that any Senator ever received in my State. I served 16½ years in the House. I have never voted to withhold one 5-cent piece from people who were in distress in New England. When fires have come, as in the case of Salem, Mass., I voted, and voted gladly, to go to their rescue. I have voted to aid people in every section of the country since I have been in Congress. Wherever the cry of distress has been heard, it never fell upon a deaf ear, so far as I am concerned. I have responded and I was always glad to respond.

We have the greatest country in all the world. One of the greatest evils now in it is the stealing of ballots, and one of the crying needs of the day is to put down the ballot-box burglars who make money, and big money, by manipulating elections. We have a case of it in my State that will astound the Nation when the investigation is made. As certainly as I live and God reigns I carried my State by around 100,000 majority last fall. The ballot-box thieves of Tammany and of Pittsburgh have nothing on the ballot-box crooks who are responsible for the stealing of the election in my State. Mr. President, if this country reaches the time when the voice of the people is stifled, when they can not have full power and free expression by the ballot box and have their will recorded as they express it, then this Government is doomed.

The other great evil, Mr. President, is the New York Stock Exchange, which Mr. Raskob uses as a plaything. Whenever he needs campaign funds to bolster up a situation that he feels belongs to him personally, he goes upon the exchange and speculates. As I have said once before in this body, I believe that he and a group of them have tried to discredit Hoover's administration by bringing about crashes on the exchange. Mr. President, I do not care who he is, Democrat or Republican, he who will tamper with the prosperity of this country is not a good citizen. He is a bad citizen. He does not deserve to be the leader of any party. He deserves to be in the penitentiary.

Mr. President, New England is the section from which the Senator from New Hampshire [Mr. MOSES] comes, the quick-witted, bright Senator from New Hampshire who delights in and enjoys his own maneuvers and operations in this body and enjoys them exceedingly well. He smiles over his maneuvers and chuckles over them frequently when nobody else seems to enjoy them; but I am willing for him to do that.

Mr. President, I have called the attention of this body to the fact that the New York Stock Exchange gambling operations have held up $300,000,000 worth of work in public buildings, homes, and hospitals in New England, and the Senator from New Hampshire [Mr. MOSES] has not opened his mouth on the subject—$300,000,000 of money held up and all these building operations held back. What is that doing to New England? It is keeping labor from being employed. It is keeping the lumber people from selling lumber. It is keeping other business people from furnishing the material to be used in the construction of these buildings; but the Senator from New Hampshire is too busy looking after measures that probably might go through the Senate that would grant satisfaction to influential people somewhere to give his brilliant extraordinary ability to the matter of relieving New England, his State included, of the terrible evil that is now upon that section.

Whom are we attacking when we attack the gamblers of Wall Street? We are attacking the friends of the Senator from New Hampshire. The Senator from New Hampshire does not want his friends disturbed. Oh, how he basks in the sunshine and revels in the ineffable glory of those Wall Street fellows, who clip coupons and whose only music is the clink of dollars and dimes. What keen delight the Senator from New Hampshire manifests when he hears that kind of music being made by his rich, purse-proud, millionaire friends of Wall Street. But where is the Senator when relief is asked for the men and women whose boys took that flag and crossed the sea, who went 3,000 miles from home to fight to preserve the liberties of the world? Now, when they are in dire distress, when the wolf of want stands howling at their door, and we who hail from that section ask that relief be accorded to all those in distress, to all hungry men, women, and children, the Senator from New Hampshire, the temporary Presiding Officer of the Senate, comes down upon the floor, rises majestically in his place, and, cold-bloodedly as a fish, objects to the consideration of a simple resolution that merely asks the Secretary of Agriculture to be just and fair to all those who are hungry and who stand with outstretched hand begging for something to eat lest they die. That is the attitude of the Senator from New Hampshire.

I do not know whether the Senator from New Hampshire is in a secret arrangement with anybody to force an extra session or not. The Senator occupies so many attitudes, vast and variegated, that it is hard for me to put my finger on just where he stands. That his heart beats in sympathy with Raskob and his "wet" program, I guess there is hardly any doubt. I do not know; I should like to know. However, this one thing I do know: The Senator has got to do something to convince me that he ever had a heartbeat in sympathy with the masses of the common people. When any question comes up here affecting plutocracy,

look out for the Senator from New Hampshire; he is right on the job, keen-eyed, alert, vigorous. Oh, he is here looking out for their interests. Mr. President, think of five or six hundred men and women and children, driven from their homes in Arkansas, by gaunt famine, going to the city of England, and there, holding up their hands, begging for bread, pleading for something to eat. When they are asked, "Why do you not eat your farm animals?" the answer is, "They are dead on the field; the drought has made it impossible to provide food for man or beast." We are getting letters and telegrams every day from the drought-afflicted areas saying, "For God's sake do something; hurry up this relief; see to it that relief is granted in the counties where there are two or three hundred families in distress, or 500 families, and that relief be not confined to the counties where there are fifteen hundred in distress." Yet when we ask that an expression of the Senate be conveyed to the Secretary of Agriculture requesting that relief be accorded to all starving people, the Senator from New Hampshire arises and objects. He objects to what? What is the reason for his objection? Is he against feeding the poor who are starving?

I invite his attention to the vision of Sir Launfal, when the Master appeared to him and told him, "When you feed these starving people you are serving Me; when you do that you feed three—yourself, your starving neighbor, and Me." Mr. President, such things do not have any effect upon the Senator from New Hampshire; but if news should come that a crash had occurred on the New York Stock Exchange, and the gamblers were in panic and needed aid from the Government to pull them out of a hole, I would expect to see the Senator arise and ask that the Government go to their rescue; yet the devilish operations of that exchange are every day sending men to death; men are killing themselves; they are committing suicide.

Has the Senator ever raised his hand against that deadly evil? Mr. President, I recall the story of the serpent of Rhodes. The deadly beast, whose home was in a cavern under the hills, would come out in the afternoon and devour sheep, cows, and horses and even the shepherds who minded their sheep. Dieu Donne de Gozon, a native of Provence, registered a vow to go out and fight him to the death. He was warned not to tackle this beast; that it had destroyed everybody who had attacked it. In his own heart, however, he was resolved to make the effort; he did so and slew and did away with that great beast. No more were sheep or their shepherds destroyed and cattle grazed unmolested because the deadly serpent had been removed. This thing in New York City, the New York Stock Exchange, Mr. Raskob's fond resort, must also be removed, so far as its harmful activities are concerned.

Here is an article in the North American Review by Robert Cruise McManus, which is headed:

While others talk, he pays the bills.

And here is an interesting excerpt from it:

If all this is evidence that Mr. Raskob has been sitting meekly by in New York while Harmonizer Shouse slapped backs indiscriminately in Washington, then a December blizzard is indicative of approaching spring.

Meanwhile, as the party was being consolidated from within, external circumstances were conspiring to strengthen it from without.

Listen:

The stock market collapsed and the Republican prosperity myth, in which so many voters had believed, was torn to ribbons. The Farm Board made its ill-starred attempt to stop the falling price of wheat, and the 8-year wrangle between the farmers and the Government grew more acute, spurred by the notion that agriculture did not get what was promised it in the tariff bill.

There he is hinting very strongly that Raskob had a hand in the crash on the New York Stock Exchange.

Mr. President, we ought not to permit a place to exist where the idle rich—I do not care whether they are Republicans or Democrats—can go with their accumulated millions to make a happy holiday by speculating in the necessities of life, by beating down the price of wheat and robbing the farmers of the West, beating down the price of cotton and robbing the farmers of the South, and beating down the price of securities, stocks, and bonds, tossing them up and flinging them down at will. That thing ought to be regulated; something has got to be done.

The New York Stock Exchange is injuriously affecting the people of my State now, and the people of every other State in the Union. It contributed greatly to the distress that exists in the States, and then the drought coming on top of that made it impossible for farmers in many sections, by their own efforts, to supply themselves with the food and clothing necessary to shelter and protect them and to give them comfort and keep them alive during the present winter.

Mr. President, as I said a while ago, Members of the House who have talked to me stated that they feared that Mr. Warburton would not go into some counties and reach those who are in dire distress, because there were not enough of them. My God, think of that! A dozen families in one county confront the wolf standing at their door, there is no food in their houses, they are in want, and they are told, "No; we can not save you because there are not enough of you." That amounts to the Government putting a premium on increased numbers in distress.

Mr. President, I am seeking to clear up this matter and to put the Senate, the greatest lawmaking body in the world, on record as telling the Secretary of Agriculture, "We desire you to take these funds that have been provided and go into all places wherever you find want and distress and hunger caused by the drought and minister to the suffering people." Yet when I suggest here that it would be well, because of this confusion and because of this misunderstanding, for the Senate to express itself as provided in the resolution, that it tell the Secretary what it wishes him to do and tell him what its intention was in appropriating this money, the Senator from New Hampshire rises and says, "I object."

The Senator from Oregon [Mr. McNARY] asked that the resolution go over last night in order that he might look into it; to-day he withdrew his opposition to it, and no other Senator would have objected, I am sure; but the Senator from New Hampshire rose and interposed his objection. May the Lord have mercy on him. [Laughter.]

Mr. President, I do not believe that the farmers of New Hampshire approve the stand taken by the Senator; I do not believe that the merchants of New Hampshire approve it; I do not believe that the bankers of New Hampshire approve it; I do not believe that the people generally in New Hampshire approve the stand he has taken to-day. He has by the objection he made caused me to occupy the floor for 30 minutes when we could have gone on with other business. He is contributing toward an extra session. It looks as if the Senator does not care if we have an extra session.

I have not wanted, Mr. President, to contribute to an extra session. I wanted us to finish up the work of this session and adjourn; but, if it is the purpose of those who are in authority to block legislation that would help the struggling poor in the States, then those of us who are here ought to band together and do whatever is necessary to accomplish what we want to accomplish in the name of justice, of fair play, and of right.

That is all I am asking. I am not pleading to appropriate money to the mighty rich anywhere. I am asking to use some of the money already appropriated for the people who are hungry, for people who can not help themselves, for people who are starving. I am getting letters and telegrams every day saying, "Hurry up this relief measure. Hurry it up." The secretary of agriculture of my State says, "Be sure to see to it that they give this relief to the families, a great number of them, in counties where the suffering is not so general, and see that they get some of this relief." I submit that that is the humane thing to do; it is the just and merciful thing to do; and I am simply trying to do that as a Senator from the State of Alabama.

Mr. President, these people followed me, drought stricken, hungry, and in distress. They could not be bought by the vast sums of money sent down from the East. They stood like

a stone wall and followed me through to the election and through the election day. Every day I was speaking to 3,000 and 4,000 people when my opponent was addressing 100 and 150 people. All over the State it was the general talk that my majority would be in the neighborhood of 100,000 votes; and then see what happened on the election day itself, not by the ballots, but by the manipulation of the ballots; by calling the ballots wrong, by stealing the election.

Why did they not rejoice, why did they not hurrah, the next day? Was there any booming of cannons? No. Was there any celebration of any kind, any rejoicing? Not a bit of it. Why? Because they were in possession of stolen goods; and they were as silent as the tomb. That is why. A seat in the Senate had been stolen.

Make your investigation and I will disclose to you something that will open your eyes; and if this Raskob brand of politics is to go on, look out for 1932. They will not spend so much money among the voters as they will spend in trying to buy managers and steal the election. If they had defeated me in the open fairly, I would have said, "All right; they have a right to do it, and I bow to their will." But when they read me out of the party after a conference with Raskob in New York, and I had to fight the machine backed by him, I whipped it to a frazzle all over my State.

The truth will disclose that I carried fifty-odd counties out of 67. They gave me 10, and gave Bankhead 57 and 50,000 majority. There never has been a steal like it since I have been in public life.

Mr. President, I digressed for the moment there. These people, out of employment, were sought, and efforts were made to buy some of them; but they stood firm. Some merchants intimidated farmers in distress and threatened to cut off supplies they were furnishing if they did not vote against me. This machine was operated from New York down to the ballot box in my State; but these people stood true, God bless them! Now, in their dire distress, I stand here and plead for justice to them. They have never deserted me, and I have never deserted them. I have never lowered my arm in battle for them; and I shall do what Senator Bob La Follette, the old war horse from Wisconsin, told me to do after the first speech I made in this body, standing over there, fighting those who helped to bring on the deflation panic in 1920.

I led the fight, single-handed and alone, for a year and a half, to drive Governor Harding, of my State, a Democrat, from his position at the head of the Federal Reserve Board. He had conspired with the gamblers of New York to produce a panic so that they could compel the sale of Liberty bonds, and they were sold at $80 and $85 on the hundred, and these millionaires bought them up. Now they are sitting around idle in New York, using this money to speculate on the stock exchange.

Senator La Follette has a worthy son in this body, bearing his name, who will in time, I believe, be as great a Senator as his father; and he will have to "go some" to do it. Not only was the elder Bob La Follette able, but he was one of the most fearless and incorruptible men that ever sat in this body. He never forgot the common masses of the common people. He loved them with a beautiful and sincere ardor, and they never forgot him. He came over to me when I had made that speech. I was receiving no support. There were only five Senators who took any active interest in it before the fight started, but when it was over I had about 57 out of 96 on my side. Senator La Follette came over when I had finished my first speech, shook my hand, and said, "Tom, you made a fine speech. I want to congratulate you. Do not let these old fogies make you take a back seat until you have served here two years. You get in the fight. Your people are entitled to the very best you can give them from the day you enter here until you go out." I have never forgotten his suggestion. He was right about it. They are entitled to the best that I can give them.

Mr. President, whether or not it amounts to anything, whether or not it falls upon the deaf ears of the Senator from New Hampshire, I shall do my duty as a Senator from Alabama, in the name of the people who have honored me and have stood lovingly and loyally by me all these years and who have never deserted me, even when I was branded as an opposition candidate to the Democratic Party, when I was standing true to the principles of my party. I do not propose that Raskob and Alfred Smith and that group shall pervert the Democratic Party from the ends of its institution.

Why, here is Frank Kent, this dynamic little pen wielder from Baltimore. I used to feet pretty hard toward Frank at times. He has jumped on me several times. I do not mind criticism. If it is constructive, I welcome it. It does not bother me much what kind it is. I know what I am and what my purposes are; but sometimes he has attacked me when he was not informed about the situation. He has done something recently, however, that shows me that he has more sense than I thought he had. [Laughter.]

Mr. President, he took John Jacob Raskob and laid him upon an operating table and administered chloroform to him and he operated on him in due and ancient form. [Laughter.] O Mr. President, it was a nice, clean operation. Frank wields a wicked pen; I will say that for him. He caught John unaware. John had been parading around here at the head of the Democratic Party. He calls himself the head of the party. Is not he a nice person to be at the head of the great party of Jefferson? My God! [Laughter.] John would not know a Democratic principle from a mouse-colored mule [laughter]; yet he is the leader of our party. He will not be the leader long. The Democrats of this country are doing a lot of thinking. There are going to be a lot of changes, and you are going to hear some hell-burstings in 1932 that you have not heard yet.

Why, this is the man who in 1928 suggested in order to whip the Protestant preachers into line that they should have their salaries cut down. It looks as if he believes in the poverty plan as much as the Senator from New Hampshire. Cut them down! He never denied that until the campaign was over. This man, a member of the Union League Club, a Republican club, of Philadelphia, never admitted being a member of that organization until pust recently in his letter to Frank Kent. Frank must have hit him around where he lives, because he commenced making denials and said that he was a member of the Union League Club.

Mr. President, some Senators will recall that in 1929 I got Who's Who, and read it right here, showing that Raskob was a member of the club; and statements went over the land saying that he had been a member, but he had resigned. Now, what does he say to Frank Kent? He says that he has not resigned, and that his resignation has not been asked for; and he says that his voting for some Democrat did not hurt his standing.

My understanding is that when you join that club they ask you if you are a Republican and vote the Republican ticket, and if you do not answer in the affirmative you do not get in. I will ask the senior Senator from Pennsylvania [Mr. REED] if that is not so. Is he a member of this club in Philadelphia?

Mr. REED. Mr. President, is the Senator asking me whether I am a member?

Mr. HEFLIN. Yes.

Mr. REED. Yes; I am.

Mr. HEFLIN. Were these questions asked the Senator? What questions were asked the Senator, if any, when he joined the club? [Laughter.]

Mr. ROBINSON of Arkansas. Let us have him sworn. [Laughter.]

Mr. HEFLIN. I want to ask the Senator if they asked him if he was a Republican.

Mr. REED. The Senator means when I joined the club?

Mr. HEFLIN. Yes.

Mr. REED. Yes; I did.

Mr. HEFLIN. Did they ask the Senator if he voted the Republican ticket?

Mr. REED. Yes. I was proud to say that I had.

Mr. HEFLIN. Does the Senator think they ask all candidates that?

Mr. REED. I do not know whether they asked Mr. Raskob. I was not there when he went in.

Mr. HEFLIN. But they asked the Senator that?

Mr. REED. Yes; they asked me.

Mr. HEFLIN. I suppose these clubs ask all prospective members the same question. They usually have them printed. Anyhow, Mr. Raskob says that he is still a member.

Mr. President, I have charged a number of times during the campangn and since, that he was a Republican, a lifelong Republican. Others charged it. He never denied it. Instead of denying it, he said he had accepted the chairmanship of the Democratic National Committee purely and wholly for the purpose of ridding the country of the damnable affliction of prohibition. That was charged on the hustings in every State in the Union. It was carried from one end of this Nation to the other, practically, and John Jacob Raskob never denied it until he came over here last spring and testified before the lobby committee. I do not know who suggested to Johnny to deny that, but evidently somebody did, and Johnny denied it for the first time nearly a year after the campaign was over, and after he had read it probably hundreds of times in the press. He came out and said that, oh, well, he did not say it, and that he had given a statement to the press denying that he said it. Then he was requested to show the statement, and he could not find the statement. Is not that too bad? Somebody must have hidden that statement from Johnny; must have put it where Johnny could not find it. That is not all. He was bereft of the memory as to what paper it appeared in. And Johnny has been unable to this good day to show that he gave a statement back there denying that awful thing that he said in 1928.

Now as to Frank Kent. I do not propose that he shall be run over by John Raskob. I will not permit any dear, enthusiastic, admiring friend of mine to be treated in that fashion. [Laughter.]

Mr. President, Frank came out in his statement and said that Raskob had picked Mr. Shouse and put him down here at the head of another committee, and told how much he was paying his assistant, some twenty-odd thousand dollars, and how much he was paying Mr. Shouse, and that Raskob was putting up the coin of the realm. Mr. Raskob comes back and says that he had nothing to do with the selection of Shouse. He should not reflect on Shouse in that fashion. He never had anything to do with him, he said; Shouse was selected by the committee.

There is more fraud and trick politics being played right now with that bunch than I ever heard of. Do you remember the big banquet held in Boston in 1929, or perhaps the spring of 1930? Mr. Shouse went up and made a speech, and there were several Democrats from Boston who had struck several blows for liberty and were well organized by the time the banquet was in good order. They got the idea that Shouse was trying to displace Raskob, and they did not want to hear Shouse speak. Somebody in authority up at the head of the banquet board rose and called on the man who was trying more than any other to keep Shouse from speaking—I think his name was Donahue—and told him to be quiet, that Mr. Shouse was selected personally by Alfred Smith and John J. Raskob. I put that in the RECORD.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. HEFLIN. I yield.

Mr. WHEELER. Is the Senator denouncing Raskob or defending Kent?

Mr. HEFLIN. Oh, I am defending Kent and eulogizing Raskob. [Laughter.]

Then Mr. Raskob goes on to say that his grandmother was a Democrat, his great-grandfather was a Democrat, and he married a Democrat, and just to show what sort of a good Democrat he was he said he bolted the party in 1896 and had affiliated with it since. He said, "When I did affiliate with the party and got into it I saw the prospects were good to get all the money back that I lent it, so here goes."

Is not the party in an awful fix?—

Mary had a little lamb,
Its fleece was white as snow;
It followed her to Pittsburgh one day,
And look at the derned thing now.

[Laughter.]

Leadership! Where is the leadership in which the party gloried in the old days? The great party of Jefferson selected its leadership because of the outstanding character of some well-known Democrat, a man whose love of Democratic principles, whose devotion to his duty as a Democrat had appealed to the people the Nation over. We abandoned that practice. The fires of lofty purpose and high principles went out on the altar. The veil was rent in the temple, the party was perverted from the ends of its institution, and John Raskob was put at the head of it, a lifelong Republican, picked out of the party of the opposition bodily and put over at the head of the column of the Democrats. And now he likes it so well he feels as if he owns it.

Mr. President, old Pertinax, of Rome, sold the emperorship for $500,000, and the Democratic Party owes Raskob $100,000 more than Pertinax got for the emperorship of Rome.

Talk about the Democratic Party! I appeal to Democrats who hear me to gird up their loins to the battle to relieve our party of its present leadership. If that leadership stays at the head of the party in 1932, Democrats are not going to support that leadership. You may just as well get that in your heads now.

The party is led by a chief of Tammany, where judges' places on the bench are sold to the highest bidder, where the judicial ermine is waved around in the corrupt altar places of Tammany and bartered to those who pay the most to wear that ermine, which should be worn by a spotless judge, and a spotless judge alone, who holds the scales of justice.

Investigations are going on over there NOW. Tammany is selling offices and raising campaign funds, and men growing rich out of graft, and John Raskob, with his money bags, is stalking the Nation over, leading the party at his heels with a chain around its neck. The leader of the Democratic Party!

Mr. President, he admitted here in his testimony that he was contributing toward the salary of Curran, who told the Senate committee that revolution might be resorted to in behalf of liquor. He did not use those words, but they asked him when he testified before that committee, "What are you going to do? Are you going to resort to violence to set at naught the law in the Constitution and statute books?" He said: "We will cross that bridge when we come to it." "Would you resort to violence?" He never said he would not, and Raskob admitted he was paying him $5,000 of his salary; and he at the head of the Democratic Party!

Oh, how my party has suffered, how it has suffered, and in behalf of the Democrats of this Nation I ask, who will deliver the party from the body of this death?

Mr. President, I ask unanimous consent for the present consideration of the resolution which I sent to the clerk's desk a little while ago.

Mr. MOSES. Mr. President, I should offer my apology to the Senate for having brought upon it the affliction of the last hour or so. I have had mingled emotions as I have listened to the Senator from Alabama. I think I owe him my thanks for including me with Mr. Raskob and the anti-Heflin Democrats of Alabama in his excoriation. I have wondered as he went on whether he was pleading the cause of those who voted for him or those who were in need, or whether the two represent the same personnel.

The Senator from Oregon has aptly and accurately described the resolution which the Senator from Alabama has presented as being childish, foolish, and useless. For myself, I can not see any reason why the Senate should pursue a course of adopting resolutions which are childish, foolish, and useless. However, I have no desire to impede the prog-

ress of business in this session of the Senate. I have least of all any desire to enter upon competition with the Senator from Alabama for the championship of blah-blah in this Chamber, and I do not wish him to be wasting his time or that of the Senate in the few weeks which are yet remaining to him here with us.

"We shall meet, but we shall miss him," but in the meantime I am willing to withdraw my objection.

The VICE PRESIDENT. Is there objection to the request of the Senator from Alabama? The Chair hears none, and the question is on agreeing to the resolution.

The resolution was agreed to.

Mr. HEFLIN. Mr. President, I appreciate the confession made by the Senator from New Hampshire, and I forgive him. [Laughter.]

INTERIOR DEPARTMENT APPROPRIATIONS

Mr. SMOOT. Mr. President, I ask unanimous consent that the Senate resume the consideration of the bill (H. R. 14675) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes.

Mr. KING. Mr. President——

The VICE PRESIDENT. Does the senior Senator from Utah yield to his colleague?

Mr. SMOOT. I do not yield for any other business.

Mr. KING. I wanted to ask consideration of a motion to reconsider which has been pending here for months.

Mr. SMOOT. I shall ask my colleague to forego that for the time being.

Mr. President, following my request for the consideration of the Interior Department appropriation bill, and the statement made by the Senator from Arkansas [Mr. ROBINSON] in relation to an amendment he desired to propose to the bill, I stated that I had no authority of the committee to accede to the request of the Senator for unanimous consent if unanimous consent were asked for the offering of his proposed amendment.

I immediately went to the room of the Committee on Appropriations. A subcommittee of that committee was in session, and I asked the members of the subcommittee to give me their expression as to what attitude I should take in relation to the request of the Senator from Arkansas. All the members of the subcommittee who were present agreed that the proper thing to do was to accede to the unanimous-consent request of the Senator from Arkansas and have a vote upon his proposed amendment to the Interior Department appropriation bill.

That being the case, Mr. President, I want to say to the Senator from Arkansas that I shall not object to the unanimous-consent request which he made. I now renew my request that the Senate proceed to the consideration of the bill (H. R. 14675) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes.

Mr. ROBINSON of Arkansas. Mr. President, I ask to add to that request the following: And that the rule may be suspended and that it shall be in order to consider the amendment which I now send to the desk.

The VICE PRESIDENT. The clerk will report the amendment.

The CHIEF CLERK. Insert at the proper place in the bill the following words:

There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $25,000,000 (in addition to such sums as may be or may become available through voluntary contributions), to be made available and to be expended by the Red Cross for the purpose of supplying food to persons otherwise unable to procure the same.

Mr. KING. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. KING. If the unanimous consent asked by my colleague shall be granted, and the Senate shall proceed to the consideration of the Interior Department appropriation bill, will that displace the naval bill, which has been partly considered to-day and upon which a vote must be had to-morrow?

The VICE PRESIDENT. It will not.

Mr. KING. Then, as I assume, to-morrow, if desired, the naval bill will be before the Senate, and it can be amended by the Senate if amendments are offered?

The VICE PRESIDENT. That is correct.

Mr. REED. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. REED. Is it not correct that any Senator by demanding the regular order can bring the Senate back to the consideration of the naval modernization bill?

The VICE PRESIDENT. That is the opinion of the Chair.

Mr. ROBINSON of Arkansas. Pending the request, I think I find an error in the technical description of the Red Cross. In the amendment which I have sent to the desk I desire to have a modification made by inserting before the words "Red Cross" the words "American National," so that it will read "American National Red Cross."

The VICE PRESIDENT. The amendment will be modified as requested by the Senator from Arkansas.

Mr. BROOKHART. Mr. President, I take for granted the amendment is for the purpose of granting general relief not only in the drought-stricken areas but throughout the country wherever the Red Cross shall find need for relief?

Mr. ROBINSON of Arkansas. That is true.

Mr. BROOKHART. I was wondering if the Senator intentionally confined the amendment to food and not to clothing?

Mr. ROBINSON of Arkansas. I did that intentionally, but the amendment will be subject to amendment if the unanimous consent is agreed to. The Senate will have control of it. There was some discussion of that with those whom I consulted.

Mr. NORRIS. Mr. President, I think the Senator from Arkansas has correctly stated the parliamentary situation and the parliamentary rule that would be applied; but in order that there may be no misunderstanding, I would like to ask the Chair in the form of a parliamentary inquiry whether or not, if unanimous consent is granted and the amendment offered, the amendment would still be subject to any amendment that is germane to it?

The VICE PRESIDENT. The amendment would be subject to amendment when presented, in the opinion of the Chair.

Is there objection to the request of the Senator from Utah as modified by the request of the Senator from Arkansas? The Chair hears none, and it is so ordered. The Chair lays before the Senate the Interior Department appropriation bill.

The Senate resumed the consideration of the bill (H. R. 14675) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes.

The VICE PRESIDENT. Let the next amendment be reported.

The next amendment of the Committee on Appropriations was, on page 61, line 7, to strike out "$75,000" and insert "$75,400," so as to read:

Northern Cheyennes and Arapahoes, Montana (art. 7, treaty of May 10, 1868, and agreement of February 28, 1877), $75,400.

Mr. SMOOT. That is a salary increase.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

The next amendment was, on page 61, at the end of line 14, to strike out "$445,000" and insert "$449,500," so as to read:

Sioux of different tribes, including Santee Sioux of Nebraska, North Dakota, and South Dakota (arts. 8 and 13, treaty of April 29, 1868, 15 Stat. 635, and act of February 28, 1877, 19 Stat. 254), $449,500.

Mr. SMOOT. That is a salary increase.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

The next amendment was, on page 61, line 17, to strike out "$571,300" and insert "$576,200," so as to read:

In all, for said treaty stipulations, not to exceed $576,200.

The amendment was agreed to.

The next amendment was, on page 68, line 13, after the word "automobiles," to strike out "$259,000" and insert "$262,000," so as to make the paragraph read:

For the support of the Osage Agency, and for necessary expenses in connection with oil and gas production on the Osage Reservation, Okla., including pay of necessary employees, the tribal attorney and his stenographer, one special attorney in tax and other matters, and pay of tribal officers; repairs to buildings, rent of quarters for employees, traveling expenses, printing, telegraphing and telephoning, and purchase, repair, and operation of automobiles, $262,000, payable from funds held by the United States in trust for the Osage Tribe of Indians in Oklahoma.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. SMOOT. All the amendments that have been agreed to thus far are increases in salary. As they come up I will announce whether they are salary increases or not.

The next amendment of the Committee on Appropriations was, on page 68, line 21, after the word "of," to strike out "$93,000" and insert "$93,500," and at the end of line 25 to strike out "$45,000" and insert "$45,500," so as to make the paragraph read:

The sum of $93,500 is hereby appropriated out of the principal funds to the credit of the Confederated Bands of Ute Indians, the sum of $48,000 of said amount for the benefit of the Ute Mountain (formerly Navajo Springs) Band of said Indians in Colorado, and the sum of $45,500 of said amount for the Uintah, White River, and Uncompahgre Bands of Ute Indians in Utah, which sums shall be charged to said bands, and the Secretary of the Interior is also authorized to withdraw from the Treasury the accrued interest to and including June 30, 1931, on the funds of the said Confederated Bands of Ute Indians appropriated under the act of March 4, 1913 (37 Stat. 934), and to expend or distribute the same for the purpose of administering the property of and promoting self-support among the said Indians, under such regulations as the Secretary of the Interior may prescribe.

Mr. SMOOT. That is a salary increase.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

INVESTIGATION OF CAMPAIGN EXPENDITURES

Mr. NYE. Mr. President, I dislike very much to interrupt the consideration of the pending appropriation bill, but a situation confronts the committee investigating campaign expenditures which seems to call for a recitation before the Senate of facts which seem at this time to make it quite essential that the committee excuse some 20 Pennsylvania witnesses who have been subpœnaed to appear before the committee to-morrow because of the lack of funds with which to meet whatever expenses might be occasioned by the presence of such witnesses.

On the 19th day of December I offered a resolution (S. Res. 381) which was a request for additional funds. Assurances have been given to the committee by Senate leaders ever since that time that there would be no difficulty, no reason to doubt but what additional money would be available; but it comes down to this last moment when, as I said, we are without the money to meet the expenses which will be occasioned by the presence of these witnesses, and I am at a loss to know what might be done other than to excuse the witnesses from appearances to-morrow.

I understand that the Committee to Audit and Control the Contingent Expenses of the Senate—and the chairman of the committee is present in the Chamber—has agreed to the holding of a meeting to-morrow morning. I wish the chairman might make known just what the plans of the committee are and what we might expect from it to-morrow.

Mr. DENEEN. Mr. President, the resolution introduced by the Senator from North Dakota was referred in due course to the Committee to Audit and Control the Contingent Expenses of the Senate. I returned to the city at 1 o'clock on Friday last. Learning that Senator NYE's resolution had been referred to the committee, I called a meeting of the committee for Saturday morning at 11.30 o'clock. We were unable to secure a quorum. I called a meeting of the committee again for Monday last at 2.30 o'clock in the afternoon. Again we were unable to secure a quorum. There has been a vacancy on the committee. I requested that that vacancy be filled. I understand that it was filled to-day. Thereupon a call was issued for the committee to meet at 10 o'clock to-morrow morning.

We have polled the committee on a number of smaller matters, those regarding which there could be no controversy, but there was a misunderstanding recently about a resolution, so the committee adopted the course of acting as a committee rather than by having it polled.

The committee has expedited its work as rapidly as it could. The committee will meet to-morrow morning at 10 o'clock, and I take it a quorum will be present.

Mr. CARAWAY. Mr. President——

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Arkansas?

Mr. NYE. Certainly.

Mr. CARAWAY. I thought we had a meeting and that the committee had authorized an appropriation of $25,000. The Senator from North Dakota [Mr. NYE] being present, he at first asked for $50,000, but after some matters had been discussed he thought that $25,000 was sufficient.

Mr. DENEEN. No; that was not the understanding of the committee. One of the members of the committee stated that he would favor an appropriation of $25,000. There were not three members of the committee who would agree to that and therefore I considered it prudent to call the committee together. There were also differences about the time mentioned in the resolution for conducting the investigation. The resolution calls for an investigation which would run on during the next Congress. There is some difference of opinion I understand among members of the committee regarding this resolution. The difference of opinion has been stated to me personally rather than in the committee. We had only two members present at the time to which the Senator from Arkansas refers. The Senator from Arkansas was present Saturday, if I remember correctly, and the Senator from Wyoming [Mr. KENDRICK] was present on Monday. There were two members present on Saturday and two present on Monday, including myself.

Mr. CARAWAY. I thought I fully understood the Senator from Illinois. When I left the committee I thought it was agreed that $25,000 was to be appropriated.

Mr. DENEEN. No.

Mr. CARAWAY. What was the agreement?

Mr. DENEEN. The statement was made by the Senator from Arkansas that he would favor, as I understand it, reporting an appropriation of $25,000 and that was submitted to other members of the committee.

Mr. CARAWAY. I thought it was the final action. That was the amount with which the Senator from North Dakota, as I understood, had said he would be satisfied at this time.

Mr. NYE. Mr. President, in view of the circumstances which prevailed at the time—and at the time I did not consider that an official meeting of the Committee to Audit and Control was being held, because, as I recall, there were only two members of it present at the time—I would say that under ordinary circumstances I would feel that an additional $25,000 would be ample; but I understand that two amendments are to be proposed, amendments to the resolution under which our committee is operating which, if accepted and approved, would make necessary a larger amount than that suggested.

Mr. CARAWAY. Mr. President, will the Senator yield?

Mr. NYE. Certainly.

Mr. CARAWAY. I entered the Chamber just as the Senator took the floor. My understanding is, as I heard the Senator from North Dakota make his statement, that he is desirous of excusing some of his witnesses.

Mr. NYE. Yes; in the absence of any further available funds the chairman of the committee would not want to take upon himself the responsibility of having witnesses appear and not being in a position to reimburse them for the expense to which they would be placed.

Mr. CARAWAY. I would like to suggest to the chairman of the committee that there is a quorum of the committee now on the floor of the Senate. No one would want to prevent the committee of the Senator from North Dakota from

going through with the examination. I hope there will be no question about it. I have no idea but what in five minutes the Senator can be given the assurance that he will have the money to conduct his examination. I may have misunderstood it, but I appeared in pursuance of a notice from the chairman of the Committee to Audit and Control and we went over the matter, and I left with the understanding that the matter was closed, that the Senator from North Dakota was to be permitted to have $25,000. I am sure the chairman of the Committee to Audit and Control, from what he said in the committee, felt then as he does now. There is a quorum of the committee present on the floor of the Senate now and I shall be very glad to meet if the chairman will call a meeting of the committee now.

Mr. DENEEN. Mr. President——

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Illinois?

Mr. NYE. Certainly.

Mr. DENEEN. The Senator from Arkansas has made a statement of his recollection of the meeting of Saturday last. There were but two members of the committee present, the Senator from Arkansas and myself. No action could be taken. In view of the statements made by the Senator from Arkansas, may I state that I conferred with him and with the Senator from Wyoming [Mr. KENDRICK] this afternoon and suggested to them that we have a meeting of the committee this afternoon, but the Senator from Arkansas said it would be inconvenient for him to meet this afternoon, and, therefore, to accommodate him, the meeting was called for to-morrow morning at 10 o'clock. I have no objection to calling a meeting this afternoon, but I think it fair to the committee to make this statement.

Mr. NYE. Might I suggest to the Senator from Illinois that such a meeting be held at this time and a report made back to the Senate this afternoon, so that the Senate may take action upon it. It would leave the investigating committee in a position to proceed to-morrow with a clean slate, feeling that it had been authorized to go ahead with these hearings.

Mr. DENEEN. I endeavored to have a meeting this afternoon and postponed it to meet the convenience of one of the members. I would be very glad to call a meeting or glad to have the Senate pass on the matter and take such action as it deems appropriate. The committee is not anxious to prevent a hearing on the matter.

Mr. NYE. Mr. President, before I yield the floor, I should like to have the assurance that such a meeting would be held and that a report would be brought back to the Senate during this sitting of the Senate.

Mr. CARAWAY. Mr. President——

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Arkansas?

Mr. NYE. I yield.

Mr. CARAWAY. The Senator from Illinois came to me a while ago and asked about a meeting of the committee, but I did not understand that this matter was involved; I thought it was about something else and paid no attention to it. I was attempting to agree with the Senator from North Dakota. I thought he ought to have whatever was reasonable in order to finish the investigation being conducted by his committee. There was a matter we discussed at that time that both of us decided was not involved in his investigation, and that $25,000 was the amount which I thought should be provided. Evidently I did not understand the chairman of the committee, but now, if the chairman of the committee wants to do so, we can have a meeting in a few moments.

Mr. DENEEN. Mr. President——

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Illinois?

Mr. NYE. I yield to the Senator.

Mr. DENEEN. I may state that I did not inform the Senator from Arkansas that there were 22 witnesses who had been summoned here. The reason was that I did not receive that information until about half an hour ago, and had no information that any witnesses were to be here. The Senator from North Dakota called upon me about half an hour ago and told me that 22 witnesses were here. I told him that I felt confident——

Mr. NYE. Mr. President, I do not think I told the Senator that the witnesses were here, but that they had been subpœnaed to appear to-morrow.

Mr. DENEEN. I took it for granted that they would be here, having been subpœnaed. I explained the situation to him, that it was inconvenient for one of the members of the committee to be present, and that was the reason, and the only reason, why the meeting was put off until to-morrow.

Mr. NYE. Since the Senator whom the Senator from Illinois suggests was unable to be present is now present, would it not be possible for him to hold such a meeting as he has suggested this afternoon?

Mr. DENEEN. That would be perfectly agreeable to me if the Senators are here.

Mr. MOSES. Will the Senator yield to me for a moment?

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from New Hampshire.

Mr. NYE. I yield to the Senator.

Mr. SMOOT. I should like to inquire how much longer the debate on this question will continue?

Mr. MOSES. The Senator from North Dakota yielded to me for one moment, and I want to put an end to this discussion, I hope now, by stating that if the committee meets informally on the floor and submits a report, it can not be considered to-day, because I shall object.

Mr. NYE. Then, Mr. President, the only thing the special committee on campaign expenditures can do is to notify the twenty-odd witnesses who have been subpœnaed to appear to-morrow that they are excused from appearing at that time. I desire now to make a motion that the Committee to Audit and Control the Contingent Expenses of the Senate be discharged——

Mr. SMOOT. Mr. President, I do not want a motion to intervene at this time; I want to get through with the pending bill.

Mr. NYE. I am giving notice of a motion I shall make.

The VICE PRESIDENT. The Senator can enter his motion now.

Mr. NYE. I enter a motion, which I shall ask to have considered to-morrow upon the convening of the Senate, that the Committee to Audit and Control the Contingent Expenses of the Senate be discharged from the further consideration of Senate Resolution 381. I hope that, prior to that time, the committee will have met and submitted a report to the Senate upon the resolution.

The VICE PRESIDENT. The motion of the Senator from North Dakota will be entered.

Mr. BLACK and Mr. NORRIS addressed the Chair.

The VICE PRESIDENT. The Senator from Utah has the floor. To whom does he yield?

Mr. NORRIS. Mr. President, I want to submit a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Nebraska will state his parliamentary inquiry.

Mr. NORRIS. Has the Senator from North Dakota formally entered his motion?

The VICE PRESIDENT. The motion has been entered.

Mr. NORRIS. Very well.

INTERIOR DEPARTMENT APPROPRIATIONS

Mr. BLACK. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Alabama?

Mr. SMOOT. For what purpose?

Mr. BLACK. I do not want the Senator to yield to me. I want the floor as soon as there is a question before the Senate on which I may speak.

The VICE PRESIDENT. The Senator from Utah has the floor.

Mr. SMOOT. I ask that the Senate may resume the consideration of the Interior Department appropriation bill.

The Senate resumed the consideration of the bill (H. R. 14675) making appropriations for the Department of the





Interior for the fiscal year ending June 30, 1932, and for other purposes.

The VICE PRESIDENT. The pending amendment will be stated.

The CHIEF CLERK. On page 68, line 21, after the words "sum of," it is proposed to strike out "$93,000" and insert "$93,500."

ALABAMA SENATORIAL ELECTION

Mr. BLACK. Mr. President, it is not my purpose to engage in any controversy with my colleague over the question which he has raised, but I do feel that, since charges have been made upon the floor with reference to the State which I have the honor in part to represent, it would neither be proper nor right for me to sit silent without any statement whatever. Each Senator, of course, is entitled to have and to express his own opinion, honestly entertained, upon questions concerning his State.

The statement has been made on the floor, in substance, that an election in my State has been stolen. That, of course, is an opinion. Any statement I may make is but an opinion. I desire to say, however, that, in my judgment, the election in Alabama was as fair as any election ever held in any State in the United States. That, of course, is my opinion, obtained from facts ascertained over the State and from a participation in that campaign.

It also would not be proper to permit the inference to be left that there is any effort upon the part of the Democrats of Alabama to prevent a full, fair, and impartial investigation of that election. There is no such desire, either expressed or implied. As a matter of fact, the Democratic executive committee of Alabama has unanimously adopted a resolution inviting the Senate committee to make such investigation as it sees fit with reference to the election held in that State. In addition to that, the Democratic candidate for the United States Senate has likewise joined in requesting the Senate committee to make a full and fair investigation of both sides in the Alabama election.

As I have said, it is not my intention nor is it my purpose to engage in any controversy on the floor of the Senate with reference to the facts charged, except to say that the people of Alabama believe in fair elections; they conduct fair elections; the laws of the State amply provide for protection to every candidate and to every party.

So far as I am concerned, I favor fair elections in every State in the Union, and if there is a question with reference to an election where a Senator is involved I do not object to an investigation in my own State nor to an investigation in any other State. We should have investigations where charges are made. However, I should consider it wholly improper on my part in this body, which would be compelled to pass upon a contest if a contest should be made, to attempt to go into any of the facts surrounding the election in my State. I do not believe that that should be done, because if the Senate is later to determine upon a contest they should do so as fair and impartial judges, each Senator determining for himself upon the evidence which is presented; not upon opinion but upon substantial evidence, whether or not a contest has been sustained, and who has been selected to represent Alabama in the United States Senate. I do not want any candidate in my State to have a single vote to which that candidate is not entitled.

I would not have a single vote for any candidate or for any party which was not fairly and honestly cast for that candidate or that party. Any other position would be contrary to the first principles of good citizenship and good government; but I do not think it would be either proper or right for me, as one of the representatives of Alabama, without desiring or intending to engage in any controversy, to sit silently by and allow the statement to go unchallenged that an election had been stolen in Alabama. It was an opinion when expressed, and an opinion expressed by me would likewise have the same effect. Neither could be based upon all the evidence with reference to any election in 67 counties.

As I said in the beginning, while my colleague has stated that he believes the election was stolen, I am just as firmly convinced that the election was fair, and that when the investigation shall be conducted it will be so found beyond all shadow of doubt. There are 67 counties in Alabama, and I think that after the committee has investigated, as I hope it will, it will be able to report that Alabamians believe in fair elections and Alabamians conduct fair elections.

Mr. CARAWAY. Mr. President, may I ask the Senator a question?

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Arkansas?

Mr. BLACK. I yield.

Mr. CARAWAY. I just came in. I am a member of the Committee on Privileges and Elections, and I wish to ask has a contest been filed?

Mr. BLACK. Mr. President, I do not understand that as yet there is a contest, but I have understood from statements made that there might be a contest. That is the reason I took the position that it would not be right either for me or anyone else—I do not know whether it would be proper, according to the rules of the Senate, or not—to attempt to argue the facts if a contest is to be filed, and to present those facts by hearsay before the judges who may later be called upon to determine who was elected to the Senate from Alabama.

Mr. President, I send to the desk, and ask to have read, a statement appearing in Alabama newspapers on yesterday, being an interview by the Hon. W. C. Davis, who is at present the Lieutenant Governor of Alabama. Mr. Davis was a candidate for Governor of Alabama on the Democratic ticket but he was defeated in the Democratic primaries. This is a statement which is attributed to Mr. Davis in yesterday's Alabama newspapers with reference to the election. I desire the paper read at the desk.

The VICE PRESIDENT. Without objection, the Secretary will read, as requested.

Mr. HEFLIN. Mr. President——

The VICE PRESIDENT. Let the newspaper statement first be read.

The Chief Clerk read as follows:

ELECTION PROBE IN ALABAMA "COLD TRAIL," SAYS W. C. DAVIS—LIEUTENANT GOVERNOR TELLS AARHUS THIS STATE NOT LIKE PENNSYLVANIA

The special Senate committee on investigation of senatorial campaign expenditures and the functions of that committee might be necessary in States like Pennsylvania, Illinois, and Colorado; anything that conduces to fair elections is desirable and some States may need it, but in Alabama the committee is "on a cold trail."

Lieut. Gov. W. C. Davis so stated yesterday to P. L. Aarhus, representative of the special committee, when Mr. Aarhus sought and obtained an interview with the lieutenant governor, who was a candidate for governor in the Democratic primary last year.

Asked concerning the interview between himself and Mr. Aarhus which was reported to have taken place, Lieutenant Governor Davis said he had been interviewed by him and had expressed his views to Mr. Aarhus as already indicated.

The committee representative then proceeded to ask him some specific questions, Mr. Davis said, and to these queries he replied that the best answer he could give as to his feelings regarding the Democratic primary was that he was one of the "victims," and accepted the results, thereafter doing all he could to carry its mandate into effect and elect the Democratic nominees.

Mr. Aarhus then told him he "might have to subpœna him," the lieutenant governor stated to which he replied that would be all right with him and that he would answer any question the committee might see fit to ask him.

"I told him," he added, "that the elections of the past year in Alabama were as fair as men can hold, though slight irregularities might have occurred here and there as they always do; and that there is nothing concerning them that I or anyone else can complain of."

Mr. Davis also told Mr. Aarhus that the person who was principally responsible for the committee representative's coming to Alabama, Senator J. THOMAS HEFLIN, is the man "we all wanted to beat," adding: "We were proud to do it, and did not take any unfair means to do it."

Mr. HEFLIN. Mr. President, there is one part of that statement to which I agree, and that is where Mr. Davis says he is one of the victims. He is. In my judgment, he was nominated in the primary for governor.

I do not think there is any doubt about his having been nominated. I believe that he believes in his heart that he

was nominated. Of course I know Mr. Davis. He is a very fine fellow. He had to mortgage his house to help make his campaign. He was very much in distress when it was over. The influences that fought me did not want Mr. Davis to be sore about the situation. I canvassed the State as it has not been canvassed in my lifetime. There never have been such crowds to hear a public man speak as the crowds that came to hear me. As I said before, I was speaking to crowds of three and four thousand when none of the opposition could muster over 200, perhaps three or four hundred. I spoke in the auditorium at Birmingham to 10,000 people. In the same auditorium, a few days before that, all of the State candidates and some of the county candidates spoke; and they had 224 people by actual count. The opposition ticket to me was defeated outright long before the election.

Since my colleague has gone into this matter—this is the first time I have ever broached the subject on the floor of the Senate—this investigation will disclose that in many places the ballot-box burglars boasted that they were going to steal the election from me. I myself was told by one or two men in high office that I probably would be elected, but that I would not get the election. I asked one of them, "What do you mean—that they will steal it?" He said, "Yes."

Mr. President, is it no serious thing to steal the election from a Senator? If they get to where they can manipulate your ballot box, good-bye! I believe this investigation will disclose the most secretive method that has ever been disclosed, and the most dangerous one to the life of the Republic. It was not done out in the open. It was done in a masterful way, and in secret.

My colleague may be of the opinion that Bankhead was elected. I do not see how he can be of that opinion in view of what he saw in physical appearances before him every day, all over the States, for three months—three months. For the last three weeks of the campaign I was addressing these audiences out in the State of three and four thousand, 10,000 in Birmingham, 12,000 in Montgomery, and 10,000 at Mobile. I polled the audiences for three weeks. When I finished I said, "All of you who are going to vote for me hold up your hands"; and you never saw the like of the hands that went up—practically everybody. Then I said, "All of you who are going to vote for Mr. BANKHEAD hold up your hands"; and frequently there were none; sometimes one; never over a half dozen; less than a hundred in three weeks. That is what occurred in my State.

I am not reflecting upon the people of Alabama. I love them and I am defending them. I am defending their right to cast their ballots as they choose and have them counted as cast. That is all I am asking.

What do you suppose Mr. Bankhead said when he asked for this investigation? That request for this investigation did not come from his heart. It was like Mr. Davis's statement, made for the purpose of keeping down an investigation. Do you not know that that statement does not sound like it wants an investigation, although it says it does? All this is done to keep you from backing me and having an investigation. They want to cover up this thing. They want to say to you, "Why, Bankhead himself is asking for it." Yes; he is, with a vengeance—and the others down there. "Why, even Davis says he is defeated." Yes; he said that after the primary; but in the first speech he made he was so mad that he never even mentioned the name of the candidate who beat him in the primary, or who got the benefit of the choice, nor Bankhead's name.

Mr. Bankhead, in his statement to the committee, if I recall correctly, said—listen to this: "Senator HEFLIN had representatives in the ballot box wherever he had a known follower." What do you think of that? A candidate is entitled to representation in every box. In many boxes I had no representation; and at many boxes the watchers were not permitted to stand behind the man who called off the tickets and watch to see if he was calling them off properly.

Here is just an incident. I am not going into the details. The daughter of a former chief justice of the supreme court of my State wrote me a letter the other day in Birmingham, the home of my colleague. She said that when she voted her number was 330, and the returning officer returned 167 votes polled at that place. It was a big box, and she voted, and her number was 330.

I am not reflecting on the people of my State. God bless them! They stood by me and elected me against all the machinery that could be had. They even marshaled every candidate for Congressman and my colleague, 11 of them on the stump; and over that State such a tidal wave of the party has never swept. Why, I spoke one night at Sylacauga, and my colleague spoke 17 miles away from there at Good Water. I addressed 3,500 people, and he had 243. I had them counted, and had the message sent to me. That is what went on in the State.

I know what has transpired. All I want is an investigation. If Mr. Bankhead says he wants it, then why not have it? I do not think he wants it. I do not think Bill Davis wants it. Of course, it is all over with Bill Davis, and he is one of the victims. He told the truth in that statement. He is one of the victims.

Senators, they used expressions like this: "HEFLIN is going to win. You can not keep him from winning." "That is all right. We are going to elect him. You cast the votes, and we will count them." We will show that.

Since this has been gone into, let me tell you what was said to a former member of the legislature of my State after the election of 1928. I have said here before that they stole the election for Al Smith in Alabama, and they did. In my judgment, if the people had just been let alone, every Southern State would have gone against Smith—every one. But this member of the legislature, who supported Hoover against Smith, was in Montgomery in the Exchange Hotel, talking to a Democrat from south Alabama, and a gentleman walked up and shook hands with this fellow and said, "My hat is off to you. You saved the State. You carried it for Smith." This fellow said, "Yes; I guess you know we had to steal it."

Mr. President, so help me God, I am going to have my State done with ballot-box thieves; and I am not reflecting upon the people of my State. I am fighting for them. I want the men and women who went to the polls to have their votes counted as they were cast. If the count discloses that I was defeated, I will accept it manfully; but until the facts show it I will not believe that I did not defeat John Bankhead by 100,000 majority.

No, Mr. President; I am not reflecting upon the people of my State. The people of my State believe in fair elections, and I am going to help to get them. I believe we can convict 100 men in one county. I will not call the name of the county, but I believe that we can convict a hundred of them.

What would you think if I were to tell you that they marked their ticket before they handed it to the voter in some places? An honest voter, with our emblem over in the righthand corner and theirs in the left, goes in there and marks his ticket, and folds it up and hands it in; and when they take it out they say, "Look there! He has voted both tickets. Therefore you can not count that ballot." I tell you that that was done in my State. Is that a fair election?

The people in my State do not approve that sort of thing. I do not approve it. If they had defeated me honestly, they would have been rejoicing all over the State next day; but do you know what the situation was? It was like Sunday. Everything was quiet. There was no rejoicing anywhere. I asked a man, "How do you account for that?" He said, "Did you ever see a fellow going down the street with stolen goods hollering, saying he had them?" They knew they had stolen goods.

Mr. President, I am doing this in the interest of clean and fair elections. If you go into this thing, you will have some things disclosed to you that you do not know about in politics. You will have some things disclosed to you that will be of value in 1932 in the presidential campaign.

Mr. CARAWAY. Mr. President, may I ask the Senator a question?

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Arkansas?

Mr. HEFLIN. I yield to the Senator.

Mr. CARAWAY. I am not projecting myself into this controversy; but I wish to ask a question, because I have read the resolution under which the Nye committee has been functioning. I seriously doubt if it has the authority to impound the ballots and count them, and I desire to call the Senator's attention to that. If he wants the ballots counted he had better ask for authority to do it, because I do not think the Nye committee has any authority to do it.

Mr. HEFLIN. I thank the Senator. I have thought about that to some extent. I think myself they have the authority, but the Senator may be right. If they have not the authority, I understand that the Senator from Nebraska [Mr. NORRIS] will probably offer an amendment giving them the authority. They ought to have the authority to go into every ballot box everywhere where there was fraud and corruption.

The idea of empowering the committee to trail fraud and corruption to the ballot box, and stop there. It is ridiculous. If there is fraud and corruption in the box, the committee ought to be permitted to go into the box.

Mr. President, the ballot box is the ark of the covenant in our political affairs, and if people can tamper with that and nominate men and elect men by methods which are crooked and corrupt, we have reached a dangerous point in the life of our country.

I am asking for a clean and fair election in my State. I know how that State went. I have canvassed it for 30 years. I have never had such multitudes as I had in the last campaign. There has never been a campaign like it, where the verdict was foretold as clearly as it was in my State.

Let me bring this to the attention of the Senate before I take my seat: In 1920, when I was a candidate in the primaries, the newspaper boys wrote down there, as they do in the various States, to find out just what was going to happen in the primary. They prognosticated my nomination. They said they had consulted various sources, and that I would be nominated. I was nominated. During the last primary they did the same thing, and they prognosticated my nomination. Even Mr. Bargeron said that I would win as certainly as that the sun rises in the east and sets in the west. And then my opponent turned up with 50,000 majority!

Senators, let me tell you something about that ballot-box bunch in my State. I am not reflecting upon the people of my State, only upon those who behind the scenes secretly stole the election from the people of my State. They are the people about whom I am talking. You will find out something about them and their tactics when you make this investigation.

If this investigation does not disclose that the election was stolen by from 50,000 to 100,000, I will be the worst-mistaken man in the world. They could have given this man 75,000 majority just as easily as they gave him 50,000. It is said that they intended to give him but 10,000, but they were afraid that if I investigated I would get behind 10,000. Then the suggestion came, "If you make it 50,000, Senator HEFLIN will just drop it and will not go behind it." But they do not know me. I know they could make it 50,000 as easily as they could make it 10,000, and I know as well as I know anything that I won that election in Alabama and won it by the biggest majority any Senator ever received in that State. I won it over Raskob's money, and you will find a chunk of it down there that will startle you. You will find him mixed up in the primary in my State. Talk about owning the party! His edict went forth that I was to be read out of the party in Alabama, and they read me out. Then I took the cause to the people, and there has never been such a response amongst the masses in my lifetime as I had in Alabama. Then it winds up by this man getting 50,000 majority, a man who was supported by the Power Trust. You will find something interesting along that line if you make this investigation.

Mr. President, I must tell a story. Mr. Bankhead said, "Come on with the investigation. Go all around and investigate." Even my colleague says he wants a thorough investigation. I thank him from the bottom of my heart for his enthusiastic cooperation! [Laughter.]

Old Truman, a fine old negro from Hot Springs, Ark., told me about a negro who lived down in an open field by himself. He had a cabin with one room to it. A farmer missed a shoat weighing 90 pounds. They searched high and low and could not find it. Finally, the sheriff said to his deputy, "Let's go over to old Rastus's house. Do you reckon he could have stolen it?" The deputy said, "He may have." They went over there and found Rastus sitting in the middle of the floor rocking a little pine cradle. He had quilts tucked in at head, foot, and sides and he was sitting there rocking it:

Little baby, don't you cry;
You'll be an angel by and by.

They walked in and said: "Rastus, Mr. Jones lost a shoat, and we are looking for it."

He said: "Dere you go accusin' the old nigger of stealing. That's mighty hard on him. But I welcomes a search. Just go ahead and search around all you please. It hurts my heart to think you accuse me like that, because I don't believe in stealing at all. But go ahead and make your search, gentlemen, just go ahead." They went around and searched in the closets and around the house, but they did not find the hog. They came up and said: "What have you in that cradle?" He said: "It's my baby, and he's got pneumonia. If the air hits him, he's gone. I can't let the air hit him." They said: "Let's see him." He said: "No, sir. The minute you put the air to him he's gone." They said: "Well, we are going to see him." He said: "Well, don't let me see it. I don't want to see my baby die. Let me get out of here." While they were pulling the quilts back old Rastus beat it across the field, moving with the speed of the wind. But when they pulled the quilts back, there was old Rastus's baby, Mr. Jones's shoat. [Laughter.]

Make this investigation in Alabama and we will take the quilts off of their baby.

Mr. CARAWAY. Mr. President, will the Senator yield?

Mr. HEFLIN. I yield.

Mr. CARAWAY. I knew that old negro. He came from over in Alabama, and he had just been in Arkansas a week. [Laughter.]

INTERIOR DEPARTMENT APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 14675) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes.

The VICE PRESIDENT. The question is on agreeing to the amendment on page 68, line 21.

The amendment was agreed to.

The next amendment was, on page 68, line 25, to strike out "$45,000" and insert in lieu thereof "$45,500," so as to read:

The sum of $93,500 is hereby appropriated out of the principal funds to the credit of the Confederated Bands of Ute Indians, the sum of $48,000 of said amount for the benefit of the Ute Mountain (formerly Navajo Springs) Band of said Indians in Colorado, and the sum of $45,500 of said amount for the Uintah, White River, and Uncompahgre Bands of Ute Indians in Utah, which sums shall be charged to said bands, and the Secretary of the Interior is also authorized to withdraw from the Treasury the accrued interest to and including June 30, 1931, on the funds of the said Confederated Bands of Ute Indians appropriated under the act of March 4, 1913 (37 Stat. 934), and to expend or distribute the same for the purpose of administering the property of and promoting self-support among the said Indians, under such regulations as the Secretary of the Interior may prescribe: *Provided*, That none of the funds in this paragraph shall be expended on road construction unless preference shall be given to Indians in the employment of labor on all roads constructed from the sums herein appropriated from the funds of the Confederated Bands of Utes.

The amendment was agreed to.

The next amendment was, under the heading "Bureau of Reclamation," on page 77, line 18, after the figures "1931," to strike out "for cleaning up Jackson Lake Reservoir in Wyoming, in cooperation with the National Park Service, $50,000, either by direct expenditure or by transfer to the National Park Service to be available until expended: *Provided*, That the expenditure from the reclamation fund for such clean-up shall not be charged as a part of the construction or operation and maintenance cost payable by the water users under the project, but shall be offset and recouped from revenues from the rentals of storage from the reservoir: *Provided further*," so as to read:

Minidoka project, Idaho: For operation and maintenance, reserved works, $29,000; continuation of construction gravity extension unit, $250,000, together with the unexpended balance of the appropriation for this purpose for the fiscal year 1931.

Mr. KENDRICK. Mr. President, I want to offer just a word of explanation about this amendment.

It will be observed that this appropriation is to be employed in removing the dead timber from Jackson Lake. When the bill was under consideration by the committee this item was stricken out on my motion. I had no objection at the time, and certainly have no objection now, to the removal of this timber; in fact, this work should have been done many years ago, and by those who were responsible for the situation. I did object to the plan and the language in the item as proposed.

For the information of the Senate, I will explain briefly. Originally Jackson Lake was both in itself and in its surroundings one of the gems among Rocky Mountain lakes. The present situation was developed through the action of promoters of an irrigation project located across the line in the State of Idaho. In order to increase the storage capacity of the lake, the water line was raised to a much higher level than the original line. As a result of this hundreds of acres of beautiful timber, which in its original state grew down to the very edge of the the lake, were flooded and killed. This timber has since fallen, and it is estimated that a thousand acres of dead, water-soaked timber continues to drift back and forth across the lake, like a vast, unsightly derelict, desecrating the landscape; it is an offense to the eye and outrage not only upon those who live in that section but upon thousands of visitors who annually pass that way.

This is the result of reclamation work, and it would seem to be the duty of those responsible for the evil to correct the same. It will be noted on page 77, line 18, that the provision in the bill as it came from the House was as follows:

For cleaning up Jackson Lake Reservoir in Wyoming, in cooperation with the National Park Service, $50,000, either by direct expenditure or by transfer to the National Park Service, to be available until expended: *Provided*, That the expenditure from the reclamation fund for such clean-up shall not be charged as a part of the construction or operation and maintenance cost payable by the water users under the project, but shall be offset and recouped from revenues from the rentals of storage from the reservoir.

In this connection it may be worth while to state that Jackson Lake, while very near to the Teton National Park, is not included in the park. Moreover, Mr. President, the people of Wyoming are strongly opposed to any further park extension in our State. They believe that they have contributed not merely generously, but magnificently, to the Nation's system of playgrounds. Because of the definite views on this subject held by the people of Wyoming, and because of what occurred in a recent discussion of the question, I am unwilling to permit any action here that would becloud the issue or prejudice the situation in favor of park extension.

Since action was taken by the committee I have had an opportunity to discuss the matter personally with the Hon. Horace M. Albright, Director of our National Park Service, and he has assured me the language used was without significance, except that the Reclamation Bureau had requested him to cooperate in the removal of this timber purely on the ground of economic results in prosecuting the work.

In the light of this information, I now withdraw my objection, and move that the two amendments, which are correlated, the one on page 77, beginning at line 18 and extending to the first two words in line 3 on page 78, and the amendment on page 97, beginning with line 18 and extending to line 23, be restored to the bill.

Mr. SMOOT. Mr. President, so that I may understand the request of the Senator, if we disagree to this amendment on page 77, does the Senator desire that we disagree to the amendment on page 97?

Mr. KENDRICK. I do. The two amendments are correlated.

Mr. SMOOT. Then I ask that the Senate disagree to the amendment on page 77.

Mr. KING. Mr. President, I would like to ask the Senator from Wyoming a question. I have had some protests against what is claimed to be the unfair and progressive movement upon the part of the National Park Service to incorporate within some Federal park territory within the State of Wyoming. I understand that quite recently an effort was made to have incorporated within a Federal park some territory which the people of the Senator's State were very much opposed to. Is that involved at all in this matter?

Mr. KENDRICK. If it is not involved, there was good reason for the assumption that it was involved, and that is why I had the provision stricken out in the committee when we were considering it. The senior Senator from Utah has moved to have the provision reinstated, and I ask that the motion be agreed to.

Mr. KING. The statement made to me by the Director of the National Park Service is, in effect, that the only purpose in asking the cooperation of the park authorities is because of the fact that they are situated very near the lake involved, and the object to be attained is to secure economical results in removing the timber.

Mr. FLETCHER. Mr. President, may I ask the Senator just one question? He spoke about the raising of the level of the lake causing the destruction of the timber. Was that a Government operation?

Mr. KENDRICK. It was originally a private operation. It was originated by a private company and later on the Government took it over and it is now a Government reclamation project; that is to say, the reservoir provides water for people in another State. As I have already said, it constituted for years and years an imposition on the people of my State. It ought never to have been allowed to stay there more than long enough to take off the timber. I am informed by no less a person than the superintendent of parks that it is his judgment that if it had been done in advance, the timber could have been removed for a cost not to exceed $10,000. As I have already said, it should have been done years ago. I am willing for it to be done now with that kind of an understanding.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was rejected.

Mr. KENDRICK. Did the Senator from Utah move to reinstate the item?

Mr. SMOOT. No; we merely disagreed to the amendment. By disagreeing to the amendment the item is reinstated. The same amendment on page 97 should be rejected. Let it be stated now.

The CHIEF CLERK. On page 97, line 17, after the word "work," the committee proposes to strike out "including not exceeding $50,000 for cleaning up Jackson Lake in cooperation with the Bureau of Reclamation, either by direct expenditure or by transfer to the reclamation fund for expenditure under the direction of the Commissioner of Reclamation for the purposes for which appropriated, said amount for such clean-up to remain available until expended, $76,100" and insert "$26,230."

Mr. BRATTON. That amendment should be disagreed to.

Mr. SMOOT. Yes; I desire that that amendment be rejected.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was rejected.

The next amendment of the Committee on Appropriations was, on page 78, line 9, to strike out "$329,000" and insert "$279,000," so as to make the proviso read:

Provided, That not to exceed $50,000 from the power revenues shall be available during the fiscal year 1932 for the operation of the commercial system and not to exceed $125,000 from power revenues shall be available during the fiscal year 1932 for continuation of construction, south side division; in all, $279,000.

The amendment was agreed to.

The next amendment was, on page 84, line 18, to reduce the total appropriation from the reclamation fund from $6,971,000 to $6,921,000.

The amendment was agreed to.

The next amendment was, under the heading "Geological Survey, salaries," on page 86, at the end of line 4, to strike out "$150,000" and insert "$150,080," so as to read:

For the Director of the Geological Survey and other personal services in the District of Columbia, $150,080.

The amendment was agreed to.

The next amendment was, on page 87, line 7, to increase the appropriation for topographic surveys in various portions of the United States from $780,000 to $790,000.

The amendment was agreed to.

The next amendment was, on page 88, line 5, to increase the appropriation for continuation of the investigation of the mineral resources of Alaska from $84,500 to $85,000.

The amendment was agreed to.

The next amendment was, on page 88, line 15, after the words "in all," to strike out "$711,000" and insert "$720,000," so as to read:

For gaging streams and determining the water supply of the United States, the investigation of underground currents and artesian wells, and the preparation of reports upon the best methods of utilizing the water resources, $672,000; for operation and maintenance of the Lees Ferry, Ariz., gaging station and other base-gaging stations in the Colorado River drainage, $48,000; in all, $720,000, of which amount not to exceed $160,000 may be expended for personal services in the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 89, at the end of line 10, to strike out "$199,000" and insert "$200,000," so as to read:

For the examination and classification of lands with respect to mineral character, water resources, and agricultural utility as required by the public land laws and for related administrative operations; for the preparation and publication of land classification maps and reports; for engineering supervision of power permits and grants under the jurisdiction of the Secretary of the Interior; and for performance of work of the Federal Power Commission, $200,000, of which amount not to exceed $125,000 may be expended for personal services in the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 90, line 4, after the word "thereto," to strike out "$270,000" and insert "$275,000," so as to make the paragraph read:

For the enforcement of the provisions of the acts of October 20, 1914 (U. S. C., title 48, sec. 435), October 2, 1917 (U. S. C., title 30, sec. 141), February 25, 1920 (U. S. C., title 30, sec. 181), and March 4, 1921 (U. S. C., title 48, sec. 444), and other acts relating to the mining and recovery of minerals on Indian and public lands and naval petroleum reserves; and for every other expense incident thereto, including supplies, equipment, expenses of travel and subsistence, the construction, maintenance, and repair of necessary camp buildings and appurtenances thereto, $275,000, of which amount not to exceed $40,000 may be expended for personal services in the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 91, line 11, before the word "mapping," to strike out "topographic," so as to read:

During the fiscal year 1932, upon the request of the Secretary of the Interior, the Secretary of War or the Secretary of the Navy is authorized to furnish aerial photographs required for mapping projects, in so far as the furnishing of such photographs will be economical to the Federal Government and does not conflict with military or naval operations or the other parts of the regular training program of the Army, Navy, and Marine Corps flying services, and the Secretary of the Interior is authorized to reimburse the War or Navy Department for the cost of making the photographs, such cost to be confined to the actual cost of gasoline, oil, film, paper, chemicals, and the labor performed in developing the photographic negatives and the printing of copies of photographs, and the per diem expenses of the personnel authorized by law, together with such incidental expenses as care and minor repairs to plane and transportation of personnel to and from projects, and the War Department or the Navy Department, on the request of the Department of the Interior, is authorized to furnish copies to any State, county, or municipal agency cooperating with the Federal Government in the mapping project for which the photographs were taken. In the event that the Director of the Geological Survey deems it advantageous to the Government, the Geological Survey is authorized to contract with civilian aerial photographic concerns for the furnishing of such photographs.

The amendment was agreed to.

The next amendment was, on page 92, at the end of line 15, to increase the total appropriation for the Geological Survey from $3,132,740 to $3,158,320.

Mr. SMOOT. Mr. President, the two amendments which were rejected make it necessary that this total be corrected.

The VICE PRESIDENT. Without objection, the clerk will correct the total.

The next amendment was, under the heading "National Park Service," on page 93, line 8, after the figures "1883," to strike out "$167,400" and insert "$167,770," so as to make the paragraph read:

For the Director of the National Park Service and other personal services in the District of Columbia, including accounting services in checking and verifying the accounts and records of the various operators, licensees, and permittees conducting utilities and other enterprises within the national parks and monuments, and including the services of specialists and experts for investigations and examinations of lands to determine their suitability for national park and national monument purposes and members of the commission appointed under the provisions of the act of February 21, 1925 (43 Stat. 959): *Provided*, That such specialists and experts may be employed for temporary service at rates to be fixed by the Secretary of the Interior to correspond to those established by the classification act of 1923, as amended, and without reference to the civil service act of January 16, 1883, $167,770, of which amount not to exceed $22,500 may be expended for the services of field employees engaged in examination of lands and in developing the educational work of the National Park Service.

The amendment was agreed to.

The next amendment was, on page 94, line 2, after the word "including," to strike out "$3,000" and insert "$3,100"; in line 10, after the word "work," to strike out "$53,600" and insert "$53,900"; and at the end of line 14, to strike out "$61,600" and insert "$61,900," so as to make the paragraph read:

Acadia National Park, Me.: For administration, protection, and maintenance, including $3,100 for George B. Dorr as superintendent, $3,000 for temporary clerical services for investigation of titles and preparation of abstracts thereof of lands donated to the United States for inclusion in the Acadia National Park, and not exceeding $3,100 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $53,900; for the construction of physical improvements, $8,000, of which not exceeding $1,600 shall be available for one ranger cabin, $600 for a shelter cabin, and $5,800 for improvements to the Homan's residence; in all, $61,900.

The amendment was agreed to.

The next amendment was, on page 94, line 20, after the word "work," to strike out "$10,300" and insert "$10,420," and in line 23, after the words "in all," to strike out "$20,000" and insert "$20,120," so as to make the paragraph read:

Bryce Canyon National Park, Utah: For administration, protection, and maintenance, including not exceeding $300 for the maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with the general park work, $10,420; for construction of physical improvements, $9,700, of which $5,000 shall be available for a dormitory, $2,500 for a mess house, $1,200 for employees' quarters; in all, $20,120.

The amendment was agreed to.

The next amendment was, on page 95, line 5, after the word "work," to strike out "$93,000" and insert "$93,140," and in line 11, after the words "in all," to strike out "$150,100" and insert "$150,240," so as to read:

Carlsbad Caverns National Park, N. Mex.: For administration, protection, and maintenance, including $5,000 for water-supply investigations and necessary tests and not exceeding $300 for the maintenance, operation, and repair of motor-driven passenger-

carrying vehicles for the use of the superintendent and employees in connection with general park work, $93,140; for construction of physical improvements, $57,100, including $25,000 for surface structure for passenger elevator, and not exceeding $22,100 for the construction of buildings, of which not exceeding $3,600 shall be available for an equipment shed, $8,600 for three employees' quarters, and $5,200 for a bunk house; in all, $150,240.

The amendment was agreed to.

The next amendment was, on page 95, line 22, after the name "Crater Lake National Park," to strike out "$52,300" and insert "$52,720," and on page 96, line 3, after the words "in all," to strike out "$106,900" and insert "$107,320," so as to read:

Crater Lake National Park, Oreg.: For administration, protection, and maintenance, including not exceeding $2,000 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, and including $1,000 for the purchase from Will G. Steel of historical scrapbooks relating to Crater Lake National Park, $52,720; for construction of physical improvements, $54,600, of which not exceeding $30,000 shall be available for electric power development, and including not exceeding $7,500 for the construction of buildings, of which $2,200 shall be available for an employees' quarters, $2,000 for a comfort station, $3,000 for an addition to a utility unit; in all, $107,320.

The amendment was agreed to.

The next amendment was, on page 96, line 5, after the word "maintenance," to strike out "$17,100" and insert "$17,220," and in line 8, after the words "in all," to strike out "$21,900" and insert "$22,020," so as to read:

General Grant National Park, Calif.: For administration, protection, and maintenance, $17,220; for construction of physical improvements, $4,800, of which not exceeding $1,900 shall be available for a comfort station; in all, $22,020.

The amendment was agreed to.

The next amendment was, on page 96, line 13, after the word "work," to strike out "$210,000" and insert "$210,740," and in line 22, after the words "in all," to strike out "$256,500" and insert "$257,240," so as to make the paragraph read:

Glacier National Park, Mont.: For administration, protection, and maintenance, including necessary repairs to the roads from Glacier Park Station through the Blackfeet Indian Reservation to various points in the boundary line of the Glacier National Park and the international boundary, including not exceeding $1,300 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $210,740; for construction of physical improvements, $46,500, including not exceeding $19,300 for the construction of buildings, of which not exceeding $3,500 shall be available for a ranger station, $6,600 for four comfort stations, $1,500 for a shelter cabin; in all, $257,240.

The amendment was agreed to.

The next amendment was, on page 97, line 4, after the word "work," to strike out "$131,500" and insert "$132,520," and in line 11, to strike out "$172,200" and insert "$173,220," so as to make the paragraph read:

Grand Canyon National Park, Ariz.: For administration, protection, and maintenance, including not exceeding $2,500 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $132,520; for construction of physical improvements, $40,700, including not exceeding $27,400 for the construction of buildings, of which not exceeding $11,700 shall be available for three employees' quarters, $1,900 for a comfort station, $1,300 for completion of a ranger station, $3,500 for a bunkhouse, $3,500 for a mess house, $1,500 for a barn and equipment shed; in all, $173,220.

The amendment was agreed to.

The next amendment was, on page 97, in line 24, after the words "in all," to strike out "$76,750" and insert $26,870," so as to make the paragraph read:

Grand Teton National Park, Wyo.: For administration, protection, and maintenance, including not exceeding $650 for the maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, including not exceeding $50,000 for cleaning up Jackson Lake in cooperation with the Bureau of Reclamation either by direct expenditure or by transfer to the reclamation fund, for expenditure under the direction of the commissioner of reclamation for the purposes for which appropriated, said amount for such clean up to remain available until expended, $76,100; for construction of physical improvements, $650; in all, $26,870.

Mr. SMOOT. That total should be corrected.

The VICE PRESIDENT. Without objection, the clerk will be authorized to correct the total.

The next amendment was, on page 98, line 15, after the word "work," to strike out "$34,700" and insert "$35,000," and at the end of line 19 to strike out "$54,600" and insert "$54,900," so as to make the paragraph read:

Hawaii National Park: For administration, protection, and maintenance, including not exceeding $600 for the maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $35,000; for construction of physical improvements, $19,900, of which not exceeding $6,600 shall be available for two employees' quarters, $8,800 for an administration building, $4,500 for a residence for the United States commissioner; in all, $54,900.

The amendment was agreed to.

The next amendment was, on page 98, line 25, after the word "work," to strike out "$85,300" and insert "$86,340," and on page 99, line 3, to strike out "$89,300" and insert "$90,340," so as to make the paragraph read:

Hot Springs National Park, Ark.: For administration, protection, maintenance, and improvement, including not exceeding $1,830 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $86,340; for construction of physical improvements, $4,000, of which $3,500 shall be available for an employee's quarters; in all, $90,340.

The amendment was agreed to.

The next amendment was, on page 99, line 9, after the word "work," to strike out "$31,300" and insert "$31,480," and in line 14 to strike out "$50,300" and insert "$50,480," so as to make the paragraph read:

Lassen Volcanic National Park, Calif.: For administration, protection, and maintenance, including not exceeding $200 for the maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $31,480; for construction of physical improvements, $19,000, including not exceeding $3,300 for an employee's quarters, $1,650 for an equipment shed, $1,650 for a barn, $8,900 for water and sewer systems, and not exceeding $500 for continuation of a telephone line; in all, $50,480.

The amendment was agreed to.

The next amendment was, on page 99, line 20, after the word "work," to strike out "$53,000" and insert "$53,200," and at the end of line 23 to strike out "$57,300" and insert "$57,500," so as to make the paragraph read:

Mesa Verde National Park, Colo.: For administration, protection, and maintenance, including not exceeding $1,775 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $53,200; for construction of physical improvements, $4,300, of which $2,500 shall be available for employees' quarters, $1,200 for an addition to the ranger's quarters; in all, $57,500.

The amendment was agreed to.

The next amendment was, on page 99, line 25, after the word "maintenance," to strike out "$28,000" and insert "$28,120," and on page 100, line 2, to strike out "$31,100" and insert "$31,220," so as to make the paragraph read:

Mount McKinley National Park, Alaska: For administration, protection, and maintenance, $28,120; for construction of physical improvements, $3,100; in all, $31,220.

The amendment was agreed to.

The next amendment was, on page 100, line 6, after the word "work," to strike out "$137,600" and insert "$138,020," and at the end of line 13, to strike out "$195,000" and insert "$195,420," so as to make the paragraph read:

Mount Rainier National Park, Wash.: For administration, protection, and maintenance, including not exceeding $2,700 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $138,020; for construction of physical improvements, $57,400, including not exceeding $22,800 for the construction of buildings, of which not

exceeding $1,200 shall be available for completion of a checking station, $5,500 for two employees' quarters, $14,800, for five comfort stations; in all, $195,420.

The amendment was agreed to.

The next amendment was, on page 101, line 6, after the word "work," to strike out "$95,000" and insert "$95,500," and in line 11, after the words "in all," to strike out "$118,800" and insert "$119,300," so as to make the paragraph read:

Rocky Mountain National Park, Colo.: For administration, protection, and maintenance, including not exceeding $2,100 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $95,500; for construction of physical improvements, $23,800, including not exceeding $16,800 for the construction of buildings, of which not exceeding, $4,400 shall be available for road camp buildings, $4,800 for an employees' quarters, $3,000 for two shelter cabins, $2,000 for a ranger station; in all, $119,300.

The amendment was agreed to.

The next amendment was, on page 101, line 18, after the word "work," to strike out "$112,300" and insert "$112,960," and in line 25, to strike out "$156,900" and insert "157,560," so as to make the paragraph read:

Sequoia National Park, Calif.: For administration, protection, and maintenance, including not exceeding $2,600 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $112,960; for construction of physical improvements, $44,600, including not exceeding $16,500 for the construction of buildings, of which not exceeding $4,200 shall be available for an employees' quarters, $2,700 for two comfort stations, $4,800 for a ranger cabin, $2,000 for an addition to the superintendent's residence, $2,000 for completion of the administration building; in all, $157,560.

The amendment was agreed to.

The next amendment was, on page 102, line 6, after the word "work," to strike out "$18,000" and insert "$18,180," and at the end of line 9, to strike out "$25,200" and insert "$25,380," so as to make the paragraph read:

Wind Cave National Park, S. Dak.: For administration, protection, and maintenance, including not exceeding $800 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $18,180; for construction of physical improvements, $7,200, including not exceeding $3,000 for the construction of a mess house, $3,500 for an employees' quarters, $700 for a garage; in all, $25,380.

The amendment was agreed to.

The next amendment was, on page 102, line 22, after the words "buffalo keepers," to strike out "$462,800" and insert "$466,580," and on page 103, at the end of line 6, to strike out "$560,800" and insert "$564,580," so as to make the paragraph read:

Yellowstone National Park, Wyo.: For administration, protection, and maintenance, including not exceeding $7,700 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, not exceeding $8,400 for maintenance of the road in the national forest leading out of the park from the east boundary, not exceeding $7,500 for maintenance of the road in the national forest leading out of the park from the south boundary, and including feed for buffalo and other animals and salaries of buffalo keepers, $466,580; for construction of physical improvements, $98,000, including not exceeding $59,000 for extension of water and sewer systems, not exceeding $5,000 for auto camps, and not exceeding $32,000 for the construction of buildings, of which not exceeding $1,800 shall be available for a comfort station, $2,300 for a mess house, $1,700 for a bunk house, $4,800 for an incinerator, $4,000 for an addition to Lake Ranger Station, $2,800 for a checking station, $13,000 for two employees' quarters; in all, $564,580.

Mr. KING. Mr. President, I have had a number of complaints—whether justified or not I do not pretend to state—with reference to the methods employed in handling the park, complaints as to extravagance and waste. There have been complaints alleging that charges have been too great and obstacles have been interposed to free access to the park; that concessions have been made, all of which it was contended were against the best interests of the public and harmful to the best use of the park for the great mass of the people. I want to ask my colleague whether the committee, in the consideration of the appropriation bill, examined into the appropriation and the justification for the very large amount asked?

Mr. SMOOT. I will say to my colleague that this is the first intimation I have had that there was any complaint as to Yellowstone Park. We did not ask the director whether there had been any complaint. If I had known anything about it, I should have taken pleasure in asking him about it. But this is the first intimation I have had that there was complaint.

Mr. WALSH of Montana. Mr. President, will the Senator indicate the nature of the complaint?

Mr. KING. The complaints were that there were too many employees during the season; that persons who went into the park were denied privileges to which they thought they were entitled; that camping restrictions were too severe; that concessions were made which operated to the disadvantage of the general public that might desire to go there; that it was kind of a monopoly.

Mr. WALSH of Montana. With respect to the number of employees, they are of the hotel company and not of the Government.

Mr. KING. I am inclined to think some of the complaints ought to have been lodged rather against the transportation company. Indeed, some of them were. It was complained that concessions were given to the transportation company or companies showing a sort of favoritism.

Mr. WALSH of Montana. Of course, the concessions are, as a matter of fact, a monopoly. I have, myself, been opposed to that policy, but it seems to be thoroughly determined and established and adhered to by the department.

Mr. KING. I think most of the complaints which have come to me—and they have been rather numerous—were based upon the theory that a monopoly existed, and there was a protest against it.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

The next amendment of the Committee on Appropriations was, on page 103, line 22, after the word "features," to strike out "$324,000" and insert "$327,440," and on page 104, at the end of line 11, to strike out "$558,600" and insert "$562,040," so as to make the paragraph read:

Yosemite National Park, Calif.: For administration, protection, and maintenance, including not exceeding $3,100 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, not exceeding $3,200 for maintenance of that part of the Wawona Road in the Sierra National Forest between the park boundary 2 miles north of Wawona and the park boundary near the Mariposa Grove of Big Trees, not exceeding $2,000 for maintenance of the road in the Stanislaus National Forest Connecting the Tioga Road with the Hetch Hetchy Road near Mather Station, and including necessary expenses of a comprehensive study of the problems relating to the use and enjoyment of the Yosemite National Park and the preservation of its natural features, $327,440; for construction of physical improvements, $234,600, including not exceeding $41,300 for the construction of buildings, of which not exceeding $7,000 shall be available for a doctor's residence for the Lewis Memorial Hospital, $7,000 for an employee's residence, $4,800 for a dentist's residence, $2,000 for a garage, $4,800 for a bunk house, $5,200 for two comfort stations, not exceeding $7,800 for extension of telephone system, not exceeding $30,000 for extension and improvement of electric system including a substation, and $53,000 for development of Mariposa Grove, including water supply, to connect with near-by springs located on privately owned land within the Sierra National Forest, sewer and sanitation system, two comfort stations, and camp-ground development; in all, $562,040.

The amendment was agreed to.

The next amendment was, on page 104, line 17, after the word "work," to strike out "$41,000" and insert "$41,480," and at the end of line 21 to strike out "$54,100" and insert "$54,580," so as to make the paragraph read:

Zion National Park, Utah: For administration, protection, and maintenance, including not exceeding $1,200 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $41,480; for construction of physical improvements, $13,100, including not exceeding $8,200 for the construction of buildings, of which not exceeding $5,000 shall be available for an employees' quarters, $1,800 for a comfort station; in all, $54,580.

The amendment was agreed to.

The next amendment was, on page 105, line 2, after the word "work," to strike out "$66,500" and insert "$66,920," and in line 8, after the words "in all," to strike out "$165,400" and insert "$165,820," so as to read:

National monuments: For administration, protection, maintenance, and preservation of national monuments, including not exceeding $1,650 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the custodians and employees in connection with general monument work, $66,920; for construction of physical improvements, $98,900, of which not exceeding $20,900 shall be available for six employees' quarters, $4,000 for two comfort stations, $40,000 for the erection of a cover over the Casa Grande Ruins, $20,000 for two administration buildings, $3,000 for four or more implement sheds, $1,500 for a shelter cabin; in all, $165,820.

The amendment was agreed to.

The next amendment was, under the heading "Office of Education, salaries," on page 111, at the end of line 9, to strike out "$280,000" and insert "$284,500," so as to read:

For the Commissioner of Education and other personal services in the District of Columbia, $284,500.

The amendment was agreed to.

The next amendment was, under the heading "Government in the Territories, Territory of Alaska," on page 114, line 9, after the words "in all," to strike out "$14,300" and insert "$14,424," so as to read:

For incidental and contingent expenses of the offices of the governor and of the secretary of the Territory, clerk hire, not to exceed $5,700; janitor service for the governor's office and the executive mansion, not to exceed $3,000; traveling expenses of the governor while absent from the capital on official business and of the secretary of the Territory while traveling on official business under direction of the governor; repair and preservation of governor's house and furniture; for care of grounds and purchase of necessary equipment; stationery, lights, water, and fuel; in all, $14,424, to be expended under the direction of the governor.

The amendment was agreed to.

The next amendment was, on page 116, line 22, after the figures "1932," to strike out the comma and "and no one other than the general manager of said railroad shall be paid an annual salary out of this fund of more than $6,000," so as to read:

The Alaska Railroad: For every expenditure requisite for and incident to the authorized work of the Alaska Railroad, including maintenance, operation, and improvements of railroads in Alaska; maintenance and operation of river steamers and other boats on the Yukon River and its tributaries in Alaska; operation and maintenance of ocean-going or coastwise vessels by ownership, charter, or arrangement with other branches of the Government service, for the purpose of providing additional facilities for the transportation of freight, passengers, or mail, when deemed necessary, for the benefit and development of industries and travel affecting territory tributary to the Alaska Railroad; stores for resale; payment of claims for losses and damages arising from operations, including claims of employees of the railroad for loss and damage resulting from wreck or accident on the railroad, not due to negligence of the claimant, limited to clothing and other necessary personal effects used in connection with his duties and not exceeding $100 in value; payment of amounts due connecting lines under traffic agreements; payment of compensation and expenses as authorized by section 42 of the injury compensation act approved September 7, 1916 (U. S. C., title 5, sec. 793), to be reimbursed as therein provided, $1,000,000, in addition to all amounts received by the Alaska Railroad during the fiscal year 1932, to continue available until expended: *Provided*, That not to exceed $6,000 of this fund shall be available for personal services in the District of Columbia during the fiscal year 1932.

The amendment was agreed to.

The next amendment was, under the subhead "Territory of Hawaii," on page 117, line 7, after the word "secretary," to strike out "$5,800; in all, $15,800" and insert "$6,000; in all, $16,000," so as to read:

Governor, $10,000; secretary, $6,000; in all, $16,000.

The amendment was agreed to.

The next amendment was, under the heading "St. Elizabeths Hospital," on page 118, line 12, after the word "grounds," to strike out "$1,204,020" and insert "$1,229,760," so as to read:

For support, clothing, and treatment in St. Elizabeths Hospital for the Insane of insane persons from the Army, Navy, Marine Corps, and Coast Guard, insane inmates of the National Home for Disabled Volunteer Soldiers, persons charged with or convicted of crimes against the United States who are insane, all persons who have become insane since their entry into the military and naval service of the United States, insane civilians in the quartermaster service of the Army, insane persons transferred from the Canal Zone who have been admitted to the hospital and who are indigent, American citizens legally adjudged insane in the Dominion of Canada whose legal residence in one of the States, Territories, or the District of Columbia it has been impossible to establish, insane beneficiaries of the United States Employees' Compensation Commission, and insane beneficiaries of the United States Veterans' Bureau, including not exceeding $27,000 for the purchase, exchange, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles for the use of the superintendent, purchasing agent, and general hospital business, and including not to exceed $235,000 for repairs and improvements to buildings and grounds, $1,229,760, including maintenance and operation of necessary facilities for feeding employees and others (at not less than cost), and the proceeds therefrom shall reimburse the appropriation for the institution; and not exceeding $1,500 of this sum may be expended in the removal of patients to their friends, not exceeding $1,500 in the purchase of such books, periodicals, and newspapers as may be required for the purposes of the hospital and for the medical library, and not exceeding $1,500 for the actual and necessary expenses incurred in the apprehension and return to the hospital of escaped patients.

The amendment was agreed to.

The next amendment was, under the heading "Freedmen's Hospital," on page 121, line 17, after the name "Secretary of the Interior," to strike out "$197,000" and insert "$202,060," and on page 122, line 6, after the name "Freedmen's Hospital," to strike out "$387,000" and insert "$392,060," so as to make the paragraph read:

For officers and employees and compensation for all other professional and other services that may be required and expressly approved by the Secretary of the Interior, $202,060; for subsistence, fuel and light, clothing, to include white duck suits and white canvas shoes for the use of internes, and rubber surgical gloves, bedding, forage, medicine, medical and surgical supplies, surgical instruments, electric lights, repairs, replacement of X-ray apparatus, furniture, including not exceeding $300 for the purchase of books, periodicals, and newspapers; and not to exceed $1,200 for the special instruction of pupil nurses, and other absolutely necessary expenses, $93,000; for a hospital addition for clinical activities, including necessary equipment, advertising for proposals, preparation of plans, and supervision of work of construction of said building, $97,000; in all, for Freedmen's Hospital, $392,060, of which amount one-half shall be chargeable to the District of Columbia and paid in like manner as other appropriations of the District of Columbia are paid.

The amendment was agreed to.

Mr. SMOOT. I offer the following committee amendment.

The VICE PRESIDENT. The amendment will be stated.

The amendment was, on page 44, line 18, after the figures "$271,375," to insert a colon and the following proviso:

Provided, That the unexpended balance of the appropriation contained in the second deficiency appropriation act, fiscal year 1930, for the construction of a girls' dormitory, including equipment, is hereby continued available until June 30, 1932.

The amendment was agreed to.

Mr. SMOOT. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 93, line 4, after the word "service," it is proposed to insert "subject to the civil service rules and regulations," and on page 93, in lines 7 and 8, to strike out "and without reference to the civil service act of January 16, 1883."

The VICE PRESIDENT. The question is on agreeing to the amendment.

Mr. BRATTON. Let me ask the Senator to what service does the amendment apply?

Mr. SMOOT. To the National Park Service.

Mr. BRATTON. What is the effect of the amendment?

Mr. SMOOT. It simply puts those in that service under the civil service.

Mr. BRATTON. Does it put all officials of the National Park Service under the civil service law?

Mr. SMOOT. Yes. I have a letter here from the department in which they state they desire that to be done.

Mr. KING. Why should they be put under the civil service?

Mr. SMOOT. I think all of them ought to be under the civil service.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. BRATTON. Mr. President, I wish to offer an amendment.

Mr. SMOOT. Will the Senator wait just a moment.

The VICE PRESIDENT. The Chair understands that all the committee amendments have not as yet been disposed of.

Mr. SMOOT. Mr. President, I think we have completed the committee amendments. It is now quarter past 5, and——

The VICE PRESIDENT. The Chair was of the opinion—perhaps he is wrong—that on the first day of the consideration of the bill one or two amendments were passed over without prejudice.

Mr. BRATTON. That is quite true.

The VICE PRESIDENT. The Chair does not know whether they have since been acted on or not.

Mr. NORRIS. Mr. President, I should like to ask the Senator from Utah a question. I think there was an understanding with some Senators who are not now present that the Senator from Utah was not going to try to complete the bill to-night.

Mr. SMOOT. I am not going to do so.

Mr. NORRIS. When is the Senator going to move a recess?

Mr. SMOOT. I want to move a recess until 11 o'clock to-morrow at this time.

Mr. NORRIS. I have no objection to that. If the committee amendments have been completed, this would be a good place to stop.

Mr. SMOOT. That is what I am going to do, I will say to the Senator.

Mr. NORRIS. Very well; but I thought from the way Senators were addressing the Chair that they were about to offer individual amendments.

Mr. SMOOT. That is true; but I was going to ask them to withhold the amendments in order that I might move a recess.

The VICE PRESIDENT. The Chair is advised that two amendments were passed over. The amendments passed over will be stated.

The first amendment passed over was, on page 29, at the beginning of line 16, to strike out "$220,000," and insert "$226,000," so as to read:

In all, for irrigation on Indian reservations, not to exceed $226,000, together with the unexpended balance of the appropriation for this purpose for the fiscal year 1931, which is hereby continued available until June 30, 1932, reimbursable as provided in the act of August 1, 1914 (U. S. C., title 25, sec. 385).

The amendment was agreed to.

The next amendment passed over was, on page 38, after line 16, to insert:

For continuing construction of the Wapato irrigation and drainage system, for the utilization of the water supply provided by the act of August 1, 1914 (38 Stat. 604), $360,000, reimbursable as provided by said act.

The amendment was agreed to.

Mr. SMOOT. Now, Mr. President——

The VICE PRESIDENT. The Senator from New Mexico [Mr. BRATTON] has the floor.

Mr. BRATTON. I wish to offer an amendment about which I think there will be no controversy.

Mr. SMOOT. Let me say to the Senator that I told some of the Senators who have left the Chamber that as soon as the committee amendments were completed I would ask the Senate to take a recess until 11 o'clock to-morrow. In view of the promise I made I will ask the Senator to withhold his amendment in order that I may keep the promise.

Mr. BRATTON. Very well; in view of the circumstances I will not offer the amendment now.

Mr. SHORTRIDGE. I wish to offer an amendment to the pending bill and ask that it may lie on the table and be printed.

The VICE PRESIDENT. Without objection, the amendment will be printed and lie on the table.

FUNDS OF AMERICAN RED CROSS

Mr. THOMAS of Oklahoma. Mr. President, on yesterday I made some comments on the floor and placed in the RECORD some data relative to the resources of the American National Red Cross. Last night the chairman of the American National Red Cross gave out a statement which was carried in some of the newspapers. I have here the statement as published in the Washington Post. I desire unanimous consent to have the statement incorporated in the RECORD in connection with my remarks.

Mr. President, not taking the time to read the statement, I merely call attention to what it contains. The statement from Mr. Payne is to the effect that on November 30, 1930, the National Red Cross had an endowment fund permanently invested in the sum of $11,253,000; that the organization had a disaster fund of $5,000,000; that it had money set aside for the budget for the fiscal year of $2,226,000; that it had $1,734,000 set aside for what Mr. Payne terms "compelling obligations."

The National Red Cross has another fund, called a "safeguard fund," being a sum set aside against possible future disaster, in the amount of $4,658,000.

The statement further shows that the national organization of the Red Cross has funds set aside for new building construction amounting to $850,000. The last item mentioned is "restricted funds" in the amount of $158,000. These items make a total of $25,879,000.

Mr. President, this statement only has to do with the funds under the control of the national organization. The statement does not give any figures relative to the money taken in during the last annual roll call which took place in November, 1930, I believe. Those roll calls as a rule, so I am advised, bring to the treasury of the National Red Cross something like $5,000,000. The statement does not embrace the amount of funds in the hands of thousands of local Red Cross chapters throughout the United States. I am advised unofficially that the total of these would be approximately $7,500,000.

I submit this statement, and think it is fair to Mr. Payne to have his statement given the same publicity in the CONGRESSIONAL RECORD that was given to the statement I made on yesterday.

The VICE PRESIDENT. Without objection, the statement will be printed in the RECORD.

The statement is as follows:

"The exact financial situation of the Red Cross (as of November 30, 1930) is this," Judge Payne said, plunging into the statistics. "It has an endowment fund and reserve permanently invested of $11,253,000, the income of which it available for current use. It has a disaster relief fund of $5,000,000, which has been appropriated for this present drought relief, of which $1,000,000 has already been expended.

"After providing the budget of $2,226,000 for work of this fiscal year, the Red Cross holds $1,734,000 devoted to our compelling obligation for continuing service to the disabled former service men and women of the World War.

"It has a fund of $850,000, supplemented by an appropriation by Congress, for the replacement of the war-time frame office building, the use of which must be discontinued in accordance with the Government's building program. There are restricted funds of $158,000.

"There remains $4,658,000 to safeguard all the other obligations to which the organization is committed, including immediate response to any other domestic disasters which may occur."

CONDITIONS IN THE PETROLEUM INDUSTRY

Mr. THOMAS of Oklahoma. Mr. President, there was delivered this morning at the oil conference an address by Mr. Wirt Franklin, relating to conditions in the oil industry, which I ask may be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

We have been called together to-day by the governors of the oil-producing States for the purpose of working out plans for prompt relief for the present dire distress in the petroleum industry. The situation is so serious as to merit the best thought of the leaders from the several States involved in the solution of our difficulties.

That we may understand the many problems with which we are confronted and the underlying causes of our existing depression, I deem it advisable to review briefly the history of the industry

for the past 10 years, the policies and purposes of those in authority, and the leaders of the industry, which have had considerable influence in bringing about, if they are not directly responsible for, the present conditions.

Let us go back to the year 1921, when conditions very similar to those of the present were prevalent in the petroleum industry, brought about at that time by vast importations of oil, chiefly from Mexico. Then there was under consideration in the Committee on Ways and Means, at that time under the chairmanship of Mr. Fordney, the question of giving protection to this industry by the levying of a tariff on imported crude oil. The committee on Ways and Means of the House had voted a tariff on oil in the then pending bill, and President Harding at that time, in a letter to Mr. Fordney requesting that a tariff on oil be omitted from the bill, for the first time declared the Government's policy of so-called conservation, which will be more fully analyzed and defined after I have traced its course and effect from that date to the present time. Congress failed to give oil the protection to which it was then entitled, but the Mexican Government shortly thereafter levied an export tax upon oil, which, to some extent at least, was an aid to the domestic industry. Thereafter the production of oil in Mexico gradually declined, while exploration and development work was begun in Venezuela, Colombia, and other South American countries.

In 1924, continuing the policy first enunciated by President Harding in 1921, President Coolidge appointed four members of his Cabinet as the Federal Oil Conservation Board, with the Secretary of the Interior as chairman. This board held hearings for the purpose of determining the extent of our petroleum reserves. The aid of the American Petroleum Institute was asked and given, and the country was alarmed at the reports emanating from the board and leaders of the petroleum industry that our petroleum reserves were in danger of exhaustion within a few years, and that even our safety as a nation was at stake. This was no new thing, as men prominent in the industry and others had for years from time to time made predictions of the early exhaustion of our oil resources. The rank and file of the producing branch of the business paid little heed to the hearings before the Federal Oil Conservation Board or to the warnings of those timid souls who prophesied the early demise of the petroleum industry in the United States. They did not believe these predictions, thought them harmless, and did not then foresee the results of their indifference. The major factors in the industry, many of whom held large concessions in Central and South America, participated in the hearings and aided in the dissemination to the people and the officials of the State and Federal Governments of information tending to convince the country of the early exhaustion of this irreplaceable natural resource, and to crystalize public sentiment in favor of hoarding our supplies, unused, for future generations. For years the press has been filled, to such an extent as to amount to propaganda, with the predictions and forebodings of these prophets of disaster. Whatever merit this so-called conservation policy had at its inception, subsequent developments have conclusively shown that the same was founded upon a false foundation of fact; that the use of the word "conservation" in connection with this policy was not in its true sense; that instead it meant reservation of our supplies in the ground, and the effect has been to mislead the people into believing that we were wasting our petroleum resources, which was far from the truth.

In 1928 it became apparent that there was an oversupply of oil being thrown upon the markets of the United States, due to increasing domestic production and increasing imports, chiefly from Venezuela. The American Petroleum Institute created a committee on world production and consumption, the avowed purpose of which was to bring about a curtailment of production in the United States and a curtailment of imports so as to bring production and imports in balance with consumption. Elaborate plans were formulated early in 1929, were submitted to the Federal Oil Conservation Board, and by that board referred to the Attorney General for the purpose of ascertaining whether the plan could be carried out without violation of the antitrust laws. The Attorney General could not promise immunity, and the work of the committee, covering the production of the country as a whole, was discontinued. In lieu thereof committees for curtailment of production were set to work in the various States, under the authority of State laws where same existed, and these State committees and subcommittees in the various districts within the States have succeeded to a remarkable degree in reducing the production of oil within the United States. As a corollary of this work and as a part of it, the plan contemplated the curtailment of production in the countries of South America, particularly Venezuela, which, had it succeeded, would have resulted in a reduction of imports of crude oil and refined products into the United States.

In the early part of 1929 Mr. M. L. Requa, reported at the time to be acting in behalf of President Hoover, called upon the governors of the several oil-producing States to enlist their aid in holding a conference of the petroleum industry and later called such a conference to meet at Colorado Springs, Colo., on June 10, 1929. This conference was attended by several of the governors and also by a large number of delegates from the various oil-producing States, representing all branches of the industry. The conference was opened by Mr. Requa with a statement of the aims thereof. Doctor Wilbur, Secretary of the Interior, again announced the conservation policies of the Federal Oil Conservation Board, and Dr. George Otis Smith, Director of the United States Geological Survey, among other things, stated, in substance, that the next 10 years would, in all probability, see the exhaustion of our petroleum reserves to the point of endangering national defense. The doctrine of conservation was again expounded, and the delegates representing the various States were asked to form a compact among the States producing oil, which compact, when adopted and approved by Congress, would become the supreme law of the land; a commission would be appointed under the authority of the compact, with power to regulate and control the production of oil, to determine how much oil should be produced within the United States, and to allocate that production among the several oil-producing States.

When it became apparent that the real purpose of the meeting was not conservation in its real and accepted sense, but that the purpose was, by degrees and from time to time, to reduce the production of oil in the United States, and reserve our supplies in the ground for an indefinite period to come, and at the same time import our requirements in large part from foreign countries, the Colorado Springs conference adjourned without having accomplished anything whatever toward the consummation of the purpose for which it was called.

However, this conference had far-reaching effects. It revealed, in all its hideousness, to the rank and file of the petroleum industry the true intent and purposes of those who had been fostering and promoting the so-called conservation program, to shut in domestic production, to stop development, to reserve our oil supplies in the ground, to be developed and used after the foreign supplies have been exhausted, and to turn the markets for petroleum in the United States—approximately 70 per cent of the markets of the world—over to a few large companies engaged in exploiting the petroleum reserves of South America and in importing the production thereof into the United States. If there has been any doubt as to these intents and purposes in the past, all doubt must now be dispelled, since under date of January 6, 1931, Secretary Wilbur, after having received an invitation from the Governors of Oklahoma and Kansas to participate in this conference, gave to the Associated Press an interview declaring himself against a tariff on oil, and saying if he is correctly quoted by the press: "The chief result would be that the big companies, which now have many wells shut in and not in operation, would open them up, adding to the production. Overproduction is the basic ill of the industry."

It might be pertinent at this time to inquire what big companies have advised Secretary Wilbur in advance as to how they would defeat any beneficial results from a tariff on oil. The honorable Secretary also said: "In the future the country with the oil will dominate civilization. In it will be centered the wealth. America must conserve her supply. If we waste our oil reserves now, we will pay foreign countries through the nose for every barrel we import later. If I were the landlord of this country I would see that we used as much imported oil as possible, and let the other fellow waste his reserves."

The last-quoted sentence is a full and complete admission of the purposes of those promoting the so-called conservation movement—to turn over to four companies, chiefly engaged in importing oil, the entire markets of the United States, even though it might mean the destruction of one of the greatest industries in the United States, the impoverishment of a section of the United States and of the people thereof, almost if not quite one-third the area of the entire country, with a population of some 22,000,000 of people; and a civilization builded upon the oil industry.

In speaking thus does the honorable Secretary present to the public the views of the administration, or is he simply holding fast to ideas and convictions acquired some years ago under circumstances which might then have excused the views but which in the light of subsequent events are indeed archaic?

The conference at Colorado Springs having failed to bring forth a compact under which production could be controlled, the efforts, by voluntary cooperation and in some States under the provisions of State law, to curtail production, proceeded with remarkable success. Indeed, the figures are startling. We find that for the week ending August 24, 1929, the production of crude oil in the United States averaged 2,975,435 barrels per day, and for the week ending January 3, 1931, 2,082,100 barrels per day, or a curtailment in production in that period, brought about by the cooperation on the part of small and large producers alike throughout the country, of 893,335 barrels daily. We will produce in the United States this year approximately 100,000,000 barrels of oil less than we did in the year 1929; and while we have been reducing the domestic production 100,000,000 barrels the importers have, during 1930, brought into the United States and thrown upon our markets, duty free, more than 100,000,000 barrels of crude oil and refined products. In fact, the imports of gasoline during the first nine months of 1930 increased 125 per cent over the same period of 1929. The report of the committee on economics of the American Petroleum Institute at its Chicago meeting November 10, 1930, shows that each 5,000,000 barrels of gasoline imported would displace, for the six months ending March 31, 1931, 114,000 barrels daily of domestic production, while the report of the economics committee appointed by Secretary Wilbur to forecast the demand for petroleum products and ascertain and allocate oil production necessary to supply that demand for the six months ending March 31, 1931, shows that each barrel of gasoline imported displaces from the market 4 barrels of domestic crude. Crude oil, gasoline, and other refined products imported in the year 1930 have displaced from the market approximately 400,000 barrels daily of domestic production.

Since for a period of more than seven years there has been an intense propaganda fostered and promoted throughout the coun-

try, in the daily press and in many of the Nation's most prominent magazines, to convince the public of the early exhaustion of the petroleum reserves of the United States, it appears advisable at this point to outline briefly some of the former estimates of future oil production in the United States, and later to call attention to the vast petroleum reserves which we actually possess. It would also be pertinent to inquire what forces and organizations, corporate or individual, have promoted and paid for this propaganda and who are the beneficiaries thereof. An inquiry of this nature, properly and fairly conducted, would in all probability go far toward explaining the so-called conservation movement and why it has been urged for a period of years.

In referring to the former estimates of future recoverable petroleum reserves, let me state in advance that I do not wish to reflect whatever upon the good faith of the eminent engineers and other authorities making these estimates, but the recital of these estimates, in the light of subsequent information, will demonstrate how easily even the most eminent and learned can be mistaken on this subject, and will show further that perhaps the present advocates of the reservation of our petroleum reserves safely in the ground may be mistaken.

1908: David T. Day estimated minimum of 8,500,000,000 barrels; estimated a maximum of fifteen to twenty-two and one-half billion barrels; from 1908 to 1930, inclusive, United States has produced 11,442,447,000 barrels. All of Day's minimum, plus 33 per cent.

1914: Ralph Arnold estimated future production at 5,700,000,000 barrels; from 1914 to 1930, inclusive, United States produced 10,079,396,000 barrels. All of Arnold's estimate, plus over 80 per cent.

1915: United States Geological Survey estimated future production at 7,600,000,000 barrels; 1915 to 1930, inclusive, United States has produced 9,813,633,000 barrels. All of that estimate, plus 29 per cent.

1921: Certain petroleum geologists of the American Association of Petroleum Geologists estimated future production at 9,150,000,000 barrels; 1921 to 1930, inclusive, United States produced 7,719,222,000 barrels. Nearly 85 per cent in nine years.

1925: The committee of 11 appointed by the Federal Oil Conservation Board estimated future production from proven acreage on present methods 5,300,000,000 barrels; 1925 to 1930, inclusive, United States has produced from these properties and new pools 5,243,161,000, almost 99 per cent.

1930: In the year 1930 the United States, according to the best estimates available at the present time, produced 901,000,000 barrels, compared with 1,005,598,000 barrels in 1929.

1859 to 1930, inclusive: From beginning to date the United States has produced a total of 13,149,090,000 barrels.

The production curve has been on the upgrade for several years. The country could have produced this year, had there been any demand for it, several hundred million barrels in excess of that which was produced.

In 1913 the United States produced 248,446,000 barrels. In 1929 Oklahoma alone produced over 253,000,000 barrels, or more oil than the entire United States produced in so recent a year as 1913. Oklahoma produces a billion barrels of oil each four years; it is capable of producing a billion barrels each year if the demand called for such development. The same is true of Texas and California. It is highly probable that any one of the States of Oklahoma, Texas, and California can produce as much oil as the entire United States has produced to date. The oil resources of these States loom larger with each passing year as deeper drilling and exploration work is done. These States are getting the development at this time, and have for a number of years last past. Other States would leap forward accordingly if development to a like extent were done within their borders.

The production of the United States has been swinging upward from the discovery of oil to the present time—a period of 72 years. When we consider that the vast domain from the Canadian line to the Gulf of Mexico, lying immediately east of the Rocky Mountains, as well as the Pacific Coast States, is potential oil territory, practically undeveloped and unexplored at this time, it is apparent that the production curve will be on the upward trend for many years to come, and that when said curve starts downward, if that day ever comes, we will produce from our then known reserves of oil as much or more oil than has been produced prior to the day when the decline curve will start on its downward course.

What I have heretofore said has been applicable to reserves of oil to be produced from oil wells. Let us now consider the vast reserves contained in the oil shale deposits in the States of Colorado, Wyoming, Utah, Indiana, and other States. These deposits have been accurately surveyed, their oil content measured, and suffice it to say that in one deposit in Colorado alone the experts of the Government and the Colorado Bureau of Mines are agreed that there are 80,000,000,000 barrels of recoverable oil, should it ever become necessary to use the same.

We have in the coal deposits of the United States, which are more than 50 per cent of the coal deposits of the world, another great source of oil, so great indeed that it is difficult for the human mind to comprehend. By hydrogenation oil and its derivatives, including gasoline, can be successfully produced from coal. It is not at all improbable that the perfection of this process, using coal, or the discovery of some other form of power, may within a few years make our present oil reserves all but valueless.

Secretary Wilbur and other protagonists of so-called conservation continually speak of wasting our oil reserves, when, as a matter of fact, we are only using them without waste. It is certainly not fair to continually tell the public that the American petroleum industry is wasting our valuable oil reserves when the country is utilizing this great natural resource for the creation of new wealth within the country. This is the oil age. Let us utilize our oil while it is yet valuable, and before the discovery of some new form of power which may supersede oil for the generation of power. It is the utmost folly to continue on a program which perhaps was conceived with honesty of intentions, but which has outlived its usefulness and has become destructive in a superlative degree.

Imagine for a moment, if you will, that men of similar vision to those promoting the so-called oil-conservation policy of the present day had been directing the policies of the Government and the course of business from the foundation of our country until the present time; that, acknowledging our natural resources, the products of our mines, were irreplaceable, they should be preserved for use at some distant day; and that, instead of developing our natural resources and utilizing them, we had clung tenaciously to a policy of so-called conservation or reservation, then this great country of ours would now be, from the Atlantic to the Pacific, an undeveloped expanse of almost unbroken wilderness; the few inhabitants thereof a pastoral people; the great civilization which we have builded and the great industrial and commercial development which has taken place as yet undreamed of. What has made the United States the most enlightened, the most prosperous, the most advanced in all lines of endeavor of any nation in the world, has been the utilization of our natural resources. It would be just as logical to contend that we should import our iron ore, our lumber, our lead, coal, zinc, and other mineral products, reserving our supplies thereof in this country for some future national emergency, as it is to insist that we should import our requirements of oil. In fact, Russia is at this time willing to sell us all these things at a price less than our cost of production, and France, Great Britain, and other nations indebted to the United States would willingly pay their war debts by sending to us all of these products. How any patriotic American citizen can advocate such a policy is beyond comprehension.

We have heard a great deal and read more in the daily press and the oil journals concerning the overproduction of crude oil in the United States. As a matter of fact, during the last 12 years (1918 to 1929, inclusive) there has not been an overproduction in the United States but there has been an oversupply. During that period we have imported 950,000,000 barrels of crude oil. During that period we lacked 600,000,000 barrels of producing as much oil as we consumed, but during the same period we added to storage of crude oil in the United States 350,000,000 barrels, which, in addition to storage, as may be seen by these figures, was occasioned almost wholly by importing more oil into this country than we had any need of; so that it clearly appears that the great burden upon the petroleum industry of carrying in storage nearly 700,000,000 barrels of crude and refined products was not occasioned by overproduction in the United States but overimportation of foreign oils.

Now, let us inquire as to what effect the so-called conservation policy coupled with the proration and curtailment movement and the importation of oil and refined products has had upon the petroleum industry in the United States. The price of crude oil at the well has been reduced from time to time, until now it is being sold very much below the cost of production, except in isolated pools of new and large flush production, although, as before stated, we have reduced the production since the peak week in August, 1929, nearly 900,000 barrels daily, and the average price of crude oil throughout the country has during the same period been reduced more than one-third in price.

The case of Oklahoma is typical of all the rest. During the week ending August 24, 1929, the production of Oklahoma was 735,750 barrels per day, and for all of this production there was a ready market. Since then, by cooperative effort, and in line with the published suggestions of the Federal Oil Conservation Board and the requests of the major purchasers of oil in that State, the production has been reduced until in the week ending January 3, 1931, the State of Oklahoma actually produced only 448,900 barrels daily, or a reduction in the production during that period of 286,850 barrels daily. This has been accomplished in that State, in the face of the fact that the State could with ease supply sufficient oil to furnish the entire markets of the United States at the present time, and for a long time to come, from production already developed.

The proration movement and the curtailment of production in the various oil-producing States was inaugurated ostensibly for the purpose of stabilizing the petroleum industry, of preventing additions to storage, and balancing supply with demand. It has been a success only in so far as it has proved the ability of the industry to cooperate and accomplish curtailment of production. As production has been reduced imports have absorbed the market demand theretofore supplied by domestic oil, and instead of the price of oil being stabilized it has been steadily reduced until we are now almost upon a competitive basis, so far as prices are concerned, with cheap Venezuelan oil. One of two things must happen and soon. Either imports of crude oil and refined products must be curtailed, and the price thereof equalized with domestic products by the imposition of an adequate tariff, or the petroleum industry must be permanently placed upon a competing basis, so far as price is concerned, with the foreign oil. In fact, this is being gradually brought about, and it will not be many months before the destruction of the petroleum industry in the United States is complete. Already some 30,000 small wells in northeastern Oklahoma and southeastern Kansas have

lost their market, due to the inability of the Prairie Oil & Gas Co. to continue purchasing oil in the midcontinent field.

As stated by Mr. M. L. Requa, in opening the Colorado Springs conference, there are in the United States approximately 250,000 wells, with an average production of one barrel per day each. In addition to that, there are some 50,000 wells with an average production of five barrels per day each. In the aggregate, these wells have a settled production of over 500,000 barrels. They have been operated at a loss for more than three years. Many of them are being abandoned and plugged each week, under the benign influence of the present so-called conservation program. Ultimately these wells will all be lost, and in the name of conservation, 300,000 small wells, with a daily production of 500,000 barrels, and with recoverable reserves of oil of hundreds of millions of barrels, will have been destroyed. To save these wells would be true conservation, and it is within the power of the Federal Government to save them if it will. As they are being abandoned the oil-field laborer, with his family, living on the lease and operating these wells, has been thrown out of employment. He knows no other kind of work and under present conditions could not obtain employment if he did. There are literally thousands of these families at the present time dependent upon charity, and I can say, with feeling and in truth, that these men are native Americans, the kind that do not ask for charity, they do not wish to receive it, but who only claim the right by honest toil to support themselves and families.

Conservation has been tried as a remedy for the demoralization of the petroleum industry, and it has miserably failed, and will continue to fail as long as imported oil and refined products absorb the market demand as fast as domestic production is reduced. The domestic petroleum industry is being ruthlessly destroyed, in the name of conservation. The purchasing power of the oil-producing States has been reduced by hundreds of millions of dollars. The welfare of the petroleum industry is no longer of local significance. If one-third of the area of the United States, with a population of 22,000,000 of people, is impoverished to the point where the inhabitants can not purchase from the industrial and manufacturing sections of the country those things which a civilized and highly developed community need, there can be no industrial and commercial recovery in the United States for many years to come. The civilization of the Southwest has been builded upon oil and the allied and kindred industries dependent upon the petroleum industry. If this industry is destroyed, and the wealth and prosperity which it has created is transferred to some foreign country, this great civilization, until recent years prosperous and contented, will be destroyed, half of the people in the oil country must seek employment and outlets for their energies in other lines of industries already overcrowded, most of them will be compelled to leave that country and the wonderful cities of the Southwest, builded for the most part by the oil industry, will become depopulated, and their magnificent office buildings become the roosting place of bats and sparrows.

We are met to-day in an attempt to work out a remedy for the appalling conditions in the petroleum industry with which we are confronted. All other principal industries of the United States, when suffering under similar conditions to that now prevailing in the petroleum industry, have been granted relief and given protection from foreign domination and control by a protective tariff. The principle of a protective tariff for industries being injured or destroyed by cheap foreign imports has become the settled policy of this Government. Both the Democratic and Republican Parties, in their platforms in the year 1928, strongly indorsed such protection to American industries, and I would again remind you that Vice President CURTIS, in campaigning for the election of the present administration in a tour of the mid-continent field in that year, promised the industry tariff protection, and we all know that he was sincere in his declarations.

When it became apparent in the latter part of January, 1930, after a drastic cut in the price of crude oil, without any economic reason therefor, that those major companies engaged in importing crude oil and refined products in the United States had not given the full measure of cooperation promised by them, in curtailing their foreign production and imports commensurate with the curtailment of production in the United States, and after those same interests believed it was too late for the domestic producers to obtain relief from Congress in the then pending tariff bill, a mass meeting of the oil industry was held in Tulsa, Okla., on January 29, 1930. A large delegation of oil men arrived in Washington on February 3, 1930, and presented to President Hoover and to the Congress their plea for protection to this great basic industry. The tariff bill had then passed the House, had been reported by the Finance Committee to the floor of the Senate, and the time was too short within which to thoroughly acquaint the House and Senate with the true condition of the petroleum industry. Since then conditions have steadily grown worse and most of the things which were then told Congress would happen, if we were not given protection, have transpired. Congress did include in the tariff bill a provision directing the Tariff Commission to investigate and report to Congress the cost of Venezuelan oil and refined products delivered at Gulf and Atlantic ports, and the cost of domestic oil delivered at the same ports, and we are now expecting that report to be completed within a few days. Certainly by such a provision in the tariff bill it was the intention of Congress, should the facts warrant, to grant us relief and protection at the next ensuing session of Congress. The kindly reception accorded us at the last session, the generous support given in such a short time by Congress, is assurance that when the Members realize the true facts in connection with this question relief and protection will be granted.

Congress has recently had under consideration relief bills, under which it is proposed to give relief in various sections of the country to the farmers and others. In the oil-producing States, as is generally known, the farmers and landowners own one-eighth royalty in all the oil and gas produced. The producing oil companies hold under lease, for future prospecting, millions of acres in all the oil-producing States, on which a rental, usually $1 per acre, is being paid in addition to the bonus or purchase price of the leases themselves, from which the farmers, in thousands of instances, have been able to pay off their mortgages and improve their farms, while the annual rental, during recent years of crop failures and low prices for farm products, has paid the taxes on their farms and in addition helped to support the farmers and their families. But with prevalent conditions in the petroleum industry, those engaged in the producing branch of the business, having had their resources and income severely reduced, are unable to continue paying these rentals, are surrendering the leases, and the farmers are being deprived of millions of dollars of income heretofore enjoyed by them. Literally thousands of men, formerly employed in and near the oil fields, are now idle, and the community funds raised in the adjacent cities and towns are being called upon to assist them. In addition, the oil men themselves, in some districts where they are still able to raise the money, are contributing funds and, through committees, administering relief to the families of idle oil-field employees. How much better it would be for Congress to bring relief to the petroleum industry through a measure imposing a tariff on imported crude oil and refined products, which would bring revenue into the Federal Treasury, instead of by inaction on this measure making it necessary to appropriate millions from the Treasury for relief.

It was at one time argued by those importing crude oil into this country that there should be no tariff or other limitation on imports because the crude oil was brought to the United States and gave employment to American capital and labor. This is no longer true. The Royal Dutch Shell has constructed and has had in operation for several years a refinery at Curacao, a Dutch island off the coast of Venezuela, the capacity of which has been increased in the last year to 250,000 barrels per day, while the Pan-American Co., subsidiary of the Standard Oil Co. of Indiana, has a refinery on the island of Aruba (also a Dutch island off the coast of Venezuela) of 110,000 barrels daily capacity. In addition to these there are two smaller plants with an aggregate capacity of more than 30,000 barrels per day. Operating on cheap oil produced on the mainland, transported at a negligible cost to the refineries, and with transportation in tankers for the refined products from these huge refineries, the American petroleum industry is no longer able to compete in the world markets with them. He who can not visualize within the next few years the complete loss of our export market has little imagination, indeed.

The American companies now exporting oil to Europe will continue to export the same for some years to come due to the fact that they have their own controlled outlets. It is from these refineries that the gasoline and other refined products come which absorb by leaps and bounds the market formerly supplied by Pennsylvania, New York, West Virginia, Ohio, Indiana, Illinois, California, and the great mid-continent field and which has made necessary the proration program and the vast curtailment in the production of the United States.

The Department of Commerce maintains in the capitals and most of the principal cities of the world commercial attachés for the purpose of advancing the commercial interest of the United States, and a large part of their duties is in assisting to secure additional market outlets for petroleum products produced and refined in the United States. At the same time Secretary Wilbur, of the Interior Deparment and chairman of the Federal Oil Conservation Board, is devoting his energies to reducing domestic production and encouraging these other countries to send their petroleum products to the markets of the United States.

Is the oil industry of this country to continue in the curtailment of production in an ever-increasing degree while the output of Venezuela and other South American countries continues to absorb the domestic market without paying one cent of taxation to support the Government of the United States, the States, or the legal subdivisions thereof, whereas the domestic oil industry is the most heavily taxed of any industry in the United States, paying first in most States a gross production tax of 3 or 4 per cent of all the oil and gas produced; a State income tax, a Federal income tax, an ad valorem tax, a capital-stock tax, and other taxes too numerous to mention.

But those engaged in importing oil will contend that there should be no tariff on imports, because our exports of petroleum are greater in value than our imports. If this argument is sound and of compelling force, then Congress should, without delay, repeal the tariff bill in its entirety, for on examination we find that on the following products, to wit, iron and steel, semimanufactured; steel-mill products; iron and steel, advanced manufacture; electrical machinery; industrial machinery; office appliances and printing machinery; automobiles and other vehicles; animal oils and fats; manufactured cotton; manufactures of wood; pigments, paints, and varnishes; soaps and toilet preparations; photographic goods; scientific and professional instruments, and musical instruments, the imports during the calendar year 1929 were $172,577,000, while the exports from the United States of the same products totaled $1,735,111,000.

During the same year the foreign value of imported crude petroleum and refined products was $140,965,000, duty free, while the exports of the same products totaled, in American value, $531,173,000. Imports of petroleum, both crude and refined, in 1929, amounted to approximately 110,000,000 barrels (about 10 per cent in barrels of the domestic production), while in 1930 it is estimated that the total number of barrels of imports of both crude and refined products will be slightly in excess of 100,000,000 barrels, and the estimated production of crude oil in the United States for the year 1930 slightly in excess of 900,000,000 barrels. The imports of crude oil in 1930 have been reduced, as compared with the year 1929, but the imports of gasoline and other refined products have been so greatly increased as to displace a much greater amount of domestic crude from the market than was the case in the year 1929.

Secretary Wilbur in his recent release to the Associated Press contended that since the imports were only about 10 per cent of our domestic crude production, they were a negligible factor. But it is too well recognized as sound economics to require more than the mere statement thereof that a 10 per cent surplus of any commodity thrown on the market will demoralize completely the price structure of the whole supply, and this is what has occurred in the petroleum industry. A 10 per cent or even a 5 per cent surplus production of cotton, wheat, corn, or of any manufactured or industrial commodity has always brought about widespread depression and demoralization in the price structure of the commodity of which there is an oversupply on the market. Especially is this true in the case of oil and refined products when those engaged in producing and refining the same in Venezuela and other South American countries are able at will to increase the imports in any amount, so that the threat of the same continually hangs over the domestic market.

At the time of the last reduction in the price of crude oil in the mid-continent field, which reduction amounted to more than 25 per cent in the then average price, those companies posting the reduced price accompanied the same with the statement that it was made necessary because of competition. Certainly it was not the competition of domestic production, because at the time of the posting of this crude price reduction the cooperative movement to curtail production had reduced the same nearly 600,000 barrels per day in the United States; the companies posting the reduced prices for crude oil, after having promised full cooperation in the proration program, betrayed producers by withdrawing from storage 26,000,000 barrels of oil in the year 1930.

In recent months imported gasoline has been sold in tanker lots in Atlantic seaports as low as 4 cents per gallon. Certainly it must have been the competition of this imported gasoline that made necessary the reduction in price of the domestic product. This reduction in the price of crude oil has followed throughout the United States by an average reduction in the wholesale price of gasoline (which was not passed on to the consumer) of 2 cents per gallon. Granting, for the sake of argument, that the difference in the values of our imports and exports of petroleum products, and the favorable trade balance of $390,000,000 created thereby was all profit, even though that profit went to only four or five huge corporations, and keeping in mind that within the last year the price of 36-gravity mid-continent crude has been reduced more than one-third (50 cents per barrel), how long would it take at 50 cents per barrel, with a daily consumption in the United States at the present time of upward of 2,500,000 barrels of crude oil, to entirely account for said $390,000,000 favorable trade balance from crude-oil production alone? And let us also ask how long it would take, at 2 cents a gallon (the amount of reduction in the wholesale price of gasoline in recent months) with a daily consumption of 1,250,000 barrels of gasoline, to account a second time for said $390,000,000 of favorable trade balance?

While the argument is made that our exports of petroleum products exceed our imports thereof, we find, upon an analysis of the figures, that, taking into consideration the exports from the Pacific coast, to which there are no imports, or, if any, only a negligible amount, that there are more barrels of petroleum products imported to the Gulf and Atlantic ports than are exported from the same ports.

Again it is stated that there should be no tariff on imports of petroleum products because it would be detrimental to the interests of the consumers, the buyers of gasoline; that the consumers so far outnumber the producers and refiners and those employed in the petroleum industry that their interests are paramount. However, there seems to be little relation between the price of crude oil to the producer in the United States and the price of gasoline and lubricating oils to the consumer. This can be illustrated briefly by referring to the fact that in February, 1926, in 52 representative cities throughout the United States, the average price of gasoline at the filling station, exclusive of tax, was 18.09 cents per gallon, while the average price of crude oil of 36 gravity Baumé during February, 1926, in Oklahoma and Kansas was $2.04 per barrel. The average recovery of gasoline by the refining methods then in use was 35 per cent, or 14.70 gallons per barrel. In 1929 the average price of gasoline at the filling stations in the same cities, exclusive of tax, was 18.39 cents per gallon, while the price of crude oil of 36 gravity Baumé in Kansas and Oklahoma was $1.20, and the recovery of gasoline by improved refining methods had increased to 46 per cent, or 19.32 gallons of gasoline for each barrel of oil. The same relative price schedules obtained throughout the years 1926 and 1929. The price of gasoline to the consumer has not fluctuated in proportion to the price of crude oil.

Cheap imported fuel oil has caused the price of the domestic fuel oil in the refining centers of the mid-continent field to fall at times below 50 cents per barrel, thus bringing about a very wasteful utilization of this oil, which might better be saved for higher uses than fuel. This cheap fuel oil, coming into competition with coal, has brought serious distress to the coal industry throughout the country, which industry has been compelled to discharge from employment during the time this condition has prevailed not less than 50,000 American laborers employed in the mines and in the transportation of coal. The unemployment problem, now receiving such diligent consideration by the administration, might be greatly reduced by shutting out imports of cheap fuel oil, allowing the use of coal in many industrial and manufacturing centers, and thus bringing about a reemployment of thousands of miners who are now idle.

If the present program of so-called conservation is continued, and results in the shutting down of producing wells, and the cessation of development and exploration work, the known oil reserves of the United States will become practically valueless. The present owners, unable to hold the same without receiving any income therefrom, will be compelled to sell them in a market demoralized because of this program. The purchasers who would be willing to buy under these conditions would be the same corporations who control and monopolize the production and marketing of oil throughout the world, outside of the United States. It is acknowledged that there is a world monopoly on oil, outside of this country. The markets of the United States are approximately 70 per cent of the markets of the world for petroleum products. If it is desirable that monopoly shall securely fasten its tentacles upon the petroleum industry of the United States with the same grip it holds upon the remainder of the world, and if it is desirable that the consumers of the United States should ultimately pay the same price for gasoline and other petroleum products that are charged in Europe and other foreign countries, then the so-called program of conservation should be continued, even though it bring utter ruin in its wake to one-fifth of the population of the United States directly and indirectly and in a lesser degree to the entire country; even though it shall cause an increase in ad valorem taxes in the oil-producing States, to make up for the taxes lost from the gross-production tax on oil and gas; even though its effect on general business, banking, and agriculture, through destruction of consuming power, shall be most serious; even though 20,000 oil producers, individuals, partnerships, and large and small corporations shall be put out of business, and their 800,000 employees and their families compelled to look for work in other lines; and even though the advocates of this policy, in reserving the petroleum resources of the United States for future generations, shall, after viewing the havoc wrought by their program, have a feeling of righteous accomplishment.

I have never contended that a tariff on oil is a panacea for all the ills of the industry. Were imports entirely eliminated, we must still proceed with a sane, orderly program of development and operation of our oil fields, and by cooperation balance supply with demand as we have so ably demonstrated we can do—as we have done in the past two years.

I would like to say in closing that we should not be discouraged. We have won much support. The whole petroleum industry, the business and commercial interests, the farmers and the landowners of the oil-producing States now present a solid front in demanding immediate relief, and are militantly supporting the program for the exclusion of a foreign oil from the domestic markets, either through the instrumentality of a protective tariff, or if the political exigencies prevent that form of remedy, then by an embargo for a period of years forbidding any importation of oil products whatever.

The directors of the American Petroleum Institute, at its meeting in Chicago, November 10, adopted by a majority vote, a resolution indorsing in principle, a tariff on the importation of crude oil and refined products into the United States. On December 5, at the annual meeting of the directors of the General Mid-Continent Oil and Gas Association, which association embraces the six States of Kansas, Oklahoma, New Mexico, Texas, Louisiana, and Arkansas, and contains in its membership representatives of most of the producing, refining, and marketing interests engaged in business in that district, adopted with only one dissenting vote, a resolution strongly demanding a tariff on oil and refined products, and directing the officers of the association to do everything in their power to secure that form of relief for the industry. The Rocky Mountain Oil and Gas Association took similar action. All the local oil and gas associations throughout the country have done likewise. The Independent Petroleum Association of America, with membership in every oil-producing State of the Union, is a unit in demanding tariff relief. The chambers of commerce of most of the cities and towns in the oil States have likewise demanded a tariff on oil. A number of State legislatures, which have been in session since the depression in the oil industry has become acute, have memorialized Congress for this relief, the latest one to take such action being the Legislature of California, early this week. Various farm organizations have taken a decided stand in favor of a tariff on oil.

With this united and determined support, I feel that Congress and the administration should and will give heed to our prayers and grant us that protection which only they can grant, and thus prevent our complete demoralization and ruin. The historical and statistical facts justify, the social and economic conditions demand this relief. Certainly, with all this before them, our Government can find a way.

TRENDS IN TRANSPORTATION—ARTICLE FROM YALE DAILY NEWS

Mr. GOFF. Mr. President, I ask unanimous consent to have printed in the RECORD an article from the Yale Daily News of January 12, 1931, entitled "Future Trends in American Transportation." It reflects the growth of our country and then convincingly explains the effect of such growth upon the ever-advancing industrial life of our people. It points the way to economic stability in the days to come and coordination of the many conflicting interests in the ever-changing present. It is analytical, illuminating, and helpful. It should be read by everyone who is studying and trying to solve this intricate problem of national and international transportation.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New Haven (Conn.) Yale Daily News, January 12, 1931]

FUTURE TRENDS IN AMERICAN TRANSPORTATION

One hundred years ago American railways entered the transportation field, playing but a small part at first, but eventually performing substantially all of the transportation required because all other agencies of transportation were unable to compete with them in either rates or services. This growth and expansion through the years brought into immediate contact portions of the country which formerly had been far apart, and this low cost of transportation which they provided enabled the industry of America to do business profitably and economically over the vast areas of the United States. Thus the rise of America to the industrial supremacy of the world parallels the development of its low-cost rail transportation.

One result, however, of America's growth both in population and industry has been to center enormous populations around the larger cities, and the creation of these larger centers has tended to offset the very thing the railroads accomplished, namely, transportation at low cost.

Development of the larger centers of population made necessary a secondary transportation system—a system for distribution from the railroad to the consumer. But the growth of this secondary system has gone beyond the stage of merely supplementing rail transportation and has become, through its transition stages, an actual and substantial competitor of the rail system. In other words, the growth of the motor industry in America has been accompanied by the development of a system of highways for the use of the automobile, which have also become highways for commerce in competition with the railroad.

American ingenuity has endeavored to avoid the high costs of rail transportation in congested areas by using this new form of transportation, but at only slightly lower cost of transportation to the consumer.

If these two forms of transportation should continue to develop separately, each independent and regardless of the other, they will be an impediment rather than a help to America's industrial growth. If they grow supplementary to each other, the progress of America over the next few decades will be steadily forward. Moreover, by supplementing each other they can benefit each other as well as benefit themselves.

Motor transportation has the advantage of the cheaper terminal costs; rail transportation has the advantage of the cheaper costs for the haul. It is financially and physically impossible for the railways to extend to the larger areas the same economy of terminal service as they have been able in the past to give to the smaller communities. It is impossible for the motor agencies with their individual units, to give the economy in distance transportation which the railways can provide through their mass movements in train loads.

The basis of sound, economic coordination is, therefore, obvious: If the railways meet the issue they will give to the motors their terminal delivery. If the motors meet the issue they will give to the railways their long haul. Acting together they will be able to give to the public a cheaper transportation than it is now getting, without lessening the return to either. The railways not only will have to readjust, but are in the process at this time of readjusting their methods and practices, so as to be able to coordinate with the motor industry. The motor industry itself is also showing its willingness to adjust its methods and practices to coordinate with rail transportation.

The primary reason for coordination of these two transportation agencies is the cost of distribution, principally in the larger terminal areas, where the terminal delivery costs are greater than the cost of the rail haul itself.

In the larger centers the rail terminals are in effect moving farther and farther away from the consumers of transportation, and as the larger centers grow and business hunts for less expensive locations of manufacture, the costs from the rail head to the industry increases as handling and rehandling become necessary. The problem of the railways and motors in the terminal therefore is so coordinate one with the other, as to eliminate rehandling and save time.

This problem is already on its way to solution in some of the larger centers through delivery by the rail carrier of freight ready for motor haul to final destination, either by transferring it in containers direct to motor tractors, or by transporting motor bodies already loaded.

In the next few years merchandise freight, less-than-carload freight, and, to some extent, a considerable portion of carload freight will move direct from consignee to consignor practically without rehandling. It will move either in truck body or container direct from the plant of the manufacturer to the railway for transport and at the destination end of the rail haul it will move direct from the railway to the door of the receiver. It will also move at lesser rail costs but at greater potential earnings, as far as the railway is concerned; at lesser truck costs but at greater potential earnings, as far as the trucker is concerned; at lesser total transportation costs, as far as both truck and railway are concerned; and at lower costs for packing, stowing, and transportation, as far as consignee and consignor are concerned.

The accomplishment of this end needs no restrictive regulation—to the embarrassment of either the railway or the motor. What it requires is the cooperation of the public with both industries so that they may be able jointly to effect a coordinated system which will be of vast public benefit.

Similar developments are under way with respect to the larger manufactured articles as distinguished from merchandise freight. The railways can and will readjust their methods of transportation to suit the changed requirements of industry, at a profitable return to themselves as well as with advantage to industry itself.

The railroad industry can bring back to itself the transportation of the larger and heavier commodities which over the last decade have tended to leave them. For instance, in the automobile trade there has been a gradual tendency to hunt other forms of transportation instead of the railways for the delivery of automobiles. By redesigning equipment suitable to the evolution of this business and with the cooperation of the industry itself, the railways can provide a means of delivering this traffic which has been lost, in quicker time, in better shape, and at lesser cost without reducing the return to themselves.

In dealing with the low-grade commodities, the problem of the railways generally parallels what it was in the past, namely, mass production; bigger cars and bigger trains, with the producers and the carriers working together for the more economical handling and the better marketing of the production.

In passenger transportation the bus, properly coordinated with rail transportation will never seriously invade the railway field. Regulated to the advantage of the bus itself and supplanting intraurban and interurban service as it does, it can be made a very necessary supplementary part of rail transportation.

Along all these lines of development the practical success which the railways can achieve is indicated by what has already been done and is now under way on the Pennsylvania Railroad.

The only restrictions that can possibly impede the future progress of the railways in American transportation are political and not economic; restrictions as to car size and train size, and the survival of certain legislative restrictions based on suspicions of the past, which bar the railways from engaging in waterway transportation and prevent them from applying to rail-waterway transportation the advantages of coordinated service which they are applying to rail-motor transportation.

In conclusion, it may be pointed out that railroad development in this country can be divided generally into three periods:

1. The period of railroad building and expansion of the physical plant.

2. The period of intensive internal development of the efficiency of that plant.

3. The period of expansion into new forms of transportation required by the growth and progress of business, and the necessity for the most economical distribution.

American railways are entering now upon the third stage. Their success will depend, in this period, as in each of the other periods, on their ability to produce economically the transportation required in whatever form that service is performed.

There is no basis whatsoever for pessimism in respect of the future of the railroads. New forms of transportation and the possibilities of coordinating them with the railroads offer a field of railroad expansion which should not only meet the modern needs of business in cutting distribution costs, but should also be reflected in more stable and satisfactory returns upon the capital invested in all forms of transportation.

MR. RASKOB AND THE DEMOCRATIC PARTY

Mr. SMOOT. Mr. President, I move that the Senate take a recess until to-morrow at——

Mr. GLENN. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Illinois?

Mr. SMOOT. I yield.

Mr. GLENN. Late yesterday afternoon I offered for printing in the RECORD an article by Mr. Frank Kent regarding Mr. Raskob. The minority leader of the Senate, the Senator from Arkansas [Mr. ROBINSON], made inquiry of me as to whether the letter of Mr. Raskob, to which the Kent article is a reply, had been printed in the RECORD. I said I did not know, whereupon the Senator from Arkansas objected, as I thought properly—at least I found no fault with him for so doing.

I now offer as a part of my remarks and ask that there may be printed at this point in the RECORD an article entitled "The Prize Paradox," printed in the Baltimore Sun of January 6, 1931, signed by Mr. Kent, Mr. Raskob's reply thereto entitled "Raskob Denies Democratic Party His Own," the article covering the reply being written by Mr. J. F. Essary and published in the Baltimore Sun of January 13, and a third article entitled "A Reply to Mr. Raskob," published in the Baltimore Sun under date of January 14, and signed by Frank R. Kent. These articles, as I understand, constitute the entire series on the subject.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The articles referred to are as follows:

[From the Baltimore Sun of January 6, 1931]

THE GREAT GAME OF POLITICS—THE PRIZE PARADOX

By Frank R. Kent

WASHINGTON, January 5.—Converts to a cause are always more zealous than those born in the faith. Perhaps that is one reason for the extraordinary enthusiasm that now characterizes the democracy of Mr. John J. Raskob, chairman of the national committee. In the past two years there have been various demonstrations of Mr. Raskob's devotion to his present party as evinced by his financial support. The extent to which he has become the actual owner of the party machinery, which for all practical purposes is the party, was never as completely revealed, however, as on last Friday when Mr. Gerard, treasurer of the committee, filed his annual report with the House of Representatives.

It was then made plain that there just isn't anything else to the party organization except Mr. Raskob. He has taken over all its liabilities, assumed all its debts and is paying out of his own pocket all its running expenses, far heavier now than ever before. He not only has reduced the party deficit, which was nearly a million dollars, to $628,000, but has assumed responsibility for the $628,000. The party now owes Mr. Raskob personally nearly a quarter of a million dollars. The receipts of the committee for the year were $619,000, its expenditures $312,000. Of the money received all save $15,000 in small contributions came through Mr. Raskob.

It was Mr. Raskob who expanded the Washington headquarters, put Mr. Shouse in charge and is paying all operating expenses, including $27,000 a year to Mr. Shouse's brother-in-law, Mr. Waller B. Hunt, who is in charge of "organization," and $21,000 a year to Mr. Charles Michelson, whose 2-year publicity campaign has marked a new development in politics. Also, he pays Mrs. Nellie Ross $8,500, presumably for work among women. Further, Mr. Raskob, it seems, sent personal contributions to various Democratic senatorial and congressional candidates in the last campaign. Add up all these items and the Raskob ownership of the party seems pretty well established. Never in the 135 years of its history has it been so heavily obligated to a single individual. Never has any party been so deeply in debt to one man. The thing is unprecedented. It is real news. It is amazing that not more has been made of it. In the past when the Democratic Party had a note in bank it was indorsed by sometimes as many as 30 or more names. Now there is but one name on the back.

There are several views of the Raskob ownership. One is that Mr. Raskob is a grand little guy who became chairman to help his friend Mr. Smith, but once in, instead of quitting as he might have done, is gallantly playing the game out in a grand manner; that he has no personal ends to serve, and party people generally should rejoice over an angel of such enormous wealth and unprecedented liberality. It is a great piece of luck. He has made the party a vibrant instrument, pulled it out of the financial swamp, made it an effective fighting force. He is entitled to gratitude and appreciation.

Another view is that there is nothing in Mr. Raskob's record to show that he is either a sucker who throws money recklessly around or a Democrat through principle, preference, or conviction. On the contrary, in money matters Mr. Raskob is a typically hard-boiled multimillionaire. As far as his Democracy is concerned, he became a Democrat solely because of the Smith candidacy. Prior to 1928 he consistently contributed to and voted for the Republican candidates, including Coolidge, Harding and Hughes. To think that his present extraordinary financial support of the Democratic Party is wholly disinterested and unselfish is not reasonable.

Men like Mr. Raskob do not operate that way. The fact is the completeness with which he finances the party means that he controls—or can when he wants—its publicity and fixes its direction. It means that no one unacceptable to him personally and out of tune with his ideas can be nominated in 1932. It means that if the party wins the Presidency next time it will be Raskob's money that made it possible and he will be entitled to anything he wants under the administration. And the answer to that is, Why not? Certainly he will have paid for it. And, anyhow, there is nothing quite as absurd as these politicians who criticize Mr. Raskob for not being "disinterested and unselfish." A disinterested and unselfish politician! Who ever heard of such a thing? It would be the prize paradox.

[From the Baltimore Sun of January 13, 1931]

RASKOB DENIES DEMOCRATIC PARTY IS OWNED—NATIONAL CHAIRMAN, IN OPEN LETTER, REPLIES TO FRANK R. KENT—SAYS SMITH FRIENDS CUT DEBT BY MILLION—CHARGES CERTAIN REPUBLICANS SEEK TO FOMENT RELIGIOUS HATRED

By J. F. Essary

WASHINGTON, January 12.—John J. Raskob, Democratic national chairman, openly charged to-night that a "strong group in the Republican National Committee has been fomenting religious and class hatreds during the past two years and prostituting the Republican Party to gain ballots from a misinformed, abused, and misguided public."

This charge was made in replying to an article by Frank R. Kent in the Sun of January 6, in which Mr. Kent had referred to the unprecedented financial assistance given the Democratic national organization by Mr. Raskob.

Mr. Raskob's letter as addressed to Mr. Kent and as issued publicly by the Democratic National Committee is as follows:

"My attention has been called to an article written by you, published on January 6. It is difficult to understand why a man of your standing should join that small group of writers whose articles generally have little regard for the truth and are written in sensational style for consumption of a gullible public. Ordinarily, real men refuse to dignify articles and writers of this type with the slightest recognition, but when you liken the Democratic Party to a common harlot that can be bought and sold, used and abused at will, you tramp on the toes of millions of Democrats who are proud of their heritage, glory in the traditions of their party, and resent your insults.

"You charge that I have taken over all the liabilities of the Democratic Party, assumed all its debts; that I am the only indorser on its notes; that I put Mr. Shouse in charge and am paying all operating expenses, including several large salaries, and have made great reduction in the party debt—in short, that I have bought and paid for the party.

DENIES ALL STATEMENTS

"None of these statements is true. I am one of a group of men indorsing the only committee note outstanding. I have assumed none of the liabilities and none of the debts of the committee. Mr. Shouse was unknown to me previous to the 1928 campaign and was selected as chairman of the executive committee of the Democratic National Committee by the members of that committee after long and careful consideration of several important names and after consulting with other strong party leaders.

"He is in complete charge of and responsible for work assigned to him, has selected and employed every one of his own staff (including Mr. Hunt, whom you designate as his brother-in-law, but who, in fact, is not related to him in anyway), without recommendation from me; has never been interfered with by me, but has shaped his policies and conducted his work most successfully through working in close communion and harmony with the members of the Democratic National Committee, and particularly with Democratic Senators and Representatives, who are easily accessible in Washington.

SMITH'S FRIENDS CUT DEBT

"The million dollars' reduction in the party debt was made not by me, but by close friends and associates of Governor Smith, who felt great responsibility for a large part of our deficit and met it. I am loaning money to the national committee, which will be repaid. As a result of the party's defeat in 1928 and the severe financial depression of the past 15 months it has been difficult to raise money to carry on our work. My faith and confidence in the fundamental liberal principles of the Democratic Party gave me a great sense of security in the party's virility and the repayment of necessary loans.

"The recent 1930 elections fully justify my faith, and the party is now bigger, stronger, and better organized nationally than ever. Plans are under way for a nation-wide fund-raising campaign to meet our debts and provide money to continue the great work the national organization is now doing.

DENIES HE WAS REPUBLICAN

"Your article infers that I was a Republican and states that I voted for Coolidge, Harding, and Hughes, and became a Democrat solely because of the Smith candidacy. None of the above is true, although it has been used by the Republicans as political propaganda in every malicious way possible and in spite of my denials. The facts are that my grandfather, father, and whole family were Democrats, and I lived with them until 27 years of age, when I married into a family that have been Democrats always, having settled in Maryland in 1634 and lived there ever since.

"I disapproved of the party's attitude on silver in 1896, and in consequence, although generally voting the Democratic ticket, have always been an independent in politics until I affiliated with the Democratic Party. I have never affiliated with the Republican Party, never voted or took part in its primaries, did vote for a Republican President, and belong to the Union League, a social club, in Philadelphia, the charter of which provides that a member must believe in our republican form of government. It does not provide a member must be a Republican.

"When I was elected a member, the membership committee were told I voted for President Wilson, and my resignation has not been requested by reason of being chairman of the Democratic

National Committee or otherwise. Furthermore, a substantial number of its membership voted for Hon. Alfred E. Smith for President in 1928, and an even greater number voted for Mr. Hemphill for Governor of Pennsylvania last November.

REFERS TO HOOVER'S REPORTED SHIFT

"There is no apology needed for any man whose convictions are changed on any subject. Gossip has it that Mr. Hoover was formerly a Democrat. It was his right to change his opinion and his politics, but when your article infers that I was a Republican and changed to the Democratic Party because of my religion and because Alfred E. Smith is a Roman Catholic, you are merely joining that strong group in the Republican National Committee that have been fomenting religious and class hatreds during the past two years and prostituting the Republican Party to gain ballots from a misinformed, abused, and misguided public.

"Seeds of hatred sown wildly in times of depression and poverty fall on soil made very fertile for weedy growth by hunger and suffering in times like these. If the consequences thereof could be visited on those guilty of sowing the seed, no one would complain. But it is the poor and innocent public, ignorant of the facts, that must suffer the consequences.

"Because of an appreciation of its responsibility the Democratic National Committee has conducted clean campaigns devoid of nefarious practices, despite the artifices of its adversaries. Shame on the man who, in such circumstances, masquerading as a member of the party, should pervert his talents to such improper usages and make himself part and parcel of the campaign of bigotry and intolerance in which the Republican Party is engaged.

"Never in its history has our country had greater need for pure, unselfish, patriotic service than now. My lack of education in political matters makes politics difficult and unattractive to me. However, when drafted into service through the chairmanship of the Democratic National Committee, I responded to the call confident in the belief that it is only through the Democratic Party that we can quickly return to the liberal form of government established by the founders of our Government when they adopted the Constitution of the United States. I accepted my position with the distinct understanding that I desired no public office and would consider unfair any attempt to draft me farther into public service.

"The Democratic Party is not and will not be controlled by any man or small group of men. Nominations for President and Vice President will be made by the Democratic National Convention and not dictated by any clique. When this great party bows to the control of one man or small group of men as does the Republican Party, it will cease to be Democratic, will cease to exist, and will not have me, a true liberal in every sense of the word, as its national chairman.

LOOKS TO 1932 CAMPAIGN

"Unselfish, patriotic service to one's country can easily be viewed by selfish, suspicious people as a 'prize paradox,' but, thank God, the country is overflowing with unselfish, patriotic citizens who are only awaiting the 1932 national elections to follow a leader carrying their banner.

"As your article was published on the front page of the Baltimore Sun of January 6, I am giving this letter to the press for the information of the people of the country.

"Very truly yours,

"(Signed) JOHN J. RASKOB,
"*Chairman Democratic National Committee.*"

[From the Baltimore Sun of January 14, 1931]

THE GREAT GAME OF POLITICS—A REPLY TO MR. RASKOB

By Frank R. Kent

WASHINGTON, *January 13.*

DEAR MR. RASKOB: Your letter of January 12, in which you reply to an article of mine in the Sun asserting that you had underwritten the very heavy expenses of the Democratic headquarters in Washington, had assumed all the party liabilities, reduced the million-dollar debt, personally loaned the party a quarter of a million dollars, and owned the committee machinery, because you had paid for it, was received this morning. You are entitled to the courtesy of a reply.

Aside from the personal abuse of myself and a number of calculated false statements, your letter seems to me evasive, deceitful, and disingenuous, deliberately designed to obscure the facts, not to clarify them. I can quite understand that neither you nor Mr. Shouse nor the rest of your committee employees could sit still under my article. All I did was to take the facts and figures revealed by Mr. Gerard's report to the House of Representatives, together with other generally known facts about your party financing, and print them in a logical sequence. But it so happened that no one had done this before, and when it appeared in print the picture was not a pretty one. It scared you and it scared your pay-roll boys. After the clippings from all parts of the country in which the article was reprinted began to come in your publicity department felt the thing had to be answered.

Democrats generally had not exactly realized the degree of your party ownership, and the reaction when they did was distinctly unfavorable. So after six days I got a letter. It would have been shrewder for you to have answered it immediately, thus avoiding that week during which the facts sank in and thus making your indignation seem a little less spurious. Because you know and I know you are not really indignant; you are just a breast-beating amateur in politics who has had the covers pulled off him.

Now, then, in view of your excited denunciation of me as one having little regard for the truth and the vehemence of your general denials, I herewith repeat the main statements I made in the Baltimore Sun on January 6.

I assert that so far as the Democratic Party has liabilities and debts you have taken them over. There may be other indorsers on the note, but your name heads the list and you are the chief responsible person and so recognized. You have done all the financing and it is you who have reduced the $1,000,000 debt to approximately $600,000. Further, I assert that you selected Mr. Shouse as executive chairman, arranged for the expanded headquarters in Washington, for the high-priced publicity department, and underwrote for a period of three years the unprecedented expenses of the work here.

I further assert that the record shows the Democratic Party to-day personally owes you for money loaned a quarter of a million dollars. I further assert that it owes you more every month, not less, and that in the last campaign the record shows nine-tenths of all money contributed came from you.

I further assert that in the history of this country no political party was ever under such financial obligations to any individual as the Democratic Party is to-day under to you. You brought the party out of bankruptcy, put it through the receivership, stood it on its financial obligations to its financial feet, and then clapped a first mortgage on it. You are the first-mortgage holder.

That's the story as I wrote it, and that's the story as I repeat it. You can quibble as much about details as you please and you can dwell upon your unselfishness and purity and upon my wickedness and unregeneracy as often as your press department can write your letters, but it is in every essential fact a true story, which well you know. So does every other clear-headed man. I did not in my article intimate that in what you had done financially for the Democratic Party you had any sinister purpose. I did not intimate—nor do I think—that you are a bad man, nor a vicious one. Nor do I think you either a big or an unselfish one. I think you, like most of us, are just about as good as you know how to be. Nevertheless, I do not believe it a healthful or a happy thing for the Democratic Party to permit you or any other man to so completely keep it financially, and I think you are a little out of focus or you would not have gone as far as you have, even though the money means little to you.

I particularly do not believe the party's chances for success in 1932 are enhanced by the condition in which you have put it by such extraordinary generosity. It wasn't necessary for you to save it to that extent. It would have lasted. You seem greatly aggrieved at my statement that you were a Republican until 1928 and that you voted for Hughes, Harding, and Coolidge. That statement was made many times in practically every paper in the country in 1928. This is the first time I have ever seen a denial from you. You say in one breath it isn't true and in the next that you did vote for a Republican President. You do not say you did not vote for more than one, though that is the idea you try to convey. I don't withdraw it because I am unconvinced, but it isn't important. You may or you may not have been a Republican. That does not affect the fact that you are the first-mortgage holder of the Democratic Party to-day, and in my judgment that is not a good thing.

As a Democrat who has not yet scratched a Democratic ticket and does not expect to; as a Democrat who voted for Al Smith in 1928 and expects to vote for a Democrat in 1932; as a Democrat whose people were voting for Democratic candidates in Maryland before those ancestors you refer to knew there was such a State or such a party—as that sort of Democrat, I don't like the idea of the Democratic Party owing you so much money. Even if I didn't know you, I wouldn't like it. It gives a Democrat an unpleasant and uncomfortable feeling. The Democratic Party ought not to let any rich man so completely finance its activities and pay its bills. It isn't self-respecting and it isn't democratic and it isn't good.

You say that ultimately you expect the Democratic Party to pay you back the money you have loaned. I think you are optimistic and not sincere about that. However, as a Democrat I am so completely convinced that it would be so much of a help to the Democratic Party in the next campaign to pay you off and get rid of you that, though I am not a rich man, I will very cheerfully contribute to that end.

I haven't space here to take up in detail the many misstatements you make in your letter, nor to show the hollow character of your denials. You know perfectly well I did not "liken the Democratic Party to a harlot." You know perfectly well, too, that I did not imply that you had become a Democrat because of your religion and because Smith is a Roman Catholic. You know perfectly well that I hate bigots as bitterly as you and have fought them with a clearer conscience. You know that part of your letter is rot. You are not dumb and you know better. If I thought you meant this cheap stuff I would tell you it is a contemptible falsehood, without a shadow of justification or excuse. I would add that it was made in a contemptible way and that in making it you measure up to the lowest known political tradition. I prefer to think that this idea was put in by whoever wrote that letter for you—that it isn't your own, but you took it. I don't



want to regard you as that type of man. At any rate, it makes me sure Charley Michelson didn't write the letter for you. He would have done a better job.

Very sincerely,

FRANK R. KENT.

JOHN J. RASKOB,
Chairman Democratic National Committee,
Washington, D. C.

P. S.—One thing—and only one thing—in my article I want to retract. That is the statement that Mr. Hunt is Mr. Shouse's brother-in-law. I was incorrectly informed and apologize to them both.

RECESS

Mr. SMOOT. I move that the Senate take a recess until to-morrow at 11 o'clock a. m.

The motion was agreed to; and (at 5 o'clock and 20 minutes p. m.) the Senate took a recess until to-morrow, Friday, January 16, 1931, at 11 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate January 15 (legislative day of January 5), 1931

UNITED STATES ATTORNEY

Frank Martinez, of New York, to be United States attorney, district of Porto Rico, to succeed John L. Gay, resigned.

APPOINTMENTS IN THE ARMY

MEDICAL CORPS

To be first lieutenants

First Lieut. Harold Harrison Twitchell, Medical Corps Reserve, with rank from January 9, 1931.

First Lieut. Kenneth George Gould, Medical Corps Reserve, with rank from January 9, 1931.

First Lieut. Richard Love Daniel, Medical Corps Reserve, with rank from January 9, 1931.

First Lieut. Thomas James Hartford, Medical Corps Reserve, with rank from January 9, 1931.

First Lieut. Paul Herbert Martin, Medical Corps Reserve, with rank from January 9, 1931.

First Lieut. Saunders Murray, Medical Corps Reserve, with rank from January 9, 1931.

First Lieut. William Henry Christian, jr., Medical Corps Reserve, with rank from January 9, 1931.

First Lieut. Otto Leonard Churney, Medical Corps Reserve, with rank from January 9, 1931.

First Lieut. Henry Clay Chenault, Medical Corps Reserve, with rank from January 9, 1931.

APPOINTMENT, BY TRANSFER, IN THE ARMY

TO FIELD ARTILLERY

Lieut. Col. Sherman Miles, Coast Artillery Corps (detailed in General Staff Corps), with rank from August 24, 1929.

PROMOTIONS IN THE ARMY

To be colonels

Lieut. Col. Richard Wilde Walker, Cavalry, from January 9, 1931.

Lieut. Col. Carl Carlton Jones, Quartermaster Corps, from January 14, 1931.

To be lieutenant colonels

Maj. William Ducachet Geary, Field Artillery, from January 9, 1931.

Maj. Emil Pehr Pierson, Cavalry, from January 14, 1931, subject to examination required by law.

To be majors

Capt. Robert Graham Forsythe, Signal Corps, from January 9, 1931.

Capt. Orsen Everett Paxton, Infantry, from January 14, 1931.

To be captains

First Lieut. George Washington Polk, jr., Air Corps, from January 9, 1931.

First Lieut. Francis Herron Jack, jr., Infantry, from January 9, 1931.

First Lieut. Devereux Maitland Myers, Air Corps, from January 11, 1931.

First Lieut. Alfred Warrington Marriner, Air Corps, from January 14, 1931.

First Lieut. Guy Harrison Gale, Air Corps, from January 14, 1931.

To be first lieutenants

Second Lieut. Meredith Cornwell Noble, Infantry, from January 9, 1931.

Second Lieut. George Henry McManus, jr., Field Artillery, from January 9, 1931.

Second Lieut. Leo Francis Kengla, jr., Infantry, from January 11, 1931.

Second Lieut. Robert Emmett Burns, Signal Corps, from January 12, 1931.

Second Lieut. John Amos Hall, Infantry, from January 14, 1931.

Second Lieut. Donald Janser Bailey, Coast Artillery Corps, from January 14, 1931, subject to examination required by law.

DENTAL CORPS

To be major

Capt. Clarence Constantin Olson, Dental Corps, from January 10, 1931.

HOUSE OF REPRESENTATIVES

THURSDAY, JANUARY 15, 1931

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Merciful God, we thank Thee that to-day offers another opportunity for service. It is more—we would have it a new life-confessing dependence upon divine grace and entering upon an avowed devotion to our country's welfare. In public and in private life may we be strong, noble-minded, sweet-tempered, and loving-hearted, always with fresh delight in our labors. If lulled into carelessness, arouse us to manly vigor; and if we cherish any bitterness, permit us not to be overpowered by it. Above all achievements is the wonder of wonders and the marvelous possibility open to us, namely, in spirit and in deed we can reflect the example of the great Teacher. Our Father, parallel our pathway, and Thine shall be the glory. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. J. Res. 447) entitled "Joint resolution making an appropriation to carry out the provisions of the public resolution entitled 'Joint resolution for the relief of farmers in the drought and/or storm stricken areas of the United States,' approved December 20, 1930," and had receded from its amendments numbered 1 and 2 to said joint resolution.

The message also announced that the Vice President had appointed Mr. REED and Mr. FLETCHER members of the joint select committee on the part of the Senate as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of useless papers in the War Department.

THE CHRISTIE TANK

Mr. COLLINS. Mr. Speaker, I ask unanimous consent to proceed for one-half minute.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. COLLINS. Mr. Speaker and gentlemen of the House, the famous Christie tank is at the east door of the Capitol and will be there until about 2.30 this afternoon for the

inspection of Members of the Congress. This is, perhaps, the most modern and important fighting implement that has been invented since the war, and I personally—and I know I speak for the other members of the subcommittee—would like for every Member of the House to see it.

POST OFFICE AND TREASURY APPROPRIATION BILL

Mr. WOOD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 14246) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1932, and for other purposes, with Senate amendments, further insist upon disagreement to the Senate amendments, and agree to the conference asked by the Senate.

Mr STAFFORD. Mr. Speaker, reserving the right to object, I understand there are one or two items that the conferees have refused to approve in conference.

Mr. WOOD. Yes.

Mr. STAFFORD. What is the scope of those provisions?

Mr. WOOD. There are several controversial items. One is with reference to an appropriation for an air line from the United States to Mexico City; another an appropriation of $750,000 for an air line from St. Paul to Seattle; and another is the salary increases.

Mr. STAFFORD. The gentleman does not mean to say that the Senate is insisting on additional appropriations for the air mail service in addition to the amounts incorporated in the bill?

Mr. WOOD. That is what they are doing.

Mr. STAFFORD. The appropriation for the line to Mexico City is in addition to the $7,000,000 which we appropriated, although it was shown that the receipts from air mail for foreign service is only $332,000. We are appropriating $7,000,000 as a pure subsidy for the carriage of mail from foreign ports like Cristobal to Pernambuco.

Mr. WOOD. We are further insisting on disagreement to that provision.

Mr. STAFFORD. I hope the House conferees will continue to insist until next December.

The SPEAKER. Is there objection to the request of the gentleman from Indiana? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. WOOD, THATCHER, HARDY, WELSH of Pennsylvania, BYRNS, and ARNOLD.

AMERICA'S INTEREST IN THE BANK FOR INTERNATIONAL SETTLEMENTS

Mr. McFADDEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing an address delivered by myself at Providence, R. I., night before last.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. McFADDEN. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following speech delivered by me Tuesday evening, January 13, 1931, before the Economic Club, of Providence, R. I.:

For nearly a year now the Bank for International Settlements, which in its conception was to have a corporate being free from political control by any sovereign power, has been able to enjoy corporate existence and enter upon its unique functions because the sovereign state of Switzerland generously consented to become its creator.

It was created in this normal and prosaic way because, however, portentous its advent upon the human scene may be, miraculous birth did not seem feasible for it to the members of the Young Committee in 1929. Switzerland was selected as its parent because the thought of its birth and growth from youth to maturity taking place at London aroused such ineradicable apprehensions at Paris, and the thought of such growth taking place at Paris aroused such precisely similar apprehensions at London, that some sovereign power which was not suspect had to be chosen.

Every bank exists by virtue of the physical protection which the state which creates it gives to it. Policemen or gendarme patrol its approaches, and if need be the military forces of the state intervene to guard its treasures against the depredations of marauders. The reciprocal obligation follows of loyalty and obedience on the part of the bank to the will of its sovereign creator and to it alone.

The Swiss are a redoubtable people. Surrounded through the centuries by warlike and aggressive powers, they have expelled every incursion of the foreigner into their mountain fastnesses and maintained their independence unimpaired. They would be quick to oppose any aggression from without.

Swiss honor also is unimpeachable, and the bank's directors may therefore rest easy as to the safety of the funds within its vaults, even though those funds would necessarily be at the disposal of the Swiss state.

Should an aggressive European power, or a coalition of powers, threaten a raid upon those vaults, the entire military force of Switzerland may be depended upon to die to the last man in its defense as they did at Morgarten or St. Jaques.

This is a heavy responsibility for the world to ask the state of Switzerland to accept. But the responsibility may be greatly lightened if the bulk of the gold stocks of the bank may, by arrangement, be left on deposit in Paris or London, so that, for the most part, gold transfers may be effected by mere book entries as is the custom of the central bank of a sovereign state in making transfers of gold between private domestic banks. In such case the total amount of the treasure in the vaults of the bank at Basel might be very small, and it would not be necessary for the promising Swiss youth to pour out its blood upon the steps of the bank.

In such case, also, the strength of the bank will rest upon moral prestige and not upon the support of physical force except such as in an exceptional case the League of Nations might marshal for its protection. So highly does our Federal reserve system esteem the moral prestige of the bank that it has already parted with some of its high officials in order that they may become officers of the Bank for International Settlements and contribute their talents to the bank's success.

It is said that the Federal reserve system puts such great confidence in it that it may entrust a large part of its gold to the custody of the bank, thus obviating the frequent shipment of bullion across the Atlantic in either direction and greatly facilitating international transfer of funds.

As to the safety of the gold, besides the redoubtable guardianship of the Swiss Government, the League of Nations could, at need, marshal the collective military force of Europe against any aggressor who, in defiance of a decision of the World Court, might seek to seize it by force. Thus, whatever stocks of gold we entrusted to the Bank for International Settlements would be under the protection of the council of the League of Nations.

In case our Federal reserve bank requested a gold credit, or shipment of gold which we had on deposit in the Bank for International Settlements, and this became a matter of dispute, and the latter bank felt that it must refuse to make the transfer, the American interests could file suit in the World Court, and the Council of the League of Nations could be depended on to put any decision of that court into execution.

While it is a legal truism that possession is nine points of the law, and while possession of the disputed gold in such a case would be held in Europe, the moral and judicial majesty of the World Court will be such that it would be unthinkable for the American litigants to question the decision.

Thus, these beneficent institutions of an enlightened age insure the settlement of all financial differences between the United States and the states of Europe by peaceful means.

I do not desire to make an address here, gentlemen, in an ironical vein. My position in regard to the Bank for International Settlements is known. America should have no more interest in this bank than it has in the Bank of England, the Bank of France, the Reichsbank, or the Bank of Turkey. The function of the Federal reserve system is to protect the gold and regulate the currency of the United States, and its foreign contacts should be only incidental to this purpose. Political motives, such as financial aid in establishing or strengthening any political power in Europe, or financial pressure to compel action by some other political organism in Europe, ought not to be within the authority of the Federal reserve system.

I have spoken frequently during the past year, in Congress and elsewhere, upon the tendency of the Federal Reserve Bank of New York to blaze an independent trail by establishing and developing extensive contacts abroad for which it has no authorization in law, and of the deleterious effects of its policies upon our domestic conditions. I have covered the ground quite fully and in that connection have warned against its efforts to involve us in the world bank created by the Young plan.

The banking system of a state is such as the state chooses to set up. To coin money and regulate its value is an attribute of sovereign power, and in the exercise of this power the state establishes its banking system. If the state abandons control of its banking system to others it quickly ceases to be sovereign, for those who control the nation's wealth control the nation. Within the banking system of a sovereign state mutual aid and credit extensions among banks may be carried to great lengths for these funds all remain under the control of the state. This is not true as to foreign banks, and the extension of credits to a foreign state or bank ought not to be exercised at the independent will of the banking system. They ought to be matters for decision by sovereign authority.

We established the Federal reserve system a few months before the war broke out in Europe, and thereby created a centralized control of currency and the use of credit. Each of the 12 Federal reserve banks was to regulate credit in its district according to the needs there, and the activities of the reserve banks were to be coordinated under the supervision of the Federal Reserve Board at Washington.

The banks were given the power to buy and sell gold abroad, but it was the intention of the makers of the Federal reserve

act that this power should be merely incidental to the primary purpose of affording proper credit facilities to American citizens. The Federal reserve act did not contemplate the needs of the foreigner; it contemplated the needs of the American people solely.

But no sooner was the act passed and the Federal reserve system set in operation than the war in Europe broke out and exerted a profound influence upon our financial structure. The Federal reserve system became the vehicle for the transfer of vast funds from Europe to America, and especially after we entered the war for the transfer of vast sums of American wealth to Europe. These transfers were nearly all made through the Federal Reserve Bank of New York. This expansion of the purposes of the Federal reserve system was made by the authority of the Government in Washington and was necessitated by the exigencies of war.

After we entered the war the successive Liberty and Victory loans raised the necessary billions through subscription by the people. The billions destined for Europe were, as it were, drawn into a vast funnel whose mouth was the Federal Reserve Bank of New York and from there poured across the Atlantic. This raised the international bankers of New York who were representing foreign governments to a dizzy eminence of financial power and created the most intimate contacts between the agents of the respective financial powers in New York, London, and Paris. The sense of unity with our associated nations in the war found its highest expression in the trans-Atlantic contacts established by these New York bankers. A roomy financial conduit had been constructed across the Atlantic through which the entire liquid wealth of either hemisphere might easily be transferred to the other, provided those who controlled the wealth so desired.

That roomy financial conduit still exists as it was created in war time. After performing its war functions it served again from 1921 to 1924 for the great flow of gold metal westward when Europe made a belated settlement of its vast unpaid trade balance.

When that service was completed the function of this trans-Atlantic financial conduit, this feat of financial engineering, should have come to an end. Having served its war purpose, it should have been dismantled. It is too roomy for peace purposes. Its potentialities are as great as would be those of a tunnel from the United States to Europe built of stone and mortar. A reconsideration of the Federal reserve act ought to have been undertaken in 1925 and legislation effected to curb the powers of the Federal Reserve Bank of New York. As it was not done then, it is urgently needed now. Only a subordinate governmental agency in its nature, the Federal reserve system, dominated by a group of New York international bankers, is now claiming the right to exercise its powers independent of governmental control. It resents the suggestion of action by the Congress to regulate its functions and it aspires to assert equality with, or superiority over, the sovereign Government of the United States.

Suppose the Congress of the United States yields to these claims. History, particularly recent history, shows that the great financiers are able to insinuate their agents into high place with each incoming administration and to control both the State and Treasury Departments. They dominate the policies of the executive branch. If the Congress through the influence of the financial power over it becomes unable to regulate the banking system of the country and thus to curb an autocratic financial power, the political Government at Washington will cease to be a sovereign power and will become but the agent of an irresponsible and world-wide financial autocracy.

And to what uses would the roomy, war-time financial conduit across the Atlantic be put? Those superfinanciers who assume to tell us what is best for us, citizens of the United States as they are, are already saying that a redistribution of the great gold stock of the United States is urgently needed. Assume that, fascinated by these masterful voices, the citizenship of this country interposes no obstacle and permits them to have their way. Before any belated voices might rise in alarmed protest, the deed would be done, and the Eastern Hemisphere would again be dominant through the power of gold. The great savings-bank deposits of the American people would shrink, credit, no longer a common utility, would become the rich man's privilege, money would be scarce and poverty common; or if the effort were made to furnish more currency than the attenuated gold base warranted, there would be the eternal vexation of monetary troubles.

Economics is not one thing and politics another. If this great change were brought about by the financiers, it would be the most supendous political coup that the world ever saw. Nearly all the currency of this country is now in the possession of the great New York banks. Banks elsewhere and the people hold depreciated securities and can not find the funds needed for legitimate business. This currency ought to go back to the banks of the country and to the people in order that the great internal trade of the country may be stimulated and the great domestic market resume its activity. Gathered into the vaults of New York, this collective liquid wealth of the American people lies entirely too conveniently near to the western mouth of the roomy, war-time financial conduit to Europe.

We know what the money loaned to Europe in the war went for. It went to pay for things which were being consumed in the holocaust of war. Steadily the long-accumulated wealth flowed out of Europe to pay for what the war was continuously burning up. First, they spent their ready-cash; then they sold their vast holdings abroad to secure new credits; then, after we entered the war, they borrowed $11,000,000,000 from us.

No bullion shipments were made on account of trade balance after we entered the war, and it was because Europe was very slow to make these shipments after the war ended that we suffered the credit stringency which produced our hard times of 1920 and 1921. It was only after the allied states were forced to settle their trade balance in gold that the credit base of our financial structure was broadened by the acquisition of an adequate gold stock that restored our banking system to a normal condition. It was only after the exportation of this gold from Europe took place also that the poverty to which the war had reduced all the states of Europe became apparent. It was not until then that realization came in the United States that Europe was impoverished and that the United States had become by far the wealthiest country in the world.

Why should responsible authority seek, as it has done for years, to conceal from public knowledge the simple explanation of the great accumulation of our postwar wealth? That accumulation of wealth is due essentially to the fact that from 1921 to 1924 there was a steady flow of gold coming into our ports chiefly from Europe or on European account, reaching by the end of the third year the figure of more than $2,000,000,000. This bullion became gold reserves in the banks and furnished an amount of good currency adequate to the needs of the vigorous industrial population of our continent. Yet a few years ago a great commission of economists appointed by political authority to determine the causes of our postwar prosperity wholly ignored this single definite cause and ascribed it vaguely to "acceleration, spread, and tempo."

Why should they not have been honest and courageous about it? If the public understood the specific cause for our postwar wealth, and realizing the magnitude of that wealth, would it not have a better understanding of the question of debts and reparations?

How could such a stupendous paroxysm of warfare, lasting for nearly five years and exhausting every resource of the entire continent of Europe, have failed to bring a profound change in the world? Its economic consequences were manifested with singular clearness by those steady shipments westward across the Atlantic from 1912 to 1924 of more than 4,000 tons of gold metal. Vast as have been these shipments of gold, they still leave Europe in our debt; she still owes us the $11,000,000,000 of public debts which we loaned her in the war, and in addition approximately four billions in private debts contracted since the war ended. Why do not our economists, public and private, acknowledge that it is the acquisition of our great postwar gold stock that explains the economic power of the American Republic to-day and that, if we relinquished possession of our gold, our economic power would wane. Whence came the "acceleration, spread, and tempo" which the committee on economic changes found to be the cause of American prosperity?

The war in Europe must be viewed from one of two opposed standpoints, and in accordance with the view from one of these standpoints the great financial and economic decisions of to-day must be made, fixing the course of history for centuries to come.

In the first view, the war in Europe brought an era of history to a close. It transferred the center of civilization's power from the Eastern Hemisphere to the Western. It made a new and different conception of cultural life predominant in the world.

In the second view, the war in Europe changed nothing permanently. It brought greater temporary exhaustion to Europe than any previous war had done, but recuperation will take place with increasing rapidity and Europe will regain its former relative position in the world.

If the view from the first standpoint prevails, the United States will retain and protect its gold stock and utilizing its resulting economic power in the way it judges best, and Europe will acquiesce in this decision.

If the second view prevails, the American people will regard their possession of $4,000,000,000 in gold as incidental and transitory and acquiesce more or less actively in its redistribution among those who held it before the war. They will suffer the consequent lowering of their economic power with equanimity. Europe will quickly regain possession of it, and with it of the economic and political vigor which characterized that continent before the war.

The struggle goes on between the two sides. Its evidences have been plainly visible during the past decade.

I do not see how any administration in Washington could fail to adopt the first view unequivocally. I do not see how any administration could justify itself for adopting the second. Under any circumstances, it would have no right to adopt and act upon the second view until the question had been made a political issue and the will of the people had been expressed. In a democratic republic, great and vital questions of foreign policy are not to be considered and decided in secret by a handful of men in temporary office in Washington. The people of the Republic have the right to determine their own destiny.

The peoples and governments of Europe are impoverished. They wish and insist that we should pool our wealth with them in order that the pre-war balance may be reestablished. It is too much to ask of us, and the issue should be squarely met. It should be made clear once and for all that the gold stock of the United States is to remain here permanently to water the garden of American industrial life. And it should be made clear also that it is in this way that the United States can make its greatest contribution to the world's civilization.

It is because the statesmen of Europe have for 12 years rejected this reality and have tortured their brains with schemes for effect-

ing the quick return to Europe of its lost gold that no progress in reconstruction has been made. I have recently analyzed the Stresemann policy, which for years all Europe has been pressing and have shown how under it Europe was to be made over again in a few years' time through the acquisition of billions of dollars realized by the sale in the United States of German reparation bonds, and I have shown the more than dubious moral and legal quality of those bonds.

That such a scheme could have been openly pressed by our own leading financiers, and surreptitiously aided by successive administrations in Washington, as it has been, until it has actually reached dangerous proportions for us, is sufficient evidence that it is time for the Congress and public opinion to interest themselves in establishing proper control over our foreign relations.

The surreptitious support of this policy by the State and Treasury Departments has continued for years. When the peace conference convened in Paris after the war, the American delegation was accompanied by a hundred eminent scholars with a library of 10,000 books. Attachés of the American delegation sprang, as it were, from the ground to accord their valuable aid in one or another phase of the work to be done. But the men who emerged from this intellectual welter to sit in the inner councils of the conference and guide the steps of the American delegation were a selected group of the international bankers of New York.

Hand and glove they worked with the internationalists of Europe. The Europeans molded the treaty to suit themselves, and the American financiers persuaded the American delegation to sign it.

The treaty provided for reparations afterwards fixed at $33,000,000,000, and Annex II to the reparation clauses provided that this sum might be capitalized by the Allied Governments and sold as bonds to purchasers on the world's investment markets. If the bonds could be successfully marketed, France would receive about $16,000,000,000 in cash, Britain six or seven billions, and the smaller allies lesser sums.

The purpose of this provision, as subsequent events have proved, was to sell the bonds in the United States chiefly, which would thus pay the German indemnity to the Allies in cash, and look to Germany for reimbursement. If the scheme could have been executed in its pristine brightness, Europe would have been over the effects of the war in 10 years time, and the United States would not have retained its postwar wealth. The roomy, wartime financial conduit was there to facilitate this great transaction.

This provision in Annex II, the financial bankers of New York induced the American delegation to the Peace Conference to accept.

This purpose remains to-day the dominant motive of European diplomacy and politics and the preoccupation of the New York bankers. It found a medium of action in the Stresemann policy of 1925 which has culminated in the launching on our markets of the German international 5½ bonds, which I discussed recently in the House of Representatives. Fortunately, we seem to be taking warning against these bonds in time.

Having gotten the provisions of Annex II into the treaty, the international bankers of New York came home to work on this side to put it into execution. The refusal of the Senate to ratify the treaty was a great setback, but the efforts went on just the same. After 1921 the bankers attained control of the State Department and the Treasury Department and have never relaxed their grip upon the policies of these departments. Putting the Stresemann policy into execution in the United States could not be openly accomplished. Its purposes could not be openly avowed. The State and Treasury Departments were in sympathy with it but did not dare publicly to avow this sympathy. They were reduced to the practice of roundabout and rather surreptitious methods to further, gradually, the purposes of the international bankers and the European governments. The State Department has exercised unseen a definite support of the treaty of Versailles in Europe, and the Treasury Department has not made the slightest effort to check the growth of unwarranted practices and powers in the Federal Reserve Bank of New York. In all really important negotiations concerning our European relations the State Department has left action to private bankers instead of to the responsible officials.

It secretly favored what was done by the Young committee in 1929, and in order that the Young plan might go into operation without the necessity of treaty settlements which would involve consideration of the whole matter by Congress, it made a special agreement with Germany concerning the German debt to us without which the Young plan could not have been adopted, and which required only a joint resolution of Congress approving it with reference to which general and open debate on the floors of the Congress on the whole subject did not need to be risked. The Young plan in its far-reaching significance falls within the purview of the Congress. It ought to have been fully considered there. But in order that this might be obviated and publicity avoided, the leaders of the organization in Congress in both Houses were summoned to the White House on May 19, 1929, while the Young committee was sitting in Paris, and there induced to agree to what was being done in Europe and to promise favorable action in both the Senate and House of Representatives. The result was that inquiry by individual Senators and Congressmen was smothered when the matter came up for action last year, and a matter which should have had the closest consideration by the Congress was railroaded through without debate.

Gentlemen, it is this subtle influence in every branch of our Government at Washington that is now a menace to the Nation's welfare. It is undoubtedly present and its results are visible. All its purposes converge upon a control of the Federal reserve system and of the political government at Washington, in order that national policy may be controlled by a few men and in the interests primarily of the foreigner. The only way to bring this condition to an end is by action in the Congress where alone the interests of the people are represented.

Now, in closing, let me say that under no circumstances ought the Congress or the people to allow the United States Government to be drawn slowly and by courses which can not be detected by a scrutiny of the public press into virtual alliance with the allied states for the maintenance of the status quo in Europe as it is to-day. Under no circumstances ought the ground be prepared for another American intervention in Europe's wars.

The Bank of International Settlements and the World Court are destined to be the financial and judicial part of the League of Nations.

MUSCLE SHOALS

Mr. HUDSON. Mr. Speaker, I ask unanimous consent to insert in the RECORD telegrams received from some of my constituents with reference to Muscle Shoals.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The matter referred to is as follows:

PONTIAC, MICH., *January 10, 1931.*

GRANT HUDSON, *Congressman:*

Our people wish to voice our opposition to Government entering into further public-utility investment and extension of transmission lines, especially referring to Muscle Shoals project.

CRAMER SMITH, *President.*

[Telegram]

DETROIT, MICH., *January 12, 1931.*

Hon. GRANT M. HUDSON,
House of Representatives:

As one of your constituents I strongly urge that you oppose Norris Muscle Shoals bill or any like bill that would cause Government to enter business in competition with private capital.

JOSEPH J. MCFAWN,
Vice President Cray, McFawn & Co.

[Telegram]

PONTIAC, MICH., *January 12, 1931.*

Representative GRANT HUDSON,
House of Representatives:

I think the Federal Government ought to keep out of operating Muscle Shoals. Wouldn't this establish a dangerous precedent?

HAROLD A. FITZGERALD.

CALL OF THE HOUSE

Mr. PARKS. Mr. Speaker, I desire to make a point of order.

The SPEAKER. The gentleman will state it.

Mr. PARKS. It is with profound sorrow I feel it is my duty to announce to the Speaker that there is not a quorum here, and I make the point of order there is not a quorum present.

The SPEAKER. The gentleman from Arkansas makes the point of order there is not a quorum present. Evidently there is not a quorum present.

Mr. TILSON. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, when the following Members failed to answer to their names:

[Roll No. 15]

Aldrich	Cullen	Johnson, Ind.	Reid, Ill.
Auf der Heide	Dempsey	Johnson, Okla.	Rowbottom
Baird	Dorsey	Johnson, S. Dak.	Shaffer, Va.
Beck	Doughton	Jonas, N. C.	Simms
Bell	Douglass, Mass.	Kearns	Sirovich
Blackburn	Doyle	Kelly	Smith, W. Va.
Britten	Fenn	Kemp	Sproul, Kans.
Browne	Fish	Kennedy	Stevenson
Brunner	Fitzpatrick	Kerr	Stobbs
Buckbee	Garrett	Kunz	Sullivan, N. Y.
Butler	Gavagan	McKeown	Sullivan, Pa.
Cable	Golder	Mansfield	Taylor, Colo.
Canfield	Hale	Michaelson	Taylor, Tenn.
Carley	Hastings	Montet	Thompson
Carter, Wyo.	Hawley	Nelson, Wis.	Underwood
Celler	Hoch	Norton	Warren
Chase	Hoffman	O'Connor, La.	Whitehead
Clancy	Hope	O'Connor, N. Y.	Williams
Corning	Hudspeth	Owen	Zihlman
Culkin	James, Mich.	Purnell	

The SPEAKER. Three hundred and fifty-two Members are present, a quorum.

Mr. TILSON. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

ARMY APPROPRIATION BILL

The SPEAKER. The gentleman from California moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15593, the Army appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. TILSON in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15593, of which the Clerk will read the title.

The Clerk read the title of the bill.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CITIZENS' MILITARY TRAINING

RESERVE OFFICERS' TRAINING CORPS

For the procurement, maintenance, and issue, under such regulations as may be prescribed by the Secretary of War, to institutions at which one or more units of the Reserve Officers' Training Corps are maintained, of such public animals, means of transportation, supplies, tentage, equipment, and uniforms as he may deem necessary, including cleaning and laundering of uniforms and clothing at camps; and to forage, at the expense of the United States, public animals so issued, and to pay commutation in lieu of uniforms at a rate to be fixed annually by the Secretary of War; for transporting said animals and other authorized supplies and equipment from place of issue to the several institutions and training camps and return of same to place of issue when necessary; for purchase of training manuals, including Government publications and blank forms; for the establishment and maintenance of camps for the further practical instruction of the members of the Reserve Officers' Training Corps, and for transporting members of such corps to and from such camps, and to subsist them while traveling to and from such camps and while remaining therein so far as appropriations will permit or, in lieu of transporting them to and from such camps and subsisting them while en route, to pay them travel allowance at the rate of 5 cents per mile for the distance by the shortest usually traveled route from the places from which they are authorized to proceed to the camp and for the return travel thereto, and to pay the return travel pay in advance of the actual performance of the travel; for expenses incident to the use, including upkeep and depreciation costs, of supplies, equipment, and materiel furnished in accordance with law from stocks under the control of the War Department; for pay for students attending advanced camps at the rate prescribed for soldiers of the seventh grade of the Regular Army; for the payment of commutation of subsistence to members of the senior division of the Reserve Officers' Training Corps, at a rate not exceeding the cost of the garrison ration prescribed for the Army, as authorized in the act approved June 3, 1916, as amended by the act approved June 4, 1920 (U. S. C., title 10, sec. 387); for medical and hospital treatment until return to their homes and further medical treatment after arrival at their homes, subsistence during hospitalization and until furnished transportation to their homes, and transportation when fit for travel to their homes of members of the Reserve Officers' Training Corps who suffer personal injury in line of duty while en route to or from and while at camps of instruction under the provisions of section 47a of the national defense act approved June 3, 1916 (U. S. C., title 10, sec. 441), as amended; and for the cost of preparation and transportation to their homes and burial expenses of the remains of members of the Reserve Officers' Training Corps who die while attending camps of instruction as provided in the act approved April 26, 1928 (U. S. C., Supp. III, title 10, sec. 451); for mileage, traveling expenses, or transportation, for transportation of dependents, and for packing and transportation of baggage, as authorized by law, for officers, warrant officers, and enlisted men of the Regular Army traveling on duty pertaining to or on detail to or relief from duty with the Reserve Officers' Training Corps; for the maintenance, repair, and operation of motor vehicles, and for the purchase of 7 motor-propelled trucks, 4 at a cost not exceeding $2,000 each, and 3 at a cost not exceeding $750 each, including for both types the value of a vehicle exchanged, $3,960,000, of which $368,047 shall be available immediately: *Provided*, That the Secretary of War is authorized to issue, without charge, in lieu of purchase, for the use of the Reserve Officers' Training Corps, so many horses now belonging to the Regular Army as he may consider desirable: *Provided*, That uniforms and other equipment or material issued to the Reserve Officers' Training Corps in accordance with law shall be furnished from surplus or reserve stocks of the War Department without payment from this appropriation, except for actual expense incurred in the manufacture or issue: *Provided further*, That in no case shall the amount paid from this appropriation for uniforms, equipment, or material furnished to the Reserve Officers' Training Corps from stocks under the control of the War Department be in excess of the price current at the time the issue is made: *Provided further*, That none of the funds appropriated in this act shall be used for the organization or maintenance of an additional number of mounted, motor transport, or tank units in the Reserve Officers' Training Corps in excess of the number in existence on January 1, 1928: *Provided further*, That none of the funds appropriated elsewhere in this act, except for printing and binding and pay and allowances of officers and enlisted men of the Regular Army, shall be used for expenses in connection with the Reserve Officers' Training Corps.

Mr. LaGUARDIA. Mr. Chairman, I present the following amendment.

The Clerk read as follows:

Amendment: Page 55, line 25, before the period, insert " : *Provided further*, That none of the funds appropriated in this act shall be used for or toward the support of any compulsory military course or military training in any civil school or college, or for the pay of any officer, enlisted man, or employee at any civil school or college where a military course or military training is compulsory, but nothing herein shall be construed as applying to essentially military schools or colleges."

Mr. BARBOUR. Mr. Chairman, I make a point of order on the amendment.

The CHAIRMAN. It seems to the Chair in a cursory reading of the amendment that it is a negative limitation.

Mr. BARBOUR. It is in the form of a limitation, but one of those limitations that seeks to control the discretion of an administrative officer. It does not limit any fund carried in this bill, it does not mean that there will be any less money expended for these activities, because a change of the entire activity from compulsory military training to voluntary requires exactly the same amount of money to be expended.

It is one of those amendments offered in the form of a limitation which seeks to change existing legislation, and as I said a moment ago restricts the Executive discretion of an administrative officer.

On that point I would like to call the attention of the Chair to certain rulings with which the Chair is familiar, on the general proposition that legislation can not be proposed under the guise of an amendment.

These schools are provided for in the national defense act. This training, compulsory or elective, is provided for in that act. The amendment seeks to change that to the extent that we shall not have any compulsory military training in the schools even though the school executives want it.

Now, particularly, I want to call the attention of the Chair to a ruling by the gentleman from Massachusetts [Mr. LUCE], who was in the chair during the Sixty-eighth Congress, second session, and which will be found on page 1497:

The Chair believes he should look through the form to the purpose. So doing, he finds the purpose to be legislative in that the intent is to restrict Executive discretion to a degree that may be fairly termed a change in policy rather than a matter of administrative detail. For this reason he feels it incumbent on himself to sustain the point of order.

Mr. LaGUARDIA. Mr. Chairman, my amendment is clearly a limitation. Assuming, for the sake of argument only, that what the gentleman from California [Mr. BARBOUR] says is a fact, that money is paid to schools where the training is compulsory, then I submit that that is a violation of the national defense act, which is entirely bare of any compulsory military training, and, to the contrary, specifically provides for voluntary military training. Clearly the decisions are numerous, and there is no question that an amendment which places a limitation on the expenditure of public funds is in order. The Chair will recall that during the discussion of the appropriation bill for the District of Columbia an amendment was placed in the bill limiting the qualifications of teachers in the public schools of the District, entirely contrary to the provisions of existing law, yet that amendment was held to be in order. If my amendment should be held to be out of order, then it would be nullifying all of the precedents of years in this House in respect to amendments that are limitations on appropriation bills.

The CHAIRMAN. Will the gentleman answer the Chair in respect to the last part of his amendment, as to whether that does not add additional duties to an executive officer?—

But nothing herein shall be construed as applying to essentially military schools or colleges.

Does not that require an examination into the character of the schools, as to whether or not they are essentially military schools, and does not that add another duty to an executive officers.? Will the gentleman address himself to that?

Mr. LAGUARDIA. Not at all. They are classified as such. For instance, there are private schools like the Culver Military Academy or the Staunton Military Academy. I refer to schools or colleges like State universities or other colleges that are not typically military academies. The War Department itself has made this qualification, and if the Chair should hold that I would be willing to strike that portion out. There can be no doubt as to that. That proviso meets the very objection that the gentleman from California states in his point of order. They are purely military colleges. The student who goes there goes with his eyes open and he goes for that purpose. I am taking no appropriation away from those schools. I think there can be no question as to the propriety of that amendment.

The CHAIRMAN. The Chair is ready to rule. The amendment offered by the gentleman from New York [Mr. LAGUARDIA] is in the form of a negative limitation. It is assumed that it is now authorized by law to appropriate for compulsory military courses or military training in civil schools or colleges. It is also authorized by law to pay an officer, an enlisted man, or an employee at a civil school or college where military training or courses are compulsory. The Chair is unable to find any affirmative direction in this amendment. In effect, it simply refuses to appropriate for purposes which are authorized by law and for which Congress may or may not appropriate as it may see fit. The Chair is constrained to overrule the point of order, because he is unable to find any affirmative direction or any limitation of authority of an executive officer other than a refusal to appropriate for certain purposes for which there is authority of law and for which Congress has heretofore appropriated. It does to a certain extent change a policy of the War Department, but the Chair believes that a change of policy can be made by the failure of Congress to appropriate for an authorized object. The Chair, therefore, overrules the point of order.

Mr. LAGUARDIA. Mr. Chairman, the purpose of my amendment is to make good to the people of this country statements that have repeatedly been made on the floor of this House, statements made by the War Department, by the Secretary of War, and I believe in several instances by the Presidents of the United States, that we have no compulsory military training in this country. The gentleman from California [Mr. BARBOUR] himself has solemnly assured the country in statements made on the floor of this House that we, the Federal Government, have no compulsory military training and that we do not appropriate for such a thing. He has often stated that he is not in favor of compulsory military training. That being so, all my amendment does is to restrict the appropriations to such schools where military training is not compulsory. That is all it does. It does not take one cent away from the clearly essential military schools, because if a boy wants to go to that kind of a school he goes there with the desire to obtain military training. If Congress wants to provide funds for such private schools, it can do so. If private military schools get any aid or appropriation from the Federal Government, my amendment does not disturb those schools; but in State schools, maintained by the States, or colleges where boys go, we should carry out the spirit of the national defense act, that the military training shall be optional. That is all there is to it. It will not take one cent away from any school or college where the training is optional, and, as I said before, we have declared to the country that we are appropriating this money for schools where the military training is optional. We have to keep faith with the people of the country. If any school compels its students to follow these courses in order to obtain Federal aid, then they have no complaint if we limit the funds to be appropriated or expended in accordance with the spirit of the law and the intention of Congress.

I am merely following the lead of the gentleman from California [Mr. BARBOUR], who has repeatedly stated that there is nothing in the law or the appropriation where military training is compulsory. I have waited patiently year after year. The gentleman is not at fault, the War Department is not at fault, the Congress is not at fault. Various schools and colleges are making military training compulsory. That being so, let us write the intention and spirit of the law into this appropriation and put an end to a system of compulsory military service in this country.

Mr. MONTAGUE. Mr. Chairman, will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. MONTAGUE. The gentleman speaks of an option. Who exercises that option?

Mr. LAGUARDIA. The student himself, except in essentially military schools, like the Staunton Military Academy, Culver Academy, Virginia Military Institute, and other essentially military schools.

Mr. MONTAGUE. Suppose there is a high school in a city, and through the regulations of the city there is compulsory military training in that school. The school itself can not control it.

Mr. LAGUARDIA. No. But we can by refusing Federal aid and public funds out of the United States Treasury for that school.

Mr. MONTAGUE. The individual student can say whether he will participate or not.

Mr. LAGUARDIA. That is all. That is the purpose of my amendment.

Mr. McSWAIN. I would like very much to have the gentleman's definition of what he means by strictly or exclusively military school.

For instance, in South Carolina we have a school known as The Citadel, which has been in existence as a military school for over a hundred years.

Mr. LAGUARDIA. And the students wear uniforms all the time?

Mr. McSWAIN. Oh, yes; all the time. They have no other clothes with them.

Mr. LAGUARDIA. There is no question about that being a military school. It would not be affected by this amendment.

Mr. McSWAIN. What about the land-grant college—the Clemson Agricultural and Mechanical College—where they wear uniforms all the time just in the same way? They get up in the morning by the bugle and they go to bed by taps.

Mr. LAGUARDIA. It is not compulsory in the land-grant college. Am I not correct about that? I ask the gentleman from Mississippi.

Mr. COLLINS. It can be optional in the land-grant college.

Mr. BARBOUR. It is optional in the land-grant school.

Mr. LAGUARDIA. Then my amendment would apply to land-grant schools.

Mr. YON. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. YON. In Florida in the university there is a corps there and we have an officer in charge of training detailed to that school. What bearing would this amendment have on a school of that sort?

Mr. LAGUARDIA. Is the training compulsory or voluntary? If it is voluntary, it would not affect it. If it is compulsory, it would get no funds under this amendment.

Mr. YON. If it is compulsory through the curriculum of the school?

Mr. LAGUARDIA. Exactly. That is the purpose of my amendment, gentlemen.

The CHAIRMAN. The time of the gentleman from New York [Mr. LAGUARDIA] has expired.

Mr. BARBOUR. Mr. Chairman, I rise in opposition to the amendment, because it seeks to limit or control the activities of schools and colleges throughout the country by a limitation on an appropriation bill without having gone into the matter and given the authorities of these

various schools and colleges an opportunity to be heard. It seeks to change the purpose and intent of the national defense act which provides, among other things, for the establishment of the Reserve Officers' Training Corps units.

The national defense act contains this provision:

That except at State institutions described in this section, no unit shall be established or maintained in an educational institution until the authorities of the same agree to establish and maintain a two years' elective or compulsory course of military training as a minimum for its physically fit male students, which course, when entered upon by any student, shall, as regards such student, be a prerequisite for graduation unless he is relieved of this obligation by regulations to be prescribed by the Secretary of War.

The national defense act leaves it entirely up to the school authorities to determine whether this training shall be elective or compulsory.

I think we should go a little slowly in changing this program that has been in effect for the past several years, ever since the enactment of the national defense act. It is a part of the whole scheme and program of maintaining something that is somewhere near an adequate national defense. I feel certain if any of the Members of this House have within the past three days read the first three chapters of General Pershing's experiences in the World War they will realize that these are matters about which we should proceed very slowly and be rather certain of our ground.

The effect of this amendment will be to wipe out of existence half or more than half of the existing Reserve Officers' Training Corps units throughout the schools and colleges of the United States unless they immediately change their plan of military training from compulsory to elective. They can not benefit by one dollar of this appropriation if this amendment is adopted and they have compulsory military training.

Mr. LaGUARDIA. Is the gentleman in favor of compulsory military training?

Mr. BARBOUR. No. But, in so far as these schools are concerned, I am in favor of leaving it to the school authorities to determine what they want in the way of educational facilities for their students. I do not see anything terrible in requiring a high-school student to spend a little time in military training. I have been through that. It did not do any harm to me that I have ever been able to observe. It is good physical education. It straightens a man up and throws his shoulders back and deepens his chest and it is good for him in a physical way. Nobody has ever been known to suffer because he took a year or two of military training, either elective or compulsory. But it is a matter that should be left to the school authorities themselves, and we here in Washington should not try to control it.

I would like to call attention to some of the schools that will be affected by this. Let us take the First Corps Area, which is composed of the New England States, and then the other corps areas.

I shall insert a table showing just what schools and colleges will be affected.

List of schools and colleges having Reserve Officers' Training Corps units

	Elective or required military training	Total enrolled	Drawing commutation		Receiving issue uniforms		Drawing neither	
			Basic	Advance	Basic	Advance	Basic	Advance
FIRST CORPS AREA								
Senior units								
Connecticut Agricultural College [1]	Required	288		41	247			
Yale University	Elective	271	162	107				2
University of Maine [1]	Required	622		32	590			
Boston University	Elective	528		37	491			
Harvard Medical School	do	86					43	43
Harvard University	do	224		54	148			22
Massachusetts Agricultural College [1]	Required	137		22	115			
Massachusetts Institute of Technology [1]	do	1,472		269	1,168			35
University of New Hampshire [1]	do	627		85	542			
Rhode Island State College [1]	do	312		41	271			
Norwich University	do	308	192	116				
University of Vermont [1]	do [2]	477	329	40			73	35
Total		5,352	683	844	3,572		116	137
Junior, class SM units			Junior		Junior		Junior	
Bangor High School	Required	288			288			
Gloucester High School	do	306			306			
New Bedford High School	Elective	170			170			
Total		764			764			
			Basic	Advance	Basic	Advance	Basic	Advance
SECOND CORPS AREA								
Senior units								
University of Delaware [1]	Required	230		44	285			1
Princeton University	Elective	617	433	184				
Rutgers University [1]	Required	663		83	580			
Albany Medical College	do	84					65	19
College of the City of New York	Elective	963		63	900			
Cornell University [1]	Required	2,140	1,798	269			52	21
Fordham University	Elective	183		26	157			
New York University	Required	1,126		66	804		227	29
Syracuse University	Elective	451		77	374			
University of Buffalo	do	70					40	30
University of Porto Rico [1]	Required	387			358	29		
Total		7,014	2,231	812	3,458	29	384	100
Junior, class M units			Junior		Junior		Junior	
Bordentown Military Institute	Required	110					101	
La Salle Military Academy	do	151			151			
New York Military Academy	do	291					291	
The Manlius School	do	261					261	
Total		813			151		662	

[1] Land grant.

List of schools and colleges having Reserve Officers' Training Corps units—Continued

	Elective or required military training	Total enrolled	Drawing commutation		Receiving issue uniforms		Drawing neither	
			Basic	Advance	Basic	Advance	Basic	Advance
THIRD CORPS AREA								
Senior units								
Georgetown University	Elective	458		38	223		157	40
George Washington University	do	166					103	63
Howard University	Required	305		49	256			
Johns Hopkins University	Elective	422	299	63			40	20
University of Maryland [1]	Required	586		48	538			
Western Maryland College	do	160	119	41				
Carnegie Institute of Technology	Elective	374		94	280			
Drexel Institute	Required	688		52	636			
Gettysburg College	Elective	170		26	144			
Jefferson Medical College	do	254					165	89
Lafayette College	do	207		26	181			
Lehigh University	Required	836			743	93		
Pennsylvania Military College	do	131					91	40
Pennsylvania State College [1]	do	2,118		107	2,011			
University of Pennsylvania	Elective	613	161	71			259	122
University of Pittsburgh	do	590	346	60			126	58
Medical College of Virginia	do	103					55	48
Virginia Agricultural and Mechanical and Polytechnic Institute [1]	Required	1,124	786	338				
Virginia Military Institute	do	673	442	231				
Total		9,978	2,153	1,244	5,012	93	906	480
Junior, class M units			Junior		Junior		Junior	
Valley Forge Military Academy	Required	209						209
Augusta Military Academy	do	272						272
Blackstone, a Military School for Boys	do	98						98
Fishburne Military School	do	133						133
Fork Union Military Academy	do	144						144
Massanutten Academy	do	116						116
Staunton Military Academy	do	516						516
Total		1,488						1,488
FOURTH CORPS AREA								
Senior units			Basic	Advance	Basic	Advance	Basic	Advance
Alabama Polytechnic Institute [1]	Required	1,145	878	267				
University of Alabama	do	1,644	1,512	132				
University of Florida [1]	do	1,208		140	1,068			
Georgia School of Technology	do	1,393	1,141	222				30
North Georgia Agriculture College	do	122			87	35		
University of Georgia [1]	do	758		146	602			10
Louisiana State University [1]	do	762	627	133			2	
Mississippi Agricultural and Mechanical College [1]	do	836	689	147				
Davidson College	do	386		53	333			
North Carolina State College [1]	do	891		123	768			
Clemson Agriculture College [1]	do	1,106	746	360				
Presbyterian College	do	171	120	51				
The Citadel	do	590	332	242			14	2
Wofford College	Elective	237		90	147			
University of Tennessee [1]	Required	739	590	102			18	29
Vanderbilt University School of Medicine	Elective	115					67	48
Total		12,103	6,635	2,208	3,005	35	101	119

[1] Land grant.

Mr. ABERNETHY. Will the gentleman yield?

Mr. BARBOUR. Yes.

Mr. ABERNETHY. Does this amendment cut out the required colleges?

Mr. BARBOUR. All the required schools are just wiped out, and they will not get any of the money appropriated under this bill unless they change from compulsory to elective.

Mr. ABERNETHY. Then I am against the amendment.

Mr. BARBOUR. I want you gentlemen to know what the effect is going to be on your own institutions.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. BARBOUR. Yes.

Mr. LAGUARDIA. In all fairness I think it should be stated that these schools could change their present system and make military training elective, and in that event they will enjoy the benefit of these appropriations.

Mr. BARBOUR. I say, unless they change from compulsory to elective training they will not get the benefit of these appropriations. I made that statement to the gentleman from North Carolina.

Mr. CLARK of Maryland. Will the gentleman yield?

Mr. BARBOUR. Yes.

Mr. CLARK of Maryland. If military training is required, we will say, at Howard University, does that make military training compulsory? In other words, no one has to go——

Mr. BARBOUR. To Howard University.

Mr. CLARK of Maryland. If a man goes to Howard University and knows that military training is required, can you say that is compulsory?

Mr. BARBOUR. I do not think so, any more than saying that higher algebra is compulsory or any other subject that is prescribed in the school curriculum. It would apply to one the same as to the other.

Mr. STAFFORD. If the gentleman will permit, before the regents of the University of Wisconsin——

Mr. BARBOUR. That is the institution which is always right, according to the gentleman from New York.

Mr. STAFFORD. Well, of course, the gentleman from New York knows more about it than anybody else.

Mr. BARBOUR. Except as to football.

Mr. STAFFORD. I would not except football. I would say that with respect to football it would be of superior rank. Before the regents of the University of Wisconsin made it optional for the students to take military training it was compulsory on everyone in that institution to take it by edict of the board of regents.

Mr. BARBOUR. Just the same as the students were required to take other subjects which are compulsory.

Mr. STAFFORD. Let me say to the gentleman from California that the trend of our colleges to-day is not to make anything compulsory.

Mr. BARBOUR. Let me say to the gentleman from Wisconsin that every other institution should have the same right as the University of Wisconsin and determine for itself whether the training should be compulsory or elective.

Mr. STAFFORD. As far as I am concerned, if I could, I would wipe out all appropriations as far as high schools are concerned. I do not believe high-school boys should be compelled to have militaristic ideas instilled into their heads while they are in a plastic stage, and when I was a member of the subcommittee of which the gentleman is now a member we were seriously considering striking out that appropriation as far as high schools are concerned.

Mr. BARBOUR. Then let me say to the gentleman from Wisconsin that he can introduce a bill providing for an amendment to the national defense act which will do that very thing and have it considered by his own committee.

Mr. STAFFORD. But we can do it more directly by limiting the appropriation.

Mr. BARBOUR. I want you gentlemen to get the effect of this amendment on the institutions in your sections of the country.

Mr. CLARK of Maryland. Will the gentleman yield?

Mr. BARBOUR. Yes.

Mr. CLARK of Maryland. Is the definition of compulsory military training, as mentioned here, the accepted definition by the department?

Mr. BARBOUR. Yes.

The CHAIRMAN. The time of the gentleman from California has again expired.

Mr. BARBOUR. Mr. Chairman, in view of the interruptions, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. BARBOUR. Now, let us go to the Fifth Corps Area, and I want every gentleman present to hear how this amendment will affect the schools in the various sections of the country.

List of schools and colleges having Reserve Officers' Training Corps units

	Elective or required military training	Total enrolled	Drawing commutation		Receiving issue uniforms		Drawing neither	
			Basic	Advance	Basic	Advance	Basic	Advance
FIFTH CORPS AREA								
Senior units								
Culver Military Academy	Required	567	413	154				
Depauw University	Elective	223		61	162			
Indiana University	Required	997	911	85				1
Purdue University [1]	do	2,049		259	1,790			
Rose Polytechnic Institute	do	239		33	206			
University of Kentucky [1]	do	1,224		162	1,062			
Ohio State University [1]	do	3,736	3,147	215			233	141
University of Akron	do	403		51	340			12
University of Cincinnati	do	1,148		219	871			58
University of Dayton	do	201		29	172			
Western Reserve University	Elective	110					63	47
Wilberforce University	Required	106			88	18		
West Virginia University [1]	do	812		99	713			
Total		11,815	4,471	1,367	6,315	18	296	259
Junior, class M units			Junior		Junior		Junior	
Howe Military School	Required	149						148
Kentucky Military Institute	do	148						148
Greenbrier Pres. Military School	do	244						244
Total		541						541
Junior, class SM units								
Gary High School	Elective	209			209			
Indianapolis High Schools	do	1,410			1,410			
Louisville Male High School	do	725			725			
Owensboro High School	Required	195			195			
Western Kentucky State Teachers' College	Elective	101			101			
Total		2,640			2,640			
SIXTH CORPS AREA			Basic	Advance	Basic	Advance	Basic	Advance
Senior units								
Knox College	Elective	155		34	121			
Northwestern University	do	196					117	79
University of Chicago	do	307		78	142		50	37
University of Illinois [1]	Required	3,577		426	3,151			
Michigan College of Mining	Elective	165	129	36				
Michigan State College [1]	Required	1,327		177	1,150			
University of Michigan	Elective	393	293	100				
Ripon College	Required	194		43	151			
University of Wisconsin [1]	Elective	624	508	111			2	3
Total		6,938	930	1,005	4,715		169	119
Junior, class M units			Junior		Junior		Junior	
Illinois Military School	Required	145					145	
Morgan Park Military Academy	do	250			250			
Northwestern Military and Naval Academy	do	162			162			
St. John's Military Academy	do	348					348	
Western Military Academy	do	225					225	
Total		1,130			412		718	

[1] Land grant.

List of schools and colleges having Reserve Officers' Training Corps units—Continued

	Elective or required military training	Total enrolled	Drawing commutation		Receiving issue uniforms		Drawing neither	
			Basic	Advance	Basic	Advance	Basic	Advance
SIXTH CORPS AREA—continued			Junior		Junior		Junior	
Junior, class SM units								
Chicago High Schools	Elective	5,311			5,311			
Joliet Township High School	do	136			136			
Rockford High School	do	280			280			
Waukegan Township High School	Required	508			508			
A. D. Johnston High School	Elective	106			106			
Calumet Public High Schools	do	197			197			
Detroit High Schools	do	1,218			1,218			
Grand Rapids High Schools	do	280			280			
Beloit High Schools	do	104			104			
Campion College	Required	214			214			
Total		8,354			8,354			
			Basic	Advance	Basic	Advance	Basic	Advance
SEVENTH CORPS AREA								
Senior units								
Ouachita College	Required	116		41	74			1
University of Arkansas [1]	do	581		85	496			
Coe College	do	271		44	227			
Iowa State College [1]	do	1,437		145	1,217		53	22
State University of Iowa	do	1,373	1,106	103			59	105
Municipal University of Wichita	Elective	167	130	37				
Kansas State Agricultural College [1]	Required	1,246		82	1,133			31
University of Kansas	Elective	317	247	70				
University of Minnesota [1]	Required	3,398	3,060	247				91
Missouri School of Mines	do	349		47	302			
St. Louis University School of Medicine	do	497					392	105
University of Missouri [1]	do	1,108	996	112				
Washington University	Elective	380	199	40			81	60
Creighton University	Required	485	391	26			36	32
University of Nebraska [1]	do	1,698		143	1,555			
North Dakota Agricultural College [1]	do	634	563	71				
University of North Dakota	do	516		71	444			1
South Dakota State College [1]	do	530		81	449			
University of South Dakota [1]	do	341	288	53				
Total		15,444	6,980	1,498	5,897		621	449
Junior, class M units			Junior		Junior		Junior	
St. Thomas Military Academy	Required	256					256	
Shattuck School	do	242					242	
Kemper Military School	do	336			336			
Missouri Military Academy	do	140					140	
Wentworth Military Academy	do	238					238	
Total		1,212			3,364		876	
Junior, class SM units								
Council Bluffs High School	Required	559			559			
Davenport High School	Elective	326			326			
Leavenworth High School	Required	188			188			
Cretin High School	do	557			557			
Joplin High School	Elective	312			312			
Kansas City High Schools	do	1,859			1,859			
St. Joseph High Schools	Required	571			571			
South Dakota State College	do	166			66			
Total		4,538			4,538			
EIGHTH CORPS AREA			Basic	Advance	Basic	Advance	Basic	Advance
Senior units								
University of Arizona [1]	Required	502		92	410			
Colorado Agricultural College [1]	do	599		56	543			
Colorado School of Mines	Required	403		142	261			
New Mexico State College [1]	do	229		45	184			
New Mexico Military Institute	do	492	414	66			12	
Oklahoma Agricultural and Mechanical College [1]	do	1,508		84	1,424			
Oklahoma Military Academy	do	223			211	12		
University of Oklahoma [1]	do	1,592		267	1,325			
Agricultural and Mechanical College of Texas [1]	do	2,432	1,872	560				
Baylor University College of Medicine	Elective	164					109	55
Total		8,144	2,286	1,312	4,358	12	121	55
Junior class M units			Junior		Junior		Junior	
Allen Academy	Required	188			188			
Texas Military Institute	do	147			147			
Total		335			335			

[1] Land grant

List of school and colleges having Reserve Officers' Training Corps units—Continued

	Elective or required military training	Total enrolled	Drawing commutation		Receiving issue uniforms		Drawing neither	
			Basic	Advance	Basic	Advance	Basic	Advance
EIGHTH CORPS AREA—continued			Junior		Junior		Junior	
Junior class SM units								
Phoenix Union High School	Elective	200			200			
Canon City High School	Required	140			1			
Dallas high schools	Elective	1,576			1,576			
El Paso High School	do	259			259			
Fort Worth High School	do	465			465			
San Antonio High School	do	521			521			
Total		3,161			3,161			
NINTH CORPS AREA			Basic	Advance	Basic	Advance	Basic	Advance
Senior units								
Leland Stanford Junior University	Elective	362		114	248			
Pomona College	do	118		34	84			
University of California, Berkeley [1]	Required [2]	1,615		242	1,276		54	43
University of California at Los Angeles	do	1,151		138	1,013			
University of Idaho [1]	do	623		79	544			
Montana State College [1]	do	431		22	409			
University of Montana	do	353		22	331			
University of Nevada [1]	do	202		12	190			
North Pacific College of Oregon	do	118					83	35
Oregon Agricultural College [1]	do	1,259		140	1,119			
University of Oregon	do	839		55	690		67	37
Utah State Agricultural College [1]	do	464		26	438			
University of Utah	Elective	610		90	520			
State College of Washington [1]	Required	1,209		76	1,133			
University of Washington	do	1,228	1,128	98			2	
University of Wyoming [1]	do	386		42	344			
Total		10,968	1,128	1,190	8,329		206	115
Junior class M units			Junior		Junior		Junior	
San Diego Army and Navy Academy	Required	225					225	
The Harvard School	do	175					175	
Total		400					400	
Junior class SM units								
Alameda High School	Elective	250			250			
Los Angeles High Schools	do	1,579			1,579			
Loyola High School	Required	180			180			
Oakland Public High School	Elective	1,340			1,340			
Pasadena Junior College	do	144			144			
Polytechnic High School, Long Beach	do	143			143			
Polytechnic High School and Junior College, Riverside	do	180			180			
Santa Barbara High School	Required	210			210			
San Diego High School	Elective	355			355			
San Francisco High Schools	do	1,250			1,250			
Boise High School	do	170			170			
Reno High School	do	190			190			
Ogden Senior High School	Required	370			370			
Salt Lake City High School	do	1,014			1,014			
Walla Walla High School	do	275			275			
Cheyenne High School	do	170			170			
Total		7,820			7,820			
HAWAIIAN DEPARTMENT			Basic	Advance	Basic	Advance	Basic	Advance
Senior unit								
University of Hawaii [1]	Required	348		50	298			
Junior class M units								
Kamehameha School	do	207			207			
Junior class SM units								
McKinley High School	do	807			807			
Punahou Academy	do	150			150			
Total		957						

[1] Land grant.
[2] Except for medicine.

Now, Mr. Chairman, I have just mentioned particularly the colleges, the institutions of higher learning.

This shows just what the effect of this amendment is going to be if we adopt it and put it on this bill without giving these schools and colleges a chance to consider the matter for themselves. I am not averse to any school or college changing its military course from compulsory to elective. Some of the finest institutions in this country, in my opinion, have an elective military course; but let the schools do it themselves. They know what is best for their students better than we do, and I am not one of those persons who is scared or alarmed because of a year or two of compulsory military training.

Mr. DICKINSON. Will the gentleman yield?

Mr. BARBOUR. Yes.

Mr. DICKINSON. The gentleman has read statistics from various schools and I would like to know the percentage of pupils taking military training where it is elec-

tive as compared with the percentage of military students where it is required.

Mr. BARBOUR. I will say to the gentleman that there is a column in the table showing the strength of the various units at the various schools and colleges.

Mr. DICKINSON. I was under the impression that wherever it is elective, you would find a much smaller percentage of the students taking military training.

Mr. LAGUARDIA. But with better results.

Mr. BARBOUR. No; not necessarily with better results.

Mr. DICKINSON. I do not know as to that.

Mr. BARBOUR. Mr. Chairman, I ask unanimous consent to extend my remarks by printing the whole table that I have been reading from in the RECORD. This will show the total enrollment and other information in regard to the units at the various schools. I think it would be enlightening if the complete table went in, and I therefore ask unanimous consent to include this as an extension of my remarks.

The CHAIRMAN (Mr. ARENTZ). Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BARBOUR. I now yield to the gentleman from New York, if I have the time.

Mr. LAGUARDIA. Will the gentleman kindly state to the committee the fact that this appropriation bill does not go into effect until July 1, 1931?

Mr. BARBOUR. That is true.

Mr. LAGUARDIA. And all of these schools, by changing from required to elective, could receive the appropriations if they could get the students to enroll.

Mr. BARBOUR. But they must change from compulsory to elective and do it by July 1 next.

Mr. LAGUARDIA. That is just the purpose of the amendment.

Mr. BARBOUR. I think the gentleman from New York and I are agreed on the facts in the matter.

Mr. GIBSON. Will the gentleman yield?

Mr. BARBOUR. I yield to the gentleman from Vermont.

Mr. GIBSON. The gentleman in reading the list of institutions in the First Corps Area named Norwich University.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. BARBOUR. Mr. Chairman, I ask unanimous consent to proceed for one minute in order that I may answer the question of the gentleman from Vermont.

The CHAIRMAN. Without objection, the gentleman from California is recognized for one minute.

Mr. GIBSON. I happen to be vice president of that institution. We have been training young men there since 1819.

Mr. EARBOUR. And they have a very fine cavalry unit there.

Mr. GIBSON. I want to know how that institution would be affected under the amendment offered by the gentleman from New York [Mr. LAGUARDIA].

Mr. BARBOUR. I will say to the gentleman from Vermont that you would have to change your plan of military training at Norwich University from required to elective or you would not get any money under this bill after the 1st day of July.

Mr. GIBSON. Then if a young man enters that institution he could elect whether he would take military training or not?

Mr. BARBOUR. If you change it, yes; but as it is now it is required.

Mr. PATTERSON. Will the distinguished chairman yield to me for a question?

Mr. BARBOUR. Yes; if I have the time.

Mr. PATTERSON. What effect would this have on the amount of money which the institutions would receive? In other words, where they have 2,000 students enrolled under the compulsory system, if they should make it elective and reduce the number of students to 500, would they get less money?

Mr. BARBOUR. The individual school would get less money, and they would not get any money unless they made it elective.

The CHAIRMAN. The time of the gentleman from California has again expired.

Mr. LINTHICUM. Mr. Chairman, I ask unanimous consent that the amendment may be again reported.

The Clerk again reported the amendment.

Mr. BEEDY. Mr. Chairman, I ask recognition.

Mr. Chairman and members of the committee, I think this amendment offered by the gentleman from New York raises a question of importance as broad and far-reaching as that of any which has been presented to this House for a long time.

The gentleman from California has read an extended list of colleges where compulsory military training is part of the program, and has frankly stated that unless between now and the 1st day of next July those colleges change what is now a compulsory military training to an elective system of training, they can not participate in any of the appropriations herein proposed to be made.

This does not leave the choice with the individual student in these colleges. There is many a boy who wants to go to the college that is near his home, accessible and available. He may not want to take military training, but he must go to this particular college and there he finds that military training is compulsory. He takes it. He is obliged to take it.

Now, do we want to commit this Congress to a policy of compulsory military training of the youth of America? This is the question you and I must answer right now on the vote on this amendment.

This Nation of ours has asked Europe to accept the Kellogg peace pact. We pose as a Nation which throws its vast influence in the scales for peace.

Are you going to permit the nations abroad when they are figuring out what they are going to do in the way of military preparation—and there is so much military preparation abroad for the next war—are you going to allow them to point their finger at us and say, "In the debate in the United States House of Representatives recently Congress committed itself to a policy of compulsory military training and forbade any institution of learning to participate in a dollar of appropriation unless they had compulsory military training"? I tell you, my friends, I want to get this thought before this House: Just as long as we are bringing our boys up in a military training, dressing them up in uniform, adding glory to all the preparations of war, breeding the psychology of war in the coming generation, we are following a course utterly inconsistent with a peace program. [Applause.]

I am not a pacifist. I believe in the national defense act. I believe in proper training of men that we may be ready in the time of emergency to act in defense of what is right and just. But I am opposed to legislation which, to say the least, encourages the appropriation of the general funds for the benefit of educational institutions which adhere to a system of compulsory military training. [Applause.]

Mr. BARBOUR. They do not have to do that.

Mr. BEEDY. What do they have to do?

Mr. BARBOUR. They do it of their own accord.

Mr. BEEDY. When will they have a greater opportunity to make a change than they will have before the 1st of next July?

Mr. BARBOUR. Give them a reasonable chance. Why does not the gentleman go to these institutions in the State of Maine, for instance, and tell them what you have told us here and let them decide the question for themselves?

Mr. BEEDY. I am not dictating to any institution of learning. But if you gentlemen are going to vote against the pending amendment, how are you going to escape the charge that you favor compulsory military training?

The CHAIRMAN. The time of the gentleman from Maine has expired.

Mr. BEEDY. Mr. Chairman, I ask unanimous consent that my time be extended five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. BARBOUR. Now, if the gentleman will yield, let me take two institutions. There is the University of Maine, which requires military training. There is Yale University in the State of Connecticut that has an elective course in military training. They both benefit by this appropriation and each university determines for itself what its course shall be. Maine University has the compulsory training and Yale University chooses the elective. Is there any reason why Maine can not change from compulsory to elective if it should so decide? They know very well that they can.

That is the way it should be, and we should not dictate to the University of Maine that it should change its policy in regard to military training.

Mr. BEEDY. That sounds all right as far as it goes.

Mr. COLLINS. Mr. Chairman, will the gentleman yield?

Mr. BEEDY. Yes.

Mr. COLLINS. The gentleman from California knows that in his own State an institution undertook to make the military course elective, and that the War Department withdrew the funds from the institution.

Mr. BARBOUR. I do not know that.

Mr. BEEDY. That is an important statement. Is the gentleman prepared to back up that statement that when once an institution of learning changes from compulsory military training to elective, the War Department says that it can not have any of this money?

Mr. COLLINS. That was the testimony before the Subcommittee on Appropriations.

Mr. BARBOUR. Oh, there are dozens of schools that are elective and are getting the money. I know nothing of the facts about this institution that the gentleman from Mississippi talks about.

Mr. COLLINS. The gentleman heard the same testimony that I did.

Mr. BARBOUR. But it was not verified. It was the statement of a man proposing this amendment before our committee.

Mr. COLLINS. It was not disputed. The gentleman knows that.

Mr. BARBOUR. It does not have to be disputed. If it is true, it never made a ripple in my State.

Mr. BEEDY. Let me ask the gentleman from California [Mr. BARBOUR] a question. Does he think the pending amendment has any significance or effect?

Mr. BARBOUR. Yes.

Mr. BEEDY. What is it?

Mr. BARBOUR. Take the gentleman's own University of Maine. Unless the University of Maine changes its course from compulsory to elective between now and the 1st of July, it will get no money whatever under this bill, no help from the Army in the way of officers, no contribution to the advanced students such as is given to the institution at this time. There may be time for the University of Maine to change its policy between now and the 1st of July, but rather than our forcing the University of Maine to change its policy, let it have the right to change its own policy, let it pass upon this question without our undertaking to determine its policy and forcing its hand.

Mr. BEEDY. I can not see why that is not a 2-edged sword. If you vote against this amendment I can not see why we are not making it needless for that institution to change its policy. It does seem to me when the welfare of mankind hangs in the balance, and we are setting an example for future generations, that we ought to be very careful lest any action taken here be justly construed as one favoring the compulsory training of our youth for future wars. [Applause.]

Mr. BARBOUR. I say to you gentlemen that in this bill we are seeking to carry out the provisions of the national defense act. Congress has determined this policy, not this committee.

Mr. LAGUARDIA. But this is Congress.

Mr. BARBOUR. That has been the policy for years. If you want to change this policy, if you think that the Reserve Officers' Training Corps organizations in the schools and colleges make us a militaristic nation, then amend the national defense act and change that.

Mr. BEEDY. Is the gentleman himself in favor of compulsory military training?

Mr. BARBOUR. No; but that question does not enter into it at all.

Mr. BEEDY. Oh, but it does.

Mr. BARBOUR. It does only so far as the individual institution is concerned, but not as a national policy.

Mr. BEEDY. Is the gentleman in favor of this Congress taking any action which could be construed as supporting compulsory military training in our schools and colleges?

Mr. BARBOUR. I am in favor of maintaining the situation just as it is at the present time and letting the schools determine their own policies.

Mr. WELSH of Pennsylvania. Mr. Chairman and members of the committee, I am not one who is opposed to preparedness. [Applause.]

Mr. BEEDY. Nor am I.

Mr. WELSH of Pennsylvania. But I am certainly in favor of this amendment, and I shall tell you why. I happen to be a member of the Board of Education of the City and County of Philadelphia, that has enrolled about 34,000 high-school students. I happen to be secretary and treasurer of a great university in the city of Philadelphia that has an enrolled membership of about 14,000 students. I am going to speak from the standpoint, first, of the educator on this question of compulsory military training in our schools and colleges. In both the institutions or organizations that I am connected with it is optional, but those of us who have committed to our care the education of the youth of America are at our wits' ends to know how to deal with the various problems that confront us on which we must educate the children and to decide how to discard those subjects that we consider not important enough to embody in our curriculum. There is not an educator of consequence in the United States—and I think I can say this without fear of contradiction—who would not say that he is unalterably opposed to military training being compulsory in our schools and colleges. [Applause.] I am not speaking as a layman, but I am speaking as a man who has devoted 20 years of his life to education in the great city of Philadelphia, and I know exactly how educators in other parts of the United States view this problem. When you introduce compulsory military training in the schools and colleges, or permit it or require it in order that the school may receive a Federal appropriation, you are disorganizing the whole machinery of the educational part of the institution's work, and I am one who believes that the education of America to-day should be democratic, that we should not teach military science in our free citizenship institutions. [Applause.] If we are going to teach military training, let us confine it to the military colleges and to the student training camps.

For those organizations I will vote for every dollar that the War Department needs, but I plead with you in the interest of higher education not to permit the military-training course to be forced upon us. The men and women who are in charge of these institutions, on account of the multitudinous things we are asked to teach the youth, must discriminate and discard the things that are not essential to real education. Do not require us, in order to get an appropriation for our military corps, to make it compulsory on our students. So much for the educational side of it.

I introduced a bill to the same effect as this amendment four years ago, and exhaustive hearings were held before the Committee on Military Affairs. It was testified in those hearings that there were over 300 high schools and colleges in the United States requiring military training.

Those of us who were in the training camps in 1917 know that as far as military value is concerned that kind of military training does not amount to anything. Am I right or

wrong? [Applause.] It does not amount to anything. I can take a company of 190 men and in five weeks' intensive training in any camp give them more instruction than they will ever get in the military course of any of our schools or colleges in three or four years. The training is of little military value. The real purpose back of this is psychological. It is desired to create in the minds of the youth of America the military viewpoint. It is not for the military science they are going to learn, but it is the military psychology that they want to instill in the minds of the American youth. [Applause.]

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. WELSH of Pennsylvania. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WELSH of Pennsylvania. Mr. Chairman and members of the committee, so much for the purely educational feature of this question.

Now, I want to pass to something that is far above the educational feature, and that is the spiritual note that is struck when this question is discussed.

I am not one who is so materialistic and who depends so much upon the strong arm of might that I can not recognize that there is a superior force known as the great spiritual law of life and the spiritual nature of man. Anything which pollutes the mind of youth and drives him from the high plane of the spiritual outlook upon his relationship with his fellow man at home and abroad sets aside that supreme law that should govern humanity. [Applause.]

I want to strike that spiritual note to-day by reading to you something that has been said on this question by those who have authority to speak on that higher plane. They are the Disciples' Convention, Memphis, Tenn., 1926; the Northern Baptist Convention, June, 1926; the National Council of the Congregational Churches of the United States, Omaha, 1927; General Conference of the Methodist Episcopal Church of the United States of America, 1928; Presbyterian General Assembly, 1926; Synod of the Reformed Presbyterian Church of North America, 1926; General Synod of the Reformed Church of America, 1930; Western Unitarian Conference, Cincinnati, 1930; Society for the Advancement of Judaism, March, 1926; Federal Council of Churches of Christ in America, 1926; National Council of Student Young Men's Christian Association, 1926; International Convention of Disciples of Christ, 1930; Central Conference of Jewish Rabbis, 1928; World Alliance for International Friendship Through the Churches, adopted at the annual meeting at St. Louis, 1927, readopted at the annual meeting in New York, 1928; National Study Conference on the Churches and World Peace, February, 1930.

Then come the great educational bodies: The American Physical Education Association; the National Education Association, department of superintendence; representatives of the educational institutions throughout the length and breadth of the land.

The World Federation of Educational Associations, in August, 1929; American Federation of Teachers, in 1929; the National Congress of Parents and Teachers, June, 1920; National Congress of Mothers and Parent-Teacher Association; Camp Fire Girls; the American Federation of Labor.

Representatives of the American Federation of Labor came before that committee and said that in the convention in Atlantic City, where there were over 600 delegates present, a resolution was unanimously adopted recommending the support of legislation to prohibit compulsory military training in the schools and colleges.

The Farmer-Labor Party; the National Grange, Seattle, November, 1929; the New York State Federation of Labor in 1929; the National Farmers' Union Convention, Denver, Colo.

Mr. ABERNETHY. Will the gentleman yield?

Mr. WELSH of Pennsylvania. Here is the National Council of Jewish Women, the Federation of Women's Board of Foreign Missions of North America.

Is there any list that could be compiled of organizations better fitted to speak for the soul of America than the list I have named there?

Mr. ABERNETHY. Will the gentleman yield?

Mr. WELSH of Pennsylvania. If they can not speak for the soul of America, for the aspiration of our people, then there is no organization of human beings who can so speak. I am not ashamed to raise my voice, both as an educator and as one who tries to be a Christian, against any compulsory military training in the schools and colleges. [Applause.] I say that notwithstanding the fact that I am a member of a religious faith opposed to war. And yet, if war were to break out to-morrow I would consider it my duty to raise my hand in the national defense. I will never withhold my voice or my vote on any appropriation that these United States will need for the purpose of our national security, but when it comes to pollution of the minds of the youth, when it comes to destroying the efforts of the Christian people of this country to raise our young people to something higher and better than that which has gone before, I say the time has now come to try to obtain a declaration on the part of this House which will be declaratory of that for which we stand. [Applause.]

Mr. Chairman, I ask unanimous consent to revise and extend my remarks by inserting these resolutions in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The matter referred to is as follows:

RESOLUTIONS ON MILITARY TRAINING SHOWING THE ATTITUDES OF VARIOUS BODIES AS OFFICIALLY EXPRESSED IN RESOLUTIONS

THE ATTITUDES OF ORGANIZED RELIGIOUS BODIES

Disciples' Convention, Memphis, November 11–17, 1926

Whereas our people are committed to the principle of no conscription in times of peace: Be it

Resolved, (1) That we oppose all compulsory military training in the colleges, universities, and high schools of this country; (2) that we congratulate the colleges of the Disciples of Christ on the absence of all military training on their campuses.

Northern Baptist Convention, June, 1926

Resolved, That we once more express our conviction that war is contrary to the spirit and teachings of Jesus; that we are opposed to war as a method of settlement of international disputes; and that we declare our irrevocable determination to substitute the arbitrament of law, reason, and conciliation for that of slaughter; and we rejoice in every effort put forth in the interests of a just peace; that we urge all men to ally themselves with efforts for the peaceable settlement of national disputes; and that we look with disfavor upon compulsory military training in our colleges and high schools.

National Council of the Congregational Churches of the United States, Omaha, Nebr., May 25–June 1, 1927

By a vote of 200 to 20, the national council adopted the following resolution against compulsory military training in public schools and colleges:

Whereas compulsory military training in our schools and colleges fosters a general attitude of mind conducive to militarism and sole reliance on force and gives ground for other nations to question the peaceful purposes of the United States: Therefore be it

Resolved, That the National Council of the Congregational Churches, assembled in Omaha, condemns both in theory and practice any compulsory military training in public schools or in tax-supported or land-grant institutions of higher learning; and be it further

Resolved, That we urge congressional action to release all instructors in optional courses in military science from the direct control of the War Department to the regularly constituted local academic authorities, thus effectually freeing our educational system from the control or influence of the War Department.

General Conference of the Methodist Episcopal Church in the United States of America, Kansas City, Mo., May, 1928, passed the following resolution by a vote of 800 to 50

We are opposed to all military training in high schools and to compulsory military training in colleges and universities.

Presbyterian General Assembly, June, 1926

We also put ourselves on record as opposed to all militarism in spirit and in propaganda. We favor such voluntary drill and training as may seem wise to students and their parents for pur-

poses of precision, obedience, and team work, but we are opposed to forcing students in high schools, colleges, and universities to any form of military organization or exercise.

Synod of the Reformed Presbyterian Church of North America, Walton, N. Y., June, 1926

This synod declares its opposition to compulsory military training in high schools, colleges, and universities of the United States as unnecessary and conducive only to a militaristic spirit in the coming generation.

General Synod of the Reformed Church in America, June, 1930

We urge the people of our churches to stand with the educators against the programs of enlarged and popularized military training in schools and colleges, and to advocate a more effective constructive program for citizenship through educational processes.

Western Unitarian Conference, Cincinnati, May, 1930

Whereas the United States, through the Kellogg peace pact, now a part of the highest law of the land, has renounced war as an instrument of national policy, and has taken active steps toward the reduction of arms: Be it

Resolved, That we, the members of this Western Unitarian Conference, express our hearty sympathy with the 2,000 men students at the University of Iowa who have petitioned that military training in the university be put on a voluntary basis, and have appealed to the general public for support: And be it further

Resolved, That we express our opposition to military training in our high schools and to compulsory military training in either high school or college.

Society for the Advancement of Judaism, March, 1926

The Society for the Advancement of Judaism has followed with great interest your campaign against compulsory military training in the colleges. The members of the society want to go on record as indorsing unanimously your stand and your views on militarism in the civilian schools and colleges. It believes with you that the only road to peace is to create a mind set for peace by stressing and spreading the peace psychology. It can see in compulsory military training an insidious method of nurturing and fostering an urge for national self-expression through war and conquest.

Federal Council of Churches of Christ in America, May, 1926

1. That systematic and technical military training for youth of high-school age is to be deplored as foreign to the aims and ideals of our educational system.

2. That civilian educational institutions should not make military training a required subject.

3. That churches and educational leaders give careful study to the whole question of the Reserve Officers' Training Corps in the school and college.

National Council of Student Young Men's Christian Association, 1926

Resolved, That we, the members of the 1926 National Council of Student Young Men's Christian Association, do hereby register our emphatic protest against compulsory military training—in other than technically military schools—as one of these agencies of militarism in our schools, colleges, and universities.

International Convention of the Disciples of Christ, October, 1930

We deplore the expansion of the Reserve Officers' Training Corps in high schools and colleges of our country, and particularly its compulsory features. We agree with educators of high authority that if the course of instruction given is military training, it ought not to be given to pupils of high-school age; if it is not military training, it ought not to be a War Department expenditure.

Central Conference of Jewish Rabbis, 1928

We reaffirm our opposition to the militarization of our schools and colleges by compulsory military training.

World Alliance for International Friendship Through the Churches. Adopted at the annual meeting, St. Louis, 1927. Readopted at the annual meeting, New York, 1928

Without raising the question of the expediency of maintaining an adequate military and naval defense so long as the war system lasts, we deplore any tendencies which put undue emphasis on militarism in education. In particular, we oppose military training in all public and high schools and all compulsory military training in colleges and universities, except in institutions established for the specific purpose of military education.

National Study Conference on the Churches and World Peace, February, 1930—Military training

1. We agree with former Secretary of State Kellogg that "the most certain insurance" against war "is the training of the thoughts of men in the way of peace," and we deplore the present Federal expenditure for military training in high schools, civil colleges, and summer camps—an expenditure which is greater than the total operating costs of the Department of State.

2. Accepting the expert opinion of the World Federation of Education Associations, the National Education Association, and other competent bodies that military training is not the best form of training for developing physique, citizenship, and patriotism, we urge that the citizens' military training camps should be reorganized and renamed without the military element, but with emphasis upon physical development and nonmilitary ways of national service, such as projects of reclamation and conservation of natural resources, and that the control of these camps and expenditures for the same should be lodged in the Department of the Interior or some other civilian agency, and not in the Department of War.

3. With regard to the Reserve Officers' Training Corps, we call the attention of the churches to the particular dangers of military compulsion, military propaganda, and military money inhering in War Department control of this military education in civil universities and schools. We urge the churches throughout the country to gather fact material in local communities and States and study intensively the psychological effects of military courses, especially their effect on the attitudes of students toward such questions as preparedness, the World Court, 100 per cent nationalism, freedom of speech and discussion, etc. We also urge that wherever compulsory military training exists our churches shall spread the facts concerning it so as to facilitate speedy abolition of the same. We recommend cooperation with the committee on militarism in education, Bible House, Astor Place, New York, and other peace agencies studying this subject. Especially in high schools and church schools and colleges we believe that military training is out of place and that there should be no compulsory military courses in any civil institution of higher learning. To this extent, at least, the national defense act should be revised and amended so that our Government, which has signed the pact of Paris renouncing war as an instrument of national policy, will no longer aid in coercing schoolboys to prepare for battle.

THE ATTITUDES OF EDUCATIONAL BODIES

The American Physical Education Association, at an annual convention during the war, at which "preparedness" was the leading topic, resolved:

That military drill in the public schools does not develop the necessary qualities in youth which prepare a nation for the struggles of war, to say nothing of those of peace, because—

(a) It is not only very limited in its activities but actually harmful in its effects on boys less than 18 or 20 years of age, as has been so clearly demonstrated by Sir William Aitkin, professor of pathology in the Army Medical School of England.

(b) It can not teach the boys the real art of war, since they are too young to handle the real weapons and undergo the rigors of adequate instruction.

(c) It fosters a false sense of patriotism which does not appreciate the seriousness of war or the glories of peace.

(d) Constant drill in a hall or on an athletic field is artificial, monotonous, and wearisome, tending to produce an aversion for military training instead of an interest in the real problems of a soldier.

4. That a rational system of physical training, consisting of exercises and games adapted to the age, sex, and capacity of the growing boy and girl, as well as instruction in hygiene, sanitation, and first aid, is of the greatest value in preparing the youth of the country for the struggles of war and of peace. * * *

The National Education Association, department of superintendence, after careful study of the values of military training in the schools, resolved during the war:

* * * It is often claimed that military exercises, whether we call them military training or military drill, offer the best method of training pupils in obedience, promptness, truthfulness, industry, and other desirable personal traits; in short, of developing personal character and of training pupils physically. Those engaged in the work of education are practically unanimous in asserting that these claims have no justification.

* * * The ideals of the kind of obedience and of general conduct aimed at by military exercises are best represented by the word "martinet," which these exercises long ago contributed to our educational vocabulary—ideals which every teacher who aims at real character development seeks to avoid.

Those who favor military drill maintain that it is the most effective means of developing patriotic feeling. If this theory were well founded, we should all be eager to adopt it, for, as teachers of the young, we acknowledge the responsibility which regard for the patriotic citizenship of our children places upon us, and agree that we must be unceasing in our efforts to plant the virtue of patriotism in their hearts. But if we look beneath the surface, we find that military patriotism may be no deeper and no more lasting than military obedience. We must not confuse excitement with patriotism, the showy exhibition with real love of country. * * * But we go further. We must teach our pupils to make the passage from love of country to love of mankind, love of humanity, a transition which civilization teaches us to make, but which the spirit of military drill can not make, but rather tends to prevent.

The World Federation of Education Associations, August, 1929

Resolved, (1) That an endeavor be made to secure that systematic military training shall not be given in civil education institutions, but where such institutions undertake military training it shall in no case be a compulsory subject of the curriculum.

(2) That every endeavor be made to secure the substitution of physical training, of exercise, and of sports for the military training too often now given in civil education institutions and so to insure adequate training in character and citizenship and thus to lead the youth of the world to a better and wider appreciation of the real meaning of patriotism and the duties of citizenship.

American Federation of Teachers, 1929

Whereas efforts are being made by the War Department to establish Reserve Officers' Training Corps units in the public high schools of the country; and

Whereas in these efforts to attract young men to the Reserve Officers' Training Corps, the War Department uses pretty girls, credits, uniforms, saddle horses, etc., as bait; and

Whereas the establishment of Reserve Officers' Training Corps units in the high schools will put the public school system of the country under the control of the War Department, create a war mind set with a psychological situation favorable to war or its outbreak; and

Whereas the training received in the units is a very inadequate substitute for physical training or training in citizenship since the Reserve Officers' Training Corps training stresses unquestioned obedience, whereas training for citizenship depends for its effectiveness on the development of a critical and questioning attitude; therefore be it

Resolved, That the American Federation of Teachers oppose not only the establishment of Reserve Officers' Training Corps units in our high schools but also any attempt to militarize the mind of America.

American Federation of Teachers, 1930

Whereas compulsory military training is inconsistent with the spirit of democratic education, and

Whereas the Attorney General of the United States has interpreted the Morrill Land Grant Act of 1862 as requiring only that military training be offered by the State institutions which come under its provisions, not that such training be compulsory on every male student, and

Whereas the State legislature of Wisconsin in 1923 explicitly removed the compulsory feature from its statute regulating military training in the university of that State, and

Whereas there are 86 colleges and universities in the United States where military training is compulsory for at least two years, many of which come under the Morrill Act, be it

Resolved, That the American Federation of Teachers urge its members to cooperate with those groups in their own States which are working through universities and legislatures to remove the compulsory provision wherever found.

National Congress of Parents and Teachers, June, 1920

The National Congress of Mothers and Parent-Teacher Associations places itself on record as opposed to compulsory military training and service. * * *

* * * We urge the passage of the bill for universal physical education as part of the school system, thereby giving equal opportunity to girls and boys for physical development and making unnecessary the effort for compulsory military training.

National Congress of Mothers and Parent-Teacher Associations, 1923

Whereas the Department of War has frankly avowed its purpose of entering our schools in order to secure a larger number of summer military camps and has already launched this program: Therefore be it

Resolved, That the National Congress of Mothers and Parent-Teacher Associations protest this attempt to foster the military spirit.

Camp Fire Girls, Executive and Guardians Association, January, 1922

Whereas the camp-fire idea does not harmonize with the formality of military drills and terms; and

Whereas it has been proved in camps of Camp Fire Girls that better response to the Camp Fire program is gained by substituting the organized hike and the organized game for formal drill and by using the usual terms of everyday life to express leadership in place of military terminology: Be it

Resolved, That all guardians, executives, and directors of Camp Fire Girls discourage the use of anything military in their group or camp organization.

ATTITUDES OF LABOR AND FARMER GROUPS

American Federation of Labor, 1927

The committee recommends continued support of proposed legislation to prohibit compulsory military training in any educational institution.

Illinois State Federation of Labor, Herrin, Ill., November, 1928

Resolved, That while the Illinois Federation of Labor is not opposed to providing military instruction in the university for those college students who wish it, it does oppose making this training obligatory upon those who do not wish to take such training. It therefore instructs its officers to work for the removal of the compulsory feature and for the substitution of adequate physical training and instruction in citizenship for those students who do not elect the military work.

Farmer-Labor Party, July, 1923

Whereas there is an extensive, heavily financed, and steadily increasing propaganda in this country, directed by the War Department, to militarize the United States by standardizing the children in the schools, by shrewd methods inducing and in some cases even compelling the youth of the land into entering military organizations, and by wholesale attack upon citizens' organizations working in the interests of peace; therefore be it

Resolved, That we offset the attempt to militarize the minds of our children by demanding the teaching of the truth about the causes, results, and character of war, and the teaching of the history of the efforts of men to achieve world peace, in our schools, and the elimination of material tending to the glorification of war and the perpetuation of hereditary hatreds from our textbooks.

The National Grange, Seattle, November, 1928

Whereas the teaching of military training in our high schools, colleges, and universities is not in keeping with the spirit that actuates the almost universal effort to secure world-wide peace; therefore be it

Resolved, That we favor the elimination of military training from high schools and the compulsory feature from colleges and universities.

National Farmers' Union Convention, Denver, Colo., November 23, 1928

1. We are in favor of every move toward the abolition of war as a means of settlement of differences between nations. We therefore urge the ratification of the Kellogg treaties, the lessening of emphasis of military training in high schools and colleges, and the complete abandonment of the principle of compulsory military training in any public school. We would point out in this connection in the case of land and agricultural colleges the distinction between the compulsory offering of a military course and the compulsory participation in such a course on the part of the student body.

ATTITUDES OF WOMEN'S ORGANIZATIONS

National Council of Jewish Women, 1926

Whereas compulsory military training in schools and colleges of the United States has greatly increased since the World War; and

Whereas such training stresses war psychology in the minds of our youth; and

Whereas the War Department is thus given unprecedented influence in our civil educational institutions; and

Whereas such training runs counter to the movement to substitute law for war: Therefore be it

Resolved, That we, the National Council of Jewish Women, in triennial assembled, do earnestly urge that the compulsory feature of such training be eliminated in land-grant colleges.

National Council of Jewish Women, 1929

Whereas military training in secondary schools of the United States has greatly increased since the World War; and

Whereas such training tends to stress war psychology in the minds of our adolescents; and

Whereas the War Department is given unprecedented influence in our civil educational institutions; and

Whereas such training runs counter to the movement to substitute law for war: Be it

Resolved, That we adopt the recommendation that the further introduction of such training be eliminated in the secondary schools.

Federation of Women's Board of Foreign Missions of North America convention, Atlantic City, N. J., January 9–12, 1926

Permanent world peace can never be achieved until the children of the world are trained to believe in it and strive for it * * * We therefore recommend that this organization protest against the militarization of youth in our church and schools, and by every means assist in raising a generation around the world which will "learn war no more," but will learn realization of justice, love, and mutual respect as a basis for a new world order.

National Federation of Temple Sisterhoods, Cleveland, Ohio, January, 1927

* * * The Sisterhoods' recommendation is that the compulsory feature of military training be eliminated in all land-grant colleges.

National Woman's Christian Temperance Union, November, 1922

We urge the continued cooperation of the United States in world affairs, responsible membership in effective world organization for peace, outlawry of war by international law, and world reduction of armaments to police force. We oppose military training in our schools.

ATTITUDES OF LABOR AND FARMER GROUPS

New York State Federation of Labor, 1929

Whereas (the New York State Federation of Labor) feels that the established institutions for military training by the War Department, both State and National, are sufficient for the training of citizens for defensive purposes without the introduction of military training into the public schools * * * (we) are opposed to establishing of the units of the Junior Reserve Officers' Training Corps in any branch of the public-school system.

National Women's Trade Union League, 1926 and 1929

The committee desires to emphasize the importance of peace, working among children and young people through the schools, and protests against compulsory military training in our public schools and colleges.

Mr. TABER. Mr. Chairman, this is not a question of compulsory military training. This is a question of whether the Congress of the United States is going to attempt to run the business of every school and college in the land, or whether we are going to leave it to the boards of trustees of those schools and colleges.

Under the national defense act this training is provided for those schools which elect it and in such manner as the boards of trustees and school commissioners of the different towns decide it should be run. Do you suppose for a



minute that if there was any substantial objection in any school or college to military training that any board of trustees would permit it to go on? Do you suppose that if that objection existed in the city of Washington, in the city of Philadelphia, or in any other city in the land, the board of education of such city would permit compulsory military training to go on?

Mr. STAFFORD. Will the gentleman yield?

Mr. TABER. Certainly.

Mr. STAFFORD. Within the last 10 minutes my attention has been called to the fact that at the University of Minnesota eight years ago the student body signed a petition to the extent of 4,000 protesting against this training, and the authorities of that institution dismissed from its rolls hundreds of those students because they would not conform to the requirements.

Mr. TABER. And we should not attempt to tell the University of Minnesota how to run its business. That is ridiculous. A statement was made in the hearings before the Military Appropriations Committee by the secretary of one of these pacifist organizations, one of these organizations which exist for the purpose of maintaining a paid secretary. He told us that the California Institute of Technology applied to the War Department and they found that they would not get the service unless they continued to have it compulsory. You turn to the list of those institutions that are receiving this service and you do not find that institution anywhere on the list.

Mr. BARBOUR. Will the gentleman yield?

Mr. TABER. Yes.

Mr. BARBOUR. The California Institute of Technology does not appear on this list at all?

Mr. TABER. Not at all, which bears out the fact that that institution never had this service. It is the most ridiculous thing for us to attempt to tell every institution in the land how they shall run their business. [Applause.] The worst thing you can do for education is to take it away from the parents and guardians of the children and take it into the Congress of the United States and take it away from the trustees of the universities throughout the land and attempt to handle the proposition from Washington.

It seems to me this amendment should be defeated and that the law should be allowed to go on so that the youth of the land may be permitted to continue this training in an orderly way, under the direction of those who run the schools. [Applause.]

Mr. CONNERY. Mr. Chairman, ladies, and gentlemen of the committee, I do not believe anybody would accuse me of being a pacifist. If I may be open to any accusation it is being for too much national defense. Therefore to-day I rise, not as a pacifist but as an American citizen and Member of Congress, to favor the amendment of the gentleman from New York [Mr. LAGUARDIA]. [Applause.]

I have listened to this debate and some very interesting facts have been brought out, but there are a few things which I think should be cleared up. For instance, the chairman in reading a list of these different institutions gave the impression that a school like Norwich University in the State of Vermont, which is a military school, would not come under Mr. LAGUARDIA'S amendment. Mr. LAGUARDIA'S amendment provides that any school which is a recognized military school of the United States shall be excluded from his amendment.

Mr. BARBOUR. Will the gentleman yield?

Mr. CONNERY. Yes.

Mr. BARBOUR. Is Norwich University a military school?

Mr. CONNERY. Yes; it is. The students wear uniforms and it is one of the best military schools in the country.

Mr. BARBOUR. The vice president of the university is present and maybe he can tell us.

Mr. GIBSON. It is strictly a military school.

Mr. CONNERY. Yes; it is strictly a military school. Also I would like to call the attention of the chairman of the committee to this fact, which is a little personal affair which happened to me just before Christmas. I am not in favor of compulsory military training except in time of war. I believe every instinct of the American people is against compulsory military training [applause], and I am not talking as a pacifist.

I went down to see the Secretary of War last week with Father MacDonald, of the city of Lawrence, who has a corps of cadets up there called St. Mary's Cadets. It is not a military school and is purely a voluntary affair. These boys, 800 of them, come in and drill two nights or three nights a week, and in the World War they had 95 per cent voluntary enlistment in the service of the United States. [Applause.] We went to the Secretary of War in an endeavor on the part of Father MacDonald to purchase—not to get them free—but to purchase enough uniforms for these boys, and we found that under the present law he could not buy them. He could not get obsolete uniforms, he could not get surplus uniforms for these boys who are purely patriotic and unselfish in the service of their country, because there would have to be an auction and some clothing dealer in the army and navy stores could buy $150,000 worth, but of course Father MacDonald with his group of 800 boys could not afford to come in and buy $150,000 worth of uniforms in order to outfit 800 boys.

Mr. BARBOUR. Will the gentleman yield?

Mr. CONNERY. I yield to the gentleman from California.

Mr. BARBOUR. I am in sympathy with the gentleman, but this amendment would not alter that situation. We would have to change the law itself.

Mr. CONNERY. I understand that, but I am stating that if the committee would take care of the boys of the United States who are willing, not by compulsion but voluntarily, to give their services to the United States, by at least giving them uniforms so they may be able to parade and drill, we would get better results than by compulsory military training.

Mr. BARBOUR. The gentleman would have to change the authorizing act in order to do that.

Mr. JOHNSON of Washington. The Committee on Appropriations could not do that.

Mr. BARBOUR. I am in sympathy with the proposition of the gentleman and would like to see that done.

Mr. CONNERY. I am calling this to the attention of the gentleman in contradistinction to the requirement of compulsory military training.

Now, the gentleman from Pennsylvania [Mr. WELSH] stated it very tritely and expertly when he stated that the high school and the military college training of the men in the World War did not mean a thing as far as military training is concerned, and even the members of your Regular Army and National Guard, when they got in the trenches had to be "untaught" a number of things they had learned. It was an entirely new type of warfare to them because you did not have hand grenades in the early wars. You did not have 1-pounders or gas masks in the Spanish-American War, or a thousand and one other things that were used in the World War.

Now, take the case of a boy 14 or 15 years old who has tuberculosis. You may send him to the University of Maine, or any other school with compulsory military training. He goes to the University of Maine, not because he wants to be a soldier, but because he wants to learn Latin or Greek or engineering, or whatever subject he is interested in.

After you put him there he may be taken out on an 18-mile hike when any doctor in the world will tell you that you should not take a man who is afflicted with TB or who is not physically able to go on hikes, and make him hike for 13 miles, and yet they do it with these men. I know they do it, Mr. Chairman. What they should do with these men is to put them in a gymnasium and let them use the dumb-bells or let them use the pulleys or the punching bag or something moderate that is suitable to men in that condition, and not compulsory drilling or hikes.

Mr. BARBOUR and Mr. MAAS rose.

Mr. CONNERY. I yield to the gentleman from California.

Mr. BARBOUR. With respect to the incident the gentleman has just referred to, the national defense act specifi-

cally states that this training shall be given to young men who are physically fit.

Mr. CONNERY. That is what the act may state, but practically what happens is that whether it is in a high school or in a college, when they call out the battalion for drill, you go, and if you do not go they say, "Oh, you are yellow."

Mr. BARBOUR. But the gentleman will admit that those who are not physically fit do not have to take such training. I know that is true of all of these institutions.

Mr. CONNERY. Theoretically yes; practically no. It is like it was in the Army, where you were supposed to be always well, and if you went on sick report some hard-boiled officer would say that you were yellow. You might be almost dead but that did not matter.

Mr. MAAS. Will the gentleman yield?

Mr. CONNERY. I yield.

Mr. MAAS. Can the gentleman cite a specific case where they even permit them to take such drills if they are not physically fit? As a matter of fact, they are not allowed to take it if they are not physically fit.

Mr. CONNERY. I have not had that experience. If the gentleman has had that experience, then his experience is different from mine.

Mr. MAAS. I will ask the gentleman to cite a single case where anybody who was unfit had to submit to military training.

Mr. CONNERY. Does the gentleman want me to get statistics and give him the names of the boys who were not physically fit who were called out for drill and the institutions that they attended?

Mr. MAAS. It is not of much value to Congress unless the gentleman can do that.

Mr. CONNERY. Does the gentleman want me to give a list of such boys who were made to drill every day in the high schools when they were not physically fit?

Mr. MAAS. Yes.

Mr. CONNERY. Very well; I will give the gentleman a list of the names and addresses of the boys who were taken out on hikes when they were not physically fit.

I do not believe that the American people want compulsory training. When it comes time to go to war, I believe the American people are in favor of the draft to take them, rich and poor, regardless of where they come from.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. CONNERY. Mr. Chairman, I ask unanimous consent to proceed for two more minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CONNERY. Mr. Chairman, I will not take any further time except to say that I am in favor of the amendment of the gentleman from New York and I do not agree with some of the remarks that have been made quoting certain pacifist organizations in favor of this amendment. I am not a pacifist. I have no sympathy with pacifist doctrines. I have fought for national defense every minute since I have been a Member of this House during the past eight years.

From my point of view this is not a pacifist proposition. It is a question of whether a boy up in the State of Maine, for instance, wants to go to the University of Maine and get an education and will be compelled to go to school in New Hampshire, Vermont, or Massachusetts unless he agrees to take compulsory training or whether he will be a free-born American citizen, to receive his education where he wants to get it, ready and willing, if necessary, in time of war to take up arms in the defense of his country. [Applause.]

Mr. BARBOUR. Mr. Chairman, I move that all debate on this amendment and all amendments thereto close in 20 minutes.

Mr. COLLINS. I suggest that the gentleman make it 30 minutes.

Mr. BARBOUR. Very well, I will accept that.

Mr. COLLINS. And out of that I want 10 minutes.

The CHAIRMAN (Mr. ARENTZ). The question is on the motion of the gentleman from California that all debate on this amendment and all amendments thereto close in 30 minutes.

The motion was agreed to.

Mr. LAGUARDIA. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LAGUARDIA. I understood the motion of the gentleman from California that the time be equally divided between those for and against the amendment.

The CHAIRMAN. The Chair did not so understand, but the Chair will recognize those for and against.

Mr. MAAS. Mr. Chairman, I think the question before the House is not a question of compulsory training at all, but is a question whether you are going to have Congress run these institutions. Compulsory military training is no different than the requirement to learn a foreign language. It might be objectionable to some Members of the House that these boys should learn a foreign language. Would you withhold an appropriation for the school because they did not like that course?

Now, the situation at the University of Minnesota has been misrepresented. However, it does not make any difference whether every student signed the petition; are we going to have the colleges or schools run by students or by the boards of trustees? Besides, there never were three or four hundred students dismissed because they refused to take the compulsory military training.

Mr. HUDSON. Is that school for the students or is it for the faculty?

Mr. MAAS. Do you want the soviet or communistic element to run this college? Would you set up soviets of students to dictate the courses they should take? And how about the insane asylums—who are they for? [Laughter.] Do you want the inmates to run them? [Laughter.]

Mr. WELSH of Pennsylvania. Does the gentleman consider that analogous?

Mr. HUDSON. The gentleman ought to know the difference between an insane asylum and a university.

Mr. CLARKE of New York. Mr. Chairman, I insist that the Chair protect the gentleman from Minnesota. [Laughter.]

Mr. MAAS. Thanks, but I do not need protection. [Laughter.] I know that I will be called a militarist because I am opposing this amendment, but that does not bother me. That is always the way with these pacifists; if anyone opposes their proposition, then they are militarists. How many of these men went through the last war? Some did. The gentleman from New York [Mr. LAGUARDIA] did. But most of them know nothing of the actual problem of training. We had a horrible loss, a terrific loss, of human life because we were not prepared. These men who went through the war are asking for adequate defense. Everybody else was prepared, and that was why we suffered that great loss of human life. The gentleman from Pennsylvania [Mr. WELSH] says that there is no benefit and no value in this military training. That is not true. Our best officers and noncommissioned officers came from the schools where we had military training. They say that the whole theory of our position seems to be that these schools where they have military training is an insidious device to bring up students as militarists. That is a lot of bunk and you gentlemen know it. I defy you to mention a single instance where they have taught militarism or inculcated a military spirit.

Mr. STRONG of Kansas. Will the gentleman yield?

Mr. MAAS. Yes; I yield.

Mr. STRONG of Kansas. Germany went through intensive military training, and where is she now?

Mr. MAAS. And so did every other nation in the world except the United States, and we had the most horrible loss of life of any of them.

Mr. STRONG of Kansas. Oh, no.

Mr. MAAS. The gentleman says that being trained did not keep Germany out of war. Our being unprepared did not keep us out of the war.

Mr. STRONG of Kansas. No; but it put Germany into it, and us also.

Mr. MAAS. One more thought I want to get before this House. I have been making an independent study in the last year or so, and I want the Members of this House to know that the delinquency records of the country show a most surprising condition with respect to boys who have had military training. The number of boys who have had military training who get into difficulty with the law and with police officers is about one-fifth of those who have not had military training and who do get into such difficulties. [Applause.]

We are in the position, on the one hand, of saying to the schools that we want these boys given military training, and "here is the money to train them with," but on the other hand, of saying that "if you compel them to take the training, you can not have the money to train them." The military side of this training is, however, the smallest part of the benefit. It is the benefit to the boys of systematic, regular exercise, discipline, inculcating habits of neatness, orderliness, courtesy, and the democratic ideals of common service, where all men of given rank are treated equally, regardless of family name, wealth, or social position, that really counts. The uniform becomes the democratizing agent and quickly eliminates snobbishness. A large part of these so-called military courses in our schools is devoted to instilling, not a desire for war, but a deep, abiding peace-time citizenship of the finest kind.

It is not militarism to teach the youth of the country to be prepared to defend their country if the need should arise. That is what is taught and that is all that is taught of a military nature. There is never even the hint of training for any other purpose. If it is a crime to be taught that it is right to defend your country, then thank God there are a lot of us yet who are willing to be such criminals. But a pretty state of affairs has come to pass if it is a crime to teach patriotism. If we are, however, to teach that it is right and decent and proper to defend one's country when defense is needed, then we must provide the means of teaching the youth how to defend it if their services ever become necessary. It is getting now so that one must blush to even mention patriotism.

In most States there are laws requiring boys and girls up to certain ages to go to school. Most of the subjects are specified, and yet there is no protest about compelling these students to take some course that they may not want to take. The principle is the same. Congress would not think of interfering with an individual State and say that the State had no right to compel its youth to go to school if the schools in that State required instruction in American history, let us say. Who among you would stand for Congress fixing the speed laws within the various States on any Federal-aid highway, just because Congress contributed a part of the money to build the highways?

What right has Congress to tell the Legislature of Minnesota what it shall or shall not require to be taught at the University of Minnesota? I deny that Congress has any such right. It is a matter for the people of Minnesota to decide. We elect our legislature, and if we do not want compulsory military training in our schools in Minnesota, we, the people of Minnesota, have the remedy in our hands. Our legislature will act in that matter for us, not this Congress. What right has a Congressman from Mississippi, or Michigan, or New York, to say what we in Minnesota shall permit at our educational institutions, any more than he would have to say what our traffic or speed laws are to be on our highways in Minnesota? This is not a matter of militarism; it is a matter of permitting the States to govern their own institutions.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. McSWAIN. Mr. Chairman and gentleman of the committee, I want you to think what will be the effect within our own States. I am opposed to compulsory military training as much as anybody on this floor, and some of you gentlemen here who know this to be the fact; some of you know my positive attitude during all of these years. But I am also a State rights man, and if South Carolina wants to have military training in her schools, I am opposed to denying her a fair access to the Treasury of the United States because she has some convictions about whether or not she wants military training in one or more of her schools. [Applause.]

Mr. COOPER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. McSWAIN. Yes.

Mr. COOPER of Wisconsin. Is there any question of State rights involved in this?

Mr. McSWAIN. Certainly.

Mr. COOPER of Wisconsin. The money comes out of the United States Treasury and is subject to the exclusive control of Congress and the War Department. How then is it a State rights question?

Mr. McSWAIN. Because a State that may be denied the right to participate in this fund has itself contributed money to that Federal fund, and that is where it comes in. Take the people of North Carolina that pays a million dollars a day into the Treasury of the United States. Do you say to her that her Agricultural and Mechanical College can not have one cent of this money unless they leave it optional with every Tom, Dick, and Harry when he comes in there as a freshman as to whether or not he will get up in the morning when the bugle blows? That is all it means. Let me tell you what is going to happen in South Carolina and every other State. In 1890, under the influence of the great Senator Tillman, the State of South Carolina set up the Clemson Agricultural and Mechanical College. You say that this is not a blow to the "essentially military" school. What is an "essentially military" school? Who is going to decide that question? There is no school that teaches nothing but military tactics and science. Military tactics and science is less than 10 per cent of what is taught by the most extreme military school in the country. It is less than 10 per cent of what is taught at West Point. The liberal arts and sciences are taught more than 90 per cent. West Point, according to that definition, would not be an essentially military school.

Under Governor Tillman we set up the Clemson Agricultural and Mechanical College. This amendment is aimed at land-grant colleges and at State universities. Make no mistake. It will cripple them.

Mr. REED of New York rose.

Mr. McSWAIN. Just a moment. When we in South Carolina set up that Clemson College we built our barracks, and we built it on the theory and assumption that it would be a strictly military school. Now, you say to us that we can not come in and get one cent of this fund unless we say to the boys in these barracks, "You can have your choice as to whether or not you will have the training." That means this: There are four boys in one room. The bugle blows in the morning. Three of them lie back and say, "I'll be durned if I'm going to get up for that bugle"; but the other one says, "Well, in order to get that $107 a year that my daddy can not pay, if I am to stay in this college, I will crawl out of this good, warm bed and attend that formation."

Mr. BEEDY. Mr. Chairman, will the gentleman yield for a question?

Mr. McSWAIN. No; excuse me, I want to finish this statement. We heard the gentleman make an eloquent argument, and it was a good one, as he usually makes. There are in South Carolina at least 500 young men in the Clemson College who would not be there to-day but for this fund. Why? Because they are paying not only for their uniform but paying cash for their training so that

they can use it to help pay their board, and I know of my own knowledge dozens and dozens of boys whose fathers under the present price of cotton could not keep them in the college but for the aid they receive from this fund. If there are 500 in South Carolina, I suspect there are probably 5,000 in some other big States, and perhaps 1,000 in Michigan, and perhaps 1,000 in Kansas; and some of your neighbors' boys are going to be turned out of school next fall if this amendment should be adopted. I yield to the gentleman from New York.

Mr. REED of New York. The gentleman has not quite covered all of the ground.

Mr. McSWAIN. Then I ask my brother to help me cover it. It would take hours to tell the whole truth.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. COLLINS. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. COLLINS. Mr. Chairman and gentlemen of the House, the amendment of the gentleman from New York [Mr. LAGUARDIA] merely provides for elective military training in the colleges and schools of the country, except at the essentially military schools. During the last year we had 131,038 enrolled in the Reserve Officers' Training Corps.

We had 15,544 in 55–C work. That is another branch of training in the schools. We had 2,300 in that branch below 55–C school work, making a total of 148,277 boys in the schools of the country taking various kinds of military training. They are given these courses for the purpose of helping, or at least we thought so, along the lines of military defense, so that we could make officers out of them; not privates, but officers. Out of all that number we got 6,514 reserve officers—only 6,514—and of those not more than half will be officers a few months from now.

Mr. JOHNSON of Washington. Does the gentleman want to know the reason?

Mr. COLLINS. I do not wish to yield just now. This shows that this particular work is worthless from the standpoint of military defense. Now, with regard to that particular work, I favor this amendment because it will create a situation where a boy can take the training if he wants to, and if it meets with the approval of his parents, but where no boy in a civil school will be drafted against his will. I do not like the present practice which forces practically every boy in the United States who desires to take a course in agriculture to take it with a course in military training. That is the situation to-day.

Mr. BEEDY. Will the gentleman yield?

Mr. COLLINS. I yield.

Mr. BEEDY. There has been a good deal said about this Congress taking away from local communities the right to set up their own educational systems. Does the gentleman not think it is just as valuable for us to guard the rights and freedom of choice in the youth of 18 years throughout the country as it is to look after the boards of trustees? [Applause.]

Mr. COLLINS. I certainly do. Now, that is the situation with reference to the farmer boys of this country. It is almost 100 per cent true with reference to courses in mechanics also.

Now, the attitude of the War Department is not only to put this training in the institutions but they require that an institution compel a boy who once enrolls in a military course to complete that course before he can be graduated in his academic subjects. Under the existing circumstances a boy could make a grade of 100 per cent in every school subject and be denied his diploma just because he failed in military drill. That is a deplorable situation for this country of ours.

Let us examine further the attitude of the War Department. Testimony before our committee showed that a school out in California was not permitted by the War Department to change from compulsory to elective training. Last year they were listed in the War Department figures given our committee as having compulsory training. This year they have none. The department dropped them entirely when they tried to make drill elective.

Also notice the attitude of the Chief of Staff of the United States Army on this question. He ought to represent the official attitude. General Summerall said in his final report:

> The most serious danger to the continued prosperity of the Reserve Officers Training Corps that has arisen in recent years lies in the effect of the decision of the Secretary of the Interior, sustained by the opinion of the Attorney General, that military training is not compulsory in land-grant colleges under the Morrill Act.

You see, the Chief of Staff of the United States Army favors the compulsory idea. Who can deny that that is the attitude of the Army?

Now let us go along a little further. This Congress is concerned with providing our country with military security. You can provide military security in only one way, and that is by providing our Army with modern fighting implements. These modern fighting implements, such as machine guns, the Christie tank that is out at the east door of the Capitol now, airplanes, and gas, cost money. If you provide these modern fighting implements, you will have to cut down your military personnel, because you can not have both.

Mr. JOHNSON of Washington. Will the gentleman yield for a question?

Mr. COLLINS. Please let me finish.

Mr. JOHNSON of Washington. We will save time.

Mr. COLLINS. No; it will not save time.

Mr. JOHNSON of Washington. I would like to show why——

Mr. COLLINS. I can not yield to the gentleman just now. I am sorry.

You can not have both. You can not have modern fighting implements and great armies of men, too. That tank out there can destroy every Reserve Officers' Training Corps unit in the country. How could boys perform fours right and fours left in the face of such hellish instrument of war as that? To attain a modern fighting force we must use modern fighting implements, and we can not do that within the limits of present appropriations. We must cut down our personnel in order to do it. Those of you who think you are militarists, who worship at the shrine of some captain or major or colonel, making daily reports to him on how you have acted in order to make his lot in life better, I want to say to that particular class that when you oppose such an amendment as this you are not working for military defense; you are working against military defense. You are not as military minded as you think you are; you are pacifists in sheep's clothing subtly undermining military security.

Captain Hart, the greatest military writer of this particular day, emphasizes the necessity of four instruments of warfare—the machine gun, gas, tanks, and airplanes.

He said that an army ought to be built around those four instrumentalities of warfare and that we ought to cut down the use of khaki. In other words, do not subject our boys to the folly of trying to fight the next war with man power, when machines will ruthlessly crush men. And if you train these boys in these obsolete methods you are worse off than if you had no training.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. GREEN. Mr. Chairman, I wonder how my friend from Mississippi [Mr. COLLINS] can believe that tanks and other war implements would be effective in the way of defense unless we have trained men to man them. [Applause.]

In the State of Florida we have a land-grant college. Twenty years ago, when I first entered that institution, there were approximately 200 students. To-day they have 2,200 or 2,300, for the simple reason that young men select it. They prefer to go to this institution, which is a military

institution. Military training there, of course, is not exacted of men who are not physically qualified for same. They have competent physicians to pass on the physical fitness of all young men—under 21 years of age—before they are required to drill.

That institution has grown also in efficiency, prestige, and general standing in proportion with and in keeping with its attendance growth. It is to-day one of the Nation's leading institutions of higher learning, drawing its student body from almost every State in the Union and from many foreign countries. Dr. John J. Tigert, former United States Commissioner of Education, is president of the University of Florida, and according to advice from him believes that Federal funds should continue for the land-grant colleges and that military training should be carried on in same.

Extensive military training is not given in these schools, but enough is had to teach the students necessary discipline, the importance of organized action, leadership, and punctuality. Their general health and incident mental efficiency is benefited. Our university, with its splendid faculty and great student body, is the pride of the entire State of Florida, and, in fact, its athletic teams, debating teams, and other student organizations have received most honorable mention, distinction, and recognition in many other States. It is furnishing trained, competent, and dependable leaders.

A large number of worthy students who are in financial need are receiving small financial benefits from the Federal funds. Without same many of them would be compelled to leave the university.

Mr. Chairman, I am opposed to the LaGuardia amendment. It is against the best interests of our institutions of higher learning. Furthermore, it would restrict Federal money in such a manner as to give Federal interference with State education. I do not want Federal officials to tell my State's instructors to teach or not to teach certain subjects. The Florida State Board of Control and the faculty of the University of Florida are capable of deciding upon courses to be taught in our State's institutions; we do not want Federal restriction. If Florida wants military training in her university, let her have it; she is fully capable of guiding her own destiny in this respect.

A more capable or honorable board of control never served Florida than her present board. The board members are unselfish and patriotic. I gladly trust Florida's institutions of higher learning to their custody and care. [Applause.]

Mr. JOHNSON of Washington. Mr. Chairman and members of the committee, for a long time I have paid attention to the subject of preparedness by the United States, and I notice that this debate quickly runs to that question. I was a Member of Congress in the years that approached the World War, and a Member of the Congress that declared war and then had to do many things crudely, hastily, and improperly because of unpreparedness. I was a Member also of the Congress that had to do with the building up and passage of the national defense act. That act was built up through much labor, and as a result of much painful experience on the part of the United States. That was in 1920, and from that day to this, through various sources, some of which we know, I have seen and you have seen the national defense act being stripped—weakened, cut down inch by inch. Look out. One does not have to be a militarist, but every one should be for the full sovereignty of the United States, and for all proper defense. I would not impugn the motives of any person nor would I even dare to call that valiant and militant fighter LAGUARDIA a pacifist, but I beg to call attention to the fact that his amendment, cleverly written so that it can pass muster as a germane amendment, is not really an amendment which should be considered in connection with the passage of an appropriation bill. If the Members of the House desire to discuss a matter of this kind, let a bill come before the House under a rule so that the whole membership may give full consideration to it. [Applause.] Do not write the proposal as a restriction on an appropriation bill.

What the gentleman from Mississippi [Mr. COLLINS] has said about the need for ammunition and machinery is true enough, but, my friends, many of the same influences which are working in this particular instance, endeavor to hamper us there and make it increasingly difficult to get airplanes, men, and everything else we need for the protection of our sovereignty. The United States is a Nation with 123,000,000 people and with an Army of only about 118,000 officers and men. Is that anything to be afraid of? [Applause.] All the boys who can possibly be trained a little along military lines in these schools and universities will not make our Nation military-minded, and may help quite a bit in the general advance toward the order, the dignity and the feeling of security necessary in a great sovereign Nation. [Applause.]

Mr. LAGUARDIA. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LAGUARDIA. May I inquire how the time stands for and against the amendment.

The CHAIRMAN. After the gentleman from Minnesota [Mr. CLAGUE] has spoken there will be one minute remaining.

Mr. LAGUARDIA. I am asking how the time stands for and against the amendment.

The CHAIRMAN. The Chair has divided the time as equally as he could do so.

Mr. LAGUARDIA. Mr. Chairman, I am informed that the gentleman from Minnesota will speak against the amendment.

The CHAIRMAN. If the gentleman from Minnesota speaks against the amendment, there will be one minute remaining to those who are for the amendment.

Mr. CLAGUE. Mr. Chairman and gentlemen of the committee, there has been a great deal said here pro and con as to whether or not agricultural land-grant colleges can decide for themselves as to whether this military course shall be elective or compulsory. It has been stated by the chairman of the committee and by others that that is true. I want to call the attention of the members of the committee to an opinion rendered by the Attorney General. That opinion was rendered June 20, 1930, on this very question. I will state that the Wisconsin University is a land-grant college and they have an elective course. In substance this is what the Attorney General held. His opinion is rather lengthy and I will ask unanimous consent to incorporate it in my remarks.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. CLAGUE. The substance of the opinion is this: He holds that land-grant colleges can decide for themselves and the course can be elective. In taking up this question he says:

> I therefore advise you that you are justified in considering that an agricultural college which offers a proper, substantial course in military tactics complies most efficiently with the requirements as to military tactics in the act of July 2, 1862, and the other acts above mentioned, even though the students of that institution are not compelled to take that course.

That was an opinion which bore directly on this question, and that opinion, as I say, was rendered June 20, 1930.

Mr. REED of New York. Will the gentleman yield?

Mr. CLAGUE. Yes.

Mr. REED of New York. That being true, there is an appropriation carried here for the commandants who are assigned from the Regular Army to each of these colleges, and the effect of this amendment would be to deprive them of their salaries and not permit this training to be given in the land-grant colleges.

Mr. CLAGUE. That is true.

Mr. STAFFORD. To a minor extent.

Mr. CLAGUE. The point I am making is this: We want to leave this up to the schools themselves. The agricultural college in the State of Minnesota is a land-grant college. Military training is now required, but the board of regents

of the Minnesota Agricultural College can make it elective if they so decide. The university regents of our State come from different districts in our State. They represent the people; they are a part of our own people, and if we decide we do not want military training it is up to our own people, so that each institution is left to determine this for itself.

Mr. COYLE. Will the gentleman yield?

Mr. CLAGUE. Yes.

Mr. COYLE. I ask the gentleman to yield, in order that I may state that Doctor Richards, president of the Lehigh University, asks that the right to determine whether this training shall be compulsory or elective on the part of the students shall not be taken from the local authorities.

Mr. CLAGUE. The opinion of the Attorney General, referred to above, is as follows:

COURSES IN MILITARY TACTICS IN LAND-GRANT AGRICULTURAL COLLEGES

The Secretary of the Interior is justified in considering that an agricultural college which offers a proper, substantial course in military tactics complies sufficiently with the requirements as to military tactics in the act of July 2, 1862 (12 Stat. 503), and the amendatory acts, even though the students at that institution are not compelled to take that course.

DEPARTMENT OF JUSTICE,
June 20, 1930.

SIR: I have the honor to acknowledge receipt of your letter of May 23, 1930, requesting my opinion as to whether agricultural colleges having grants under the act of July 2, 1862 (12 Stat. 503), and amendatory acts, are required to include military tactics among the compulsory courses of study, or whether they may simply offer this subject as an elective course.

The pertinent provision of the statute is contained in section 4, which reads as follows:

"And be it further enacted, that all moneys derived from the sale of the lands aforesaid by the States to which the lands are apportioned, and from the sales of land scrip hereinbefore provided for, shall be invested in stocks of the United States, or of the States, or some other safe stocks, yielding not less than 5 per cent upon the par value of said stocks; and that the moneys so invested shall constitute a perpetual fund, the capital of which shall remain forever undiminished (except so far as may be provided in section 5 of this act), and the interest of which shall be inviolably appropriated, by each State which may take and claim the benefit of this act, to the endowment, support, and maintenance of at least one college where the leading object shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts, in such manner as the legislatures of the States may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life."

Amendments of this section by the act of March 3, 1883 (ch. 102, 22 Stat. 484; U. S. C., title 7, sec. 304), and by the act of April 13, 1926 (ch. 130, 44 Stat. 247; U. S. C., Supp. III, title 7, sec. 304), reenacted the language printed in italics above without change.

By the act of August 30, 1890 (ch. 841, 26 Stat. 417), annual appropriation is made "for the more complete endowment and maintenance of colleges for the benefit of agriculture and mechanic arts now established, or which may be hereafter established in accordance with an act of Congress approved July 2, 1862 * * *." By section 4 of this act the Secretary of the Interior is charged with its administration, and he is directed to ascertain and certify to the Secretary of the Treasury annually as to each State and Territory whether it is entitled to receive its share of the annual appropriation. There is no requirement that the moneys appropriated under this act shall be devoted by the State to an institution then teaching military tactics, but only to an institution which had been or should be established under the act of July 2, 1862. The act of August 30, 1890, provides that the money shall "be applied only to instruction in agriculture, the mechanic arts, the English language, and the various branches of mathematical, physical, natural, and economic science, with special reference to their applications in the industries of life and to the facilities for such instruction * * *."

But by the act of March 4, 1907 (ch. 2907, 34 Stat. 1256, 1281), which appropriated additional money "for the more complete endowment and maintenance of agricultural colleges now established, or which may hereafter be established, in accordance with the act of Congress approved July 2, 1862, and the act of Congress approved August 30, 1890, * * *" it is provided that the money so appropriated is "to be applied only for the purposes of the agricultural colleges as defined and limited in the act of Congress approved July 2, 1862, and the act of Congress approved August 30, 1890." Another paragraph of this statute provides that the payment of the money appropriated shall be governed by the provisions of the act of 1890.

Under these statutes you and your predecessors have recognized the duty, so far as the appropriations made by the act of March 4, 1907, are concerned, to withhold a certificate as to any State which has not one or more colleges which are conducted in compliance with the provisions of the act of July 2, 1862. In determining whether such a certificate should be issued you are consequently confronted with the problem whether an institution, in order that it may comply with the act of July 2, 1862, must include military tactics as a compulsory course of study.

The statute nowhere specifically requires that the offered course in military tactics must be compulsory. My attention has been called to the fact that at the time when the original statute was passed in 1862 it appears that all or almost all courses offered in universities were compulsory, but, of course, this is not conclusive of the intention of Congress. The association of the word "military tactics" in the statute with the words "such branches of learning as are related to agriculture and the mechanic arts" shows that there was no intention to require instruction in military tactics to be compulsory upon the student any more than those branches of learning related to agriculture and the mechanic arts. If one branch is compulsory all must be, and when we consider the great variety of branches which are related to agriculture and mechanic arts under the modern educational system, it is apparent that it would be impracticable to require any student to take all such courses. It is generally recognized that there is no obligation on agricultural colleges having land grants under the act of July 2, 1862, to compel their students to take any course related to agriculture or the mechanic arts. The use of the words "leading object" in the statute indicates that Congress must have intended to repose some discretion in the State or in the college to determine to what extent agriculture and the mechanic arts, scientific and classical studies, and military tactics should be taught or required. The additional provision of the statute that these branches of learning should be taught "in such manner as the legislatures of the States may respectively prescribe" also suggests that it was the purpose of Congress to leave to the States a wide measure of control in the administration of the statute.

I have given consideration to the legislative history of the act of 1862. The manner in which the language in question came to be inserted in the bill does not convince me that Congress intended the course in military tactics to be compulsory. If it had had such an intention, it seems fair to assume that it would have expressed that intention in clear language. An examination of the report of the speech of Mr. Morrill, of Vermont (Cong. Globe, 37th Cong., 2d sess., pt. 4, Appendix, p. 256), who had charge of this bill in the House, reveals no clear statement to the effect that it was contemplated that military training would be compulsory on all students.

I have also considered what was done after the passage of the act of 1862. From a memorandum submitted to me, it appears that in several of the States, at least, courses in military tactics were compulsory in the years immediately following the passage of the act. But in a letter to the Secretary of War, under date of July 19, 1923, the Acting Secretary of the Interior informed the Secretary of War that "the policy of the Department of the Interior has been that a State fulfills its obligation under the law when it offers instruction and provides facilities for instruction in the branches of learning specified in the land-grant college legislation."

This ruling was published in 1925 by the Bureau of Education of your department in a bulletin entitled "Federal Laws and Ruling Affecting Land-Grant Colleges." I understand that this policy has been consistently followed, and that cases presenting the precise question under consideration have arisen. The problem has in particular been presented with respect to the State of Wisconsin since 1923, for in that year the legislature of that State provided by statute that the study of military training at the State university should be optional. (Wisconsin Laws, 1923, ch. 226.) It is significant that in 1926 Congress, in amending the act of July 2, 1862, reenacted the precise language of the act of July 2, 1862, italicized at the outset of this opinion. The Supreme Court has held in National Lead Co. *v.* U. S. (252 U. S. 140, 146–147) that the reenactment of a statute while an administrative interpretation of the statute is in effect "amounts to an implied legislative recognition and approval of the executive construction of the statute; * * * for Congress is presumed to have legislated with knowledge of such an established usage of an executive department of the Government. (U. S. *v.* Bailey, 9 Pet. 238, 256.)" To the same effect are U. S. *v.* Cerecedo Hermanos y Compania (209 U. S. 337, 339); U. S. *v.* Falk & Bro. (204 U. S. 143, 149).

I am of the opinion that the construction of the statute adopted by your department is a reasonable one, and it was in effect approved by Congress by the reenactment of the language in question after the adoption and publication of that construction by your department. Added force is given to the reenactment of this language by the fact that it occurred after the legislation in Wisconsin referred to above.

I therefore advise you that you are justified in considering that an agricultural college which offers a proper, substantial course in military tactics complies sufficiently with the requirement as to military tactics of the act of July 2, 1862, and the other acts above mentioned, even though the students at that institution are not compelled to take that course.

Respectfully,

WILLIAM D. MITCHELL.

To the SECRETARY OF THE INTERIOR.

Mr. SUMNERS of Texas. Mr. Chairman, as I understand the proposed amendment, there is but one question involved and that is whether the people of the respective States shall determine whether or not they want voluntary or compulsory military training in their schools.

The fact that this item is voted for commits the Congress to military training in the schools, does it not? This amendment, if adopted, would not reduce by one penny the money appropriated by Congress for military training in the schools. The fact that you will still allow to any student, if this amendment is adopted, $107, if that is the proper amount, who will accept military training, shows the Congress is putting a premium upon taking military training in the schools, does it not? All right, now, if you are going to vote for the item, the only remaining question, as I see it, is whether or not the judgment of the Congress or the judgment of the legislatures shall determine whether or not the people of the respective States shall or shall not have military training; and for one, I believe the people of my State and my legislature are just as capable of determining this question for the people of Texas as this Congress [applause], and it is none of your business. [Applause.]

Mr. LAGUARDIA. Mr. Chairman and gentlemen, no one urging State rights can properly stand in the face of this appropriation bill and the national defense act, because the national defense act took every vestige of State rights away from your National Guard and away from your military training. This training is being carried on in your State colleges with Federal money, with War Department officers, and you have not one word to say about it.

Now, let us be fair about it. That is all there is to it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. LAGUARDIA].

The question was taken; and on a division (demanded by Mr. BARBOUR) there were—ayes 50, noes 162.

So the amendment was rejected.

Mr. BARBOUR. Mr. Chairman, I offer an amendment. On page 54, line 17, change the figures "451" to "455" in the citation.

The CHAIRMAN. The gentleman from California offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BARBOUR: Page 54, line 17, strike out "451" and insert "455."

The amendment was agreed to.

The Clerk read as follows:

For arms, ammunition, targets, and other accessories for target practice, for issue and sale in accordance with rules and regulations prescribed by the National Board for the Promotion of Rifle Practice and approved by the Secretary of War, in connection with the encouragement of rifle practice, in pursuance of the provisions of law, $200,000.

Mr. McSWAIN. Mr. Chairman, I offer an amendment.

The CHAIRMAN (Mr. LAGUARDIA). The gentleman from South Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. McSWAIN: Page 60, line 10, after the word "law," strike out "$200,000" and insert in lieu thereof "$250,000."

Mr. McSWAIN. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes in discussing this amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. McSWAIN. Mr. Chairman, I have asked for 10 minutes in order that I may explain that this amendment will involve, to a certain degree, a departure in policy, the beginning of a new régime in civilian rifle training, and I desire sufficient time, or at least some time, to seek to explain and justify such change.

The American Legion at its national convention in Boston in October, 1930, passed a resolution asking the Congress to continually increase its appropriations for this purpose until gradually there may be sufficient funds in the years to come to equip and accommodate one civilian rifle club for every American Legion post in the country.

Now, there are about 12,000 of these posts. At present there are about 116 posts that are desiring equipment in order to be organized and to commence their activities. There are at present in existence 1,600 such clubs.

I have a certain, definite belief that this is one of the very best ways and one of the most economical ways to achieve and to maintain a reasonable degree of preparedness. Several years ago I planned to establish a rifle range on one of my own little farms for the convenience of the citizens of the community and of the American Legion Post, but my plans were frustrated by reason of the fact that a gentleman came along and offered me about all that the land was worth. Now, I am glad I sold it, and I fear he is sorry he bought it. This is a mere incident explaining that years ago, before the American Legion acted, I realized the great importance of this plan upon a plan of wise preparedness of the individual citizens to function in time of war.

I agree with much that the gentleman from Mississippi [Mr. COLLINS] has said during the consideration of this bill with reference to the kind of arms that are most effective in time of war. Though I differ in certain fundamental principles from the gentleman of Mississippi, I think that the gentleman [Mr. COLLINS] has rendered a certain service in being persistent in his opposition to what might be called the anachronisms of the Military Establishment and insisting that they come up to date. I think that in a democracy a contrariety of ideas is always valuable and in the end conduces to wise decisions, but I submit that in addition to the four weapons that the gentleman mentioned as being indispensible in war—and they are—there is one weapon that is still highly indispensable and perhaps will be vital for generations to come, and that weapon is the individual rifle.

The man with the rifle is able to protect machine guns in advancing to position. The man with the rifle is thus able to help the machine gun function. The rifle can not do much to protect the airplane, but for these other weapons, as tanks and poisonous gas, the rifle is indisputably an auxiliary, and under some conditions of open warfare of movement is essential and indispensable.

In the next place the citizenry that knows how to use a rifle constitutes the most economical system for national defense. I submit, gentlemen, after a study on the ground of the Swiss Army on two different occasions, and after having read about it for many years, that the most economical, in proportion to its cost, the most efficient army now in the world or that ever has been in the world, is the Swiss Army.

Mr. WAINWRIGHT. Will the gentleman yield?

Mr. McSWAIN. I will.

Mr. WAINWRIGHT. I understand in Switzerland it is the policy to train every able-bodied male and to encourage them in shooting?

Mr. McSWAIN. I was coming to that. In Switzerland there are over 4,000 civilian voluntary rifle clubs. Switzerland has a population of not quite 4,000,000. On that proportion there would be 120,000 rifle clubs in the United States. Now, the American Legion is only asking for one-twentieth of the number that exists in Switzerland to-day.

Now, what about the rifle? The Swiss for 17 years won the championship in 17 different matches. Every Swiss man from 21 to 48, every able-bodied man, must go upon the range every year and must make a passing grade, and if he does not, he has to go back and try it over.

Upon a Swiss holiday or Saturday afternoon upon the trains or trolleys going out of all the larger cities you will find civilian soldiers rushing from the factory, from the shop, or other work place with a rifle slung across his back, headed for the rifle range.

Now, what was the proof of the Swiss Army's efficiency during the World War? Germany was tempted to cross into Switzerland as well as over Belgium. Switzerland was nothing more to Germany than Belgium. But what hap-

pened? As soon as Germany began mobilizing her troops Switzerland mobilized an army of 200,000 men, and for four years Germany did not dare to cross the borders into Switzerland's territory. Why? Because when a Swiss rifleman fires there is going to be a dead man at the other end of the course of the bullet. Germany knew that. Other soldiers may raise the rifle, shut their eyes and shoot, and not do much damage, but when a Swiss soldier fires the result is a dead man. [Applause.] It takes practice to make a good rifle shot. In 1910 the Swiss population fired 10 shots for every man, woman, and child in Switzerland. But in Germany that same year—and Germany thought she was preparing to fight—in Germany they fired only one-half a shot for every man, woman, and child. In France it was the same; they fired only one-half a shot for every man, woman, and child. But in Switzerland they fired per capita twenty times as many shots as were fired in Germany or France.

Now, Switzerland is a liberty-loving country. It is the oldest republic in the world. For nearly 700 years they have been a free people. The Swiss believe in fighting for liberty and in fighting to maintain liberty, and I want to submit this thought, after some rather careful reading, that I believe that a fair investigation of the pages of history will show it to be true, that no people ever won or kept their liberty that were not able and willing to win it by force of arms. [Applause.]

No people will ultimately retain liberty unless they are willing and able to retain it by war. What we have to do is to draw the sharp line of demarcation between a policy of aggressive war and a policy of preparedness for defensive war. We in America must draw the line. That is what I think America has ever done, and nothing that I now see makes me apprehensive at all that America ever will become dangerously aggressive in the matter of war. But we must be on the alert. We must watch and resist any such tendency.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

(By unanimous consent, Mr. McSWAIN was granted leave to extend his remarks in the RECORD.)

SWITZERLAND AS THE NURSERY OF PEACE

If there ever was a country where the people rule, it is Switzerland. If there ever was a people that are devoted to peace, it is the Swiss people. Practically all the international activities of the world have originated in Switzerland and now center around Switzerland. Such cooperative agencies as the International Postal Union and the International Telegraph Union are in Switzerland. In Geneva, Switzerland, was held the first international arbitration conference, being between the United States and Great Britain, concerning the claim for damages by the United States against Great Britain growing out of the raids upon American commerce by British raiders during the War between the States. An award was made against Great Britain and promptly paid. That was the first instance in history of two great nations voluntarily agreeing in the interest of peace to submit their claims to human arbitration.

In Switzerland originated the great Red Cross movement to alleviate the hardships and some of the horrors of war. Swiss authors and statesmen have been leaders in every movement to clarify and to codify international law, and thus to remove the cause for friction which so often brings on war. Upon Swiss territory, as on neutral ground, have been held practically all the conferences since the Paris Peace Conference, for setting up the framework of friendship among the hitherto warring nations. At Geneva, in Switzerland, is the seat of the League of Nations. Here is the permanent Secretariat. Here meets annually the Assembly of the League of Nations. Here periodically the Council of the League of Nations is in session.

THE PEACEFUL SWISS ALWAYS PREPARED FOR DEFENSE

So if there be any place in the world where the sentiment for peace is strong, it is Switzerland. And yet, if there be any people that are prepared constantly, every man of them, to fight in defense of his rights, and to fight in defense of peace, it is the Swiss. For centuries the Swiss have been known as skillful and courageous fighters. The French monarchs formerly engaged Swiss guards for the protection of their persons. Even to this good day, the Swiss guards constitute one of the most picturesque features of the Vatican. Fortunately, the Swiss have wisely found the safe middle ground between extreme and expensive militarism on the one hand and pitiful and helpless unprepardness on the other. The Swiss citizen is a very realistic person. He looks the world square in the face. He knows that force still has its place in the world. The Swiss draws a lesson from the fact that no little town in a Christian country, where the people all know each other, and many of them interrelated by blood or marriage, all speaking the same language, all professing the same religion, all sending their children to the same school, yet no such little town can be found but must have its policeman, with his pistol and his billet to compel the unruly and lawless minority to obey the will of the sober and law-abiding majority.

THE SAFE AND SANE MIDDLE GROUND

How did the Swiss find this happy middle ground between the perils of militarism, which may provoke aggressive war, and the equal perils of pacifism, which may invite agressive war? Two salient features may be pointed out as the explanation. First is, they have practically eliminated the professional soldier. There are very few professional soldiers on the pay rolls of the Swiss Government. Those few consist of highly trained and very capable officers who study to keep abreast of the military art so as to impart their information to the citizen soldiers at their annual training periods. The Swiss have found, what other nations can find if they seek, that the art of war is not so complex, nor so modern, as to require the entire time and thought of officers in order to keep them posted. The Swiss have discovered that their officers can give to their families and to their business enough time to continue in the working world as producers, and yet out of their leisure and during their holidays, be able to devote sufficient attention to the progress in the military art as to keep fully abreast. I feel safe in asserting that you will find in banks, in law offices, in mercantile establishments, in factories, and upon the farms of Switzerland, busy men who hold commissions as officers in the citizen army of Switzerland, who are the equals in general intelligence and in special knowledge and technical skill in the military art of any professional full-time officers drawing all-the-year pay from the public treasury in any country. These citizen soldiers have the civilian point of view. Their careers are connected with civil life. Therefore, ambition to win fame and honor upon the field of battle are not dominant forces in their lives. Their attitude is naturally defensive. They say to other nations:

If you let us alone, we will let you alone. But if you invade us, we are prepared to defend our soil and to destroy you in your efforts to destroy us.

The second important factor in explaining why Switzerland has maintained the safe middle ground in preparedness is that the private soldier feels an individual responsibility to fit himself in the highest possible degree to defend his country and his country's liberties. Here we escape pacifism. Every male citizen is expected to take proper training in the use of arms and in cooperative action with his fellow citizens in fighting. These two things constitute the essentials of military training. A good rifleman may understand how to shoot, but he must also understand how to get himself in the proper position in company with large numbers of his fellow citizens, in order that their combined and cooperative fighting may be effective against the combined and cooperative fighting of the enemy. Consequently the Swiss Army is a democratic army. Its ideals are as democratic as the civil and business and industrial and commercial institutions with which the people are familiar. Every private soldier has it in his power by skill and initia-

tive to rise to the grade of noncommissioned officer. Every noncommissioned officer is encouraged and trained so that the best, the most capable in skill, in knowledge, and in the quality of leadership, are given commissioned rank. Therefore, the officers in the Swiss Army represent natural leaders just as the leaders among the lawyers at the bar, just as the leaders in the banking world, just as the leaders in the commercial and industrial world have won their positions of leadership by ability, by character, and by the power to inspire confidence in others. This is the very essence of leadership.

THE ECONOMY OF A CITIZEN ARMY

Consequently the military defense forces of Switzerland are very inexpensive. The cost is a mere bagatelle in comparison with the cost per capita in many other countries, including the United States. I will gather the figures and put them into the RECORD later, so that the contrast in expense may show impressively that the only escape from the weight of land armaments in our country is to gradually modify our military system from one so largely and dominantly professional to a voluntary citizen army. I previously called attention to this fact in connection with my comments upon a very able discussion of this general subject by Gen. John M. Palmer, United States Army, retired, in his book entitled "Statesmen or War." He shows very clearly how, if we Members of Congress are to be real statesmen in connection with preparedness, we will draw more lessons from the experience of Switzerland and will insure that our Nation will never in the future enter upon aggressive warfare, but that we will always be prepared to defend ourselves against the ambition and the greed of other nations.

THE RIFLE ESSENTIAL TO EVERY SOLDIER

Now this all leads to the question of encouraging civilian rifle practice. The rifle is the elemental and indispensable weapon of every soldier. The soldier may later turn to artillery, or to machine guns, or to tanks, or to gas warfare, or to airplanes, but the beginning of his training must include a knowledge of how to use small firearms. For a man to know how to shoot accurately, to be familiar with the loading and the care of a rifle and pistol, gives confidence and creates self-respect. Therefore, the larger the number of men in the United States connected with civil life who are good riflemen, the better our Nation will be prepared for defense. These expert riflemen, learning to shoot in a civilian rifle club, can be employed with great benefit in the training of soldiers hastily called out of civil life in the event of war. To obtain a knowledge of the necessary elements of drill is a matter of a few weeks to a person of average intelligence. To become a good shot is a matter of experience of months, and sometimes years. We will never have universal military training in America. It is contrary to the genius of American institutions. But we have always had voluntary military training for a part of our citizens. The larger the number of citizens willing to submit to voluntary training, the smaller the number of citizens whom we must enroll as regular soldiers and keep on the pay roll all the year round.

There is an essential difference and even antagonism between the voluntary soldier and the mercenary soldier. There is a sort of essential antagonism between the professional soldier and the citizen soldier. The professional soldier is disposed to look down with contempt upon the military fitness of the citizen soldier. The citizen soldier reciprocates this feeling and nurses the grudges of the unfairness and injustice that he has suffered at the hands of the professional soldier during periods of training and during the stress of war.

MORE VOLUNTEERS MEANS FEWER MERCENARIES

I stand for increasing the number of voluntary soldiers in the United States; for increasing the number of men who are willing to train, to study, to submit to discipline, and thus to be prepared to fight the Nation's battles in a war of defense. We submit to a regular, mercenary, professional army only as a matter of necessity. If we could have equally well-trained officers and equally well-trained soldiers without having to pay them all the time and without the incidental encouragement they give to the militaristic spirit, we would welcome such a change. For this reason the American Legion, made up exclusively of citizens who were formerly, for a period of time, enlisted in the defense of the Nation's rights and of the Nation's life, stands for the voluntary spirit in war. The American Legion wants to encourage the citizen soldier. The American Legion wants adequate preparedness at the minimum of necessary expense. For this reason the American Legion has set up a program of having at least 12,000 civilian rifle clubs in the United States. Perhaps there will be more than 12,000 such clubs before the full program is developed. There will probably be other American Legion posts established, and at any rate there will be communities where there is now no American Legion post, which will organize rifle clubs. Some cities, where there is only one American Legion post, will have two or more rifle clubs.

So the question is, What encouragement will Congress give to the formation and maintenance of these clubs? Will Congress furnish the rifles, which are in storage for use by these clubs? Will Congress furnish the ammunition, which is now in storage and annually depreciating and deteriorating, for use by these clubs? Will Congress furnish some money to encourage sending teams to visit the annual matches and some money to buy trophies for the winners at the annual matches? If Congress will do these things, then if we do become involved in another major war the military authorities then in control will find that the money now proposed to be spent upon these rifle clubs will pay dividends one hundred and perhaps one thousand fold. The citizen who has never had on a uniform but who knows how to use a rifle accurately and quickly is a potential soldier of the finest sort. Such a soldier as Alvin York, familiar with the use of the rifle in hunting squirrels or turkeys or other big game, became in battle the equal of a hundred or a thousand soldiers not entirely familiar with the use of the rifle. The miraculous success of Andrew Jackson at New Orleans is explained not alone by his own dauntless courage and his own matchless leadership but also by the fact that the backwoodsmen who constituted the rank and file of his army had learned through years of practice in the woods to use their rifles with deadly effect. Such citizen, when called to the colors in time of war, is quickly and easily converted over into an efficient and capable soldier.

CIVILIANS MUST CONSTITUTE ANY SIZABLE ARMY

Therefore, the greatest and widest training should be carried on among civilians and such citizen soldiers as national guardsmen, with all the implements and instrumentalities of modern war. Our airplanes should be at the disposal of national guardsmen who want to learn how to do military flying. Machine guns should be at their disposal. The latest types of army tanks should be at their disposal. They should be constantly drilled and instructed in the use of poisonous gases. But they must not neglect the rifle. The rifle is the alphabet of the soldier. To learn its use is like learning the a, b, c's. With hundreds of thousands of our citizens familiar with the rifle, with the airplane, with the machine gun, with the tank, with the trench mortar, with the use of poisonous gases, it will be possible for our Nation to call together in short order an army composed of civilians that will and can defend our rights, protect our people, and repel the invader from our land.

Mr. BARBOUR. Mr. Chairman, I can agree with practically everything said by the gentleman from South Carolina [Mr. McSWAIN] except that part of his remarks in favor of the amendment which seeks to add $50,000 to this item of $200,000 already in the bill. This activity of the civilian rifle clubs has been carried along for some time at just about the same level. The appropriation for some years past has been $200,000 for the civilian rifle clubs, and that is in addition to the $500,000 for national matches held

every year at Camp Perry and for other expenses in connection with the National Board for the Promotion of Rifle Practice. It is to maintain these 1,600 clubs. The question is now whether we want to embark on a campaign or program that is going to increase these national rifle clubs without limit. If we start in here and add $50,000—and they have been seeking for several years, not by offering amendments on the floor, but by coming before the Subcommittee on Appropriations for the War Department and asking that this sum be increased—there is no telling where it will end. They frankly tell us now that their program is to extend this activity to thousands of these clubs. A gentleman who appeared before the committee said 12,000 additional clubs. I believe this country should do everything possible to foster and promote marksmanship and proficiency in arms. Americans have always been noted for their proficiency in marksmanship and in arms. That is something we want to see maintained among our people, and if the $50,000 were necessary to do that, I would be just as much in favor of it as anyone.

Mr. McSWAIN. Mr. Chairman, will the gentleman yield?

Mr. BARBOUR. Yes.

Mr. McSWAIN. If 112 clubs are now seeking for necessary aid in order to start, and there is not a sufficient fund, would it not seem to justify an appropriation of the additional $50,000?

Mr. BARBOUR. If we were neglecting this activity, I would be inclined to agree with the gentleman, but does the gentleman from South Carolina know what we are doing in this program that we are now carrying on?

Mr. McSWAIN. We have 1,600 clubs now, and we are doing well as far as we go.

Mr. BARBOUR. Just let me call the attention of the gentleman from South Carolina and of the other Members of the House to just what this country is doing in order to promote marksmanship and proficiency in arms at the present time in this very bill now before us.

For target practice there is carried in this bill for the Regular Army $3,034,960. That is for target practice alone. For the National Guard there is carried in this bill for target practice $2,246,531. For the Organized Reserves for target practice there is carried $614,792, for the Reserve Officers' Training Corps for target practice there is carried $345,476, for the citizens' military training camps for target practice, $95,649; for the National Board for the Promotion of Rifle Practice for the national matches, $500,000; and for the civilian rifle clubs, $700,000, making a total for target practice already carried in this bill of $7,037,408. But that is not all. There is an item in this bill of $1,500,000 for additional pay to enlisted men in the Army because of proficiency in arms and in marksmanship. The latest figures that I have from the War Department are that over 16,000 enlisted men are drawing this additional pay, because of proficiency in marksmanship. If we were neglecting marksmanship in this country I would be inclined to vote for the amendment which the gentleman offers, but with more than eight and a half million dollars already in the bill to make ourselves in this country proficient in arms and in marksmanship, I think we are spending an adequate sum for this purpose.

Mr. McSWAIN. Will not the gentleman separate the items here for instruction in rifle practice for the civilian population?

Mr. BARBOUR. To my mind it is all for the same purpose, to foster and encourage proficiency in rifle practice in this country, and it does not make so much difference whether you do it as a civilian or as a National Guard man or as an Organized Reserve or as a Regular Army man. If you can shoot and hit the bull's-eye, you are a good marksman.

Mr. McSWAIN. Certainly, but the gentleman must realize this, that target practice for the Regular Army and for the National Army is an indispensable, essential part of the training, just like the drill and the uniforms.

It ought to be charged up to the entire establishment, and it is not fair, from an argumentative point of view to charge it against an effort to enlarge training amongst civilians who will be familiar with the rifle so that if a war does come they will then be prepared to continue to shoot straight just like Alvin York was. Alvin York learned to shoot at turkey shooting matches in east Tennessee, and he hit Germans as well as turkeys.

Mr. BARBOUR. It is not my intention to charge this to the civilian activities. I just wanted to show to the Members of the House the total amount of money carried in this bill for marksmanship and proficiency in arms so that you would understand it is not being neglected.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was rejected.

The Clerk read as follows:

CORPS OF ENGINEERS

CALIFORNIA DÉBRIS COMMISSION

For defraying the expenses of the commission in carrying on the work authorized by the act approved March 1, 1893 (U. S. C., title 33, sec. 661), $17,350.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. There is a subsequent item that refers to an appropriation of $1,000,000 for the work of flood control on the Sacramento River.

Mr. BARBOUR. Yes. That is under flood control.

Mr. STAFFORD. That has been running along for a number of years. What is the special work that is accomplished by that appropriation? I believe this California Débris Commission is in control of that.

Mr. BARBOUR. That is a different proposition. This California Débris Commission is in control of the débris that is washed down from the mines up in the mountains. It is still coming because of the old hydraulic mining done in the early days.

Mr. STAFFORD. I thought that was the justification for the $1,000,000 appropriation for the Sacramento River.

Mr. BARBOUR. Well, in a way, it was, but the débris commission is a board which studies and keeps in touch with that situation.

Mr. STAFFORD. This California Débris Commission has authority over the expenditure of this $1,000,000, as I recall it?

Mr. BARBOUR. Yes.

Mr. STAFFORD. The only justification for this appropriation of $1,000,000 which has been appropriated for several years is that the waters came down from the mountains above Sacramento and there should be some Federal appropriation to control the works.

Mr. BARBOUR. There are two different propositions. There is flood control and navigation and there is the matter of taking care of the débris that comes down and interferes with the navigation of the stream. Of course, the two are somewhat related.

Mr. STAFFORD. There is not much navigation up there, is there?

Mr. BARBOUR. In the Sacramento River there is a great deal of navigation as far as Sacramento and somewhat beyond.

Mr. STAFFORD. What is the character of navigation?

Mr. BARBOUR. It is passenger and freight.

Mr. STAFFORD. I thought the people of California were faster moving than to go by boat, by the slow process of navigation up the Sacramento River.

Mr. BARBOUR. Well, it is a very delightful overnight trip. You can make it in three hours on a train easily, or you can leave San Francisco by boat in the early evening and be in Sacramento in the morning in time for breakfast. It is a delightful, restful trip by river, and a great many people take it.

Mr. STAFFORD. In order to provide a good night's rest for sleepy Californians, you are asking us to appropriate $1,000,000 for navigation?

Mr. BARBOUR. Even for people from Wisconsin it might do a lot of good.

Mr. STAFFORD. It might do a lot of good, but as they are fast actors out there, they would not think of taking a boat to travel a short distance like that when they could travel by train in three hours. They would likely take this metal-clad airship. No. I do not believe they would take that, because they are too wise to experiment with a thing as dangerous as that.

Mr. BARBOUR. I am sure if the gentleman were out there and wanted to have a delightful night's rest he could not enjoy anything more than a trip on one of these boats to Sacramento.

Mr. STAFFORD. Perhaps I would need a refreshing night's rest after the wild life in San Francisco.

Mr. McDUFFIE. Not only do they have a line of steamers such as described by the gentleman from California [Mr. BARBOUR], but there is a heavy tonnage handled on the Sacramento River.

Mr. STAFFORD. Consisting of what, other than logs?

Mr. McDUFFIE. The rail lines do not closely parallel the Sacramento River, and there are a number of towns between Sacramento and San Francisco which are served by this line of steamers, which are packet boats. This line also runs on as far as Stockton.

Mr. STAFFORD. I had heard of the packet-boat line, but I never knew they had much passenger travel.

Mr. McDUFFIE. I was surprised myself to learn that. I do not recall the figures just now, but the engineer's report shows a vast amount of tonnage on the Sacramento River.

Mr. STAFFORD. Oh, there is no question about the tonnage as far as logs are concerned.

Mr. McDUFFIE. And this is also high-class tonnage, fruits and vegetables.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

The pro forma amendment was withdrawn.

The Clerk read as follows:

For the preservation and maintenance of existing river and harbor works, and for the prosecution of such projects heretofore authorized as may be most desirable in the interests of commerce and navigation; for survey of northern and northwestern lakes, Lake of the Woods, and other boundary and connecting waters between the said lake and Lake Superior, Lake Champlain, and the natural navigable waters embraced in the navigation system of the New York canals, including all necessary expenses for preparing, correcting, extending, printing, binding, and issuing charts and bulletins and of investigating lake levels with a view to their regulation; for examinations, surveys, and contingencies of rivers and harbors: *Provided*, That no funds shall be expended for any preliminary examination, survey, project, or estimate not authorized by law; and for the prevention of obstructive and injurious deposits within the harbor and adjacent waters of New York City, for pay of inspectors, deputy inspectors, crews, and office force, and for maintenance of patrol fleet and expenses of office, $60,000,000.

Mr. BLANTON. Mr. Chairman, on page 71, line 18, I offer an amendment.

The CHAIRMAN. The gentleman from Texas [Mr. BLANTON] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. BLANTON: Page 71, line 18, strike out the words "preliminary examination."

Mr. BLANTON. Mr. Chairman, I ask unanimous consent to speak for five minutes out of order.

Mr. BARBOUR. Well, Mr. Chairman, reserving the right to object, we are trying to finish this bill.

Mr. BLANTON. I have not used a moment on this bill.

Mr. BARBOUR. But we are trying to get it out of the way, so that another bill can come on for general debate.

Mr. BLANTON. I could speak for five minutes on these two words, but I would like to mention a convention that is being held in this city.

Mr. BARBOUR. I know the gentleman could speak for more than five minutes.

I will not object in this instance, Mr. Chairman, with the understanding that this shall not be a precedent for any similar request, because if there is a similar request I shall have to object.

Mr. BLANTON. I shall not ask for any further time.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BLANTON. Mr. Chairman, there is now in session in this city a convention of delegates from the oil-producing States, called by the governors of those States, to devise some means of relief for the independent oil operators of the country. They have their backs to the wall, caused by imports of foreign oil annually entered free, and must have tariff protection at once.

They held a most enlightening meeting in the House caucus room this morning which Senators, Representatives in Congress, and a great number of delegates from the oil-producing States attended. I listened to some splendid addresses there, one of which was worthy of special mention, that made by Mr. Wirt Franklin, of Oklahoma City. Mr. Franklin, fortunately for the independent producers, is a man of wealth. He has spent, so I am reliably told, out of his own pocket about $200,000 in efforts to aid and assist those engaged in his industry and to collect information and facts on the subject he so ably discussed. He made a most valuable statement before that meeting in the House caucus room this morning. It has so much important information and so many important facts correlated in it, which I have been trying to get for a long time, and which I am sure the Members of Congress from the various oil-producing States have been trying to get for a long time, that I would like to have it go in the RECORD in connection with my remarks. I ask unanimous consent to incorporate the statement he made in the caucus room this morning as a part of my remarks.

Mr. BARBOUR. Who made the statement?

Mr. BLANTON. Mr. Wirt Franklin, of Oklahoma City, who is the president of the Independent Oil Producers' Association in that portion of the United States.

Mr. PARKS. He is the man who is fighting the Standard Oil Co. and Shell people.

Mr. BLANTON. Do not say that, because some friend of the big Dutch Shell Co. might come in here and object to the remarks going in the RECORD.

Mr. PARKS. Maybe they did not hear me.

Mr. BLANTON. These facts are of importance to the whole country, and this industry just now is the very life of a part of my district. Right now there are many farmers out of jobs who have been making a living for their wives and little children by reason of the independent oil industry in my district, and they have been able in this way to make a living when they have not been able to make ends meet out of their farms.

Mr. PARKS. And the same thing is true in my district.

Mr. BLANTON. When the independent operators were getting $1.50 a barrel for their oil they were paying these farm boys $10 and $12 a day for truck hauling, for casing crews, for tool dressing, and tower shifts. There were hundreds of them employed in all of the oil counties of my district, and they were given needed and remunerative employment by the independent oil operators, but now they are all out of jobs. Oil has gone down to-day another 25 cents, thus reducing the price in Texas to about 60 cents a barrel, and under the proration existing, men who have little 10-barrel wells have been cut to five barrels per day production. They can not produce but five barrels per day, and you men know they can not do that except at a great loss.

I intended to see my friend from Massachusetts [Mr. UNDERHILL] before I made this request. I notice that he is about to make his usual objection. And he renders valuable service along that line. I can assure him that this is of great importance to the country, to Pennsylvania, to Ohio, to Indiana, and to many of the States that are now

crippled by reason of the independent producers having their backs to the wall. It is of great importance to the country, and I hope my friend from Massachusetts will let it go in.

Mr. JOHNSON of Oklahoma. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. JOHNSON of Oklahoma. I was interested in the gentleman's statement that the price of oil was very low.

Mr. BLANTON. It is down to 60 cents a barrel, as there was a cut of 25 cents to-day in Texas.

Mr. JOHNSON of Oklahoma. I was about to say that there was a cut of 25 cents yesterday.

Mr. BLANTON. Yes; which reduced it to 60 cents a barrel, and the big Dutch Shell Co. can lay down gasoline in New York to-day from its South American plant for 4 cents a gallon and it sells here for 16 cents a gallon.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. UNDERHILL. Mr. Chairman, reserving the right to object, if I thought that the insertion of this speech in the RECORD would give employment to one individual outside of the Printing Office, or if I thought it would improve the oil situation in any State, I would not object; but, Mr. Chairman, the increase in the cost of publishing the RECORD last year was $175,000 plus. There are just 560 subscribers outside of Congress to the CONGRESSIONAL RECORD. Each Member of the House has 60 copies and each Member of the Senate has 80 copies, and the cost of printing the RECORD is more than the cost of printing anything else in the Printing Office in connection with any Government activity.

Mr. BLANTON. Yet the people get more value for this money than from any other we spend.

Mr. UNDERHILL. I do not yield to the gentleman, and I did not interrupt him. It has become a scandal. The RECORD is for recording the procedure of this House, a legitimate function, and to have it on file for posterity or for the convenience of the Members.

Mr. BLANTON. I am going to act in good faith with my friend from California [Mr. BARBOUR], who allowed me this time, and I am going to withdraw my request for the time being, if it is going to provoke an argument.

(Subsequently the gentleman from Massachusetts, Mr. UNDERHILL, withdrew his objection, and by unanimous consent the gentleman from Texas, Mr. BLANTON, was granted permission to incorporate in the RECORD as a part of his remarks the statement made by Mr. Wirt Franklin.)

The statement is as follows:

SPEECH OF WIRT FRANKLIN TO GOVERNORS' OIL RELIEF CONFERENCE, WASHINGTON, D. C., JANUARY 15, 1931

We have been called together to-day by the governors of the oil-producing States for the purpose of working out plans for prompt relief for the present dire distress in the petroleum industry. The situation is so serious as to merit the best thought of the leaders from the several States involved in the solution of our difficulties.

That we may understand the many problems with which we are confronted and the underlying causes of our existing depression, I deem it advisable to review briefly the history of the industry for the past 10 years, the policies and purposes of those in authority, and the leaders of the industry, which have had considerable influence in bringing about, if they are not directly responsible for, the present conditions.

Let us go back to the year 1921, when conditions very similar to those of the present were prevalent in the petroleum industry, brought about at that time by vast importations of oil, chiefly from Mexico. Then there was under consideration in the Committee on Ways and Means, at that time under the chairmanship of Mr. Fordney, the question of giving protection to this industry by the levying of a tariff on imported crude oil. The Committee on Ways and Means of the House had voted a tariff on oil in the then pending bill, and President Harding at that time, in a letter to Mr. Fordney requesting that a tariff on oil be omitted from the bill, for the first time declared the Government's policy of so-called conservation, which will be more fully analyzed and defined after I have traced its course and effect from that date to the present time. Congress failed to give oil the protection to which it was then entitled; but the Mexican Government shortly thereafter levied an export tax upon oil which, to some extent at least, was an aid to the domestic industry. Thereafter the production of oil in Mexico gradually declined, while exploration and development work was begun in Venezuela, Colombia, and other South American countries.

In 1924, continuing the policy first enunciated by President Harding in 1921, President Coolidge appointed four members of his Cabinet as the Federal Oil Conservation Board, with the Secretary of the Interior as chairman. This board held hearings for the purpose of determining the extent of our petroleum reserves. The aid of the American Petroleum Institute was asked and given, and the country was alarmed at the reports emanating from the board and leaders of the petroleum industry that our petroleum reserves were in danger of exhaustion within a few years, and that even our safety as a nation was at stake. This was no new thing, as men prominent in the industry and others had for years, from time to time, made predictions of the early exhaustion of our oil resources. The rank and file of the producing branch of the business paid little heed to the hearings before the Federal Oil Conservation Board, or to the warnings of those timid souls who prophesied the early demise of the petroleum industry in the United States. They did not believe these predictions, thought them harmless, and did not then foresee the results of their indifference.

The major factors in the industry, many of whom held large concessions in Central and South America, participated in the hearings and aided in the dissemination to the people and the officials of the State and Federal Governments of information tending to convince the country of the early exhaustion of this irreplaceable natural resource, and to crystalize public sentiment in favor of hoarding our supplies, unused, for future generations. For years the press has been filled, to such an extent as to amount to propaganda, with the predictions and forebodings of these prophets of disaster. Whatever merit this so-called conservation policy had at its inception, subsequent developments have conclusively shown that the same was founded upon a false foundation of fact; that the use of the word "conservation" in connection with this policy was not in its true sense; that instead it meant reservation of our supplies in the ground, and the effect has been to mislead the people into believing that we were wasting our petroleum resources, which was far from the truth.

In 1928 it became apparent that there was an oversupply of oil being thrown upon the markets of the United States, due to increasing domestic production and increasing imports, chiefly from Venezuela. The American Petroleum Institute created a committee on world production and consumption, the avowed purpose of which was to bring about a curtailment of production in the United States and a curtailment of imports, so as to bring production and imports in balance with consumption. Elaborate plans were formulated early in 1929, were submitted to the Federal Oil Conservation Board, and by that board referred to the Attorney General for the purpose of ascertaining whether the plan could be carried out without violation of the antitrust laws. The Attorney General could not promise immunity, and the work of the committee, covering the production of the country as a whole, was discontinued. In lieu thereof committees for curtailment of production were set to work in the various States, under the authority of State laws where same existed, and these State committees and subcommittees in the various districts within the States have succeeded to a remarkable degree in reducing the production of oil within the United States. As a corollary of this work and as a part of it, the plan contemplated the curtailment of production in the countries of South America, particularly Venezuela, which, had it succeeded, would have resulted in a reduction of imports of crude oil and refined products into the United States.

In the early part of 1929 Mr. M. L. Requa, reported at the time to be acting in behalf of President Hoover, called upon the governors of the several oil-producing States to enlist their aid in holding a conference of the petroleum industry, and later called such a conference to meet at Colorado Springs, Colo., on June 10, 1929. This conference was attended by several of the governors and also by a large number of delegates from the various oil-producing States, representing all branches of the industry. The conference was opened by Mr. Requa, with a statement of the aims thereof. Doctor Wilbur, Secretary of the Interior, again announced the conservation policies of the Federal Oil Conservation Board, and Dr. George Otis Smith, Director of the United States Geological Survey, among other things, stated, in substance, that the next 10 years would in all probability see the exhaustion of our petroleum reserves to the point of endangering national defense. The doctrine of conservation was again expounded, and the delegates representing the various States were asked to form a compact among the States producing oil, which compact, when adopted and approved by Congress, would become the supreme law of the land; a commission would be appointed under the authority of the compact, with power to regulate and control the production of oil, to determine how much oil should be produced within the United States, and to allocate that production among the several oil-producing States.

When it became apparent that the real purpose of the meeting was not conservation in its real and accepted sense, but that the purpose was, by degrees and from time to time, to reduce the production of oil in the United States, and reserve our supplies in the ground for an indefinite period to come, and at the same time import our requirements in large part from foreign countries, the Colorado Springs conference adjourned, without having accomplished anything whatever toward the consummation of the purpose for which it was called.

However, this conference had far-reaching effects. It revealed, in all its hideousness, to the rank and file of the petroleum industry the true intent and purposes of those who had been fostering and promoting the so-called conservation program, to shut in domestic production, to stop development, to reserve our oil supplies in the ground, to be developed and used after the foreign supplies have been exhausted, and to turn the markets for petroleum in the United States (approximately 70 per cent of the markets of the world) over to a few large companies engaged in exploiting the petroleum reserves of South America and in importing the production thereof into the United States. If there has been any doubt as to these intents and purposes in the past, all doubt must now be dispelled, since under date of January 6, 1931, Secretary Wilbur, after having received an invitation from the Governors of Oklahoma and Kansas to participate in this conference, gave to the Associated Press an interview declaring himself against a tariff on oil, and saying, if he is correctly quoted by the press: "The chief result would be that the big companies, which now have many wells shut in and not in operation, would open them up, adding to the production. Overproduction is the basic ill of the industry."

It might be pertinent at this time to inquire what big companies have advised Secretary Wilbur in advance as to how they would defeat any beneficial results from a tariff on oil. The honorable Secretary also said: "In the future the country with the oil will dominate civilization. In it will be centered the wealth. America must conserve her supply. If we waste our oil reserves now we will pay foreign countries through the nose for every barrel we import later. If I were the landlord of this country I would see that we used as much imported oil as possible, and let the other fellow waste his reserves."

The last-quoted sentence is a full and complete admission of the purposes of those promoting the so-called conservation movement—to turn over to four companies, chiefly engaged in importing oil, the entire markets of the United States, even though it might mean the destruction of one of the greatest industries in the United States, the impoverishment of a section of the United States and of the people thereof, almost, if not quite, one-third the area of the entire country, with a population of some 22,000,000 of people, and a civilization builded upon the oil industry.

In speaking thus does the honorable Secretary present to the public the views of the administration or is he simply holding fast to ideas and convictions acquired some years ago under circumstances which might then have excused the views, but which, in the light of subsequent events, are indeed archaic?

The conference at Colorado Springs having failed to bring forth a compact under which production could be controlled, the efforts, by voluntary cooperation and in some States under the provisions of State law, to curtail production, proceeded with remarkable success. Indeed, the figures are startling. We find that for the week ending August 24, 1929, the production of crude oil in the United States averaged 2,975,435 barrels per day, and for the week ending January 3, 1931, 2,082,100 barrels per day, or a curtailment in production in that period, brought about by the cooperation on the part of small and large producers alike throughout the country, of 893,335 barrels daily. We will produce in the United States this year approximately 100,000,000 barrels of oil less than we did in the year 1929, and while we have been reducing the domestic production 100,000,000 barrels the importers have, during 1930, brought into the United States and thrown upon our markets, duty free, more than 100,000,000 barrels of crude oil and refined products. In fact, the imports of gasoline during the first nine months of 1930 increased 125 per cent over the same period of 1929.

The report of the committee on economics of the American Petroleum Institute at its Chicago meeting, November 10, 1930, shows that each 5,000,000 barrels of gasoline imported would displace, for the six months ending March 31, 1931, 114,000 barrels daily of domestic production, while the report of the economics committee appointed by Secretary Wilbur to forecast the demand for petroleum products and ascertain and allocate oil production necessary to supply that demand for the six months ending March 31, 1931, shows that each barrel of gasoline imported displaces from the market 4 barrels of domestic crude. Crude oil, gasoline, and other refined products imported in the year 1930 have displaced from the market approximately 400,000 barrels daily of domestic production.

Since for a period of more than seven years there has been an intense propaganda fostered and promoted throughout the country in the daily press and in many of the Nation's most prominent magazines to convince the public of the early exhaustion of the petroleum reserves of the United States, it appears advisable at this point to outline briefly some of the former estimates of future oil production in the United States and later to call attention to the vast petroleum reserves which we actually possess. It would also be pertinent to inquire what forces and organizations, corporate or individual, have promoted and paid for this propaganda and who are the beneficiaries thereof. An inquiry of this nature properly and fairly conducted would, in all probability, go far toward explaining the so-called conservation movement and why it has been urged for a period of years.

In referring to the former estimates of future recoverable petroleum reserves let me state in advance that I do not wish to reflect whatever upon the good faith of the eminent engineers and other authorities making these estimates, but the recital of these estimates in the light of subsequent information will demonstrate how easily even the most eminent and learned can be mistaken on this subject and will show further that, perhaps, the present advocates of the reservation of our petroleum reserves safely in the ground may be mistaken.

1908: David T. Day estimated minimum of 8,500,000,000 barrels. Estimated a maximum of 15,000,000,000 to 22,500,000,000 barrels from 1908 to 1930, inclusive, United States has produced 11,442,447,000 barrels, all of Day's minimum, plus 33 per cent.

1914: Ralph Arnold estimated future production at 5,700,000,000 barrels. From 1914 to 1930, inclusive, United States produced 10,079,396,000 barrels, all of Arnold's estimate, plus over 80 per cent.

1915: United States Geological Survey estimated future production at 7,600,000,000 barrels; 1915 to 1930, inclusive, United States has produced 9,813,633,000 barrels, all of that estimated, plus 29 per cent.

1921: Certain petroleum geologists of the American Association of Petroleum Geologists estimated future production at 9,150,000,000 barrels 1921 to 1930, inclusive, United States produced 7,719,222,000 barrels, nearly 85 per cent in 9 years.

1925: The committee of 11 appointed by the Federal Oil Conservation Board estimated future production from proven acreage on present methods 5,300,000,000 barrels; 1925 to 1930, inclusive, United States has produced from these properties and new pools 5,243,161,000, almost 99 per cent.

1930: In the year 1930 the United States, according to best estimates available at the present time, produced 901,000,000 barrels, compared with 1,005,598,000 barrels in 1929.

1859 to 1930, inclusive: From beginning to date the United States has produced a total of 13,149,090,000 barrels.

The production curve has been on the upgrade for several years. The country could have produced this year, had there been any demand for it, several hundred million barrels in excess of that which was produced.

In 1913 the United States produced 248,446,000 barrels. In 1929 Oklahoma alone produced over 253,000,000 barrels, or more oil than the entire United States produced in so recent a year as 1913. Oklahoma produces a billion barrels of oil each four years; it is capable of producing a billion barrels each year, if the demand called for such development. The same is true of Texas and California. It is highly probable that any one of the States of Oklahoma, Texas, and California can produce as much oil as the entire United States has produced to date. The oil resources of these States loom larger with each passing year, as deeper drilling and exploration work is done. These States are getting the development at this time, and have for a number of years last past. Other States would leap forward accordingly if development to a like extent were done within their borders.

The production of the United States has been swinging upward from the discovery of oil to the present time—a period of 72 years. When we consider that the vast domain from the Canadian line to the Gulf of Mexico, lying immediately east of the Rocky Mountains, as well as the Pacific Coast States, is potential oil territory, practically undeveloped and unexplored at this time, it is apparent that the production curve will be on the upward trend for many years to come; and that when said curve starts downward, if that day ever comes, we will produce from our then known reserves of oil as much or more oil than has been produced prior to the day when the decline curve will start on its downward course.

What I have heretofore said has been applicable to reserves of oil to be produced from oil wells. Let us now consider the vast reserves contained in the oil-shale deposits in the States of Colorado, Wyoming, Utah, Indiana, and other States. These deposits have been accurately surveyed, their oil content measured, and suffice it to say that in one deposit in Colorado alone the experts of the Government and the Colorado Bureau of Mines are agreed that there are 80,000,000,000 barrels of recoverable oil, should it ever become necessary to use the same.

We have in the coal deposits of the United States, which are more than 50 per cent of the coal deposits of the world, another great source of oil, so great indeed that it is difficult for the human mind to comprehend. By hydrogenation, oil and its derivatives, including gasoline, can be successfully produced from coal. It is not at all improbable that the perfection of this process, using coal, or the discovery of some other form of power, may within a few years make our present oil reserves all but valueless.

Secretary Wilbur and other protagonists of so-called conservation continually speak of wasting our oil reserves, when, as a matter of fact, we are only using them without waste. It is certainly not fair to continually tell the public that the American petroleum industry is wasting our valuable oil reserves when the country is utilizing this great natural resource for the creation of new wealth within the country. This is the oil age. Let us utilize our oil while it is yet valuable and before the discovery of some new form of power which may supersede oil for the generation of power. It is the utmost folly to continue on a program which perhaps was conceived with honesty of intentions, but which has outlived its usefulness and has become destructive in a superlative degree. Imagine for a moment, if you will, that men of similar vision to those promoting the so-called oil conservation policy of the present day had been directing the policies of the Government and the course of business from the foundation of our country until the present time; that, acknowledging our natural resources, the products of our mines, were irreplace-

able, they should be preserved for use at some distant day; and that, instead of developing our natural resources and utilizing them, we had clung tenaciously to a policy of so-called conservation or reservation, then this great country of ours would now be, from the Atlantic to the Pacific, an undeveloped expanse of almost unbroken wilderness; the few inhabitants thereof a pastoral people; the great civilization which we have builded and the great industrial and commercial development which has taken place as yet undreamed of.

What has made the United States the most enlightened, the most prosperous, the most advanced in all lines of endeavor of any nation in the world, has been the utilization of our natural resources. It would be just as logical to contend that we should import our iron ore, our lumber, our lead, coal, zinc, and other mineral products, reserving our supplies thereof in this country for some future national emergency, as it is to insist that we should import our requirements of oil. In fact, Russia is at this time willing to sell us all these things at a price less than our cost of production, and France, Great Britain, and other nations indebted to the United States would willingly pay their war debts by sending to us all of these products. How any patriotic American citizen can advocate such a policy is beyond comprehension.

We have heard a great deal and read more in the daily press and the oil journals concerning the overproduction of crude oil in the United States. As a matter of fact, during the last 12 years (1918 to 1929, inclusive), there has not been an overproduction in the United States, but there has been an oversupply. During that period we have imported 950,000,000 barrels of crude oil. During that period we lacked 600,000,000 barrels of producing as much oil as we consumed, but during the same period we added to storage of crude oil in the United States 350,000,000 barrels, which addition to storage, as may be seen by these figures, was occasioned almost wholly by importing more oil into this country than we had any need of, so that it clearly appears that the great burden upon the petroleum industry of carrying in storage nearly 700,000,000 barrels of crude and refined products was not occasioned by overproduction in the United States, but overimportation of foreign oils.

Now, let us inquire as to what effect the so-called conservation policy, coupled with the proration and curtailment movement and the importation of oil and refined products, has had upon the petroleum industry in the United States. The price of crude oil at the well has been reduced from time to time, until now it is being sold very much below the cost of production, except in isolated pools of new and large flush production, although, as before stated, we have reduced the production since the peak week in August, 1929, nearly 900,000 barrels daily, and the average price of crude oil throughout the country has, during the same period, been reduced more than one-third in price.

The case of Oklahoma is typical of all the rest. During the week ending August 24, 1929, the production of Oklahoma was 735,750 barrels per day, and for all of this production there was a ready market. Since then, by cooperative effort, and in line with the published suggestions of the Federal Oil Conservation Board and the requests of the major purchasers of oil in that State, the production has been reduced until in the week ending January 3, 1931, the State of Oklahoma actually produced only 448,900 barrels daily, or a reduction in the production during that period of 286,850 barrels daily. This has been accomplished in that State, in the face of the fact that the State could, with ease, supply sufficient oil to furnish the entire markets of the United States at the present time and for a long time to come from production already developed.

The proration movement and the curtailment of production in the various oil-producing States was inaugurated ostensibly for the purpose of stabilizing the petroleum industry, of preventing additions to storage, and balancing supply with demand. It has been a success only in so far as it has proved the ability of the industry to cooperate and accomplish curtailment of production. As production has been reduced, imports have absorbed the market demand theretofore supplied by domestic oil, and instead of the price of oil being stabilized, it has been steadily reduced until we are now almost upon a competitive basis, so far as prices are concerned, with cheap Venezuelan oil. One of two things must happen, and soon. Either imports of crude oil and refined products must be curtailed, and the price thereof equalized with domestic products by the imposition of an adequate tariff, or the petroleum industry must be permanently placed upon a competing basis, so far as price is concerned, with the foreign oil. In fact, this is being gradually brought about, and it will not be many months before the destruction of the petroleum industry in the United States is complete. Already some 30,000 small wells in northeastern Oklahoma and southeastern Kansas have lost their market, due to the inability of the Prairie Oil & Gas Co. to continue purchasing oil in the mid-continent field.

As stated by Mr. M. L. Requa, in opening the Colorado Springs conference, there are in the United States approximately 250,000 wells, with an average production of one barrel per day each. In addition to that, there are some 50,000 wells with an average production of five barrels per day each. In the aggregate, these wells have a settled production of over 500,000 barrels. They have been operated at a loss for more than three years. Many of them are being abandoned and plugged each week, under the benign influence of the present so-called conservation program. Ultimately these wells will all be lost, and in the name of conservation 300,000 small wells, with a daily production of 500,000 barrels, and with recoverable reserves of oil of hundreds of millions of barrels, will have been destroyed. To save these wells would be true conservation, and it is within the power of the Federal Government to save them if it will. As they are being abandoned, the oil-field laborer, with his family, living on the lease and operating these wells, has been thrown out of employment. He knows no other kind of work, and under present conditions could not obtain employment if he did. There are literally thousands of these families at the present time dependent upon charity, and I can say, with feeling and in truth, that these men are native Americans, the kind that do not ask for charity—they do not wish to receive it—but who only claim the right by honest toil to support themselves and families.

Conservation has been tried as a remedy for the demoralization of the petroleum industry, and it has miserably failed and will continue to fail as long as imported oil and refined products absorb the market demand as fast as domestic production is reduced. The domestic petroleum industry is being ruthlessly destroyed in the name of conservation. The purchasing power of the oil-producing States has been reduced by hundreds of millions of dollars. The welfare of the petroleum industry is no longer of local significance. If one-third of the area of the United States, with a population of 22,000,000 of people, is impoverished to the point where the inhabitants can not purchase from the industrial and manufacturing sections of the country those things which a civilized and highly developed community need, there can be no industrial and commercial recovery in the United States for many years to come.

The civilization of the Southwest has been builded upon oil and the allied and kindred industries dependent upon the petroleum industry. If this industry is destroyed and the wealth and prosperity which it has created is transferred to some foreign country, this great civilization, until recent years prosperous and contented, will be destroyed, half of the people in the oil country must seek employment and outlets for their energies in other lines of industries already overcrowded. Most of them will be compelled to leave that country and the wonderful cities of the Southwest, builded for the most part by the oil industry, will become depopulated, and their magnificent office buildings become the roosting place of bats and sparrows.

We are met to-day in an attempt to work out a remedy for the appalling conditions in the petroleum industry with which we are confronted. All other principal industries of the United States, when suffering under similar conditions to that now prevailing in the petroleum industry, have been granted relief and given protection from foreign domination and control by a protective tariff. The principle of a protective tariff for industries being injured or destroyed by cheap foreign imports has become the settled policy of this Government. Both the Democratic and Republican Parties, in their platforms in the year 1928, strongly indorsed such protection to American industries, and I would again remind you that Vice President Curtis, in campaigning for the election of the present administration in a tour of the mid-continent field, in that year promised the industry tariff protection, and we all know that he was sincere in his declarations.

When it became apparent in the latter part of January, 1930, after a drastic cut in the price of crude oil, without any economic reason therefor, that those major companies engaged in importing crude oil and refined products in the United States had not given the full measure of cooperation promised by them in curtailing their foreign production and imports commensurate with the curtailment of production in the United States, and after those same interests believed it was too late for the domestic producers to obtain relief from Congress in the then pending tariff bill, a mass meeting of the oil industry was held in Tulsa, Okla., on January 29, 1930. A large delegation of oil men arrived in Washington on February 3, 1930, and presented to President Hoover and to the Congress their plea for protection to this great basic industry. The tariff bill had then passed the House, had been reported by the Finance Committee to the floor of the Senate, and the time was too short within which to thoroughly acquaint the House and Senate with the true condition of the petroleum industry. Since then conditions have steadily grown worse, and most of the things which were then told Congress would happen, if we were not given protection, have transpired. Congress did include in the tariff bill a provision directing the Tariff Commission to investigate and report to Congress the cost of Venezuelan oil and refined products delivered at Gulf and Atlantic ports, and the cost of domestic oil delivered at the same ports, and we are now expecting that report to be completed within a few days. Certainly by such a provision in the tariff bill it was the intention of Congress, should the facts warrant, to grant us relief and protection at the next ensuing session of Congress. The kindly reception accorded us at the last session, the generous support given in such a short time by Congress, is assurance that when the Members realize the true facts in connection with this question, relief and protection will be granted.

Congress has recently had under consideration relief bills under which it is proposed to give relief in various sections of the country to the farmers and others. In the oil-producing States, as is generally known, the farmers and landowners own one-eighth royalty in all the oil and gas produced. The producing oil companies hold under lease, for future prospecting, millions of acres in all the oil-producing States on which a rental, usually $1 per acre, is being paid in addition to the bonus or purchase price of the leases themselves, from which the farmers in thousands of

instances have been able to pay off their mortgages and improve their farms, while the annual rental during recent years of crop failures and low prices for farm products has paid the taxes on their farms and in addition helped to support the farmers and their families. But with prevalent conditions in the petroleum industry, those engaged in the producing branch of the business, having had their resources and income severely reduced, are unable to continue paying these rentals, are surrendering the leases, and the farmers are being deprived of millions of dollars of income heretofore enjoyed by them. Literally thousands of men formerly employed in and near the oil fields are now idle, and the community funds raised in the adjacent cities and towns are being called upon to assist them. In addition the oil men themselves, in some districts where they are still able to raise the money, are contributing funds and, through committees, administering relief to the families of idle oil-field employees. How much better it would be for Congress to bring relief to the petroleum industry through a measure imposing a tariff on imported crude oil and refined products, which would bring revenue into the Federal Treasury, instead of by inaction on this measure making it necessary to appropriate millions from the Treasury for relief.

It was at one time argued by those importing crude oil into this country that there should be no tariff or other limitation on imports, because the crude oil was brought to the United States and gave employment to American capital and labor. This is no longer true. The Royal Dutch Shell has constructed and has had in operation for several years a refinery at Curacao, a Dutch island off the coast of Venezuela, the capacity of which has been increased in the last year to 250,000 barrels per day, while the Pan American Co., subsidiary of the Standard Oil Co. of Indiana, has a refinery on the island of Aruba—also a Dutch island off the coast of Venezuela—of 110,000 barrels daily capacity. In addition to these, there are two smaller plants with an aggregate capacity of more than 30,000 barrels per day. Operating on cheap oil produced on the mainland, transported at a negligible cost to the refineries, and with transportation in tankers for the refined products from these huge refineries, the American petroleum industry is no longer able to compete in the world markets with them. He who can not visualize within the next few years the complete loss of our export market has little imagination indeed. The American companies now exporting oil to Europe will continue to export the same for some years to come, due to the fact that they have their own controlled outlets. It is from these refineries that the gasoline and other refined products come which absorb by leaps and bounds the market formerly supplied by Pennsylvania, New York, West Virginia, Ohio, Indiana, Illinois, California, and the great mid-continent field, and which has made necessary the proration program and the vast curtailment in the production of the United States.

The Department of Commerce maintains in the capitals and most of the principal cities of the world commercial attachés for the purpose of advancing the commercial interest of the United States, and a large part of their duties is in assisting to secure additional market outlets for petroleum products produced and refined in the United States. At the same time Secretary Wilbur, of the Interior Department and chairman of the Federal Oil Conservation Board, is devoting his energies to reducing domestic production and encouraging these other countries to send their petroleum products to the markets of the United States.

Is the oil industry of this country to continue in the curtailment of production in an ever-increasing degree while the output of Venezuela and other South American countries continues to absorb the domestic market without paying one cent of taxation to support the Government of the United States, the States, or the legal subdivisions thereof, whereas the domestic oil industry is the most heavily taxed of any industry in the United States, paying first in most States a gross-production tax of 3 or 4 per cent of all the oil and gas produced, a State income tax, a Federal income tax, an ad valorem tax, capital-stock tax, and other taxes too numerous to mention?

But those engaged in importing oil will contend that there should be no tariff on imports, because our exports of petroleum are greater in value than our imports. If this argument is sound and of compelling force, then Congress should, without delay, repeal the tariff bill in its entirety, for on examination we find that on the following products, to wit, iron and steel, semimanufactured; steel-mill products; iron and steel, advanced manufacture; electrical machinery; industrial machinery; office appliances and printing machinery; automobiles and other vehicles; animal oils and fats; manufactured cotton; manufactures of wood; pigments, paints, and varnishes; soaps and toilet preparations; photographic goods; scientific and professional instruments; and musical instruments, the imports during the calendar year 1929 were $172,577,000, while the exports from the United States of the same products totaled $1,725,111,000. During the same year the foreign value of imported crude petroleum and refined products was $140,966,000, duty free, while the exports of the same products totaled, in American value, $531,173,000. Imports of petroleum, both crude and refined, in 1929 amounted to approximately 110,000,000 barrels (about 10 per cent in barrels of the domestic production), while in 1930 it is estimated that the total number of barrels of imports of both crude and refined products will be slightly in excess of 100,000,000 barrels, and the estimated production of crude oil in the United States for the year 1930 slightly in excess of 900,000,000 barrels. The imports of crude oil in 1930 have been reduced as compared with the year 1929, but the imports of gasoline and other refined products have been so greatly increased as to displace a much greater amount of domestic crude from the market than was the case in the year 1929.

Secretary Wilbur in his recent release to the Associated Press contended that since the imports were only about 10 per cent of our domestic crude production they were a negligible factor. But it is too well recognized as sound economics to require more than the mere statement thereof that a 10 per cent surplus of any commodity thrown on the market will demoralize completely the price structure of the whole supply, and this is what has occurred in the petroleum industry. A 10 per cent or even a 5 per cent surplus production of cotton, wheat, corn, or of any manufactured or industrial commodity has always brought about widespread depression and demoralization in the price structure of the commodity of which there is an oversupply on the market. Especially is this true in the case of oil and refined products when those engaged in producing and refining the same in Venezuela and other South American countries are able at will to increase the imports in any amount, so that the threat of the same continually hangs over the domestic market.

At the time of the last reduction in the price of crude oil in the mid-continent field, which reduction amounted to more than 25 per cent in the then average price, those companies posting the reduced price accompanied the same with the statement that it was made necessary because of competition. Certainly, it was not the competition of domestic production, because at the time of the posting of this crude price reduction, the cooperative movement to curtail production had reduced the same nearly 600,000 barrels per day in the United States; the companies posting the reduced prices for crude oil, after having promised full cooperation in the proration program, betrayed producers by withdrawing from storage 26,000,000 barrels of oil in the year 1930.

In recent months, imported gasoline has been sold in tanker lots in Atlantic seaports as low as 4 cents per gallon. Certainly it must have been the competition of this imported gasoline that made necessary the reduction in price of the domestic product. This reduction in the price of crude oil was followed throughout the United States by an average reduction in the wholesale price of gasoline (which was not passed on to the consumer) of 2 cents per gallon. Granting, for the sake of argument, that the difference in the values of our imports and exports of petroleum products, and the favorable trade balance of $390,000,000 created thereby was all profit, even though that profit went to only four or five huge corporations, and keeping in mind that within the last year the price of 36 gravity Mid-Continent crude has been reduced more than one-third (50 cents per barrel), how long would it take at 50 cents per barrel, with a daily consumption in the United States at the present time of upward of 2,500,000 barrels of crude oil, to entirely account for said $390,000,000 favorable trade balance from crude-oil production alone? And let us also ask how long it would take, at 2 cents a gallon (the amount of reduction in the wholesale price of gasoline in recent months) with a daily consumption of 1,250,000 barrels of gasoline, to account a second time for said $390,000,000 of favorable trade balance?

While the argument is made that our exports of petroleum products exceed our imports thereof, we find, upon an analysis of the figures, that, taking into consideration the exports from the Pacific coast, to which there are no imports, or, if any, only a negligible amount, that there are more barrels of petroleum products imported to the Gulf and Atlantic ports than are exported from the same ports.

Again it is stated that there should be no tariff on imports of petroleum products because it would be detrimental to the interests of the consumers, the buyers of gasoline; that the consumers so far outnumber the producers and refiners and those employed in the petroleum industry that their interests are paramount. However, there seems to be little relation between the price of crude oil to the producer in the United States and the price of gasoline and lubricating oils to the consumer. This can be illustrated briefly by referring to the fact that in February, 1926, in 52 representative cities throughout the United States, the average price of gasoline at the filling station, exclusive of tax, was 18.09 cents per gallon, while the average price of crude oil of 36 gravity Baumé during February, 1926, in Oklahoma and Kansas was $2.04 per barrel. The average recovery of gasoline by the refining methods then in use was 35 per cent, or 14.70 gallons per barrel. In 1929, the average price of gasoline at the filling stations in the same cities, exclusive of tax, was 18.39 cents per gallon, while the price of crude oil of 36 gravity Baumé in Kansas and Oklahoma was $1.20, and the recovery of gasoline by improved refining methods had increased to 46 per cent, or 19.32 gallons of gasoline for each barrel of oil. The same relative price schedules obtained throughout the years 1926 and 1929. The price of gasoline to the consumer has not fluctuated in proportion to the price of crude oil.

Cheap imported fuel oil has caused the price of the domestic fuel oil in the refining centers of the Mid-Continent field to fall at times below 50 cents per barrel, thus bringing about a very wasteful utilization of this oil, which might better be saved for higher uses than fuel. This cheap fuel oil, coming into competition with coal, has brought serious distress to the coal industry throughout the country, which industry has been compelled to discharge from employment during the time this condition has prevailed, not less than 50,000 American laborers employed in the mines and in the transportation of coal. The unemployment problem, now receiving such diligent consideration by the adminis-

tration, might be greatly reduced by shutting out imports of cheap fuel oil, allowing the use of coal in many industrial and manufacturing centers, and thus bringing about a reemployment of thousands of miners who are now idle.

If the present program of so-called conservation is continued, and results in the shutting down of producing wells, and the cessation of development and exploration work, the known oil reserves of the United States will become practically valueless. The present owners, unable to hold the same without receiving any income therefrom will be compelled to sell them in a market demoralized because of this program. The purchasers who would be willing to buy under these conditions would be the same corporations who control and monopolize the production and marketing of oil throughout the world outside of the United States. It is acknowledged that there is a world monopoly on oil outside of this country. The markets of the United States are approximately 70 per cent of the markets of the world for petroleum products. If it is desirable that monopoly shall securely fasten its tentacles upon the petroleum industry of the United States, with the same grip it holds upon the remainder of the world, and if it is desirable that the consumers of the United States should ultimately pay the same price for gasoline and other petroleum products that are charged in Europe and other foreign countries, then the so-called program of conservation should be continued, even though it bring utter ruin in its wake to one-fifth of the population of the United States directly, and indirectly and in a lesser degree to the entire country; even though it shall cause an increase in ad valorem taxes in the oil-producing States, to make up for the taxes lost from the gross-production tax on oil and gas; even though its effect on general business, banking, and agriculture, through destruction of consuming power, shall be most serious; even though 20,000 oil producers, individuals, partnerships, and large and small corporations shall be put out of business, and their 800,000 employees and their families compelled to look for work in other lines; and even though the advocates of this policy in reserving the petroleum resources of the United States for future generations shall, after viewing the havoc wrought by their program, have a feeling of righteous accomplishment.

I have never contended that a tariff on oil is a panacea for all the ills of the industry. Were imports entirely eliminated we must still proceed with a sane, orderly program of development and operation of our oil fields, and, by cooperation, balance supply with demand as we have so ably demonstrated we can do—as we have done in the past two years.

I would like to say, in closing, that we should not be discouraged. We have won much support. The whole petroleum industry, the business and commercial interests, the farmers, and the landowners of the oil-producing States now present a solid front in demanding immediate relief and are militantly supporting the program for the exclusion of a foreign oil from the domestic markets, either through the instrumentality of a protective tariff or, if the political exigencies prevent that form of remedy, then by an embargo for a period of years forbidding any importation of oil products whatever.

The directors of the American Petroleum Institute, at its meeting in Chicago, November 10, adopted, by a majority vote, a resolution indorsing, in principle, a tariff on the importation of crude oil and refined products into the United States. On December 5, at the annual meeting of the directors of the General Mid-Continent Oil and Gas Association, which association embraces the six States of Kansas, Oklahoma, New Mexico, Texas, Louisiana, and Arkansas, and contains in its membership representatives of most of the producing, refining, and marketing interests engaged in business in that district, adopted, with only one dissenting vote, a resolution strongly demanding a tariff on oil and refined products and directing the officers of the association to do everything in their power to secure that form of relief for the industry.

The Rocky Mountain Oil and Gas Association took similar action. All the local oil and gas associations throughout the country have done likewise. The Independent Petroleum Association of America, with membership in every oil-producing State of the Union, is a unit in demanding tariff relief. The chambers of commerce of most of the cities and towns in the oil States have likewise demanded a tariff on oil. A number of State legislatures, which have been in session since the depression in the oil industry has become acute, have memorialized Congress for this relief, the latest one to take such action being the Legislature of California, early this week. Various farm organizations have taken a decided stand in favor of a tariff on oil.

With this united and determined support I feel that Congress and the administration should and will give heed to our prayers and grant us that protection which only they can grant and thus prevent our complete demoralization and ruin. The historical and statistical facts justify, the social and economic conditions demand this relief. Certainly, with all this before them, our Government can find a way.

The pro forma amendment was withdrawn.

Mr. KETCHAM. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KETCHAM: At the end of line 23, page 71, strike out the period, insert a colon, and add the following:

"*Provided*, That no money herein appropriated shall be available for engineering or economic surveys, or investigations of existing or proposed irrigation projects."

Mr. BARBOUR. Mr. Chairman, I want to make a point of order on the amendment that it is not germane. I will reserve it if the gentleman wishes to be heard.

Mr. CRAMTON. Mr. Chairman, if the gentleman will permit, there are, as the gentleman knows, certain studies being carried on under existing legislation, studies of old, established irrigation projects and proposed projects. If there is any money in this bill for that purpose, it would seem to be in this language, "for examinations, surveys, and contingencies of rivers and harbors." If there is no money in this paragraph for that purpose, the amendment proposed by my colleague is not effective. It is not legislation and it would be a nullity; but if there is the possibility under existing legislation of using this appropriation to carry on their irrigation studies, then the limitation proposed is only a limitation and is in order.

Mr. BARBOUR. There is money here for carrying on these surveys that we have been carrying on for the past several years and which were authorized and directed by the Congress in the rivers and harbors act and in the flood control act. These surveys do take into consideration irrigation, as well as power, navigation, and so on.

Mr. CRAMTON. So, as a parliamentary proposition, there is law authorizing them to carry on certain irrigation studies and that money is carried in this paragraph, although it is not conspicuous therein. All that my colleague seeks to do is to put on a limitation to prevent using it for that purpose.

The CHAIRMAN (Mr. TILSON). Can the gentleman from Michigan show that there is any money carried in this paragraph that, without the amendment, could be expended for the purpose forbidden by the amendment?

Mr. CRAMTON. The chairman of the subcommittee has just so stated.

The CHAIRMAN. If it is germane to this paragraph, then the amendment is simply a negative limitation, and the Chair overrules the point of order.

Mr. KETCHAM. Mr. Chairman, I invite the careful attention of the members of the committee to this amendment and what it is desired to accomplish by it. I do not think I need to remind you that one of the great problems we have to-day in this country is the problem of farm surpluses. You have just been hearing a story from the distinguished gentleman from Texas [Mr. BLANTON] about the surplus in oil and the difficulties that are accruing to that great industry as a result of this great surplus. Those of us who are familiar with agriculture likewise know the situation there, and we have been doing our very best to limit the expansion of the work in irrigation and reclamation projects, particularly with reference to the new undertakings that promise to bring other areas of land into cultivation.

Mr. CARTER of California. Will the gentleman yield?

Mr. KETCHAM. If the gentleman will permit me to proceed just a moment or two, then I shall be pleased to yield.

In this connection may I say that in the introduction of this amendment there is no thought of preventing the completion of irrigation projects already authorized and under construction. The attitude of Congress as to further expansion of irrigation projects in the face of present farm surpluses is clearly understood. Notwithstanding the opposition to such expansion, friends of irrigation have endeavored to find some roundabout way by which surveys of projects can be made and reports filed. When these reports once get into the files it seems almost impossible to prevent further legislation simply because such surveys have been made. The War Department seems to be lending itself to this line of work which it seems clearly to me is wholly outside its proper field of operation, and it is to prevent such action that this amendment is offered.

Mr. BARBOUR. Will the gentleman yield?

Mr. KETCHAM. Yes.



Mr. BARBOUR. I understand the gentleman's amendment relates to surveys in connection with existing or proposed irrigation districts.

Mr. KETCHAM. The idea particularly is to prevent any expansion of irrigation.

Mr. BARBOUR. But the gentleman is striking at a very vital spot in my State and in the West generally in connection with existing irrigation districts that are short of water at this time; and the surveys that have been carried on by the Corps of Engineers of the Army have been most helpful in getting the facts and data upon which they can do something to save the land that they already have under cultivation.

Mr. CRAMTON. Will my colleague yield?

Mr. KETCHAM. Yes; I yield.

Mr. CRAMTON. There is nothing in the limitation proposed that would prevent any irrigation district being carried on by the bureau established by the Government for the purpose of carrying on irrigation.

Mr. BARBOUR. But I am talking about a private irrigation district. The language of the amendment is "any kind of irrigation district."

Mr. STAFFORD. If the gentleman will yield, do I understand that the gentleman from Michigan contends that if the Army engineers are already on the spot doing this work it would not be more economical to have them complete the work rather than magnify the activities of another bureau?

Mr. CRAMTON. I will reserve my statement on the matter.

Mr. McDUFFIE. Will the gentleman yield?

Mr. KETCHAM. I yield to the gentleman from Alabama.

Mr. McDUFFIE. I would like to find out whether the gentleman knows what percentage of this $60,000,000 might be devoted to the studies or the work he is trying to have discontinued?

Mr. KETCHAM. I want to be sure that none of it is, to be perfectly frank. I do not want to stand in the way of a proper exercise of the duties of the Army engineers, and I think the gentleman understands I am acting in absolute good faith.

Mr. McDUFFIE. Unquestionably the gentleman is acting in good faith; but may I call the gentleman's attention to the fact that the Congress in 1925 authorized a study of all the navigable streams of the country and their tributaries, with a view to ascertaining their maximum possible development with respect to power, navigation, and flood control, which only incidentally involves irrigation. This study is not yet completed. It has revealed many facts that have been of great advantage to the country and calculated to add much to the Nation's commerce and its transportation systems. It is a most important work. It will cost, all told, perhaps some seven million dollars plus. There are a few very important projects in various parts of the country on which this study has almost been completed. Now, would the language of the gentleman's amendment prevent a continuation of these studies or of this work? If it would, it would be very serious, and, it seems to me, would be most harmful in its effect.

I know what the gentleman is trying to do, and down in my heart I feel his principle is right, but I am fearful his language will stop the work that is being carried on on these various streams all over the country.

Mr. KETCHAM. It may be that in a few instances some harm may be done by the action contemplated under this amendment, but I go back to the fundamentals involved.

The CHAIRMAN (Mr. VESTAL). The time of the gentleman from Michigan has expired.

Mr. KETCHAM. Mr. Chairman, I ask unanimous consent to proceed for three additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. KETCHAM. Going back to the statement I made a moment ago, it seems to me that whatever merit there may be in the suggestion of the gentleman from Alabama that to-day the great question, the much larger question, that should demand our attention is the connection that this amendment has with the great business of agriculture itself. That is the one thing to which it is directed. I sincerely hope that every person here interested in that particular phase will think it over and be glad to give his support to this amendment. Because it does seem to me that the principle we have announced time and time again that you can not accomplish by indirection what you can not accomplish by direction ought to have application here. It is only to restrict the War Department from going into a field unrelated to its river and harbor or flood-control work that the amendment is introduced.

Mr. McFADDEN. Will the gentleman yield?

Mr. KETCHAM. I yield.

Mr. McFADDEN. I came into the Chamber after the gentleman introduced his amendment. I presume it is to stop the further duplication in irrigation projects.

Mr. KETCHAM. Yes; as far as the War Department is concerned.

Mr. McFADDEN. Are they contemplating surveys of the Columbia River Basin project?

Mr. KETCHAM. They are getting under way, and I would be glad to restrict any further survey in that direction.

Mr. McFADDEN. The reason I asked is that I visited there a short time ago and there is a program that at the next session they will strive to bring about legislation for that development. I understand that a fund of $100,000 has been raised for lobbying by the local people to foist this development on Congress and to insure the passage of the Columbia River Basin project.

Mr. KETCHAM. I have not had that particular fact brought to my attention. In conclusion, Mr. Chairman, I desire to submit some views on this general subject recently published in the Farm Journal of Philadelphia.

It is to this employment of Federal money to further new reclamation schemes at this time to which I object and I can see no essential difference whether it is Uncle Sam's cash in the Reclamation Fund that we take or Uncle Sam's cash in the Treasury. In either case it is money belonging to all the people east and west. Surely it is an injustice to employ the funds belonging in part to each Michigan farmer to increase his competition, decrease his market, and depress his selling prices.

It is a crowning injustice when the Government is asked to step in to finance new projects that private capital will not touch. It should be plain, it seems to me, that the willingness of private capital to invest is the true test of the soundness of the enterprise. Capital is not the timid creature it is sometimes represented. It is venturesome enough at times. And when a reclamation scheme is pronounced too risky for private investors to touch that should be conclusive proof that the enterprise is economically unsound.

I can not escape the conclusion that it is contrary to sound public policy to expand our irrigation program by launching new projects. It is clear to me that it is unjust to taxpayers in general and to the farmers of the country in particular. Furthermore, I am unable to understand how it can be of advantage to more than a small percentage of the most exceptional settlers on the new projects. I have examined at some length the surveys already made of the Columbia Basin project. Here the cost of purchasing, fitting, and equipping an 80-acre farm is estimated at from $7,500 to $15,000 exclusive of cost of water rights. Less than 10 per cent of the settlers seeking such homes have as much as $5,000 to invest. Facing new problems and uncertainties, the chances of even the few are far slimmer than they would be with similar investment in land already available in old established communities.

A word of assurance needs to be given those timid souls among us who see in a suspension of reclamation some dan-

ger to our food supply. Since 1920 there has been a marked decrease in the number of farms and in farm population in the United States. In spite of this, however, production has increased due to increased efficiency in farm work and the rapid mechanization of farm operations. In addition to this many millions of acres of plow land are idle in all sections of the country. Both these factors amply offset the demand of our growing population for foodstuffs.

Early in this article I stated that Congress had thrown some safeguards around these appropriations by providing that new projects must be analyzed and favorably reported upon by the Reclamation Service. That is a precaution of a sort, but it is not, in practice, a very effective one. For some reason it seems to be felt in Congress that if an investigation is once authorized and a favorable report brought in, Congress is under some kind of obligation to proceed with the project. It seems to be the idea that Congress could not have made a mistake in ordering the investigation and the Reclamation Service could not be wrong in recommending it. There is no inherent reason why this should be so, but in practice that is the way it works out. In some way Congress regards the project as having been started when the investigation is made.

The only way to prevent this, it seems to me, is to put down our foot firmly when proposals for new surveys are made. Let us have no more investigations, large or small, promising or unpromising, at least until farming has had a chance to catch up with its present competition.

Mr. CRAMTON. Mr. Chairman——

Mr. BARBOUR. Mr. Chairman, how is the time being divided? The opponents of the amendment ought to have something to say about it.

Mr. CRAMTON. I thought that we were changing the customary order, and certainly we are not in a position to shut off debate, for that rests in the hands of my friend from California. My thought is to accomplish the development of facts, and it occurred to me that possibly the gentleman from California would like for me to make my statement before he made his, so that he might get a better understanding of it.

Mr. BARBOUR. I can have no better understanding than I have at the present time. The gentleman's statement will not influence me, but I am willing that the gentleman should make his statement. I think the amendment is uncalled for, and I think I can demonstrate it.

The CHAIRMAN. The Chair will recognize the gentleman from Michigan for five minutes.

Mr. CRAMTON. Mr. Chairman, my collegue the gentleman from Michigan [Mr. KETCHAM] brought this matter to my attention a few minutes ago. I think what my colleague wants to accomplish, and certainly what I desire to accomplish, is to challenge the attention of Congress to a highly wasteful, extravagant, undesirable duplication of effort. There is no desire to interfere with any desirable project under way. It may be that the suggestion fails to adequately protect everybody's interest. If so, if the House sustains the principle involved of nonduplication of effort, the gentleman from California, before it gets through Congress, will be able to shape up the language to meet their views.

What I want to bring to the attention of the House is what I mentioned before. Last June I made a speech in the House, and I presented certain letters. In early July I brought it to the attention of the Budget and asked them to make an investigation, because, in my judgment, that is one of the real functions of the Budget, to study the activities of various branches of the Government, to the end that there may not be undesirable duplication of effort. I expected that I would have the information to submit to the subcommittee at the hearings.

Mr. CARTER of California. Mr. Chairman——

Mr. CRAMTON. I can not yield now. I want to present my statement without interruption. I want to present some facts in an orderly fashion. The Budget referred it to the Bureau of Efficiency, and the first thing I could get out of that bureau was after the hearings were closed before the gentleman's committee. I have a letter this morning from the Director of the Budget stating the matter will be gone into with care.

In the legislation referred to language is adopted that if followed out reasonably is quite proper and perhaps desirable. That is to say, they were authorized in a study of rivers not only to study the needs of navigation and of flood control but also the questions of power development and irrigation. A reasonable exercise of that authority could not be complained of when through knowledge of a certain work they can as an incident of that work make that study; or, if it is essential in order to determine the navigation possibilities the questions of irrigation require consideration, such study should be made. No one objects to their doing that, but here is what they are doing. I call attention to some of the extreme cases, because I want the gentleman from Alabama to join with us and get this thing fixed in the way that it ought to be. They went into the field of the Columbia Basin. Within a week or two after Congress two years ago refused to contribute one-half of the cost of a further field study the Army proceeded to contribute 100 per cent of the cost. In defiance of the action of Congress in refusing 50 per cent, they contributed 100 per cent, amounting to $100,000 or more.

Mr. McDUFFIE. Mr. Chairman, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. McDUFFIE. Is not the gentleman fearful that this language will stop the study already undertaken and yet incomplete as to these various rivers?

Mr. CRAMTON. Some of them ought to be stopped, and some of them never should have been commenced.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. CRAMTON. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CRAMTON. This is not a subject that will be settled to-day, but I want gentlemen to think about it. In a letter under date of July 11, 1930, addressed to the Chief of Engineers, General Brown, Doctor Mead, the Commissioner of Reclamation, in appealing to them to get onto a reasonable basis, wrote as follows:

> One of these cooperative investigations carried out in 1923–24 was a study of the lower Platte and tri-county projects along the river from North Platte to Hastings, Nebr. Detailed reports were prepared and have been considered by committees in Congress. Now, the engineers from your Kansas City office have taken up the review of these projects, have copied our reports, made surveys, and are expecting, so I am informed, to review the engineering on economic aspects as presented in our report. This is being done without any conference with the authorities of reclamation work in Washington.

If you want an economic study on the feasibility of an irrigation project, what is the sense of referring it to the Army? Is that the place to go for a real economic study of irrigation, whatever may be the case as to engineering studies? Then he said further:

> The Army field work in itself is understood to be largely supplemental in character, but the preparation of reports and subsequent consideration of construction feasibility is a duplication. In order to acquaint themselves with the work that has gone before, the various engineer officers have equipped themselves at heavy cost with duplicates of reports, maps, and plans on file in our offices.
>
> The difference in resulting conclusions by the two departments will beget confusion and unhealthy impressions by the general public.
>
> Suppose that the Reclamation Bureau, with no background of knowledge of ocean-going commerce or of tides or shipping, should send its representatives to the United States engineer office in San Francisco, proceed to copy plans, estimates, and reports of the harbor improvement of that city, and then work out a scheme for an independent and different development. These irrigationists with no background of knowledge necessary to wise judgment would be in very much the same position with the engineers of the War Department formulating plans for the irrigation and

agricultural development of much of the country now being included in these studies. I am curious to know whether you would regard such activity of the Reclamation Bureau as duplication or worse.

Let me give you one other illustration of the ridiculous extreme to which they are going: They are not only making studies that are necessary and incident to the study of navigation and flood control but they went up into Motana recently with a large force into an area where no one has yet asked for an irrigation project. They sent their engineers in and they made an engineering and an economic study on what is called Musselshell—some creek, and if anybody here knows what it is or where it is I would like to have him tell me.

Mr. LEAVITT rose.

Mr. CRAMTON. Oh, of course, the gentleman from Montana knows, but I did not notice that he was present.

Mr. LEAVITT. It is an area in which there should be constructed an irrigation project for the preservation of existing livestock and a farming settlement.

Mr. CRAMTON. Does it present any great navigation possibilities?

Mr. LEAVITT. No; except in connection with streams below.

Mr. CRAMTON. They have gone in there and developed the plan and are all ready to report to Congress practically their recommendation as to the construction of an irrigation project up in the Musselshell in Montana, far from navigation. What will be the result? First, there is a widespread demand now in the West that instead of these projects being constructed out of the reclamation fund and they repaid by the settlers they be built as other river and harbor works are built—100 per cent at the cost of the Federal Government. That is the first thing. Next, they come in without the proper background of the economic questions involved in irrigation and present a report. The reclamation fund has not the money to-day to build that even if it is recommended, and they were not contemplated for many years to come; and in the meantime this definite report recommending it from the Army is there on file, and fortifying any local demand for early development.

Conditions will greatly change before construction time arrives, and that money is first, a complete waste, whatever is spent in their study; and in the second place, as to economic studies, they do not have any great standing in Congress, Army officers passing on questions of agriculture and economics; and in the third place, it does present all of the complications as to 100 per cent cost by the Government. Now, what we should do is to get an expression by the Congress condemning these unnecessary investigations carried on by the War Department, and that will be accomplished by this amendment if it is agreed to by the committee. Thereafter my friend from California, who is familiar with some aspects of it, will no doubt see that the amendment is amended and modified so as not to hurt anyone.

Mr. BARBOUR. Mr. Chairman, this matter has been brought several times before the House of Representatives by the gentleman from Michigan [Mr. CRAMTON]. A condition exists that he seems to be much exercised and concerned about, and he is the only one, so far as I know, who has objected, until his colleague came in to-day and offered this amendment.

Now, what is the situation? The Board of Army Engineers has been making surveys for the purpose of determining potential power, navigation, irrigation, and any necessary flood control on these streams. It has been doing that because in two acts of this Congress we have placed that duty upon the Board of Army Engineers. They did not seek it. In the rivers and harbors acts and the flood control act we placed the duty upon them to do this work. If the gentleman from Michigan does not like that—and he is the only one I know of who does not like it—why does he not amend those acts instead of coming here each time an appropriation bill is considered on this floor and getting exercised about the Board of Army Engineers?

His amendment would prohibit the expenditure of any of this money for engineering or economic surveys or investigations of any existing or proposed irrigation projects. The gentleman from Michigan [Mr. CRAMTON] knows of, but he is not considering this amendment, certain irrigation projects, large private irrigation projects, that were built by the farmers themselves with their own money, and they have not asked the Federal Government for a single dollar.

Those irrigation projects, several in our State and in other parts of the West, pay their own bills. They have not asked the Federal Government for a cent, but they do have a water problem, and the Board of Army Engineers has gone in there in these surveys and they are the first ones, let me say, who have done anything for them in the way of giving assistance. The Board of Army Engineers has done this under the direction we have given in those two acts, and with the money carried in the War Department appropriation bill, and they have made surveys that have been a real help and a real benefit to those farmers who are trying to do something for themselves. The gentleman from Michigan would cut those people off from any assistance under this bill.

Mr. McDUFFIE. Will the gentleman yield?

Mr. BARBOUR. I yield.

Mr. McDUFFIE. I am not at all concerned about any dissension between the Board of Army Engineers and the Reclamation Department.

Mr. BARBOUR. There is none, so far as I know, let me say to the gentleman. The only one who seems to know of any dissension is the gentleman from Michigan [Mr. CRAMTON].

Mr. McDUFFIE. There is no desire on the part of the engineers to take over the work of Doctor Mead's department.

Mr. BARBOUR. Absolutely none.

Mr. McDUFFIE. But some of these reports, and they are very important, ordered to be made by Congress, are in the making, and I am fearful that under this language they could not proceed to print one that was ready for printing and send their report to Congress.

Mr. BARBOUR. I do not believe they could.

Mr. McDUFFIE. I think it is a dangerous procedure. Nobody has said how much of this fund might be expended for the work that is incidental to flood control, made by the engineers now. Nobody seems to know. It may be a mere pittance, but it is not really a part of their problem, it is true, and yet it is incidental to their problem. The engineers can not give a true and complete picture of any stream without giving some notice to the irrigation projects on that stream.

Mr. BARBOUR. I think the gentleman from Alabama [Mr. McDUFFIE] is absolutely correct.

Dr. Elwood Mead was in my section of the country last year studying this problem for the benefit of these privately owned irrigation districts. Colonel Robbins was the Army engineer who was there making this study of the streams. The information that I received was to the effect that there was the utmost harmony between Colonel Robbins and Doctor Mead.

Mr. PARKS. Will the gentleman yield?

Mr. BARBOUR. No; not now.

Mr. PARKS. Just for a question.

Mr. BARBOUR. Very well.

Mr. PARKS. I am in sympathy with the gentleman's position. I am amazed that the gentleman from Michigan [Mr. CRAMTON] should object to a survey. I want to ask the gentleman from California [Mr. BARBOUR] if there is any Member in this House who has made more surveys and traveled farther and made more investigations than the gentleman from Michigan [Mr. CRAMTON] in the last 10 years?

Mr. BARBOUR. Knowing that the gentleman from Michigan [Mr. CRAMTON] had raised this question and had complained about the Board of Army Engineers before on the floor of the House, when the Board of Army Engineers was before the committee we took some time to ask a few questions about their relations with the Reclamation Service.

The CHAIRMAN. The time of the gentleman from California [Mr. BARBOUR] has expired.

Mr. BARBOUR. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from California [Mr. BARBOUR]?

There was no objection.

Mr. CRAMTON. Does the gentleman think it is accurate to say that I am the only one interested in this?

Mr. BARBOUR. I say that the gentleman from Michigan is the only one who has objected, so far as I have heard.

Mr. CRAMTON. I have already quoted from Doctor Mead's letter to General Brown, and I have other letters, later ones, to the same effect.

Mr. BARBOUR. Now, let me quote from General Brown to Doctor Mead—not directly to Doctor Mead, but in regard to Doctor Mead. General Brown said, in the hearings at page 149:

General BROWN. I have been to see the chief of the Reclamation Service, in order to avoid any duplication, and explained to him what our general purposes were and told him what we were going to do, what data we were going to get, and explained to him that it would be made available to him, any of it, in case he wanted it, and that as to any data he might have that was applicable to what we proposed to do we would be glad to get without doing work ourselves.

Mr. BARBOUR. And they have cooperated in this work?

General BROWN. They have cooperated in this work; yes. He was perfectly agreeable, and there is a perfect understanding, so far as I know, between the Reclamation Service and the Corps of Engineers on that basis.

The idea of full and complete cooperation is there, to the effect that when we are ordered to do something by Congress we are going to do it, and what he does not get we will get, and what he has we will make use of.

Mr. BARBOUR. There is no dissension?

General BROWN. None whatever.

Mr. BARBOUR. Or pulling back between the two departments in reference to that work?

General BROWN. There is none whatever. He understands what we are doing. We agree with him that if there is anything he has to say in reference to our reports he is at liberty to say it, and we will attach that to the reports.

Then it was called to General Brown's attention that there had been some criticism on the floor about this relationship between the Army engineers and the Reclamation Service. General Brown said:

I noticed the account of that in the CONGRESSIONAL RECORD. Before that had happened I had made a personal call on the chief of the Reclamation Service and explained the matter to him and told him what we desired to do in the way of cooperation, in that we had no desire whatever to create any duplication, and I thought there was a perfect understanding. Since that time I have seen them again, and we have given him full information as to what we were doing so he could take advantage of it, or, if he had anything that would be of advantage to us, we could use any part of it.

Then this question was asked:

Then, as far as the Director of the Reclamation Service is concerned, there is a perfect understanding?

And General Brown said:

There is a perfect understanding, I believe.

Mr. KETCHAM. Will the gentleman yield?

Mr. BARBOUR. I yield.

Mr. KETCHAM. Did the questioning of General Brown develop to what extent the Army engineers had gone into a survey of irrigation projects?

Mr. BARBOUR. They have been directed by Congress to make those surveys. General Brown says there is certain information in the hands of the Reclamation Service. Now, instead of going out and doing that work over again, they went to the Reclamation Service and said, "We want to cooperate with you. If you have anything we can make use of turn it over to us, so we will not do the work over again, and anything we get we will turn over to you."

Mr. KETCHAM. To be perfectly plain and frank now, is there any evidence developed anywhere that General Brown went out and undertook surveys, or that there was any contemplation that he would, in areas where the action of the Congress had clearly indicated it did not propose to have such surveys made by another department?

Mr. BARBOUR. I never heard of such a thing.

Mr. KETCHAM. Does the gentleman think that is true or is not true?

Mr. BARBOUR. I have no information whatever.

Mr. KETCHAM. If that were true, the gentleman would be opposed to it?

Mr. BARBOUR. Absolutely.

Mr. KETCHAM. Then the gentleman should be in favor of this amendment.

Mr. BARBOUR. I am opposed to this amendment. This amendment goes further than that and strikes at those privately owned irrigation districts which are trying to do something for themselves, and the only help they have had, so far as I know, is this help from the Board of Army Engineers in these surveys.

Mr. CRAMTON. Will the gentleman yield?

Mr. BARBOUR. Yes.

Mr. CRAMTON. Congress refused to vote to authorize half the expense by the Federal Government in the Columbia Basin, and within two weeks of that refusal they took 100 per cent out of their fund. Is not that what the gentleman refers to?

Mr. BARBOUR. I am not referring to that at all. I am referring to the effect it will have on certain irrigation districts if this amendment is adopted. I do not think any Member of this House wants to do anything of that kind to a privately owned irrigation district; districts that are endeavoring to pay their own bills and have had a little help from the Board of Army Engineers. [Applause.]

Mr. LEAVITT. Mr. Chairman, I move to strike out the last two words. I dislike especially to disagree with the gentleman from Michigan [Mr. CRAMTON]. He is undoubtedly the most valuable friend of reclamation in the House, but I rise in opposition to the amendment. I do so particularly because the Musselshell project in Montana was referred to by the gentleman from Michigan, and I am greatly interested in its development. He used that project and situation and referred to it as an illustration of why this amendment should be adopted. I wish to use the same project and situation as a reason why the amendment should not be adopted.

I have on my desk to-day quotations from a letter of the Commissioner of Reclamation in reply to a request that the economic study of that project be made by the Reclamation Service. In reply to that request the statement was made that there was a report prepared, I think, in 1902 or 1903, in which it was stated that a suitable reservoir site had not been discovered. Mr. Chairman, during this last fall I went over that project personally and visited two adequate reservoir sites. That proves to me conclusively that that old information of almost 30 years ago is not complete and does not meet the present situation.

But there is a cogent reason why that study can not be expected at this time by the Reclamation Service. That reason is that they do not now have in their possession the funds necessary to carry on this and various other studies similar to this one on the Musselshell River and like those referred to by the gentleman from California [Mr. BARBOUR]. There is a lack of money in the reclamation fund for that purpose. Now, under this provision in this Army bill, while the flood-control studies are being made and while the navigation studies are being made, that other needed information can be at least partly also gathered. We shall thus be advancing these irrigation projects needed as a part of the development of the western country.

Mr. CRAMTON. Will the gentleman yield?

Mr. LEAVITT. Yes.

Mr. CRAMTON. Is it not true that not only are the appropriations for investigations by the Reclamation Service limited but also that the amount of money—because the projects have failed to pay the charges due—in the fund has become so limited that not only can they not take on the gentleman's project as a new project but they can not continue their established 10-year program?

Mr. LEAVITT. I am very sorry to say there does exist that shortage of money, but at the same time that very fact is an added reason for allowing this work to go forward under this Army appropriation.

Mr. CRAMTON. Is the gentleman aware that there is a definite demand in some quarters that $5,000,000 be taken out of the Federal Treasury to advance to the reclamation fund in order to carry on the existing program?

Mr. LEAVITT. That has not been advanced to Congress in any bill.

Mr. CRAMTON. But such a demand has been made?

Mr. LEAVITT. That suggestion has been made, but there is no demand of that kind before the Congress.

Mr. CRAMTON. Is the gentleman aware of the demand that has developed somewhere in the West and definitely expressed in some quarters that as a result of these Army studies these projects should be built not by the Reclamation Service but by the Corps of Engineers, and that they ought to be paid for out of Federal funds as river and harbor projects are paid for?

Mr. LEAVITT. That has not come to my attention.

Mr. CRAMTON. I have that evidence.

Mr. McDUFFIE. I will say to the gentleman that that will not be done soon by this Congress, in my judgment.

Mr. LEAVITT. I have stated that that has not come to my attention, but it would not surprise me to have almost any kind of proposal grow up in the minds of the interested people.

Mr. McDUFFIE. Why, certainly.

Mr. LEAVITT. But I do not expect that to be soon done by the Congress, based on my knowledge of how things are accomplished here and what is possible. At the same time, I will say that with the shortage of reclamation funds many of these things that would ordinarily be fully justified out of the reclamation fund unfortunately can not be done just at this time from that source.

The gathering together of this information, however, may make evident the feasibility of proposed projects, even if it proves necessary ultimately to finance some of them under State laws or otherwise. In any event the gathering of this information is valuable and should not be stopped through the adoption of this amendment, because, let me say again, it can not be carried forward now under the Reclamation Service, because the funds are not available. There surely can not be any duplication of work which can not be done except under this one Army appropriation.

Mr. McFADDEN. Will the gentleman yield?

Mr. LEAVITT. I yield.

Mr. McFADDEN. Will the gentleman explain to the committee why this examination of Musselshell Creek in Montana was started at this time? What were the reasons for that?

Mr. LEAVITT. Of course I and others requested it, but it was undertaken under the authority and direction of this Congress in connection with studies of flood control and navigation. The Musselshell is a tributary that becomes ultimately a part of the great Missouri and Mississippi River system. They are carrying on a complete study to develop the entire situation in that drainage.

The CHAIRMAN. The time of the gentleman from Montana has expired.

Mr. MORTON D. HULL. Mr. Chairman, may we have the amendment again reported?

The Clerk again reported the Ketcham amendment.

The CHAIRMAN (Mr. TILSON). The question is on agreeing to the amendment.

The amendment was rejected.

Mr. PARKS. Mr. Chairman, I ask for a division.

The CHAIRMAN. The gentleman's request comes too late.

Mr. UNDERHILL. Mr. Chairman, I ask unanimous consent to proceed for one minute to withdraw an objection I recently made to the request of a Member.

The CHAIRMAN. Without objection, the gentleman from Massachusetts is recognized for one minute.

Mr. UNDERHILL. Mr. Chairman, a further explanation of the situation has convinced me that my objection, although possibly fundamentally right, might do an injustice to a great many Members who desire information that can only be obtained by them through the columns of the RECORD. So without compromising my principle or my practice in any way, I withdraw my objection to the request of the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Chairman, I renew my request, inasmuch as the gentleman from Massachusetts has withdrawn his objection, to incorporate as an extension of my remarks made to-day, the statement of Mr. Wirt Franklin, president of the Independent Oil Producers of Oklahoma, made at a meeting in the caucus room of the House Office Building this morning.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

(The statement occurs in connection with the remarks of the gentleman from Texas [Mr. BLANTON] previously made.)

Mr. McDUFFIE. Mr. Chairman, I move to strike out the last word, and will only detain the committee a moment.

I want to get some information from the chairman of the subcommittee. What is the total amount that will be available for river and harbor work for the fiscal year 1932, including the emergency appropriation made before the holidays? Is it $82,500,000 or $71,000,000?

Mr. BARBOUR. Eighty-two million five hundred thousand dollars—$60,000,000 here and $22,500,000 in the emergency bill.

Mr. McDUFFIE. But, as the gentleman will doubtless recall, the gentleman from Indiana [Mr. WOOD] said when that bill was under consideration that there was $11,000,000 duplicated, and I remember asking the question on the floor and I would like to read the gentleman his answer.

Mr. BARBOUR. I think I can explain that.

Mr. McDUFFIE. The gentleman's answer was not altogether clear to me, but I would judge it means that $71,000,000 would be available as the total amount for 1932 instead of $82,500,000.

Mr. BARBOUR. In the emergency bill and in these estimates there were certain projects, the money for which overlapped, but we carry in this bill $60,000,000 and in the emergency bill $22,500,000; and General Brown said that there would not be any duplication in the work but that this money would enable him to speed up the work and do work that he otherwise could not have done, because there is just that much more money that he has in the appropriations.

Mr. McDUFFIE. Let me read just this short paragraph. The gentleman from Indiana [Mr. WOOD] said:

> This twenty-two and a half million dollars is just that much more than they would have gotten if it were not for this bill. The $11,000,000 is not duplication, but just that much more money for the same projects between this bill and the regular bill.

Mr. BARBOUR. Yes.

Mr. McDUFFIE. So there is just $11,000,000 more for the same projects?

Mr. BARBOUR. No; $22,500,000 more.

Mr. CRAMTON. If the gentleman will permit, I remember the discussion in the subcommittee of the Committee on Appropriations when the emergency bill was before that committee——

Mr. McDUFFIE. If the gentleman from Michigan and the chairman of the committee feel sure that the amount is

$82,500,000, I am very happy, and I have no desire to interfere with the program.

Mr. CRAMTON. Since neither appropriation is limited to any particular projects and it is all available for any work authorized by law, of course, the sum total is available, and while the $22,500,000 may take care of $11,000,000 that would have been in this bill, that releases $11,000,000 out of this amount to go further than was otherwise planned.

The pro forma amendment was withdrawn.

Mr. KETCHAM. Mr. Chairman, I ask unanimous consent to extend the remarks I made by including an article that I have prepared in support on the subject.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LEAVITT. Mr. Chairman, I ask unanimous consent to extend the remarks I made in the RECORD, and also to include some correspondence.

The CHAIRMAN. Is there objection to the request of the gentleman from Montana?

There was no objection.

The Clerk read as follows:

Emergency fund for flood control on tributaries of Mississippi River: For rescue work and for repair or maintenance of any flood-control work on any tributaries of the Mississippi River threatened or destroyed by flood, in accordance with section 7 of flood control act, approved May 15, 1928 (U. S. C., Supp. III, title 33, sec. 702g), $400,000.

Mr. LaGUARDIA. Mr. Chairman, I move to strike out the last word. I have an interesting letter here from the Director of the Census in reference to the unemployment census, which I believe will be of interest to every member of the committee, and I ask unanimous consent to proceed out of order for five minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent to proceed out of order for five minutes. Is there objection?

There was no objection.

Mr. LaGUARDIA. Mr. Chairman and gentlemen, the Bureau of the Census is taking a census of the unemployed in several cities of the United States to check up the unemployment situation in comparison with the situation of to-day with that of last April. The census starts to-day, I believe.

In the meantime many cities have provided for temporary employment. In other words, they give employment for three days in the week instead of giving relief money direct. The temporary relief employment is a cover only to charitable aid. It is not productive or gainful employment.

The unemployment situation has created in many cities the apple-peddling system. Now, I want to call the attention of the House that in this census that started to-day the Census Bureau is going to count the unemployed men selling apples as gainfully employed. They are going to count the men that are receiving this little relief—I do not want to use the word charity, but it is charity—this little relief as a gainful employment.

Now, such a census will not be of much aid to us in getting an accurate picture of the real unemployment situation in these cities.

Mr. ABERNETHY. It may aid the Red Cross.

Mr. LaGUARDIA. What we want is an actual picture of the unemployment situation. We can not give instructions to the supervisors. If time permitted, I would ask this House to instruct the Director of the Census by resolution to cause an accurate and intelligent enumeration of the unemployed to be made. I do not know what we can do to get an accurate, intelligent census, but I appeal to every Member of the House who is interested in having an intelligent census of the unemployment situation, to call this matter to the attention of the Census Bureau, so that these men receiving temporary relief and selling apples shall not be counted as men gainfully employed, but properly classified as able and willing to work but unemployed.

Mr. PARKS. What difference does it make whether there are 5,000,000 or 10,000,000 men out of employment unless they are going to do something for them?

Mr. LaGUARDIA. Well, if there are 5,000,000 men or 10,000,000 men unemployed we ought to know it. It seems to me it is an idle gesture, if we are going to take an unemployment census to check up the conditions now as compared to last April, that any such system as I have described be followed.

Mr. Chairman, I ask unanimous consent that I may put into the RECORD at this place a letter that I received from the Director of the Census, such as I have described.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The letter follows:

DEPARTMENT OF COMMERCE,
BUREAU OF THE CENSUS,
Washington, January 13, 1931.

Hon. F. H. LaGUARDIA,
House of Representatives, Washington, D. C.

MY DEAR MR. LaGUARDIA: I have received your letter of January 10 relative to the question of the classification in the census of unemployment of men who are receiving relief employment of three days a week paid from charitable funds and men selling apples as a makeshift occupation.

The question of what persons should be included in the census of unemployment received very careful consideration when the census was taken last April. We found that there was no well-established or generally accepted definition of the term "unemployed," and we realized that any general definition would be difficult to apply consistently under the practical limitations of census taking. It was necessary to have some test that could be readily applied. The best practical solution of the problem seemed to be to obtain a record for every person who usually followed a gainful occupation and for any reason, whether on account of sickness, disability, inability to find work, or disinclination to work, was not actually working at the time of the census. Accordingly the instructions issued to the enumerator were to make an entry on the unemployment schedule for every gainful worker who was not at work on the day preceding the enumerator's visit, or on the last previous working day in case the preceding day was not a regular working day. Other questions were included to develop the reasons why the person was not working and how long he had been without work.

It is necessary that the results of this special census about to be taken should be comparable with the census taken last April if we are to have a correct index of the trend of unemployment since that time. It was decided, therefore, that the instructions, definitions, and schedules of inquiries used at this census should be identical with those used in the earlier census. Therefore the enumerators were instructed "to enter on the schedule the name of every gainful worker who was not at work on the last regular working day" preceding the enumerator's visit. But he is not to include any person who is working at a gainful—that is, money-earning—occupation without regard to whether that occupation is permanent or only temporary. This, I believe, is the only workable principle on which a satisfactory census could be taken, and in accordance with that principle we ruled that people engaged in selling apples, either as a temporary or a permanent occupation, are actually working at a gainful—that is, a money-earning—occupation at the time the census is being taken, and therefore are not to be returned on the unemployment schedule.

Very truly yours,

W. M. STEUART, *Director.*

The Clerk read as follows:

Flood control, Sacramento River, Calif.: For prosecuting work of flood control in accordance with the provisions of the flood control act approved March 1, 1917 (U. S. C., title 33, sec. 703), as modified by the flood control act approved May 15, 1928 (U. S. C., Supp. III, title 33, sec. 704), $1,000,000.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I have examined the hearings, and find there is an actual expenditure for the Sacramento of $400,000, of which $200,000 is available, but there is nothing in the hearings to show the actual expenditures. This is the same amount appropriated last year. Has the gentleman any private information how the fund is expended?

The hearings show that prior to the flood control act of 1928, the State and local authorities were contributing two-thirds, and since then the ratio has been changed so that the Federal Government is contributing one-half and the State one-half.

Mr. BARBOUR. That was changed in the flood control act of May 15, 1928. My understanding is that the total amount the Federal Government will be called upon to contribute under that act is $17,600,000, and it is being appropriated now at the rate of $1,000,000 a year. The project is now about 50 per cent completed.

Mr. STAFFORD. Of the $17,600,000, how much up to the present time has been appropriated?

Mr. BARBOUR. The project is about one-half completed. This is the third million dollars that has been appropriated under the latest enactment.

Mr. STAFFORD. We have been appropriating for a long time for this work. The limit of appropriation of $17,600,000 is not fixed in that act?

Mr. BARBOUR. That was superseded by the flood control act, which made a new arrangement. In 1925 we appropriated $500,000, and in 1926 $550,000, in 1929 $400,000, and in 1930 we came in under the new act.

Mr. CARTER of California. Under this new act does not the Federal Government contribute one-third and the State of California one-third and the local interests one-third?

Mr. BARBOUR. As I understand it, the State pays one-half of the cost of the levee, and some of the control work, furnishing rights of way, and the United States pays half of the channel improvement and control, and for one-half of the levee.

Mr. STAFFORD. The statement of General Pillsbury in the hearings is explicit, in answer to the direct question repeated several times by the chairman of the committee, Mr. BARBOUR, that the State contributes only one-half and the National Government one-half.

Mr. McSWAIN. Mr. Chairman, I move to strike out the last word, to call the attention of the committee to the fact that the chairman of the Committee on Military Affairs, the gentleman from Michigan [Mr. JAMES], is absent from the city on official business. He suggested to me the advisability of letting the RECORD show that the Committee on Military Affairs is aware that there are certain provisions in the bill that are not predicated upon authorizations. The subcommittee of the Committee on Military Affairs has been very earnest in its efforts to insist that there shall be previous authorizations, but, of course, there are many activities that have been carried for so long without any fundamental authorization that it would be unfair and unwise to make the point of order even if it would lie. There are also some provisions to which the point of order would lie that we think ought to continue in the bill. For the purposes of the RECORD we desire to show that on page 20, line 21, there is no authorization, but that there is a bill pending, H. R. 2671, to constitute authorization; also on page 20, line 21, the bill H. R. 2744 is pending for the purpose of constituting authorization, and the same is true in respect to the following places and bills: Page 21, line 15, H. R. 2967; page 27, line 9, H. R. 4193; page 28, line 17, H. R. 4196; page 34, line 4, H. R. 12202; page 37, line 7, H. R. 2678; page 39, line 1, H. R. 4200; page 39, line 17, H. R. 4195; page 41, line 23, H. R. 10372; page 48, line 9, H. R. 2676; page 54, line 17, H. R. 3147; page 57, line 27, H. R. 2900; page 62, line 2, H. R. 2675.

Mr. CHINDBLOM. Have those bills been introduced in this Congress or have they been pending for some time?

Mr. McSWAIN. They have been introduced in this Congress. The subcommittee of the Committee on Appropriations and the Committee on Military Affairs understand it. It is our intention and desire whenever we have a day to seek to have these bills acted upon.

The Clerk read as follows:

For maintenance and operation of the Panama Canal: Salary of the governor, $10,000; purchase, inspection, delivery, handling, and storing of materials, supplies, and equipment for issue to all departments of the Panama Canal, the Panama Railroad, other branches of the United States Government, and for authorized sales; payment in lump sums of not exceeding the amounts authorized by the injury compensation act approved September 7, 1916 (U. S. C. title 5, sec. 793), to alien cripples who are now a charge upon the Panama Canal by reason of injuries sustained while employed in the construction of the Panama Canal; in all, $9,359,808, including $1,000,000 for continuing the construction of the Madden Dam across the Chagres River at Alhajuela for the storage of water for use in the maintenance and operation of the Panama Canal, together with a hydroelectric plant, roadways, and such other work as in the judgment of the Governor of the Panama Canal may be necessary, to cost in the aggregate not to exceed $15,500,000, and including $500,000 for completing the construction of a ferry and highway near the Pacific entrance of the Panama Canal as authorized by the act approved May 27, 1930; together with all moneys arising from the conduct of business operations authorized by the Panama Canal act: *Provided*, That in addition to the amount herein appropriated, the Governor of the Panama Canal is authorized to enter into contracts for continuing the construction of the Madden Dam and accessories, as herein specified, to an amount not to exceed $11,250,000.

Mr. LANKFORD of Virginia. Mr. Chairman, I move to strike out the last word for the purpose of calling attention to an amendment adopted yesterday or the day before, which appears on page 2105 of the RECORD. That amendment provides:

None of the appropriations in this act shall be available for the purchase for use within the continental limits of the United States of any raw materials not produced within the continental limits of the United States or any articles or supplies containing materials or manufactured of materials not produced within the continental limits of the United States, except (1) articles produced or supplies purchased for experimental purposes; (2) crude rubber and components of ammunition or of mixed metals not procurable within the United States; and (3) as may be authorized expressly by law.

I fully approve of having the War Department buy raw materials in the United States; but it seems to me that we are running into a world of trouble by requiring them to have raw materials in manufactured goods bought in the United States, or to show that they are. For instance, take this book, or this rug, or these chairs. It is almost impossible to determine after the article is manufactured whether the raw materials that entered into it were produced here or elsewhere. I fear that this will cause a great deal of trouble. I call the attention of the committee to this for the purpose of giving notice that when it comes up in the House I am going to ask for a special vote upon it and a reconsideration of it, with the idea that next year or some time later something may be worked out that will require the purchase of raw materials without the confusion of having to ascertain whether the raw materials in manufactured goods are produced in the United States. As it is now, with this amendment it seems to me that it will cause a great deal of trouble.

Mr. TABER. Will the gentleman yield?

Mr. LANKFORD of Virginia. I yield.

Mr. TABER. Does not the gentleman think the War Department can work out some simple rule for handling that situation without any trouble? It does seem that the language is not sufficiently involved or so restrictive that it can not be handled and administered properly. I do not think there is the least trouble about it, and I think if the gentleman will consider it from that angle he will have a different attitude toward it.

Mr. STAFFORD. Will the gentleman yield?

Mr. LANKFORD of Virginia. I yield.

Mr. STAFFORD. I notice from a reading of the amendment that the language is positive and mandatory, that no article shall be purchased where it contains any raw material not produced within the continental limits of the United States. They would not be able to purchase a newspaper, because any number of newspapers contain sulphite pulp that is made abroad.

Mr. LANKFORD of Virginia. That is the danger of it and it seems to me this should go over until next year and something could be worked out that would enable the War Department to properly handle the matter.

Mr. STAFFORD. Mr. Chairman, I rise in opposition to the pro forma amendment for the purpose of calling attention to one fact. I had intended calling attention to the

fact that the paragraph at the bottom of page 72 and the top of page 73 is substantially the same as the amendment adopted the other day known as the Taber amendment at another place in the bill as a substitute to the Collins amendment. Should not this language, which is not as broad, be stricken from this part of the bill?

Mr. BARBOUR. Yes. That was stricken out in the whole Committee on Appropriations.

Mr. STAFFORD. I beg the gentleman's pardon, I have the committee print.

Mr. BARBOUR. The whole committee struck it out and then it went in again as the Taber amendment.

Mr. STAFFORD. It was the judgment of the full committee that no inane provision like this should be incorporated?

Mr. TABER. No. The Secretary of War sent a letter up there that morning and the committee did not have a chance to thoroughly digest that letter and the committee struck it out, but when it was fully considered, it was put in again.

Mr. STAFFORD. What is the period of digestion on the part of the committee on matters that come before it?

Mr. LAGUARDIA. From the War Department, one second.

Mr. STAFFORD. But the committee did strike it out regardless of the period of digestion?

The pro forma amendment was withdrawn.

Mr. BARBOUR. Mr. Chairman, I offer an amendment, which I have sent to the Clerk's desk.

The CHAIRMAN. The gentleman from California offers an amendment, which the Clerk will report.

The Clerk read the amendment as follows:

Amendment offered by Mr. BARBOUR: Page 75, line 14, strike out the semicolon and insert a period.

The amendment was agreed to.

The Clerk concluded the reading of the bill.

Mr. BARBOUR. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the House rose; and the Speaker having resumed the chair, Mr. TILSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 15593) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1932, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and the bill as amended do pass.

Mr. BARBOUR. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any of the amendments?

Mr. LANKFORD of Virginia. Mr. Speaker, I demand a separate vote on the amendment appearing on page 1237 of the RECORD, known as the Taber amendment.

The SPEAKER. Is a separate vote demanded on any other amendment? [After a pause.] If not, the Chair will put them in gross.

The amendments were agreed to.

The SPEAKER. The Clerk will report the amendment on which a separate vote is demanded.

The Clerk read as follows:

Amendment, substitute by Mr. TABER, page 25, line 25: Insert the following: "None of the appropriations in this act shall be available for the purchase for use within the limits of the United States of any raw materials not produced within the limits of the United States or any articles or supplies containing materials or manufactured of materials not produced within the limits of the United States, except (1) articles produced or supplies purchased for experimental purposes; (2) crude rubber and components of ammunition or of mixed metals not procurable within the United States; and (3) as may be authorized expressly by law."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. LAGUARDIA. Mr. Speaker, I am opposed to the bill, and I offer the following motion to recommit.

The SPEAKER. The gentleman from New York offers a motion to recommit, which the Clerk will report.

The Clerk read as follows:

Motion by Mr. LAGUARDIA: I move to recommit the bill to the Committee on Appropriations with instructions to report the same back forthwith with the following amendment:

Page 55, line 25, before the period insert:

"*Provided further*, That no appropriation contained in this act shall be available for any expense incident to any form of military instruction or training in high schools which require or compel students to undergo any form of military instruction or training."

The SPEAKER. The question is on the motion to recommit.

The question was taken; and on a division (demanded by Mr. LAGUARDIA) there were—ayes 11, noes 92.

Mr. LAGUARDIA. Mr. Speaker, I object to the vote on the ground that there is not a quorum present.

The SPEAKER. The Chair will count. [After counting.] One hundred and thirty-five Members are present, not a quorum. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 59, nays 271, not voting 101, as follows:

[Roll No. 16]

YEAS—59

Box	Dowell	Kading	Rankin
Brand, Ohio	Evans, Mont.	Ketcham	Robinson
Burtness	Frear	Kvale	Romjue
Busby	Goldsborough	LaGuardia	Sabath
Cannon	Greenwood	Ludlow	Schafer, Wis.
Christgau	Hall, N. Dak.	Mead	Selvig
Christopherson	Halsey	Mooney	Short, Mo.
Cochran, Mo.	Hill, Wash.	Morehead	Sinclair
Collins	Hope	Morgan	Sparks
Cooper, Wis.	Howard	Nelson, Mo.	Sproul, Kans.
Cox	Huddleston	Nelson, Wis.	Stafford
Crosser	Hudson	Palmisano	Strong, Kans.
Davis	Hull, Morton D.	Parks	Welsh, Pa.
Dickinson	Hull, Wis.	Peavey	Williamson
Dominick	Jones, Tex.	Rainey, Henry T.	

NAYS—271

Abernethy	Campbell, Iowa.	Doxey	Graham
Ackerman	Campbell, Pa.	Drane	Granfield
Adkins	Carter, Calif.	Drewry	Green
Allen	Carter, Wyo.	Driver	Gregory
Allgood	Cartwright	Dunbar	Griffin
Andrew	Chalmers	Dyer	Guyer
Arentz	Chindblom	Eaton, Colo.	Hadley
Arnold	Chiperfield	Edwards	Hall, Ill.
Aswell	Clague	Elliott	Hall, Ind.
Ayres	Clark, Md.	Ellis	Hall, Miss.
Bacon	Clark, N. C.	Englebright	Hancock, N. Y.
Bankhead	Clarke, N. Y.	Erk	Hancock, N. C.
Barbour	Cochran, Pa.	Eslick	Hardy
Beedy	Cole	Estep	Hare
Beers	Collier	Evans, Calif.	Hartley
Black	Colton	Finley	Hastings
Bland	Condon	Fisher	Hess
Blanton	Cooke	Fitzgerald	Hickey
Bloom	Cooper, Ohio	Foss	Hill, Ala.
Bohn	Cooper, Tenn.	Free	Hoch
Bolton	Coyle	Freeman	Hogg, Ind.
Bowman	Crail	Fuller	Hogg, W. Va.
Boylan	Cramton	Gambrill	Hooper
Brand, Ga.	Crisp	Garber, Okla.	Hopkins
Briggs	Cross	Garber, Va.	Houston, Del.
Brigham	Crowther	Garner	Hull, William E.
Britten	Dallinger	Gasque	Igoe
Browning	Darrow	Gibson	Irwin
Brumm	Davenport	Gifford	James, N. C.
Buchanan	Denison	Glover	Jeffers
Burdick	De Priest	Golder	Jenkins
Butler	DeRouen	Goodwin	Johnson, Ill.
Byrns	Douglas, Ariz.	Goss	Johnson, Nebr.

Johnson, Okla.	McMillan	Ragon	Taylor, Colo.
Johnson, Tex.	McReynolds	Ramey, Frank M.	Temple
Johnston, Mo.	McSwain	Ramseyer	Thatcher
Jonas, N. C.	Maas	Ramspeck	Thurston
Kahn	Magrady	Ransley	Tilson
Kelly	Manlove	Reed, N. Y.	Timberlake
Kendall, Ky.	Mapes	Reilly	Tinkham
Kendall, Pa.	Martin	Rich	Treadway
Kinzer	Merritt	Rogers	Turpin
Knutson	Michener	Rutherford	Vestal
Kopp	Miller	Sanders, N. Y.	Vincent, Mich.
Korell	Milligan	Sanders, Tex.	Vinson, Ga.
Kurtz	Montague	Sandlin	Wainwright
Lambertson	Moore, Ky.	Seger	Walker
Lanham	Moore, Ohio	Selberling	Wason
Lankford, Ga.	Mouser	Shaffer, Va.	Watres
Lankford, Va.	Murphy	Shott, W. Va.	Watson
Larsen	Nelson, Me.	Shreve	Welch, Calif.
Lea	Newhall	Sloan	White
Leavitt	Niedringhaus	Smith, Idaho	Whitehead
Leech	Nolan	Snell	Whitley
Lehlbach	O'Connor, Okla.	Snow	Whittington
Letts	Oldfield	Somers, N. Y.	Wiggiesworth
Linthicum	Oliver, Ala.	Speaks	Wilson
Loofbourow	Owen	Spearing	Wingo
Lozier	Palmer	Sproul, Ill.	Wolfenden
Luce	Patman	Stalker	Wolverton, W. Va.
McClintic, Okla.	Patterson	Strong, Pa.	Woodruff
McClintock, Ohio	Perkins	Summers, Wash.	Woodrum
McCormack, Mass.	Pittenger	Sumners, Tex.	Wright
McDuffie	Pratt, Harcourt J.	Swanson	Wurzbach
McFadden	Pratt, Ruth	Swick	Wyant
McKeown	Pritchard	Swing	Yates
McLaughlin	Purnell	Taber	Yon
McLeod	Quin	Tarver	

NOT VOTING—101

Aldrich	Dickstein	Johnson, Wash.	Rowbottom
Almon	Dorsey	Kearns	Schneider
Andresen	Doughton	Kemp	Sears
Auf der Heide	Douglass, Mass.	Kennedy	Simmons
Bacharach	Doutrich	Kerr	Simms
Bachmann	Doyle	Kiefner	Sirovich
Baird	Eaton, N. J.	Kunz	Smith, W. Va.
Beck	Esterly	Langley	Steagall
Bell	Fenn	Lindsay	Stevenson
Blackburn	Fish	McCormick, Ill.	Stobbs
Browne	Fitzpatrick	Mansfield	Stone
Brunner	Fort	Menges	Sullivan, N. Y.
Buckbee	French	Michaelson	Sullivan, Pa.
Cable	Fulmer	Montet	Taylor, Tenn.
Canfield	Garrett	Moore, Va.	Thompson
Carley	Gavagan	Norton	Tucker
Celler	Hale	O'Connor, La.	Underhill
Chase	Haugen	O'Connor, N. Y.	Underwood
Clancy	Hawley	Oliver, N. Y.	Warren
Connery	Hoffman	Parker	Williams
Connolly	Holaday	Parsons	Wolverton, N. J.
Corning	Hudspeth	Pou	Wood
Craddock	Hull, Tenn.	Prall	Zihlman
Culkin	James, Mich.	Rayburn	
Cullen	Johnson, Ind.	Reece	
Dempsey	Johnson, S. Dak.	Reid, Ill.	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Browne (for) with Mr. Johnson of South Dakota (against).

Until further notice:

Mr. Hawley with Mr. Cullen.
Mr. Connolly with Mr. Oliver of New York.
Mr. Reid of Illinois with Mr. Doughton.
Mr. Menges with Mr. Gavagan.
Mr. James of Michigan with Mr. Tucker.
Mr. Eaton of New Jersey with Mr. Corning.
Mr. Bacharach with Mr. Moore of Virginia.
Mr. Taylor of Tennessee with Mr. Fulmer.
Mr. French with Mr. Brunner.
Mr. Underhill with Mr. Garrett.
Mr. Wood with Mr. Almon.
Mr. Fenn with Mr. Rayburn.
Mr. Johnson of Washington with Mr. Lindsay.
Mr. Stobbs with Mr. Prall.
Mr. Buckbee with Mr. Montet.
Mr. Reece with Mr. Sirovich.
Mr. Dempsey with Mr. Steagall.
Mr. Haugen with Mr. Warren.
Mr. Sullivan of Pennsylvania with Mr. Sullivan of New York.
Mr. Fort with Mr. Williams.
Mr. Wolverton of New Jersey with Mr. Doyle.
Mr. Chase with Mr. O'Connor of Louisiana.
Mr. Aldrich with Mr. Pou.
Mr. Simmons with Mr. Kemp.
Mr. Hoffman with Mr. Dickstein.
Mr. Beck with Mr. Celler.
Mr. Kiefner with Mrs. Norton.
Mr. Cable with Mr. O'Connor of New York.
Mr. Doutrich with Mr. Stevenson.
Mr. Stone with Mr. Underwood.
Mr. Culkin with Mr. Smith of West Virginia.
Mr. Johnson of Indiana with Mr. Kerr.
Mr. Clancy with Mr. Kunz.
Mr. Holaday with Mr. Canfield.
Mr. Esterly with Mr. Carley.
Mr. Parker with Mr. Dorsey.
Mr. Zihlman with Mr. Hudspeth.
Mr. Schneider with Mr. Connery.
Mr. Andresen with Mr. Bell.
Mr. Fish with Mr. Hull of Tennessee.
Mr. Simms with Mr. Mansfield.
Mr. Hale with Mr. Kennedy.
Mr. Craddock with Mr. Fitzpatrick.
Mrs. McCormick of Illinois with Mr. Douglass of Massachusetts.
Mr. Kearns with Mr. Auf der Heide.

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

On motion of Mr. BARBOUR, a motion to reconsider the vote by which the bill was passed was laid on the table.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. WARREN (at the request of Mr. HANCOCK of North Carolina), for to-day, on account of illness.

ENROLLED JOINT RESOLUTION SIGNED

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H. J. Res. 447. Joint resolution making an appropriation to carry out the provisions of the public resolution entitled "Joint resolution for the relief of farmers in the drought and/or storm stricken areas of the United States," approved December 20, 1930.

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 2865. An act granting the consent of Congress to compacts or agreements between the States of Wyoming and Idaho with respect to the boundary line between said States.

JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, a joint resolution of the House of the following title:

H. J. Res. 447. Joint resolution making an appropriation to carry out the provisions of the public resolution entitled "Joint resolution for the relief of farmers in the drought and/or storm stricken areas of the United States," approved December 20, 1930.

ADJOURNMENT

Mr. BARBOUR. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 55 minutes p. m.) the House adjourned until to-morrow, Friday, January 16, 1931, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Friday, January 16, 1931, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON APPROPRIATIONS

(10.30 a. m.)

District of Columbia appropriation bill.
Legislative appropriation bill.
Navy Department appropriation bill.

COMMITTEE ON THE PUBLIC LANDS

(10 a. m.)

Oil shale lands.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

777. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill to increase the limits of cost of construction of certain public works, and for other purposes; to the Committee on Naval Affairs.

778. A communication from the President of the United States, transmitting a supplemental estimate of appropriation pertaining to the legislative establishment under the Architect of the Capitol for the fiscal year 1932 in the sum of $2,833 (H. Doc. No. 718); to the Committee on Appropriations and ordered to be printed.

779. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill authorizing an appropriation for the erection of a memorial to the officers and men of the United States Navy who lost their lives as the result of a boiler explosion that totally destroyed the U. S. S. *Tulip* near St. Inigoes Bay, Md., on November 11, 1864, and for other purposes; to the Committee on the Library.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. LEAVITT: Committee on Indian Affairs. S. 5295. An act authorizing an additional per capita payment to the Shoshone and Arapahoe Indians; without amendment (Rept. No. 2274). Referred to the Committee of the Whole House on the state of the Union.

Mr. LETTS: Committee on Indian Affairs. H. R. 13528. A bill providing for payment of $100 to each enrolled Chippewa Indian of Minnesota from the funds standing to their credit in the Treasury of the United States; with amendment (Rept. No. 2275). Referred to the Committee of the Whole House on the state of the Union.

Mr. FULLER: Committee on the Public Lands. H. R. 13249. A bill to authorize the acceptance of a tract of land adjoining Hot Springs National Park, Ark., and for other purposes; without amendment (Rept. No. 2276). Referred to the Committee of the Whole House on the state of the Union.

Mr. SPROUL of Kansas: Committee on Indian Affairs. H. R. 10515. A bill to ratify certain leases with the Seneca Nation of Indians; with amendment (Rept. No. 2278). Referred to the House Calendar.

Mr. GRAHAM: Committee on the Judiciary. H. R. 14055. A bill to make permanent certain temporary judgeships; with amendment (Rept. No. 2279). Referred to the Committee of the Whole House on the state of the Union.

Mr. LUCE: Committee on the Library. H. R. 15931. A bill to provide for the relocation of statue of Gen. John A. Rawlins; without amendment (Rept. No. 2280). Referred to the Committee of the Whole House on the state of the Union.

Mr. LUCE: Committee on the Library. H. R. 16078. A bill to amend the act approved June 2, 1930, providing for a memorial to Theodore Roosevelt for his leadership in the cause of forest conservation; with amendment (Rept. No. 2281). Referred to the Committee of the Whole House on the state of the Union.

Mr. GRAHAM: Committee on the Judiciary. S. 4425. An act to amend section 284 of the Judicial Code of the United States; without amendment (Rept. No. 2282). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. RANSLEY: Committee on Military Affairs. H. R. 10003. A bill to authorize full settlement for professional services rendered to an officer of the United States Army; with amendment (Rept. No. 2272). Referred to the Committee of the Whole House.

Mr. LEAVITT: Committee on Indian Affairs. H. R. 13856. A bill authorizing the Secretary of the Interior to pay E. C. Sampson, of Billings, Mont., for services rendered the Crow Tribe of Indians; with amendment (Rept. No. 2273). Referred to the Committee of the Whole House.

Mr. EATON of Colorado: Committee on the Public Lands. H. R. 14491. A bill for the relief of J. N. Gordon; without amendment (Rept. No. 2277). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BOHN: A bill (H. R. 16205) authorizing a preliminary examination and survey of the Crooked and Indian Rivers, Mich.; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 16206) providing for a preliminary examination and survey of the harbor at Naubinway, Mackinac County, Mich.; to the Committee on Rivers and Harbors.

By Mr. COCHRAN of Missouri: A bill (H. R. 16207) to prohibit the recovery of any indebtedness to the United States from either the principal or the interest due and payable to any depositor from the military or naval service whose savings were intrusted to the Government under provisions of existing law; to the Committee on Expenditures in the Executive Departments.

By Mr. MORTON D. HULL: A bill (H. R. 16208) to procure and erect in the city of Washington the group of statuary known as The Indian Buffalo Hunt; to the Committee on the Library.

By Mr. MILLIGAN: A bill (H. R. 16209) to amend paragraph (1), section 201, World War veterans' act, 1924; to the Committee on World War Veterans' Legislation.

By Mr. SINCLAIR: A bill (H. R. 16210) to provide for the conducting of livestock breeding, growing, and feeding experiments in connection with the Dickinson Field Station at Dickinson, N. Dak.; to the Committee on Agriculture.

By Mr. JAMES of Michigan (at request of the War Department): A bill (H. R. 16211) to authorize the attendance of personnel and animals of the Regular Army as participants in the Tenth Olympic Games; to the Committee on Military Affairs.

By Mr. JOHNSON of Washington: A bill (H. R. 16212) providing for examination and survey of Lake River, Wash.; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 16213) to provide for distribution of tribal funds of the Puyallup Indians of the State of Washington; to the Committee on Indian Affairs.

By Mr. OLIVER of New York: A bill (H. R. 16214) granting retirement to certain former employees of the Treasury Department; to the Committee on the Civil Service.

By Mr. TAYLOR of Colorado: A bill (H. R. 16215) authorizing the sale of surplus power developed under the Grand Valley reclamation project, Colorado; to the Committee on Irrigation and Reclamation.

By Mr. BRITTEN: A bill (H. R. 16216) to increase the limit of cost of construction of certain public works, and for other purposes; to the Committee on Naval Affairs.

By Mr. STEAGALL: A bill (H. R. 16217) to amend section 32 of the act of Congress approved July 17, 1916, known as the Federal farm loan act, but adding thereto a section to be known as section 32–A; to the Committee on Banking and Currency.

By Mr. CRAMTON: A bill (H. R. 16218) to amend subsection (a) of section 1 of an act entitled "An act for the acquisition, establishment, and development of the George Washington Memorial Parkway along the Potomac from Mount Vernon and Fort Washington to the Great Falls, and to provide for the acquisition of lands in the District of Columbia and the States of Maryland and Virginia requisite to the comprehensive park, parkway, and playground system of the National Capital," approved May 29, 1930; to the Committee on Public Buildings and Grounds.

By Mr. FITZGERALD: A bill (H. R. 16219) to amend the World War veterans' act, 1924, as amended; to the Committee on World War Veterans' Legislation.

By Mr. REED of New York: Resolution (H. Res. 335) for the consideration of H. R. 12901 to extend the provisions of certain laws relating to vocational education and civilian rehabilitation to Porto Rico; to the Committee on Rules.

Also, resolution (H. Res. 336) for the consideration of S. 2113 to aid in effectuating the purposes of the Federal laws for promotion of vocational agriculture; to the Committee on Rules.

By Mr. CRISP: Resolution (H. Res. 337) to amend Rule II by adding two new paragraphs; to the Committee on Rules.

Also, resolution (H. Res. 338) to amend paragraph 4 of Rule XIII; to the Committee on Rules.

Also, resolution (H. Res. 339) to amend Rule XXVII, providing a discharge rule; to the Committee on Rules.

By Mr. WAINRIGHT: Joint resolution (H. J. Res. 467) to provide for the erection of a suitable memorial to the Second Division of the American Expeditionary Forces; to the Committee on the Library.

By Mr. PATMAN: Joint resolution (H. J. Res. 468) to authorize loans, in certain emergency cases, for use in making payments on loans of Federal land banks and joint-stock land banks; to the Committee on Agriculture.

MEMORIALS

Under clause 3 of Rule XXII, memorials were presented and referred as follows:

Memorial from the State Legislature of the State of Idaho, urging the Congress of the United States of America to give careful consideration to and enact such legislation as will permit the United States Government to pay to counties and State the taxes that would ordinarily be assessed against lands; to the Committee on Indian Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BACON: A bill (H. R. 16220) for the relief of John A. Rapelye; to the Committee on Claims.

By Mr. BOHN: A bill (H. R. 16221) for the relief of Cadreau Bros.; to the Committee on Claims.

By Mr. EDWARDS: A bill (H. R. 16222) for the relief of Mark Parker, alias Harry E. Parks; to the Committee on Military Affairs.

By Mr. GIFFORD: A bill (H. R. 16223) for the relief of Charles A. Gettys; to the Committee on Naval Affairs.

By Mr. GREENWOOD: A bill (H. R. 16224) granting an increase of pension to Martha Hattery; to the Committee on Invalid Pensions.

By Mr. HARE: A bill (H. R. 16225) for the relief of Claud J. Adams; to the Committee on Military Affairs.

By Mr. HOGG of West Virginia: A bill (H. R. 16226) granting an increase of pension to Barbara A. Smith; to the Committee on Invalid Pensions.

By Mr. HOPE: A bill (H. R. 16227) for the relief of M. K. Stephens; to the Committee on Claims.

By Mr. MORTON D. HULL: A bill (H. R. 16228) granting a pension to Anna Buckingham; to the Committee on Invalid Pensions.

By Mr. LINTHICUM: A bill (H. R. 16229) for the relief of Helena C. VonGroning and Stephan VonGroning; to the Committee on Claims.

By Mr. McLEOD: A bill (H. R. 16230) for the relief of George Hamlin; to the Committee on Military Affairs.

By Mr. MOORE of Ohio: A bill (H. R. 16231) granting a pension to Florence Bonnell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16232) granting a pension to Carrie Boyd; to the Committee on Invalid Pensions.

By Mr. NELSON of Wisconsin: A bill (H. R. 16233) granting an increase of pension to Anna Gault; to the Committee on Invalid Pensions.

By Mr. O'CONNOR of Oklahoma: A bill (H. R. 16234) for the relief of the Charles LeRoy estate; to the Committee on Claims.

By Mr. OLIVER of New York: A bill (H. R. 16235) granting an increase of pension to Hattie V. Holdsworth; to the Committee on Pensions.

By Mr. PALMER: A bill (H. R. 16236) granting a pension to Doris Wehrs; to the Committee on Invalid Pensions.

By Mr. PATMAN: A bill (H. R. 16237) for the relief of the heirs of F. P. Brower, deceased; to the Committee on Claims.

By Mr. REED of New York: A bill (H. R. 16238) granting an increase of pension to Rena N. Kerr; to the Committee on Invalid Pensions.

By Mr. SMITH of West Virginia: A bill (H. R. 16239) granting an increase of pension to Mary Treadway; to the Committee on Invalid Pensions.

By Mr. STALKER: A bill (H. R. 16240) granting an increase of pension to Rebecca A. Decker; to the Committee on Invalid Pensions.

By Mr. WALKER: A bill (H. R. 16241) granting an increase of pension to Nancy Kelley; to the Committee on Invalid Pensions.

By Mr. WHITLEY: A bill (H. R. 16242) granting an increase of pension to Elizabeth F. Taylor; to the Committee on Invalid Pensions.

By Mr. WOLVERTON of West Virginia: A bill (H. R. 16243) granting an increase of pension to Frank C. Nelson; to the Committee on Pensions.

Also, a bill (H. R. 16244) granting an increase of pension to Loverney J. Adams; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8602. By Mr. ANDREW: Petition from various residents of Massachusetts, favoring passage of so-called antivivisection bill, H. R. 7884; to the Committee on the District of Columbia.

8603. By Mr. BACON: Petition signed by residents of Long Island, urging the enactment by Congress of House bill 7884, providing for exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

8604. Also, petition of the East Rockaway Yacht Club, of Long Island, in support of passage of dog antivivisection bill for the District of Columbia; to the Committee on the District of Columbia.

8605. By Mr. BARBOUR: Petition of residents of the seventh congressional district of California, urging passage of House bill 7884, for the exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

8606. By Mr. BLOOM: Petition of residents of New York State, urging the passage of House bill 7884, providing for the exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

8607. By Mr. HILL of Washington: Petition of 35 citizens of Spokane, Wash., urging passage of House bill 7884, for the exemption of dogs from vivisection; to the Committee on the District of Columbia.

8608. By Mr. KVALE: Petition of 30 citizens of Glenwood, Minn., representing the business men, professionals, and railroad employees, urgently requesting consideration of adequate and proper motor-bus regularity legislation; to the Committee on Interstate and Foreign Commerce.

8609. Also, petition of members of the Carl A. Hanson Post, No. 321, Elbow Lake, Minn., unanimously favoring leg-

islation to pay off in full adjusted-service certificates; to the Committee on Ways and Means.

8610. By Mr. O'CONNOR of New York: Resolution of the Long Island Chamber of Commerce, New York, opposing transfer of all or any part of the New York State canal system to Federal Government under terms and conditions of rivers and harbors act of July 3, 1930; to the Committee on Rivers and Harbors.

8611. By Mr. PRALL: Petition of citizens of the eleventh district, New York, urging the passage of House bill 7884 for the exemption of dogs from vivisection; to the Committee on the District of Columbia.

8612. By Mr. SHOTT of West Virginia: Memorial of Council of Jewish Women, of Charleston, W. Va., urging legislation permitting admission of wives and children of alien residents; to the Committee on Immigration and Naturalization.

8613. By Mr. YATES: Petition of Louis J. Cohn, secretary Elliott Varnish Co., 4525 Fifth Avenue, Chicago, Ill., urging the defeat of any legislation tending to increase the rate of first-class postage from 2 cents to 2½ cents per ounce; to the Committee on the Post Office and Post Roads.

8614. Also, petition of William E. Rasch, 3622 North St. Louis Avenue, Chicago, Ill., president International Brotherhood of Electric Workers, Local No. 134, urging the passage of House bill 10821; to the Committee on Education.

8615. Also, petition of A. B. Miller, 7825 South Wabash Avenue, Chicago, Ill., urging Congress to pass House bill 10821 for better and more vocational training; to the Committee on Education.